

MINUTES  
REGULAR MEETING – PLANNING BOARD

May 26, 2022

Minutes of the Regular Meeting of the Planning Board of The City of Daytona Beach, Florida, held on Thursday, May 26, 2022, 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 (Chair)	Present
Helen Humphreys	Present
Michael McLean	Present
James Newman	Present
Tony Servance	Present
Milverton Robinson	Present
Cathy Washington (Secretary)	Absent

Also Present:

Ben Gross, Deputy City Attorney  
Dennis Mrozek, Planning Director  
Doug Gutierrez, Principal Planner  
Steven Bapp, Senior Planner  
Hannah Ward, Planner  
Sannon Ruane, Planner  
Rose Askew, Project Manager  
Gina Fountain, Board Secretary

**3. Approval of Minutes**

Approval of the Minutes of the May 26, 2022, Regular Planning Board Meeting held at City Hall, 301 South Ridgewood A venue, Daytona Beach, Florida.

**Board Action**

It was moved by Mr. Servance to approve the minutes as corrected, seconded by Mr. Robinson. The motion passed 6-to-0 with the breakdown as follows:

Tony Barhoo (Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea

## **New Items**

### **4. Pointe Grande Apartments – Minor Site Plan Modification – DEV2022– 070 (Quasi – Judicial Hearing).**

A request by Vincent Bricka, Hillpoint Construction LLC, on behalf of Pointe Grand Daytona LLC (property owner), to approve an increase in combined sign area from 32 sf to 64 sf for two (2) monument signs proposed for the Pointe Grand multifamily complex. The property consists of 21.8± acres located at 450 Jimmy Ann Drive. It is fully developed.

#### **Staff Presentation**

Shannon Ruane, Planner, presented the staff report which was included as part of the packet. She stated the site is fully constructed with quite a few buildings. She stated the site is located southwest corner of Dunn Avenue and Jimmy Ann Drive and the current zoning is Multi-Family Residential 20 (MFR-20). She stated the Future Land Use designation on the property is Level 1 Residential (L1-R). She stated the Major Site Plan for a 240-unit multifamily complex was approved by City Commission on December 20, 2012. She stated the Modification to allow for 264-unit multifamily complex was approved by City Commission on December 11, 2020. She stated the request is for a minor modification of the site plan to allow for increase square footage on monument signage on site. She stated the LDC, Section 6.10.J.11.b allows for a combined sign area of 32 square feet, which an increase to 64 square feet with approval by Planning Board. She stated there is a request for two (2), 23.33 square feet monument signs for a total sign area of 46.66 square feet. She stated one monument sign will be located at the Jimmy Ann entrance and the other monument sign will be located at the Dunn Avenue entrance. She stated when the sign permit is issued, they will be reviewing to make sure that there's no obstruction of vision at intersections. She stated the approval requires the signs to be part of a landscaped feature which was shown on the site plan.

#### **Board Comments**

Mr. McLean stated he just wanted to confirm the applicant is asking for 46.66 square feet instead of the allowed 64 square feet.

Ms. Ruane replied yes you are correct and the maximum that they're asking for with each one is 23.33 square feet.

Mr. Barhoo asked about the comparison in size compared to the signage in the area.

Mr. Mrozek stated even though it's a slight increase from what the code allows but less than what they would be permitted to ask for coming into the planning board.

#### **Applicant Presentation**

Daniel Sullivan, Project Manager, Hillpointe Construction LLC, stated he oversee the projects in Point Grand Apartments in the State of Florida. He stated they looked around the surrounding areas at the Anatole to Lake Forest and Coastline Apartments to stay consistent with those versus following others on that street. He stated based on our visibility and traffic, probably the biggest thing we want to do is attract traffic to the area to improve the area itself.

Mr. Robinson asked is it consistent with the other apartments in the area.

Mr. Sullivan stated the property will be elevated a little bit with the landscaping surrounding it.

**Citizens Comments**

No comments

**Board Action**

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

Tony Barhoo (Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea

**5. 1<sup>st</sup> Amendment to Williamson Crossing PD – Planned Development – General (PD-G) Rezoning – DEV2022-025 (Quasi-Judicial Hearing)**

A request by Jessica L. Gow, Esq., Cobb-Cole, on behalf of Shoppes at Williamson Crossing LLC to amend the Williamson Crossing PD to allow for a “veterinary hospital or clinic” as a permitted use, subject to conditions. The property consists of 21.7± acres located in the southeast quadrant of the Williamson Boulevard and LPGA Boulevard intersection. It is partially developed with a variety of commercial uses.

