

MINUTES

REGULAR MEETING – PLANNING BOARD

March 25, 2021

Minutes of the Regular Meeting of the Planning Board for the City of Daytona Beach, Florida, held on Thursday, March 25, 2021 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	Present
Tony Barhoo, Vice Chair	Present
Michael McLean	Present
William Pageau	Present
Milverton Robinson	Present
Cathy Washington	Present

Also Present:

Dennis Mrozek, Planning Director  
Ben Gross, Deputy City Attorney  
Reed Berger, Redevelopment Director  
Rose Askew, Planning Coordinator  
Paula Long, Planner  
Lauren Taylor, Planner  
Becky Groom, Board Secretary

**Recognition of former Planning Board member, Jeff Hurt**

At this time, Chair Servance recognized Jeff Hurt who served on the Planning Board for 26 years.

3. **Approval of the Minutes** - February 25, 2021

Approval of the Minutes of the February 25, 2021 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. Ms. Humphreys seconded the motion. The motion passed 7-to-0 with the breakdown as follows:

Tony Servance, Chair	Yea
Helen Humphreys, Vice Chair	Yea
Tony Barhoo	Yea
Michael McLean	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. **Avalon Park Daytona, Preliminary Plat – DEV2021-006**

A request by Christopher Warshaw, England Thims & Miller, Inc. on behalf of Avalon Park Daytona, LLC, to approve a 761.4± acre Preliminary Plat for the Avalon Park Daytona, Phase 1, to allow a mixed-use development.

**Staff Presentation:**

Dennis Mrozek, Planning Director, provided information on his background, and work experience with the City of Daytona Beach, including his work overseeing the City's Technical Review Team and working with local design professionals.

Mr. Mrozek stated included in the packet for this item is an email which was received from a citizen concerning this project.

Mr. Mrozek presented the staff report which was included as part of the packet. Mr. Mrozek stated a memorandum dated March 25, 2021 has been distributed to the Board which outlines changes that have been made to the documents that were included in the Board packet. Mr. Mrozek stated there is an attachment to the memorandum that includes a revised Preliminary Plat, Sheets 1 of 5 and 3 of 5. Mr. Mrozek read for the record the changes that have been made which are outlined in the March 25, 2021 memorandum.

Mr. Mrozek stated the property is located west of I-95 and north of the Minto development. Mr. Mrozek stated the property was part of the original Minto development. Mr. Mrozek stated the property fronts on Granada to the north and

south to Tymber Creek/LPGA so there will be a north-south connection through the development. Mr. Mrozek stated the project consists of 1,609 residential units and 90,000 s.f. of commercial area. Mr. Mrozek stated the City and the Technical Review Team have reviewed the plat and have no objections. Mr. Mrozek stated the project will include two amenity center lots, six park areas, and wetlands to the south which will be preserved. Mr. Mrozek stated the project includes rear-loaded town homes as well as single family front loaded detached homes.

Mr. Mrozek stated Tymber Creek will be located just to the north of the southern end of the development and will proceed east. Mr. Mrozek stated Avalon Park Blvd. will go through the center of the development and will exit onto Granada.

Mr. McLean asked if the development will be a private gated community.

Mr. Mrozek stated the streets will be public and the development will be an open community.

Mr. Barhoo asked if the City will be able to handle the required amount of water usage and if the Fire Department will be able to serve the additional houses.

Mr. Mrozek stated there has been discussions with the Fire Department about the installation of a storage tank for emergencies. Mr. Mrozek stated the Utilities Department has reviewed the plans and utilities will be addressed during the final plan review.

Mr. Pageau asked if the final plat will address the force main going through Phase 1.

Mr. Mrozek stated the final plat will address all technical issues associated with water and sewer service.

Ms. Humphreys asked how many entrance and exit points are planned.

Mr. Mrozek stated there will be multiple connection points onto Granada. Mr. Mrozek stated the development is designed to be a small city and there will be many access points. Mr. Mrozek stated the development will include residential, commercial, institutional uses, schools, office uses, and recreation. Mr. Mrozek stated this will be a community where individuals will not have to go outside the area to meet their needs.

Mr. Robinson asked if there will be affordable or work-force housing as part of the development.

Mr. Mrozek stated the applicant will speak on how they plan to address affordable housing. Mr. Mrozek stated he visited the completed development in Avalon which is similar to this project and it meets the needs of those who work in the

development, such as teachers, and it is affordable. Mr. Mrozek stated this will be a wonderful walkable community.

**Applicant Presentation:**

Chris Warshaw, 1525 International Parkway, Lake Mary, Florida, spoke representing the applicant. Mr. Warshaw stated this will be a walkable mixed-use community and will be a major plus for Daytona Beach.

