



## The CITY OF DAYTONA BEACH Downtown Redevelopment Board Agenda

City Hall  
Commission Chambers  
Regular Meeting

301 South Ridgewood Avenue  
Tuesday, April 2, 2019  
12:00 PM

Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.

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Call to Order

Roll Call

Approval of the minutes: February 5, 2019 and March 20, 2019

Rezoning to Planned Development-Redevelopment (PD-RD) –  
Project Delta West, DEV2018-164 (Quasi-Judicial Hearing)

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of DB Mainland, LLC, to rezone 5.99± acres of land, located in the block bounded by W. International Speedway Blvd., N. Ridgewood Ave., Bay St., and N. Palmetto Ave., from Downtown Redevelopment - Central Business District (RDD-2) and Downtown Redevelopment - Commercial (RDD-3) to Planned Development-Redevelopment (PD-RD) to facilitate development of a mixed-use commercial development.

Public Comments

Board Comments

## Adjournment

# DOWNTOWN REDEVELOPMENT BOARD MINUTES

Tuesday, February 5, 2019

The regular meeting of the Downtown Redevelopment Board was held Tuesday, February 5, 2019, at 12:00 p.m. in the Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

### Board Members Present

Mr. Scott Weidman, Chair  
Ms. Sheryl Cook  
Mr. Daniel Harshaw  
Mr. Russell Holloway  
Mr. Jake Nicely  
Ms. Cathy Washington (Planning Board Representative)

### Board Members Absent

Dr. Kent Sharples

### Staff Members Present

Mr. Reed Berger, Redevelopment Director  
Ms. Carly Meek, Assistant City Attorney  
Ms. Becky Groom, Board Secretary

### Call to Order

Mr. Weidman called the meeting to order at 12:15 p.m.

### Roll Call

Ms. Groom called the roll and noted members present as stated above.

### Approval of Minutes - Regular Meeting: December 4, 2018

#### Board Action:

A motion was made by Ms. Cook, seconded by Mr. Holloway, to approve the minutes of the December 4, 2018 meeting as presented. The motion carried (6-0).

### Wall Graphic – 112 Orange Avenue

Reed Berger, Redevelopment Director, presented the staff report which was included as part of the packet. Mr. Berger stated the applicant, Jack White, has been working with a group of artists regarding the placement of murals in the downtown. Mr. Berger stated staff will be looking at the regulations for signs to determine what needs to be changed so that murals will not be treated as any other sign.

## Applicant Presentation:

Jack White, 28 Wall Street, Daytona Beach, Florida stated there have been meetings with Mr. Berger and Deputy City Manager, Jim Morris, to begin the work on a document that would determine the guidelines for murals. Mr. White stated an ad hoc group will be formed to provide assistance in screening proposed art work prior to presentation to the City.

Ms. Cook stated she believes there are probably murals already in place in the downtown that are not up to Code.

Mr. White stated what he is proposing today would be a permitted mural as part of the Art in the Alley program which would be placed next to a vacant lot where the Crooks' Den was previously located. Mr. White stated the overall goal is for each alley in the downtown to have artwork. Mr. White stated the figure presented is a box of Animal Crackers; and at a later date, an elephant's trunk would be added from the top of the building, reaching into the box of crackers.

Mr. Nicely asked if Mr. White has checked to see if there are any trademark infringements with what is proposed.

Mr. White stated he would check but does not believe there is a problem since there is no wording on the mural.

Mr. Harshaw stated he likes the art that is proposed but is also concerned about the trademark. Mr. Harshaw stated there may be concern expressed about the picture showing caged animals.

Mr. White stated the animals are a fantasy and creativity should not be caged.

Mr. Nicely stated he would like to see renderings of the proposed addition of the elephant's trunk.

Mr. White stated that could be provided.

Ms. Washington stated she does not want to restrict creativity and feels it is fine to complete the proposed mural in stages.

Mr. Holloway stated art is individual; but if someone can see it from their window, that individual has a stake in it.

Mr. Nicely asked if the proposed art projects may be used as advertising.

Mr. White stated at that time, the artist would need a sign permit.

Mr. Berger stated the art work has wording.

Mr. Berger stated a text amendment to the Land Development Code would not normally be presented to a redevelopment board for approval but staff will consider input from the Downtown Redevelopment Board on a proposed amendment for wall graphics prior to it being presented to the Planning Board.

Mr. Weidman stated he would like to ask staff to receive input from the Midtown, Beachside, and Downtown Redevelopment Boards on any proposed amendment to the Land Development Code regarding murals.

Mr. Berger stated he would like to receive input from the Downtown Redevelopment Board prior to a presentation being made to the other Redevelopment Boards.

Mr. Nicely stated he would like to see what is planned for a completed project if the art work is to be done in phases and would also like to know the time limit on how long the mural will be in place.

#### Board Action:

A motion was made by Mr. Nicely, seconded by Mr. Harshaw, to approve Wall Graphic, 112 Orange Avenue, in accordance with the staff report as presented. The motion carried (5-0).

## Public Comments

There were no public comments.

## Board Comments

Mr. Harshaw asked for an update on projects in the downtown.

Mr. Berger stated the plans are 60% complete for Beach Street and it is anticipated that the plans will be completed in March. Mr. Berger stated construction could start in the summer and staff will work to make sure all stores remain open. Mr. Berger stated the Veterans Bridge project has been delayed about one year longer than was originally planned.

## Adjournment

There being no further business, the meeting was adjourned at 1:28 p.m.

## DOWNTOWN REDEVELOPMENT BOARD MINUTES SPECIAL MEETING

Wednesday, March 20, 2019

The Special Meeting of the Downtown Redevelopment Board was held Wednesday, March 20, 2019, at 12:00 p.m. in the Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

### Board Members Present

Mr. Scott Weidman, Chair  
Mr. Daniel Harshaw  
Mr. Russell Holloway  
Dr. Kent Sharples

### Board Members Absent

Ms. Sheryl Cook  
Mr. Jake Nicely  
Ms. Cathy Washington (Planning Board Representative)

## Staff Members Present

Mr. Reed Berger, Redevelopment Director

Ms. Carly Meek, Assistant City Attorney

Ms. Becky Groom, Board Secretary

## Call to Order

Mr. Weidman called the meeting to order at 12:00 p.m.

## Roll Call

Ms. Groom called the roll and noted members present as stated above.

## Wall Graphic – 242 S. Beach Street (Cinematique wall on Ivy Lane

Jack White, 28 Wall Street, Daytona Beach, Florida was in attendance and answered questions from the Board. Mr. White stated what is proposed is placing artwork on five windows which are 24” x 36” in size.

Mr. Harshaw stated it is his understanding that the murals will only be in place for one year and asked if once the graphics start to fade or the one year time limit has lapsed, will the property owner repaint the building.

Mr. Berger stated there is not a one year time limit.

Mr. Holloway asked who the artist will be.

Mr. White stated 5 individuals will be doing the art work and he does not know them personally.

Mr. Weidman stated the Board members will not be voting on their personal opinions of the art, just if the artwork meets the criteria as outlined in the Land Development Code. Mr. Weidman asked what the status is of forming an art review board.

Ms. Meek stated even if an art board is formed, that board will still be bound the same rules; and such a Board would have to be approved by the City Commission.

Mr. White stated he discussed forming an ad hoc group and will be meeting with the Museum of Arts and Sciences to discuss forming such a group.

Mr. Berger stated the discussion has been to make the process for approvals of the artwork an easier process that will not have to be presented to the Downtown Redevelopment Board. Mr. Berger stated what is presented today complies with Section 6.10.J.13 of the Land Development Code.

Mr. Harshaw stated he feels the committee should look at standards so there isn't a clutter of art that doesn't meet standards that we do not want. Mr. Harshaw stated he would like the art to be a draw.

Mr. White stated the art is only to be on alleyways which would limit the art to nine areas.

## Public Comments:

There were no public comments.

## Board Action:

A motion was made by Dr. Sharples, seconded by Mr. Harshaw, to approve Wall Graphics – 242 S. Beach Street (Cinematique wall on Ivy Lane), in accordance with the staff report as presented. The motion carried (4-0).

Dr. Sharples stated he would like staff to re-examine Section 6.10.J.13 for further clarification and refinement based on the concerns that have been expressed by the Board over the last two meetings and the subject of code requirements and subjectivity of art itself as well as quality and content.

## Board Action:

A motion was made by Dr. Sharples, seconded by Mr. Harshaw, to have staff review the Land Development Code to see if it needs to be revised and have staff provide recommendations on how to deal with aesthetic or subjective elements of artwork itself. The motion carried (4-0).

Mr. Weidman asked what type of artwork would not comply with the Land Development Code.

Mr. Berger stated art on the front of a building would not be permitted and does not meet the criteria and requirements of the Land Development Code.

Mr. Holloway stated the alleys are used a lot for gaining access to the parking lots so the art work will be seen a lot and he feels there should be guidelines for the artwork.

Mr. Harshaw asked if there is a size limitation for artwork on the side of a building.

Mr. Berger stated that is determined by the artwork and if it fits in with the architecture of the building.

Dr. Sharples stated he feels there should be a time limit for the artwork to be displayed.

## Public Comments

There were no public comments.

## Board Comments

There were no additional Board comments.

## Adjournment

The meeting was adjourned at 12:20 p.m.

(Quasi-Judicial Hearing)

**Rezoning - Planned Development-Redevelopment**

## STAFF REPORT

DATE: March 28, 2019  
 TO: Downtown Redevelopment Board Members  
 FROM: Reed Berger, AICP, Redevelopment Director

## PROJECT REQUEST

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Mainland DB, LLC to rezone 5.99± acres of land, located in the block bounded by W. International Speedway Blvd., N. Ridgewood Ave., Bay St., and N. Palmetto Ave., from Downtown Redevelopment - Central Business District (RDD-2) and Downtown Redevelopment - Commercial (RDD-3) to Planned Development-Redevelopment (PD-RD) to facilitate development of a mixed-use commercial development.

## PROJECT LOCATION

The subject property is located (see Attachment A: Map Series) in the block bounded by W. International Speedway Blvd., N. Ridgewood Ave., Bay St., and N. Palmetto Ave. The subject site included several buildings that have or will soon be demolished including the First Baptist Church. The adjacent land uses and zoning classifications for the parcels are illustrated in the following table.

	Existing Uses	Existing Future Land Use Designation	Existing Zoning Classification
<b>Site</b>	Church	High Intensity Mixed Use & Commercial Mixed Use	Redevelopment Downtown-Central Business District (RDD-2) & Redevelopment Downtown-Commercial (RDD-3)
<b>North</b>	FAMA Printing & Florida Department of Children and Families	High Intensity Mixed Use & Commercial Mixed Use	Redevelopment Downtown-Central Business District (RDD-2) & Redevelopment Downtown-Commercial (RDD-3)
<b>South</b>	CVS Pharmacy	High Intensity Mixed Use	Redevelopment Downtown-Central Business District (RDD-2) & Redevelopment Downtown-Commercial (RDD-3)
<b>East</b>	Parking & Dance Studio	High Intensity Mixed Use	Redevelopment Downtown-Central Business District (RDD-2)
<b>West</b>	Wells Fargo & Burger King	Commercial Mixed Use	Redevelopment Downtown-Commercial (RDD-3)

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## **PROJECT DESCRIPTION & BACKGROUND**

The applicant is proposing to develop a mixed-use commercial project in the block located at the northeast corner of U.S. 92 and U.S. 1 within the Downtown Redevelopment Area that is intended to include a grocery store, luxury apartment building, parking garage, restaurant, and retail store (*see Attachment B: PD Plan*). This project is expected to be a significant catalyst attracting hundreds of new residents and office workers to the center of the Downtown and in close proximity to the new Brown & Brown corporate campus and the upgraded Riverfront Park, breathing new life into the shops and restaurants along Beach Street.

