

MINUTES

REGULAR MEETING – PLANNING BOARD

July 28, 2022

Minutes of the Regular Meeting of the Planning Board of The City of Daytona Beach, Florida, held on Thursday, July 28, 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	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
Shannon Ruane, Planner
Hannah Ward, Planner
Paula Long, Planner
Rose Askew, Development Services Project Manager
Vanessa Trimble, Planning Technician
Gina Fountain, Board Secretary

3. Approval of Minutes

Approval of the Minutes of the June 23, 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 Mr. Servance. The motion passed 6-to-0 with the breakdown as follows:

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

A. Revised Agenda

Mr. Barhoo stated there is a revised agenda that the board will follow tonight dated 7/28/2022 that added item 16 and has been included in folder.

Mr. Gross stated that he had a question from one of the board members regarding do there need to be a vote on the revised agenda. He stated that he recommended that the chair just needs to ask for a consensus as to that revision of the addition of item agenda 16.

Mr. Barhoo asked for a consensus to approve the revised agenda to add item 16.

All board members consented to the revised agenda that added item 16.

New Items

4. 110 East Orange Avenue - Historic Overlay (HO) Zoning District Map Amendment DEV2022-073 (Quasi-Judicial Hearing).

A request from the Development and Administrative Services Department, Planning Division, for a historic overlay zoning district map amendment for the City Island Recreation Center Annex located at 110 East Orange Avenue Daytona Beach, Florida, 32114.

Staff Presentation

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. He also presented the review requirements for a zoning and a letter from a community member endorsing the overlay that was not included in the original staff report. He stated the structure is a one-story Masonry Vernacular constructed in 1943 located at 110 E. Orange Avenue in the City Island National Register District and Downtown Redevelopment Zone. He stated the structure was originally designed as a recreation hall for Women's Army Corp (WAC) stationed at the nearby Bethune Point, then reverted to City owned property and served the community as a recreation site. He stated the zoning is Planned Development-General (PD-G) and Future Land Use (FLU) is Parks and Recreation. He stated the LDC Section 3.4.D.3, Site-Specific Zoning District Map Amendment Review Standards, states a historic site must meet at least THREE of NINE criteria. He stated this application meets NINE of the NINE criteria and provided a brief overview of those criteria. He stated that staff recommends approval of the request for a Historic Overlay (HO) Zoning District Map Amendment for 110 East Orange Avenue known as the City Island Recreation Center Annex Building. He stated the Historic Preservation Board voted 6-to-1 to recommend approval to the City Commission on May 17, 2022. He stated the Downtown Redevelopment Board voted 2-to-2, failing to recommend approval to the City Commission on July 5, 2022. He stated the item is anticipated to be heard by the City Commission for first reading on September 7, 2022, and second reading on September 21, 2022 (Public Hearing).

Mr. Mrozek asked Mr. Gutierrez to speak about the Site-Specific Zoning Map Amendment Review.

Mr. Gross stated that Mr. Gutierrez was focusing on specific review standards that apply to historic overlaying rezoning. He stated the LDC requires that a historic overlay comply not only with those

standards, but the generic standards that staff would apply to any Site-Specific Rezoning, so he is going to go through those now as well.

Mr. Gutierrez summarized the brief details and approval requirements of the Site-Specific Zoning District Map Amendment memo provided to the board members.

Mr. Mrozek stated that there was a letter received from Ms. Susanne Odena, 716 N. Wild Olive in support of the historic overlay that is included in board members folders for your review.

Board Comments

Mr. Robinson asked what was the reason for the objection by the Downtown Redevelopment Board?

Mr. Gutierrez stated that the board focused on the use rather than the historical value.

Mr. Newman stated that he was at that meeting and some of their objections were that the historic overlay would tie up things should the City decide to tear down the building. He stated the City had already granted a reprieve on doing so if the committee they appointed could find an appropriate use for the building but if that does not happen and the City decides to tear it down, they felt that the historic overlay would not stop that process, but just delay it. He stated instead of being able to go ahead and demolish it, if the City felt necessary, they would have a much longer process to go through if it had that historic overlay and that was one of the big objections to it. He stated this does not prevent the building from being destroyed, but it creates a process that can go on for months and months before demolition could occur.

Mr. Robinson asked why the City would want to destroy or demolish the building. Is there a consideration for the safety or structural defects of the building or the cost because in the attachment there is a \$600,000 cost.

Mr. Gutierrez stated he thinks the \$600,000 came from a report done several years ago on assessment on revitalizing that building at various stages and then it gets higher as it gets more involved.

Mr. Gross stated the cost of rehabilitating a structure is not really directly relevant to whether the project would meet the rezoning criteria. He stated this is a City owned facility that is like any other rezoning and what we are charged with doing is applying the criteria and determining whether they are met.

Mr. Newman stated if the historic overlay does not protect the interior why was the heart-of-pine flooring and pecky cypress paneling used as a criterion. He stated he was not sure how it applies to the criteria if it is unaffected by the outcome.

Mr. Gutierrez stated it contribute to the architectural and the use of local materials is used to justify that particular criteria.

Mr. Newman stated he do not see the architectural value in this building, it is completely out of sync with the rest of Architect MacDonough work.

Mr. Gutierrez stated the build is unique because of the World War II architecture.

Ms. Humphreys stated that the location of the building is bad, and she has no problem giving time for perhaps more thought into what it could be used for.

Ms. Washington provided a brief history of the building for local African Americans and Dr. Bethune contribution to the building.

Mr. Newman asked what the purpose is of doing this historic overlay if it does not prevent the demolition of the building.

Mr. Mrozek stated the historic overlay will open the building up for opportunities for maybe perhaps.

Some grants that might be available to help protect the building and gives flexibility for modifications and any technical requirements of the LDC with setbacks to the building being a historic structure.

Mr. Newman asked if the building would be competing with other historic building for grants?

Mr. Gutierrez stated that historic grants are competitive at the Federal and State level but not on a local level, however, redevelopment district does have preservation grants to help with the rehabilitation. He stated that there is flexibility in the exterior that has to go through a certificate of appropriateness that is reviewed by the historic board.

Citizen Comments

Sandy Murphy, 136 Park Avenue, stated that she agrees with Mr. Gross that the decision that has to be made on the basis of the criteria that are given in the code. She stated a lot of the discussion on this property has dealt with the cost and not it historic value with it being very utilitarian and that itself is valuable and produced a lot of tourist income of \$5 million a month.

Amy Pyle, 136 S. Grandview, stated she definitely support creating a historic overlay to preserve this building. She would appreciate a positive vote to save this building because of the rich history and could be a part of the culture of Daytona Beach.

Vern Weatherholtz, 3 Granville Circle, briefly summarized the different enhancements that the building would bring to the city.

Sheron Weatherholtz, 3 Granville Circle, stated that you have a tough job, and it is important that we have areas in our city that not everybody sees the value immediately. She stated that there was a video presented before the historic board that did give some of the whites only designation that this club had as mentioned by Ms. Washington and the WAC did not get to use it for very long but feel that there is some value in this building and plan to support it.

Jenny Nazak, 501 Harvey Avenue, stated that she was in favor for the reasons that have been well stated by my neighbors and by Ms. Washington.

