

# MINUTES

## REGULAR MEETING – PLANNING BOARD

October 22, 2020

Minutes of the Regular Meeting of the Planning Board for the City of Daytona Beach, Florida, held on Thursday, October 22, 2020 at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

1. **Call to Order**

Mr. 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
William Pageau	Present
Milverton Robinson	Present
Cathy Washington	Present - via audio connection

Also Present:

Dennis Mrozek, Planning Director  
Ben Gross, Deputy City Attorney  
Doug Gutierrez, Principal Planner  
Lauren Davis, Planner  
Steven Bapp, Planner  
Hannah Ward, Planner  
Vanessa Trimble, Planning Technician  
Becky Groom, Board Secretary

3. **Approval of the Minutes** - September 24, 2020

Approval of the Minutes of the September 24, 2020 Regular Planning Board Meeting held at City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida

It was moved by Mr. Barhoo to approve the minutes as presented, seconded by Ms. Humphreys. The motion passed 7-to-0 with the breakdown as follows:

Tony Servance, Chair	Yea
Helen Humphreys, Vice Chair	Yea

Tony Barhoo	Yea
Jeff Hurt (Secretary)	Yea
William Pageau	Yea
Milverton Robinson	Yea
Cathy Washington	Yea

4. **Summary of Public Comment Procedures**

Included as part of the agenda is a summary of Public Comment Procedures.

**New Items:**

5. **Site Plan – Capstone Cottages at Daytona - DEV2020-031**

A request by Parker Mynchenberg, P.E., Parker Mynchenberg & Associates, Inc., on behalf of CRISP39-3 LLC, to approve site plan for 29.7± acres of land, located at 1850 North Williamson Boulevard, to develop 283 multifamily units, a 4,400± square-foot clubhouse and associated site improvements.

**Staff Presentation**

Lauren Davis, Planner, presented the staff report which was included as part of the packet. Ms. Davis stated the property is currently vacant and undeveloped. Ms. Davis stated the City Commission approved the first amendment to the O’Connor Capital PD Agreement to allow for this development. Ms. Davis stated there are outstanding staff comments relating to utilities and engineering that must be addressed. Ms. Davis stated Traffic Engineering has reviewed the request and determined that a Proportionate Fair Share Agreement is required. Ms. Davis stated the amount for the Proportionate Fair Share is \$736,009.43; and the applicant has submitted an agreement for this amount.

Mr. Robinson asked if affordable housing is a part of this request.

Mr. Gross stated it is not criteria for this approval. Mr. Gross stated the City Commission continued the ordinance regarding affordable housing at the October 21, 2020 City Commission meeting.

**Applicant Presentation**

Parker Mynchenberg, 1729 S. Ridgewood Avenue, Daytona Beach, Florida stated the project is rental property but consists of single family and duplex units.

Mr. Hurt stated this is a new concept which we have not seen in Daytona Beach and he feels it is an excellent opportunity for the rental market.

Mr. Robinson asked what the rent will be for the proposed units.

Mr. Mynchenberg stated they will be market rate, noting some of the units will be over 1,000 s.f. Mr. Mynchenberg stated he anticipates the rent will be between \$1,500 to \$2,000 per month.

Michael Sznajstajler, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida stated the units will be Smart homes that will have Wi-Fi and Smart Thermo and entry included in the rent, which are items that are above the rental cost in other units.

**Citizens Comments**

No comments.

**Board Action**

It was moved by Mr. Barhoo to approve the request per staff recommendations, providing all outstanding staff comments are addressed. Mr. Robinson seconded the motion in accordance with the staff report as presented. The motion passed 7-to-0 with the breakdown as follows:

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

6. **Rezoning to Planned Development-General (PD-G) – Daytona Beach VA OPC PD, DEV2020-049**

A request by Abdull Alkadry, Harris Civil Engineers, LLC., on behalf of Carnegie Management and Development Corporation, and the School Board of Volusia County, to rezone 76.1± acres of land generally located on the westside of N. Williamson Boulevard, 1,800± feet north of LPGA Boulevard, from Volusia County Urban Single Family Residential (R2) zoning to Planned Development – General (PD-G), to allow for the development of a Department of Veterans Affairs Clinic and/or other commercial and medical uses.

**Staff Presentation**

Lauren Davis, Planner, presented the staff report which was included as part of the packet. Ms. Davis stated the property is adjacent to the Advanced Technology

Center and will allow for the development of a Veterans Affairs Clinic. Ms. Davis stated the only waiver requested is regarding the size of the Specimen Silver Date Palms and the width of sidewalks in areas where there is not high traffic.