The applicant has purchased several properties totaling 5.99± acres within the 7.25± acre block that included a restaurant, a few residential structures, and the First Baptist Church campus with several classroom, office buildings, and associated parking lots. The former Beck's office building and Popeye's Restaurant on Ridgewood Avenue were not purchased by the applicant.

Representative conceptual renderings for the proposed mixed use development and pictures before demolition are provided below.



Conceptual drawings of Project Delta West (overall block, above & grocery store, below)





Conceptual drawing of Project Delta West luxury apartments (above)



Picture of Popeye's Restaurant not part of Project Delta West (above)



Picture of Beck's office building not part of Project Delta West (above)



Picture of First Baptist Church auxillary bldg. demolished as part of Project Delta West (above)



Picture of residential to be demolished as part of Project Delta West (above)



Picture of restaurant demolished as part of Project Delta West (above)



Picture of church demolished as part of Project Delta West (above)



Picture of First Baptist Church to be demolished as part of Project Delta West (above)



Picture of First Baptist Church meeting center demolished as part of Project Delta West (above)



Picture of First Baptist Church meeting center demolished as part of Project Delta West (above)

## **PROJECT ANALYSIS**

Review of and the decision on a Planned Development application shall be based on compliance of the proposed zoning reclassification and PD Plan/Agreement with the review standards in Section 3.4.D.3, Site-Specific Zoning District Map Amendment Review Standards, and the standards for the proposed type of PD district in Section 4.8, Planned Development Zoning Districts.

### *GENERAL PLANNED DEVELOPMENT DISTRICT PURPOSES*

*The Planned Development (PD) districts are established and intended to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and other City goals and objectives by:*

- a. Reducing or diminishing the inflexibility or uniform design that sometimes results from strict application of zoning and development standards designed primarily for individual lots;*
- b. Allowing greater freedom in selecting the means of providing access, open space, and design amenities;*
- c. Allowing greater freedom in providing a well-integrated mix of residential and nonresidential land uses in the same development, including a mix of housing types, lot sizes, and densities;*
- d. Providing for efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and*
- e. Promoting quality design and environmentally sensitive development that respects surrounding established land use character and respects and takes advantage of a site's natural and man-made features, such as trees, wetlands, surface waters, floodplains, and historic features.*

#### *D. Planned Development - Redevelopment (PD-RD).*

*1. Purpose. The Planned Development - Redevelopment (PD-RD) District is established and intended to provide the planning and design flexibility needed to accommodate urban infill and high-intensity mixed-use development and encourage the use of innovative and creative design that will achieve high quality urban design and a high level of energy efficiency and environmental sensitivity, and otherwise contribute to the City's goals and objectives for its Redevelopment Areas.*

## **Site-Specific Zoning District Map Amendment Review Standards**

In determining whether to adopt or deny a proposed Site-Specific Zoning District Map Amendment, the City shall consider:

**a. Whether the applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:**

- i. Is consistent with and furthers the goals, objectives, and policies of the comprehensive plan and all other applicable City-adopted plans;**

The City's Comprehensive Plan encourages in Policy 1.1.12 the creation of revitalization strategies and development standards to support the redevelopment of Downtown Daytona Beach with an emphasis on urban residential, office, shopping, and entertainment.

The Downtown / Ballough Road Redevelopment Plan, amended in 2010, is focused on the Downtown area's role as the regional center of commerce, recreation and culture. The strategic priority of the plan is to leverage Downtown's riverfront setting and unique collection of amenities to strengthen Downtown's position for residential, business and visitor development. The plan contains policies to encourage mixed use and pedestrian oriented development.

The Project Delta West proposal is supported by the Redevelopment Plan's "Strategic Priorities" as restated below:

*"A key to strengthening Downtown/Ballough Road's position as a residential, business and visitor address is to leverage its riverfront setting and unique collection of amenities to create a differentiated experience that showcases the advantages of living, working and visiting Downtown/Ballough Road. Preserving and enhancing the riverfront experience as well as promoting public access to a range of uses and activities offers a distinct competitive advantage that is the foundation for the Downtown/Ballough Road redevelopment strategy. The Redevelopment Plan is based on urban planning principles that encourage mixed use, mixed income and pedestrian-oriented development.*

*The market positioning and place-making strategies guiding the Redevelopment Plan are based on adding and clustering uses to create a set of sub-district experiences that, taken together, create economic synergies that will revitalize Downtown/Ballough Road. In order to build momentum, capitalize on current market opportunities and leverage strengths to incubate demand in niche markets, the Downtown/Ballough Road strategy should focus on the following:*

*Leverage the river and other locational advantages to expand the mix of housing offered [in the] Downtown/Ballough Road [area]."*

The Redevelopment Plan includes the following "Recommendation Highlights" applicable to the applicant's proposal.

*"In light of current market conditions, the public sector must continue to play a lead role in expanding and facilitating the development of amenities and services that will attract visitors and promote Downtown/Ballough Road living.*

*Downtown/Ballough Road's most viable short-term market opportunity is the potential residential development of properties that have prime riverfront views. New river view housing can be a catalyst for promoting Downtown/Ballough Road neighborhood revitalization and stabilization. Anchoring the Beach Street retail area on both the north and south ends have the highest priority for this use.*

*Future Downtown/Ballough Road land uses will displace existing grade parking and require strategically locating deck parking as well as utilizing existing restricted garages for shared public parking.”*

The following plan objectives and policies are also applicable to this request:

5.1 - Land Use Objective

*Annually complete at least one project that adds, mixes and clusters uses to create a critical mass of pedestrian-oriented experiences that are linked to each other in a manner that strengthens Downtown/Ballough Road's appeal as a business residential address and differentiated visitor destination.*

*Policy 5.1.5 Encourage mixed use projects that cluster compatible land uses and share infrastructure requirements.*

*Policy 5.1.10 Through regulatory controls and incentives, encourage investment in new development and rehabilitation that by 2007 will improve assessed property values by 3% per year, create new jobs by 10% a year and maintain a minimum of 85% building occupancy in the City's Redevelopment Areas.*

*Policy 5.1.12 Implement redevelopment category rezonings as requested to induce and enhance developments that are consistent with redevelopment plans and neighborhood policies.*

5.4 Economic Development Objective

*Target public intervention and economic incentives to encourage private investment in new development and rehabilitation that will improve property values, promote Downtown/Ballough Road housing, retain jobs, create new jobs, and expand the tax base consistent with the Redevelopment Plan and the regional economic development strategy. Utilize land use controls and incentives to encourage investment in new development and rehabilitation that is consistent with the Redevelopment Plan intent and Comprehensive Plan policies and procedures.*

*Policy 5.4.3 Target aggressive public intervention to attract strategically important businesses (i.e. tourism, technology, research and development) and clusters of sizable employers.*

The request is consistent with the goals and objectives of adopted Downtown / Ballough Road Redevelopment Area Plan.

**ii. Is not in conflict with any portion of this Code;**

Development standards for a PD District must comply with the development standards of Article 6: Development Standards, and Article 7: Subdivision Standards, or any modifications of those standards established in the PD Plan/Agreement. The applicant is proposing the following modifications to these standards (*Attachment C: Modifications and Benefits Letter*).

**iii. Addresses a demonstrated community need;**

The applicant has provided a Modifications/Benefit letter that addresses public benefits and addresses the standard for a demonstrated community need (Attachment C: Modifications and Benefits Letter).

**iv. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;**

The proposed mixed use project will allow higher density residential development at 150 units per acre contingent upon approval of a Small Scale Comprehensive Plan Amendment and Text Amendment (DEV2018-163) that will be considered concurrent to this rezoning request. The luxury apartment building and parking garage will accompany a grocery store and other commercial uses that will complement and be compatible with other uses in the High Intensity Mixed Use land use and compatible with the surrounding Downtown commercial uses surrounding the project site.

**v. Would result in a logical and orderly development pattern;**

The standards established in the PD Agreement together with the provisions applicable to the LDC would result in a logical and orderly development pattern for the subject property.

**vi. Would not adversely affect the property values in the area;**

The construction of a new mixed use commercial project with hundreds of residents and a grocery store will have a positive effect on the property values in the area.

**vii. Would result in development that is adequately served by public facilities (roads, potable water, wastewater, solid waste, storm water, schools, parks, police, and fire and emergency medical facilities); and**

The City's Technical Review Team (TRT) has reviewed the proposed development plan and offers no objections to the rezoning request.

**viii. Would not result in significantly adverse impacts on the natural environment—including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and**

Adverse environmental impacts are not anticipated with the approval of this request.

**b. If the applicant demonstrates that the proposed amendment meets the criteria in subparagraph [a] above, whether the current zoning district designation accomplishes a legitimate public purpose.**

The current zoning designation is RDD-2 and RDD-3. Downtown-Central Business District (RDD-2) is intended to promote and enhance pedestrian circulation between commercial uses and public facilities within this district and the RDD-1 district, to provide flexible design controls and encourage the creation of plazas and pedestrian linkages, to ensure a viable central business district by strengthening the downtown employment base, and to allow activities and development designs appropriate to a central business district. Downtown Redevelopment-Commercial (RDD-3) is to accommodate a range of commercial uses, particularly large-scale mixed-use developments, and to achieve a high quality of design and signage. The application is consistent with and furthers the goals, objectives, and policies of the City's Comprehensive

Plan and the adopted Downtown / Ballough Road Redevelopment Plan. The application to allow, through a PD Plan, the development of an urban commercial mixed use project including a grocery store and new housing opportunities is a legitimate public purpose.

**Planned Development Zoning Districts Review Standards**

Before approving a PD zoning district classification, the City Commission shall find the application for the PD zoning district, as well as the PD Plan/Agreement included as part of the application, comply with the following standards:

**1. PD Plan/Agreement**

The PD Plan/Agreement includes a general concept plan for development on the subject site, as provided for in the LDC.

**Signage**

Any proposed signage will comply with the following (*see Attachment D - Sign Plan*):

<i>Sign Type</i>	<i>Max Number of Signs</i>	<i>Max Total Sign Area</i>	<i>Max Single Sign Area</i>	<i>Max Height</i>
Wall	36	111,250 sq. ft. <sup>1</sup>	2,475 sq. ft.	45 feet
Pylon	5	5,400 sq. ft.	540 sq. ft.	45 feet

The maximum total sign area shall be broken down as follows:

- a. Tenant Signage:
  - i. Building B – 4,000 sq. ft.
  - ii. Building C – 450 sq. ft.
  - iii. Building D – 600 sq. ft.
- b. Multifamily Signage:
  - i. Building A – 7,200 sq. ft.
- c. Project Identity/Sponsorship:
  - i. Building E – 99,000 sq. ft.

The number of signs and maximum single sign area will be the controlling requirement for the signs: 36 wall signs at a maximum area per sign of 2475 sf is 89,100 sf which is less than the maximum total wall sign area of 111,250 sf. Five pole signs with a maximum sign area of 540 sf each is less than the maximum total sign are of 5,400 sf.

A waiver for pole signs in a redevelopment area and pole sign height LDC Section 6.10 will need to be requested.

The “wall murals and graphics” referenced in sign plan general note B shall require compliance with LDC Section 6.10.J.13.

**2. Consistency with City Plans**

The PD zoning district designation and the PD Plan/Agreement will be consistent with the comprehensive plan, contingent upon approval of a Small Scale Comprehensive Plan Amendment and Text Amendment (DEV2018-163) and if adopted by the City Commission.

### **3. Compatibility with Surrounding Areas**

Development along the perimeter of a PD district shall be compatible with adjacent existing or proposed development. The proposed development plan meets compatibility standards as stated earlier in this report.

### **4. Development Phasing Plan**

The project proposes the following phasing plan and construction schedule. Development of the Property may occur in multiple phases, but it is not required. In the event that development is phased, the order, size, and configuration of phases may be modified, and each proposed phase shall be required to install all necessary infrastructure, including all necessary easements and dedications, in order to stand alone, with the support of previously built phases. In the alternative Developer may construct the infrastructure necessary for full buildout, including parking, of the property during the construction of any phase. Each phase shall be built so as to be consistent with applicable City standards and this Agreement. In the event of a conflict between this Agreement and other City standards, this Agreement shall control. Permits for development of phases or sub-phases may be submitted for approval through the City's Site Plan process. Temporary staging of construction equipment and material shall be permitted on parcels in undeveloped phases during construction.