**Staff Presentation**

Steven Bapp, Senior Planner, presented the staff report which was included as part of the packet. He stated there are a few lots that are developed and some are undeveloped, so it’s a development in progress. He stated the subject parcel is located at the southeast quadrant of LPGA Boulevard and Williamson Blvd. He stated it’s part of the PD-G called the Williamson Crossing Point Development and the request is consistent with the underlying land use, which is mixed use all in that area. He stated it was originally adopted as a PD by City Commission on May 15, 2019. He stated this is the 1<sup>st</sup> Amendment to the Williamson Crossing PD to add veterinarian uses. He stated Section 5 of the PD agreement shows that the hospital clinic will be limited to lots 3, 6, and 7 and there are a total of 7 lots in that PD. He stated there are 5 total conditions with this amendment for veterinarian uses; parts of the structures in which animals are received from treated shall be fully enclosed, runs or areas for the training or exercise shall not be permitted for this use, accessory uses may include retail sales and grooming services, as long as the accessory uses occupy no more that 25% of the total gross floor area, no overnight boarding of animals shall be permitted, and no crematory facilities will be allowed as part of this PD amendment. He stated staff has reviewed the application and has no remaining issues and recommend approval.

**Board Comments**

There were no board comments

**Applicant Presentation**

Jessica Gow, Cobb Cole Law Firm, LLC, 149 S. Ridgewood Avenue, stated we have a tenant who would like to come in with the standalone veterinary clinic for the site. She stated that there is no actual name of tenant but it would function similar to the Banfield Animal Hospitals in-line retail centers. She stated the in-line retail building is the targeted site for a stand-alone veterinary clinic.

Mr. Robinson asked would this be a 24-hour facility.

Ms. Gow stated this is not an emergency animal hospital but just a standard veterinary clinic. She stated as the conditions proposed in the staff report it mentioned no overnight boarding is permitted so they couldn't function 24-7.

**Citizens Comments**

No comments

**Board Action**

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

Tony Barhoo (Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea

6. **1<sup>st</sup> Amendment to Integrated LPGA PD – Planned Development General (PD-G) Rezoning – DEV2022– 018 (Quasi– Judicial Hearing).**

A request by Mark A. Watts, Esq., Cobb Cole, on behalf of SW-30 Investments, LLC and Lennar Homes, LLC (owners), to amend the Integrated LPGA PD to memorialize the traffic signal located at the traffic signal located at the intersection of West International Speedway Boulevard and Grande Champion Boulevard. The property consists of 392± acres generally located on the east side of LPGA Boulevard, south and east of the City's Municipal Stadium, and north of West International Speedway Blvd. The first phase of the single-family subdivision is currently under development.

**Staff Presentation**

Steven Bapp, Senior Planner, presented the staff report which was included as part of the packet. He stated the site is under development and there are a few lots that are already near completion. He stated it is part of the PD which we are amending and is consistent with the underlying future land use. He stated the request is to amend the Integrated LPGA PD located west of N. Tomoka Farms Road, east of LPGA Boulevard, north of West International Speedway Boulevard, and at the intersection of Grand Champion Boulevard in order to memorialize the traffic signal located on West International Speedway Boulevard. He stated the integrated LPGA- PD was adopted by City Commission on August 21, 2019 and remains underdeveloped. He stated the City Commission entered into an agreement with the property owners to install a future signal and the cost of the project has already been bonded. He stated it catches the PD up to what the agreement between the property owners and the City Commission. He stated once this is adopted, we can go ahead and issue certificates of occupancy for those homes that are currently near completion. He stated the FDOT has already looked at the project and have issued their permits. He stated it has been vetted with FDOT, County Traffic, and our Traffic Engineers.

Mr. Gross stated the developer agreed to advance the cost of the traffic signal even though had we started from scratch, they would not have been responsible for the entire cost. He stated that to date they will incur \$900,000 in construction costs and \$165,000 in design in permitting cost.