Mr. Hurt stated the VA Clinic is needed in Daytona Beach and will result in people not having to drive to Orlando or other areas for treatment.

Mr. Robinson stated he is pleased to see there will be a bus stop at the site.

**Applicant Presentation**

Rustom Khouri, Carnegie Management, spoke representing the applicant. Mr. Khouri stated the emphasis in this development will be on nature so the veterans will get outside in a safe environment for socialization. Mr. Khouri stated it will be a campus design and will be a place where veterans will feel safe and will want to receive care.

**Citizens Comments**

No comments

**Board Action**

It was moved by Mr. Robinson to approve the request per staff recommendations. Mr. Barhoo seconded the motion in accordance with the staff report as presented. The motion passed 7-to-0 with the breakdown as follows:

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

7. **Hand Avenue – Rezoning to Multifamily Residential-12 (MFR-12), DEV2020-078**

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of CRISP39-6 LLC, to rezone 35.0± acres of land, generally located at the northeast quadrant of the intersection of Hand Avenue and Williamson Boulevard, from Volusia County Urban Single-Family Residential (R-4 & R-5), and Planned Development-General (PD-G), to Multifamily Residential-12 (MFR-12), to allow for a multifamily development.

**Staff Presentation**

Steven Bapp, Planner, presented the staff report which was included as part of the packet. Mr. Bapp stated this is a rezoning request, noting the property is adjacent to the southern boundary of the City of Ormond Beach. Mr. Bapp stated two Volusia County parcels will be annexed into Daytona Beach as part of this request. Mr. Bapp stated approval is recommended on this request, based on the condition that the annexation is approved.

**Applicant Presentation**

Rob Merrell, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Merrell stated this request is to address the zoning on the property.

**Citizens Comments**

No comments

**Board Action**

It was moved by Mr. Barhoo to approve the request per staff recommendations. Ms Humphreys seconded the motion in accordance with the staff report as presented. The motion passed 7-to-0 with the breakdown as follows:

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

8. **Large Scale Comprehensive Plan Amendment (LSCPA) – Project Sigma, DEV2020-067**

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of CRISP39-6 LLC & CRISP39-7 LLC, property owner, for approval of a Large Scale Comprehensive Plan Amendment for 118± acres of land, generally located on the west side of North Clyde Morris Boulevard and the northwest quadrant of the LPGA Boulevard and Clyde Morris Boulevard intersection, changing the Future Land Use Map designation for 95± acres of the 118± acre parcel from Level 1 Residential (L1R), Office Transition (OT) and Potentially Environmentally Sensitive (PES), to Mixed Use (MU) and Potentially Environmentally Sensitive (PES), amending the Future Land Use Element, Neighborhood “K”, creating

Issue (i), Policy (1) limiting commercial development to 600,000 square feet, and residential density shall be limited to 700 dwelling units.

This item was presented in conjunction with Item 9, Rezoning to Planned Development-General (PD-G) – Project Sigma PD, DEV2020-066.

**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 Clyde Morris and the proposed amendment is for Neighborhood “K.”

**Applicant Presentation**

Applicant’s comments are included with Item 9.

**Citizens Comments**

No comments

**Board Action**

It was moved by Mr. Hurt to approve the request per staff recommendations. Ms. Humphreys seconded the motion in accordance with the staff report as presented. The motion passed 7-to-0 with the breakdown as follows:

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

9. **Rezoning to Planned Development-General (PD-G) – Project Sigma PD, DEV2020-066**

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of CRISP39-6 LLC & CRISP39-7 LLC, to rezone 118± acres of land, generally located on the west side of North Clyde Morris Boulevard and the northwest quadrant of the LPGA Boulevard and Clyde Morris Boulevard intersection, from “Volusia County” Urban Single-Family Residential (R2) and “City” Residential/Professional (R/P) to Planned Development-General (PD-G), to allow for a mixed-use development, including a variety of residential, commercial, institutional, and light industrial uses, as well as compensatory storage as a principal use.

This item was presented in conjunction with Item 8, Large Scale Comprehensive Plan Amendment (LSCPA) – Project Sigma, DEV2020-067.

**Staff Presentation**

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the property is vacant and undeveloped. Ms. Ward stated the applicant proposes to have a maximum of 600,000 s.f. of commercial space and a maximum of 700 residential units. Ms. Ward stated affordable housing will not be applied to this project based on the City Commission action to delay the ordinance. Ms. Ward stated LDC modifications include setbacks and buffers.