Mr. McLean asked about the extension of Tymber Creek Road, noting there is a reduction in the speed limit for the planned Avalon Blvd. roadway. Mr. McLean asked if the access to the project will be gated.

Mr. Warshaw stated there is a road agreement between the developer and Volusia County concerning Tymber Creek and the developer will comply with that agreement. Mr. Warshaw stated the agreement is written as a right-of-way agreement and will provide right-of-way through the property. Mr. Warshaw stated Tymber Creek will proceed to the right and Avalon Blvd. will go through the town center.

Mr. Robinson asked if there is a plan for affordable-work force housing.

Mr. Warshaw stated the plan will have a mix of units which will be accessible to the community. Mr. Warshaw stated the developer will comply with any City requirements regarding affordable or workforce housing.

Mr. Robinson asked if the project will be a gated community.

Mr. Warshaw stated the intention is to have the community open to the public but the area at the south near the amenity center will be gated. Mr. Warshaw stated the roadways will be open to access the businesses by any residents of the area.

Mr. McLean asked if he is correct in saying there will be unrestricted travel from LPGA to Granada.

Mr. Warshaw stated that is a correct statement.

Mr. Robinson asked if the school will be exclusive to the proposed community or will it be integrated.

Mr. Warshaw stated the school will be a public school and an agreement will be required with the Volusia County School District but there is no intent that it be an Avalon Park school.

**Public Comments:**

John Nicholson, 413 N. Grandview, Daytona Beach, Florida stated it appears commercial uses will only be on Granada.

Steven Spraker, Planning Director for the City of Ormond Beach, 22 S. Beach Street, Ormond Beach, Florida stated he would like to verify which City will be the utility provide for this project. Mr. Spraker stated a utility plan is not part of the Planning Board packet. Mr. Spraker stated this project is within the Ormond Beach utility service area. Mr. Spraker provided documents to the Board regarding utility service agreements. Mr. Spraker stated if a plat is approved that does not identify the City of Ormond Beach as the wholesale utility provider, the City of Daytona Beach will be in violation of the existing agreements for utility service. Mr. Spraker stated he met with the applicant in the spring of last year and the City of Ormond Beach is prepared to make the utility improvements to serve the area.

Ben Gross, Deputy City Attorney, stated connection to utilities in not reviewed at the preliminary plat stage. Mr. Gross stated at this point he does not know if Ormond Beach or Daytona Beach will be the utility service provide; but that is mute at this point.

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida stated an internal public transportation will be needed for the development and the walkable areas need to be shaded. Ms. Ruby stated affordable housing needs to be available for people who work in the development.

Sandy Murphy, 136 Park Avenue, Daytona Beach, Florida stated she would like a commitment from the developer that there will be affordable housing for the people who work in the community. Ms. Murphy expressed concern that a representative from the City of Ormond Beach had to attend a Planning Board meeting to discuss issues with the City.

Mr. Warshaw stated there will be a network of sidewalks and pathways through the development and shaded walkways are planned. Mr. Warshaw stated with the rear loaded houses, the streets will have pedestrian traffic as well.

Mr. Servance asked if a grocery store worker will be able to live in the proposed subdivision.

Mr. Warshaw stated what is being discussed today is the preliminary plat.

Mr. Mrozek stated the issue of affordable housing is something the City has been working on but it is not part of the review for the preliminary plat.

Mr. Robinson asked if the roads will be able to accommodate public transportation.

Mr. Warshaw stated he will work with staff through final engineering to determine those needs.

**Board Action:**

Mr. Barhoo made a motion to approve Avalon Park Daytona, Preliminary Plat – DEV2021-006 in accordance with the staff report as presented. Ms. Humphreys seconded the motion. The motion carried 7-to-0 with the breakdown as follows:

Tony Servance, Chair	Yea
Helen Humphreys, Vice Chair	Yea
Tony Barhoo	Yea
Michael McLean	Yea
William Pageau	Yea
Milverton Robinson	Yea
Cathy Washington	Yea

6. **Investor Realty Planned Development (PD) Rezoning, First Amendment – DEV2020-071**

A request by Joshua Long, Gunster Law Firm, on behalf of Slazenger Green INC., for approval of the First Amendment to the Investor Realty Planned Development (PD) Agreement, located at 2100 LPGA Boulevard, to allow a car wash as a permitted use, revise minimum lot development criteria, and incorporate additional signage.