Mr. Barhoo asked is why a signal funding agreement here and not elsewhere and what was unique about this circumstance that it happened in the first place.

Mr. Gross stated that the people in the neighborhood were concerned about the increased traffic on Grand Champion when this PD was originally under consideration. He stated that the original development was supposed to have paid for that signal back in the mid 2000 but that never happened and the City had no direct control over because the signal is on a state road that FDOT controls. He stated there was an agreement made to assist the new developer to recover some of their costs from other projects coming forward north of ISB and southeast of this project. He stated the staff has reviewed this and found no errors or outstanding items.

### **Board Comments**

There were no board comments

### **Applicant Presentation**

Mark Watts, Cobb Cole Law Firm, LLC, 231 N. Woodland Blvd, Deland, Fl, stated staff has already covered this in great detail and this is really a housekeeping matter to the 2 different agreements. He stated he has to give credit to SW-30 Investments. LLC and Lennar Homes, LLC for stepping up to provide a signal that was supposed to be done in the mid-2000. He stated the signal should be breaking ground shortly and the 1.1-million-dollar bond has been delivered to the City. He stated the City has all of the plans and permit rights for the signal in case they had to take it over and use the bond.

### **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 6-to-0 with the breakdown as follows:

Tony Barhoo (Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea

7. **Project Oasis– Planned Development – General ( PD-G) Rezoning – DEV2021– 170 (Quasi–Judicial Hearing)**

A request by Mark A. Watts, Esq., Cobb Cole, on behalf of Halifax Hospital Medical Center (property owner), to rezone 184.6± acres of land from Planned Development-General (PD-G) and General Industrial

(M-3) to Planned Development – General (PD-G) to allow for a mixed-use development, including residential, commercial, and light industrial uses. The property is bounded by LPGA Boulevard to north, North Williamson Boulevard to the west, North Clyde Morris Boulevard to the east, and Mason Avenue to the south.

**Staff Presentation**

Hannah Ward, Planner, presented the staff report which was included as part of the packet. She stated the site is currently vacant and undeveloped. She stated the request is to rezone 184.6± acres of land from an expired Planned Development-General (PD-G) and the General Industrial (M-3) zoning designation to PD-G for the entire property to allow for a mixed-use development, which will include residential uses, commercial uses, and light industrial uses. She stated the property is bounded by LPGA Blvd to North, Williamson Blvd to the West, Clyde Morris to the East, and Mason Ave. to the South. She stated there the southeast corner of the property has a General Industrial FLU, while the remainder is Mixed Use. She stated they have requested a maximum density of 850 residential units for either multifamily or townhomes uses, and a maximum intensity or FAR ratio of 0.7 for nonresidential uses. She stated that there is language in the PD agreement allowing for the transfer of development rights from one use to the other, provided the overall number of trips authorized by the entitlement matrix would not be exceeded. She stated this property and this project have incorporated a number of Smart Growth Strategies as part of the development including mix of land uses, some of the waivers incorporate a compact building design, open space preservation, a range of housing and transportation options, connections to the surrounding network, and a distinctive community with a sense of place as shown on the PD Plan. She stated they are proposing to potential develop a community green that would serve the development. She stated there will be an east to west connector going through the center of the project to relieve some trips off the adjacent roadways and complete

