

MINUTES

REGULAR MEETING – PLANNING BOARD

November 18, 2021

Minutes of the Regular Meeting of the Planning Board of The City of Daytona Beach, Florida, held on Thursday, November 18, 2021 at 6:00 p.m., in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

- 1. **Call to Order**
- 2. **Roll Call.**

Tony Barhoo (Vice Chair)	Present
Helen Humphreys	Present
Michael McLean	Present
James Newman	Present
Tony Servance (Chair)	Present
Milverton Robinson	Present
Cathy Washington (Secretary)	Present

Also Present:

Ben Gross, Deputy City Attorney
Dennis Mrozek, Planning Director
Doug Gutierrez, Senior Planner
Hannah Ward, Planner
Paula Long, Planner
Rose Askew, Planning Coordinator

- 3. **Approval of Minutes**

Approval of the Minutes of the October 28, 2021 Regular Planning Board Meeting held at City Hall, 301 South Ridgewood A venue, Daytona Beach, Florida.

Mr. Newman stated on page four, paragraph six says partial lines instead of parcel lines.

Mr. Robinson stated his name was spelled wrong on page 16.

Board Action

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

Tony Barhoo (Vice Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance (Chair)	Yea
Milverton Robinson	Yea
Cathy Washington (Secretary)	Yea

New Items

4. **Gray Hawk Unit II at LPGA International – Preliminary Plat – DEV2021-051 (Quasi-Judicial Hearing)**

A request by Parker Mynchenberg, P.E. Parker Mynchenberg & Associates, Inc., on behalf of 5T Wealth Partners LP (property owner), to approve a preliminary plat for the development of 44 single family lots on 20± acres generally located North and West of northerly termination of Champions Drive within the LPGA International residential subdivision.

Staff Presentation

Paula Long, Planner, presented the staff report which was included as part of the packet. She stated the property is for the development of 44 single-family lots on 20± acres of land generally located North and West of northerly termination of Champions Drive within the LPGA International residential subdivision.

Mr. Robinson stated Ms. Long mentioned the Department of Environmental Protection. He asked at what point do they get the status report.

Ms. Long stated that does not occur until the site plan approval process.

Applicant Presentation

Kevin Lee, Parker Mynchenberg & Associates, on behalf of the applicant Grey Hawk Unit II, stated he was there to answer any questions.

Ms. Humphreys stated there is an exit off Spring berry Court, she stated on the new part there is one entrance/exit on LPGA.

Mr. Lee stated it is an extension of Champions Drive, so the entrance/exit is to the existing neighborhood, LPGA International just by Champions Drive. He stated it's just a road extension on the cul-de-sac. It ends in the cul-de-sac; it doesn't exit out of.

Ms. Humphreys asked if exits onto LPGA.

Mr. Lee stated no.

Ms. Humphreys asked where the entrances and exits are for the people living there.

Mr. Lee stated for this subdivision, the entrance is on Champions Drive.

Mr. Barhoo asked is there something that can be done to protect the wildlife.

Mr. Lee stated the area that is being developed is already cleared.

Mr. Barhoo asked if they would clear other land, because it looks like half of it is cleared.

Dennis Mrozek Planning Director, referred to a map, stated the cleared area is where the development will occur. He stated the tree areas won't be disturbed. He stated this was a property that was intended to be developed years ago, but this phase was never completed.

Mr. Barhoo stated he doesn't have a problem with the project, his concern is the more removal of the vegetation wildlife would run out into the road, accidents, etc. He asked if something could be done to keep the wildlife on one side of the road verse crossing the street.

Mr. Mrozek stated they can look into it.

Mr. Servance stated he has never seen a sign to caution of wild animals. He stated that might be something to consider.

Mr. Barhoo stated there is a bear sign near the bridge, but there's no deer sign.

Mr. Robinson stated those were also some of his concerns, the wildlife, the building, and subdivisions that are exploding on LPGA corridor. He stated nobody talks about the wildlife or habitat and what's being done to preserve it. He gave examples of the impact to animals and accidents. He stated he would like plans to say something about the impact and what's being done to the wildlife.

