

MINUTES

REGULAR MEETING – PLANNING BOARD

June 24, 2021

Minutes of the Regular Meeting of the Planning Board for the City of Daytona Beach, Florida, held on Thursday, June 24, 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
Tony Barhoo, Vice Chair	Present
Helen Humphreys	Present
Michael McLean	Present
Milverton Robinson	Present
Cathy Washington	Present

Also Present:

Dennis Mrozek, Planning Director
Ben Gross, Deputy City Attorney
Douglas Gutierrez, Principal Planner
Rose Askew, Planning Coordinator
Lauren Davis, Planner
Paula Long, Planner
Steven Bapp, Planner
Hannah Ward, Planner
Vanessa Trimble, Planning Technician
Becky Groom, Board Secretary

Mr. Servance asked that the community keep Officer Jason Raynor, who was the victim of a shooting, in their thoughts and prayers.

3. **Approval of the Minutes** - May 27, 2021

Approval of the Minutes of the May 27, 2021 Regular Planning Board Meeting held at City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida

Ms. Humphreys stated she as listed as Vice Chair on the minutes and asked that it be corrected since she is not Vice Chair.

It was moved by Mr. McLean to approve the minutes as corrected. Mr. Barhoo seconded the motion. The motion carried 6-to-0 with the breakdown as follows:

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

New Items:

4. Links Terrace/Royal Oak – Preliminary Plat – DEV2021-016

A request by Parker Mynchenberg, Parker Mynchenberg & Associates, Inc. on behalf of LPGA Venture Holdings Resort, LLC, to approve the Preliminary Plat for the Links Terrace/Royal Oak subdivision, to develop 199 lots on 56.1± acres of land. The property is generally located 0.5 miles west of Interstate-95 (I-95), north of and adjacent to Tournament Drive, and north/northwest of and immediately east of the LPGA Club House.

Staff Presentation:

Lauren Davis, Planner, presented the staff report which was included as part of the packet. Ms. Davis stated the property is located east of LPGA. Ms. Davis stated the project is consistent with the approved Planned Development Agreement for the property. Ms. Davis stated this request is to approve Phases 1 and 2 of the Links Terrace Subdivision which will consist of 199 single family lots.

Mr. McLean asked if this project will be completed by a different entity than was approved in 2019.

Ms. Davis stated she is not sure if there has been a different developer involved since the approval in 2019.

Applicant Presentation:

Steven Buswell, Parker Mynchenberg & Associates, 1729 Ridgewood Avenue, Daytona Beach, Florida stated the property has the same owner, but a different

home builder will be used; and the builder is ready to have construction plans approved.

Mr. Robinson asked if a legal process needs to take place since there is a name change.

Mr. Gross stated the use is approved, not the user; and the zoning runs with the land. Mr. Gross stated the Planned Development agreement will continue with all successors.

Public Comments:

There were no public comments.

Board Action:

Mr. Barhoo made a motion to approve Links Terrace/Royal Oak – Preliminary Plat – DEV2021-016, in accordance with the staff report as presented. Ms. Washington seconded the motion. The motion carried 6-0 with the breakdown as follows:

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

5. **Mosaic Phase II -- Preliminary Plat – DEV2021-048**

A request by Bobby Ball, Zev Cohen & Associates Inc., on behalf of BII Volusia Holdings LLC, to approve a Preliminary Plat for Phase-2 of the Mosaic subdivision, to develop 146 single family lots on 158± acres of land. The property is generally located west of LPGA Boulevard & northwest of Mosaic Boulevard.

Staff Presentation:

Lauren Davis, Planner, presented the staff report which was included as part of the packet. Ms. Davis stated the property is located west of LPGA and the proposed project is consistent with the approved PD agreement. Ms. Davis stated the project will include 63 – 50-foot-wide lots; 74 – 60-foot-wide lots, and 9 – 70-foot-wide lots.

