

MINUTES
REGULAR MEETING – PLANNING BOARD
May 25, 2017

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, May 25, 2017 at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board Members Present:

Cathy Washington, Chair
Tony Barhoo
James Neal
James Newman
Tony Servance

Board Members Absent:

Jeff Hurt

Staff Members Present:

James Morris, Deputy City Manager
Richard Walton, Planning Director
Dennis Mrozek, Planning Manager
Rose Askew, Planner
Doug Gutierrez, Planner
Carrie Avallone, Assistant City Attorney
Marianne Pulaski, Planning Technician
Becky Groom, Board Secretary

1. **Call to Order**

Ms. Washington called the meeting to order at 6:00 p.m.

2. **Roll Call**

The roll was called and members were noted present as stated above.

3. **Approval of the Minutes** - April 27, 2017

Board Action:

A motion was made by Mr. Newman, seconded by Mr. Barhoo, to approve the minutes of the April 27, 2017 Planning Board Meeting, as presented. The motion was approved unanimously (5-0).

Ms. Washington stated a memorial service will be held on May 31 in remembrance of the former Planning Board member, Robert Hoitsma, who recently passed away. Mr. Barhoo offered a prayer in remembrance of Mr. Hoitsma and his family.

4. **Small Scale Comprehensive Plan Amendment (SSCPA) – Bellewood Commons, DEV2017-002**

Staff Presentation:

Doug Gutierrez, Senior Planner, presented the staff report which is included as part of the packet. Mr. Gutierrez stated this item is being presented in conjunction with Item 5, Rezoning to Planned Development-General (PD-G), Bellewood Commons, DEV2017-003. Mr. Gutierrez stated the request is to change the Future Land Use Map designation from Church to Level 2 Residential and Level 2 Retail. Mr. Gutierrez stated the property is located at Beville Road and Cambridge Drive. Mr. Gutierrez stated staff recommends approval of the proposed Comprehensive Plan Amendment.

Applicant's Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood, thanked the Board for remembering Robert Hoitsma.

Mr. Merrell stated a neighborhood meeting was held on site and feels concerns have been addressed. Mr. Merrell stated two users are under lease for the site but there is not a signed lease for the third facility. Mr. Merrell stated it is requested that the landscaping be removed from alongside the building for easy access, which will provide a better buffer for the site.

Mr. Newman asked if the units will be built and then rented.

Neil Buck, JB Realty Partners, stated there are two build-to-suit leases in place, one with O'Reilly Auto Parts and one with Tire Kingdom. Mr. Buck stated once the items are approved and permitted, construction will start. Mr. Buck stated the middle building is listed with a broker and hopes to lease that site as well.

Public Comments:

Ed Pernicka, 1301 Kilian, stated the retail development will encroach on his way of life. Mr. Pernicka stated his house faces the site and he would like to see the northern access eliminated from the site. He stated placing a "No Left Turn" sign will not slow the traffic.

Mr. Merrell stated Beville Road is a high traffic road and this is the proper place for commercial. Mr. Merrell stated this site will be a transition to the surrounding property. Mr. Merrell stated the abandoned church has become a site where the homeless are gathering and development will take care of that problem.

Annette Hogle, 1324 Woodbine, stated the vacant church has become an eyesore. Ms. Hogle stated there has been an increase in burglaries as well as drug concerns in the area. She stated she is glad to see the property improved and suggested an ALF would be a good use for the additional building since such a site would be well lighted and have people going in and out through the night. Ms. Hogle expressed concern about traffic and the need for an additional traffic light. Ms. Hogle stated a trespass-arrest sign is needed on the existing site to help with the homeless issue. She also stated lighting is needed.

Mr. Merrell stated he will meet with Mr. Pernicka prior to the City Commission meeting to discuss landscaping so Mr. Pernicka will see nothing but green. Mr. Merrell stated there was discussion about restricting traffic so it does not interfere with the single family area. Mr. Merrell stated the second access is needed for emergency access but could be placed at an angle to the road along with curbing so traffic will be forced to go toward Beville. Mr. Merrell stated he cannot address a traffic signal since that is an FDOT issue.

