

MINUTES

REGULAR MEETING – PLANNING BOARD

June 23, 2022

Minutes of the Regular Meeting of the Planning Board of The City of Daytona Beach, Florida, held on Thursday, June 23, 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	Absent
Michael McLean	Absent
James Newman	Present
Tony Servance	Present
Milverton Robinson	Present
Cathy Washington (Secretary)	Present

Also Present:

Ben Gross, Deputy City Attorney  
Dennis Mrozek, Planning Director  
Doug Gutierrez, Principal Planner  
Hannah Ward, Planner  
Paula Long, Planner  
Vanessa Trimble, Planning Technician  
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. Newman to approve the minutes as corrected, seconded by Ms. Washington. The motion passed 5-to-0 with the breakdown as follows:

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

## **New Items**

### **4. Walkers Green Phase 1A – Preliminary Plat – DEV2021-136 (Quasi-Judicial Hearing)**

A request by Randy Hudak, Zev Cohen, and Associates, on behalf of Walkers Green Development, LLC (property Owner), to approve a 36.7± acre Major Preliminary Plat to allow a 152 townhome for phase 1A within the Walkers Green Development. The property is generally located in the northwest quadrant of the Williamson Boulevard and I-95 intersection.

#### **Staff Presentation**

Paula Long, Planner, presented the staff report which was included as part of the packet. She stated the site is generally located North of the I-95, Williamson Boulevard interchange bordering Williamson Boulevard to the East and Madeline Avenue to the North. She indicated the zoning designation for the parcel is PD-G Planned Development General surrounded by the same with a portion of the parcels to the Southwest and Northeast under the jurisdiction of Volusia County. She stated there is a small portion of the Northeast section that holds an Agricultural designation. She stated the parcel currently holds a future land use of Level 1 Residential and is surrounded by the same. She stated the exception is the area Southeast of the parcel which is also under the jurisdiction of Volusia County. She stated that this Plat will not cover the full section of Phase 1; however, the proposed 152 lot townhome development is consistent with the Walker's Green Planned District Agreement. Lastly, she indicated approval of this Preliminary Plat will allow for the applicant to move forward with the final Plat approval process; stating that staff recommends approval of the Major Subdivision Preliminary Plat request.

#### **Applicant Presentation**

Randy Hudak, Zev Cohen & Associates, Inc. stated he was here with the Developer and Project Attorney to answer any questions you may have.

#### **Board Comments**

Mr. Newman asked are there any plan for future development in the common areas?

Mr. Hudak stated areas designated in the plat will remain common areas and they are made up of stormwater areas and wetland preservation areas that will be set aside and undeveloped.

Mr. Gross stated there is a PD agreement already in place that is recorded and requires common areas to remain in ownership by the HOA and designation of those common areas on this Plat will make that a permanent situation.

#### **Citizen Comments**

There were no comments

#### **Board Action**

It was moved by Mr. Servance to approve the request per staff recommendations. Ms. Washington seconded the motion in accordance with the staff report as presented. The motion passed 5-0 with the breakdown as follows:

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

**5. Walkers Green Phase 1B – Preliminary Plat – DEV2021-138 (Quasi-Judicial Hearing)**

A request by Randy Hudak, Zev Cohen, and Associates, on behalf of Walkers Green Development, LLC (property owner), to approve a 77.7± acre Major Preliminary Plat to allow a 95-lot single-family subdivision for Phase 1B within the Walkers Green Development. The property is generally located East of I-95 the Northwest quadrant of the Williamson Boulevard and I-95 intersection.

**Staff Presentation**

Paula Long, Planner, presented the staff report which was included as part of the packet. She stated this site is generally located North of I-95 and Williamson Boulevard interchange bordering Williamson Boulevard to the East, I-95 to the West and Madeline Avenue on the South. She indicated the Planned Development Agreement requires the developer to extend Madeline Avenue. She stated the zoning for phase 1B in the PD Agreement is PD-G surrounded by the same with a portion of the parcel to the Southeast under the jurisdiction of Volusia County and a small portion of that section is designated as Agricultural. She stated the Future Land Use is Level 1 Residential with a small portion to the Southeast with a Future Land Use of Low Intensity Commercial. She indicated the proposed 95 lot single-family home subdivision is consistent with the Walker’s Green Planned Development Agreement and approval of the Preliminary Plat will allow the applicant to move forward in the Final Plat approval process; stating that staff recommends approval of the Major Subdivision Preliminary Plat request.

**Applicant Presentation**

Randy Hudak, Zev Cohen & Associates, Inc. stated he was here with the Developer and Project Attorney to answer any questions you may have.

