

MINUTES

REGULAR MEETING – PLANNING BOARD

December 21, 2023

Minutes of the Regular Meeting of the Planning Board for the City of Daytona Beach, Florida, held on Thursday, December 21, 2023, at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

1. **Call to Order**

Mr. Barhoo, Chair, called the meeting to order.

2. **Roll Call**

Board Members Present:

Tony Barhoo, Chair	Present
Michael McLean, Vice Chair	Present
James Newman	Present
Milverton Robinson	Present
Tony Servance	Absent
Cathy Washington	Present
Vernon Weatherholtz	Present

Also Present:

Dennis Mrozek, Planning Director
David Russell, Assistant City Attorney
Rose Askew, Project Manager
Doug Gutierrez, Principal Planner
Paula Long, Planner
Hannah Ward, Senior Planner
Arthur Abrego, Planner
Vanessa Trimble, Planning Technician
Luci Brito, Office Specialist

3. **Approval of the Minutes** - November 16, 2023

Approval of the Minutes of the November 16, 2023, Planning Board Meeting held at City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

A motion was made by Mr. McLean, seconded by Mr. Weatherholtz, to approve the minutes. The motion passed (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

4. **CONTINUED FROM THE NOVEMBER 16 PLANNING BOARD MEETING**

7th Amendment to Daytona Beach Kennel Club PD - DEV2023-006 (Quasi-Judicial Hearing)

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of Daytona Beach Kennel Club, INC (property owner), to amend the Daytona Beach Kennel Club Planned District (PD) Agreement to provide certain changes to the allowable temporary use within the property, to allow special events and outside field activities. The property is located at 960 S Williamson.

Staff Presentation:

Rose Askew, Project Manager, presented the staff report which was included as part of the packet.

The proposed Seventh Amendment to the D.B.K.C. PD is a two-part request. The first request is to allow an “Outdoor Event Center” as a principal use on the property. The use includes but is not limited to the allowance to host outdoor activities such as public gatherings, concerts, festivals, charitable events, outdoor product entertainment shows or sales, supplementary parking for offsite special events, and sidewalk sales. The amendment includes a requirement to notify the City at least 30 days prior to the event with specific requirements for what must be in the notification. Although the applicant is including a requirement to notify the city, the applicant is also requesting that the notification be provided as a courtesy. The city will have the authority to review the event request and make changes as needed for safety/life requirements.

Mr. McLean asked if the applicant agreed to staff recommendations.

Mr. Robinson asked if any other applicants had the same type of PD agreement with the city and what conditions are being approved. He also wanted to know if the applicant will comply with city requirements.

Ms. Askew stated the applicant would be able to answer those questions.

Ms. Askew also gave examples of the special events that the Kennel Club currently uses their event space for. Ms. Askew stated they would have to provide notice for a special event so that all city departments can confirm that the event meets all the city life/safety requirements.

Applicant Presentation:

Robert A. Merrell III, Esq., Cobb Cole and Jessica Gow, Esq. on behalf of Daytona Beach Kennel Club, INC (property owner), to amend the Daytona Beach Kennel Club.

Mr. Merrell stated all conditions were stated in the PD agreement. He explained most of Mr. Robinson’s questions would only be answered in the written PD agreement, which is different for every applicant.

Ms. Gow explained that the new special event approval would consist of an electronic submittal to the city. Ms. Gow gave a list of the types of events that would be allowed and explained several details such as parking type and numbers of spaces.

Mr. Merrell stated the applicant will be complying with any requests from the city departments.

Mr. Weatherholtz stated he had reservations about giving an approval that eliminates a mandatory procedure.

Mr. Merrell explained there is nothing new or different being added to this PD and approval would be streamlining the process in approving special events for this applicant.

Public Comments:

No public comments.