Ben Gross, Deputy City Attorney stated this is a quasi-judicial hearing and the applicant has a right to use their property subject to the board's regulations. He stated their regulations do not provide for review or denial based on wildlife impacts.

Mr. Robinson stated as a resident, he is expressing his concern for the wildlife and would like developers to consider preserving the wildlife.

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 7-0 with the breakdown as follows:

Tony Barhoo (Vice Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance (Chair)	Yea
Milverton Robinson	Yea
Cathy Washington (Secretary)	Yea

5. One Daytona Pad A Multifamily – Site Plan – DEV2021-121 (Quasi-Judicial Hearing)

A request by Robert (Bobby) J. Ball, P.E., Zev Cohen & Associates, Inc., on behalf of Daytona Beach Property Holdings Retail LLC (property owner), to allow for the construction of a 155,000 square-foot (sf) multifamily residential building to include 122 multifamily residential units on 1.4± acres located at the northeast corner of the Daytona Blvd. and Checkered Flag Blvd. intersection.

Staff Presentation

Hannah Ward, Planner presented the staff report, which was included as part of the packet, to allow for the construction of a 155,000 square-foot (sf) multifamily residential building to include 122

multifamily residential units on 1.4± acres located at the northeast corner of the Daytona Blvd. and Checkered Flag Blvd. intersection. She stated as part of this site plan approval, they are requesting a six-story multifamily structure. It will include 102 dual 122 dwelling units, and that will make up a total of 404 of the 1350 multifamily dwelling units that are permitted within the one Daytona development.

Mr. Newman asked if this complied with the already agreed upon PD.

Ms. Ward replied, yes,

Mr. Gross asked Mr. Servance if he worked at the adjacent facility.

Mr. Servance replied, yes.

Mr. Gross stated as he understands from Mr. Mrozek, they are partnering in the development.

Mr. Mrozek stated they may have part ownership within the development.

Mr. Gross stated based on that, the chair asked if he had a conflict of interest. He stated that would mean Mr. Servance shouldn't vote but can discuss the matter and can continue to organize the meeting. He stated there is a form he would need to fill out.

Applicant Presentation

Bobby J. Ball, P.E., Zev Cohen & Associates, Inc., stated he was there to answer any questions.

Mr. Robinson asked if this was gated and what's the security.

Mr. Ball stated there will be some security components at the doors, but it's not gated within the compound.

Ms. Humphreys asked if there would be parking in the building.

Mr. Ball replied no, it's north and east of it as part of the complex entire parking.

Mr. Robinson asked if free parking would go away once the building was up.

Mr. Ball stated they have no plans to charge for parking.

Mr. Robinson asked about the garage.

Mr. Ball stated the parking at the bottom is for retail and the second floor is for hotel guest. He stated some of the guests in this development may also be able to park on the second floor.

Mr. Servance stated he was recusing himself from voting.

Citizens Comments

No comments

Board Action

It was moved by Mr. McLean to approve the request per staff recommendations. Ms. Washington seconded the motion in accordance with the staff report as presented. The motion passed 6-0 with the breakdown as follows:

Tony Barhoo (Vice Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance (Chair)	Recused
Milverton Robinson	Yea
Cathy Washington (Secretary)	Yea

6. Grand Preserve Retail – Site Plan – DEV2020-120 (Quasi-Judicial Hearing)

A request by Kimberly A. Buck, P.E., Alann Engineering Group, Inc., on behalf of Sunglow Construction, Inc. (property owner) to allow for the construction of a 5000± square-foot (sf) bank with drive-through service and two (2) additional shell office/retail buildings totaling approximately 19,000± sf on 3.2± acres located at the southeast corner of the Grand Preserve Way and LPGA Boulevard intersection.

Staff Presentation

Hanna Ward, Planner, presented the staff report, which was included as part of the packet, to allow for the construction of a 5000± square-foot (sf) bank with drive-through service and two (2) additional shell office/retail buildings totaling approximately 19,000± sf. She stated the property is vacant and undeveloped.