**Board Comments**

There were no comments

**Citizens Comments**

There were no comments

**Board Action**

It was moved by Mr. Newman to approve the request per staff recommendations. Mr. Servance seconded the motion in accordance with the staff report as presented. The motion passed 5-0 with the breakdown as follows:

Tony Barhoo (Chair)	Yea
James Newman	Yea
Tony Servance	Yea

Milverton Robinson                      Yea  
Cathy Washington (Secretary)      Yea

6. **Karis – Large-Scale Comprehensive Plan Amendment (LSCPA) – DEV2022-027 (Legislative Hearing)**

A request by Jessica Gow, Esq., Cobb Cole, on behalf of Berrien H. Becks Sr. Revocable Trust for approval of a Large-Scale Comprehensive Plan Amendment (LSCPA). The proposed Comprehensive Plan Amendment consists of 67.5± acres of land, changing the Future Land Use (FLU) Map.

**Staff Presentation**

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. He stated the property is generally located in the City of Daytona Beach, northeast of the intersection of Williamson Boulevard and Interstate 95. He stated the proposed amendment is to change the Future Land Use Map from Volusia County Activity Center Industrial (AC-I) and Activity Center Tourist Commercial (AC-TC) to Daytona Beach General Industrial. He stated there is no tax amendments associated with this and the proposed amendment will result in a potential net increase of water demand by 0.12 MGD. He stated it would result in net decrease of ADT 24, 298 trips and 1,220 trips of PM peak hours. He stated staff finds that the large-scale amendment is consistent with the Comprehensive Plan, does not represent urban sprawl and the City has available capacity to serve the demand on available water and sewage. He stated based on staff analysis and review, the proposed FLU Map amendment from Volusia County (AC-I) and (AC-TC) to City of Daytona General Industrial (GI) appears to meet the criteria for the proposed amendment.

Dennis Mrozek, Planning Director, stated this property is actually located in Volusia County and it will have to be annexed into the city and the annexation is required to go to the City Commission for approval. He stated that the first reading of the annexation, land use, and zoning will be held on July 20<sup>th</sup>. He stated that when it comes back, we will do the second reading so they will all come in order.

Anne Ruby, 137 Park Avenue Daytona Beach, asked about the number of trucks and trips will be made with the trucks and parking for the trailers?

**Applicant Comments**

James Taylor, Kimley-Horn & Associates, 189 S. Orange Avenue, Orlando, FL, stated the site will be less than about 1 million square feet of industrial that is going to generate on a daily basis about 1500 trips which is less than it can generate with the allowable zoning today but specific to the site 1500 daily trips about 169 in the PM peak of those trucks are about 30% of the cumulative daily. He stated that because trucks tend not to travel as much in the peak hours, it is only about 16% of traffic in the PM peak that will be 28 trips (15 in and 13 out) and you will see one truck enter ever four minutes.

**Board Comments**

There were no comments

**Citizen Comments**

There were no comments

**Board Action**

It was moved by Ms. Washington to approve the request per staff recommendations. Mr. Servance seconded the motion in accordance with the staff report as presented. The motion passed 5-0 with the breakdown as follows:

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

7. **Karis – Planned Development-General (PD-G) Rezoning – DEV2022-028 (Quasi-Judicial Hearing)**

A request by Jessica Gow, Esq., Cobb Cole, on behalf of Karis Acquisitions (Contract Purchaser) to rezone 67.5± acres of land from Volusia County (VC) A-2(2)A (“Rural Agriculture”) to City Planned Development-General (PD-G) to allow for an industrial development primarily intended to accommodate warehouse storage and distribution uses, as well as limited office and transportation-related uses.

**Staff Presentation**

Hannah Ward, Planner, presented the staff report which was included as part of the packet. She stated the site is located South of Bellevue Ave. & North of Beville Rd., in between Williamson Blvd & Interstate ( I-95). She stated the site is in close proximate to the I-4/I-95 interstate interchange. She stated the site is largely cleared and has been historically used for crop and pasture land. She stated the existing Future Land Use is Volusia County Activity Center and the proposed is City General Industrial. She stated the maximum proposed floor area ratio is 0.7, consistent with the General Industrial Future Land Use designation, which limits the intensity of the project. She stated the maximum height is intended to be established by the FAA. She stated the site has frontage along Williamson Blvd and I-95, both of which are within the City’s Scenic Thoroughfare Overlay (STO) District. She stated both roadways are designated Major City Thoroughfares requiring compliance with City’s *Exterior Color and Design Standards Major City Thoroughfares*. She stated the existing zoning is Volusia County Rural Agriculture (A(2)2-A) and the proposed is City Planned Development-General (PD-G). She stated there is a concurrent annexation & LSCPA. She stated the development proposal is intended to accommodate cold storage and associated distribution. She stated the development plan shows two large industrial buildings with access coming off of Williamson and a circular internal circulation pattern. She stated the applicant is requesting to remove seven historic trees. She stated the trees will require review and approval by the City Commission in order to be removed. She stated the applicant request to waive the Major City Thoroughfare design standards in exchange for the elevations included in the PD agreement. She stated the applicant requests to reduce the separation requirement for self-storage facilities along Major City Thoroughfares from 500 ft to 100 ft. She stated the applicant requests to allow for compensatory storage or stormwater as a principal use. She stated the applicant requests to waive the perimeter buffer requirements and specimen and historic tree mitigation requirements in event a compensatory storage or stormwater pond use is developed on the property. She stated the City’s perimeter landscaping requirements will still be

