



The CITY OF DAYTONA BEACH Planning Board Minutes

City Hall
Commission Chambers
Regular Meeting

301 South Ridgewood Avenue
Thursday, June 27, 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:

Cathy Washington, Chair
Tony Servance, Vice Chair
Tony Barhoo
Jeff Hurt
Helen Humphreys
James Neal
James Newman

Staff Members Present:

Dennis Mrozek, Planning Director
Ben Gross, Deputy City Attorney
Rose Askew, Planner
Reed Berger, Redevelopment Director
Douglas Gutierrez, Principal Planner
Lauren Taylor, Planner
Hannah Ward, Planner
Marianne Pulaski, Planning Technician
Becky Groom, Board Secretary

Call to Order

Ms. Washington 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 - May 23, 2019

Board Action:

A motion was made by Mr. Barhoo, seconded by Mr. Newman, to approve the minutes of the May 23, 2019 meeting as presented. The motion carried (7-0).

Continued Item:

Preliminary Plat — Preserve at LPGA, DEV2019-041

Staff Presentation:

Lauren Taylor, Planner, presented the staff report which was included as part of the packet. Ms. Taylor stated the request is to approve the preliminary plat for the Preserve at LPGA to include 139 Single Family lots. Ms. Taylor stated this item was continued from the May 23, 2019 Planning Board meeting; and the applicant has proposed changes to the plat since that meeting. Ms. Taylor stated the applicant proposes to relocate the entrance drive to the development from the south portion of the development to the north. Ms. Taylor stated the plat was reconfigured in order to allow for future Dunn Avenue extension.

Applicant Presentation:

Drew Holley, England-Thims & Miller, 14775 Old St. Augustine Road, Jacksonville, Florida spoke representing the applicant. Mr. Holley stated the changes have been made in order to align with the future Dunn Avenue extension and to provide a secondary fire access.

Mr. Barhoo asked about the emergency exit and asked if the community will be able to use the exit during emergency situations.

Mr. Holley stated the gate is meant for emergency access for the Fire Department. Mr. Holley stated markings to indicate the gate could be used by the residents during emergency situations could be incorporated into the plan. Mr. Holley stated he will work with the Fire Marshal to come up with a design that will meet the access and exiting requirements during emergency situations.

Brian Sievertson, Daytona Beach Fire Department, stated the second access is an emergency exit for the Fire Department and it is not an approved roadway. Mr. Sievertson stated there will be a Knox padlock on the gate for Fire Department access only but any changes could be addressed during the planning process.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Barhoo, seconded by Mr. Servance, to approve Preliminary Plat Preserve at I-PGA, DEV2019-041, in accordance with the staff report as presented. The motion carried (7-0).

New Items

Land Development Code Text Amendment — Article 6, DEV2019-061

Staff Presentation:

Lauren Taylor, Planner, presented the staff report which was included as part of the packet. Ms. Taylor stated this is a request by Edward Murray of Permacraft Signs, on behalf of Powerhouse Ministries Church of God in Christ, Inc., to amend the Land Development Code to allow for institutional uses in residential districts in order to accommodate an illuminated monument sign. Ms. Taylor stated if approved, the change will apply to all residential districts but the request was initiated from the RDM-6 area.

Applicant Presentation:

Charles Bryant, Redevelopment Project Manager, spoke representing the applicant. Mr. Bryant stated this is a request for a replacement sign. Mr. Bryant stated the previous sign has been demolished.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Newman, seconded by Mr. Servance, to approve Land Development Code Text Amendment — Article 6, DEV2019061, in accordance with the staff report as presented. The motion carried (7-0).

Land Development Code Text Amendment, Article 5 — DEV2019-080

Staff Presentation:

Reed Berger, Redevelopment Director, presented the staff report which was included as part of the packet. Mr. Berger stated this is an administrative request to allow outdoor seating As an accessory use in certain required yards in order to permit umbrella tables, open trellis structures, shade structures, and other amenities associated with outdoor seating areas.

Mr. Newman asked where this will be permitted.

Mr. Berger stated it will be permitted in any zone where eating and drinking establishments are permitted.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Barhoo, seconded by Mr. Newman, to approve Land Development Code Text Amendment, Article 5 — DEV2019-080, in accordance with the staff report as presented. The motion carried (7-0).