Mr. Pernicka stated eastbound on Beville there is a turn lane to the site but it only holds about 3 cars. Mr. Pernicka expressed concern that the additional retail sites will add to an already dangerous situation.

Mr. Merrell stated a traffic analysis has been done and there would not be a recommendation for approval from City staff if there are concerns about traffic safety.

Mr. Newman stated having more activity in the area will help with the homeless issue and drug activity.

Ms. Washington stated she lives in the area but feels once proper signage is in place it will address some of the concerns that have been expressed.

Board Motion:

A motion was made by Mr. Newman, seconded by Mr. Neal, to approve Small Scale Comprehensive Plan Amendment (SSCPA) – Bellewood Commons, DEV2017-002, in accordance with the staff report as presented. The motion carried unanimously (5-0).

5. **Rezoning to Planned Development-General (PD-G) – Bellewood Commons, DEV2017-003**

Staff Presentation:

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated this item is presented in conjunction with Item 4, Small Scale Comprehensive Plan Amendment (SSCPA) – Bellewood Commons, DEV2017-002. Mr. Mrozek stated the rezoning request is to rezone the property located at Beville and Cambridge from multi-family to Planned Development-General. Mr. Mrozek stated there will be a 25 foot landscape buffer along Beville Road and a 15 foot landscape buffer along Cambridge. Mr. Mrozek stated there is currently a vacant church on the property which will be removed.

Mr. Mrozek stated the modifications requested include relocation of required building perimeter landscaping to other parts of the development; vehicle access from a single-family zoning district; additional monument signage; and a reduction of the required parking spaces.

Mr. Barhoo asked if the residents' concerns have been addressed.

Mr. Mrozek stated a neighborhood meeting was held and the applicant will address that discussion.

Applicant's Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood, provided sketches of proposed buildings that could be placed on the site. Mr. Merrell's comments are included under Item 4.

Public Comments:

Public comments were included as part of Item 4.

Board Action:

A motion was made by Mr. Barhoo, seconded by Mr. Servance, to approve Rezoning to Planned Development-General (PD-G) – Bellewood Commons, DEV2017-003, in accordance with the staff report as presented. The motion carried unanimously (5-0).

6. **Small Scale Comprehensive Plan Amendment (SSCPA) – Clyde Park Office Suites, DEV2017-015**

Staff Presentation:

Doug Gutierrez, Senior Planner, presented the staff report which is included as part of the packet. This item is being presented in conjunction with Item 7, Rezoning to Planned Development-General (PD-G) – Clyde Park Office Suites, DEV2017-016. Mr. Gutierrez stated the request is to change the Future Land Use Map designation from County Urban Low Intensity to Office Transition.

Applicant's Presentation:

Colleen Miles, 140 S. Beach Street, spoke representing the applicant. Ms. Miles' comments are included as part of Item 7 of this agenda.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Barhoo, seconded by Mr. Servance, to approve Small Scale Comprehensive Plan Amendment (SSCPA) – Clyde Park Office Suites, DEV2017-015, in accordance with the staff report as presented. The motion carried unanimously (5-0).

7. **Rezoning to Planned Development-General (PD-G) – Clyde Park Office Suites, DEV2017-016**

Rose Askew, Planner, presented the staff report which is included as part of the packet. This item is being considered in conjunction with Item 6, Small Scale Comprehensive Plan Amendment (SSCPA) – Clyde Park Office Suites, DEV2017-015. Ms. Askew stated the proposed project includes rezoning to allow for the construction of three office buildings, associated parking, landscaping, and infrastructure. Ms. Askew stated there is an outstanding comment from staff review from the Utilities Department regarding the hydrant, and it is requested that the comment be resolved prior to site plan approval.

