

MINUTES

REGULAR MEETING – PLANNING BOARD

June 1, 2023

Minutes of the Regular Meeting of the Planning Board of The City of Daytona Beach, Florida, held on Thursday, June 1, 2023 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
Michael McLean (Vice Chair)	Present
Cathy Washington (Secretary)	Absent
James Newman	Present
Tony Servance	Zoom
Milverton Robinson	Present
Vernon Weatherholtz	Present

Also Present:

Kira Honse, Assistant City Attorney

Dennis Mrozek, Planning Director

Hannah Ward, Senior Planner

Paula Long, Planner

Rose Askew, Development Services Project Manager

Arthur Abrego, Planner

Vanessa Trimble, Planning Technician

Gina Fountain, Board Secretary

Ms. Honse advised the board that Mr. Servance wants to attend the meeting remotely, and in order for him to do that he needs to give a very brief explanation of what his special circumstances are and then the board needs to vote to determine whether to allow for Mr. Servance to attend the meeting remotely.

Mr. Servance advised that due to his medical condition he is unable to attend the meeting in person.

It was moved by Mr. Newman to allow Mr. Servance to attend the meeting remotely, seconded by Mr. McLean. The motion passed 5-to-0 with the breakdown as follows:

Tony Barhoo (Chair)	Yea
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

3. **Approval of Minutes**

Minutes of April 27,2023 Board Meeting held at City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida,

Board Action

It was moved by Mr. McLean to approve the minutes of April 27, 2023, seconded by Mr. Weatherholtz. The motion passed 6-to-0 with the breakdown as follows:

Tony Barhoo (Chair)	Yea
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

4. **Silver Beach Planned Development-Redevelopment (PD-RD) – Rezoning – DEV2022-155 (Quasi-Judicial Hearing)**

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of Daytona Atlantic Development LLC (property owner), to rezone 2.66± acres of land from Tourist Accommodations (T-1) to Planned Development-Redevelopment (PD-RD) to allow for a 27 story condo-hotel with the potential for a restaurant and/or bar/lounge use (open to the public).

Staff Presentation

Hannah Ward, Senior Planner, presented the staff report which was included as part of the packet. The site is generally located in the southeast corner of Silver Beach Avenue (CR-4050) and South Atlantic Avenue (SR-A1A), at 1201 S. Atlantic Ave. The site is currently vacant and cleared and was previously developed with a hotel. The Future Land Use is Tourist Accommodations and the zoning on the property is currently Tourist Accommodation (T-1) and the applicant is proposing to rezoning the property to Planned Development-Redevelopment Development (PD-RD) zoning designation. The applicant proposals of a Condo Hotel use, which means that will be a condominium form of ownership in which individual units may be owned by separate entities and maintain full kitchens. They would be managed in common as one but they would be managed in common and one (1) functional tourist accommodations use like a hotel and no permanent residential use permitted on the property. The applicant proposes approximately 300 units within the structure, which is proposed at a maximum height of 350 feet and has the potential to include a restaurant and/or bar/lounge use that will be open to the public within the main structure. The building footprint, which includes structure parking within the principal structure. There are two main access points to the site, one primary access point that are utilized to access to structured parking. Then there is one secondary access point that is primarily for loading operations. The applicant has requested to allow the restaurants and bars to be advertised on hotel signage, so that they can be opened to the public. The applicant has requested the maximum Gross Floor Area (GFA) permitted by the Land Development Code (LDC) for accessory use. This would be associated with hotels with greater than 100 rooms from 6 square feet per hotel

unit to 15 square feet per hotel unit or approximately 20% maximum of the building GFA. Although the site is not required to comply with the Design Standards for Major City Thoroughfares due to its location in the redevelopment area, the applicant has proposed to comply with both the T-1 Site Design and Architecture Standards for Oceanfront Hotel Developments as well as the City Exterior Color and Design Standards for Major City Thoroughfares that applies to all structures outside of the redevelopment areas along Atlantic Avenue. The applicant has proposed to upgrade some of the landscaping on site, above and beyond the LDC requirement. The Silver Beach Avenue required landscape strip, the LDC would require an 8 foot strip to be provided. The applicant is proposing a minimum 3 foot at this location with a maximum 40 foot average of green space and they would be increasing their required shade trees at that location from 5 shade trees per 100 linear feet to 10 shade trees per 100 linear feet. That would also allow for 2 palms to be substituted for 1 shade tree, which is currently permitted by the LDC. On the southside of the project, the applicant is requesting a minimum 3 foot perimeter landscape strip with an average depth of 20 feet and they would be performing 5 shade trees per a 100 linear feet, which is compliant with the LDC and the minimum required landscape strip at this location is 3 feet. On the east side of the property, the LDC require the 10 foot strip, which is being provided. The LDC would only require 1 shade tree for 40 linear feet and 1 small tree per 80 linear feet. The applicant has proposed to upgrade the landscaping at this location to 5 shade trees per 100 linear feet. On the west side or A1A Frontages, the LDC required landscape strip is 8 feet and the applicant proposed minimum 20 foot landscape strip with 10 shade trees per 100 linear feet, which double the requirement of 5 shade trees per 100 linear feet. The LDC does allow for 100% substitution of palms for shade trees on the beach side at a rate of 2 palms for every one shade tree due to the salt spray. The applicant requested to waive the requirement for tree canopy coverage of 15% due to the anticipation of utilization of palms to cover the site, which have a little bit of a different crown spread than typical shade trees. The parking, it has been calculated for the hotel as well as the accessory usage as if they were principal usage. That would include parking to accommodate the bar, the restaurant, and the motel. The applicant would build the valet only parking and it would be structured within the structure and it would be disguised within the design of the structure. Then due to the design of the structure, parking, the opportunities requested to reduce and then required stacking lane distance for the parking lot entrance from a 100 feet to 50 feet. That takes into consideration into the approach up to the 1st level of parking. The LDC has a stagger setback requirement for the sides of the property and that increase based on the length of the structure. The minimum required is 15 feet plus 6 inches per foot of height greater than 55 feet. That would equate to approximately 162.5 foot setback requirement for the north and south sides of the property. The applicant has requested to reduce this requirement to 20 feet for the south and 40 feet for the north side to accommodate the applicable structure. The applicant has proposed to be LDC compliant and that includes the option of either a wall sign or monument sign. This project was prior to being heard by the Planning Board was heard at the May 10, 2023 Beachside Redevelopment Board meeting. The board recommended approval 5-to-1 with the following conditions: An environmental study shall be completed addressing potential impacts of the development from hurricane winds, shade, beach erosion & the proposed sea wall, the board also recommended that the maximum height be reduced to 295 feet and a bond shall be obtained to ensure the project is completed. Provided all LDC modifications are accepted, Staff recommends approval to rezone 2.66± acres from T-1 to PD-RD to allow for a 27-story condo-hotel with the potential for a restaurant & bar/lounge uses. The item is tentatively scheduled to be heard by the City Commission for 1st reading on June 21, 2023 and 2nd reading (public hearing) on July 5, 2023.

