



## The CITY OF DAYTONA BEACH Planning Board Minutes

City Hall  
Commission Chambers  
Regular Meeting

301 South Ridgewood Avenue  
Thursday, November 21, 2019  
6:00 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.

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
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### Board Members Present:

Tony Servance, Vice Chair  
Tony Barhoo  
Jeff Hurt  
Helen Humphreys  
Milverton Robinson

### Board Members Absent:

Cathy Washington, Chair  
James Newman

### Staff Members Present:

Dennis Mrozek, Planning Director  
Ben Gross, Deputy City Attorney  
Douglas Gutierrez, Principal Planner  
Hannah Ward, Planner  
Lauren Davis, Planner  
Reed Berger, Redevelopment Director

### Call to Order

Mr. Servance called the meeting to order at 6:00 p.m.

## Roll Call

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

## Approval of the Minutes October 24, 2019

### Board Action:

A motion was made by Mr. Barhoo, seconded by Ms. Humphreys, to approve the minutes of the October 24, 2019 meeting as presented. The motion carried (5- 0).

## First Amendment to the McCrary Dormitory Planned District Agreement, DEV2019-077

### Staff Presentation:

Reed Berger, Redevelopment Director, presented the staff report that was included as part of the packet. Mr. Berger stated the subject property is located at 828 George Engram Blvd. Mr. Berger stated most of the properties in the area are Commercial Transitional and this property will be consistent with that zoning. Mr. Berger stated the property was originally created to be used as a dormitory for Bethune-Cookman University. The property was sold, and this would allow for additional uses. The proposed plans for the unit will be for a Foster Care Transitional Housing Facility. Mr. Berger stated the Midtown Redevelopment Board met and reviewed this item and voted 6-0 to approve the request.

Mr. Barhoo stated this item was presented at the Midtown Redevelopment Board meeting and was very well received.

### Applicant Presentation:

Earl McCrary, 133 Coral Circle, South Daytona, Florida spoke representing the applicant. Mr. McCrary stated the facility used to be a foster care center and is in the original format inside. Mr. McCrary stated if the proposed use is not approved, the structure will be converted to office space.

Mr. Robinson asked how many individuals would be housed at the facility and what services will be provided.

Keona Barnwell, the applicant, stated the structure has 9 rooms and a commercial kitchen and commercial laundry; and depending on the size of the rooms, there will be one to two persons per room. Ms. Barnwell stated it would be a transitional program where there will be a house manager on staff, Case Management, and life skill services will be provided.

### Public Comments:

There were no public comments.

### Board Action:

A motion was made by Mr. Barhoo, seconded by M. Humphreys, to approve First Amendment to the McCrary Dormitory Planned District Agreement, DEV2019- 077, in accordance with the staff report as presented. The motion carried (5-0).

## Rezoning to Historic Overlay District - Hotchkiss House, DEV2019-172

This item was presented in conjunction with Item 6, Semipublic Use - Hotchkiss House, DEV2013-061.

### Staff Presentation:

Doug Gutierrez, Principal Planner, presented the staff report that was included as part of the packet.

Mr. Gutierrez stated this is a request by Nancy Long, president of the Heritage Preservation Trust, Inc., to approve a historic overlap zoning district map amendment for the 1.5 acres of land where the Hotchkiss House is located at 1000 S. Peninsula Drive. Mr. Gutierrez stated the request is to allow for uses related to cultural services associated with the historically designated property.

Mr. Robinson asked if there would be any adverse effects on the environment since the property is so close to the Halifax River.

Mr. Gutierrez stated stormwater and parking improvements would be addressed.

Mr. Mrozek noted the staff report indicates there will be no adverse impacts on the environment as a result of this approval.

### Applicant Presentation:

John Dillard, 601 John Anderson, Ormond Beach, Florida stated he serves on the Board and is the project engineer of the site. Mr. Dillard stated there are plans to place a parking lot on the east side of the house but there are no planned improvements along the river at this time. Mr. Dillard stated the lot would be combined with the lot for Lillian Place.

Ms. Humphreys stated she is pleased to see this piece of Daytona Beach history preserved.

### Public Comments:

There were no public comments.

### Board Action:

A motion was made by Ms. Humphreys, seconded by Mr. Barhoo, to approve Rezoning to Historic Overlay District - Hotchkiss House, DEV2019-172, in accordance with the staff report as presented. The motion carried (5-0).

## Semipublic Use - Hotchkiss House, DEV2013-061

This item was presented in conjunction with Item 5, Rezoning to Historic Overlay District - Hotchkiss House, DEV2019-172.

