

MINUTES

REGULAR MEETING – PLANNING BOARD

June 25, 2020

Minutes of the Regular Meeting of the Planning Board of The City of Daytona Beach, Florida, held on Thursday, June 25, 2020 at 6:00 p.m., in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

1. **Call to Order**

Tony Servance , Chair called the meeting to order.

2. **Roll Call.**

Tony Servance (Chair)	Present
Helen Humphreys (Vice Chair)	Present
Tony Barhoo	Present
Jeff Hurt (Secretary)	Present
Milverton Robinson	Present
Cathy Washington	Via Audio Connection

Also Present:

Dennis Mrozek, Planning Director
Ben Gross, Deputy City Attorney
Rose Askew, Planning Coordinator
Reed Berger, Redevelopment Director
Doug Gutierrez, Principal Planner
Lauren Davis, Planner
Hannah Ward, Planner
Vanessa Trimble, Planning Technician
Becky Groom, Board Secretary

3. **Approval of Minutes**

Approval of the Minutes of the May 28, 2020 Regular Planning Board Meeting held at City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida.

It was moved by Mr. Bahoo to approve the minutes, seconded by Ms. Humphreys. The motion passed 6-to-0 with the breakdown as follows:

Tony Servance (Chair)	Yea
Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
Milverton Robinson	Yea
Cathy Washington	Yea

5. **Large Scale Comprehensive Plan Amendment (LSCPA) – Cloar, DEV2019-150 (Legislative Hearing)**

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of T.J. Cloar III Trust, property owner, for approval of a Large Scale Comprehensive Plan Amendment changing the Future Land Use Map designation from Low Intensity Urban (LIU) and Potentially Environmentally Sensitive (PES), to Level 1 Residential (L1R) and Potentially Environmentally Sensitive (PES), for 260± acres of land generally located 0.5 miles west of Interstate-95 and north and east of Tymber Creek Road. The request includes amendments to Neighborhood Policy V, modifying Issue “m” and adding Issue “r”, to clarify development intensities and densities.

Staff Presentation

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. Mr. Gutierrez stated the property is located west of I-95 and north and east of Tymber Creek Road and is part of the Minto development. Mr. Merrell stated the property was annexed into the city in 2004. Mr. Gutierrez stated residents have expressed concerns regarding the environmental impact on the property. Mr. Gutierrez stated the Land Development Code requires an Environmental Impact Study and the St. Johns River Water Management District requires an Environmental Resource Permit prior to beginning construction. Mr. Gutierrez stated the ERP rules are required to protect the water quality, water quantity, and wetland functions.

Applicant Presentation

Rob Merrell, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Merrell stated the project is an extension of the Latitude Margaritaville project and will include the same products as approved for the original Margaritaville phases. Mr. Merrell stated property is being preserved in order to avoid impacts to the wetlands.

Ms. Humphreys stated a letter is included in the packet from a resident regarding drainage problems and, the resident felt the area behind their home would remain with trees and will not be a road.

Mr. Merrell stated stormwater and drainage will be addressed as part of the permitting process. Mr. Merrell stated the applicant went to great lengths to make sure that anyone who bought a home in Margaritaville knew of the adjoining project. Mr. Merrell provided documents for the record that were part of the site plan as well as the sales documents that outlined the future expansion.

Mr. Robinson asked if Mr. Merrell feels the concerns of the neighbors have been addressed.

Dutch Neuweiller, Minto Communities, 6485 Indigo Bunting Road, Lakewood, Florida, spoke representing the applicant. Mr. Neuweiller stated he met with the neighbors regarding the proposed project. Mr. Neuweiller stated the subject property is noted as future development on the recorded plat. Mr. Neuweiller stated Minto has disclosed everything as best they could and view this as another phase of Margaritaville.

Mr. Merrell stated the maps, sales contract, and plat all show this property as future development.