Applicant Presentation

Robert A. Merrill III, Esq., Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, stated that Ms. Ward gave them both a written and verbal presentation that he hope they are looking at both in terms of compliance with their criteria for the decision tonight most important, which is comprehensive plan consistency. He hopes that they have looked at the redevelopment plan in this area because this project speaks to that and it is entirely responsive to what they have been looking for in the redevelopment area for a long time. Briefly discussed the other hotels in the area that is similar to this project. He requested more time at the back end to address any citizen comments or complaints. Mr. Bahoo agreed to his request.

Board members questions and concerns were answered by Ms. Ward, Mr. Mrozek, Mr. Merrell, and Ms. Honse.

Joe Hopkins, Civil Engineer, 100 Marina Point Drive, Daytona Beach, addressed the questions regarding the sidewalks, wind effects, the erosion, timeline, and seawall construction.

Board Comments

Board members expressed their concerns regarding the height, requested waivers, and the environment impact this project with have on the beach.

Citizens Comments

Kimberly Hoffpauir, 508 Ribault Avenue, Daytona Beach, discussed her reasons for being against this project.

Teri Piers, 5035th Avenue, Daytona Beach, read a statement from Anne Ruby for being against this project.

Denise Dabasto, 611 Braddock Avenue, Daytona Beach, read a statement from Anne Ruby for being against this project.

Marti Sonolinski, 318 Phoenix Avenue, Daytona Beach, read a statement from Anne Ruby for being against this project.

Rich Yost, 344 Hartford Avenue, Daytona Beach, discussed his reasons for being against this project, what appears to be a difference in the zoning map, and the sections in the LDC.

Mr. Mrozek explained that the staff report being seen is the exact same report that is in the boards packet and there has been no changes. He addressed the sections in the LDC mentioned by Mr. Yost.

Gus Colarusso, 344 Hartford Avenue, Daytona Beach, discussed his reasons for being against this project.

Amy Pyle, 136 S. Grandview Avenue, Daytona Beach, discussed her reasons for objecting to this project as a citizen and Beachside Redevelopment Board member.

Sandy Murphy, 136 Park Avenue, Daytona Beach, discussed her reasons for being against this project.

Paul Zimmerman, 356 Woodland Avenue, Daytona Beach, discussed his reasons for being against this project.

Wendy Anderson, 505 E. Victoria Trails Blvd., Deland, Florida 32724, read a statement from Suzanne Schneider, 548 Sandy Oaks Blvd., Ormond Beach regarding her reasons for being against this project. Then she voiced her reasoning for being against this project.

Theresa Quattrocchi, 330 Sears Avenue, Daytona Beach, discussed her reasons for being against this project.

Kathy Walker, 350 Phoenix Avenue, Daytona Beach, discussed her reasons for being against this project.

Catherine Pante, 338 Brookline Avenue, Daytona Beach, discussed her reasons for being against this project.

Holly Beckwith, 1223 Ruger Place, Daytona Beach, discussed her reasons for being against this project.

Janet Meredith, 1600 Big Tree Road, Unit R4, Daytona Beach, discussed her reasons for being against this project.

Michael Arin, 2665 N. Atlantic Avenue, Daytona Beach, discussed his reasons for being against this project.

Sally L. Jess, 524 S. Beach Street, Apt #312, Daytona Beach, discussed her reasons for being against this project.

Jenny Nazak, 501 Harvey Avenue, Daytona Beach, discussed her reasons for being against this project.

Mr. Merrell addressed all the questions and concerns presented by the citizens with the assistance of Jessica Gow, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach.

Mr. Merrell stated after speaking with his client they are requested for a continuance of this items for two months to address some of the residents questions and concerns.

Board Action

It was moved by Mr. Robinson for a two month continuance on this item until July 27, 2023 . Mr. McLean seconded the motion per the applicant request. The motion passed 4-to-2 with the breakdown as follows:

Tony Barhoo (Chair)	Yea
Michael McLean (Vice Chair)	Yea
James Newman	Nay
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Nay

5. **Hallmark Heritage – Major Subdivision Preliminary Plat – DEV2022-106 (Quasi-Judicial Hearing)**

A request by Michelle Widick, P.E., Zev Cohen & Associates, Inc. on behalf of Charles Thompson, of Evergreen on Williamson, LLC & Gregory Wyka, of North Williamson Partners, LLC (property owners), to approve a preliminary plat for one multifamily parcel, two outparcels and stormwater tracts on 52.7± acres of land.