Board Action:

A motion was made by Mr. McLean, seconded by Mr. Newman, to approve the 7th Amendment to Daytona Beach Kennel Club PD - DEV2023-006 in accordance with the staff report as presented. The motion passed (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

New Items:

5. **REQUEST TO BE CONTINUED**

**LPGA Golf Villas Small Scale Comprehensive Plan – DEV2022-094
(Legislative Hearing)**

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of Jones Hill Golf LLC (property owner), to approve a Small-Scale Comprehensive Plan Amendment (SSCPA) for 38.5± acres of property, changing the future land use map designation from Golf (G) 23.3± acres, Office Transition (OT) 13.6± acres and Retail (R) 1.6± acres to Level 1 Residential (L1R). The Property is generally located southwest of the intersection of International Golf Drive and Champions Drive

Board Action:

A motion was made by Mr. McLean, seconded by Mr. Robinson, to approve LPGA Golf Villas Small Scale Comprehensive Plan – DEV2022-094 request to be continued. The motion carried (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

6. **REQUEST TO BE CONTINUED**

**LPGA Golf Villas Planned Development General (PD-G) Rezoning –
DEV2022-095 (Quasi-Judicial Hearing)**

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of Jones Hill Golf LLC (property owner), to rezone 39.4± acres of property from Single-Family Residential-5 (SFR-5) to Planned Development-General (PD-G), to allow for development of 144 single-family detached dwellings and all associated site improvements. The property is located in between International Golf Drive to the south and west and Champions Drive to the north and east; it is also bisected by a portion of the LPGA golf course.

Board Action:

A motion was made by Mr. McLean, seconded by Mr. Robinson, to approve LPGA Golf Villas Planned Development General (PD-G) Rezoning – DEV2022-095 request to be continued. The motion carried (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

7. **Entrada (PD-G) Rezoning – DEV2023-028 (Quasi-Judicial Hearing)**

A request by Jessica Gow, Esq., Cobb Cole, on behalf of Thoroughbred Classics, LLC (property owner), and Elevation Development LLC (developer), to rezone 120.9± acres of property from Single-Family Residential-5 (SFR-5) zoning to Planned Development – General (PD-G) zoning, to allow for a mixed-use development, including residential, commercial, and institutional uses. The property is generally located on the northeast corner of the intersection of LPGA Boulevard and International Speedway Boulevard.

Staff Presentation:

Hannah Ward, Senior Planner, presented the staff report which was included as part of the packet. The applicant requests to rezone 120.9± acres of property from Single-Family Residential-5 (SFR-5) zoning to Planned Development – General (PD-G) zoning, to allow for a mixed-use development, including residential, commercial, and institutional uses. Provided all LDC modifications are accepted, Staff recommends approval to rezone 120.9± acres of property from SFR-5 zoning to PD-G zoning, to allow for mixed-use development, including residential, commercial, and institutional uses.

Mr. Weatherholtz asked about wetlands requirements for the city.

Ms. Ward explained that once the developer submits their site plans that would be reviewed.

Mr. McLean stated this applicant had the most deviations he has seen since being on the board.

Mr. Robinson asked if access points are being reviewed at this point in the process.

Ms. Ward advised the applicant stated the access points are required to be LDC-compliant and would be identified with the development program later in the process.

Applicant Presentation:

Jessica Gow, Esq., Cobb Cole, on behalf of Thoroughbred Classics, LLC (property owner), and Elevation Development LLC (developer). A request to rezone 120.9± acres of property from Single-Family Residential-5 (SFR-5) zoning to Planned Development – General (PD-G) zoning, to allow for mixed-use development, including residential, commercial, and institutional uses. The property is generally located on the northeast corner of the intersection of LPGA Boulevard and International Speedway Boulevard.

Mr. Weatherholtz stated he did not believe 2200 homes would fit on that property which is the density allowed. He thinks the city will be “stuck” with this problem once the development is built.

Ms. Gow stated the plan is well under what the property can sustain.