Citizens Comments

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida stated she did not attend the neighborhood meeting but her neighbor, Sandy Murphy, did. Ms. Ruby stated Ms. Murphy indicated 100 people attended the meeting and voiced concern about traffic, the extension of Tymber Creek, wildlife,

and construction traffic. Ms. Ruby stated neighborhood meetings should be videotaped and included as part of the packet for the Commission. Ms. Ruby asked what the benefit is to current residents for this project.

Steve Parnell, 1123 San Jose, Daytona Beach, Florida, stated he is concerned about the impact of development on wildlife. Mr. Parnell stated he sees no benefit since a resource will be destroyed.

Corey Tresty provided a petition signed by 200 people who oppose the project, including being signed by William Bliss who is a member of the Volusia Soil and Water Conservation District. Ms. Tresty stated she is concerned about wildlife and the water quality in the Tomoka River.

Nancy Robinson, 596 Lost Shaker Way, Daytona Beach, Florida expressed concern about construction traffic and congestion on the streets.

John Nicholson, 413 N. Grandview, Daytona Beach, Florida spoke regarding construction traffic on residential streets.

Tim Schwab, 616 Land Shark, Daytona Beach, Florida stated he lives on the corner where the proposed road will be constructed. Mr. Schwab stated he was never told there would be a road constructed and believed the property would be left open as green space. Mr. Schwab stated he paid extra for the lot because the rear of the property is wooded. Mr. Schwab stated he feels another means of access should be granted for construction access.

Board Comments

Mr. Barhoo stated he is concerned about traffic and the number of modifications requested by the applicant.

Mr. Robinson stated he is concerned about wildlife and the environmental impact. Mr. Robinson stated he is concerned about emergency access in the event of an emergency.

Mr. Servance stated he is concerned about traffic and the wildlife. Mr. Servance stated the bridge has not been approved to help with traffic in the area. Mr. Servance stated he feels we need to address the concerns raised by the residents.

Ms. Washington stated she is concerned about wildlife, drainage, and signage.

Ms. Humphreys asked if the developer could do anything to provide a side entrance to the site for construction.

Dutch Neuweiller stated the applicant does not own the property to the south. Mr. Neuweiller stated to enter the property from the south would go through wetlands which the applicant is trying to protect. Mr. Neuweiller stated the residents are asking for the developer to build 6500 feet of a road extension and another 5,000 to 6,000 feet of local road which would be fiscally impossible. Mr. Neuweiller discussed the two proposed access points and noted that at build-out of the community, there will be a total of 4 access points and noted there will be an emergency only access at the south end of Phase II.

Ms. Humphreys asked the estimated time for construction equipment going through the neighborhood.

Mr. Neuweiller stated it depends on how many houses are sold and noted that is market driven. Mr. Neuweiller stated during the last two years, 400 homes have sold each year.

Mr. Merrell stated there are several neighborhoods in the development that have construction equipment going through them to build the next phase. Mr. Merrell stated the Police Department is helping with the situation. Mr. Merrell stated there are 2,000 more units to sell and he wants the residents to be happy. Mr. Merrell stated there is a large area adjacent to the Tomoka River that will be maintained similar to what is adjacent to the First Baptist church project.

Board Action

It was moved by Mr. Hurt to approve the request per staff recommendations. Ms. Humphreys seconded the motion. The motion passed 4-to-2 with the breakdown as follows:

Tony Servance (Chair)	Yea
Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
Milverton Robinson	No
Cathy Washington	No

6. **Rezoning to Planned Development-General (PD-G) – Cloar, DEV2019-151 (Quasi-Judicial Hearing)**

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of T.J. Cloar III Trust, property owner to rezone 260± acres of land generally located 0.5 miles west of Interstate-95 from Volusia County (VC) zoning to “City” Planned Development – General (PD-G) to allow for the future expansion of the Latitude Margaritaville subdivision to include an additional 500 dwelling units and 10,000 square feet (sf) of private amenities.