Norm Anderson, 100 Silver Beach Avenue, stated he was there representing a very dear friend of his that was a former WAC who resides in Ormond Beach and in support of saving the building. He provided a brief history of her service in the military.

John Nicholson, 413 N. Grandview Avenue, stated this historic, old, and unique building will be 80 years old in a month. He stated it was used as a functional building for WAC that had to be put together fast and cheap because during the war there was no money. He stated this is not a singular thing but is one of many things that they hope to revitalize this area.

Frederick Brown, 1508 Crescent Ridge Road, stated there are few buildings in this city that have more historic value than the Orange Avenue Recreational Center. He provided a brief history of the segregation in the Daytona Beach area and Dr. Bethune's with Eleanor Roosevelt to get money from Washington D.C. to help with the building.

Jessica Gow, 149 S. Ridgewood Avenue, stated this overlay gives you more opportunity for the public to come and tell you their history and it gives the City a little bit more flexibility of what can go there. She stated tonight you are not voting on what it will be in the future that still lies with the City Commission but giving the opportunity for this building's history to be heard through our resident and giving it the opportunity to be something again in the future, so I am in support.

Ted Hordecky, 113 Braddock Avenue, stated I am in favor of the project and a part of Lady of Lourdes Veterans Group with 80 veterans and 20 active members. He stated that a very small percentage of people serve especially women and they deserve their due, so I am a yes on this project.

Steven Miller, 383 Walnut Street, stated that this building has tremendous history and the airport in Deland would not be here if those WAC did not come to Daytona Beach. He provided a brief history of how the \$5 million a month helped other communities and the Tuskegee Airline Boys fly their airplanes with the assistance of Dr. Bethune. He stated that he would love the building to be preserved with a section devoted to Dr. Bethune.

Anne Ruby, 137 Park Avenue, stated she is here to speak on behalf of all her fellow committee members on the Orange Avenue Recreation Board. She provided a brief summary of the committee meetings since began in early May 2022 and their finding will be presented to the City Commission on September 7th. She stated that the board is asking that you vote yes on this Historic Overlay Amendment because the designation will open up historic grant funding to revive the building more easily. She provided a brief history of the document tour on why the building should be revived and provided board members with a list of all the locally designated historic properties, nationally designated properties and those on the Black Heritage Trail. She stated the board have the chance to provide a remedy for this humble and historic building by voting yes.

Mr. Robinson stated the first criteria speaks of cultural characteristics of the community but only speaks of one community. He stated that Dr. Bethune and the black community was a very integral part of this history of this building that was excluded. He stated that we always tend to forget and exclude the minority part of our community when we vote to put this historic overlay on this building

let's make it historic . He stated let's look at the cultural contribution of all the communities that is responsible for this building being here.

Mr. Barhoo stated thank you all for participating, especially our community, for being here and it shows your passion and we really do appreciate and value your input.

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-to-1 with the breakdown as follows:

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

5. **2nd Amendment to Project Longboard–Comprehensive Sign Plan (CSP)–DEV2022-033 (Quasi-Judicial Hearing)**

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of Daytona JV, LLC and Landshark by IMCMV Holdings to approve a second amendment to the Comprehensive Sign Plan (CSP) and the property as well as adding an additional Electronic Message Center (EMC) sign for the Landshark Restaurant located at 415 S. Atlantic Avenue.

Staff Presentation

Paula Long, Planner, presented the staff report which was included as part of the packet. She stated all information being presented tonight was presented to the Beachside Redevelopment Board on July 13, 2022. She stated the CSP in general calls for a good amount of specific signage that aids in the overall branding of the two restaurants on site, which are Crabby's and Landshark. She indicated that the number of signs is decreasing, noting sign E-5 will be removed from the CSP as it was never installed, E-15 is being removed from both the plan as well as the site and sign E-17 will be removed and replaced with a new EMC Monument Sign, which will have the same height as one of the signs that is being removed. She stated the copy on the EMC will not be huge, but it is giving some additional interest to the messages that are going to be there. She stated there are a couple of waivers and modifications that were included with this application; one to allow the additional EMC on site because the regulation states that there would only be one on site now there will be two, was -installed previously, and now there would be two on the site.; to modify the LDC requirements to allow the sign in the proposed location that was not a location where an EMC existed previously, and is a different location than this particular sign was on the Sign Plan before; introduce the signage shown in the proposed amendment to be located within the property and this was one that was not actually included in that original sign plan that was approved first and second and this is the Second Amendment. To decrease the EMC display time intervals from 60 seconds to 30 seconds. She

informed the Board that reductions in time intervals have been done on a couple of different EMC's throughout the city, and this is not something different than what the board has approved before as well as the City Commission, in turn have also approved that would be in line with other EMC's in the city. To request to modify the LDC requirements to have photographic backgrounds used during the EMC display rather than a solid color only. Ms. Long stated, based on staff analysis and review, the request for approval of the 2nd Amendment to the Comprehensive Sign Plan for the Longboard Planned Development-Redevelopment (PD-RD) District will be in compliance with the CSP and PD-RD Agreement as well as the Comprehensive Plan, if ultimately approved by action of the City Commission.

Mr. Newman asked if the photographic background will be a static photograph or animated?

Ms. Long state she believes that there will be some animation, but the applicant is here to be able to answer those questions.

Applicant Presentation

Robert A. Merrell, Esq., Cobb Cole, stated that Paula Long, Planner completed an exceptional job on her presentation and he really only want to say basically taking some signs down, removing some of the signs that were in the plan and putting EMC on it.

Mr. Robinson expressed concerns with the EMC being placed at Landshark Restaurant being next to Splash Water Park and automobile traffic distraction as well as pedestrians who disregard the cross walks and run across the road.

Mr. Merrell stated that based on previous studies and the EMC being static and not a movie it was determined to be of no distraction. He stated that Crabby's which is less than 100 feet has the same EMC and there have been no incidents as a result of the sign.

Board Comments

There were no comments

Citizen Comments

John Nicholson, 413 N. Grandview Avenue, provided a brief history of the LSD and neon debates in the City of Daytona Beach approximately 40 years ago. He also stated that he has lived across the street from that location for 15 years and not a lot of people cross the street there. He asked the board to consider approving the EMC because it is not distracting and believes all of our restaurants should have them because so much happens.

Board Action

It was moved by Mr. Newman 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
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Cathy Washington (Secretary)	Yea

6. Major Preliminary Plat–Grande Champion Phase 1 DEV2022-063 (Quasi-Judicial Hearing)

A request by Parker Mynchenberg, P.E., Parker Mynchenberg & Associates, Inc., on behalf of LPGA Venture Holdings, LLC (property owner), to approve a Preliminary Plat for a 96-lot single-family home development and associated site improvements for Phase 1 of the LPGA-Grande Champion Tract 28 subdivision.