Mr. McLean is happy that the development plans for a communication tower space. He stated he is having an issue with the applicant asking for setbacks on items that have not been decided upon. He used self-storage as an example.

Mr. Robinson stated that he believes this development will have an environmental impact on other parts of the city.

Mr. Barhoo stated he had a problem with all the requested modifications.

Mr. McLean asked if the applicant would put certain conditions in their application. And how would that be approved.

Mr. Russell advised the applicant would have to agree on any conditions of approval.

Mr. Mzorek stated the stormwater issue would not be dealt with until the plans go to engineering.

Public Comments:

Anne Ruby, 137 Park Avenue. Ms. Ruby is against this project.

Christopher Magnum, 1114 Pacific Dunes Court. Mr. Magnum is against this project.

Ms. Gow stated the applicant is planning on meeting all the rules and regulations posed by all the different governing entities for this project.

Board Action:

A motion was made by Mr. McLean, seconded by Mr. Newman, to approve Entrada (PD-G) Rezoning – DEV2023-028 with modifications.

Modifications are as follows, provided all LDC applications are accepted with the conditions of considering a telecommunications tower on the property, reexamine the lot size and setback for residential uses. Reexamining self-storage uses on the property and taking into consideration building decisions to create additional green space and reduce environmental impacts.

The motion carried (4-2) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	No
Cathy Washington	Yes
Vernon Weatherholtz	No

8. **ISB & Williamson Southeast Redevelopment (PD-G) Rezoning – DEV2023-076 (Quasi-Judicial Hearing)**

A request by Jessica Gow, Esq., Cobb Cole, on behalf of Lois Realty Corp (property owner), to rezone 2.1± acres of property located at 2375 West International Speedway Boulevard from the Delaware North Planned Commercial Development (PCD) to a new Planned Development (PD), to allow for the establishment of additional commercial uses within the existing structure on the property and to allow for future redevelopment of the property. The property is generally located in the southeast quadrant of the West International Speedway Boulevard and Williamson Blvd. intersection.

Staff Presentation:

Hannah Ward, Senior Planner, presented the staff report which was included as part of the packet. The applicant requests to rezone the 2.1± acre parcel located at 2375 W. International Speedway Blvd. from the Delaware North PD to a new PD to allow for additional commercial uses within the existing structure on the property and to allow for future redevelopment of the property. Staff recommends approval to a new PD to allow for additional commercial uses within the existing structure on the property and to allow for future redevelopment of the property.

Mr. Newman asked for clarification on the acceptable uses in the new PD.

Applicant Presentation:

Jessica Gow, Esq., Cobb Cole, on behalf of Lois Realty Corp (property owner), to rezone 2.1± acres of property located at 2375 West International Speedway

Boulevard from the Delaware North Planned Commercial Development (PCD) to a new Planned Development (PD), to allow for the establishment of additional commercial uses within the existing structure on the property and to allow for future redevelopment of the property.

Public Comments:

No public comments

Board Action:

A motion was made by Mr. McLean, seconded by Mr. Weatherholtz, to approve ISB & Williamson Southeast Redevelopment (PD-G) Rezoning – DEV2023-076 in accordance with the staff report as presented. The motion carried (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

9. **Lockhart Storage- Major Site Plan- DEV2022-211 (Quasi-Judicial Hearing)**

A request by Kevin Roberson, P.E., Kimley-Horn and Associates, Inc. on behalf of James Lockhart of HLSSIII DAYTONA LLC, Inc. (property owner), to approve a Major Site Plan to construct 760 units of self-storage use among 5 buildings on 104,523± square feet (sf) of land inclusive of associate site improvements totaling 10.71± acres of land.