### Staff Presentation:

Harley Davis, Planner, presented the staff report that was included as part of the packet. Ms. Davis stated this is a request to approve a resolution for a semi-public use permit for the property located at 1000 S. Peninsula, the Hotchkiss House. Ms. Davis stated the request is to allow for uses related to cultural

services associated with the historically designated property. Ms. Davis stated the request includes a variance to provide a 22-foot driveway as opposed to a 24-foot wide driveway that is required.

## **Applicant Presentation:**

The applicant's comments were included with Item. 5.

## **Public Comments:**

There were no public comments.

## **Board Action:**

A motion was made by Ms. Humphreys, seconded by Mr. Barhoo, to approve Semipublic Use - Hotchkiss House, DEV2013-061, in accordance with the staff report as presented. The motion carried (5-0).

## **Rezoning to Planned Development-General (PD G) - ERAU - Bellevue & Clyde Morris PD, DEV2019-094**

## **Staff Presentation:**

Hannah Ward, Planner, presented the staff report that was included as part of the packet. Ms. Ward stated this is a request to rezone 10.2 acres of land to allow for expansion of Embry Riddle Aeronautical University campus. Ms. Ward stated the site is currently developed with a parking lot and maintenance buildings. Ms. Ward stated if approved, any building expansions or modifications to existing plumbing on-site will require conversion of existing septic tanks to city sewer service.

Mr. Barhoo asked about the buffer between the property and the existing cemetery and traffic flow.

Ms. Ward stated there is a large landscape berm that blocks visibility of the site. Ms. Ward stated there are four existing access points: one access point off Bellevue, one off Shady Place, and two access points on Clyde Morris.

## **Applicant Presentation:**

Parker Mynchenberg, 1729 Ridgewood Avenue, Holly Hill, Florida stated the site was the former FOOT office building and Embry-Riddle purchased the site and converted it to office buildings. Mr. Mynchenberg stated that the office building is not on a septic tank; but the old lifeguard tower storage area is on a septic tank.

## **Public Comments:**

There were no public comments.

## **Board Action:**

A motion was made by Mr. Barhoo, seconded by Ms. Humphreys, to approve Rezoning to Planned Development-General (PD\_G) - ERAU - Bellevue & Clyde Morris PD, DEV2019-094, in accordance with the staff report as presented. The motion carried (5-0).

## Rezoning to Planned Development-General (PD-G) - 158 - La Quinta PD DEV2018-168

### Staff Presentation:

Hannah Ward presented the staff report that was included as part of the packet. Ms. Ward stated the site is fully developed with the LaQuinta and the Wing House. Ms. Ward noted there are currently no stormwater facilities on site. Ms. Ward stated the existing buildings would be demolished and rebuilt with two hotels, stand-alone restaurant, drive thru restaurant, and parking garage. Ms. Ward noted stormwater and sewer upgrades would be necessary. Ms. Ward stated modifications requested include architectural standards for Major City Thoroughfares, signage and landscaping requirements.

### Applicant Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida, spoke representing the applicant and stated he was available to answer any questions the Board may have.

Mr. Barhoo asked about the landscaping and signage.

Ms. Ward stated that modifications were not requested from landscaping requirements along International Speedway Blvd.

Mr. Merrell stated each of the components of the sign plan will be identified with individual site plans for the property.

### Public Comments:

John Nicholson, 413 N. Grandview, Daytona Beach, Florida spoke regarding signage for the site.

### Board Action:

A motion was made by Mr. Hurt, seconded by Ms. Humphreys, to approve Rezoning to Planned Development-General (PD-G) - ISB - La Quinta PD DEV2018-168, in accordance with the staff report as presented. The motion carried (5-0).

## Land Development Code Text Amendment - Article 61 DEV2019-165

### Staff Presentation:

Rose Askew, Planning Coordinator, presented the staff report which was included as part of the packet. Ms. Askew stated this is a request to amend Article 6, Section 6.2.B.4 of the Land Development Code clarify parking exemptions for properties abutting Dr. Mary McLeod Bethune Boulevard (Dr. MMB Blvd), between Ridgewood Avenue and Dr. Martin Luther King Jr., Boulevard (Dr. MMB Blvd). Ms. Askew stated in recent discussions the City Commission there has expressed a need to revitalize Dr. Mary McLeod Bethune Boulevard (MMB). The revitalization discussions included changes to the current parking requirements. She stated the current regulations in Section 6.2.B.4 of the LDC exempts lots fronting on Dr. MMB Boulevard between Ridgewood Avenue and Dr. Martin Luther King, Jr. Boulevard (MLK) on the south side and lots approximately 150 feet west of Dr. MLK on the north side from the parking regulations in Section 6.2 of the LDC. The proposed amendment will establish

consistency between the LDC's parking exemption text and staff's interpretation of the text; it will eliminate an inequity in the parking exemption allowance for lots fronting on Dr. MMB Blvd from Ridgewood Avenue to Dr. MLK Blvd; and assist in revitalization efforts on Dr. MMB Boulevard.