Mr. Robinson stated the properties in Items 4 and 5 on the agenda appear to be close to each other and asked if water usage is addressed by staff. Mr. Robinson expressed concern that there may not be sufficient water to serve all the projects

that are being presented. Mr. Robinson stated he feels water availability should be addressed in the staff report.

Mr. Gross stated the regulation of water as a resource is handled by the St. Johns River Water Management District; and the City must obtain a Consumptive Use Permit which places a maximum limit on the amount of water that can be removed from the aquifer. Mr. Gross stated the SJRWMD allocates water and establishes limits.

Mr. Robinson stated he would like to see an impact study to show there is sufficient capacity to serve the area for the next 25 years.

Mr. Gross stated that is not part of the criteria for plat approval.

Mr. Mrozek stated the analysis that staff has right now shows there is capacity to meet the city's needs now and moving forward. Mr. Mrozek stated concurrency is reviewed at the final plat stage, including water, sewer, and traffic impact.

Rose Askew, Planning Coordinator, read from the Land Development Code regarding the review for plat approval. Ms. Askew stated when the project is presented in its final stage to the City Commission, information regarding water and sewer impacts would be part of that review. Ms. Askew stated the information requested by Mr. Robinson would be included as part of the City Commission agenda packet and Mr. Robinson could address his questions to the City Commission or representatives from the Utilities Department but that is not something that is addressed by the Planning Board.

Mr. Barhoo asked how deep the lots would be and asked about the setbacks.

Mr. Gross stated the lots are the minimum area that is required by the PD agreement.

Ms. Davis stated the setbacks were approved in the PD agreement and will be consistent with the other setbacks in Mosaic. Ms. Davis stated the lots are between 125 feet to 150 feet dept and a 50-foot-wide lot is the minimum size allowed in the Land Development Code.

Applicant Presentation:

Jake Stehr, Zev Cohen & Associates, 300 Interchange Blvd., Ormond Beach, Florida was in attendance and available to answer any questions the Board may have.

Public Comments:

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida stated she feels it would be reasonable that the Land Development Code may need to be changed so water consumption is reviewed cumulatively instead of when each project is presented.

Mr. Gross stated the Comprehensive Plan sets forth a level of service for the city's water utility based on the predicted consumption of water for a single-family residential unit. Mr. Gross stated there is a reservation of concurrency with the issuance of the development order that triggers the concurrency requirement. Mr. Gross stated the water utility must keep track of that to comply with the Consumptive Use Permit.

Mr. Mrozek stated the preliminary plat approval does not give the applicant entitlements to develop anything. Mr. Mrozek stated the entitlements are with final plat approval.

John Nicholson, 413 N. Grandview, Daytona Beach, Florida stated the city has the capacity to provide water to future homes.

Board Action:

Mr. McLean made a motion to approve Mosaic Phase II -- Preliminary Plat – DEV2021-048, in accordance with the staff report that was included as part of the packet. Ms. Humphreys seconded the motion. The motion carried 6-0 with the breakdown as follows:

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

6. **Clyde Morris Landings – Site Plan – DEV2021-031**

A request by Jay Brock, Executive Vice President, Clyde Morris Landing Partners, LTD, on behalf of Clyde Morris Landing Partners, LTD, to approve a modification to the site plan for Clyde Morris Landing located on the south side of LPGA Boulevard, east of Clyde Morris Boulevard and west of Jimmy Ann Drive to allow increased multifamily complex signage.

Staff Presentation:

Lauren Davis, Planner, presented the staff report which was included as part of the packet. Ms. Davis stated the property is located next to the B. Braun facility. Ms. Davis stated on June 16, 2021, the City Commission approved an incentive agreement stating the city will provide funds in exchange for the applicant to construct and manage 216 multifamily units as affordable housing.

Mr. McLean asked if the signs are installed.

Ms. Davis stated one is installed that fronts on Clyde Morris Blvd. Ms. Davis stated the developer applied for a sign permit that was for a larger sign area than was previously allowed and the sign was constructed. Ms. Davis stated this approval is after the fact.