Staff Presentation

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the rezoning request is to allow for the future expansion of the Latitude Margaritaville subdivision which will include 500 dwelling units and 10,000 s.f. of private amenities to serve the subdivision. Ms. Ward stated the property is currently vacant and undeveloped. Ms. Ward stated two access points are included which will connect to Phase 2A and Phase 3A of the subdivision. Ms. Ward stated the applicant proposes 1.93 dwelling units per acre, noting 8 units per dwelling acre are permitted. Ms. Ward stated approximately 60% of the site will be open space with a 25-foot open space tract to buffer existing and proposed development. Ms. Ward stated a Proportionate Fair Share agreement in the amount of \$1,542,536 is proposed which must be approved by the City Commission and payment received prior to development. Ms. Ward stated the proposed Land Development Code modifications outlined are part of the previous approval for the Minto development. Ms. Ward stated a neighborhood meeting was held and a summary of that meeting is included as part of the packet. Ms. Ward stated letters have also been provided from surrounding property owners regarding the proposed development.

Mr. Hurt asked, for clarification, that the modifications requested are already included in the Phase 1 approval for Margaritaville.

Ms. Ward stated yes.

Ms. Humphrey stated she is concerned about a letter that has been provided from a resident of Land Shark Blvd. regarding drainage problems and asked how much transparency was afforded the resident when she purchased the house. Ms. Humphreys stated the letter indicates the resident paid for additional land next to her and now there will be a road constructed which will result in a loss of privacy to the existing resident. Ms. Humphreys expressed concern about additional traffic on the cul-de-sac streets and asked if there is a large enough turn area to handle the additional traffic.

Ms. Ward stated Public Works, Fire, and Engineering all reviewed the proposed plan and found the design to be acceptable.

Mr. Robinson asked about construction prior to issuance of the St. Johns River Water Management District permit being issued.

Mr. Gutierrez stated construction cannot begin until the St. Johns permit has been issued.

Applicant Presentation

The applicant's comments were included under Item 5.

Citizens Comments

Public comments were included as part of Item 5.

Board Comments

Board comments were included as part of Item 5

Board Action

It was moved by Mr. Barhoo to approve the request per staff recommendations. Ms. Humphreys seconded the motion. The motion failed 2-to-4 with the breakdown as follows:

Tony Servance (Chair)	No
Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	No
Jeff Hurt (Secretary)	Yea
Milverton Robinson	No
Cathy Washington	No

7. **Comprehensive Sign Plan, First Amendment – Project Longboard, DEV2019-168 (Quasi-Judicial Hearing)**

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Daytona JV LLC, to amend the Project Longboard Comprehensive Sign Plan (CSP) to incorporate specific signage for Crabby's Oceanside Restaurant including an Electronic Message Center (EMC) sign, for the property located at 451 South Atlantic Avenue.

Staff Presentation

Reed Berger, Redevelopment Director, presented the staff report which was included as part of the packet. Mr. Berger stated the request is amend the Project Longboard Comprehensive Sign Plan for Crabby’s located at 451 S. Atlantic Avenue. Mr. Berger stated the applicant is requesting to include an Electronic Message Center as part of the signage. Mr. Berger stated the Beachside Redevelopment Board reviewed the application on March 11, 2020, noting changes have been made to the request since that time to address Staff’s comments. Mr. Berger stated the applicant is requesting a waiver on the height. Mr. Berger stated the second waiver relates to placing the sign on a site less than 8 acres with less than 650 feet of frontage on an arterial road.

Mr. Robinson asked if there will be an impact on the sea turtles.

Mr. Berger stated the applicant must comply with all turtle lighting requirements.

Applicant Presentation

Rob Merrell, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Merrell stated technology has changed regarding signage and EMC signs are now tasteful and easily provide a message.

Mr. Hurt stated he does not have a problem trying to accommodate a restaurant in light of the current COVID situation and restaurants not being permitted to seat customers to the restaurant’s capacity.

Citizens Comments

John Nicholson, 413 N. Grandview, Daytona Beach, Florida stated originally EMC signage was only permitted on large parcels and feels such signage should be permitted for all businesses.