the network in that area. She stated that there will be other connections running north to south through the project and uses will be split into two different areas. She stated the west half of the project would allow all of the uses except the industrial uses and the east half would allow for the industrial and all the other uses. She stated this pattern is consistent with how the west and east sides of the property are developed on adjacent properties. She stated there are a number of wetlands in existence on the property that are proposed to preserve as part of the development plan. She stated that some of the requested types of housing products require reductions from LDC including townhouses which have a minimum lot area of 1200 sf with a maximum building coverage of 50% and uniform setbacks along all sides at 10 ft. She stated uniform setbacks at 10' and some minor reductions to the building separation requirements in the LDC but keeping with Fire code requirements for separation have been requested for garden-style multifamily. She stated the minimum building separation requested 20 ft front- to- front, front- to- rear, and front- to- side 25 ft, and then side- to- side would be 15 ft. She stated the cottage style multifamily has similar waivers but a difference in the building separation for this type of use. She stated the cottage-style multifamily is also requested to have a maximum building coverage of 50% and uniform 10 ft. setbacks except the minimum building separation would be 5 ft between each cottage style structure. She stated that 28 acres of the existing wetlands will be preserved which amounts to about 15% of the site and will meet the tree preservation requirements within a large designated tract as opposed to separate areas throughout the development consisted with the plan. She stated the LDC requires sidewalks on both sides of the streets, whether they are public or private, but the request is to allow sidewalks at a minimum width of 8' on one side of private streets where the other side is adjacent to wetlands at a minimum width of 0'. She stated the LDC currently limits parking for commercial uses to 125% of the minimum required, which they are requesting to increase to 150%. She stated there is a requested reduction to the minimum required parking from two spaces per dwelling unit to 1.75 spaces per dwelling unit and tandem parking for multifamily uses. She stated there is a request to waive the requirements for 5 ft of continuous building perimeter landscaping for cottage-style multifamily to allow for consistency with the landscape requirements for single family lots. She stated there is a request to waive requirements for perimeter buffers except when industrial use abuts another incompatible uses. She stated the LDC permits each subdivision or multifamily complex to have two signs with a maximum sf of 64 sf and a maximum height of 8', if approved by the Planning Board 12 ft signs be developed with a maximum sign area of 120 sf for each sign. She stated there will be a total of 10 requested but the layout or number of subdivisions within this property has not been determined but would potentially contemplate what would be necessary for each pocket of residential. She stated a tiered wall signage program is proposed for nonresidential uses, based on the sf of the building that would be developed, so if the structure exceeded 40, 000 sf of gross floor area, they are requesting to increase that sf from 120 sf to 700 sf and if were to be a structure that was between 15, 000 and 40, 000 sf. She stated it would be an increase to 500 sf and then less than 15,000 would be an increase to 300 sf to allow signage that would be scaled for each building based on the size with regards to the permitted uses. She stated there is a request to reduce the separation required from a Major City Thoroughfare from 500 ft to 100 ft for self-storage uses and they have requested and putting in place their own separation requirement for warehouse, storage and distribution uses, which would be also a minimum 100 ft from a Major City Thoroughfare, which will allow for the users to be screened from the right-of-way. She stated the applicant has provided a Master Sign Plan showing the general locations and quantities of ground signs for the development. She stated there were an error in the staff report that noted 5 secondary monument signs, which actually they are only requesting 2 so a total of 5 primary and secondary monument signs are requested for the development. She stated they have requested for the primary

monument signs a maximum height of 45 ft with some conditions regarding how the height can be developed and a maximum area of 1080 sf per sign that would be calculated for the entire structure minus our permitted reductions. She stated the secondary monument signs are tiered down with a maximum height of 25 ft and a maximum sign area of 900 sf for either single town or multi-tenant signs for advertisement within development. She stated the request for each commercial outparcel to have develop a ground sign at 120 sf per side and maximum height of 12 ft would be consistent with LDC requirements.

### **Board Comments**

Mr. McLean stated there should be a standard in the LDC for setback requirements for cottages. He asked do the planning board have the opportunity to approve signage beyond the 64 sf.

Mr. Gross stated in a PD Agreement there is no upper limit it is whatever you decide is consistent with the project and the applicable criteria.

Mr. McLean stated whatever those numbers are is something that we can consider here beyond and above the 64 sf, which would be a PD situation.

Mr. Gross responded that is right.

Mr. Robinson asked Mr. Gross to explain the purpose of the LDC and why we have it. .

Mr. Gross stated the LDC is a set of land regulations that implement the comprehensive plan and are designed to ensure what the City is well laid out and the adjoining uses are compatible with one another.

Mr. Robinson asked why we are approving or recommending all these waivers for this development because it is taking away from the conformity or what the purpose of the mission is on the LDC.

Mr. Mrozek stated that Mr. Gross pointed out about the LDC and the reason for the LDC, however, the LDC also includes a provision to allow somebody to rezone to a PD. He stated when you have a piece of property that might be unique, when they have a product that maybe not in keeping with exactly what the parameters of the LDC are it gives them the opportunity to have flexibility to request changes to the LDC standards that would allow a development to come forward.

Mr. Robinson asked what is unique about their project and the benefits to it because he sees a destruction of the LDC with the amount of waivers requested for this project.