Application shall be submitted for all construction permits for the development, or for the first phase of a phased development, within 5 years of the approval of this Agreement by the City Commission. The filing of an appeal of the land development order by any person shall toll the time for permitting until final resolution of the appeal. If development is phased, application for construction permits for subsequent phases shall be submitted within 7 years from the date of initial approval.

Construction of phase one shall be substantially complete within 8 years of the approval of this Agreement. Construction of any other phase must be substantially complete within 20 years of the initial approval of this Agreement. One 12-month extension of the scheduled application or completion dates may be permitted as a minor modification to this Agreement. Failure to comply with the schedule set out above shall cause the development rights granted pursuant to this Agreement to lapse and the zoning shall revert to RDD-2 and RDD-3 on the respective portions.

### **5. Conversion Schedule**

Not applicable.

### **6. On-Site Public Facilities**

Not applicable at this time. However use of the parking garage for public use and vacation of public alleys may be considered at a later time by separate agreement or during the site plan and building permit review process.

### **7. Uses**

The following are the proposed uses in the PD Plan subject to compliance with the Use-Specific Standards set forth in Article 5, LDC and the modified use standards for the RDD-2 and RDD-3 zoning districts:

Health Care Uses

Business Support Service Uses

Eating and Drinking Establishments

Restaurant with drive-through service – this use shall be allowed even on lots that do have a minimum lot area of 30,000 square feet, but shall be restricted to areas with frontage along Ridgewood Avenue.

Office Uses

Retail Sales and Service Uses

Further, the following additional Uses are permitted within the property subject:

Auditorium or Theater/Amphitheater

Brewery/Winery/Distillery

Cinema (including alcohol sales and service)

Entertainment and Amusement Center

Design Center/Showroom

Educational Uses (including preschools, charter schools and satellite universities)

Entertainment Uses and Amusement Center (bowling, arcade, sports entertainment

facility/sporting complex, trampoline activity facility/park, hockey arena, baseball park)

Health and Wellbeing (massage, general spa services, health club)

Hotel or Motel

Indoor recreation/entertainment

Manufacturing, assembly, or fabrication, light

Multifamily Dwelling

Multifamily Complex

Parking Garage Use

Self-Storage with the following conditions:

- 1) Use limited to a maximum of three (3) acres of the entire project site; and
- 2) Outdoor storage limited to the rear yard of a storage facility
- 3) Self-Storage shall be allowed throughout development, and will not be restricted to the 500 foot setback as set forth in the LDC.

Temporary Uses (farmers market, carnival, Christmas tree sales)

Townhouse Dwelling

Townhouse Subdivision

Upper Story Dwelling (above nonresidential use)

Veterinary and boarding/animal hospital

Zero Lot Line Subdivision

## **8. Densities/Intensities**

The PD Agreement includes references to the existing F.A.R. of 10 and proposes modification or increases to these intensity standards to increase the density from 40 units per acre to 150 units per acre contingent upon approval of a Small Scale Comprehensive Plan Amendment and Text Amendment (DEV2018-163) that will be considered concurrent to this rezoning request

## **9. Dimensional Standards**

The PD Agreement provides the following criteria shall apply to development on the Property:

- (1) Maximum building height - N/A. Development shall meet the requirements of section 4.7.O.6.b. of the Land Development Code, except as modified herein. The development shall not be required to meet sections 4.7.O.6.b.iii., 4.7.O.6.b.v. and 4.7.O.6.b.vii of these provisions;
- (2) Minimum building setbacks – N/A;
- (3) Maximum building setbacks – N/A;
- (3) Maximum individual building size – N/A;
- (4) Maximum building coverage – N/A;
- (5) Minimum open space – N/A;
- (6) Maximum impervious surface area – N/A;
- (7) Maximum FAR of 10.00;
- (8) Residential density shall be limited to 150 dwelling units per acre. Residential Units, Parking garages and drive aisles shall not be included in the gross floor area of a building for purposes of calculating FAR (though any floor area located on a floor of a parking garage that is not used for parking or drive aisles is included in calculations or gross floor area);
- (9) Maximum front yard setback – 30% of the property shall meet a maximum front yard setback of 10'. In areas where the setback is not met, street trees and landscaped plazas will be used to screen any parking area from pedestrian view, and to promote walkability among the front edges of the property.

#### **10. Development Standards**

All development in a PD district shall comply with the development standards of Article 6: Development Standards, and Article 7: Subdivision Standards, or any modifications of those standards established in the PD Plan/Agreement as consistent with City plans, the objective of the particular type of development standard, the purpose of the particular PD district, and any additional limitations or requirements set forth in Sections 4.8.C and 4.8.D for the particular type of PD district.

#### **Neighborhood Meeting**

The applicant conducted a neighborhood meeting to review this project with all interested parties. A summary of the neighborhood meetings was submitted by the applicant for review (*see Attachment E*).

#### **RECOMMENDATION**

Staff recommends the approval of the application to rezone 5.99± acres of land, located in the block bounded by W. International Speedway Blvd., N. Ridgewood Ave., Bay St., and N. Palmetto Ave., from Downtown Redevelopment - Central Business District (RDD-2) and Downtown Redevelopment - Commercial (RDD-3) to Planned Development-Redevelopment (PD-RD) to facilitate development of a mixed-use commercial development..

The item is tentatively scheduled to be heard by the Planning Board on April 25, 2019 and by the City Commission for first reading on June 5, 2019 and for second reading on June 19, 2019 (public hearing).

# **Attachment A**

Map Series

# LOCATION MAP



Document Path: P:\Admin\Pratt\ma\Short Term Projects 2013\DEV ADS\DEV2018\DEV2018-164\pdm\DEV2018-164\_LocationMap.mxd



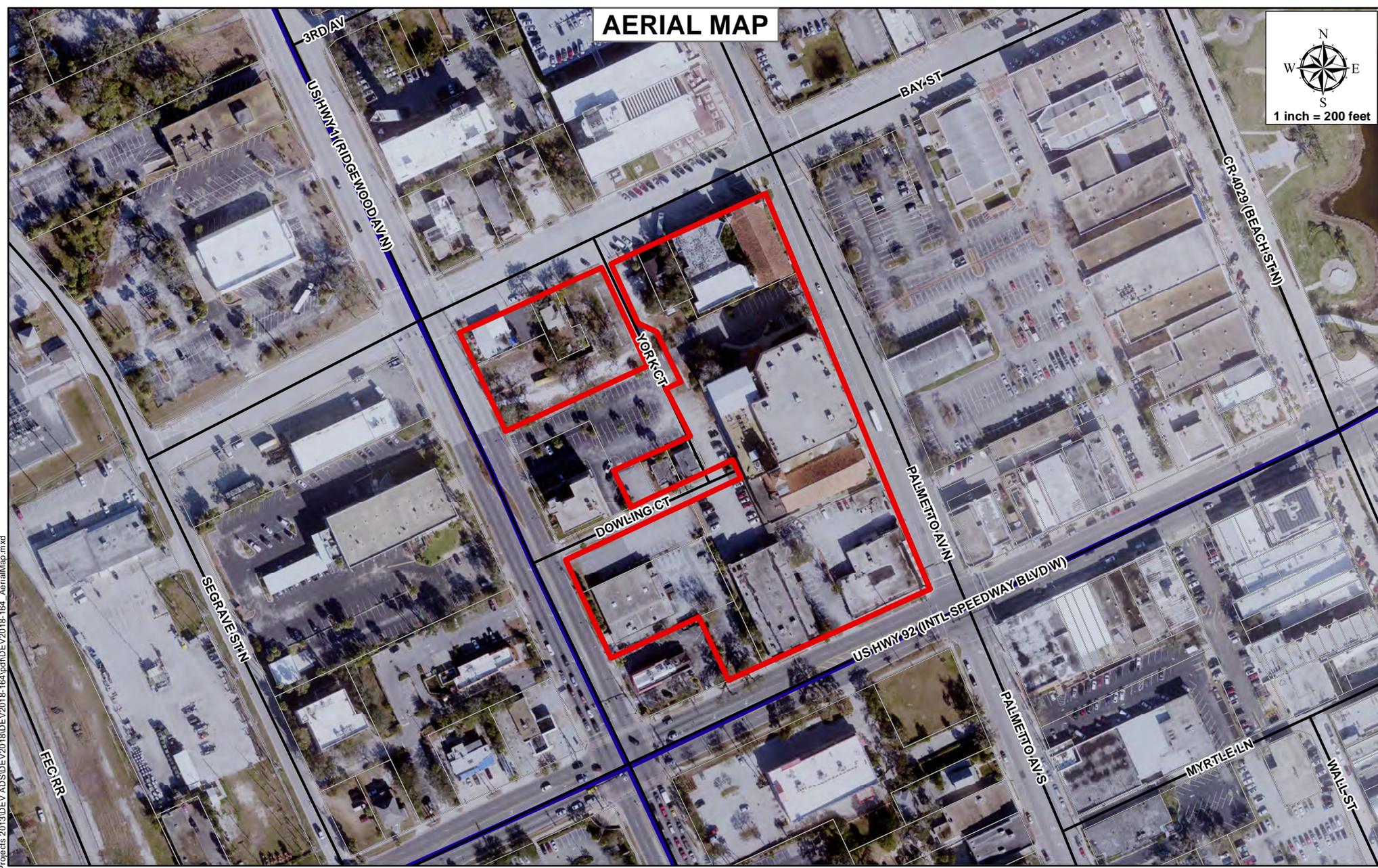
## DEV2018-164 REZONING LOCATION MAP

City of Daytona Beach Map disclaimer:  
These maps were developed and produced by the City of Daytona Beach GIS. They are provided for reference only and are not intended to show map scale accuracy or all inclusive map features. As indicated, the accuracy of the map has not been verified and it should be used for informational purposes only. Any possible discrepancies should be brought to the attention of City Engineering and or Development Services.

# AERIAL MAP



1 inch = 200 feet



Document Path: P:\Admin\Pratima\Short Term Projects 2018\DEV AD\DEV2018\DEV2018-164\hdm\DEV2018-164\_AerialMap.mxd