Staff Presentation

Paula Long, Planner, presented the staff report which was included as part of the packet. . She stated the site location North of W. International Speedway Boulevard, West of Tomoka River, and South of Champion Drive. She stated the Future Land Use (FLU) for the site is Level 1-Residential with some Conservation on the upper Northeast edge of this phase. She indicated the proposed Major Preliminary Plat is consistent with all lot dimensions, access, and infrastructure requirements outlined in Article 7 of the Land Development Code (LDC) subject to the Grande Champion Combined Tracts 26, 28 & 29 Planned District Agreement. Ms. Long stated in accordance with the 1st Amendment to the Grande Champion Combined Tracts 26, 28, & 29 Planned District Agreement, before an approval for the Final Plat or any development order is issued, the Owner will enter into a binding agreement with the City and American SW-30 Investments, LLC or its successor, providing for the Owner to contribute a pro-rata share of the total cost of construction of the Grande Champion Traffic Signal or mutually agreed to terms as set forth in the 1st Amendment. She re-stated, the proposed Major Preliminary Plat will include a 96-lot single-family home development where approval of the Major Preliminary Plat will allow the applicant to move forward with the Final Plat approval process. She confirmed the staff recommendation of the approval of the Major Subdivision Preliminary Plat Phase 1 for the Grande Champion Combined Tracts 26, 28, 29 Planned District (PD), being dependent upon the execution of a 3-Party Cost Contribution Contract between the City of Daytona Beach, Owner and American SW-30 Investments, LLC ort its successor for the completion of the Grande Champion Traffic Signal as referenced in the 1st Amendment to the PD Agreement for the combined tracts 26, 28 & 29 to occur prior to the approval of the Final Plat. Further stating that the item is tentatively scheduled to be heard by the City Commission, September 7, 2022.

Applicant Comments

Parker Mynchenberg, 1729 Ridgewood Avenue, stated this is one of three kind of phases of the same project. He stated he have already brought the fair share for this project before City Commission and County Council and we are aware of our contribution toward the signal, so no problem on that end.

Mr. Barhoo asked about the lot sizes because appear to be very close and on top of each other.

Mr. Mynchenberg stated the lot sizes are consistent with the PD and the lots along the eastside are larger they kind of run on a wetland that fronts on the Tomoka River. He stated it is a combination of lot sizes, but they are the minimum 50 by 125.

Mr. Newman stated that there are three Phases being presented tonight would construction begin right away.

Mr. Mynchenberg stated as part of the 1st Phase, a couple of nuances that were related to the zoning, there is a 100-foot buffer minimum to the south where the existing development we have a tree preservation common area track. He stated as part of the 1st Phase, which is more toward the north, they are going to be building a stabilized emergency access all the way to the south. He stated that it will be Phase 1 first then Phase 2 & Phase 3 but there will be with the 1st Phase construction through all the phases.

Mr. Robinson asked how many homes is this going to be when Phase 3 is finished?

Mr. Mynchenberg stated that will be almost 300 totals when the 3 Phases are completed. He stated this is a section that his office design very close to this layout back right before the recession for another developer. He stated the retention ponds were dug to support this development with the golf course and actually the southern part right before the recession was cleared and the dirt that came out of the lakes filled then sort of like fill in portion of LPGA, so it has been around for a while and just now coming to fruition.

Mr. Robinson asked what happened to the animals?

Mr. Mynchenberg stated this development was originally Consolidated Tomoka and behind Father Lopez and Mabrey there are a large tract of land that now is owned by the Water Management District, and it is in preservation, it has uplands, it has wetlands, and it has habitat. He stated that the 10,000 acres that originally were owned by Consolidated Tomoka, they said a big chunk of it is set aside for the critters and it is just to the west. He stated LPGA was originally a DRI it is a PUD, they rescinded the DRI two golf courses, so it was meant to be the development part of what they owned. He stated they set aside a very large area and sold it to Water Management District, and it is in their ownership and conservation for wetland preservation and the critters.

Board Comments

There were no comments

Citizen Comments

There were no comments

Board Action

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

the breakdown as follows:

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

7. **Major Preliminary Plat–Grande Champion Phase 2 DEV2022-065 (Quasi- Judicial Hearing)**

A request by Parker Mynchenberg, P.E., Parker Mynchenberg & Associates, Inc. on behalf of LPGA Venture Holdings, LLC (property owner), to approve a Preliminary Plat for a 126-lot single- family subdivision and associated site improvements for Phase 2 of the LPGA-Grande Champion Tract 28 subdivision.

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 W. International Speedway Boulevard, West of the Tomoka River, and South of Champion Drive. She indicated the zoning for this location, in similar form and fashion to the previous, is Planned Development General (PD-G) and Future Land Use (FLU) for this location and this particular part of the phased project is Level 1 Residential & Golf to the Western edge of this phase. She indicated the proposed Major Preliminary Plat is consistent with all lot dimensions, access, and infrastructure requirements outlined in Article 7 of the Land Development Code (LDC) subject to the Grande Champion Combined Tracts 26, 28 & 29 Planned District Agreement. In accordance with the 1st Amendment to the Grande Champion Combined Tracts 26, 28 & 29 Planned District Agreement, Ms. Long stated before an approval for the Final Plat or any development order issued, the Owner will enter into a binding agreement. with the City and American SW-30 Investments, LLC or its successor, providing for the Owner to contribute a pro-rata share of the total cost of construction of the Grande Champion Traffic Signal or mutually agreed to terms as set forth in the 1st Amendment. She re-stated the proposed Major Preliminary Plat will include a 126-lot single-family home development. Further, approval of the Major Preliminary Plat will allow the applicant to move forward with the Final Plat approval process. She confirmed staff recommendation of the approval of the Major Subdivision Preliminary Plat Phase 2 for the Grande Champion Combined Tracts 26, 28 & 29 Planned District (PD), is dependent upon the execution of a 3-Party Cost Contribution Contract between the City of Daytona Beach, Owner and American SW-30 Investments, LLC or its successor for the completion of the Grande Champion Traffic Signal as referenced in the 1st Amendment to the PD Agreement for the combined tracts 26, 28 & 29 to occur prior to the approval of the Final Plat. She states this item is tentatively scheduled to be heard by the City Commission, September 7, 2022.

Mr. Barhoo asked will there be an entrance and exit prior to the development of these homes.

Applicant Presentation

Mr. Mynchenberg, P. E., Parker Mynchenberg & Associate, Inc., 1729 Ridgewood Avenue, stated this is a very linear site on one side it is the dramatic river and on the other side is the LPGA Golf Course. He stated that there is two ways to access it, one from the north, which will be constructed, paced with Phase 1 off of Grande Champion. He stated it also crosses the Dunn Avenue future right away with that 1st Phase, constructing a stabilized emergency access to the south to provide the two required access for the 1st Phase, then with Phase 2 going to pave that access that was stabilized with Phase 1. He stated that Phase 3 that will be heard next it is a fill in and then access is on those existing roads that were built with one and two.

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

8. Major Preliminary Plat–Grande Champion Phase 3 DEV2022-067 (Quasi- Judicial Hearing)

A request by Parker Mynchenberg, P.E., Parker Mynchenberg & Associates, Inc. on behalf of LPGA Venture Holdings, LLC (property owner), to approve a Preliminary Plat for a 128-lot single- family subdivision and associated site improvements for Phase 3 of the LPGA-Grande Champion Tract 28 subdivision.