Mr. Newman inquired about a water drainage feature at the back of the property.

Ms. Ward stated it won't be affected by the site plan. She stated she would look at the attachments, but if anything, it's being expanded to accommodate what they're developing on the southern half.

Mr. Barhoo asked if the land was just being cleared off.

Mr. Mrozek stated they received an early clearing permit to be able to clear the site.

Ms. Ward stated contingent upon that, when they go through site plan they have to develop the required landscaping, meet the tree preservation requirements and the city scenic requirements.

Mr. Robinson asked, what happens if they've cleared the land and the City doesn't approve it.

Mr. Mrozek stated the land they cleared is consistent with the Land Development Code, they kept the perimeters intact. He stated when they come in, they will replant of the development with additional landscaping.

Mr. Barhoo stated, but they couldn't do it without prior approval,=.

Mr. Mrozek stated exactly.

Applicant Presentation

Joey Posey, Attorney for the landowner, stated he was there to answer any questions.

Mr. Robinson asked if they consider saving some of the tree when they clear land.

Mr. Posey replied yes and explained it’s usually scrub and not something pleasing or attractive. He stated they thought to create a footprint and they will make the esthetic planting occur as part of the development. He stated sometimes there are circumstances when it’s appropriate to save the trees.

Mr. Newman stated what is most esthetic still takes away from what is important to animal life and the environment. He stated, what they find esthetic isn’t always the right choice.

Citizens Comments

No Comments

Board Action

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

Tony Barhoo (Vice Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance (Chair)	Yea
Milverton Robinson	Yea
Cathy Washington (Secretary)	Yea

7. **1st Amendment to 900 North PD – Planned Development-General(PD-G) Rezoning – DEV2021-109 (Quasi-Judicial Hearing)**

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of 900 North Atlantic Ave LLC, to approve the First Amendment to the 900 North Planned District (PD) Agreement to allow self-parking and expand prohibited parking on the Hard Rock Hotel’s satellite parking lot located at the southwest corner of the Jessamine Blvd. and North Atlantic Ave. intersection.

Staff Presentation

Hanna Ward, Planner presented the staff report, which was included as part of the packet, to allow self-parking and expand prohibited parking on the Hard Rock Hotel’s satellite parking lot located at the southwest corner of the Jessamine Blvd. and North Atlantic Ave.

Mr. Newman asked if this was strictly involved the satellite lot, and they’re increasing the types of vehicles that cannot park.

Ms. Ward stated yes.

Mr. Newman asked if affects the county lot.

Ms. Ward replied no.

Mr. Robinson asked if this was part of the redevelopment for beachside.

Ms. Ward state no, it's north of beachside redevelopment

Applicant Presentation

Robert A. Merrell III, Esq., Cobb Cole, stated as they were going through the process, they encountered some issues with the lot by virtue of meetings with the neighbors, so they put the restrictions on that were not part of the request.

Mr. Newman asked how it is going to be enforced and who can park there.

Mr. Merrell stated it will be gated.

Mr. Robinson asked when they get rid of the vehicles, where will they go.

Mr. Merrell stated they weren't supposed to be there. He stated the one exception were the guys with the jet ski event and they bring trailers. He stated they will be on beachside, so they won't interfere with the neighbors.

Mr. Robinson asked where they are going to go.

Mr. Merrell stated across the street, they have another parking lot.

Mr. Mrozek stated the Hard Rock Hotel has additional parking on the other side of the street, so it's not going to be near the neighbors.

Mr. Robinson stated he's trying to identify the lot.

Mr. Merrell stated it's directly south of the hotel.

Mr. Robinson asked if that was the county parking lot.

Mr. Merrell stated there's a county parking lot and there's a Hard Rock.

Mr. Mrozek identified the lot on a map.

Citizens Comments

Tracey Remark, 815 N. Oleander Avenue stated the request was by the neighbors and Mr. Merrell and Mr. Abbas listened and responded to the neighbors.