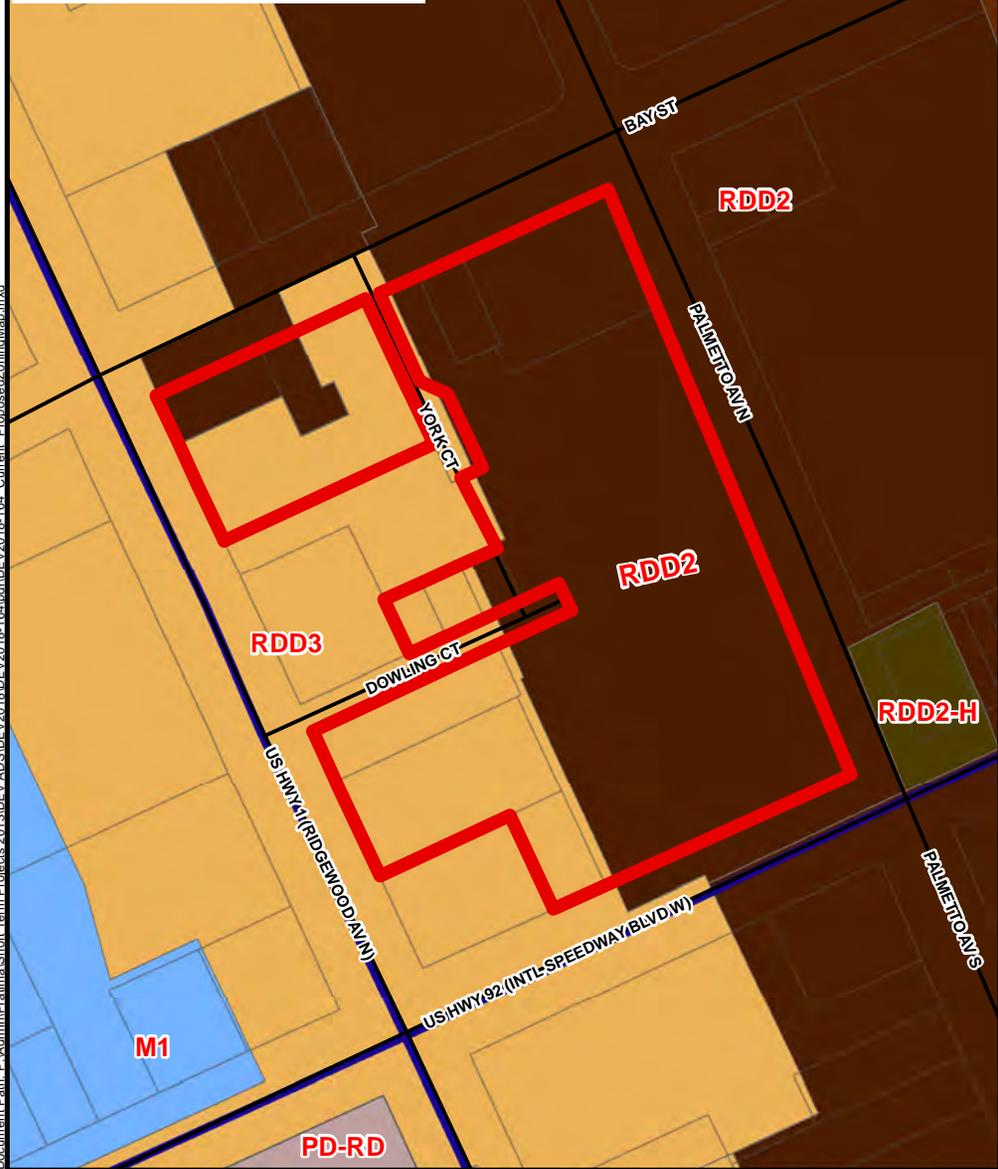


## DEV2018-164 REZONING AERIAL MAP

City of Daytona Beach Map disclaimer:

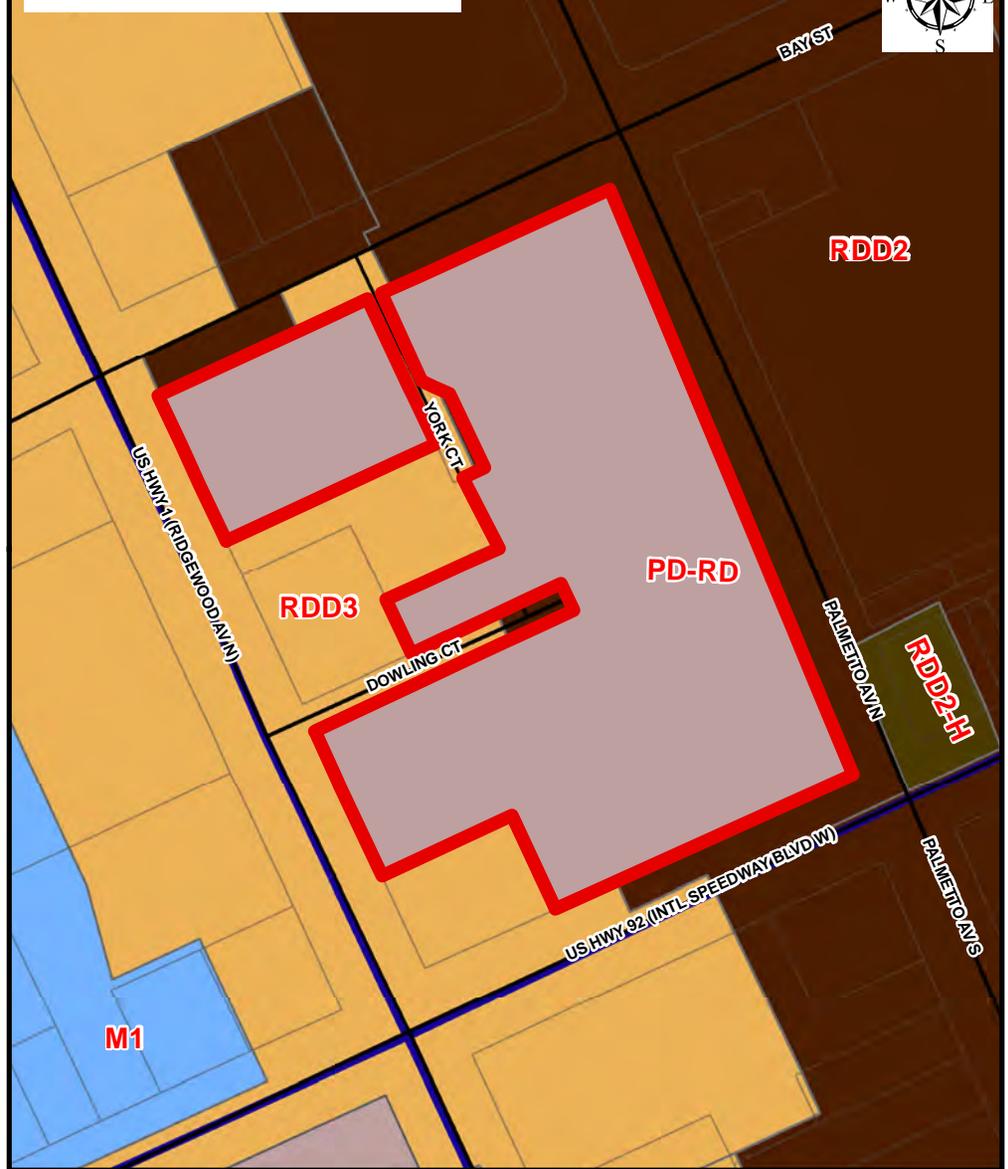
These maps were developed and produced by the City of Daytona Beach GIS. They are provided for reference only and are not intended to show map scale accuracy or all inclusive map features. As indicated, the accuracy of the map has not been verified and it should be used for informational purposes only. Any possible discrepancies should be brought to the attention of City Engineering and or Development Services.

# CURRENT ZONING



1 inch = 200 feet

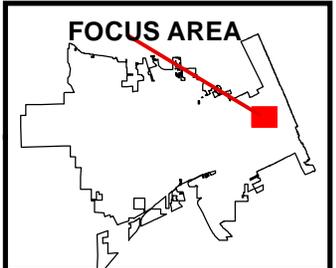
# PROPOSED ZONING



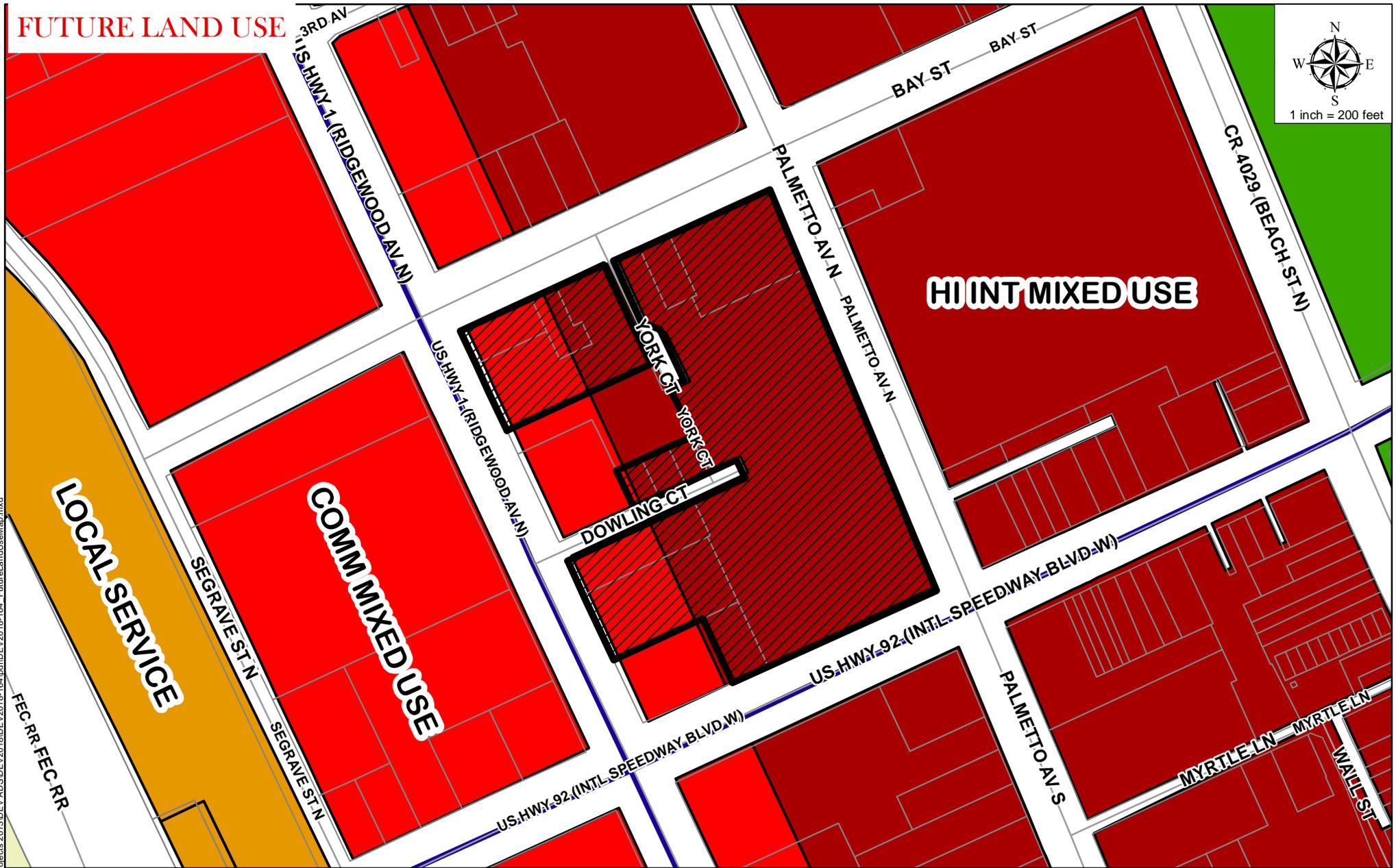
1 inch = 200 feet



## DEV2018-164 REZONING CURRENT & PROPOSED ZONING MAP



# FUTURE LAND USE



1 inch = 200 feet



## DEV2018-164 REZONING FUTURE LAND USE MAP

City of Daytona Beach Map disclaimer:  
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Document Path: P:\Admin\Pratima\Short Term\Projects 2013\DEV ADS\DEV2018\DEV2018-164\FutureLandUseMap.mxd

# **Attachment B**

## **PD Plan**

# PROJECT DELTA - WEST

CITY OF DAYTONA BEACH - VOLUSIA COUNTY, FL

## PLANNED DEVELOPMENT

DEV2018 - 164



WWW.ZEVCOHEN.COM

**OWNER:**

DB MAINLAND LLC.  
1140 N. WILLIAMSON BLVD. SUITE 140  
DAYTONA BEACH, FL 32117  
(386) 944-5636  
(386) 274-1233  
CONTACT PERSON: SCOTT BULLOCK  
e-mail: sbullocc@ctfc.com

**CIVIL ENGINEER:**

ZEV CHOEN & ASSOC., INC.  
300 INTERCHANGE BOULEVARD  
ORMOND BEACH, FL 32174  
(386) 677-2482  
(386) 677-2505  
CONTACT PERSON: BOBBY BALL, P.E.  
e-mail: bball@zevcohen.com

**SURVEYOR:**

FREELAND - CLINKSCALES & ASSOCIATES, INC. OF NC  
201 2ND AVE. EAST  
HENDERSONVILLE, N.C. 28792  
(828) 687-6539  
(828) 697-4192  
CONTACT PERSON: F.V. Clinkscales, JR.  
e-mail: fcaofnc@outlook.com

