

MINUTES

REGULAR MEETING – PLANNING BOARD

January 25, 2024

Minutes of the Regular Meeting of the Planning Board for the City of Daytona Beach, Florida, held on Thursday, January 25, 2024, 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 (6:10)
Milverton Robinson	Present
Tony Servance	Present
Cathy Washington	Present
Vernon Weatherholtz	Present

Also Present:

Dennis Mrozek, Planning Director
David Russell, Assistant City Attorney
Doug Gutierrez, Principal Planner
Malisa McCreedy Senior Planner
Arthur Abrego, Planner
Vanessa Trimble, Planning Technician
Luci Brito, Office Specialist

3. **Approval of the Minutes -** December 21, 2023

Approval of the Minutes of the December 21, 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 (7-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes

James Newman	Yes
Milverton Robinson	Yes
Tony Servance	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

4. Bayshore – Tourist Accommodations (T-1) & Tourist/Office/Retail (T-4) Rezoning – DEV2023-011 (Quasi-Judicial Hearing)

A request by Glenn D. Storch, Esq., Storch Law Firm, on behalf of the property owner, John Ott, 801-905 S. Atlantic LP, to rezone 7.8± acres of a single parcel of land located west of Atlantic Ave. and approximately 750 feet north of Silver Beach Ave., from Planned Development-Redevelopment (PD-RD) to Tourist Accommodations (T-1), and four parcels totaling 1.1 ± acres of land on the west side of Atlantic Avenue from PD-RD to Tourist/Office/Retail (T-4). The properties are located on the east side of A 1 A (Parcel A - 530927020290) & on the west side of A1A (Parcel B - 530926020020, Parcel C - 530919000491, Parcel D - 530930000030, Parcel E -530930000030 and Parcel F - 530930000010). This property is in the South Atlantic Redevelopment Area.

Staff Presentation:

Dennis Mrozek, Planning Director. This is a request by Glenn D. Storch, Esq., Storch Law Firm, on behalf of the property owner, John Ott, 801-905 South Atlantic LP, to rezone 7.8± acres of a single parcel of land located east of Atlantic Avenue and approximately 750 feet north of Silver Beach Avenue, from Planned Development-Redevelopment (PD-RD) to Tourist Accommodations (T-1), and four parcels totaling 1.1± acres of land on the west side of Atlantic Avenue from PD-RD to Tourist/Office/Retail (T-4).

Beachside Redevelopment Board recommended approval of rezoning request 4-0. Staff supports the Beachside Redevelopment Boards recommendation for approval and recommends Planning Board approval of the request to rezone 7.8± acres of a single parcel of land located east of Atlantic Avenue from PD-RD to T-1, and four parcels totaling 1.1± acres of land on the west side of Atlantic Avenue from PD-RD to T-4.

Mr. Robinson asked how close this project is to the Silver Beach project.

Mr. Mrozek stated this property is approximately 750 feet north of Silver Beach Avenue, and the Silver Beach Project is just south of Silver Beach Avenue on the beach side.

Mr. Robinson asked if this was a prelude to another controversial property on the beach side in that area.

Mr. Mrozek stated there is a possibility but with the straight zoning the developers would have to meet all the code requirements as set forth by the Land Development Code.

Mr. Robinson asked if the T-1 and T-4 zoning allows for hotel use.

Mr. Mrozek stated that the T-1 and T-4 zoning encourages that type of use, but they would still have to comply with all the requirements of the Land Development Code including setbacks.

Mr. Robinson asked if there was a possibility that the city would be dealing with two hotel-type projects within a short distance from each other.

Mr. Mrozek said yes that is a possibility.

Mr. Robinson stated the city should expect a lot of discussion from the neighborhood.

Mr. Mrozek stated there was a neighborhood meeting on this, and all the information is in the packet. He stated there didn't appear to be a lot of resistance at the neighborhood meeting.

Mr. Robinson stated he was curious why the Silver Beach project generated a lot of discussion, but this project did not.

Applicant Presentation:

Glenn D. Storch, Esq., Storch Law Firm, on behalf of the property owner, John Ott, 801-905 South Atlantic LP. Mr. Storch stated the property owner has no plan to develop the property. The applicant is requesting this rezoning because as of right now the PD is expired and to do anything with the property it has to be titled, but as of right now the owner has no plans on what the future development will be.

Mr. McLean wanted to know how long the applicant had been in the area and were there any projects he was involved in.