Staff Presentation

Paula Long, Planner, presented the staff report which was included as part of the packet. She stated the site, vacant and undeveloped is generally located North of West International Speedway Boulevard, West of the Tomoka River, and a portion South of Champions Drive. She stated the zoning, is the same as the others, Planned Development-General (PD-G), this is the 3rd part of a phased project and Future Land Use (FLU) for this particular section is Level-1 Residential with a little more to the center containing Conservation on the Northeast of the golf area on the Western portion as seen. Ms. Long indicated the proposed Major Preliminary Plat is consistent will all lot dimensions, access, and infrastructure requirements outlined in Article 7 of the Land Development Code (LDC) subject to the Grande Champion Combined Tracts 26, 28 &; 29 Planned District

Agreement. She stated in accordance with the 1st Amendment to the Grande Champion Combined Tracts 26, 28 & 29 Planned District Agreement, before an approval for the Final Plat or any development order issued, the Owner will enter into a binding agreement with the City and American SW-30 Investments, LLC or its successor, providing for the Owner to contribute a pro-rata share of the total cost of construction of the Grande Champion Traffic Signal or mutually agreed to terms as set forth in the 1st Amendment. Ms. Long indicated the proposed Major Preliminary Plat will include a 128-lot single-family home development; and the approval of the Major Preliminary Plat will allow the applicant to move forward with the Final Plat approval process. Further, staff recommendation of the approval of the Major Subdivision Preliminary Plat Phase 3 for the Grande Champion Combined Tracts 26, 28, & 29 Planned District (PD), is dependent upon the execution of a 3-Party Cost Contribution Contract between the City of Daytona Beach, Owner and American SW-30 Investments, LLC or its successor for the completion of the Grande Champion Traffic Signal as referenced in the 1st Amendment to the PD Agreement for the combined tracts 26, 28 & 29 to occur prior to the approval of the Final Plat. The item is tentatively scheduled to be heard by the City Commission, September 7, 2022.

Applicant Presentation

Parker Mynchenberg, Project Engineer, Parker Mynchenberg & Associates, Inc., 1729 Ridgewood Avenue, stated he has no further information to provided was given on the previous two presentations.

Board Comments

There were no comments

Citizen Comments

There were no comments

Board Action

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

9. **Major Site Plan- Advent Health Surgery Center DEV2022-022 (Quasi-Judicial Hearing)**

A request by Mark Dowst, P.E., Mark Dowst & Associates, Inc. on behalf of Ed Noseworthy, as president of Memorial Health Systems, Inc.(property owner), to approve a Major Site Plan for the development of a 60,000 square foot medical office and wellness center and all associated site improvements on 6.61± acres of land located in the Memorial Health Systems, Inc. Planned District (PD).

Staff Presentation

Shannon Ruane, Planner, presented the staff report which was included as part of the packet. She stated the site is currently vacant and undeveloped. She stated that the entire property is all of one parcel and located on the southwest corner of Memorial Medical Parkway & Williamson Boulevard. She stated the Future Land Use (FLU) is mixed use and zoning is the Memorial Health Systems Inc. Planned Development (PD). She stated there is a Phase 2 of the project that is not a part of this site plan, but it is important to include because it kind of fills in the blanks of the property there. She stated the Memorial Health System, Inc. PD was approved in 2005 and the original hospital building was completed in 2009. She stated the Cancer Center addition was approved and completed in 2010, and that is to the northwest of the property. She stated this application is for Phase 1 which is 60,000 square foot medical office and wellness center . She stated Phase 2 will be applied separately: 30,000 square foot addition to the western side of the proposed facility. She stated both those phases will be completed on that little portion of land 6.61± acres located directly at the southwest corner of Memorial Medical Parkway and Williamson Boulevard. She stated there will be 240 parking spaces that is consistent with LDC & PD requirements of 4 spaces per 1,000 square feet. She stated the landscaping proposed per LDC and PD agreement no modification needed. She stated the signage that is going to be on the property, that is going to be an amendment to the PD that will come before the board at a later date and not included in the site plan. She stated currently staff have a Traffic Impact Analysis (TIA) under review and once that is reviewed , a Proportionate Fair Share will be determined, if any kind of traffic impacts to the roadways and that will have to be paid prior to the approval of the site plan, when staff stamps the plans and then they are sent over for building permits. She stated the unique architectural details goes along with what is existing on the site already. She stated that Phase 2 will be located on the grassy area that extends into the building coming through and fills in the empty space. She stated provided the Proportionate Fair Share is paid for traffic impact, Staff recommends approval of the Advent Health Surgery Center Major Site Plan to allow for the development of a 60,000 square foot medical office and wellness center on 6.61± acres of land located in the Memorial Health Systems, Inc. PD.

Applicant Presentation

Mark Dowst, P.E. Mark Dowst & Associates, Inc., 536 N. Halifax Drive, stated they were fortunate enough to be part of the original campus design and this is one of the several parcels that were pre-designed back then, the stormwater, water sewage, and the whole plan. He stated that pretty much filling in the gap was pretty easy after this building was actually going to be free parcels left. He stated that the architecture has done a great job every time they build a building out. He stated the original hospital has a striking oval and when the Cancer Center came along was different, this is no different.

Board Comments

There were no comments

Citizen Comments

Fredick Brown, Jr., 1508 Crescent Ridge Road, stated I am in favor of this project and I do love Advent hospital, everything that they do. He stated that he was very concerned about this project because this board is a very important port maybe so many of you do not realize the impact of what you do here today can have a long reaching impact down the road. He stated that he welcomes this development but need to carefully look at what it is doing to the community, drain water, water needs, and where is renewable energy. .

Mr. Dowst stated they do not always have the ability to plan ahead with the exception that a campus that was designed back in 2005 had full storm water for the full build out of all the ponds that you see that are built there, that anticipated this project in the future. He stated that right now the ponds have been oversized for what is there and same thing goes with the water and sewage system. He stated the onsite treatment and pumping station well line sizes were all adequately sized for wells within the infrastructure project.

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 6-to-0 with the breakdown as follows:

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

10. 2nd Amendment to O’Connor Capital PD – Planned Development-General (PD-G) Rezoning – DEV2022-089 (Quasi-Judicial Hearing)

A request by Jessica Gow, Esq., Cobb Cole, on behalf of TLO 11 Tomoka N LLC (property owner), to amend the O’Connor Capital PD to modify the approved lot development criteria for residential uses to allow for the development of cottage-style multifamily uses anywhere on the property. The property is generally located in the northwest quadrant of the LPGA Boulevard and I-95 Interstate Interchange.

Staff Presentation

Hannah Ward, Planner, presented the staff report which was included as part of the packet. She stated the site is vacant and partially developed. She stated the Cottages of Daytona project, which was the first project to get approved on the site, is currently under construction and a portion of it is currently open. She stated the site is located in the northwest quadrant of LPGA Boulevard and the I-95 Interstate Interchange. She stated the Future Land Use (FLU) on the property is Mixed Use, and the zoning is Planned Development-General (PD-G). She stated the PD was approved by the City

Commission to allow for a mixed-use development on 214.6± acres in 2019. She stated the 1st Amendment to the PD to allow for cottage-style development on a portion of the property containing 29.7± acres the preliminary plat, and the final plat for the Cottages developed were approved by the City Commission in September 2020. She stated the Planning Board approved the site plan for the Cottages of Daytona that included 282 multifamily units in December 2020. She stated just recently the Tomoka North Final Plat that contains 9 lots, 6 outparcels, and a right-of-way (ROW) to be constructed through the development going north to south and providing a connection from Strickland Range Rd. to LPGA Blvd. was approved by the City Commission in 2022. She stated the 2nd Amendment is being requested to allow for cottage-style multifamily anywhere on the property. She stated the same standards that were approved as part of the 1st Amendment have been incorporated for the remainder of the property. She stated this includes a minimum building separation between each cottage-style structure of 5 feet. She stated this also includes an allowance for tandem parking, which is new and not previously in the 1st Amendment. She stated this request will allow for a style of development that would include driveways as seen with single-family or duplex development. She stated that the amendment incorporates landscaping standards that have been seen before for cottage-style multifamily, consistent with single-family and duplex landscaping standards in the LDC. She stated the proposed landscaping requirements are highlighted in more detail in the board members packet. She stated staff recommends approval to amend the O'Connor Capital PD, which would modify the development criteria allowing for cottage-style multifamily anywhere on the property. She stated this item is tentatively scheduled to be heard by the City Commission for 1st reading on 9/7/22, and 2nd reading (public hearing) on 9/21/22.