**Staff Presentation:**

Lauren Davis, Planner, presented the staff report which was included as part of the packet. Ms. Davis stated the request is to allow a car wash as a permitted use. Ms. Davis stated the property is located at the northwest quadrant of LPGA and Williamson. Ms. Davis stated the applicant also proposes to update the two existing monument signs to allow EMC gas pricing signage. Ms. Davis stated the applicant is also requesting additional parking spaces.

Mr. Robinson stated he is concerned about water usage and asked if recycled water will be used.

Ms. Davis stated the applicant could address the water issue but noted the Utilities Department did review the project and found it acceptable.

**Applicant Presentation:**

Staci Remis, One Independent Drive, Jacksonville, Florida, spoke representing the applicant. Ms. Remis stated the site has been proposed to use the current ingress and egress. Ms. Remis stated the existing stormwater pond on site will be

modified to a smaller area so the car wash can be located near the pond. Ms. Remis stated there will be stacking at the car wash and will not interfere with the ingress/egress. Ms. Remis stated the reduction in parking will help to allow for the stacking of the cars at the car wash. Ms. Remis stated the water will be reclaimed water.

Jeremy Anderson, 1209 Edgewater Drive, Orlando, Florida stated the water will have a recycled system and is contained on the site. Mr. Anderson stated the traffic engineers have determined that there will be no impact on the number of trips to the site based on the car wash addition.

Mr. McLean expressed concern about the loss of parking spaces and asked if anything can be done to maintain the existing parking. Mr. McLean stated he is not looking at the parking as it relates to the code but the history of the site and what customers expect.

Ms. Remis stated the code requires 17 spaces at a minimum. Ms. Remis stated most people will buy the car wash when they are on site so there will not be additional in and out by customers.

Ms. Davis stated she did not believe parking could be added without requesting some other modification from the code.

Mr. McLean stated that he feels this was the opportunity to make the applicant be creative.

**Public Comments:**

There were no public comments.

**Board Action:**

Mr. Barhoo made a motion to approve Investor Realty Planned Development (PD) Rezoning, First Amendment – DEV2020-071 in accordance with the staff report as presented. Ms. Washington seconded the motion. The motion carried 7-to-0 with the breakdown as follows:

Tony Servance, Chair	Yea
Helen Humphreys, Vice Chair	Yea
Tony Barhoo	Yea
Michael McLean	Yea
William Pageau	Yea
Milverton Robinson	Yea
Cathy Washington	Yea

7. **Main Street Tattoo Planned Development (PD) Rezoning - DEV2019-176**

A request by Jessica Gow, Esq., Cobb Cole, on behalf of the property owners, Tombstone, LLC, Karen Hollums-Broome, and Robert W. Guidotti, III, to rezone 0.2± acres of land located at 405 Main Street, from Beachside Redevelopment-Specialty Retail (RDB-2) to Planned Development-Redevelopment (PD-RD), to allow a tattoo establishment and art gallery use on the property.

**Staff Presentation:**

Reed Berger, Redevelopment Director, presented the staff report which was included as part of the packet. Mr. Berger stated this is a request to rezone property at 405 Main Street in order to establish a tattoo establishment and art gallery on the property. Mr. Berger stated there will be one residential unit on the upper story of the structure. Mr. Berger stated the outdoor art display will include tents and music. Mr. Berger stated the Beachside Redevelopment Board reviewed the request and recommended approval by 4-0. Mr. Berger stated a neighborhood meeting was held and a summary of the meeting is included in the packet.

Mr. Berger stated two Land Development Code modifications are requested. Mr. Berger stated a modification is requested for signage for two wall signs and one additional projecting sign. Mr. Berger stated another LDC modification is for the outdoor art display which will serve as a Special Event and all LDC requirements for Special Events must be met; however, if the applicant wants to be part of the Bike Week and Biketoberfest events, all requirements of being part of the Master Plan must be met.

Mr. McLean noted the neighborhood meeting was held in December, 2019, and asked why another meeting was not held closer to the review date. Mr. McLean stated within a year, there may be different people in the area that may have different opinions on the matter.

Mr. Berger stated there is no provision to require another meeting.

Mr. Servance stated the Beachside Redevelopment Board raised a question about the neighborhood meeting but overall the Board supported the request.

**Applicant Presentation:**

Jessica Gow, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Ms. Gow stated this is a redevelopment project of an existing building and some upgrades have already been made to the site. Ms. Gow noted the image of the sign included in the packet is to reflect the design and will meet code requirements regarding the size of the sign. Ms. Gow stated the site is planned to be used for local artists to display their work. Ms. Gow stated the plan was reviewed by staff in 2019; and that is when the neighborhood meeting was scheduled. Ms. Gow stated Mr. Guidotti is active with the

neighboring properties; and those who were invited to the neighborhood meeting will receive notice of the public hearing.

