MINUTES

REGULAR MEETING – PLANNING BOARD

March 25, 2010

Minutes for the Regular Planning Board for The City of Daytona Beach, Florida, held on Thursday, March 25, 2010, at 6:00 p.m., in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board members Present were as follows:

John McGhee, II
Jeff Hurt
Tracey Remark
Edith Shelley
Bob Hoitsma
Janet LeSage
John McGuinness
Larry Moore
Cathy Washington

Absent Members:

James Neal
Kevin Fishback

Staff members present:

Mr. Richard Walton, Planning Director
Mr. Thad Crowe, Planning Manager
Ms. Carrie Lathan, Assistant City Attorney
Ms. Rose Askew, Planning Technician

1. **Call to Order**

Robert Hoitsma, Chair called the meeting to order at 6:03 pm.

2. **Roll Call**

Ms. Washington called the roll and noted members present as listed above.

3. **Approval of the Minutes:**

Mr. Hoitsma stated the February 25, 2010 Planning Board Meeting Minutes had not been completed and would be included in the April 22, 2010 packet.

4. **2010-2 Cycle Large Scale Comprehensive Plan Amendments, DEV 2009-126**

a. **Halifax Hospital – West of Clyde Morris Boulevard Large Scale Comprehensive Plan Map Amendment, DEV 2010-005**

A request by Robert A. Merrell, III, Cobb Cole, on behalf of Halifax Hospital Medical Center(HHMC), for approval of a Large Scale Comprehensive Plan Amendment changing the Future Land Use Map designation from Hospital to Mixed Use for 77.5± acres of land located at 303 North Clyde Morris Boulevard and adding a new Issue (i) and accompanying policy to Neighborhood "P" of the Future Land Use Element in the Comprehensive Plan that restricts development density and intensity and provides for conversion between land uses.

Staff Presentation

Thad Crowe, Planning Manager gave a PowerPoint presentation. He stated this was the single plan amendment for the 2010-02 LSCPA Cycle. He stated the Hospital land use category allowed for hospitals and medical related uses and it has a Floor Area Ratio not to exceed .6. He stated the proposed Mixed Use land use has a variety of uses including light industrial, motel, retail, multi-family, assisted living facilities, hospitals, public schools and planned amusements. He stated the limitations on this Mixed Use category are a very large FAR not to exceed three and a high density not to exceed 25 units per acre. He stated there was a slight discrepancy on the maps the Board received. Mr. Crowe stated staff had some problems reading the survey and there was a little bump out on the northeastern boundary that was not shown. He stated it had been corrected and would be included when the request moves forward. He stated the proposed property was a largely wooded undeveloped site with the exception of a parking lot on the west side of Clyde Morris Boulevard across from Halifax Hospital. Mr. Crowe stated it was an existing improved parking lot that was completed approximately two years ago. The land uses are as follows: to the north and east of the site they are Hospital, to the south and west are Retail and also to the west is level 2 Residential. He stated most of these land uses are relatively intense and again, the proposed land use is Mixed Use. He stated the zoning in the area was HM (Hospital/Medical), BR2 (Shopping Center to the south and R2a (Multi-family). Mr. Crowe stated the applicant was proposing a neighborhood policy that would essentially limit impacts (traffic, water and sewer) to what is currently allowed by the land use. He stated the current impacts for traffic of approximately 7,000 peak hour trips would not be exceeded; water/sewer flow of 1.4 million gallons per day would also not be exceeded. He stated it was a large piece of property which currently has a fairly intensive category but the applicant did not want to go over what was currently allowed. He stated the table included in the Board's packet reflected the highest use that would be allowed if the uses were to come in as a single use and gave examples of each use. He went through the four Comprehensive Plan amendment criteria as follows:

1. Extent of departure from appropriate land use area.
    - Change would allow wide array of uses not currently allowed in Future Land use Map (FLUM).
    - "Developability" of site will increase.
    - Impacts would not increase per neighborhood policy.

2. Conditions in the area that would support the use in the proposed area.
    - Change supported by similar, relatively intense institutional, retail uses in area.

3. Consistency with the goals, objectives and policies in this Comprehensive Plan.
    - Supported by policies that support location of major traffic generators near major thoroughfares, increasing residential lands.
    - Capacity problem on Clyde Morris south of West ISB – at odds with Traffic Sub-element Policy 1.7.2 (adequate road facilities should be available).

4. Impact on other jurisdictions.
    - Not anticipated, TBD by VGMC process.

Mr. Crowe stated the Staff Report for this amendment and the other Comprehensive Plan amendment on the agenda had the school information transposed and the corrected pages had been placed in each Board member's folder on the dais. He stated all of the impacted schools have capacity and the schools have signed off on the amendment request. He stated there were parks in the nearby area, it is not create urban sprawl and is tentatively scheduled for transmittal approval at the May 19th City Commission meeting. He stated the request had gone through the TRT process several times and the result is what was being presented and staff was recommending approval.