Board Comments

No comments

Board Action

It was moved by Mr. Barhoo to approve the request per staff recommendations. Ms. Humphreys seconded the motion. The motion passed 6-to-0 with the breakdown as follows:

Tony Servance (Chair)	Yea
Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
Milverton Robinson	Yea
Cathy Washington	Yea

8. **Site Plan – Rooms To Go, DEV2019-136 (Quasi-Judicial Hearing)**

A request by Charlie Potter, Avid Group, on behalf of Nicholas Roth, Lois Realty Corporation and Jeff Preston, Tomoka Town Center 3 LLC., to approve a site plan for 5.1± acres of land generally located between Cornerstone Boulevard and Interstate-95 to construct a 55,400 square foot (sf) retail building and associated site improvements.

Staff Presentation

Lauren Davis, Planner, presented the staff report which was included as part of the packet. Mrs. Davis stated the property is located on the west side of Cornerstone and east of I-95 in the Tanger Outlet Mall area. Mrs. Davis stated a Traffic Impact Analysis has been submitted to the city; and prior to the issuance of a site plan approval letter, a Proportionate Far Share Agreement must be approved by the city.

Mr. Barhoo asked if the site will be for retail or a warehouse.

Mrs. Davis stated the site will be a showroom similar to the Rooms To Go site on International Speedway Blvd.

Applicant Presentation

Charlie Potter, 2300 Curlew Road, Palm Harbor, Florida, spoke representing the applicant. Mr. Potter stated the site will include showrooms for Rooms To Go, Rooms To Go Kids, and Rooms To Go Outdoors as part of this development. Mr. Potter stated the project is consistent with the PD and LDC. Mr. Potter stated the Proportionate Fair Share agreement has been approved by staff and is scheduled for review by Volusia County and will subsequently be presented to the City Commission for approval.

Citizens Comments

No comments

Board Comments

No comments

Board Action

It was moved by Mr. Hurt to approve the request per staff recommendations. Mr. Barhoo seconded the motion. The motion passed 5-to-0 with the breakdown as follows:

Tony Servance (Chair)	Yea
Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
Milverton Robinson	Yea
Cathy Washington	unable to hear - lost audio connection

9. **Large Scale Comprehensive Plan Amendment (LSCPA) – Walker’s Green, DEV2019-139 (Legislative Hearing)**

A request by Glenn D. Storch, Esq., Storch Law Firm, on behalf of Masroc Land LP, for approval of a Large Scale Comprehensive Plan Amendment (LSCPA). The parcel consists of 391± acres. The applicant proposes to amend Neighborhood “R”, Issue (e) and Policy (1) to modify the upland buffer requirements to allow for reasonable use of the property. The existing future land use classification is Level 1 Residential. The Property will be developed as a residential subdivision with townhomes and detached single-family residences. The site is generally located on the west side of Williamson Blvd. south of Beville Road and north of the Williamson Blvd. overpass of Interstate-95.

Staff Presentation

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. Mr. Gutierrez stated the LSCPA is consistent with the Comprehensive Plan and does not represent urban sprawl.

Applicant Presentation

Glenn Storch, 420 S. Nova Road, Daytona Beach, Florida spoke representing the applicant. Mr. Storch stated the development has been clustered in order to save the open space. Mr. Storch stated there will be a maximum of 589 units on this site. Mr. Storch stated 8 units per acre are permitted on the site, but the applicant is only requesting to construct 1.5 units per acre. Mr. Storch stated his client is Paytas Homes who has done other developments in the area. Mr. Storch stated 68% of the land will be preserved, which is 162 acres of wetlands. Mr. Storch stated the applicant will be constructing the Madeline Avenue extension to the west, and it will be possible for a bridge to be constructed over I-95 in the future. Mr. Storch stated this project will help to provide a connection for utilities for the properties to the west of the city of Daytona Beach. Mr. Storch stated \$3,000,000 in impact fees will be paid which he is hopeful will be applied to the widening project of Williamson Blvd.

Mr. Robinson asked if there will be affordable housing included as part of the project.

Mr. Storch stated townhomes as well as single family homes will be included in the project which will have smaller lots. Mr. Storch stated there will be some properties in the low \$200,000's but expects most to be in the mid-\$300,000's. Mr. Storch noted market value and the cost of construction materials may cause the property values to fluctuate.