required. She stated the elevations for the two proposed buildings are compatible. She stated provided all LDC modifications are accepted, Staff recommends approval to rezone 67.5± acres from Volusia County Rural Agriculture (A(2)2-A) to City Planned Development- General (PD-G) to allow for an industrial development primarily focused on warehouse storage and distribution uses, limited office & transportation related uses.

### **Board Comments**

Mr. Barhoo asked will there still be perimeter buffers?

Ms. Ward stated it is not going to be the intensity of something that would be for like an incompatible use, but they would still be required to have perimeter landscaping around a pond and it is really only for like a pond or some sort of stormwater use that would be applicable.

Mr. Barhoo asked what happens if they cannot remove of historical tree?

Mr. Gross stated we have restrictions on the removal of historical trees that have been established in the LDC pursuant to County Charter only and this PD agreement provides that only the City Commission could compromise the removal and that is only under special circumstances. He stated if the tree was removed, they would have to add replacement trees with the total equal to or exceeding the diameter of the tree.

Mr. Barhoo asked would they have to come back to this board?

Mr. Mrozek stated if the City Commission approves the PD agreement with the removal of historic trees, then they are good to go but if some reason the City Commission says no then we are not going to approve the removal of historic trees. He stated that then a revised plan would have to come back to the board.

Mr. Newman asked so what they are asking for the removal of those historic trees and then a waiver of mitigation.

Ms. Ward stated only if stormwater is developed as a principal use, which is not the intended development plan, although it is going to be identified as a permitted use in the PD.

Mr. Mrozek stated that Attachment D, Item 7 in the board packets, you will see where the building locations are and they have identified where the historic trees are in conjunction with the buildings are going to be located. He stated that the trees are going to be right in the middle of where the buildings are going to be located so it makes it difficult to develop the property the way they are.

Ms. Ward stated that on the Development Plan at the north or southwest corner you will see there is a stormwater area and identifies there is quite a few historic trees on site. She stated they are not requesting to remove all of them, just the ones that would affect them being able to develop the building and quite a few are being preserved.

### **Applicant Presentation**

Robert Merrell, Esquire, Cobb Cole Law Firm, 149 S. Ridgewood Avenue, stated that when we did our composite plan and zoning for this area there was no compensating storage use identified. He stated that the buffers being put along Williamson Blvd and I-95 are the 50 ft buffers that are required

because the pond will be next to a building. He stated also there will be an upsize in the replacement trees from 1 ½ to 2 ½-3 ½.

Mr. Newman asked how many historic trees are on the property?

Mr. Merrell stated between 14-15 trees and half of those are in the middle and the others are on the edges that can be saved.

Mr. Barhoo asked would FAA have to approve the height of the building?

Mr. Merrell stated that because the buildings are in the zone the height has to be approved by FAA.

**Citizens Comments**

There were no comments

**Board Comments**

There were no comments

**Board Action**

It was moved by Mr. Newman to approve the request per staff recommendations. Mr. Servance seconded the motion in accordance with the staff report as presented. The motion passed 5-to-0 with the breakdown as follows:

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

**8. Other Business**

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

Mr. Newman stated there was no meeting

**B. Midtown Redevelopment Area Board Report**

Ms. Washington stated there were discussions of the LDC & proposed changes.

**C. Beachside Redevelopment Area Board Report**

Mr. Servance stated there was no meeting

**D. Public Comments**

There were no comments

**E. Staff Comments**

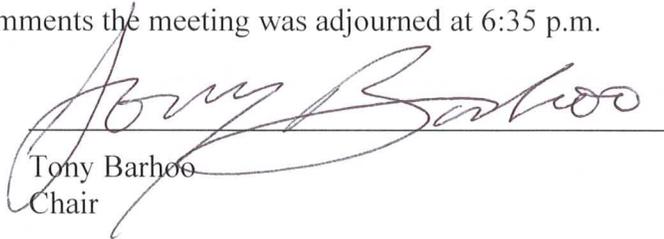
There were no comments

F. Board Member Comments

There were no comments

10. Adjournment

There being no further discussion or comments the meeting was adjourned at 6:35 p.m.



Tony Barhoo  
Chair

ATTEST:



Cathy Washington  
Secretary