Mr. Moore asked if it was still 77.5 ± acres with the change in the map.

Mr. Crowe replied the acreage stayed the same it was just a map error.

Mrs. Remark asked if the area on the FLU wetlands map was assigned a high, medium or low value.

Mr. Crowe replied at this point and time it was his understanding that they were looking at a basic Comprehensive Plan analysis that did not gauge the quality of the wetland, it only identified them. He stated staff did not have an answer to that question and the LDC requirement was at the time of development the wetlands be given a rating based on their quality and at that time staff would make its determination. He stated the applicant could speak more on this issue if he wanted too.

Mrs. Remark stated based on the quality assigned she assumed when the applicant comes back for site plan approval it would then be determined whether or not they could just clear it and fill it.

Mr. Crowe stated yes and the applicant was making assumptions in their analysis but at this point and time staff did not have any information to agree with their assumptions because at this point and time the quality of the wetlands is not known and the LDC reads once you increase wetlands impacts above half an acre you must evaluate their quality and if they are determined to be high quality wetlands you would have to develop around them.

Mrs. Remark asked what are the ramifications of Senate Bill 360 and pending changes to transportation concurrency and what it might have to do with failed roads.

Mr. Walton replied Senate Bill 360 is under dispute and there were many different interpretations on what it says and what it means. He stated staff's interpretation was the City was allowed to go forward and create a transportation exception area based on the fact that the City is a dense urban area. He stated that has not been done and DCA's position is the City would have to go through the process to change its Comprehensive Plan taking that part out before it could become one. He stated he believed most of the other interpretations were more flexible and lenient. He stated right now it would not affect the City until the Comprehensive Plan was amended.

Mr. Moore asked if the proposed MPO expansion from four lanes over the next five years would solve the traffic problem.

Mr. Walton replied he believed even with the expansion there would be concurrency issues at full build-out of the project but he would allow the applicant to address it further.

Mr. Moore stated like Mrs. Remark he was concerned that one third of the acreage they were talking about clearing and filling was wetlands and he recalled that was in Zone X. He asked staff if they were saying at this stage the City did not need to have its own expert take a look at it until development started because he was concerned with the asphalt, concrete, whether or not there has been a problem with flooding in the area. He stated he did not see any retention ponds planned or anything similar.

Mr. Crowe replied that was something staff relayed to the applicant during the TRT process but typically what staff looks at during the Comprehensive Plan stage an indication that there was a need to apply the conservation category to environmentally sensitive areas or potentially environmentally sensitive land use category. He stated on page seven of the Staff Report the Conservation Element Policy 1.3.1 reads wetlands regulations on the Comprehensive Plan level *"shall generally require retention of hydro ecological systems where the wetlands and uplands function as a productive unit resembling the original landscape."* He stated the way staff has interpreted the language is at the Comprehensive Plan stage is if they are part of a greater interconnected system of wetlands and not fragmented or isolated then it is appropriate at the very beginning to put a conservation label on them and continue to preserve and protect them. He stated however if they are isolated and cut off from the previously connected wetland system around them, the staff feels a conservation category is not needed but another opportunity to look at them comes at the time of development and rezoning. At that time the applicant would have to do a detailed level analysis of wetland quality and staff would have

the ability to protect wetlands that are functioning even if they are isolated to a certain degree.

Mr. Walton stated to Mr. Moore that it was possible and probable that the applicant could build all of their entitlements and not have to bother wetlands. He stated if they clustered the residential they would not need the entire area to use up their entitlements but it would be addressed as part of the site plan process.

Mrs. Remark stated as a follow-up on Senate Bill 360 and our conservative interpretation, she asked if this was something that was being disputed in the courts.

Mr. Walton replied yes.

Mrs. Remark stated so worst case scenario if the City's rather conservative interpretation isn't close to what comes out in court, could the City be on the hook for the bulk of the cost for needed improvements.

Mr. Walton replied he said conservative and the other argument was concurrency was no longer used and because the City was now a dense urban area concurrency no longer exists. He stated the City would not review traffic on projects because it encourages infield etc. He stated if it gets passed, traffic would not be an issue because it would not be reviewed.