Right-of-Way Vacation - 645 S. Beach Street, DEV2019-088

Staff Presentation:

Dennis Mrozek, Planning Director, presented the staff report which was included as part of the packet. Mr. Mrozek stated the request is to vacate 4,700 s.f. of right-of-way fronting 645 S. Beach Street for the construction of the Sweetheart Trail. Mr. Mrozek stated the request is from the City of Daytona Beach Public Works Department which will allow shifting of the current alignment of Beach Street to accommodate the Sweetheart Trail. Mr. Mrozek stated the City has received "no objection" letters from TECO Peoples Gas, Charter/Spectrum, and Florida Power & Light. Mr. Mrozek stated the letter from AT&T is pending, and AT&T will be requesting an easement over the right-of-way to allow for their existing service lines. Mr. Mrozek stated the AT&T information will be required and must be in place prior to the item being presented to the City Commission for approval. Mr. Mrozek stated the City is requesting that Racecoast Marine convey a public utility easement to the City as a condition of the right-of-way vacation, and Racecoast Marine has agreed to do that. Mr. Mrozek stated the City is also requesting a temporary easement from Racecoast Marine for over the current public sidewalk and public parking area until the beginning of construction of the Sweetheart Trail, at which time the current public sidewalk and public parking will no longer be needed; and Racecoast Marine has agreed to both requests.

Public Comments:

There were no Public Comments.

Board Action:

A motion was made by Ms. Humphreys, seconded by Mr. Servance, to approve Right-of-Way Vacation - 645 S. Beach Street, DEV2019-088, in accordance with the staff report as presented. The motion carried (7-0).

Rezoning to Planned Development-General (PD-G) — Sanctuary (Q Daytona, DEV2018-141

Staff Presentation:

Dennis Mrozek, Planning Director, presented the staff report which was included as part of the packet. Mr. Mrozek stated this is a request to rezone 22.7 acres of land from Volusia County zoning to Planned Development-General (PD-G) to allow for the development of a multifamily complex. Mr. Mrozek stated the request would allow for a multifamily complex with 336 dwelling units with maximum proposed density of 14.8 dwelling units per acre. Mr. Mrozek stated access to the property will be from LPGA Blvd. Mr. Mrozek stated the project will consist of four 4-story apartment buildings. Mr. Mrozek

stated the previous application for the project included an access from Grand Preserve Way but that access will be for emergency access only. Mr. Mrozek outlined the LDC modifications requested relating to parking, signage, and building height. Mr. Mrozek stated a landscape buffer along the rear property line will include greater vegetation. Mr. Mrozek stated two neighborhood meetings were held to address the adjacent property owners' concerns, and the summaries of those meetings are included in the packet as well as letters from the surrounding property owners.

Applicant Presentation:

Mark Watts, Esq., Cobb & Cole, 231 N. Woodland Blvd., Del-and, Florida spoke representing the applicant. Mr. Watts presented photos of the developer's similar project which is in place in Port Orange and is currently 98% leased. Mr. Watts stated over 50% of the proposed site is green space and open space. Mr. Watts reviewed the four waivers requested which are outlined in the letter from Dewberry Engineers, which is included as part of the packet. Mr. Watts discussed the parking waiver and noted 58% of the units are proposed to be one bedroom units. Mr. Watts stated neighborhood meetings have been held. Mr. Watts stated the first meeting was held on January 30, 2019 and traffic was an issue raised by adjacent property owners. Mr. Watts stated installation of a traffic signal was discussed with Volusia County and it was determined that a traffic signal is not warranted at this site. Mr. Watts stated a second meeting was held on April 8, 2019 where traffic calming and traffic signaling were discussed with the adjacent property owners. Mr. Watts stated an email was sent to the adjacent property owners on June 23, 2019 advising them of the Planning Board meeting date and outlined the changes that had been made to the previously presented plan.

Ms. Humphreys commended Mr. Watts for his efforts in addressing the neighbors' concerns. Ms. Humphreys stated she hopes the buffer will include quality plants in the buffer.

Mr. Barhoo stated he feels it is a beautiful project and asked if the building height is consistent with other projects that have been approved.