Mr. Robinson stated he feels this may have been a round-about way to get past waivers.

Ms. Davis stated she does not believe the applicant was aware that approval from the Planning Board was required before submitting the sign application.

Mr. Servance stated the applicant is providing affordable housing units which is something the Planning Board has repeatedly asked for. Mr. Servance asked that the Board not be too critical of an error since the applicant is working to provide something that is needed in the community.

Applicant Presentation:

There was not a representative for the applicant in attendance.

Public Comments:

There were no public comments.

Board Action:

Mr. Barhoo made a motion to approve Clyde Morris Landings – Site Plan – DEV2021-031, in accordance with the staff report as presented. Ms. Humphreys seconded the motion. The motion carried (5-1) with the breakdown was as follows:

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

7. **Third Amendment Minto Parcel B – Planned Development-General (PD-G) Rezoning – DEV2019-021**

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of Sutton Land Trust No. 1, for approval of the Third Amendment to the Minto – Parcel B Planned District (PD) Agreement to add additional commercial uses and incorporate additional signage for the partially developed Latitude Landings shopping center consisting of approximately 36.4± acres of property generally located on the north side of LPGA Blvd, on both the east and west sides of the FPL power lines.

Staff Presentation:

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the applicant is proposing to add commercial uses to the area that is allotted for commercial use. Ms. Ward stated commercial areas have been approved and developed and there is currently about 134,000 s.f. of available space that is permitted to be commercially developed. Ms. Ward stated there is currently one monument sign on the property and four additional monument signs are being requested to support the entire commercial area.

Applicant Presentation:

Jessica Gow, Cobb Cole, 149 S. Ridgewood, Daytona Beach, Florida, spoke representing the applicant. Ms. Gow stated the signage was not determined as a need when the project was master planned but is now needed for the number of commercial properties that are in place and for those that are planned.

Mr. Barhoo stated he has no problem with the proposed signage but asked about the number that would be permitted based on the amount of lot coverage.

Ms. Gow stated the signage is approved by the city based on the amount of lot frontage. Ms. Gow stated these signs are now being approved based on building frontage.

Mr. McLean stated he feels the signage is needed. Mr. McLean stated he hopes the color theme will be consistent with what is in place.

Mr. Servance stated the signs are needed.

Public Comments:

There were no public comments.

Board Action:

Mr. Barhoo made a motion to approve Third Amendment Minto Parcel B – Planned Development-General (PD-G) Rezoning – DEV2019-021, in accordance with the staff report as presented. Mr. McLean seconded the motion. The breakdown of the vote is as follows:

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

8. **Reserve at LPGA – Large Scale Comprehensive Plan Map Amendment (LSCPA) - DEV2021-035**

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of LPGA Equity Land Trust No. 153, to approve a Large Scale Comprehensive Plan Map Amendment, changing the Future Land Use Map designation for 90± acres of land from Low Intensity Urban (LI-U) to Level 1 Residential (L1R), amending Neighborhood “V” creating a policy to reduce density, to allow for a multifamily residential development. The property is generally located approximately 3600-foot northwest of the intersection of West International Speedway Boulevard and LPGA Boulevard.

This item was presented in conjunction with Item 9, Reserve at LPGA – Planned Development-General (PD-G) Rezoning - DEV2021-034.

Staff Presentation:

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. Mr. Gutierrez stated the property is vacant and undeveloped. Mr. Gutierrez stated the development will be limited to 560 residential units and there will be no commercial development as part of this project. Mr. Gutierrez stated the impact analysis indicates the project will result in a decrease of water and sewer usage and decrease in daily trip generation. Mr. Gutierrez stated if the project is approved by the Planning Board and City Commission, the project will be transmitted to the DEO, FDOT, SJRWMD, and State historic preservation as well as being sent to the Volusia County Growth Management Commission. Mr. Gutierrez stated once the agencies have reviewed the project, staff will address any comments that may have been provided and the project will then be presented to the City Commission for second reading.