John Ott, Bayshore Capital. 801-905 South Atlantic LP. Mr. Ott has been with Bayshore Capital for 9 years but has been in development for 40 years, he was also involved in the development of the Daytona Max in Daytona Beach Shores.

Mr. Mclean asked if there are no plans why ask for a rezoning of the property. He also asked if the property was being sold.

Mr. Ott stated that when the PD expired the property then had no entitlements and nothing could be done with it. So, this was more of an administrative process so something could be done with the property.

A motion was made by Mr. McLean to approve the Bayshore – Tourist Accommodations (T-1) & Tourist/Office/Retail (T-4) Rezoning – DEV2023-011. The motion was seconded by Mr. Weatherholtz. The motion passed (7-0) with the breakdown as follows:

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

5. **North Clyde Morris – Business Professional (BP) Rezoning – DEV2023-401 (Quasi-Judicial Hearing) 600**

A request by A. Joseph Posey, Storch Law Firm, on behalf of Norman & Valerie Hoffman (property owners), to rezone 0.39± acres of property from Residential Professional (RP) to Business Professional (BP), to allow for medical office use. The property is located at 600 North Clyde Morris Boulevard.

Staff Presentation:

Malisa McCreedy, Senior Planner. A request by A. Joseph Posey, Esq., Storch Law Firm, on behalf of the property owners, Norman, and Valerie Hoffman, to rezone 0.39± acre of land located on North Clyde Morris Boulevard, from Residential Professional (RP) to Business Professional (BP), to allow for a medical office use.

Mr. Robinson asked if there was a buffer between the project and the residences on Florida Street.

Mr. Mrozek stated since this is a straight rezoning, no additional buffer is required. The developer is planning to put a medical office on this site.

Applicant Presentation:

Glenn D. Storch, Esq., Storch Law Firm, on behalf of Norman & Valerie Hoffman (property owners). Mr. Storch stated the area is perfect for a medical office. It is currently an office but due to the use of a medical office it must be rezoned.

Mr. McLean wanted to know about the property owners.

Ms. McCreedy stated the property owners are from the Ormond Beach area.

A motion was made by Mr. McLean to approve 600 North Clyde Morris Boulevard, from Residential Professional (RP) to Business Professional (BP) Rezoning – DEV2023-40.

The motion was seconded by Ms. Washington. The motion passed (7-0) with the breakdown as follows:

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

6. **West Mason Commercial Park – Planned Development-General (PD-G) Rezoning DEV2022-158 (Quasi-Judicial Hearing)**

A request by Joseph Hopkins, The Performance Group, on behalf of West Mason Commercial Park Condominium Association, Thoroughbred Classics LLC, and New World Professional Investments LLC (property owners), to rezone 3.9± acres of property from the General Industrial (M-3) zoning district to a Planned Development General (PD-G) zoning district, to allow for expansion of the existing development, allow additional permitted uses, and upgrade nonconforming site features within the property. The property is generally located on the north side of Mason Avenue, approximately 1500' west of the intersection of Clyde Morris Boulevard/SR-483 and Mason Ave./CR-430, at 1640 Mason Ave.

Staff Presentation:

Doug Gutierrez, Planning Manager. A request by Joseph Hopkins, The Performance Group, on behalf of West Mason Commercial Park Condominium Association, Thoroughbred Classics LLC, and New World Professional Investments LLC (property owners), to rezone 3.9± acres of property from the General Industrial (M-3) zoning district to a Planned Development General (PD-G) zoning district, to allow for expansion of the existing development, allow additional permitted uses, and upgrade nonconforming site features within the property.

Mr. McLean asked about the perimeter buffers and parking space allowance.

Mr. Hopkins explained all the modifications requested were for the purpose of bringing the project into conformity. The increase in parking, the increase in landscaping, those were all done to try to bring the site into better compliance with the current land development code. The site currently has 87 stalls and we're proposing with these configurations and improvements to have 94 stalls, which is 12 stalls short of the code requirement.

Mr. McLean asked if it was possible to create space for the 12 missing stalls.

Mr. Hopkins said there was not.

Mr. McLean asked if the business owners are local to Daytona Beach.

Mr. Hopkins stated two of the business owners were local and have been in the area. And Thoroughbred Classics LLC has been investing in the Daytona Beach area for some time now.

Mr. McLean asked how close this expansion would be to a residential area.

Mr. Hopkins stated 72 feet from the new expansion to the residential area.

Mr. Weatherholtz asked how deep the building was going to be.