Mr. Robinson expressed concerns with the building separations between the cottage-style multifamily units.

Mr. Mrozek stated yes, I think we are seeing this product and if you have not been out to the cottages to take a look at it, I suggest you do that. It is a different type of multifamily development that we have here in the city and after speaking to a lot of developers and going on some of the planning sites, staff are seeing this all over the country in this particular type of development. He stated it operates and acts almost as if it is a single-family residential development but it is singly owned and it is a rental unit, so it is a multifamily development by the LDC and staff will be seeing more of this. He stated staff will be bringing an amendment to the LDC to incorporate this type of standard for this type and will not go through the process to make the modifications as part of the PD, it will automatically be as part of the LDC so that they can come forward and do that use if they choose to do that.

Mr. Robinson stated he still objects that the board and staff are giving in to the developers because they want to pack more people in for more bucks for their dollars. He stated the board and staff need to stop giving these waivers and build within what the LDC says.

Mr. Mrozek stated this product is an alternative to what our current multifamily product is and they are going up all over the city, you see 3-4 story buildings with approximately 50 units in each building that are wall to wall. He stated that these are actually separate that are 5 feet from the next building.

Mr. Newman stated you say that the cottages are to the same standards as those previously approved and were those 5 feet apart?

Ms. Ward stated I believe so, yes, it has been consistent throughout each project that staff have brought forward.

Mr. Barhoo asked can it be placed anywhere or are there specific areas within this PD for it to be placed?

Ms. Ward stated it would still be limited to the maximum density in the PD but before the PD had a matrix identifying where different land users could go, and now it would allow for this type of development throughout the property as opposed to limiting it to specific areas.

Mr. Barhoo asked does the 1 green tree per house follow the LDC of what we are supposed to do?

Ms. Ward stated the LDC standards are consistent with what is permitted for single-family and duplexes and what is required for them.

Mr. Robinson stated that on page 5 of the staff report, it said that staff does not anticipate any adverse environmental impacts with the approval of this amendment to build 282 units on the property but he does not see your defense of this recommendation.

Ms. Ward stated staff cannot anticipate that but the amendment meets staff requirements for preservation of trees or provision of landscaping. She stated that this request is not for a specific number of cottages to be built that has already been approved but it is just for that style of development to be built.

Mr. Mrozek stated the criteria is would not result in significantly adverse impacts on natural environments including but not limited to water, air noise, stormwater management, wildlife, vegetation, wetlands, and the national functioning of the environment, staff after doing our review and analysis we do not see that this would cause any significant impact on those criteria.

Applicant Presentation

Jessica Gow, Esq., Cobb Cole, 149 S. Ridgewood Avenue, stated this application is to clarify potential development throughout the site and to say you know, that use can be located with the other uses or the market dictate within the boundaries of the property. She stated the original land use change and rezoning of this property absolutely had additional detail on water, sewage, wastewater, environmental, which all have been reviewed and recommended by staff. She stated the changes are very limited just will be replacing it a bit and clarifying those development criteria and so there is no new impact created by this change that you are reviewing. She stated that instead of standard multifamily it will be cottage-style, which is a change from multifamily to multifamily so that is why there is no additional impact beyond the change as it relates to cottage style development.

Mr. Robinson stated that you have not given me the answers that I was looking for because you have not convinced me that I should agree with your waiver for your building separation nor have you explained to me what are the adverse environmental impacts.

Mr. Gross stated that they were already authorized to build those homes as multifamily traditional apartment development with all the details in it and that is part of the PD that was approved. He stated that they are amending it to allow the multifamily units to be spread out as individual units rather than a single building. He stated that whether it was going to go through as a traditional apartment or in the multifamily style they are talking about now, they have to go through site plan approval and the St. Johns River Water Management District and apply for a permit and have the Water Management District Review for wetland impacts and if the management district does not approve it, they do not get to pursue what they are doing.

Ms. Gow stated that as a point of clarity this request is not tied to the 282 units cottage project that is already out there. She stated that this request is just a general request to amend the PD, there is no specific development plan tied to it.

Board Comments

Mr. Newman asked was this an amendment to the original or second PD and will we have an opportunity to approve the site plan based on this amendment when it comes back.

Ms. Gow stated this amendment is for the second PD and yes another site plan will be presented to the board.

Citizen Comments

There are 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-to-1 with the breakdown as follows:

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

11. 1st Amendment to Midwest Transit PD – Planned Development-General (PD-G) Rezoning – DEV2022-060 (Quasi-Judicial Hearing)

A request by Jessica Gow, Esq., Cobb Cole, on behalf of Volusia Farms, Inc. (property owner), to amend the Midwest Transit PD to expand the areas within the property permitted for light industrial uses and retail/commercial uses.

Staff Presentation

Hannah Ward, Planner, presented the staff report which was included as part of the packet. She stated the site is vacant and partially developed with the RaceTrac Gas Station on the southeast corner of the site and the northwest corner of International Speedway Boulevard (ISB) and Tomoka Farms Road. She stated the property is located in the northwest quadrant of West ISB and Tomoka Farms Road. She stated the Future Land Use (FLU) is Mixed Use and the zoning is Planned Development-General (PD-G). She stated the Midwest Transit, Inc. PMD allowing for mixed-use development on 226.1± acres that largely remains undeveloped at this time was approved by the City Commission in 2014. She stated the property owner has come forward with an Amendment to expand the areas that are currently permitted for individual use types within the development. She stated the restrictions on uses were elective by the original applicant for the PD. She stated the text to be eliminated includes a restriction that light industrial uses shall not occur within 3,400 linear feet of ISB and retail commercial uses shall not extend beyond a point 1,000 linear feet from ISB. She stated the applicant has added light industrial uses to Areas C, D, and F of the current PD plan to extend the areas that would be permitted for those uses and potentially allow for additional options to develop the property that is currently largely undeveloped. She stated staff recommends approval to expand the areas within the property permitted for light industrial uses and retail/commercial uses. She stated this item is tentatively scheduled to be heard by the City Commission for 1st reading on 9/7/22, and 2nd reading (public hearing) on 9/21/22.

Mr. Newman asked so they are just changing usage.

Ms. Ward stated the PD plan for the property had footnotes to it, providing restrictions on areas where certain users could go there, they are eliminating those footnotes. She stated those were proposed electively by the initial applicant for the PD. She stated I imagine that they are requesting this because of the PD and the property still remains undeveloped and they are adding in areas that would allow for those light industrial users to correspond to the removal of the separation requirement.