Applicant Presentation:

The applicant’s comments are included under Item 9.

Public Comments:

Public comments are included under Item 9.

Board Action:

Ms. Washington made a motion to approve Reserve at LPGA – Large Scale Comprehensive Plan Map Amendment (LSCPA) - DEV2021-035, in accordance with the staff report as presented. Ms. Humphreys seconded the motion. The motion carried (5-1) with the breakdown as follows:

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

9. **Reserve at LPGA – Planned Development-General (PD-G) Rezoning - DEV2021-034**

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of LPGA Equity Land Trust No. 153, to rezone 90± acres of property, from Planned Development-General (PD-G) and Volusia County (VC) A-2 (Rural Agriculture) to Planned Development-General (PD-G), to allow for a multifamily development with a maximum of 560 residential units. The property is located approximately 3600’ northwest of the intersection of West International Speedway Boulevard and LPGA Boulevard.

This item was presented in conjunction with Item 8, Large-Scale Comprehensive Plan Map Amendment (LSCPA) - DEV2021-035.

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 and has a maximum density of 560 units. Ms. Ward stated the property is currently zoned by Volusia County and the proposed City zoning is PD-G. Ms. Ward stated requested waivers include connectivity index score and waivers for building height and setbacks. Ms. Ward stated the applicant is requesting to waive perimeter landscape buffers and tree requirements to provide compensatory storage.

Mr. Robinson asked why the project cannot be built without requesting waivers, noting staff recommends waivers and asked how they can be justified. Mr. Robinson asked why there are rules in place if everyone requests waivers.

Ms. Ward stated the PD process is an elective process which allows the applicant to request modifications from Code requirements in exchange for community benefits to the project. Ms. Ward stated the waiver benefit letter was included as an attachment in the staff report.

Mr. Mrozek stated it is staff's professional responsibility to recommend whether the waivers requested are appropriate and it has been determined this is an appropriate request. Mr. Mrozek stated the Board may request that the waivers not be approved.

Mr. Barhoo stated he agrees with the comments regarding waivers. Mr. Barhoo stated why are there rules in place when applicants change the rules to meet their needs.

Ms. Ward stated many times an applicant is unable to meet the requirements of the Land Development Code and that is why they request a rezoning through a PD agreement.

Mr. Mrozek stated one of the benefits of a Planned Development is flexibility.

Mr. Robinson stated flexibility has become the norm and developers know what they can or cannot build on the land when they buy it.

Mr. Barhoo stated he appreciates the work of staff that goes into processing these applications and is pleased that we have a city that is willing to work with investors; however, the rules are in place because there is a vision for the city and the vision is important.

Mr. Mrozek stated the Technical Review Team reviews the applications when they come in and provides comments back to the applicant and the applicant modifies their plan based on those comments. Mr. Mrozek stated sometimes it will take months, or years, before staff is comfortable with a project and will move it forward for Planning Board review. Mr. Mrozek stated what is before the Board is a project that the professional staff is comfortable moving forward. Mr. Mrozek noted the Board does not have to approve it.

Ms. Ward stated the projects do not move forward until all outstanding comments from city staff have been addressed.

Mr. Servance stated we have to be open to allow our city to develop and the Board has to be flexible.

Ms. Washington stated many time projects are approved and then are brought back to the board later because the project has changed.

Mr. Robinson stated he appreciates staff and the work they do but he will have questions.

Mr. Servance stated any time the Board members have questions once they receive their packet, staff will meet with you to answer questions prior to the meeting.

Ms. Ward stated staff can also provide review comments, so the Board knows what staff is reviewing prior to an item being presented to the Board.

Applicant Presentation:

Jessica Gow, Cobb Cole, 149 S. Ridgewood, Daytona Beach, Florida, spoke representing the applicant. Ms. Gow stated PD agreements are used a lot on projects on the west side of the city because many projects include wetlands and environmental concerns. Ms. Gow stated the west side of this proposed project includes 40 acres of wetlands.