Staff Presentation

Paula Long, Planner, presented the staff report which was included as part of the packet. The property is vacant and undeveloped. This property is located east of Advent Health Complex, west of Williamson Boulevard and north of Strickland Ridge Road. It is zoned Planned Development-General (PD-G) and the Future Land Use (FLU) for the property is Mixed Use (MU), surrounded by the same with a portion to the east being majority Office Transition (OT). The Preliminary Plat Map was included as part of the packet. The proposed Major Preliminary Plat development is consistent with all lot dimensions in Article 7 of the LDC subject to the Hallmark Heritage Planned District Agreement. Approval of this Preliminary Plat will allow the applicant to move forward with the Final Plat approval process. Staff recommends approval of the Major Subdivision Preliminary Plat for the Hallmark Heritage Planned District allowing one multifamily parcel, two outparcels and stormwater tracts on 52.7± acres of land.

Board members questions and concerns regarding the process of the Preliminary Plat answered by Mr. Mrozek.

Applicant Presentation

Joey Posey, Attorney, 420 S. Nova Road, Daytona Beach, stated that he know it does seem a little frustrating but the process is the process. He stated that they usually go through a PD process, which they represent their uses, intensities, densities, and this is the development plan. Many times, they do include a Preliminary Plat with their PD but this one just so happened not too. That Preliminary Plat is simply stating these are the lines and a piece of paper that he like these shapes and the parcels and

there is no approval beyond that. This is nothing more than saying that the shape of these parcels is consistent with the LDC, there will be a site plan and final preliminary plat presented at a later date.

Board Comments

There were further comments

Citizen Comments

There were no comments

Board Action

It was moved by Mr. McLean to approve the request for staff recommendations. Mr. Weatherholtz 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
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

6. Project Oasis Phase 1 – Major Subdivision Preliminary Plat – DEV2022-195 (Quasi-Judicial Hearing)

A request by Steven R. Buswell, PE. R.L.A of Parker Mynchenberg & Associates on behalf of Jeff Feasel, President and CEO of Halifax Hospital Medical Center (HHMC-property owner), to approve a preliminary plat for the development of a 5-lot subdivision with a public right-of-way extension for property between Clyde Morris Blvd., Williamson Blvd., and south of LPGA Blvd. on a total of 184± acres of land.

Staff Presentation

Paula Long, Planner, presented the staff report which was included as part of the packet. The property is generally located north of Mason Avenue, south of LPGA Boulevard, east of Williamson Boulevard, and west of Clyde Morris Boulevard. The property is vacant and undeveloped at this time. The Future Land Use (FLU) for this development is majority Mixed Use (MU) and a small portion on the south east corner of the development that actually is General Industrial (GI) to the southeast. It is zoned Planned Development-General (PD-G) surrounded by the same with the exception of a piece to the south, which is actually also (GI). The full four pages of the Preliminary Plat Map are included in the packet in their staff report; however here you only see page 1. The proposed Major Preliminary Plat is consistent with all lot dimensions, access, and infrastructure requirements outlined in Article 7 of the LDC subject to the Project Oasis Planned District Agreement. Approval of the Major Preliminary Plat will allow the applicant to move forward with the Final Plat approval process. Staff recommends approval of the Major Subdivision Preliminary Plat for the Project Oasis Planned District allowing

the development of a 5-lot subdivision with a public right-of-way extension for property between Clyde Morris Blvd., Williamson Blvd., and south of LPGA Blvd. on a total of 184± acres of land.

Applicant Presentation

Jessica Gow, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, provided a brief overview of the project details.

Board members questions and concerns were addressed by Ms. Gow.

Board Comments

There were no further comments

Citizen Comments

There were no citizen comments

Board Action

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

Tony Barhoo (Chair)	Yea
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

7. **Sungate Logistics Park Phase 1 & 2 – Major Subdivision Preliminary Plat – DEV2022-145 (Quasi-Judicial Hearing)**

A request by Parker Mynchenberg, P.E., R.L.A. for Parker Mynchenberg & Associates Inc. on behalf of James S. Nix of TLO 12 Sungate, LLC, (property owner), to approve a preliminary plat for the development of 13 lots consisting of Phase 1 being 8 lots and Phase 2 being 5 lots on a total of 859± acres of land.

Staff Presentation

Paula Long, Planner, presented the staff report which was included as part of the packet. The property is generally located east of Indian Lake Road, west of LPGA with majority of the site north of Old Deland Road and a very small portion between Old Deland Road and West International Speedway Boulevard. The property is vacant and undeveloped with a nice bit of stormwater runoff retention already there on the site, however, there will be other things required at the site plan process. The current Future Land Use (FLU) is General Industrial (GI) and it is surrounded by conservation or a

good part east and north of the property. There are portions to the west that encompass mainly property that is under county unincorporated Daytona Beach, which of course is still Volusia County, it is just their service area, which is why it is listed that way. There is a low intensity urban land uses to the south is also some unincorporated Daytona Beach property and the small portion of Mixed Use (MU) land uses. Property is zoned as Planned Development-General (PD-G) surrounded by property to the north and east with a portion to the west being Volusia County unincorporated Daytona Beach and heavy industrial zones. The balance to the south is actually unincorporated Daytona Beach as well. The Preliminary Plat Maps for Phase 1 & Phase 2 can be found in the packet of the staff report. The proposed Major Preliminary Plat is consistent with all lot dimensions, access, and infrastructure requirements outlined in Article 7 of the LDC subject to the Sungate Logistics Park Planned District Agreement. Approval of the Major Preliminary Plat will allow the applicant to move forward with the Final Plat approval process. Staff recommends approval of the Major Subdivision Preliminary Plat for the Sungate Logistics Park Planned District allowing the development of 13 lots consisting of Phase 1 being 8 lots and Phase 2 being 5 lots on a total of 859± acres of land.

Applicant

Robert Merrell, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, provided a brief overview of the project details and read some quotes by GII consultants. Also, stated that Parker Mynchenberg, Engineer, on the project is there to answer any questions.

Board members questions and concerns were addressed by Mr. Merrell.