Ms. Washington stated she looks forward to Main Street being reactivated and feels this business will be a drawing card.

Mr. McLean stated he feels this project is a good idea and asked about the non-surgical removal process that is mentioned in the packet.

Ms. Gow stated it will be a non-medical tattoo removal where a substance is placed on the skin to draw the ink out and that is a procedure that will be offered in addition to the tattoo parlor.

Bobby Guidotti, 405 Main Street, Daytona Beach, Florida stated he was an art teacher in Volusia County Schools and also did tattoo work as an additional job. Mr. Guidotti stated the purpose for the art gallery is to provide a space for local students and artists to display their art work. Mr. Guidotti stated there are art displays on Canal Street in New Smyrna Beach on the weekends and they draw families which is good for the area.

Ms. Humphreys stated what is proposed will enhance Main Street.

**Public Comments:**

John Nicholson, 413 N. Grandview, Daytona Beach, Florida, noted there are 13 restaurants listed on Main Street, 4 of which do not serve food. Mr. Nicholson stated there are no restrictions placed on the open area to the east and there are restrictions on other businesses on Main Street.

Sandy Murphy, 136 Park Avenue, Daytona Beach, Florida stated she is in favor of this request. Ms. Murphy stated she attended the neighborhood meeting and there was no discussion about music and outdoor art and that is something that has changed since the neighborhood meeting. Ms. Murphy stated people did not have input on those changes. Ms. Murphy stated essentially the events are being approved in advance whereas other businesses have to get permits for activities.

Nicholas Liso, 113 Pergola Place, Ormond Beach, Florida, spoke in support of Mr. Guidotti and the proposed business.

**Board Action:**

Mr. McLean made a motion to approve Main Street Tattoo Planned Development (PD) Rezoning - DEV2019-176 in accordance with the staff report as presented. Ms. Humphreys seconded the motion. The motion carried 7-to-0 with the breakdown as follows:

Tony Servance, Chair	Yea
Helen Humphreys, Vice Chair	Yea
Tony Barhoo	Yea
Michael McLean	Yea
William Pageau	Yea
Milverton Robinson	Yea
Cathy Washington	Yea

8. **Beaches ISB Planned Development – Redevelopment (PD-RD) - DEV2021-002**

A request by Robert A Merrell III, Esq., Cobb Cole, on behalf of Beaches ISB, LLC, the property owner, to rezone 1.4± acres of land located at 301 E. International Speedway Boulevard, from Business Automotive (BA) and Business Retail-1 (BR-1) to Planned Development-Redevelopment (PD-RD) to develop a mixed-use project.

**Staff Presentation:**

Reed Berger, Redevelopment Director, presented the staff report which was included as part of the packet. Mr. Berger stated this is the former Shell Station site which has been vacant for more than ten years. Mr. Berger stated the car wash will be renovated and the site will include a restaurant and package store. Mr. Berger stated the Beachside Redevelopment Board reviewed the request and unanimously recommended approval. Mr. Berger stated the Beachside Redevelopment Board requested increased landscaping along ISB and the applicant has provided more detail on the landscaping which is included as part of the Board packet. Mr. Berger stated Land Development Modifications requested include minimum drive aisle reduction, the stacking distance for the vehicles using the car wash, and landscaping. Mr. Berger stated staff has no objections to the LDC modifications that are requested.

Mr. Barhoo stated he is concerned about the number of waivers requested and asked if a neighborhood meeting was held.

Mr. Berger stated a neighborhood meeting was held and the only concerns were raised from the Beachside Redevelopment Board. Mr. Berger stated the applicant has already addressed some of the concerns raised at the Beachside Redevelopment Board meeting.

Mr. Pageau expressed concern about the ingress/egress onto International Speedway Blvd.

Mr. Robinson asked about the tanks that were in the ground from the former gas station site and asked if there is an environmental impact.

Mr. Berger stated the Technical Review Team reviewed the project and had no concerns about the tanks or Brownfield issues.

Mr. Servance stated the only concern from the Beachside Redevelopment Board was regarding landscaping. Mr. Servance stated he is pleased to see there will be development on this property.

**Applicant Presentation:**

Rob Merrell, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Merrell stated this development will be a catalyst to change things on East International Speedway Blvd. Mr. Merrell stated the gas station storage tanks have been removed and there is no environmental impact. Mr. Merrell stated Dr. Duva was the first developer on Cornerstone, noting he was a pioneer there and he will be a pioneer for East International Speedway Blvd.