Mr. McLean asked how many units could be built without requesting waivers.

Ms. Gow stated engineering would have to be done to determine that figure.

Mr. McLean stated he feels developers should create plans that meet the city requirements and adhere to those guidelines.

Ms. Gow stated usually a developer has an idea of what they want to propose; and after spending hundreds of thousands of dollars on engineers, architects, and lawyers if the project may not work for the site, that could deter development. Ms. Gow stated a PD agreement is more forward-thinking in making sure a plan will work for a specific site.

Mr. Barhoo asked about the proposed building height.

Ms. Gow stated the buildings are proposed to be 4 or 5 stories high.

Public Comments:

There were no public comments.

Board Action:

Ms. McLean made a motion to approve Reserve at LPGA – Planned Development-General (PD-G) Rezoning - DEV2021-034, in accordance with the

staff report as presented. Ms. Washington seconded the motion. The motion carried (5-1) with the breakdown as follows:

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

10. **Land Development Code Text Amendment – BOA Quorum - DEV2021-042**

A request by the Development and Administrative Services Department, Planning Division, to amend Article 2, Section 2.5.I. of the Land Development Code (LDC), to amend the quorum and necessary vote requirements for the Board of Adjustments.

Staff Presentation:

Rose Askew, Planning Coordinator, presented the staff report which was included as part of the packet. Ms. Askew stated all City boards with 7 members, with the exception of the Board of Adjustment, have a quorum requirement of 4 members to conduct business. Ms. Askew stated the proposed text amendment is to make the Board of Adjustment quorum requirements consistent with that of all other City Boards.

Public Comments:

There were no public comments.

Board Action:

Mr. Barhoo made a motion to approve Land Development Code Text Amendment – BOA Quorum - DEV2021-042, in accordance with the staff report as presented. Mr. McLean seconded the motion. The motion carried (6-0) with the breakdown as follows:

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

Mr. Gross left the meeting at this time.

11. Other Business

a. Downtown/Balough Road Redevelopment Area Board Report

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

b. Midtown Redevelopment Area Board Report

Mr. Robinson stated the Midtown Redevelopment Area Board did meet and heard presentations under "Spotlight on Midtown." Mr. Robinson stated the Board scheduled a workshop for July 13, 2021. Mr. Robinson stated the Board heard a presentation regarding a planned career expo that may be held in conjunction with labor unions, Daytona State College, and ATC. Mr. Robinson expressed concern that labor unions may have restrictions in place that may deter people from being employed because they may not have the necessary skills required by the unions.

Mr. Servance stated the Board may want to involve their City Commissioners and the new City Manager in the career expo discussion because there was a previous partnership about a career expo with the City of Daytona Beach.

c. Beachside Redevelopment Area Board Report

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

d. Public Comments

John Nicholson, 413 N. Grandview, Daytona Beach, Florida spoke regarding submerged lands, the proposed Minto signage, and required parking for restaurants on beachside.

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida stated the TPO will be holding a public meeting to discuss renovations on the area between East International Speedway Blvd. and Seabreeze on July 15, 2021 at 5:30 p.m. at the Plaza. Ms. Ruby stated preliminary plans will be available for review by the public.

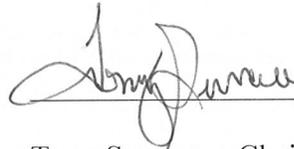
e. Staff Comments

There were no staff comments.

f. Board Comments

Ms. Humphreys expressed concern about delivery trucks and buses that block A1A and wished there was more parking to accommodate those vehicles.

There being no further business, the meeting was adjourned at 8:15 p.m.

A handwritten signature in cursive script, appearing to read "Tony Servance", positioned above a horizontal line.

Tony Servance, Chair

A handwritten signature in cursive script, appearing to read "Cathy Washington", positioned above a horizontal line.

Cathy Washington, Secretary