Mr. Newman stated that the setbacks of 3400 linear feet are from International Speedway and that is what they are changing.

Ms. Ward stated they are basically eliminating the text that would restrict the industrial uses in certain areas and would restrict the retail commercial uses in certain areas.

Mr. Gross stated that on the top of page 3 in project description the staff report specifically lists the text of the PD agreement that would be removed in italics.

Applicant Presentation

Robert A. Merrell, Esq., Cobb Cole, 149 S. Ridgewood Avenue, stated they did this project back in 2014 and I am here again on behalf of Mike Winters and they sort of restricted themselves this way. He stated the 226 acre parcel that Mr. Winters owned he wanted to do a mixture of uses and we were not sure where they should go. He stated that now the market has asked can we do something here

with the provided uses the answer was yes. He stated they were thinking we were being protective of the other uses of the things we were putting on the chessboard did not work out that way.

Board Comments

Mr. Newman asked if they are eliminating that are they still going to have the standard buffers or setbacks that are mentioned under the LDC.

Mr. Merrell stated there is some sensitive areas to the west and we are completely protecting that and there is a difficult buffer with all that preservation remains. He stated all we are doing is moving the uses laterally.

Citizen Comments

There are no comments

Board Action

It was moved by Mr. Newman 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
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Cathy Washington (Secretary)	Yea

12. **Large Scale Comprehensive Plan Amendment – Sungate Logistics Park DEV2022-052 (Legislative Hearing).**

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of TLO 12 Sungate, LLC, property owner, for approval of a Large-Scale Comprehensive Plan Amendment changing the Future Land Use Map and amending the Future Land Use Element Neighborhood “V”, creating new issue (t) for 859.6± acres of land.

Staff Presentation

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. He stated the site is largely undeveloped. He stated the site is generally located northwest of the intersection of International Speedway Boulevard and Firetower Road. He stated the applicant propose a change in the Future Land Use Map designation from City General Industrial (GI) of 20.4±

acres, Volusia County Industrial (I) 0.5± acres, Volusia County Mixed Use (MXZ) 2.1± acres, Volusia County Low Impact Urban (LIU) 5.9± acres and Volusia County Urban Low Intensity (LUI) 0.7± acres for a total of 29.6± acres that is the Map Amendment. He stated the Neighborhood K Text Amendment for the entire 859.6 acres is to limit the P.M. trip hours of 27,494 peak hours to the Map Amendment. He stated the Portable Water and Wastewater Demand will generate a potential net increase of 0.25 Million Gallons Per Day (MGD) from the maximum allowed by current land uses and the trip generation is capped at 27,494 P.M. Peak Hour Trips. 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 roads, water and sewage. He stated based on staff analysis and review, staff recommends approval of the proposed Future Land Use Map Amendment from City General Industrial (GI) 20.4± acres, Volusia County Industrial (I) 0.5± acres, Volusia County Mixed Use (MXZ) 2.1± acres, Volusia County Low Impact Urban (LIU) 5.9± acres and Volusia County Urban Low Intensity (LUI) 0.7± acres, to City Mixed Use (MU) for 29.6± acres of land and amendments to Neighborhood “V” creating Issue (t) limiting P.M. trip generation. He stated the item is tentatively scheduled to be heard by the City Commission for first reading and transmittal on September 7, 2022, and the second reading (public hearing) is to be scheduled at the next available City Commission meeting subsequent to DEO and VGMC review.

Mr. Barhoo stated you said we have enough resources to support this, what about fire and ambulance service, is there still enough.

Mr. Gutierrez stated that would be part of the concurrency and this is more of a general fund.

13. Rezoning to Planned Development-General (PD-G) Sungate Logistics Park PD DEV2022-051 (Quasi-Judicial Hearing).

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of TLO 12 Sungate LLC (property owner), to amend the Firetower Road PD to add 9.4± acres of property, rename the agreement, and modify the approved development plan to include a mixture of uses, including agricultural, commercial, institutional, residential, and industrial uses.

Staff Presentation

Hannah Ward, Planner, presented the staff report which was included as part of the packet. She stated the site is vacant and undeveloped. She stated the site is generally located North of West International Speedway Boulevard (ISB) and East of Indian Lake Road. She stated there is a small portion of the site that touches International Speedway Boulevard. She stated the existing Future Land Use includes City General Industrial (GI), Volusia County Industrial (I), Volusia County Mixed Use (MXZ), Volusia County Low Impact Urban (LIU), and Volusia County Urban Low Intensity (LUI). She stated the proposed Future Land Use is City General Industrial (GI) and City Mixed Use (MU). She stated the current zoning is City Planning Development General (PD-G), Volusia County Rural Agriculture (VC R-2(5)A), Volusia County Single-Family (R-3(5)A), Volusia County Business Planned Unit Development (B-PUDC(5)A), Volusia County Forestry Resources (FRA), and Volusia County General Office Hospital Medical. She stated agricultural uses are permitted for all existing zoning categories. She the proposed zoning would be to the Sungate Logistics Park PD. She stated the original Firetower Road PD to allow for a large-scale industrial development on 850.2± acres were

approved by the City Commission in July 2017. She stated the 1st Amendment to extend the application and construction deadlines associated with the project was approved by the City Commission in November 2017. She stated now the applicant has come forward with the annexation, Comprehensive Plan Amendment and a PD Amendment to add 9.4± acres to the property. She stated the Large-Scale Comprehensive Plan Amendment (LSCPA) will assign a Mixed-Use Future Land Use to 29.6± acres. She stated the applicant is requesting to add agricultural, commercial, institutional and residential uses to the PD, which would be limited to the areas that those would be permitted within the land use. She stated the agreement is being renamed and the applicant shall be required to plat each phase of the property, with the exception of Lot 13. She stated that Lot 13 is located in the northwest corner of the property. She stated Lot 13 will be the first lot to be developed, and the initial site plan. She stated Phase 1 would require preliminary and final plat approval with the exception of Lot 13. She stated Phase 2 would require the same. She stated the roadways are being constructed within the phase boundaries on the property and the applicant will need to provide the appropriate terminations in those areas. She stated that agriculture could be within the General Industrial (GI) area. She stated they are proposing one continuous roadway throughout the development that would connect from International Speedway Boulevard to Indian Lake Road. She stated the Minimum Connectivity Index for the entire development is proposed at 1.16, a reduction from the PD required 1.7. She stated the applicant is proposing sidewalks on both sides of the street to be 5 feet wide, but in the event that sidewalks are located adjacent to a wetland area, the applicant is proposing to have a sidewalk on one side of the street with an expanded width of 8 feet. She stated the applicant is requesting 1 primary access point off of the internal roadway that is proposed through the development and if required, would be required to provide a secondary emergency access point for Fire Department access, in the event that residential uses are developed within the Mixed-Use area. She stated the proposed Mixed-Use area, including the proposed Lots 5 & 6, touches a portion of International Speedway Boulevard, where Lots 4 through 7 would be permitted for Mixed Use development. She stated waivers were requested from the City's Major City Thoroughfare Design Standards in the event that a gas station end-user is developed on Lot 5. She stated the requested waivers from the Major City Thoroughfare Design Standards applicable to Lots 5 & 6 are detailed in Board's packet packets. She stated that a gas station end-user would be required to provide consistent elevations and shall have no less architectural treatment than what is shown. She stated the representative elevations will be included in the final PD for the property. She stated with regard to landscaping, there is a proposal again for cottage-style multifamily within the Mixed-Use area of the development. She stated there is a request for single-family landscaping standards around the building perimeter of cottage-style multifamily uses. She stated the applicant is requesting to waive the interior parking lot landscaping where the primary operations of the use would be for industrial operations as landings often gets torn up by the movements of the trucks in and out of industrial sites. She stated with ISB being a Scenic Thoroughfare, there is a request to reduce a minimum depth of the required landscape yard to a minimum of 25 feet with a maximum average depth of 50 feet with plantings for the full required 50 feet in order to accommodate developments on Lots 5 & 6. She stated that with regard to the Lot Development Criteria there is a request to allow Cottage-Style Multifamily setbacks as previously identified for other projects at the uniform 5 feet between the buildings. She stated the applicant is also requesting a uniform separation of 15 feet between Garden-Style Multifamily uses. She stated for residential uses a request for the tandem parking for the cottage-style development is also included. She stated the industrial uses did have a previous reduction that was approved at 0.5 spaces per 1000 square feet as a lot of these uses are now more automated, so they do not need as much parking in order to have a functioning development. She stated the applicant has provided a