Mr. Mrozek stated if the other developments are four stories it would be consistent with this project.

Public Comments:

Carol Hall-Pilon, 440 Dagoon Holly, Daytona Beach, Florida stated she is pleased with the improvements that are planned in the project. Ms. Hall-Pilon stated the dumpster/compactor is planned to be placed along Grand Preserve and expressed concern about fencing and odors from the area. Ms. Hall-Pilon stated she is also concerned about Middle School students who will be walking to the school in that area.

Mr. Watts stated the dumpster is planned for the current location due to the need to have a truck gaining access to it. Mr. Watts stated there will be a wall around the dumpster and there will be landscaping around the wall. Mr. Watts stated it is a fully-contained compactor and will be emptied twice a week. Mr. Watts stated the entrance off of LPGA has been sized in order to accommodate a school bus to enter the entranceway and exit back onto LPGA; however, he noted there will still be walkers which will be using the sidewalks to and from the school site.

Board Action:

A motion was made by Mr. Barhoo, seconded by Mr. Servance, to approve Rezoning to Planned Development-General (PD-G) — Sanctuary @ Daytona, DEV2018-141, in accordance with the staff report as presented. The motion carried (7-0).

First Amendment to Daytona (North) Sam's Club Planned District (PD) Agreement, DEV2019-084

Staff Presentation:

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the request is to allow 6 electronic message center (EMC) signs for the purpose of displaying digital gas prices at the Sam's Club on the southwest corner of LPGA and Outlet Blvd. Ms. Ward stated the Sam's Club is under construction and is expected to open in July, 2019. Ms. Ward stated the applicant is requesting to add EMC components to the signs that were previously approved.

Applicant Presentation:

Karl Sanders, KJS Law, 1102 AIA, Ponte Verda Beach, Florida, spoke representing the applicant. Mr. Sanders stated the request is to add digital price readers to the signs. Mr. Sanders stated the previously approved wall signage has also been decreased as part of the request.

Mr. Sanders commended the Planning Staff on their cooperation and ease of working through this process.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Servance, seconded by Mr. Neal, to approve First Amendment to Daytona (North) Sam's Club Planned District (PD) Agreement, DEV2019-084, in accordance with the staff report as presented. The motion carried (7-0).

Small Scale Comprehensive Plan Amendment (SSCPA) — DME Sports, DEV2019-006

This item was presented in conjunction with Item 11, First Amendment to DME Planned District (PD) Agreement - DEV2019-007.

Staff Presentation:

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. Mr. Gutierrez stated the property is in unincorporated Volusia County located on the south side of Bellevue Avenue adjacent to the Daytona Beach International Airport and the DME Sports Campus. Mr. Gutierrez stated the property is in the annexation process.

Applicant Presentation:

Joe Hopkins, Performance Group, 100 Marina Point Drive, Daytona Beach, Florida was in attendance and stated he is available to answer any questions the Board may have.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Newman, seconded by Mr. Barhoo, to approve Small Scale Comprehensive Plan Amendment (SSCPA) — DME Sports, DEV2019-006, in accordance with the staff report as presented. The motion carried (7-0).

First Amendment to DME Planned District (PD) Agreement, DEV2019-007

This item was presented in conjunction with Item 10, Small Scale Comprehensive Plan Amendment (SSCPA) - DME Sports, DEV2019-006

Staff Presentation:

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated this is a request to add 0.47 acres of undeveloped land to accommodate a storm water retention pond and to increase the number of student housing units for the DME sports academy.

Applicant Presentation:

The applicant's comments were included under Item 10.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Neal, seconded by Mr. Barhoo, to approve First Amendment to DME Planned District (PD) Agreement — DEV2019007, in accordance with the staff report as presented. The motion carried (7-0).

Right-of-Way Vacation - 2314 and 2320 S. Halifax Drive, DEV2019-057

Staff Presentation:

Rose Askew, Planner, presented the staff report which was included as part of the packet. Ms. Askew stated the applicant has provided letters of no objection from TECO Peoples Gas, Charter/Spectrum, and Florida Public Utilities; however, the letter from AT&T is pending and must be provided before the request can proceed to the City Commission. Ms. Askew stated City Staff has reviewed the request and has no objections.