Ms. Askew stated the modifications requested are a reduction in the stacking driveway entrance from 50 feet to 30 feet; a reduction in the buffer from 15 feet to 10 feet; an increase in the maximum height of ground signs from 15 feet to 40 feet and increasing the sign area to 60 sq.ft.; and a request to reconfigure the site so that at least 15 percent of the development or site area is occupied by tree canopy cover. Ms. Askew stated the applicant is requesting to keep the current tree cover that is in place.

Mr. Newman asked if the fire hydrant issue has been addressed.

Ms. Askew stated she did not have any additional information on the fire hydrant but the site plan approval cannot proceed until that item has been addressed.

Mr. Newman asked if the request is to reduce the tree canopy.

Ms. Askew stated the applicant is meeting the City's requirements for the required trees but the applicant is asking to keep what is currently in place. Ms. Askew stated some of the trees that are in place may not be what is required by the Land Development Code.

Colleen Miles, 140 S. Beach Street, stated none of the existing trees will be left.

Mr. Barhoo asked if there are safety concerns with reducing the driveway from 50 feet to 30 feet.

Ms. Askew stated the request was reviewed by the Traffic Division and they did not have any issues with the reduction.

Applicant's Presentation:

Colleen Miles, Land Development Resource Group, 140 S. Beach Street, spoke representing the applicant. Ms. Miles stated the site was previously a planted tree farm so the trees are pines which are not a viable tree canopy; so those trees will be removed and new trees planted that are in compliance with the Land Development Code. Ms. Miles spoke regarding the stacking and noted that the site will be accessed from Integra Breeze Lane so the safety issue has been addressed since cars will not be stacking on Clyde Morris Blvd.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Neal, seconded by Mr. Newman, to approve Rezoning to Planned Development-General (PD-G), Clyde Park Office Suites, DEV2017-016, in accordance with the staff report as presented. The motion carried unanimously (5-0).

8. **Amendment to Grand Isle Planned District Agreement – DEV2017-034**

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated this is a request to extend the expiration date of the Planned District Agreement for Grand Isle to May 17, 2019. Mr.

Mrozek extending the agreement will allow time to modify the agreement and plat as needed so it will comply with the new Land Development Code.

Mr. Barhoo asked if there is a limit on the number of times an agreement can be extended.

Mr. Mrozek stated there is no written limitation and it is up to the City Commission to grant the extension.

Applicant's Presentation:

Joe Hopkins, 100 Marina Point Drive, spoke representing the applicant. Mr. Hopkins stated he will meet with City staff to address issues concerning compliance with the new LDC.

Public Comments:

Hugh Toombs, Preserve at Rivers Edge Condominium Association, 1401 S. Palmetto, stated he is opposed to this request since there is a question of the validity of the easement.

Jim Morris, Deputy City Manager, stated he requested a title opinion from the attorney for the project; and he was not satisfied with the content. Mr. Morris stated he has sent the opinion back to the project's attorney for additional information. Mr. Morris stated the question relates to the title and whether the title and easement are valid. Mr. Morris stated the associated title work was not attached to the opinion and he has asked for more information before he will forward it to the City Attorney's office. Mr. Morris stated when he has a completed opinion, he will provide it to the City Attorney. Mr. Morris stated the title issue is immaterial to the Planning Board's proceedings regarding extension of the agreement. Mr. Morris stated when the opinion is completed, interested individuals may receive a copy and have it reviewed by their attorneys. Mr. Morris stated it will be standard practice for every development presented to the Planning Board to have a title opinion accompany the application.

Board Motion:

A motion was made by Mr. Barhoo, seconded by Mr. Neal, to approve Amendment to Grand Isle Planned District Agreement – DEV2017-034, in accordance with the staff report as presented. The motion carried unanimously (5-0).