Applicant Presentation

Robert Merrell, Cobb Cole, 150 Magnolia Avenue, Daytona Beach stated he did not have a lot to add to Mr. Crowe's presentation. He stated the hospital had acquired land north of the existing hospital some of which they built the new tower on also land all the way to Dunn Avenue. He stated the hospital was approached by someone who wanted to do some student housing on the property. He stated they came in met with staff to determine whether or not it could be done. Mr. Merrell stated it was recommended by staff that their chances would be better if the land use were broader which is why they were questing to change from hospital to mixed-use land use. He stated in order to make sure it would create a problem his recommendation to the hospital was to come up with some kind of a matrix for the conversion of the other types of uses so none of them would result in any more impacts (utility, road, water/sewer, etc.) than then existing hospital currently allowed. He stated the proposal before the Board tonight is for a 10 percent reduction across the board no matter how the uses are mixed. He stated that way there would be a reduction in intensity in all regards. He stated the second thing he wanted to say was this was not a development plan it was a Comprehensive Plan amendment that represents a broadening of the allowed uses but an overall reduction in intensity. Mr. Merrell stated they anticipate all impacts being less but until they get to the development stage they did not have those numbers.

Mrs. Remark asked if the hospital had intentions to own or sell the land.

Mr. Merrell replied they already own the land and they could sell or lease some of it.

Mrs. Remark asked if the land would stay off the tax rolls as long as the hospital owned it even

if the land use was changed to mixed use.

Mr. Merrell replied no, that was not his understanding. He stated she was asking him a tax question and his understanding was if someone were to build a shopping center on the property it would be taxable.

Mrs. Remark asked even if the hospital owns it.

Mr. Merrell replied he did not think that hospitals could get into the business of owning shopping centers.

Mrs. Remark stated the reason she was questioning that was because she would be interested in seeing the Conservation Element of the Comprehensive Plan applied at this point.

Mr. Merrell stated they were not changing anything in regards to that at this point.

Mrs. Remark replied she understood that but she did not agree with it.

Mr. Merrell stated in a perfect world they could start putting crayons all over the map and do lots of good things but this is where they were.

Mr. Hoitsma stated he wanted to follow up on what Mrs. Remark said relating to the hospital's intent to sell parts of the land or hold on to the land and lease it.

Mr. Merrell replied he could say with some certainty that the hospital had not intent in either direction. He stated there were some preliminary conversations but nothing at this point has come out of those conversations.

Board Motion

It was moved by Mrs. Shelley to approve Halifax Hospital – West of Clyde Morris Boulevard Large Scale Comprehensive Plan Map Amendment, DEV 2010-005. Seconded by Mr. Moore.

Board Action

The motion was approved 7-to-2 by roll-call-vote with the breakdown as follows:

Mr. McGhee, II	Yes
Mr. Hurt	Yes
Mrs. Remark	No
Mrs. Shelley	Yes
Mr. Hoitsma	Yes
Mrs. LeSage	No
Mr. McGuinness	Yes
Mr. Moore	Yes
Ms. Washington	Yes

5. **Loomis Apartments Small Scale Comprehensive Plan Map Amendment, DEV 2010-013**

A request from Mark Dowst, Mark Dowst and Associates, Inc., on behalf of The Housing Authority of Daytona Beach, for approval of a Small Scale Comprehensive Plan Map Amendment changing the Future Land Use Map designation from Schools to Level 1 Residential for 10± acres of land located at 729 Loomis Avenue.

Staff Presentation

Thad Crowe, Planning Manager gave a PowerPoint presentation. He stated this was a Small Scale Comprehensive Plan Amendment to change the Future Land Use Map from Schools to Level 2 Residential for approximately 10 acres of land located on Loomis and Lockhart Street. He stated the land use category was sizable educational facilities including public schools; Level 2 Residential allows for residential, typically multi-family 9-to-20 units per acre. He briefly went over the land uses for surrounding properties. He stated zoning in the area was mostly single family with some multi-family and that there were a large number of trees on the site. He stated typically small scale amendments have to be processed as large scale amendments if they exceed 10 units per acre but the statutory exception allow projects that are 10+ units per acre to be processed as small scale amendments if they are affordable housing projects. The exception requires a land use restriction, which is an agreement between the City and the owner that states the units will be and will remain affordable. Mr. Crowe stated the request is supported by various Comprehensive Plan policies pertaining to diversity of housing types and surplus of undeveloped land. He stated there was an explicit policy in the Housing Element (Policy 1.1.5) that says the City would need to consider revisions to Comp Plan to provide and retain affordable housing and staff has taken direction from that policy. Mr. Crowe went through impact analysis for traffic, schools, parks and recreation. He stated Staff had determined this to be an infill project, would not create urban sprawl. He stated the affordable housing agreement would have to be adopted by the City prior to adoption of the amendment and staff was recommending approval.

Mr. Moore asked if the site was in a floodplain.

Mr. Crowe replied he did not believe it was and he would let the applicant speak on that question. He stated staff had visited the site it appeared to be fairly high.

Mrs. Remark stated in the Staff Report is has the site in a floodplain.

Mr. Moore stated he thought he read that but could not find it again.