Parker Mynchenberg, Engineer, 1729 Ridgewood Avenue, Daytona Beach, provided a brief overview of the details of putting a Preliminary Plat together per Mr. Mrozek request.

Board Comments

There were no further comments

Citizen Comments

There were no citizen comments

Board Action

It was moved by Mr. McLean to approve the request for staff recommendations. Mr. Weatherholtz 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
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servane	Yea

Milverton Robinson	Yea
Vernon Weatherholtz	Yea

8. JLM Cottages at Strickland – Site Plan – DEV2022-148 (Quasi-Judicial Hearing)

A request by Steve Buswell, P.E., Parker Mynchenberg & Associates, on behalf of JLM Living Daytona, LLC (property owner), to approve a Major Site Plan to develop 266 for-rent attached and detached multifamily units with a 3,779± sf clubhouse and associated site improvements on 37.1± acres of land.

Staff Presentation

Hannah Ward, Senior Planner, presented the staff report which was included as part of the packet. The site is located at the southeast corner of Strickland Range Road and Williamson Boulevard intersection. The site is currently vacant and undeveloped. The Future Land Use (FLU) on the property is Mixed Use (MU) and the current zoning is Planned Development-General. The City Commission approved the Project Theta PD to allow for the development of residential, commercial, and institutional uses, including compensatory storage on 37.1± acres of property in 2021. The City Commission approved the 1st Amendment to the Project Theta PD to allow single family landscaping for multifamily uses with cottage-style residential products in 2022. The project is 266 of the 519 units permitted by the PD. It includes 367,326± of Gross Floor Area (GFA) exceeding the 20,000 square foot of GFA required and necessary for the Planning Board approval. The site plan includes the 3,779 ± square foot clubhouse and is designed as a detached and attached cottage multifamily community. There are two access points for the one along Strickland Range Road and one along Williamson Boulevard. There is a tree preservation area to towards the rear of the site and they are required to comply with Williamson Boulevard Scenic Thoroughfare Overlay District landscape requirements, which require 50 foot landscape yard. The proposed architectural elevations show a mix of styles of products including cottages with garages and without garages, attached cottages and detached cottages. There is sixteen pages of architectural elevations in the staff report. The applicant is proposing 538 parking spaces a little over the two parking spaces per dwelling unit requirement of 532 parking spaces. They are compliant with the Williamson Boulevard Scenic Thoroughfare District Landscaping requirements and they are proposing to build two (2) 32 square foot monument signs that is incorporated into a landscape feature at both entrances to the property. Prior to the site plan approval, the Proportionate Fair Share (PFS) agreement for traffic impacts will need to be approved and payment of the identified PFS amount will need to be made. Although it was not addressed in the staff report, there are also outstanding utilities comments that will need to be addressed prior to the issuing of the site plan approval letter for the project. Provided all traffic and utility conditions are met, staff recommends approval of the JLM Cottages Major Site Plan for the construction of 266 unit for-rent attached and detached multi-family complex and all associated site improvements.

Board members questions and concerns addressed by Ms. Ward.

Applicant Presentation

Jessica Gow, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, provided a brief overview of the project and details. Also, discussed the Volusia County Association of Responsible Development

from the property appraiser about values and apartment rates and rental rates during a recent presentation.

Board members questions and concerns were addressed by Ms. Gow

Board Comments

There were no further comments

Citizens Comments

There were no citizens comments

Board Actions

It was moved by Mr. McLean to approve the request for staff recommendations provided all traffic and utilities requirements are met. Mr. Weatherholtz 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
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

9. Tomoka Village South Lot 1 – Site Plan – DEV2022-039 (Quasi-Judicial Hearing)

A request by Steve Buswell, P.E., Parker Mynchenberg & Associates, Inc., on behalf of CRE-GS Tomoka Village South JV LLC (property owner), to approve a Major Site Plan for the construction of a 360-unit multi-family complex and all associated site improvements, on 28.95± acres of property.

Staff Presentation

Hannah Ward, Senior Planner, presented the staff report which was included as part of the packet. The property is generally located in the northwest quadrant of the Clyde Morris Blvd. and LPGA Blvd. intersection. The site is vacant and undeveloped and the Future Land Use on the property is Mixed Use and the zoning on the property is Planned Development-General (PD-G). The City Commission approved the Project Sigma PD authorizing the development of residential, Commercial, institutional & light industrial uses, including compensatory storage, on 118± acres in 2021. The Planning Board recommended approval of the Tomoka Village South pre-plat for a mixed-use subdivision, including 2 MFR parcels, 6 commercial outparcels, and 1 parcel for drainage, utilities, and conservation in 2022. The item is scheduled to be heard with the final plat for final approval by the City Commission on 6/7/23. This project consist of 360 of 700 total residential units permitted by Tomoka Village South PD, The Gross Floor Area (GFA) totals 431,078±, requiring Planning Board approval of site plan. The project contains twelve (12) multi-family buildings at approximately

35,269± square feet, five (5) garage buildings at approximately 7,599 square feet and one (1) clubhouse at approximately 6,984± square feet. There is two main access points and a roundabout that is proposed as part of the subdivision. Two of the access points will lead out to the subdivision towards LPGABld., then there is another access point at the roundabout that goes towards lot 2. The proposed architectural elevations to the site would include the buildings, club, and garages. The site proposes 751 total parking spaces where the LDC require 720 parking spaces. There is one corner of the site that touches Clyde Morris Blvd. and they are required to comply with the Scenic Throughfare Overlay District Landscape requirement. They are proposing one (1) 62 foot monument sign incorporated into a landscape entrance feature toward the front of the project. Prior to the site plan approval, the following conditions will need to be met; Approval of the preliminary & final plats by City Commission, which is scheduled to be heard on 6/7/23, Final plat recorded will need to reflect the parcel ID number for the subdivision, the infrastructure to split that subdivision will need to be bonded or place in a manner satisfactory to City staff and the Proportionate Fair Share agreement related to traffic impacts will need to be approved and payment of that Proportionate Fair Share will need to be made. Provided all subdivision and traffic conditions are met, staff recommends approval of the Major Site Plan to allow for 360-unit multifamily complex on Lot1 of the Tomoka Village South subdivision.