**LEGAL:**

COBB COLE ATTORNEYS AT LAW  
149 S. RIDGEWOOD AVE., STE 700  
DAYTONA BEACH, FL 32114  
(386) 323-9263  
FAX NUMBER  
CONTACT PERSON: ROB MERRELL, ESQ.  
e-mail: rob.merrel@cobbcole.com

**PLANNER:**

ZEV COHEN & ASSOC., INC.  
300 INTERCHANGE BOULEVARD  
ORMOND BEACH, FL 32174  
(386) 677-2482  
(386) 77-2505  
CONTACT PERSON: MARK KARET  
e-mail: mkaret@zevcohen.com

CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE  
ENVIRONMENTAL  
PLANNING  
TRANSPORTATION

BY: JES

NO. DATE SUBMITTALS/ REVISIONS  
01 1/26/19 REVISED PER TITL TEAM COMMENTS DATED FEB. 15, 2019

1/26/19

1/26/19

1/26/19

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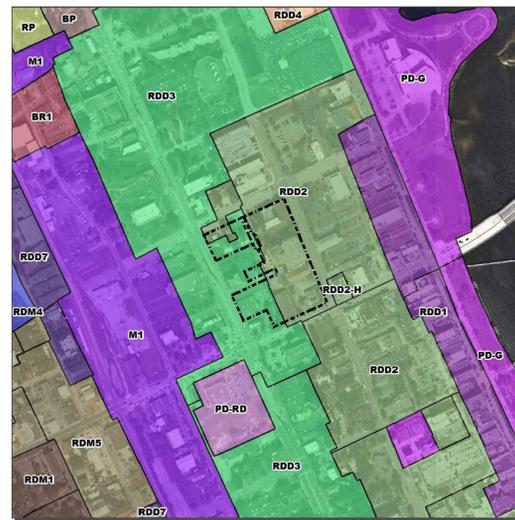
1/26/19

1/26/19

SITE INFORMATION:	
SITE ADDRESS:	118 N. Palmetto Ave, Daytona Beach, FL 32114
PROJECT AREA:	±5.94 AC
TAX PARCEL I.D. #:	533901080012, 533901080020, 533901080022, 533901080060, 533901080061, 533901080064, 533911000080, 533912000010, 533912000070, 533912000080, 533912000090
EXISTING ZONING:	RDD2 & RDD3
PROPOSED ZONING:	PD
EXISTING FUTURE LAND USE:	COMMERCIAL MIXED USE & HIGH INTENSITY MIXED USE
PROPOSED FUTURE LAND USE:	COMMERCIAL MIXED USE & HIGH INTENSITY MIXED USE
FAR:	10
UNIT/LOT DENSITY:	150 DU PER ACRE
SETBACKS:	
FRONT:	N/A
SIDE:	N/A
REAR:	N/A
PERIMETER:	N/A
REQUIRED LANDSCAPE BUFFER(S):	N/A
	N/A
MAXIMUM BUILDING LOT COVERAGE:	N/A
MAXIMUM BUILDING HEIGHT:	N/A
UTILITIES:	PROVIDED BY CITY OF DAYTONA BEACH



VICINITY MAP  
SCALE: 1" = 500'



ZONING MAP  
SCALE: 1" = 500'  
CURRENT ZONING FOR THIS SITE IS: RDD2 & RDD3  
PROPOSED ZONING FOR THIS SITE IS: PD



SOILS MAP  
SCALE: 1" = 500'



FLOOD ZONE MAP  
SCALE: 1" = 500'

**SHEET INDEX:**

PD1 COVER SHEET  
PD2 MASTER PLAN

**LEGAL DESCRIPTION:**

PARCEL 1  
Beginning at a set MAG Nail with disk at the intersection of the Eastern right of way line of North Ridgewood Avenue and the South right of way line of Bay Street; thence from said Point of Beginning and with the South right of way line of Bay Street the following three (3) courses to wit: (1) N64°53'13"E for 120.04 feet to a point; (2) N64°53'13"E for 39.97 feet to a found iron pin; (3) N64°41'59"E for 80.15 feet to a found MAG Nail with disk at the intersection of the South right of way line of Bay Street and the West right of way line of York Court; thence with the West right of way line of York Court S25°09'10"E for 176.13 feet to a found MAG Nail with disk at a common corner of the lands now or formerly of the Berrien H. Becks Sr. Trust, as recorded in O.R.B. 6295, page 4573, Public Records of Volusia County, Florida; thence with the lands of the Berrien H. Becks Sr. Trust S64°55'00"W for 240.25 feet to a found MAG Nail with disk on the East right of way line of North Ridgewood Avenue; thence with the East right of way line of North Ridgewood Avenue the following two (2) courses to wit: (1) N25°11'27"W for 121.04 feet to a found MAG Nail with disk; (2) N25°05'10"W for 54.62 feet to the Point of Beginning.

Containing 0.97 acres (42,239 square feet), more or less.

PARCEL 2  
Beginning at a found MAG Nail with disk at the intersection of the South right of way line of Bay Street and the West right of way line of North Palmetto Avenue; thence from said Point of Beginning and with the West right of way line of North Palmetto Avenue the following two (2) courses to wit: (1) S22°28'59"E for 135.70 feet to a found iron pin with cap; (2) S22°34'10"E for 527.52 feet to a found scribed "X" in concrete at the intersection of the West right of way line and the North right of way line West International Speedway Boulevard (U.S. Highway 92); thence with the North right of way line of West International Speedway Boulevard (U.S. Highway 92) the following two (2) courses to wit: (1) S65°10'53"W for 274.21 feet to a found iron pin with cap; (2) S64°38'08"W for 60.27 feet to a found iron pin with cap at a common corner of the lands now or formerly of Horner-Smith LLP, as recorded in O.R.B. 6205, page 40, Public Records of Volusia County, Florida; thence with the lands of Horner-Smith LLP the following two (2) courses to wit: (1) N24°52'25"W for 111.08 feet to a found iron pipe; (2) S64°56'49"W for 103.08 feet to a found iron pin with cap on the East right of way line of North Ridgewood Avenue; thence with the East right of way line of North Ridgewood Avenue N25°04'00"W for 165.20 feet to a found iron pin with cap at the intersection of the East right of way line of North Ridgewood Avenue and the South right of way line of Dowling Court; thence with the right of way line of Dowling Court the following three (3) courses to wit: (1) N65°03'19"E for 298.10 feet to a found MAG Nail with disk; (2) N25°04'16"W for 30.00 feet to found iron pi with cap; (3) S65°37'32"W for 43.23 feet to a found MAG Nail with disk at a common corner of the lands now or formerly of Carrie Lynn Kelley as recorded in Plot Book 6, page 185, aforesaid records; thence with the lands of Carrie Lynn Kelley and passing the lands now or formerly of the Berrien H. Becks Sr. Trust, as recorded in O.R.B. 6295, page 4573, aforesaid records, N24°58'51"W for 135.00 feet to a found iron pin with cap on the South right of way line of York Court; thence with the right of way line of York Court the following four (4) courses to wit: (1) N65°04'25"E for 19.03 feet to a found iron pin with cap; (2) N25°05'59"W for 85.01 feet to a found iron pin with cap; (3) N60°27'45"W for 30.94 feet to a found iron pin with cap; (4) N25°03'45"W for 110.07 feet to a found iron pin with cap at the intersection of the East right of way line of York Court and the South right of way line of Bay Street; thence with the South right of way line of Bay Street the following three (3) courses to wit: (1) N64°44'36"E for 42.99 feet to a found MAG Nail with disk; (2) N64°56'59"E for 50.00 feet to a set MAG Nail with disk; (3) N64°51'52"E for 164.15 feet to the Point of Beginning.

Containing 4.86 acres (211,668 square feet), more or less.

PARCEL 3  
Lots 8 & 9, Dowling Court Subdivision, according to the plat thereof recorded in Plot Book 6, page 185, Public Records of Volusia County, Florida.

PARCEL A:  
The West 80 feet of the North 55 feet of Lot 6, Block 8, HODGMAN'S DAYTONA, according to plat thereof as recorded in Map Book 2, Page 82, and the East 40 feet of the West 120 feet of the North 55 feet of Lot 6, Block 8, HODGMAN'S DAYTONA, according to plat thereof as recorded in Map Book 2, Page 82, of the Public Records of Volusia County, Florida.

PARCEL B:  
The Westerly 14 feet of the Southerly 37 feet of Lot 7 and all of Lot 8, CROSS SUBDIVISION, A/K/A LUCY A. CROSS SUBDIVISION, according to plat thereof as recorded in Map Book 5, Page 19, of the Public Records of Volusia County, Florida.

Also described as:  
The Easterly 40 feet of the Westerly 160 feet and the Westerly 14 feet of the Southerly 37 feet of the Easterly 40 feet of the Westerly 200 feet of Lot 6, Block 8, PLAN OF DAYTONA, A/K/A HODGMAN'S DAYTONA, according to plat thereof as recorded in Map Book 2, Page 82, of the Public Records of Volusia County, Florida.

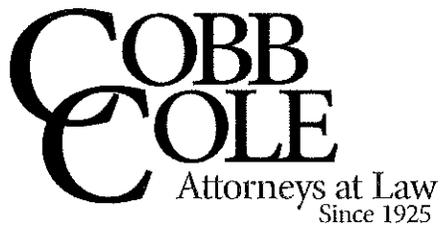
\*\*NOTE: THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.\*\*



## **Attachment C**

### **Modifications and Benefits Letter**

Scott W. Cichon  
Robert A. Merrell III  
John P. Ferguson  
Mark A. Watts  
Heather Bond Vargas  
Andrea M. Kurak  
Michael J. Woods  
Raymond L. Schumann  
Kathleen L. Crotty  
Michael O. Sznajstajler  
Matthew S. Welch  
Robert E. Doan  
Douglas J. Collins  
Holly J. Woerschling  
Sarah Zimmerman Fogle  
Taylor M. Westfall  
Jessica L. Gow



Daytona Beach • DeLand

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Daytona Beach, Florida 32114  
(386) 255-8171  
CobbCole.com

OF COUNSEL  
Kelly Parsons Kwiatek  
Harold C. Hubka  
Larry D. Marsh  
Maja Sander Bowler  
Peter R. J. Thompson\*  
\*Practice limited to federal  
immigration matters

RETIRED  
Thomas S. Hart

William M. Cobb  
(1881-1939)  
Thomas T. Cobb  
(1916-2004)  
W. Warren Cole, Jr.  
(1926-2008)

February 28, 2019

**VIA HAND DELIVERY**

Dennis L. Mrozek  
Planning Director  
City of Daytona Beach  
301 S. Ridgewood Avenue, Room 240  
Daytona Beach, FL 32114

Re: Project Delta West- Rezoning/Planned Development – DEV2018-164 -  
Modifications and Benefits Letter

Dear Dennis:

As you know, it is the Firm's pleasure to represent DB Mainland, LLC (the "Applicant") with respect to the redevelopment and rezoning, to Planned Development - General (PD-G), of the property located at or near the intersection of International Speedway Boulevard and Ridgewood Avenue in Daytona Beach, Florida which is the subject of DEV2018-164 (the "Property"). The Applicant intends to develop the Property into a mixed-use development, including commercial, residential, and parking uses. The Daytona Beach Land Development Code (LDC) requires Planned Development rezoning applicants to provide a letter detailing any and all code waivers needed to construct their project, as well as the public benefits of the project which are proposed to compensate for the needed waivers.

We recognize the importance of the standards contained in the City's LDC and have made every commercial reasonable effort to bring forward a project consistent with the LDC. However, in this case, the project requires certain minor LDC waivers which are balanced against many significant public benefits.