## Public Comments:

There were no public comments.

## Board Action:

A motion was made by Mr. Barhoo, seconded by Ms. Humphreys, to approve Land Development Code Text Amendment - Article 6, DEV2019-165, in accordance with the staff report as presented. The motion carried (5-0).

## Land Development Code Text Amendment-Articles 3, 5, and 11, DEV2019-089

## Staff Presentation:

Rose Askew, Planning Coordinator, presented the staff report that was included as part of the packet. Ms. Askew stated this amendment request was reviewed and approved by the Planning Board at their meeting on September 26, 2019. The City Commission approved the amendment request, however questions were raised so staff has redefined the request. The revisions relate to appeals to the Special Magistrate and the number of unrelated persons that can live in a dwelling.

Ben Gross, Deputy City Attorney, stated changes were made as a result of the discussion at the City Commission meeting, even though the City Commission did approve the item. Mr. Gross stated since the ordinance was revised, staff agreed that the revisions should be presented to the Planning Board.

Mr. Barhoo asked how the number of unrelated persons could be monitored.

Mr. Gross stated it is usually determined through the Code Enforcement process.

Mr. Servance stated he feels most of the homes in his area have more than 4.

Mr. Hurt stated he did not have a problem with the proposed change.

Mr. Robinson stated he feels three is too low and four would be more reasonable.

Mr. Gross asked if the number of unrelated individuals living in a home was changed back to 4, would the Board entertain a motion to make that change.

Mr. Barhoo stated it would also have to include the two-step process regarding the Special Magistrate in order for him to consider it.

## Public Comments:

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida, stated she is opposed to this change and feels it is too restrictive. Ms. Ruby stated she is also opposed to changing the process for Special Magistrate review.

William Field, 211 Mullaly Street, Daytona Beach, Florida stated this item was originally discussed because of the proliferation of group homes and sober houses. Mr. Field stated he feels the last attempt to address an issue should be at staff level before going to the Special Magistrate.

John Nicholson, 413 N. Grandview, Daytona Beach, Florida stated he does not understand why the changes are proposed and feels it should remain at 4 to a unit.

## Board Action:

A motion was made by Mr. Hurt, seconded by Ms. Humphreys, to approve Land Development Code Text Amendment - Articles 3, 5, and 11, DEV2019-089, in accordance with the staff report as presented. The motion failed (2-3 with Mr. Servance, Mr. Barhoo, and Mr. Robinson voting no).

## Other Business

1. Downtown/Balough Road Redevelopment Area Board Report

Ms. Washington was not in attendance to provide a report on the Downtown/Balough Road Redevelopment Area Board.

2. Midtown Redevelopment Area Board Report

Mr. Barhoo stated the Midtown Redevelopment Area Board met on November 12 and reviewed the McCrary dormitory request. Mr. Barhoo stated several reports were received by the Board, including Code Enforcement. Mr. Barhoo stated he feels some areas are targeted and many of the cases are "picky." Mr. Barhoo stated many of these citations put elderly citizens under stress. Mr. Barhoo stated he would like to see a representation that similar cases are filed throughout the city.

Mr. Servance stated there are a number of groups in the area that assist homeowners in addressing Code violations.

3. Beachside Redevelopment Area Board Report

Mr. Newman was not in attendance to provide a report.

4. Public Comments

There were no public comments.

5. Staff Comments - 2020 Schedule

Mr. Mrozek stated the 2020 schedule of Planning Board meetings was included in the packet and was accepted without any changes by the Board.

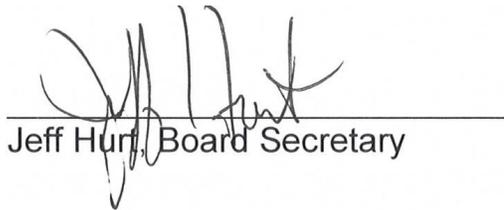
6. Board Member Comments

There were no Board comments.



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Tony Servance, Vice Chair



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Jeff Hurt, Board Secretary