Staff Presentation:

Paula Long, planner presented the staff report which was included as part of the packet. A request by Kevin Roberson, P.E., Kimley-Horn and Associates, Inc. on behalf of James Lockhart of HLSSIII DAYTONA LLC, Inc. (property owner), to approve a Major Site Plan to construct 760 units of self-storage use among 5 buildings on 104,523± square feet (sf) of land inclusive of associate site improvements totaling 10.71± acres of land. The applicant is requesting approval of a Major Site Plan to allow for the construction of 10.71± acres of land for the purpose of developing a self-storage facility. Provided all outstanding conditions are resolved, Staff recommends approval of the Lockhart Storage Site Plan to allow for the construction of 104,523± square feet (sf) of self-storage use inclusive of associate site improvements on 10.71± acres of land.

Mr. McLean asked if this project was accessible from L.P.G.A.

Ms. Long advised there is a private road that leads from the site to L.P.G.A.

Applicant Presentation:

Kevin Roberson P.E., Kimley-Horn and Associates, Inc. on behalf of James Lockhart of HLSSIII DAYTONA LLC, Inc. (property owner). Mr. Roberson stated all conditions will be met prior to final approval of this agreement.

Mr. McLean asked about the parking study and if there was any dialogue with the management of the facilities used for the study.

Mr. Roberson explained that the study was conducted on two facilities owned by Lockhart Storage.

Bryan Reynolds 1425 W. Cypress Creek Road, on behalf of the applicant James Lockhart. Mr. Reynolds stated the parking is more than adequate since these facilities are used for storage and most patrons park in front of their storage units and not in a traditional parking lot.

Public Comments:

Np public comments.

Board Action:

A motion was made by Mr. McLean, seconded by Ms. Washington, to approve Lockhart Storage- Major Site Plan- DEV2022-211 in accordance with the staff report as presented. The motion carried (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

10. **Echo Suites- Major Site Plan – DEV2023-053 (Quasi-Judicial Hearing)**

A request by Kelly Hyvonen, AICP, Land Development Strategies LLC, on behalf of NSB 103 Development LLC (property owner), to approve a Major Site Plan to construct a 51,400± square-foot (sf) hotel and all associate site improvements on 2.98± acres of land.

Staff Presentation:

Paula Long, Planner presented the staff report which was included as part of the packet. The applicant is requesting approval of a Major Site Plan to allow for the construction of a 51,400± sf hotel and all associated site improvements. Provided the Echo Suites PD is approved by the City Commission, and all outstanding conditions are resolved, Staff recommends approval of the Echo Suites Site Plan to allow for the construction of a 51,400± SF hotel and all associated site improvements on 2.98± acres of land.

Applicant Presentation:

Erin Trauger, Trauger Consulting Engineers 2210 Front Street, on behalf of the applicant. Ms. Trauger was present for any questions from staff.

Public Comments:

No public comments.

Board Action:

A motion was made by Mr. McLean, seconded by Mr. Newman, to approve Echo Suites- Major Site Plan – DEV2023-053 in accordance with the staff report as presented. The motion carried (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

11. **Mainstay Assisted Living Facility (ALF) – Major Site Plan – DEV2023-027 (Quasi-Judicial Hearing)**

A request by Chris Ossa, PE, Kimley-Horn & Associates, on behalf of Mainstay Health care-Daytona LLC (property owner), to rezone 1.8± acres of property, to develop a two-story, 34,575 square-foot (sf) ALF and associated site improvements. The property is located at 155 Yorktown Drive.

Staff Presentation:

Doug Gutierrez, Planning Manager presented the staff report which was included as part of the packet. The applicant is requesting approval of a Major Site Plan application to allow for the construction of a two-story, 34,575 square-foot (sf) 50-unit Assisted Living Facility (ALF) and associated site improvements.

Provided all conditions are met, Staff recommends approval of the Major Site Plan to allow for 50-unit two-story, 34,575 square-foot (sf) Assisted Living Facility (ALF) and associated site improvements located at 155 Yorktown Drive.

Mr. McLean asked if the concurrency certificate had been submitted.

Mr. Mzorek stated the concurrency certificate had been issued.