**Public Benefit**

This project aims to develop an underutilized area of Downtown Daytona Beach by providing a mixed-use development that will promote growth and economic investment within the area. The development, which will include residential, commercial, and parking opportunities, will be one part of an ongoing effort to revitalize the Downtown redevelopment

area to create a walkable, thriving downtown space within the City of Daytona Beach. Paired with the planned improvements for the Esplanade Riverfront Park Project and the future construction of the Brown & Brown Headquarters, this project will provide necessary infrastructure and support to promote steady growth.

The residential portion of the project will provide much needed housing opportunities within a growing downtown area. Multi-family residential areas within downtown will promote internal capture and trip reduction as individuals find themselves within walking distance of their homes, workplaces, and other shopping and dining opportunities. Residents will be able to use the proposed parking garage along with public users, reducing the number of vehicles on the roads as pedestrian-oriented development continues to grow. Further, the proposed residential areas will provide an increased tax base within the City of Daytona Beach that will help reduce the overall tax cost to residents and provide necessary funding for city improvements. The increase in tax base as a result of this development will be substantial, considering that the current use on most of the property is taken up by a church, which is a tax-exempt organization.

Commercial development within the area will provide investors with the opportunity to invest within in the City of Daytona Beach, contributing to a downtown that will provide a focal point to visitors to the area. A thriving downtown area will contribute to a sense of community with Daytona Beach, and will provide both residents and visitors with entertainment opportunities along one of the City's major thoroughfares. A revitalized commercial area will not only provide resources for the planned residential development, but will also provide access to shopping and dining opportunities for those already located in the area, including the large office presence located along Ridgewood Avenue. As the downtown area continues to grow, more individuals will take the opportunity to walk to a new restaurant or shopping experience during the lunch hour, or as they walk home to the nearby planned residences.

### Waivers

We have identified the need for waivers from the following LDC requirements:

#### RDD-2 Development Standards

The land development code limits density within the RDD-2 zoning district to 40 dwelling units per acre. The applicant proposes that the density requirement be modified to read "Residential density shall be limited to 150 dwelling units per acre. Residential Units, Parking garages and drive aisles shall not be included in the gross floor area of a building for purposes of calculating FAR (though any floor area located on a floor of a parking garage that is used for parking or drive aisles is included in calculation or gross floor area)." The increased density will allow for greater flexibility in development within the property, and will allow for the continued growth and expansion of the City of Daytona Beach.

The land development code sets forth a maximum building height of 150 ft. within the RDD-2 zoning district. The applicant requests that this requirement be removed in its entirety, so that the development does not have a maximum building height. This will allow Applicant to provide the allowable density within the development on the acreage available within the planned development agreement. The increased height will allow developer to bring more residents to the development, which will increase the tax base for the City.

The land development code sets forth a maximum front setback of 10 ft. within the RDD-2 zoning district. The applicant requests that this requirement be removed in its entirety, so that there is not a maximum setback limitation on the property. The applicant understands the purpose of this requirement is to promote Urban design with a zero lot-line approach to building location. While the applicant hopes to achieve an urban edge throughout the development, it is possible that potential uses on certain areas of the property, such as a grocery store, may require a greater setback. The applicant proposes to meet this requirement for 30% of the development. In areas where the setback is not met, street trees and landscaped plazas will be used to screen any parking area from pedestrian view, and to promote walkability among the front edges of the property.

Section 4.7.O.6.b of the Land Development Code allows for the maximum height for any development to exceed 150 feet so long as certain criteria are met. While the applicant proposes to meet most of the criteria set forth in this section, the applicant would like to waive from the requirements in section 4.7.O.6.b.iii., 4.7.O.6.b.v. and 4.7.O.6.b.vii in their entirety. Section 4.7.O.6.b.iii. sets forth the percentage of space that pedestrian plazas should occupy, depending on the FAR of the development. While the Applicant plans to incorporate pedestrian plazas throughout the entire development, they would like to preserve the maximum developable area of the site without limiting portions of the property for pedestrian plazas. The Applicant will provide pedestrian spaces throughout the project, as intended through the use of the FDOT's complete streets as a guidance document for the development.

Section 4.7.O.6.b.v. requires that the development be located at an intersection of beach street and an east-west street or encompass a land area from Beach Street to Palmetto Avenue. Because the Applicant would like to have the ability to exceed the height requirements throughout the entire development, this restriction would burden the Applicant's ability to bring in certain developments. Further, section 4.7.O.6.b.vii requires that the north/south width of the development average 200 feet, with a minimum width of 100 feet along Beach Street. As stated above, the Applicant requests that the height modification be applicable to the entire property, without the requirement that a portion of the property be located only Beach Street or that the average width of 200 feet is met.

### RDD-3 Development Standards

Section 4.7.P.5.a of the land development code requires a minimum lot area for a restaurant with a drive-through service of 30,000 square feet. The applicant requests a waiver

from this requirement to allow a drive-through use in a manner that is consistent with the urban design and development of the overall project. While the applicant does not envision fast-food type drive-through uses on the property, certain upscale retail establishments require a drive-through, and the developer would like to be able to attract these types of establishments to the area.

#### Self-Storage Setbacks from Major City Thoroughfare

Section 5.2.B of the land development code, as amended by Ordinance No. 18-320, requires a setback of 500 feet from any major city thoroughfare. The applicant requests a waiver from this requirement in its entirety. The applicant proposes that any self-storage use located within 500 feet of a major city thoroughfare shall be designed to complement its surroundings and contribute to the overall aesthetic of the development.

#### Sidewalks within Commercial Districts

Section 6.3.H.4.a. of the land development code requires sidewalks to be at least five feet wide in residential and industrial districts and seven feet wide in commercial districts. The applicant requests a modification from this requirement to allow for 5-foot internal sidewalks. Sidewalks lining the right of ways will still meet the proposed standard of 7 feet, while the internal sidewalks will be narrower but sufficient to provide mobility and access throughout the property. This requirement will allow for more green spaces between buildings while still allowing sufficient sidewalk access for the pedestrian oriented development.

#### Historic and Specimen Tree Removal

Section 6.12.A of the land development code outlines the City's tree preservation requirements. The applicant requests a waiver from this section, to allow for the removal of all historic and specimen trees. The applicant proposes the use of standard mitigation measures for historic and specimen tree removal, including the following: for every 1 caliper inch removed, 2 inches of tree replacement is required, and for every caliper inch of tree canopy removed (below 15%), 1 caliper inch will be required for replacement. The applicant further proposes that the size of replacement trees shall be upsized, along with increased planting material.

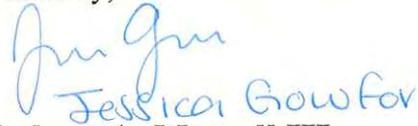
#### Allowable Uses

Table 5.2.A.4 of the LDC does not allow for the inclusion of restaurants with drive-in service and medical treatment facilities within a PD-RD zoning district. The applicant requests a waiver from this requirement to allow the above-referenced uses within the development.

Dennis L. Mrozek  
February 28, 2019  
Page 5

---

Sincerely,

A handwritten signature in blue ink that reads "Jessica Gow for". The signature is written in a cursive style.

**Robert A. Merrell III**

Direct Dial (386) 323-9263  
Email [Rob.Merrell@CobbCole.com](mailto:Rob.Merrell@CobbCole.com)  
Fax (386) 944-7955

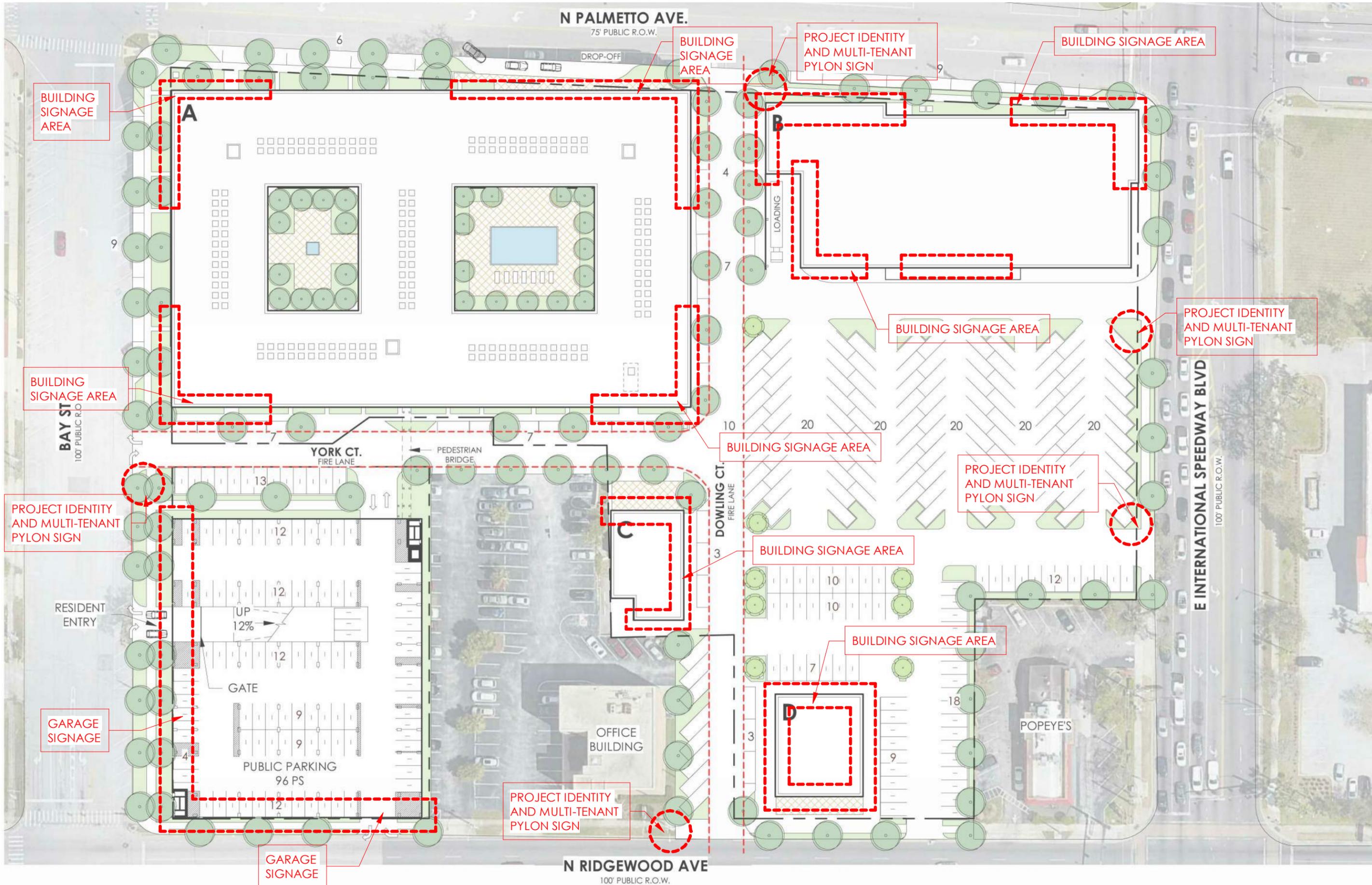
RAM:JLG/ddl

Enclosures

cc: DB Mainland LLC  
Zcv Cohen & Associates, Inc.