Mr. Hurt stated he is pleased to see 50% of the property will be left natural which will help with protecting the wildlife.

**Applicant Presentation**

Rob Merrell, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Merrell stated this request will address the Volusia County zoning. Mr. Merrell noted traffic will be addressed during Site Plan approval. Mr. Merrell stated the agreement includes language regarding environmentally sensitive protection. Mr. Merrell stated compensating storage ponds that will be around the development will be considered a principal use.

**Citizens Comments**

No comments

**Board Action**

It was moved by Mr. Barhoo to approve the request per staff recommendations. Mr. Robinson seconded the motion in accordance with the staff report as presented. The motion passed 7-to-0 with the breakdown as follows:

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

10. **Large Scale Comprehensive Plan Amendment (LSCPA) – Project Theta, DEV2020-065**

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of CRISP39-6 LLC., for approval of a Large Scale Comprehensive Plan Text Amendment, for 37.1± acres of land, generally located in the southeast quadrant of the Williamson Boulevard and Strickland Range Road intersection, changing the Future Land Use Map designation from Level 1 Residential (L1R), Office Transition (OT), and Potentially Environmentally Sensitive (PES), to Mixed Use (MU) and Potentially Environmentally Sensitive (PES), amending the Future Land Use Element, Neighborhood “K”, creating Issue (j), Policy (1) limiting commercial development to 400,000 square feet, and residential density shall be limited to 14 units per acre.

This item was presented in conjunction with Item 11, Rezoning to Planned Development-General (PD-G) – Project Theta, DEV2020-064.

**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 on the southeast quadrant of Williamson and Strickland Range Road and is currently vacant and undeveloped. Mr. Gutierrez stated the applicant proposes to limit commercial uses to 400,000 s.f. and 14 dwelling units per acre. Mr. Gutierrez stated approval is subject to DEO and VGMC review.

**Applicant Presentation**

Applicant’s comments included with Item 11.

**Citizens Comments**

No comments

**Board Action**

It was moved by Mr. Barhoo to approve the request per staff recommendations. Ms. Humphreys seconded the motion in accordance with the staff report as presented. The motion passed 7-to-0 with the breakdown as follows:

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

11. **Rezoning to Planned Development-General (PD-G) – Project Theta, DEV2020-064**

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of CRISP39-6 LLC , to rezone 37.1± acres of land, generally located in the southeast quadrant of the Williamson Boulevard and Strickland Range Road intersection, from Volusia County Urban Single Family Residential (R-2), to Planned Development – General, to allow for a mixed-use development, including a variety of residential, commercial and institutional uses, as well as compensatory storage as a principal use.

This item was presented in conjunction with Item 10, Large Scale Comprehensive Plan Amendment (LSCPA) – Project Theta, DEV2020-065.

**Staff Presentation**

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the proposed zoning is PD-G. Ms. Ward stated affordable housing is not applicable to this project. Ms. Ward stated modifications include setbacks and buffer requirements.

**Applicant Presentation**

Rob Merrell, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Merrell stated this application is almost identical to the previous application as proposed by Sigma.

Mr. Robinson stated he appreciated the applicant’s conservation efforts.

**Citizens Comments**

No comments

**Board Action**

It was moved by Mr. Barhoo to approve the request per staff recommendations. Mr. Robinson seconded the motion in accordance with the staff report as presented. The motion passed 7-to-0 with the breakdown as follows:

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

12. **Temporary Moratorium on Small Box Discount Stores, DEV2020-111**

**Staff Presentation**

Dennis Mrozek, Planning Director, presented the staff report which was included as part of the packet. Mr. Mrozek stated this item was generated as a request by the City Commission. Mr. Mrozek stated there is a feeling that small box discount stores may make it difficult to attract and retain grocery stores that offer healthier food options, particularly in areas referred to as food deserts. Mr. Mrozek stated if this moratorium is approved, it will remain in place for 180 days which would allow the city an opportunity to study the impacts and determine the risks associated with placement of small box discount stores.

Mr. Hurt asked if other cities have moratoriums in place and stated he thought he read where other cities are discussing this item.

Ben Gross, Deputy City Attorney, stated Palm Coast is the only other city in the area that has a moratorium in place.

Mr. Mrozek stated approval was recently given for a small box discount store at the former CVS site at the corner of Beville and Clyde Morris. Mr. Mrozek stated there are 4 stores that provide groceries within a mile of that site. Mr. Mrozek also noted that the Dollar Store at Mason and Clyde Morris has indicated they plan on including fresh food at their site.