Mr. Hopkins stated the new building would be 125 x 80.

Mr. Weatherholtz asked if it was going to be storage or business.

Mr. Hopkins stated there is a community demand for both storage and business. As of right now they do not have a specific end user.

A motion was made by Mr. McLean to approve West Mason Commercial Park – Planned Development-General (PD-G) Rezoning DEV2022-158. The motion was seconded by Mr. Servance. The motion passed (7-0) with the breakdown as follows:

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

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

A request by the Growth Management and Planning Department to amend Article 6, Section 6.22.G – Affordable Housing, of the Land Development Code, to add the implementation of Live Local Act, SB 102 (2023), eligibility criteria, procedures, and standards.

Staff Presentation:

Doug Gutierrez, Planning Manager. A request by the Growth Management and Planning Department, to amend Article 6, Section 6.22.G – Affordable Housing, of the Land Development Code, to add the Implementation of Live Local Act, SB 102 (2023), eligibility criteria, procedures, and standards. This item is being proposed as a follow-up to a recent City Commission discussion and is generally based on operating procedures adopted in Orange County, Florida. The amendment is to provide clarity and “fill in the gaps” to address issues not expressly addressed by the Live Local Act.

Mr. McLean stated he believed that a clubhouse/restaurant which is also on a golf course should be added to the language of the amendment.

Mr. Mrozek stated golf maintenance areas should also be added.

Mr. Russell stated this amendment was to clarify and fill in the gaps in the language of the legislature.

Mr. Weatherholtz asked if this was being aimed at a particular area of the city.

Mr. Mrozek stated there is no specific area in mind right now.

A motion was made by Mr. McLean to approve the Live Local Act – Land Development Code Text Amendment DEV2023-196 with revisions. The motion was seconded by Mr. Servance. The motion passed (7-0) with the breakdown as follows:

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

8. a. Downtown/Balough Road Redevelopment Area Board Representative:
The meeting was canceled.
- b. Midtown Redevelopment Area Board Representative:
The meeting was cancelled.
- c. Beachside Redevelopment Area Board Representative:
Nothing to report.
- d. Affordable Housing Advisory Committee (AHAC) Report:
No meeting.

e. Public Comments:
None

f. Staff comments:

Mr. Mrozek stated the dates for the 2024 Planning Board Meetings must be approved.

A motion was made by Mr. McLean to approve the dates for the Planning Board Meetings in 2024. The motion was seconded by Mr. Servance. The motion passed (7-0) with the breakdown as follows:

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

Mr. Mrozek stated that it was time to vote for Chair, Vice Chair and Secretary of the Planning Board.

A motion was made by Mr. Servance to nominate Mr. McLean for Planning Board Chair. The motion was seconded by Mr. Robinson. The motion passed (7-0) with the breakdown as follows:

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

A motion was made by Mr. Newman to nominate Mr. Weatherholtz for Planning Board Vice Chair. The motion was seconded by Mr. McLean. The motion passed (7-0) with the breakdown as follows:

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

Vernon Weatherholtz Yes

A motion was made by Mr. McLean to nominate Ms. Washington for Planning Board Secretary. The motion was seconded by Mr. Robinson. The motion passed (7-0) with the breakdown as follows:

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

Mr. Mrozek stated that it was time to vote for the following committees:

Midtown Redevelopment
Downtown /Ballough Road Redevelopment
Beachside Redevelopment

A motion was made by Mr. Newman to nominate Ms. Washington for the Midtown Redevelopment Board. The motion was seconded by Mr. Robinson. The motion passed (7-0) with the breakdown as follows:

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

A motion was made by Mr. Robinson to nominate Mr. Newman for the Downtown /Ballough Road Redevelopment Board. The motion was seconded by Mr. McLean. The motion passed (7-0) with the breakdown as follows:

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

A motion was made by Mr. Servance to nominate Mr. Weatherholtz for the Beachside Redevelopment Board. The motion was seconded by Mr. McLean. The motion passed (7-0) with the breakdown as follows:

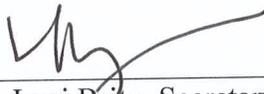
Tony Barhoo, Chair	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Tony Servance	Yes
Cathy Washington	Yes
Vernon Weatherholtz	Yes

A plaque was presented to Mr. Barhoo for all his time and dedication as the Chair of the Planning Board for the past two years.

The meeting was adjourned at 7:13 pm.



Tony Barhoo, Chair



Luci Brito, Secretary