# **Attachment D**

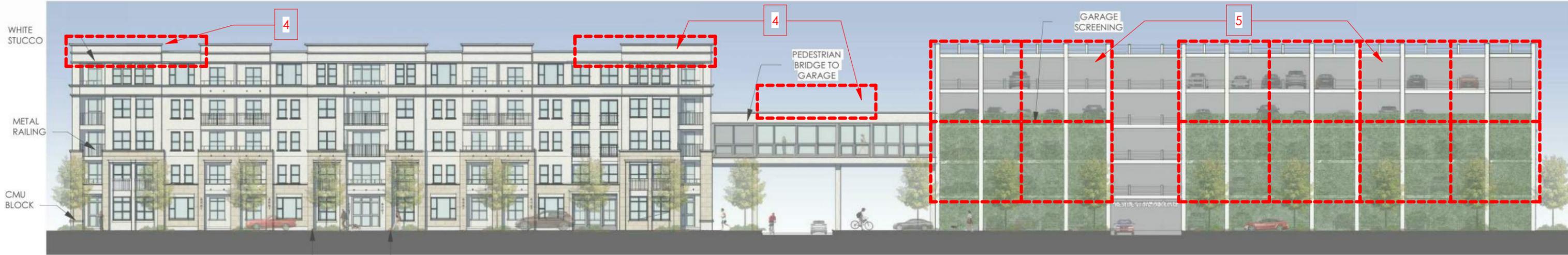
## **Sign Plan**



Scale :



N. PALMETTO AVE ELEVATION  
1:30



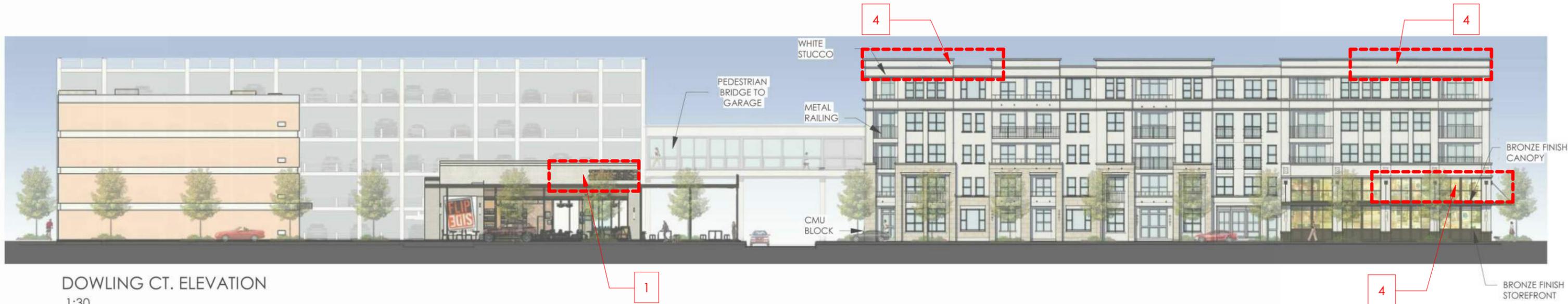
BAY ST. ELEVATION  
1:30



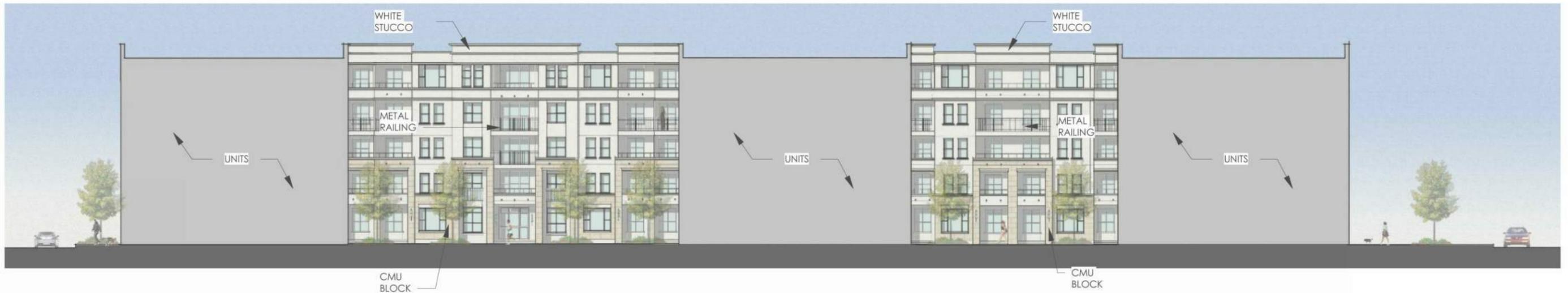
YORK CT. ELEVATION  
1:30



Scale :



DOWLING CT. ELEVATION  
1:30



COURTYARD ELEVATION  
1:30



Scale :



GRO CER - N. PALMETTO AVE. ELEVATION  
N.T.S.



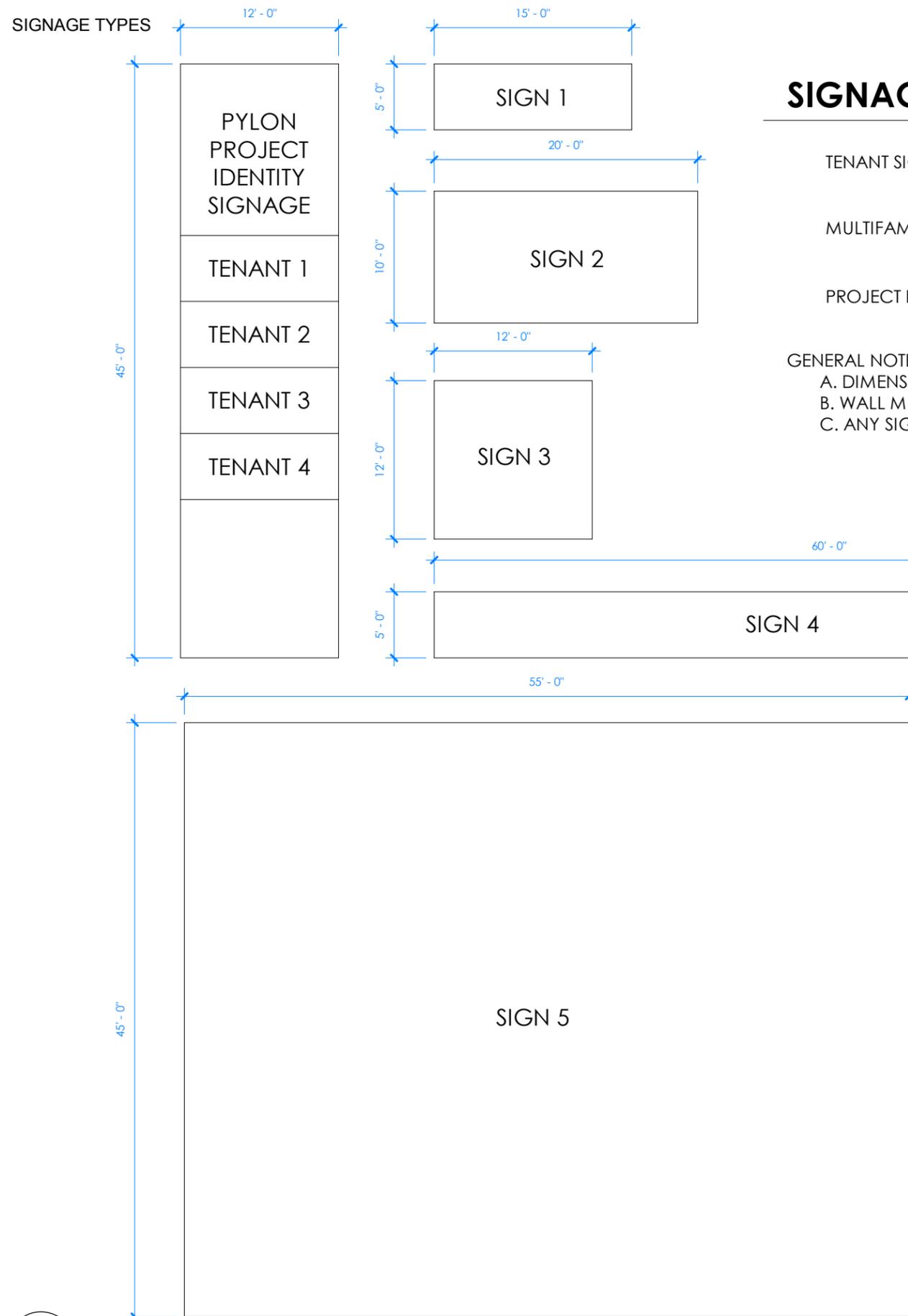
GRO CER - ISB ELEVATION  
N.T.S.



GRO CER - INTERIOR ELEVATION  
N.T.S.



Scale :



### SIGNAGE DATA

	BUILDING A	BUILDING B	BUILDING C	BUILDING D	BUILDING E	PYLONS	TOTAL
TENANT SIGNAGE		4,000 SF	450 SF	600 SF			5,050 SF
MULTIFAMILY SIGNAGE	7,200 SF						7,200 SF
PROJECT IDENTITY/ SPONSORSHIP					99,000 SF	5,400 SF	109,800 SF

**GENERAL NOTES:**

- A. DIMENSIONS MAY INCREASE OR DECREASE BY 20%
- B. WALL MURALS & GRAPHICS DO NOT CONSTITUTE SIGNAGE
- C. ANY SIGNAGE NON VISIBLE FROM THE PUBLIC R.O.W. WILL NOT COUNT IN CALCULATIONS

BUILDING SIGNAGE TYPES		
1	5'X15'	TENANT SIGNAGE
2	10'X20'	TENANT SIGNAGE
3	12'X12'	TENANT SIGNAGE
4	5'X60'	MF SIGNAGE
5	45'X55'	SPONSORSHIP SIGNAGE



Scale : As indicated

## **Attachment E**

### **Neighborhood Meeting**

# Memorandum



Daytona Beach • DeLand

Post Office Box 2491  
Daytona Beach, Florida 32115-2491  
(386) 255-8171  
CobbCole.com

**To:** Dennis L. Mrozek, Planning Director, City of Daytona Beach

**From:** Deborah D. LaCroix, CLA

**Date:** March 8, 2019

**Client/Matter #:** 032857-039

**Subject:** Project Delta West PD-RD Rezoning and SSCPA  
DEV2018-163 and 164  
Neighborhood Meeting Summary – March 7, 2019

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A neighborhood meeting was held in the meeting room of the First Baptist Church located at 118 N. Palmetto Avenue, Daytona Beach, FL on March 7, 2019 at 6:00 p.m.

Rob Merrell, Scott Bullock, Matt West, Bobby Ball, Kris Rowley, Jake Stehr, Jessica Gow, Maureen Bannon and Debi LaCroix were in attendance to explain the rezoning and comprehensive plan amendment request.

The meeting was attended by several interested neighbors who received invitations. See attached Sign-In Sheet.

The neighbors raised questions in connection with the rezoning request, including timing for development, phasing and timing for demolition of the existing buildings.

We provided the neighbors with the anticipated hearing schedule for this rezoning and comprehensive plan amendment. The neighbors were receptive to both requests and were happy that the appearance of the downtown area will be improved with the redevelopment project.

We look forward to this item being scheduled for the Downtown Redevelopment Board at their April 2, 2019 meeting.

Thanks.

Deb.



NAME

ADDRESS

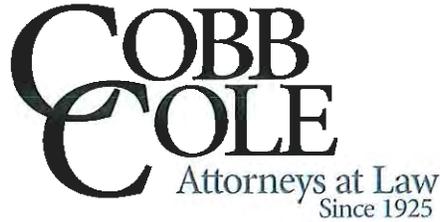
TELEPHONE NUMBER

Rob Maxwell 149 S. Ridge road

323 9247 1065/04

Scott Bullock CTE

Scott W. Cichon  
Robert A. Merrell III  
John P. Ferguson  
Mark A. Watts  
Heather Bond Vargas  
Andrea M. Kurak  
Michael J. Woods  
Raymond L. Schumann  
Kathleen L. Crotty  
Michael O. Sznajstajler  
Matthew S. Welch  
Robert E. Doan  
Douglas J. Collins  
Holly J. Woerschling  
Sarah Zimmerman Fogle  
Taylor M. Westfall  
Jessica L. Gow



Daytona Beach • DeLand  
149 South Ridgewood Avenue, Suite 700  
Daytona Beach, Florida 32114  
(386) 255-8171  
CobbCole.com

OF COUNSEL  
Kelly Parsons Kwiatick  
Harold C. Hubka  
Larry D. Marsh  
Maja Sander Bowler  
Peter R. J. Thompson\*  
\*Practice limited to federal  
immigration matters

RETIRED  
Thomas S. Hart

William M. Cobb  
(1881-1939)  
Thomas T. Cobb  
(1916-2004)  
W. Warren Cole, Jr.  
(1926-2008)

February 25, 2019

**INVITATION TO NEIGHBORHOOD MEETING**

Dear Neighbor:

The law firm of Cobb Cole has the pleasure of representing DB Mainland LLC, the owner of 5.94+/- acres of property located in Downtown Daytona Beach. The property is bounded by International Speedway Boulevard, Ridgewood Avenue, Bay Street and Palmetto Avenue, as shown on the attached map. The owner intends to rezone the property for mixed uses, including retail, commercial, office, and multifamily uses.