Mr. Hurt stated he is pleased to see Paytas Homes involved in the project since he is aware of the quality developments they have done in other cities. Mr. Hurt stated he is pleased to see much of the property will be preserved.

Citizens Comments

Ken Strickland, 1208 N. Halifax, Daytona Beach, Florida stated the information he received for this project from the city stated there were 1,000 homes planned for the area but noted Mr. Storch has corrected that information. Mr. Strickland stated he likes the proposed project.

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida stated she appreciated Mr. Storch addressing the number of units planned for the project. Ms. Ruby stated she feels the City Commission should address affordable housing. Ms. Ruby stated other communities have inclusionary zoning to require affordable housing as part of all developments.

Board Comments

No comments

Board Action

It was moved by Mr. Hurt to approve the request per staff recommendations. Ms. Humphreys seconded the motion. The motion passed 6-to-0 with the breakdown as follows:

Tony Servance (Chair)

Yea

Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
Milverton Robinson	Yea
Cathy Washington	unable to hear - lost audio connection

10. **Rezoning to Planned Development-General (PD-G) – Walker’s Green, DEV2019-009 (Quasi-Judicial Hearing)**

A request by Glenn D. Storch, Esq., Storch Law Firm, on behalf of Masroc Land LP, to rezone 391± acres of land generally located on the west side of Williamson Blvd., south of Beville Road and north of the Williamson Blvd. overpass of Interstate-95 from Agricultural (AG) zoning to Planned Development – General (PD-G) to allow for a 1000 unit residential development.

Staff Presentation

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the property is located on the west side of Williamson, south of Beville Road. Ms. Ward stated the project will include 589 units of residential development. Ms. Ward stated the property is located at the southern boundary of the City of Daytona Beach and is currently vacant and undeveloped. Ms. Ward stated 50% of the project area will be open space and the developer will be required to construct the Madeline Avenue Extension. Ms. Ward stated there will be potentially 9 phases to the project.

Mr. Barhoo asked about the waiver request for sidewalks.

Ms. Ward stated there will be sidewalks internal to the development but there is no sidewalk to connect to on the east side of Williamson.

Applicant Presentation

The applicant’s comments were included as part of Item 9.

Citizens Comments

Public comments were included as part of Item 9.

Board Comments

No comments

Board Action

It was moved by Mr. Barhoo to approve the request per staff recommendations. Mr. Hurt seconded the motion. The motion passed 5-to-0 with the breakdown as follows:

Tony Servance (Chair)	Yea
Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
Milverton Robinson	Yea
Cathy Washington	unable to hear - lost audio connection

11. **Site Plan – Gary Yeomans Lincoln/Ford Expansion, DEV2020-026 (Quasi-Judicial Hearing)**

A request by Parker Mynchenberg, P.E., Parker Mynchenberg & Associates, Inc. on behalf of Terry Taylor Ford Company, to approve a site plan for construction of a 13,245 sf addition to the existing Ford sales building and a 8,540 sf stand-alone Lincoln sales building for the property located at 1420 North Tomoka Farms Road.

Staff Presentation

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the request is to include an addition to the Ford dealership site as well as a new structure to house the Lincoln dealership on the property located at 1420 N. Tomoka Farms Road. The expansion to the Ford dealership site will be used as a service area and the Lincoln dealership will be a new stand-alone structure.

Applicant Presentation

Parker Mynchenberg, 1729 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Mynchenberg stated the site will be for expansion of the Ford dealership site, which currently houses the Lincoln dealership. Mr. Mynchenberg stated the new structure will house the Lincoln dealership site.