Applicant

Jessica Gow, Cobb Cole, 149 S. Ridgewood Avenue, provided an overview of the project details. She stated the project will be heard by Volusia County Council on June 20th for approval. She stated only Lot 1 & Lot 2 Proportionate Fair Share has to be paid at this point but the developer has elected voluntarily to pay the entire Proportionate Fair Share liability for multi-family and the future commercial all at once because they know once the money is in the County's hands they can do road improvements sooner and the money is nonrefundable.

Board Comments

There were no further comments

Citizens Comments

There were no citizens comments

Board Actions

It was moved by Mr. McLean to approve the request for staff recommendations provided all project conditions and traffic impact fees are met. Mr. Weatherholtz 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
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea

10. Tomoka Village South Lot 2 – Site Plan – DEV2022-040 (Quasi-Judicial Hearing)

A request by Parker Mynchenberg, P.E., Parker Mynchenberg & Associates, Inc., on behalf CRE-GS Tomoka Village South JV LLC (property owner), to approve a Major Site Plan to construct a 330-unit multifamily complex and all associated site improvements for 23.2± acres.

Staff Presentation

Hannah Ward, Senior Planner, presented the staff report which was included as part of the packet. The property is generally located in the northwest quadrant of the Clyde Morris Blvd. and LPGA Blvd. intersection. The site is vacant and undeveloped land. The Future Land Use (FLU) is Mixed Use (MU) and the site is currently zoned for Planned Development-General (PD-G) and is a part of the Project Sigma PD. The City Commission approved the Project Sigma PD authorizing the development of residential, commercial, institutional & light industrial uses, including compensatory storage, on 118± acres in 2021. The Planning Board recommended approval of the Tomoka Village South pre-plat for a mixed-use subdivision, including two (2) MFR parcels, six (6) commercial outparcels, and one (1) parcel for drainage, utilities, and conservation in 2022. The final plat and pre-plat will be heard at the same time by the City Commission at the June 7, 2023 meeting. This is a 330 of 700 total residential units permitted so when Lot 1 & Lot 2 are added there will only be ten (10) units remaining to be developed. The square footage on this project was 407,461± Gross Floor Area (GFA) and requires Planning Board approval of site plan. There is Eleven (11) multifamily buildings totaling 390, 364±, Five (5) garage buildings at 9,110± square foot and one (1) clubhouse at 6,864± square foot. This project includes 675 parking spaces a little bit over the requirement of 660 parking spaces. They have the 50 foot Scenic Thoroughfare Overlay District Landscaping yard along Clyde Morris Blvd. and two (2) 32 square foot monument sign at each of the entrances. Just as stated with the previous project (Item #9), the same conditions apply they will need the approval of the preliminary & final plats by the City Commission at the June 7, 2023 meeting. The Final plat will need to be recorded to the subdivision and they will need to update the tax parcel ID number for the project for Lot 2, the infrastructure to support this subdivision will be need to be bonded or constructed in a manner satisfactory to the City Staff, and approval of the Proportionate Fair Share (PFS) agreement & payment of PFS for traffic impacts will need to be made prior to the issuance of the site plan approval letter for the project. Provided all subdivision and traffic conditions are met, staff recommends approval of the Major Site Plan to allow for 360-unit multifamily complex on Lot 1 of the Tomoka Village South subdivision.

Ms. Ward and Mr. Newman discussed the strip along LPGA Blvd. that is undeveloped.

Applicant

Jessica Gow, 149 S. Ridgewood Avenue, stated she was there to answer any further questions from the board.

Board members had no questions for the applicant

Board Comments

There were no further comments

Citizens Comments

There were no citizens comments

Board Actions

It was moved by Mr. McLean to approve the request for staff recommendations provided all project conditions and traffic impact fees are met. 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 (Chair)	Yea
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

11. Hillpoint – Small-Scale Comprehensive Plan Amendment (SSCPA) – DEV2022-167 (Legislative Hearing).

A request by Jessica Gow, Cobb Cole Law Firm on behalf of Nick Everly. Hillpointe LLC, for approval of an SSCPA from Level 1 Residential (L1R) & Retail to Level 2 Residential (L2R).

Staff Presentation

Hannah Ward, Senior Planner, presented the staff report which was included as part of the packet. The site is split into two parcels and it is located on the north and south side of Big Tree Road. Parcel 1 is at the northwest intersection of Big Tree & Old Big Tree Road. Parcel 2 is at the southwest intersection of Big Tree Road and Nova Road. The site is vacant and undeveloped and current Future Land Use (FLU) is Level 1 Residential (L1R) and proposed FLU is Level 2 Residential (L2R), which is consistent with the surrounding area. The current zoning is Multifamily Residential-12 (MFR-12) and Business Retail 2 and the proposed zoning is Planned Development-General. Parcel 1 is 8.127± acres they are changing the land use from L1R to L2R that is the westerly piece. Parcel 2 is 12.701± acres, changing from Retail to L2R. The residential FLU permit maximum density of 20 dwelling units per acre, which represents an overall reduction in permitted density from the FLU from 508 dwelling units to 416 dwelling units. The traffic represents a net decrease in Average Daily Trips (ADT) of 836 trips and a net decrease in PM Peak Hour Trips of 54 trips. Water/sewage state that there is available capacity for the project and land use change. Staff finds the Small-Scale Comprehensive Plan Agreement (SSCPA) is consistent with the Comprehensive Plan and does not represent urban sprawl & the City has available capacity to serve the demand of available water &

sewer. As such, the proposed FLUM amendment from L1R & Retail to L2R appears to meet the Comprehensive Plan criteria for the proposed amendment. The item is tentatively scheduled to be heard by the City Commission for 1st reading on July 5, 2023, and 2nd reading on July 19, 2023.