Applicant Presentation:

Kyle Cosby, Project Engineer Kimley-Horn & Associates, on behalf of Mainstay Health care-Daytona LLC (property owner), to rezone 1.8± acres of property, to develop a two-story, 34,575 square-foot (sf) ALF and associated site improvements. The property is located at 155 Yorktown Drive.

Mr. Cosby stated they are currently working with staff to address private road access and landscaping issues.

Mr. Robinson asked if there was another A.L.F. in the area owned by the applicant.

Mr. Cosby stated there was another A.L.F. to the east of the proposed site owned by the applicant.

Public Comments:

No public comments.

Board Action:

A motion was made by Ms. Washington, seconded by Mr. Newman, to approve Mainstay Assisted Living Facility- Major - Major Site Plan – DEV2023-027 in accordance with the staff report as presented. The motion carried (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

12. **Floor and Décor – Major Site Plan – DEV2023-083 (Quasi-Judicial Hearing)**

A request by Byron Reynolds, P.E., KCI Technologies, Inc., on behalf of Bucee’s LTD (property owner), to approve a Major Site Plan for Floor & Décor Outlets, Inc. to construct a 64,122-SF retail sales building within the Buc-ee’s PD on Lot 6

consisting of 6.8± acres of property. The property is currently vacant and undeveloped, and is located 2342 Gateway North Drive, west of the Bucee's Convenience Store/gas station

Staff Presentation:

Doug Gutierrez, Planning Manager, presented the staff report that was included as part of the packet. The Applicant proposes to construct a 64,122 square foot retail sales building with the required landscaping and parking. The proposed improvements will include an asphalt parking lot with drive aisles, concrete sidewalks, signage, trash enclosures, a loading dock, a customer loading pick-up area, landscaping, and underground stormwater infrastructure to convey stormwater drainage to the developed ponds adjacent to the property. Traffic circulation has been designed to make certain that safe and efficient circulation is maintained. Staff recommends approval of the site plan with stated conditions for Floor & Décor to construct a 64,122-SF retail sales building within the Buc-ee's PD Agreement on Lot 6 consisting of 6.8± acres of land.

Applicant Presentation:

Joey Posey, Attorney for the Developer, 420 South Nova Road. Mr. Posey was present for questions.

Mr. Robinson asked what was being built.

Byron Reynolds, P.E., KCI Technologies, Inc., stated it is Floor and Décor, a home flooring and furnishing retailer.

Public Comments:

No public comments.

Board Action:

A motion was made by Mr. McLean, seconded by Mr. Newman, to approve Floor and Décor – Major Site Plan – DEV2023-083 in accordance with the staff report as presented. The motion carried (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

13. **Live Local Act – Land Development Code Text Amendment - DEV2023-196 (Legislative Hearing)**

A request by the Growth Management and Planning Department to continue this item to the January 25th Planning Board Meeting.

Board Action:

A motion was made by Mr. McLean, seconded by Ms. Washington, to continue the Live Local Act – Land Development Code Text Amendment - DEV2023-196. The motion carried (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

14. **Other Business:**

a. Downtown/Balough Road Redevelopment Area Board Report:

Mr. Newman stated the meeting was centered on providing extra security to the Downtown/Redevelopment area.

b. Midtown Redevelopment Area Board Report

Ms. Washington the meeting centered around a Step Show which is possibly coming to the area.

c. Beachside Redevelopment Area Board Report

e. Affordable Housing Advisory Committee (AHAC) Report

Mr. McLean stated the meeting primarily addressed the Yearly Summary Report.

d. Public Comments

e. Staff Comments

Mr. Mzorek advised the Board Elections are being held at the next meeting.

f. Board Members Comments

Mr. Robinson asked for the delivery of the Planning Board Packet to be 10 days in advance. Mr. Robinson stated he could not fully digest the package in 4 or 5 days.

Adjournment

There being no further business, the meeting was adjourned at 8:47 PM.


Tony Barhoo, Chair


Luci Brito, Secretary