Citizens Comments

No comments

Board Comments

No Comments

Board Action

It was moved by Mr. Barhoo to approve the request per staff recommendations. Ms. Humphreys seconded the motion. The motion passed 5-to-0 with the breakdown as follows:

Tony Servance (Chair)	Yea
Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
Milverton Robinson	Yea
Cathy Washington	unable to hear - lost audio connection

12. **Land Development Code Text Amendment – Amending Article 3 and 4, DEV2020-030 (Legislative Hearing)**

A request by the Development and Administrative Services Department, Planning Division, to amend Article 3 (Review Procedures), Section 3.3 (Standard Procedures), of the Land Development Code (LDC), to add additional mail notice requirements for neighborhood meetings and public hearing notices; Section 3.4.F, to revise procedures and standards for PD Plans/Agreements, including with respect to lapses, amendments, and preservation of the City’s police power; and Article 4 (Zoning Districts), Section 4.8, to clarify the applicability of the LDC to PD plans/agreements that were originally approved prior to the adoption of the LDC, and to add additional content requirements for PD Plans/Agreements.

Staff Presentation

Rose Askew, Planning Coordinator, presented the staff report which was included as part of the packet. Ms. Askew stated the purpose of the text amendment is to add additional requirements for mail notice requirements for neighborhood meetings. Ms. Askew stated the PD amendment process is essentially a carryover from the old Land Development Code and that process does not provide detailed procedures for requests to amend PD plans/agreements. Ms. Askew stated staff is requesting to amend the Land Development Code to require mail notice to all owners of lots within the PD boundaries, regardless of whether these lots are within 300 feet of the site of the application. Ms. Askew stated the proposed text amendment will also allow the City Commission to extend a lapsed or expired PD agreement by resolution; and the city may administratively rezone the property identified in the expired plan or agreement. Ms. Askew stated a text amendment is proposed to address amendments to approved PD agreements. Ms. Askew stated a text amendment is also proposed to address PD agreements that were approved prior to March 1, 2015 when the current LDC was adopted.

Mr. Robinson stated he feels occupants of properties, such as renters, should be included in the notice requirements, not necessarily the owner.

Ms. Askew stated State Statute requires the city to notify property owners and it is then up to the property owner to notify the tenants.

Mr. Hurt stated a sign is placed on the property when there is a proposed zoning change. Mr. Hurt stated the city does not know who is renting the property.

Mr. Gross stated if there is an active property owners association, rezoning items may be discussed at a POA meeting.

Ms. Askew stated there is a place on the city's website, "Notify me," where anyone may register to be notified of items of interest in their area. Ms. Askew stated advertisements are placed in the newspaper when items are scheduled for City Commission review.

Citizens Comments

Jessica Gow, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida stated the requirement is for property owners to be notified within 300 feet of an area and if a homeowners association owns property, the HOA would be included in that notice. Ms. Gow stated she would like to clarify on the notice requirements.

Mr. Gross stated the city wants assurance that properties, such as open space or stormwater retention areas, are privately maintained. Mr. Gross stated many times, there is a requirement in the agreement that a property owners association be formed to maintain those areas and to collect fees to maintain those areas. Mr. Gross stated a property search would indicate that the homeowners association owns the property. Mr. Gross stated he feels Ms. Gow is asking that notice requirements be limited for the types of homeowners association required to receive notice which would limit the requirement for the number of title searches required within a development.

Mr. Mrozek stated staff would be willing to accept that recommendation or staff could not require notice to go to property owners association if they do not own property in the development.

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida asked if the parking lot owned by George Anderson at the corner of A1A and Main Street is a Planned Development.

Mr. Mrozek stated he does not believe it is a PD, but he would have to do research to be sure.

Board Comments

No comments

Board Action

It was moved by Mr. Hurt to approve the request per staff recommendations. Ms. Humphreys seconded the motion. The motion passed 5-to-0 with the breakdown as follows:

Tony Servance (Chair)	Yea
Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
Milverton Robinson	Yea
Cathy Washington	unable to hear - lost audio connection

13. **Land Development Code Text Amendment – Amending Article 6, Section 6.10.K, DEV2020-058 (Legislative Hearing)**

A request by the Development and Administrative Services Department, Planning Division, to amend Article 6, Section 6.10.K (District Sign Schedule) of the Land Development Code (LDC), to add signage regulations for the Redevelopment Downtown-Local Business Services (RDD-7) zoning district.