Applicant Presentation

Jessica Gow, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, provided a brief overview of the development location and the connection between the City and the County with a mixture of single-family & multi-family residential and retail uses, neighborhood meeting regarding the traffic impact and transient activity.

Board members questions were addressed by Ms. Gow

David Evans, Evans Engineer, 719 Irma Avenue, Orlando, Florida 32803, addressed Mr. Weatherholtz question regarding the wetlands on the property and environmental study. There is approximately 1.9 acres of wetlands on the property and they are proposing to impact about .34 acres of that and keeping approximately 9 acres of wetlands on the property. It is on the southside and directly continuous to the retention pond and there has been an environmental study completed.

Board Comments

There were no further comments

Citizens Comments

There were no citizens comments

Board Actions

It was moved by Mr. McLean to approve the request for staff recommendations. Mr. Weatherholtz 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
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

12. **Hillpointe – Big Tree Road Apartments PD – Planned Development-General (PD-G) Rezoning – DEV2022-168 (Quasi-Judicial Hearing)**

A request by Jessica Gow, Esq., Cobb Cole, on behalf of Nick Everly, Hillpointe LLC, to rezone 20.8± acres of land from Business Retail (BR-2) and Multifamily Residential-12 (MFR-12) to Planned Development-General (PD-G), to allow for a 276-unit multifamily complex.

Staff Presentation

Hannah Ward, Senior Planner, presented the staff report which was included as part of the packet. The site is located on the north and south sides of Big Tree Road and it includes two parcels. One at the northwest intersection of Big Tree & Old Big Tree Road and the other southwest intersection of Big Tree & Nova Road. It is currently vacant and undeveloped. They are going from Level 1 Residential (L1R) & Retail to Level 2 Residential (L2R) for the Future Land Use (FLU). The zoning is from Multifamily Residential-12 (MFR-12) & Business Retail (BR 2) to Planned Development-General (PD-G). There are two access points for each project; one primary access point and then one emergency point for each portion of the site. They are requesting two historic trees as part of this application, that will be required to be heard by the City Commission for final approval. They have a requirement for the Scenic Thoroughfare District Landscape along Nova Road and it is a 25 foot requirement and the stormwater facilities amenities as well. The amenities will be on the south parcel. Parcel 1 is 8.127± acres and Parcel 2 is 12.701± acres. The maximum dwelling unit will be 20 dwelling unit per acres if the Small-Scale Comprehensive Plan Agreement is approved. They will be required to comply with the City Exterior Color & Design standards for Major City Thoroughfare. The maximum structure heights is 40 feet to accommodate architecture treatment. The comparable zoning district density, the maximum is 35 feet. The parking will average approximately 1.8 spaces per dwelling unit; there it would be a minimum of 1.8 per dwelling unit on each parcel, but they will average out to approximately 2 spaces per dwelling unit. It is a minor reduction from the minimum 2 spaces per dwelling unit. The City Commission will move to approve historic tree removal; one is 55 inch live oak and the other one 56 inch is located on the parcel 2. They are requesting to eliminate the required sidewalk along Old Big Tree Road and that is approximately 1300 feet, this was a result of some of the neighborhood meeting discussion meetings. They are proposing 4 monument signs, two for each side. The LDC typically maxes out the monument signs at 64 square feet for a combined area of two signs, they are proposing 64 square feet per sign for a total combined sign area of 256 square feet for all 4 signs. Provided all LDC modifications are accepted, Staff recommends approval to rezone 20.8± acres of land from BR-2 and MFR-12 to PD-G, to allow for a 276-unit multifamily complex. The item is tentatively scheduled to be heard by the City Commission for 1st reading on July 5, 2023, and for 2nd reading on July 19, 2023.

Board members and Mr. Mrozek discussed the locations of the sidewalks in the development.

Applicant Presentation

Jessica Gow, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, provided a brief overview of the development location and the connection between the City and the County with a mixture of single-family & multi-family residential and retail uses, neighborhood meeting regarding the traffic impact, transient activity, and location of sidewalks.

Board members questions were addressed by Ms. Gow

David Evans, Evans Engineer, 719 Irma Avenue, Orlando, Florida 32803, addressed Mr. Weatherholtz question regarding the wetlands on the property and environmental study. There is approximately 1.9 acres of wetlands on the property and they are proposing to impact about .34 acres of that and keeping approximately 9 acres of wetlands on the property. It is on the southside and directly continuous to the retention pond and there has been an environmental study completed.

Board Comments

There were no further comments

Citizens Comments

There were no citizens comments

Board Actions

It was moved by Mr. McLean to approve the request for staff recommendations provided all LDC modifications are accepted. Mr. Newman seconded the motion in accordance with the staff report as presented. The motion passed 6-to-0 with the breakdown as follows:

Tony Barhoo (Chair)	Yea
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

13. Volusia Square – Planned Development-General (PD-G) Rezoning – DEV2022-053 (Quasi-Judicial Hearing)

A request by Robert A. Merrill III, Esq., Cobb Cole, on behalf of Volusia Retail (S-AIK) LLC, to rezone 22.4± acres of land from Business Retail-2 (BR-2) to Planned Development-General (PD-G) to allow additional uses, upgrade landscaping, subdivide the property, and incorporate a uniform sign plan to support redevelopment of the Volusia Square shopping center.