Dr. Charles Duva, 301 East International Speedway Blvd., Daytona Beach, Florida stated something needs to be done with ISB and he plans to invest \$4,000,000 in the project. Dr. Duva stated he plans to have the project open by the end of the year. Dr. Duva stated he plans to place high-end landscaping on the site and it will be an outstanding visual addition to the community.

Mr. McLean stated he commends Dr. Duva for what he is doing. Mr. McLean stated the comments from the neighborhood meeting were very positive. Mr. McLean stated he hopes additional parking could be added because if the project is successful, parking will be needed.

Mr. Robinson asked if reclaimed water will be used.

Mr. Merrell stated it is not reclaimed but it is treated before disposal.

Mr. Barhoo stated this is an exciting project and it looks beautiful.

**Public Comments:**

James Cameron, Senior Vice President of Government Operations, The Chamber, stated The Chamber wants to go on record in support of this project. Mr. Cameron stated he wants to commend Dr. Duva for bringing this project forward. Mr. Cameron stated he had a conference call with the FDOT Secretary in Tallahassee and the construction date for East International Speedway Blvd. will be January, 2023 but the construction date should be expedited.

**Board Action:**

Mr. Barhoo made a motion to approve Beaches ISB Planned Development – Redevelopment (PD-RD) - DEV2021-002 in accordance with the staff report as presented. Ms. Washington seconded the motion. The motion carried 7-to-0 with the breakdown as follows:

Tony Servance, Chair	Yea
Helen Humphreys, Vice Chair	Yea
Tony Barhoo	Yea
Michael McLean	Yea
William Pageau	Yea
Milverton Robinson	Yea
Cathy Washington	Yea

9. **Land Development Code Text Amendment – Right-of-Way Vacation Notice Requirements – DEV2021-028**

A request by the Development and Administrative Services Department, Planning Division to amend Article 3, Review Procedures, Section 3.3.E, Public Hearing and Notice to modify notice requirements for Right-of-Way Vacations.

**Staff Presentation:**

Rose Askew, Planning Coordinator, presented the staff report which was included as part of the project. Ms. Askew stated rights-of-way are vacated when they are no longer needed by the City or are no longer designated in the Comprehensive Plan. Ms. Askew stated Florida Statutes do not require notice for vacation of rights-of-way; however, Volusia County, Holly Hill, and Ormond Beach require published ads prior to the public hearing but mail or posting notices are not required. Ms. Askew stated staff proposes to publish an ad prior to the public hearing, mail notices to all property owners within 500 feet of the affected right-of-way vacation; and to post a notice of the Public Hearing on site.

Mr. McLean asked if there was an issue that brought this action.

Mr. Mrozek stated there was an item that was processed and presented to the City Commission and approved; however, some residents from an adjacent neighborhood expressed concern that they were not notified.

**Public Comments:**

There were no public comments.

**Board Action:**

Ms Washington motion to approve Land Development Code Text Amendment – Right-of-Way Vacation Notice Requirements – DEV2021-028 in accordance with

the staff report as presented. Mr. Barhoo seconded the motion. The motion carried 7-to-0 with the breakdown as follows:

Tony Servance, Chair	Yea
Helen Humphreys, Vice Chair	Yea
Tony Barhoo	Yea
Michael McLean	Yea
William Pageau	Yea
Milverton Robinson	Yea
Cathy Washington	Yea

10. **Other Business**

a. Downtown/Balough Road Redevelopment Area Board Report

Ms. Washington stated the Downtown/Balough Road Redevelopment Area Board did not meet in March.

b. Midtown Redevelopment Area Board Report

Mr. Robinson stated the Midtown Redevelopment Area Board met and reviewed the Police and Code Enforcement reports. Mr. Robinson stated the reports indicate crime is down in the Midtown area. Mr. Robinson stated the Code Enforcement Report was also positive. Mr. Robinson stated the Board heard a presentation from Community Legal Services. Mr. Robinson stated the Board also discussed communication between the Board and the City Manager and City Commission. Mr. Robinson stated Commissioner Stacy Cantu attended the Midtown meeting.

c. Beachside Redevelopment Area Board Report

Mr. Servance stated the Beachside Redevelopment Area Board met and reviewed the two items presented this evening.

d. Public Comments

John Nicholson, 413 N. Grandview, Daytona Beach, Florida spoke regarding affordable and workforce housing.

e. Staff Comments

There were no staff comments.

f. Board Members Comments

There were no additional Board comments.

A handwritten signature in blue ink that reads "Tony Servance". The signature is written in a cursive style and is positioned above a horizontal line.

Tony Servance, Chair

A handwritten signature in blue ink that reads "Cathy A. Washington". The signature is written in a cursive style and is positioned above a horizontal line.

Cathy Washington, Secretary