Staff Presentation

Rose Askew, Planning Coordinator, presented the staff report which was included as part of the packet. Ms. Askew stated this amendment is to add signage regulations for the RDD-7 zoning district. Ms. Askew stated the signage regulations were inadvertently omitted during the 2015 LDC rewrite.

Citizens Comments

No comments

Board Comments

No comments

Board Action

It was moved by Mr. Hurt to approve the request per staff recommendations. Ms. Humphreys seconded the motion. The motion passed 5-to-0 with the breakdown as follows:

Tony Servance (Chair)	Yea
Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
Milverton Robinson	Yea
Cathy Washington	unable to hear - lost audio connection

14. **Land Development Code Text Amendment – Amending Table 5.2.A.3, DEV2020-059 (Legislative Hearing)**

A request by the Development and Administrative Services Department, Planning Division, to amend Article 5 (Use Standards), Table 5.2.A.3 (Principal Use Table for Redevelopment Districts) of the Land Development Code (LDC) to add a Place of Worship use as a permitted use within the RDM-2 (Neighborhood Center Mixed Use) zoning district.

Staff Presentation

Dennis Mrozek, Planning Director, presented the staff report which was included as part of the packet. Mr. Mrozek stated the purpose of this amendment is to add a Place of Worship use within the RDM-2 zoning district. Mr. Mrozek stated the proposed amendment is necessary to comply with the Religious Land Use and Institutional Persons Act (RLUIPA).

Citizens Comments

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida, asked what dictates a Place of Assembly because Midtown does not need anymore Places of Worship. Ms. Ruby stated it would be interesting to know how many Places of Worship are located in the CRA since it does have an impact on the CRA.

Mr. Gross stated RDM-2 allows clubs and lodges which are considered Places of Assembly. Mr. Gross stated if Places of Assembly are permitted and the city does not allow Places of Worship in the same area, the city would violate RLUIPA.

Board Comments

No comments

Board Action

It was moved by Mr. Barhoo to approve the request per staff recommendations. Mr. Hurt seconded the motion. The motion passed 5-to-0 with the breakdown as follows:

Tony Servance (Chair)	Yea
Helen Humphreys (Vice Chair)	Yea
Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
Milverton Robinson	Yea
Cathy Washington	unable to hear - lost audio connection

15. **Other Business**

- a. Downtown/Balough Road Redevelopment Area Board Report

The Downtown/Balough Road Redevelopment Area Board did not meet in June.

- b. Midtown Redevelopment Area Board Report

The Midtown Redevelopment Area Board did not meet in June.

- c. Beachside Redevelopment Area Board Report

The Beachside Redevelopment Area Board did not meet in June.

d. Public Comments

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida stated the time for citizens' comments is limited; however, the applicant is able to rebut citizens' comments with no time restriction and citizens are not permitted to provide a rebuttal to the applicant's comments. Ms. Ruby stated many of the projects provide no benefit to the residents. Ms. Ruby stated City Commissioners receive campaign support from developers and, as a result, Commissioners will rubber-stamp anything.

John Nicholson, 413 N. Grandview, Daytona Beach, Florida spoke regarding submerged lands and required parking for hotels. Mr. Nicholson stated most people who visit restaurants in hotels on beachside will be walking to the restaurant and parking will not be needed for the restaurant sites.

e. Staff Comments

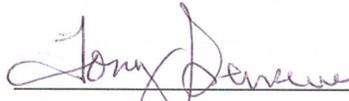
Dennis Mrozek, Planning Director, stated in response to Mr. Nicholson's comments regarding parking, the Land Development Code does address modifications for parking requirements. Mr. Mrozek stated many times developers present plans indicating a reduction in the parking as well.

f. Board Member Comments

No comments

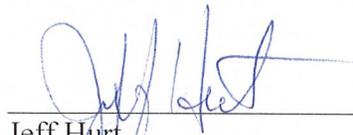
16. **Adjournment**

There being no further discussion or comments the meeting was adjourned at 9:10p.m.



Tony Servance
Chair

ATTEST:



Jeff Hurt
Secretary