Staff Presentation

Hannah Ward, Senior Planner, presented the staff report which was included as part of the packet. The site is located on the south side of West International Speedway Blvd. (ISB) on a portion of block bounded by Thames Road & South Williamson Blvd. The site is currently developed with the Volusia Square Shopping Center. The Future Land Use is retail and the current zoning is BR-2 and the proposed zoning is PD-G. The applicant is proposing to subdivide the property as part of this request, with no other changes to the buildings at this time. The plan does not include the Home Depot and K1 Speed Indoor Go Karts facility. There is 9 lots total proposed that would breakup some of the tenant spaces within the shopping center as well as some of the outparcels. They would be proposing that any new buildings would comply within the City of Exterior Color & Design Standards for Major City Thoroughfares. There is currently 1 application in process and it was for a location in the Old

Pier and they are proposing a drive thru location there for a Smoothie King. There is another application for another one of the tenant spaces. The landscaping they are proposing for a number of features that the existing conditions would remain. There is a landscaping plan included as part of the rezoning were any of the material existing that needs to be replaced, they will be replacing these materials. The existing conditions limit a lot of the compliance with the LDC such as; Building perimeter, Property perimeter, Tree preservation and the Williamson Scenic Thoroughfare Overlay Landscape, east of Westerly driveway between Home Depot & K1 Go Kart facility. East of that, they are requesting that all the materials are to remain and the exist material in the center as well. Where the material is dead they have the original landscape plan from when the shopping center was developed and they are proposing to rehab those landscaping material. To be enhanced some of the Vehicular Use Area (VUA) landscaping within the parking lot areas and then west of Westerly Driveway with there is a Williamson Scenic Thoroughfare Overlay District Landscape yard, it is required to be 50 feet and they only have a 14 feet minimum and an average of 20 feet. They are proposing to comply with the 25 foot landscape material for STO district at this location. The parking in the centers already developed with 4 parking spaces per 1000 square feet. They are anticipating that some additional restaurants maybe moving into this location to increase the viability of the center. The LDC requires that if they are exceeding a maximum Gross Floor Area (GFA) within a shopping center of 10%, they would need to calculate the parking for the restaurant separately from all other uses within the center. They are requesting to increase that amount to 20% of the shopping center. They are requesting to allow for compact spaces at 25% of total parking if they need to reconfigure some of the parking spaces for additional tenants. The minimum dimensions for those spaces would be 8.5 feet by 16 feet. They are requesting a uniform and very detailed sign program as part of this rezoning to help bring life back to the center. They are requesting 4 pole signs total; 1 existing that they are proposing to rehab, proposing to remove some signs and then they will add 3 signs. They are requesting to increase the maximum area, which is permitted by the BR-2 District from a 120 square feet per sign to 250 square feet per sign. The elevations are included in the staff packet, they will be keeping the maximum 35 feet and they are requesting that 1 of the 4 pole signs be an Electronic Message Center (EMC) sign that would be permitted to display colored graphics and static background images. They are requesting a total of 5 monument signs; 1 is existing at 10 feet 6 inches and they are requesting 4 more and they are removing a number of the older signs. The maximum height for the new signs would be 5 feet, which is less than the LDC 8 feet and thew maximum area is 30 square feet per sign where the LDC would permit up to 120 square feet. They are requesting wall signs up to 200 square feet and it would be based on 2 square feet per 1 linear foot of tenant footage. The LDC currently specifies this requirement is 2 square feet per 1 linear foot of lot footage and this does not contemplate how shopping centers are developed, it would be based on how much footage each individual tenant has within the center that would have been included in the outparcels. Provided all LDC modifications are accepted, staff recommends approval to rezone 22.4± acres of land from BR-2 to PD-G to allow additional uses, upgrade landscaping, subdivide the property, and incorporate a uniform sign plan to support redevelopment of the Volusia Square shopping center. The item is tentatively scheduled to be heard by the City Commission for 1st reading on July 5, 2023, and for 2nd reading on July 19, 2023.

Board members questions and concerns about the signage and parking was addressed by Mr. Merrell and Mr. Mrozek.

Applicant Presentation

Robert Merrell, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, provided a brief summary and history of the shopping center.

Board members questions and concerns were addressed by Mr. Merrell

Board Comments

There were no further comments

Citizen Comments

There were no citizens comments

Board Actions

It was moved by Mr. McLean to approve the request for staff recommendations provided all LDC modifications are accepted. Mr. Newman seconded the motion in accordance with the staff report as presented. The motion passed 6-to-0 with the breakdown as follows:

Tony Barhoo (Chair)	Yea
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

14. Williamson Hand Multifamily – Planned Development-General (PD-G) Rezoning – DEV2022-200 (Quasi-Judicial Hearing)

A request by Jessica Gow, Cobb Cole Law Firm, on behalf of TLO 6 Hand ALF, LLC/E., to rezone 34.9±acres of land from Multifamily Residential-12 (MFR-12), to Planned Development-General (PD-G), to allow for a 325-unit multifamily residential development with associated parking, landscaping, and infrastructure.

Staff Presentation

Rose Askew, Project Manager, presented the staff report which was included as part of the packet. The property is generally located in the northeast corner of the Williamson Boulevard and Hand Avenue intersection. The site is currently vacant and undeveloped. The Future Land Use (FLU) is Level 2 Residential (L2R) and current zoning is Multifamily Residential-12 (MFR-12) and proposed zoning is City of Daytona Beach Planned Development-General. The project is a 325 Multifamily Residential Development and they are actually only doing 9.5 dwelling units per acres but allowed up to 12 dwelling units per acres. There is an Amenity Center, 1 primary full access point and 1 secondary