very detailed sign plan that is included in the packet. She stated the Mixed-Use area would encompass Lots 4-7, which will be at the southern end of the project closer to ISB at approximately 29.6 ± acres and would include a mix of light industrial, commercial, residential, and institutional uses. She stated a request for self-storage and warehouse storage and distribution is requested as part of the proposed light industrial uses. She stated in order to allow for the potential to have self-storage along West ISB, which is a Major City Thoroughfare, the applicant is requesting a minimum 100-foot separation.. She stated provided all LDC modifications are accepted, staff recommends approval to amend the Firetower Road PD to add 9.4± acres, rename the agreement and modify the development plan to include a mixture of uses along the southern end, agricultural uses within the General Industrial area and commercial, institutional, residential, and light industrial uses within the Mixed-Use area.

Mr. Robinson expressed concerns with the Large-Scale Comprehensive Plan Amendment and the Rezoning with no site plan on what will be built on the property and the neighborhood.

Ms. Ward stated the original Firetower PD approved the majority of the development that is going to be occurring out there and 850 acres was rezoned in 2017 that would allow for the industrial use. She stated they are actually adding 9 acres and then they are reducing the amount that is going to be general industrial to incorporate more mixed use. She stated that majority of this area is developed with very heavy industrial uses, so this is consistent with how this area is developed currently and proposed the general industrial already approved the southern end of the property. She stated the neighbors and residents are going to be at the south end, which is already developed, residential mix for other uses and still have to comply with the perimeter buffer requirements and landscaping requirements to appropriately screen and ensure I is compatible so that there are not negative impacts to any residential that is developed.

Rose Askew, Development Services Project Manager, stated that when a Planned Development Agreement comes through and is approved, it does not say all of those uses will be developed on that property. She stated what it says is these are things that we may want on this property in the future and once this gets approved and marketed. She stated staff do not know at this point who is going to want to build on that property and there is no way for us to know at this point. She stated whoever comes in to develop it has to abide by the criteria in the Planned Development Agreement and Land Development Code in order to develop their particular type of use there.

Mr. Robinson stated that he still has concerns with being asked to approve a long blanket list of uses on the property without any management on it.

Ms. Askew stated that staff reviews when the developers come forward through the site planning process to make sure what they are trying to put there is consistent with the land use and zoning

Mr. Mrozek stated Mr. Robinson you are talking about a lot of different potential uses than can go into a site which you are not talking about are the development regulations that they are going to have to follow if they were to put those uses there. He stated the setback buffer, and open space requirements are different for each use that is all in the PD agreement and what is not in the PD agreement defers back to the LDC, so whatever is developed has to be developed in a way that is good planning based on our PD Agreement and LDC.

Mr. Robinson stated that you are telling the board that all of this is approved or permissible on the PD Agreement submitted.

Ms. Askew stated the LDC under the Plan Development District uses allows the developers to select those uses and they are being compliant with LDC because of the use table for PD's, which tell all the uses you can ask to have in your Plan Development. She stated they are abiding by the list and they selected things from there and staff do not have the authority to say no to them. She stated that the developers bring it forward and the City Commission ultimately can tell them to take things out, but when they come through the staff, they are meeting the criteria that LDC says are uses you can request to have in a PD Agreement that is compliant with the standards.

Mr. Gross stated the LDC has buffer requirements that require minimum amounts of space between conflicting uses based on the degree of conflict. He stated the buffer between a commercial use or retail use in residential use is not as great as the required buffer between an industrial use and a residential use, so these are all in table format that have to be applied at the time that property is developed, whether the property is conventionally zoned or zoned in a PD.

Applicant Item #12 & #13

Robert Merrell, Esq., Cobb Cole, 149 S. Ridgewood Avenue, stated that the project was approved unanimously in 2017, there is only a 1% to 2% change from the original land uses, and 90% has already been approved. He stated they have acquired a few additional pieces down on the southside and add the heavy industrial mixed use that requires the board approval.

Board Comments

Mr. Robinson expressed concerns of the affects the multi-dimensional aspects of the project.

Mr. Humphreys stated what we have here is showing progress that because of what happened in the past that should not happen again.

Citizen Comments

There were no comments

Board Action-Item #12

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 6-to-0 with the breakdown as follows:

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

Cathy Washington (Secretary) Yea

Board Action- Item #13

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

14. School Street-Small-Scale Comprehensive Plan Amendment (SSCPA) – DEV2022-119 (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 3.6± acres from Retail (R) and Office Transition (OT) to Level 1 Residential (L1-R).

Staff Presentation

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. He stated this does not have a zoning attached to it is essentially just taking care of a few issues staff came across that was done with Mason Nova, Caroline Street, and two other places staff came across incompatible land uses and zoning. He stated this is a request by the City for a Map Amendment changing Future Land Use (FLU) Map Designation for 3.6± acres from Retail (R) and Office Transition (OT) to Level-2-Residential (L2-R). He stated the proposed Comprehensive Plan Amendment corrects an inconsistent Future Land Use designation with existing Single Family Residential-5 (SFR-5) zoning and current residential uses. He stated the properties are located generally along School Street and staff came across this when someone wanted to build some houses and noticed that the land use was retail and staff realized that all the land use on School Street, which essentially is all residential, had the wrong land use. He stated that staff proposes this small-scale map amendment to correct inconsistencies with the City's Retail and Office Transitional Future Land Use that currently has existing residential uses and zoning. He stated the staff is proposing to amend the Future Land Use from Retail (R) and Office Transition (OT) to Level-2 Residential (L2-R) to bring the zoning and current uses into compliance with the Comprehensive Plan. He stated staff finds that the small-scale amendment is consistent with the Comprehensive Plan, does not represent urban sprawl and the City has the capacity to serve the demand on available water and sewage. He stated staff recommends approval of the proposed Future Land Use Map Amendment from Retail (R) and Office Transition (OT) to Level-2 Residential (L2-R). He stated the item is tentatively scheduled to be heard by the City Commission for 1st reading on September 7, 2022, and for 2nd reading on September 21, 2022 (public hearing and adoption).