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 Barhoo (Vice Chair) Yea

Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance (Chair)	Yea
Milverton Robinson	Yea
Cathy Washington (Secretary)	Yea

8. Derby Plaza – Small Scale Comprehensive Plan Amendment DEV2021-147 (Legislative Hearing)

A request by The City of Daytona Beach Planning Division for approval of a Small-Scale Comprehensive Plan Map Amendment, changing the Future Land Use Map designation for 4.9+/- Acres from Level 1 Residential (L1-R) to Low Intensity Commercial (LIC).

Staff Presentation

Doug Gutierrez, Principal Planner, presented the staff report, which was included as part of the packet, to correct inconsistent Future Land Use (FLU) designations. He stated the property is located east of Derbyshire, South of Ninth Street. He stated the property is currently fully developed.

Mr. Newman asked if this was a non-conforming use.

Mr. Gutierrez stated no. it's inconsistent with the FLU. He stated it's residential for single-family, but the plaza has been there for years and they're fixing it.

Citizens Comments

No comments

Board Action

It was moved by Mr. McLean 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 Barhoo (Vice Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance (Chair)	Yea
Milverton Robinson	Yea
Cathy Washington (Secretary)	Yea

9. Land Development Code Text Amendment – Place of Worship, Distance Separation, DEV2021-151 (Legislative Hearing)

A request by the Development and Administrative Services Department, Planning Division, to amend Article 5, Section 5.2.B.13 of the Land Development code amending the Use Specific Standards for Places of Worship allowed as a Special Use.

Staff Presentation

Dennis Mrozek, Planning Director, presented the staff report, which was included as part of the packet, amending the use specific standards for places of worship allowed as a special use.

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 Barhoo (Vice Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance (Chair)	Yea
Milverton Robinson	Yea
Cathy Washington (Secretary)	Yea

10. Other Business

A. Downtown/Ballough Road Redevelopment Area Board Report

No comments

B. Midtown Redevelopment Area Board Report

Mr. Servance stated they don't have a representative for that board. He stated they need one per the guidelines.

Mr. Newman stated he's not available for that post.

Mr. Servance asked Mr. Newman if he was available for any board. He asked what about Ballough Road Board.

Mr. Newman stated that was closer to his home and made more sense.

Mr. Servance suggested Ms. Washington represent the Midtown Board and Mr. Newman represent Ballough Road Board.

Ben Gross, Deputy City Attorney stated the Commission needs to make the final decision, but this would go forward as a recommendation to relocate Ms. Washington and place Mr. Newman on the Beachside Board. He stated they should have a recommendation to the Commission as a formal vote.

It was moved by Ms. Humphreys to approve the request per the board recommendations. Mr. Robinson seconded the motion. The motion passed 7-to-0 with the breakdown as follows:

Tony Barhoo (Vice Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea

James Newman	Yea
Tony Servance (Chair)	Yea
Milverton Robinson	Yea
Cathy Washington (Secretary)	Yea

C. Main Street/South Atlantic Redevelopment Area Board Report

No comments

D. Public Comments

Tracey Remark, 815 N. Oleander Avenue stated her concerns regarding things being done right the first time and not having to go back to fix it. She referred to ADU's and the Hard Rock Hotel. She stated the board was doing a great job.

E. Staff Comments

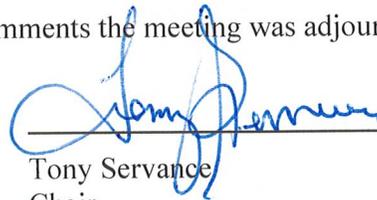
Mr. Mrozek stated the City Staff wrapped up the third day of walks through the City. He gave a summary of where they walked. He stated it gave the City Manager a good opportunity to work with staff as they walked through the community, speaking with residents, business owners and getting input. He stated it gave great awareness to the residents on what staff can do, but also for staff and what they can do for the residents.

F. Board Member Comments

Mr. Newman stated as a resident on the walk on Beach Street, it was promising and exciting. He stated it was nice to have the give and take with staff.

10. Adjournment

There being no further discussion or comments the meeting was adjourned at 7:09 p.m.



Tony Servance
Chair

ATTEST:



Vanessa Trimble
Recording Secretary