emergency access point. The building design will comply with the LDC Exterior Color & Design Standards for Major City Thoroughfares. They are requesting the proposed connectivity for adjacent development to the south on the other side of Hand Avenue. They are asking for a modification to reduce the required parking from 2 spaces per unit to 1.75 spaces per unit and the reduction is allowed in the LDC, which the parking can be reduced by 20% to save specimen and historic trees or located within 1000 feet of a bus stop or transportation area. They are compliant with the Scenic Thoroughfare Overlay for landscaping and for regular landscaping. Signage will be compliant with the LDC. They are asking for modifications in Article 4, Section 4.2, for Building Height; they are asking to increase the maximum building height for multifamily development projects from thirty-five (35) to sixty (60) feet. The second modifications in Article 6, Section 6.2 Parking; they are requesting to reduce minimum off-street parking requirement for multifamily dwellings from two (2) spaces per dwelling unit to 1.75 spaces per dwelling unit, and to allow the use of tandem spaces within the development, so long as such spaces are dedicated to the same unit. Provided all LDC modifications are approved staff recommends approval to rezone 34.9± acres of land from Multifamily Residential-12 (MFR-12), to Planned Development-General (PD-G), to allow for development of a 325-unit multifamily residential development with associated parking, landscaping, and infrastructure. The item is tentatively scheduled to be heard by the City Commission for 1st reading on July 5, 2023, and second reading (public hearing) on July 19, 2023.

Applicant Presentation

Robert Merrell, Cobb Cole, 149 S. Ridgewood Avenue Daytona Beach, provided a brief overview of the project details.

Board members questions and concerns regarding the height and parking ere addressed by Mr. Merrell.

Board Comments

Citizen Comments

Board Actions

It was moved by Mr. McLean to approve the request for staff recommendations provided all LDC modifications are approved. 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 (Chair)	Yea
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

15. **Special Events – Land Development Code (LDC) Text Amendment DEV2022-144 (Legislative Hearing)**

A request by the Growth Management and Planning Department, to amend Article 5, Section 5.4.C, Temporary Use and Structures, of the Land Development Code (LDC), to modify current development standards for special events and Article 11, Section 11.5 to modify the definition for special events and add additional definitions.

Staff Presentation

Rose Askew, Project Manager, presented the staff report which was included as part of the packet. Staff has received an increase in requests to allow special events on commercial and undeveloped properties that currently do not meet the development standards in Section 5.4.C.4 (Special Events) of the LDC. The most common types of special event requests are art shows, grand openings, religious activities, fundraisers, and community events to increase awareness. In the Old LDC Regulations; any requested for outside activities for special events, which that term was not in the old LDC, it was called “Outside Activities” they were all required to be permitted uses in the zoning districts and had to be related to the principal use on the property. Any requests for outside activities that were not permitted in the zoning district were required to be processed through the Special Use Permit process which required City Commission approval. During the drafting process for the new LDC, staff became aware that trends in the types of outside activities on smaller properties for activities such as religious activities, fundraisers, and community events. Staff was directed to develop a process and criteria that would allow outside activities of this type on specific types of developments that could be approved by staff. Since the addition of Section 5.4.C.4 of the LDC, special events and outside activities have become common on a large variety of commercially developed and undeveloped properties. The events/outside activities range from small to medium in *scale (based on the property size and type of activities associated with the event)*, typically run between two-to-three days, and are proposed to be held on undeveloped lots. The current regulations for special events in Section 5.4.C.4 of the LDC authorizes city staff to approve special events on properties throughout the city that are in operation as a shopping center, public, semi-public, or institutional use subject to specific standards that require the event not to create any unreasonable risk of significant damage to the properties included as part of the event; disturbances, nuisances, or traffic issues and additional regulations on event size based on property, duration of the event and protections for events within residential zoning districts. To accommodate the request that are being receiving, staff is proposing to amend Article 5, Section 5.4 and Article 11, Section 11.5 of the LDC to provide regulations that would regulate these types of events. The proposed amendment to Article 5, Section 5.4.C.4 summarizes that an exemption would be added excluding requests to participate in Bike Week and Biketoberfest and requiring requests of these type be approved through the Bike Week/Biketoberfest Master Plan process, excluding any temporary use type specifically listed in the Temporary Use/Structure Tables contained in Section 5.4.B of this LDC, modify the standards to remove the restriction that only allows special events to be allowed on properties in use as shopping centers, public, semi-public, or institutional uses, add language that would allow the special events to be held on undeveloped properties and any developed nonresidential property in the City and modify existing and adding additional standards for event duration, safety, and waiver process. The amendment for Article 11.5 is to modify the definition of ‘special event’ for consistency with current practices. The reason for modifying that definition is because currently it is consistent with only allowing for those certain types of commercial

developments. The new definition that they will be providing will now be modified so that it will be consistent will allowing multiple types of commercial properties as well as undeveloped properties. In addition, for the new definitions is the term for Bike Week, Biketoberfest, and Major event period. None of those are terms that are currently in the LDC because all of those terms are associated within the Bike Week Master Plan that goes through a completely different process. Staff recommends approval of the proposed text amendment, to amend Article 5, Section 5.4.C, Temporary Use and Structures, of the LDC, to modify current development standards for special events and add additional definitions.

Board Comments

Board members questions and comments were addressed by Ms. Askew

Citizens Comments

Board Actions

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

Tony Barhoo (Chair)	Yea
Michael McLean (Vice Chair)	Yea
James Newman	Yea
Tony Servance	Yea
Milverton Robinson	Yea
Vernon Weatherholtz	Yea

16. Other Business

A. Downtown/Balough Road Redevelopment Area Board Report:

Mr. Newman discussed the topics of discussion during the meeting.

B. Midtown Redevelopment Area Board Report:

No report provided due to Ms. Washington absence.

C. Beachside Redevelopment Area Board Report:

Mr. Servance informed the board that there was a discussion regarding the Silver Beach Hotel project.

D. Public Comments:

There were no citizen comments

E. Staff Comments:

Mr. Mrozek provided a brief introduction of the new Planner- Arthur Abrego

Mr. Abrego provided a brief history of his personal and work experience.

F. Board Members Comments:

There were no further comments

There being no further discussion or comments the meeting was adjourned at 10:30 p.m.


Tony Barhoo, Chair

ATTEST:



Gina Fountain
Board Secretary