Mr. Mrozek stated a lot of people use the term smart growth which has a set of principles on how to develop property in a way that's sustainable for the future and this project meets nearly every part of the smart growth principles that we look for in a good planning project.

Ms. Ward stated we do highlight the waivers and modifications that they are requesting but it doesn't highlight all the standards that they're still required to meet within the LDC, which there are hundreds of them that they're still required to meet when they come through to develop and this really only spells out the deviations because it's required to be spelled out.

Mr. Mrozek stated the PD allows the applicant as part of a PD to dictate some of the parameters within that plan development and it allows it to say what the setbacks are, what the building heights are, what Ms. Ward does when she says modifications that's a modification to maybe what a standard zoning district might normally have, even though the applicant has the ability to request something different as part of the PD. He stated they were offered the opportunity to call out what their setbacks are and that is what they are doing, which they're entitled to ask for as part of a PD.

Mr. Robinson stated it's a starting point and once we approve it and send it on to the City Commissioner, we're saying that it's okay to start like this and it's not okay when we have a LDC.

Mr. Gross briefly summarized the LDC, Section 4.8A.1 that list the purposes of the PD's to answer Mr. Robinson what are we doing here purpose question.

Mr. Barhoo expressed concerns with this applicant requesting a lot of modifications for this project.

Ms. Ward stated under the current zoning all that would be permitted for that large tract of property is heavy industrial uses and they're not requesting any heavy industrial uses, just light industrial uses and primarily a mixed use residential commercial development, which staff feels it's much more appropriate for this location than general industrial over the top of it.

### **Applicant Presentation**

Mark Watts, Cobb Cole Law Firm, LLC, 231 N. Woodland Blvd, Deland, FL, stated the existing comprehensive plan classification on this property, you could build 5 to 6 million sf of heavier industrial type uses and develop 4600 residential units but we would have to work with staff through some kind of PD process. He stated the entire concept of the Oasis was generated based on the preservation of the wetland corridors and the connectivity with the road network. He stated they spoke with City and County staff to determine the important road connections and determined that the east-west connections will provide an alternate to connect Williamson and Clyde Morris and north-south connectivity that goes from LPGA down to Mason through the site without having to go to Williamson and Clyde Morris. He stated the central focus was to preserve the natural areas, respect to the property, and provide the connectivity that the City and the County want from a traffic planning standpoint. He stated that his him and his Partner Robert Merrill worked with the Planning Department staff approximately 8-10 years ago to rewrite the LDC to establish those standards and it recognizes that our code needs to provide for those waivers or variances or to adopt different standards that are applied to a particular piece of property.

Jessica Gow, Cobb Cole Law Firm, LLC, 149 S. Ridgewood Daytona Beach, summarized more history of the project and how it complies with the PD section of the LDC.

### **Citizen Comments**

Anne Ruby, 137 Park Avenue Daytona Beach, stated there was a group called the American Farmland Trust that did over 150 studies to look at what it costs to provide community services when you take vacant land and turn it into residential uses in the early 2000, however, the studies stopped in 2012.

She stated when you do your standard suburban development like the kind, we have in our LDC, it costs more money than the properties bring in tax revenue to provide the services for those properties and think this is a great project economically.

Sandy Murphy, 136 Park Avenue Daytona Beach, stated this project is a little gift to the people who live surrounding that area because it really allows them to travel back and forth without contributing to those same congested corridors that everybody is traveling on.

**Board Action**

It was moved by Mr. McLean to approve the request per staff recommendations. Mr. Newman seconded the motion in accordance with the staff report as presented. The motion passed 4-to-2 with the breakdown as follows:

Tony Barhoo (Chair)	No
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	No

**8. Space Coast Credit Union – Large Scale Comprehensive Plan Amendment (LSCPA) – DEV2021 – 154 (Legislative Hearing).**

A request by Mark A. Watts, Esq., Cobb Cole, on behalf of Daytona Beach Property Holdings Retail LLC, for approval of a Large-Scale Comprehensive Plan Amendment (LSCPA) for 4.1± acres of land, changing the Future Land Use (FLU) Map designation from Office Transition (OT) to commercial Amusement (COMM -A), amending Neighborhood “P” Issue (j) to limit non-residential uses to 242,000 square feet. The property is generally located at the northwest intersection of Bill France Boulevard and Checkered Flag Boulevard.