9. **Site Plan – Hilton Home 2, DEV2016-135**

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated the project is located at 200 Fentress Blvd.

and a 107 unit hotel with associated site improvements is planned. Mr. Mrozek stated several items were noted as required modifications from the Utilities Department; but the applicant has submitted responses to those concerns and the items are being reviewed. Mr. Mrozek noted the items must be resolved prior to final approval being granted by staff. Mr. Mrozek noted the Planning Board has final approval on this project.

Applicant's Presentation:

Joe Hopkins, 100 Marina Point Drive, spoke representing the applicant. Mr. Hopkins stated the comments noted in the staff report have been addressed. Mr. Hopkins stated a life safety test was done regarding the hydrant and it exceeds capacity.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Newman, seconded by Mr. Servance, to approve Site Plan – Hilton Home 2, DEV2016-135, in accordance with the staff report as presented. The motion carried unanimously (5-0).

10. **Land Development Code Text Amendment, Articles 2 and 9, DEV2017-041**

Rich Walton, Planning Director, presented the staff report which is included as part of the packet. Mr. Walton stated the City Commission discussed this item in April and asked for research to determine why the Land Development Code did not include all of the International Property Maintenance Code requirements. Mr. Walton stated this request is to amend the Land Development Code to include the International Property Maintenance Code requirements which will allow additional support for Code Enforcement and condemnation of unsafe or dilapidated structures.

Public Comments:

Jim Cameron, Senior Vice President, Daytona Regional Chamber, stated representatives from the Chamber and City staff toured the beachside area along with Amy Pyle, Anne Ruby, and Sandra Murphy, residents of the area. Mr. Cameron stated Commissioner Kelly White, Jim Morris, and Reed Berger were a part of the tour. Mr. Cameron stated he supports this amendment which will help to address code enforcement issues.

Amy Pyle, 136 S. Grandview, stated she was on the tour with Mr. Cameron. She stated it is good to see support from City staff, the City Commission, and the

Chamber. Ms. Pyle stated she supports the proposed amendment to the Land Development Code.

Anne Ruby, 137 Park Avenue, stated she is in support of the proposed amendment to the Land Development Code and feels this amendment will provide the City with the ability to move more quickly on code enforcement issues.

Sandra Murphy, 136 Park Avenue, stated she is in support of the proposed amendment to the Land Development Code.

Mr. Servance stated he is pleased to see that everyone is working together in order to make Daytona Beach a better place.

Board Action:

A motion was made by Mr. Servance, seconded by Mr. Barhoo, to approve Land Development Code Text Amendment, Articles 2 and 9, DEV2017-041, in accordance with the staff report as presented. The motion carried unanimously (5-0).

11. **Appeal – Harvest Time International, Inc., DEV2017-037**

The applicant has requested that this item be continued to the June 22, 2017, Planning Board meeting.

Mr. Newman asked if the business is operated at this site.

Ms. Avallone stated the business has not opened.

Board Action:

A motion was made by Mr. Neal, seconded by Mr. Barhoo, to continue Appeal – Harvest Time International, Inc., DEV2017-037, to the June 22, 2017 Planning Board meeting. The motion carried unanimously (5-0).

12. **Other Business**

a. Downtown Redevelopment Board Report

Ms. Washington stated the Downtown Redevelopment Board did not meet in May.

b. Midtown Redevelopment Area Board Report

Mr. Barhoo stated the Midtown Redevelopment Area Board did not meet in May.

c. Beachside Redevelopment Area Board Report

Mr. Newman stated the Beachside Redevelopment Area Board did not meet in May.

d. Public Comments

There were no public comments.

e. Staff Comments

There were no staff comments.

f. Board Comments

Mr. Barhoo stated he is working on a project with his ministry and wanted to thank staff for the work they do in processing items.

Mr. Newman stated it was nice to have items on the agenda that everyone agrees on.

Adjournment

There being no further business, the meeting adjourned.



Cathy Washington, Chair

ATTEST:



Secretary