Board Comments

There were no comments

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 6-to-0 with the breakdown as follows:

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

15. Daytona International Speedway Event Parking – Land Development Code (LDC) Text Amendment DEV2021-074 (Legislative Hearing).

A request by the Development and Administrative Services Department, Planning Division, to amend Article 5, Section 5.3, Accessory Uses and Structures, of the Land Development Code (LDC), to add Off-Street Event Paid Parking as an accessory use for properties within one mile of the Daytona International Speedway Planned Development-General (DISPD-G) district boundary; and adding use specific standards to govern the new accessory use.

Staff Presentation

Rose Askew, Development Services Project Manager, presented the staff report which was included as part of the packet. She stated the original request came before the Planning Board on September 23, 2021. It included an amendment to Article 5, Section 5.4.C of the Land Development Code (LDC) to add Temporary Off-Street Event Parking for properties within one mile of the Daytona International Speedway Planned Development-General (DISPD-G) district boundary and add use specific standards to govern the new temporary use. She stated the purpose of the amendment request was to address a need for additional parking for race event patrons. Ms. Askew stated the Planning Board recommended approval by vote of 7-to-0. She stated the request went before the City Commission for 1st reading on April 6, 2022. The Commission voted to approve the request by vote of 7-to-0. When the request came before the City Commission at their April 20, 2022, meeting for 2nd reading, which would have been the public hearing, it was pulled from the agenda by staff to complete some additional research on the proposed temporary use. She stated staff met with DIS staff and surrounding property owners to get their input on the parking being provided by businesses in the area in relation

to DIS events. Ms. Askew stated the outcome of the discussions resulted in a staff determination that the best and most efficient process to allow the parking would be as accessory use. She stated staff came up with that determination because allowing it as a temporary use meant every applicant that applied for temporary event would have to come back and apply and pay all over again. She stated allowing the parking use as an accessory use on the property means the use would be approved as part of their licensed property and they would only be required to provide a site layout identifying the areas they will be utilizing for the parking during those events. Ms. Askew stated the Use Specific Standards will be amended to add Section 5.3.C.19 of the LDC and that the actual text amendment in its entirety was included as part of the packet. She stated the request is to allow off-street parking associated with racing and other mass-assembly events held within one mile of Daytona International Speedway Development Planned Development General (PD-G) district boundaries, to be allowed as an accessory use on any developed non-residential property. She stated that the mention of non-residential is because staff does not want this to start intruding into the residential neighborhoods. She stated staff included language that clarifies it cannot occur on any lot or site within 150 feet of the residential use and only permitted on parcels which regularly operate a permitted use year-round. She stated no overnight parking is allowed except during major event periods and other mass-assembly events. She stated each year the City Mayor does an approval of major city events and the Speedway has some other major mass-assembly events that is the only time these properties will be allowed to have these kind of accessory uses on them. She stated off-street event parking shall not be allowed in required landscape areas, on any property that has LDC violations or who is indebted to the City, or on any lot whose owner is indebted to the City, is such debt is in arrears, and any lot which has been adjudicated to be a public nuisance by the court of law. She stated that all of the parameters that staff looked at were to make sure that we were providing this accessory use in a manner that is going to be beneficial and not harmful to the city. She stated staff recommends approval of the proposed text amendment to amend Article 5, Section 5.3, Accessory Uses and Structures, of the Land Development Code (LDC), to add Off-Street Event Paid Parking as an accessory use for properties within one mile of the Daytona International Speedway (DIS) PD-G district boundary; and adding use specific standards to govern the new accessory use.

Board Comments

There were no comments

Citizen 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 6-to-0 with the breakdown as follows:

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

16. Nonresidential Canopy Development Standards – Land Development Code (LDC) Text Amendment DEV2022-142 (Legislative Hearing).

A request by the Development and Administrative Services Department, Planning Division, to amend Article 5, Section 5.3 Accessory Uses and Structures, of the Land Development Code (LDC), to modify the use specific standards for nonresidential canopies.

Staff Presentation

Rose Askew, Development Services Project Manager, presented the staff report which was included as part of the packet. She stated the review of the current development standards for nonresidential canopies revealed the current standards in Section 5.3.C.4 of the Land Development Code (LDC) required modifications to the existing minimum 14 feet height requirements for nonresidential canopies. She stated the standards were amended to increase the maximum height for gas station canopies from 14 feet to 24 feet and removed the limitation of 500 square foot maximum area permitted in 2020. She stated the amendment did not take into consideration nonresidential canopies for other uses that may not need a 14 feet high canopy for their use. She stated the result of the amendment caused a hardship for other uses that utilize canopies for things such as patron seating, covered storage, and open space areas. She stated staff is recommending to eliminate the hardship and provide improved regulations for nonresidential canopies that are incorporated as part of the overall design for nonresidential uses other than gas station canopies, staff is requesting the following modification to the current regulations such as taking out the height requirement so it will now read the canopy height shall be consistent with the overall projects design. Canopy height shall be based on building height and scale, roof design, and any other project design features deemed significant. She stated staff recommends approval of the proposed text amendment, to amend Article 5, Section 5.3 Accessory Uses and Structures, of the Land Development Code (LDC), to modify the use specific standards for nonresidential canopies.

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. Robinson seconded the motion in accordance with the staff report as presented. The motion passed 6-to-0 with the breakdown as follows:

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

17. Other Business

A. Downtown/Balough Road Redevelopment Area Board Report

Mr. Newman provided brief summary of historic overlay, historic grant funding, and Wine and Art Gallery on Beach Street elevator repair.

B. Midtown Redevelopment Area Board Report

There was no report

C. Beachside Redevelopment Area Board Report

Mr. Servance provided brief summary of signage approval for Crabby Joe.

D. Public Comments

Anne Ruby, 137 Park Avenue Daytona Beach, discussed issues and concerns regarding the areas surrounding Grandview between Harvey and ISB as well as the City granting Streamline a permit for sound amplification.

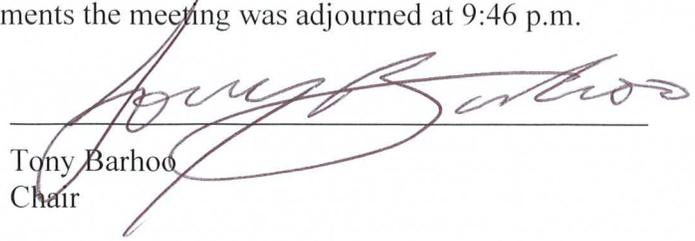
E. Staff Comments

There were no comments

F. Board Members Comments

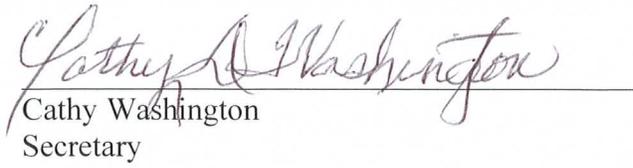
There were no comments

There being no further discussion or comments the meeting was adjourned at 9:46 p.m.



Tony Barhoo
Chair

ATTEST:



Cathy Washington
Secretary