Applicant Presentation:

Jessica Gow, Esq., Cobb & Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicants. Ms. Gow stated the aerial photograph shows that a portion of the property is paved and an area near the water is planted with Mangroves. Ms. Gow stated the Mangroves are a protected species and the applicant has agreed to maintain that area.

Mr. Hurt stated this will place this piece of property back on the tax rolls and noted the applicant will be moving vagrants out of the area, not the City.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Barhoo, seconded by Mr. Newman, to approve Right-of-Way Vacation - 2314 and 2320 S. Halifax Drive, DEV2019-057, in accordance with the staff report as presented. The motion carried (7-0).

Large Scale Comprehensive Plan Amendment (LSCPA) — North Williamson Square, DEV2019-056

Staff Presentation:

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. Mr. Gutierrez stated this is a request to increase the square footage for signage at Bellamy at Daytona located at 601 Bellamy Court. Mr. Gutierrez stated this item was presented to the Planning Board in December but is now presented by a new applicant.

Mr. Gutierrez stated the rezoning for this property will be presented at a future Planning Board meeting.

Applicant Presentation:

Michael O. Sznajstajler, Esq., Cobb & Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Sznajstajler stated the Planning Board voted on this item in December with a different applicant. Mr. Sznajstajler stated the transfer transaction had not been completed and the new applicant has now closed on the property. Mr. Sznajstajler stated this is an identical application as was presented in December.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Newman, seconded by Ms. Humphreys, to approve Large Scale Comprehensive Plan Amendment (LSCPA) — North Williamson Square, DEV2019-056, in accordance with the staff report as presented. The motion carried (7-0).

Site Plan - Bellamy at Daytona, DEV2019-081

Staff Presentation:

Lauren Taylor, Planner, presented the staff report which was included as part of the packet. Ms. Taylor stated this is a request to increase the square footage of signage at 601 Bellamy Court. Ms. Taylor stated the applicant is requesting a 64 s.f. monument sign.

Applicant Presentation:

Nick Florio, Coastline Wholesale Signs, spoke representing the applicant. Mr. Florio stated the area where the sign will be placed is open and there will be landscaping around it.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Neal, seconded by Mr. Newman, to approve Site Plan — Bellamy at Daytona, DEV2019-081, in accordance with the staff report as presented. The motion carried (7-0).

Land Development Code Text Amendment — Articles 1, 5, and 11, DEV2019-089

This item was withdrawn from the agenda by staff.

Other Business

1. Downtown/Balough Road Redevelopment Area Board Report
Ms. Washington stated the Downtown/Balough Road Redevelopment Area Board did not meet in June.
2. Midtown Redevelopment Area Board Report
Mr. Barhoo stated the Midtown Redevelopment Area Board did not meet in June and noted the July meeting is canceled as well.
3. Beachside Redevelopment Area Board Report
Mr. Newman stated the Beachside Redevelopment Area Board met in June and heard a presentation regarding the Arts District in Miami. Mr. Newman stated there was discussion about murals in and around Main Street and the Beach Street area. Mr. Newman stated there was a discussion about lighting on Main Street and lack of parking in the Main Street area.
4. Public Comments
John Nicholson, 413 N. Grandview, Daytona Beach, spoke regarding Floor Area Ratio and the need for paving of Coates
5. Staff Comments
Mr. Mrozek stated Item 15 which was withdrawn by staff will be on the July Planning Board agenda.

Mr. Mrozek thanked Mr. Neal for his service to the City and to the Planning Board.

Mr. Neal stated he has enjoyed his service on the Board.

6. Board Member Comments
Mr. Hurt thanked Mr. Neal for his service on the Planning Board.

Ms. Humphreys stated the cable that has been hanging that she has reported several times has been removed. Ms. Humphreys stated the trip hazard along Main Street in front of the cemetery has not been addressed.

Hannah Ward, Planner, stated she looked into Ms. Humphreys' concern and advised that the area is the responsibility of Volusia County. Ms. Ward stated the information has been forwarded to Volusia County.

Ms. Humphreys asked for the status of the repairs to the seawall along AIA that was discussed several months ago.

Ms. Askew stated the wall is going through a Code Enforcement process.



Cathy Washington, Chair



Jeff Hurt, Secretary