Mr. Barhoo asked how many of these stores have opened within a specific time period that caused this item to come forward.

Mr. Mrozek stated he didn't believe there was a specific number and noted that most open through the Building Permit process. Mr. Mrozek stated the recently approved request that was presented to the City Commission for the project at Beville and Clyde Morris was the first he had seen in quite a while. Mr. Mrozek stated there are some that are close to similar stores and staff will be looking at the proximity to other locations. Mr. Mrozek stated the stores do have value and are not necessarily competing with grocery stores.

Mr. Robinson stated he feels these stores bring down the property values of adjacent neighborhoods.

Mr. Servance stated some stores are very well maintained but feels it is a good idea to look at this. Mr. Servance noted the Dollar General in Palatka offers fresh food.

**Citizens Comments**

Mark Watts, Cobb & Cole, 231 N. Woodland Blvd., DeLand, Florida stated he appeared before the Planning Board two months ago with the request for the Dollar General at Beville and Clyde Morris. Mr. Watts stated this moratorium will not apply to that application. Mr. Watts stated he relayed the comments made by the Planning Board to his client regarding healthy food options at Dollar General and those comments were relayed to Dollar General's corporate offices. Mr. Watts stated a moratorium is a concern for his client. Mr. Watts stated in 2021, Dollar General will have 1,050 stores that will offer fresh produce and will evaluate the store that was approved by the Planning Board at Beville and Clyde Morris for the fresh produce option. Mr. Watts stated there is an Aldi located 1.2 miles away and that may hinder the option for fresh produce at Dollar General because they may not feel they can compete with a grocery store. Mr. Watts stated the Dollar General in Matanza offers fresh food and has extended an invitation to members of the Planning Board, City Commission, and staff to visit that store to see the new operation.

Mr. Hurt stated what is proposed is nothing against Dollar General and this is an opportunity to have the city study the concern.

**Board Action**

It was moved by Mr. Hurt to approve the request per staff recommendations. Ms. Humphreys seconded the motion in accordance with the staff report as presented. The motion passed 7-to-0 with the breakdown as follows:

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

13. **Other Business**

- a. Downtown/Ballough Road Redevelopment Area Board Report

Ms. Washington stated the Downtown/Ballough Road Redevelopment Board did not meet in October.

- b. Midtown Redevelopment Area Board Report

Mr. Robinson stated the Midtown Redevelopment Area Board met and received reports from Code Enforcement and the Police Department. Mr. Robinson stated the Board discussed at length the powers and duties of the Board, including budget and funding approvals. Mr. Robinson stated the

Board discussed approval of the agenda for upcoming meetings and the roles of staff and the Board. Mr. Robinson stated the Board would like to become more active and not be driven by the staff.

c. Beachside Redevelopment Area Board Report

Mr. Servance stated the Beachside Redevelopment Area Board did not meet.

d. Public Comments

No comments

e. Staff Comments

No comments

f. Board Members Comments

Mr. Robinson stated the affordable housing issue has been delayed by the City Commission. Mr. Robinson stated he would like to see in recommendations how an applicant plans to work with the city in improving the housing situation for the workforce.

Ms. Humphreys stated families need smaller homes to get started in the home ownership process.

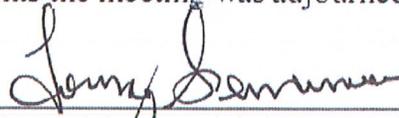
Mr. Gross stated the proposed ordinance that was under consideration by the City Commission outlined that a zoning application that increases density must include a description of the measures the applicant proposes for addressing affordable housing. Mr. Gross stated the City Commission continued the ordinance to the December 2, 2020 meeting with direction to staff in the meantime to identify a standard that could be used. Mr. Gross stated if adopted, the ordinance would only apply to applications submitted after the date of adoption.

Mr. Hurt stated this item will continue to be discussed and noted Volusia County is now reviewing affordable housing. Mr. Hurt stated the Volusia County Council will be looking at this and how it affects all municipalities in Volusia County.

Mr. Pageau asked if there is a scale that is set for affordable housing.

Mr. Gross stated typically, local governments apply the Federal level guidelines.

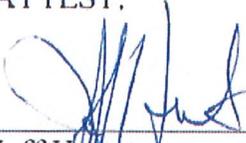
There being no further discussion or comments the meeting was adjourned.



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Tony Servance  
Chair

ATTEST:



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Jeff Hunt  
Secretary