As future neighbors to the proposed rezoning, we would like to invite you to discuss the rezoning and comprehensive plan amendment on **Thursday, March 7, 2019 at 6:00 p.m.** in the meeting room of First Baptist Church, Sunday School rear entrance (facing Ridgewood), 118 N. Palmetto Avenue, Daytona Beach, FL 32114.

We look forward to seeing you at this meeting if you are interested in discussing this rezoning and comprehensive plan amendment.

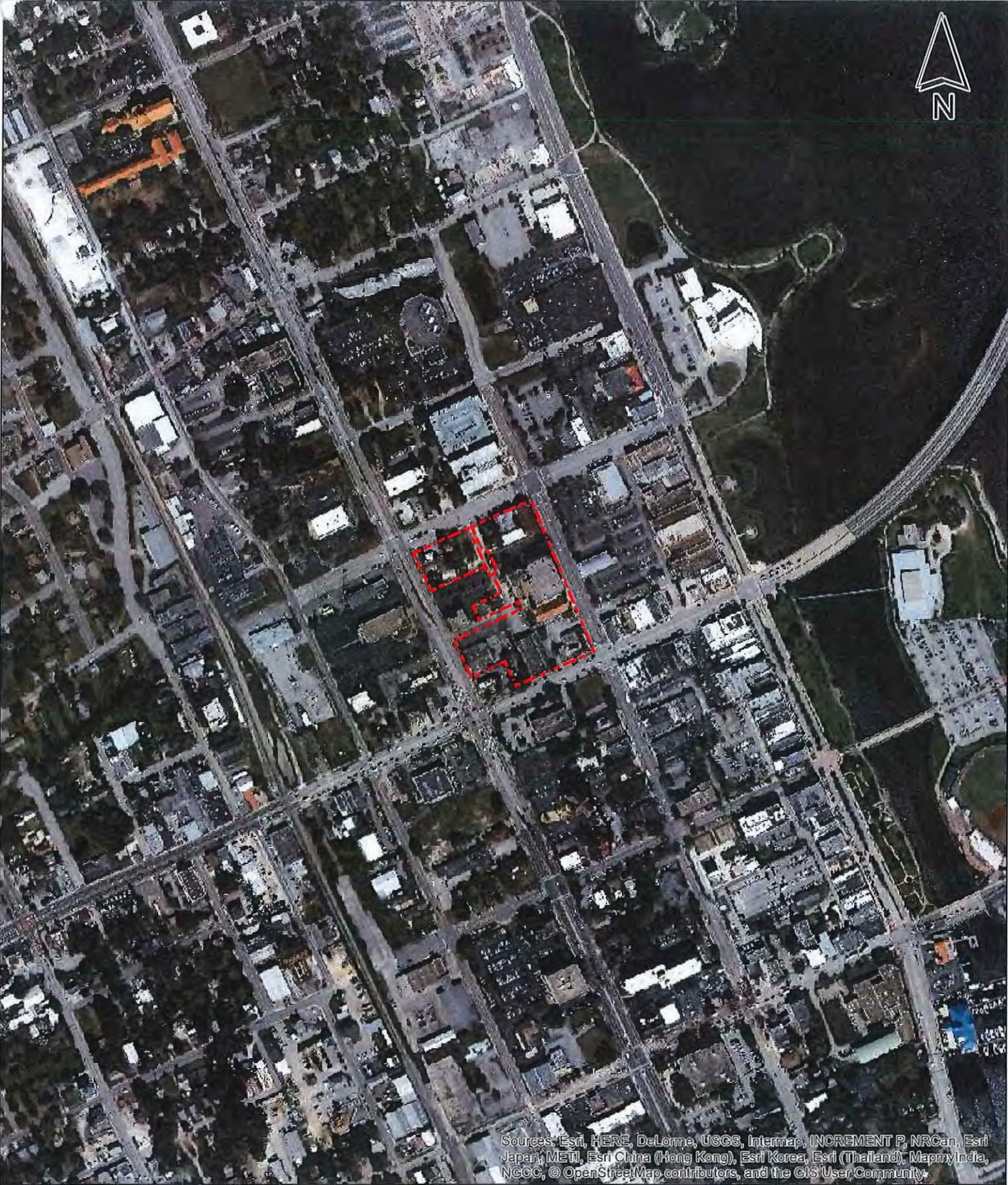
Sincerely,

A handwritten signature in blue ink, appearing to read "R. Merrell III", is written over a light blue background.

**Robert A. Merrell III**

Direct Dial (386) 323-9263  
Email Rob.Merrell@CobbCole.com  
Fax (386) 944-7955

RAM:JLG/ddl  
Enclosures



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NCCO, © OpenStreetMap contributors, and the GIS User Community

Date Saved: 11/9/2018 Created by: jstehr  
Path: Z:\PROJECTS\2017\17168 - CTLC Downtown Property\Comp Plan\Aerial  
Map.mxd  
510 255 0 510 Feet

# Aerial Map Project Delta West Daytona Beach, Florida

**ZEV COHEN**  
ASSOCIATES INC  
300 Interchange Blvd  
Ormond Beach, FL 32174  
ph 386-677-2482

5339-01-09-0051  
Paul S. Phillos, LLC  
c/o CVS #174 01 Store Acct, 1 CVS Dr. MC 2320  
Woonsocket, TI 02895

5339-01-08-0042/5339-01-08-0050  
Berrien H. Becks, Sr. Trustee/Berrien H. Becks Sr. Rev Trust  
P.O. Box 2140  
Daytona Beach, FL 32115

5339-01-09-0042  
Global City Center, LLC  
9-2800 John St.  
MARKHAM, ONTARIO L34 OE2 CANADA

5339-01-21-0030  
L A Sauer Center, LLC  
5070 Cape Cole Blvd.  
Punta Gorda, FL 33955

5339-01-21-0014  
Zentex Holding, LLC  
6221 W. Atlantic Blvd.  
Margate, FL 33063

5339-01-20-0070  
Carrie Lynn Kelley  
632 Cassin Ave.  
Daytona Beach, FL 32114

5339-02-48-0072  
County of Volusia  
123 W. Indiana Avenue  
DeLand, FL 32720

5339-01-07-0061/5339-02-48-0140/5339-01-07-0030  
Burgoyne Properties, Ltd.  
1010 E. Adams Street  
Jacksonville, FL 32202

5339-09-02-0062  
Williams & Carmella E. Raymond, Trustees  
871 N. Halifax Avenue  
Ormond Beach, FL 32176

5339-01-21-0021  
Burger King Corp.  
17777 Old Cutler Road  
Miami, FL 33157

5339-01-08-0010  
Horner-Smith, LLP, Attn: Frank Maloney CFO  
9500 S. Dadeland Blvd., 800  
Miami, FL 33156

5339-01-09-0053  
114 Palmetto, LLC  
2433 S. Palmetto Avenue  
South Daytona, FL 32119

5339-01-09-0061  
Surya & Millan Properties, LLC  
624 S. Ridgewood Avenue, Suite B  
Daytona Beach, FL 32114

5339-01-20-0050  
Riverland Gas & Oil, Inc.  
P.O. Box 1159  
Deerfield, IL 60015

5339-09-02-0061  
Song Byung Gu & Chong Ae  
135 International Speedway Blvd.  
Daytona Beach, FL 32114

5339-01-07-0019  
John Pate  
90 Dix Avenue  
Ormond Beach, FL 32174

5339-02-53-0080  
Daytona 54, LLC  
10260 Tula Lane  
Cupertino, CA 05014

5339-09-02-0053  
Don Vitos Italian Restaurant, LLC  
19 E. Lakeside Place  
Palm Coast, FL 32137

5339-01-07-0017/5339-01-07-0031/5339-01-07-0023  
Black Crow Properties, LLC  
33 Abacus Avenue  
Ormond Beach, FL 32174

5339-02-48-0141  
Virgil & Ellen Rosenfeld, Trustees  
5208 Mount Plymouth Road  
Apopka, FL 32712

5339-02-48-0143  
David Clayton Williams  
1800 Beck Avenue  
Panama City, FL 32405

5339-01-07-0020  
142 ISB, LLC  
P.O. Box 248  
Daytona Beach, FL 32115

5339-02-48-0142  
Fralau Investments, LLC  
31 Lake Vista Way  
Ormond Beach, FL 32174

5339-02-48-0150  
Housing Authority of Daytona Beach  
211 N. Ridgewood Avenue, Suite 200  
Daytona Beach, FL 32114

5339-09-02-0030  
Martin Klayer Properties, LLC  
1440 N. Nova Road  
Holly Hill, FL 32117

5339-01-07-0022  
Pai in the Sky, LLC  
48 Nicholas Court  
Ormond Beach, FL 32176

5339-01-07-0060  
Burgoyne Properties, Ltd.  
1010 E. Adams Street  
Jacksonville, FL 32202

5339-01-21-0060  
Thebaut Daytona, LLC/Monroe Muff Brake c/o M Collom  
200 Hollender Parkway  
Rochester, NY 14615

5339-02-48-0100  
State of Florida TITF c/o Dept. of Mgmt. Services  
4050 Esplanade Way, Suite 315  
Tallahassee, FL 32399

5339-09-02-0010  
115 South Palmetto, LLC  
101 S. Palmetto Avenue, Suite 2  
Daytona Beach, FL 32114

5339-09-02-0052/5339-09-02-0054  
Alfred W. N. Bailie  
6 Crooked Tree Trail  
Ormond Beach, FL 32174

5339-01-07-0018  
Michael K. Toole  
138 W. International Speedway Blvd.  
Daytona Beach, FL 32114

5339-01-07-0021  
White Top of Florida, LLC  
512 Main Street  
Delta, PA 17314

5339-01-21-0013  
Anthony Chang SK & Cecilia KS  
310 W. International Speedway Blvd.  
Daytona Beach, FL 32114

5339-02-48-0061  
KWS Properties, LLC  
124 Bay Street  
Daytona Beach, FL 32114

## NEIGHBORHOOD MEETING NOTICE

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON  
3/7/19 AT 6:00 PM TO INTRODUCE THE  
FOLLOWING APPLICATION FOR THIS PROPERTY:

Planned Development Rezoning / SSCP4

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Here, 118 N. Palmetto Ave, D.B., FL

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 386/323-9263 FOR FURTHER INFORMATION.

# NEIGHBORHOOD MEETING NOTICE

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON  
3/7/19 AT 6:00 PM TO INTRODUCE THE  
FOLLOWING APPLICATION FOR THIS PROPERTY:

Planned Development Rezoning / SSCPA

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Here; 118 N. Palmetto Ave, DB, FL 32114

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 386/323-9263 FOR FURTHER INFORMATION.

# NEIGHBORHOOD MEETING NOTICE

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON  
3/7/19 AT 6:00 PM TO INTRODUCE THE

FOLLOWING APPLICATION FOR THIS PROPERTY:

Planned Development Rezoning / SSCPA

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Here: 118 N. Palmetto Ave; D.B. R. S. LLC

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 386/323-9263 FOR FURTHER INFORMATION.

## NEIGHBORHOOD MEETING NOTICE

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON  
3/7/19 AT 6:00 PM TO INTRODUCE THE  
FOLLOWING APPLICATION FOR THIS PROPERTY:

Planned Development Rezoning/SSCP

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Here, 118 N Palmetto Ave, D.B. 1234

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 386/323-9263 FOR FURTHER INFORMATION.