**Staff Presentation**

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. He stated the site is located northwest of the intersection of Bill France Boulevard and Checkered Flag Boulevard which is the Space Coast Bank, 200 Bill France Boulevard and there’s a structure on there. He stated the proposed change is from OT to Comm-A and the proposed amendment to the Neighborhood P is to cap the non-residential square footage to 242,000 sf or 1.355 FAR to the second policy and existing issue. He stated the current land use and proposed land use is consistent with the surrounding land use. He stated the impact analysis shows a potential net decrease of 0.009 MGD both the water and wastewater and trip generation basically net zero no potential net increase or decrease for SHIP. Staff finds that the large scale is consistent with the Comprehensive Plan, does not represent urban sprawl, and the City has available capacity to serve demand. He stated based staff analysis and review, the proposed Future Land Use Map amendment from OT to Comm-A and limiting the non-residential sf to 242,000 s.f.in Neighborhood “P” appears to meet the criteria for the proposed amendment.

**Board Comments**

There were no board comments

**Citizens Comments**

No comments

**Board Action**

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

Tony Barhoo (Chair)	Yea
Helen Humphreys	Yea
Michael McLean	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea

9. **2<sup>nd</sup> Amendment to the 1<sup>st</sup> Amended and Restated Daytona Mixed Use PD – Planned Development–General (PD-G) Rezoning– DEV2021–155 (Quasi-Judicial Hearing).**

A request by Mark A. Watts, Esq., Cobb Cole, on behalf of Daytona Beach Property Holdings Retail LLC, to rezone 4.1± acres of land from Office/Professional (OP) to Planned Development–General (PD-G), incorporating the property into the First Amended and Restated Daytona Mixed Use PD, allowing additional commercial uses, and revising development criteria. The property is located at 200 Bill France Blvd., at the northwest corner of Bill France Blvd. and Checkered Flag Blvd.

**Staff Presentation**

Hannah Ward, Planner, presented the staff report which was included as part of the packet. She stated that the added site is actually the Space Coast Credit Union building located at the NW corner of Bill France and Checkered Flag Boulevard at 200 Bill France Boulevard. She stated the site is within the overall perimeter of the Daytona Mixed Use PD. She stated that most of One Daytona is developed and the site is actually developed with the Space Coast Credit Union but the rezoning would open up some additional opportunities for redevelopment in the future. She stated the current Future Land Use is Office Transition (OT) and proposed Future Land Use is Commercial Amusement. She stated the current zoning is Office Professional (OP), which does allow for the bank. She stated the rezoning amendment will memorialize the bank as a conforming use within the Daytona Mixed Use PD and allow for additional uses. She stated the original PD that allowed for a portion of One Daytona to be developed was called Daytona Live! PMD and was approved by City Commission in 2007. She stated 118± acres were added to the renamed First Amended & Restated Daytona Mixed Use PMD to allow for a phased entertainment mixed use development was approved by City Commission in 2012. She

stated the First Amendment added 3 additional acres to the overall PD and allowed for an increase in the height of the street lighting and was approved by City Commission in 2016. She stated One Daytona is partially developed and under construction, including the Pad A Multifamily Site Plan that was just recently approved by the Planning Board. She stated this request is for a gas station, carwash or auto dealer detailing, convenience store which would be limited to a maximum of two, drugstore or pharmacy with or without drive through service, and tire sales and mounting to be allowed as permitted uses. She stated they are revising the development criteria on Bill France Blvd to requesting a minimum building setback of 20 ft consistent with the reduction to the Scenic Throughfare Overlay (STO) District landscape yard. She stated if a parking garage were redeveloped at the location, the landscaping would be able to take the form of a green wall as opposed to landscaping around the perimeter and would need to fully comply with the City's Design Standards for Major City Throughfares. She stated the bank was already permitted in the Daytona Mixed Use PD, but it's not a current permitted use on the property that is developed with the Space Coast Credit Union. She stated that staff recommends approval to rezone the 4.1± acres that currently contains the Space Coast Credit Union from OP to PD-G, incorporating the property into the 1<sup>st</sup> Amended and Restated Daytona Mixed Use PD, allowing additional commercial uses, and revising development criteria.

**Board Comments**

There were no board comments

**Applicant Presentation Item #8 & #9**

Mark Watts, Cobb Cole Law Firm, LLC, 231 N. Woodland Blvd, Deland, FL, stated that he will address 8 & 9 together and there are 3 things that they are doing; annexing the Space Coast property, both with the land use and zoning into the One Daytona Project that was always an outlier that was under separate ownership but they finally been able to consolidate it, there is a utility corridor utility easement that runs along Bill France that keeps them from being able to meet the 50 ft landscape buffer because they can't plant in the area and a few uses to incorporate the support of the addition of Costco to the overall project.

**Citizens Comments**

No comments

**Board Action**

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

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

James Newman            Yea  
Tony Servance            Yea  
Milverton Robinson      Yea

**10. Allow Staff Administrative Changes to Typos – Land Development Code (LDC) Text Amendment DEV2022-055 (Legislative Hearing).**

A request by the Development and Administrative Services Department, Planning Division, to amend Article 1, General Provisions, of the Land Development Code (LDC), to add Section 1.10, Supplemental of Code, to allow the codifier to make non-substantive changes, including correcting manifest cross-referencing, grammatical, numbering, and spelling errors.

**Staff Presentation**

Rose Askew, Development Services Project Manager, presented the staff report which was included as part of the packet. She stated the proposed text amendment is to streamline and reduce the time required for making non-substantive changes to the LDC, including correcting manifest cross-referencing, grammatical/spelling errors, and numbering. She stated the change would allow non-substantive changes/corrections to be made at staff level and sent to the codifier to be finalized. Ms. Askew stated the required change to the LDC is nearly identical to the existing process for amending the Code of Ordinances located in Section 1.12. The current process for making any changes or corrections of the LDC takes four to six months to get approved. She stated that after approval by the City Commission the text amendment is sent to the codifier to be finalized in the LDC. She stated staff is requesting to amend Article 1, General Provisions, of the LDC to add Section 1.10, Supplementation of Code, to allow the codifier to make non-substantive changes. She stated in the amendment language, staff clarified exactly who the codifier is so anyone that looks at this does not get the impression that staff finalizing changing the Code. She stated after the changes are made then it is sent to Municipal Code Corporation to be finalized (Codified).

**Board Comments**

Mr. Gross stated what precipitated this was his attempts to draft the ordinance title for the glitch bill that was brought forward a couple of meetings ago and only those parts previously reviewed in the glitch bill would go forward in that ordinance.

**Citizens Comments**

No comments

**Board Action**

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

Tony Barhoo (Chair)    Yea  
Helen Humphreys      Yea

Michael McLean	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea

**11. Other Business**

**a. Downtown/Balough Road Redevelopment Area Board Report**

There were none

**b. Midtown Redevelopment Area Board Report**

There were none

**c. Beachside Redevelopment Area Board Report**

There were none

**d. Public Comments**

There were none

**e. Staff Comments**

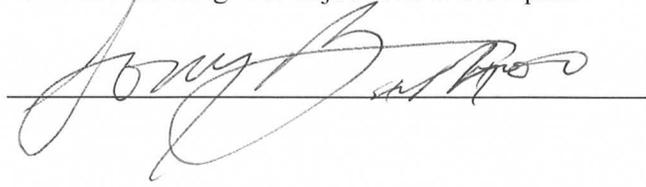
Mr. Mrozek encouraged the board members to really take a look at the waivers that the applicants are requesting and not necessarily just the number. He stated just look at the modifications that are being requested and if you feel some of them maybe out of line let's address those and talk those one at a time and keep an open mind as we review these projects.

**f. Board Comments**

There were no board comments

**12. Adjournment**

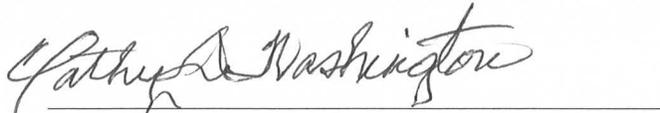
There being no further discussion or comments the meeting was adjourned at 7:58 p.m.



A handwritten signature in cursive script, appearing to read "Tony Barhoo", is written above a horizontal line.

Tony Barhoo  
Chair

ATTEST:



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

Cathy Washington  
Secretary