Mr. Crowe replied he stood corrected it was in a floodplain and it would be interesting at the development stage because he believed there were also some historic trees on the site. He stated the floodplain issue leaves him to believe they might get rid of the trees and fill the site but the LDC discourages that type of activity.

Applicant Presentation

Mark Dowst, Mark Dowst and Associates, 536 North Halifax Avenue, Daytona Beach introduced Pete Gamble, Doug Zimmer and Jeff Sweet and stated they were also available to answer questions. He stated they had a couple of things about the Staff Report, one was they believed they should use the theoretical maximum for existing conditions because if you do that the amendment would reflect a pretty substantial decrease in traffic. He stated currently the property shows in flood zone X, which are areas of 500 year floods so technically it is not in the 100 year floodplain zone, however there have been some reports of flooding on the streets and when they get to the site plan stage it will be investigated and properly addressed. He stated they see this amendment as a lowering of the intensity of the site; it has the ability to take a surplus school site and put it back to work and it would be used for a future hosing project. Mr. Dowst stated Mr. Crowe mentioned something about a restriction on the property requiring it to be developed as affordable housing, which is what allows it to be processed as a small scale amendment.

Citizen Comments

John Nicholson, 413 North Grandview Avenue, Daytona Beach spoke against the project. He stated he was objecting to the request because he felt there was a better use for the land and the area really needed parks and recreation. He stated he did not feel there were enough places in the City for children to do things and the idea of turning this space into affordable housing was not the best use because the City already had 75 percent of all the affordable housing in the County.

Board Comments

Mrs. Remark stated she was in favor of the request but she hoped the applicant would take into account a marriage of housing and trees on the site. She referenced studies that had positive results on public housing that had trees instead of asphalt all around them. She stated the studies outcome was having trees decreased the number of police calls, reduced social service budgets, a significant decrease of domestic violence, residents living near trees have stronger relationships with their neighbors and a better sense of community. She stated based on this and other data, the City of Chicago spent $10 million to plant 20,000 trees for their public housing areas. She stated she hopes the applicant and staff does everything to make sure the property is given the highest and best use and she feels the trees are part of the highest and best use for the property. Mrs. Remark stated in regards to flooding, just one of the oak trees at that size would actually dissipate 760 gallons of rain at the canopy top and would help mitigate up to nine percent of one inch of rain falling an hour on the property. She stated the oak trees were a huge part of keeping stormwater and flooding at bay.

Mr. Moore asked Mr. Gamble if he knew the number of affordable houses in Daytona Beach versus the number in the entire County.

Mr. Gamble replied he could not answer that question because there was quite a bit of affordable housing that was not under his authority and the term "affordable" was a term used to describe different levels of income to determine what houses could be purchased.

Mr. Moore asked if City staff could answer the question.

Mr. Walton replied he had not seen any numbers or statistics on the amount of affordable housing in the City but with the new Census better numbers would be available soon.

Mr. Gamble stated Mrs. Remark made a statement about the trees on the property and she was absolutely correct. He stated back in May they had approximately 30 inches of rain in three days and that area of the City was the only dry property.

Board Motion

It was moved by Mr. Hurt to approve Loomis Apartments Small Scale Comprehensive Plan Map Amendment, DEV 2010-013 with the condition that the Affordable Housing restrictions be approved prior to amendment adoption. Seconded by Mrs. Shelley.

Mrs. Washington stated she had to abstain from voting because Mr. Gamble was her brother.

Board Action

The motion was approved 8-to-0.

Ms. Washington stated she had to abstain from voting because Pete Gamble was her brother.

6. **Land Development Code Text Amendment, Minimum Parking for Shopping Centers, DEV 2010-012**

A request by Glenn Storch, Storch Morris Harris on behalf of Mark S. Dowst, P.E. to amend the Land Development Code (LDC), Article 8 (Supplemental Performance Standards), Section 2.5, Off-street parking space required, to revise the standards pertaining to minimum required parking for shopping centers.

Staff Presentation

Thad Crowe, Planning Manager gave a PowerPoint presentation. He stated this was a private request to reduce minimum required parking spaces for shopping centers from 5 to 4 spaces per 1000 gross leasable floor area (GLFA). He stated the request was made to exclude from the calculation movie theaters, grocery stores, drug stores, convenience stores, and health/exercise clubs with the idea that the uses would be calculated separately and added to the required total for the shopping centers. He stated information provided by the applicant and collected by staff shows that the City has the highest requirement in the area. He stated most other centers are usually in the vicinity of four spaces per 1000 square feet and the County has several ways they look at it ranging from two point five to five depending on the size of the center. He stated the individual uses themselves have a lot of visitation at peak times during the day. He stated the four-per-1000 standard is tied to actual surveys done by the Institute for Transportation Engineers (ITE). He stated the parking lots are designed for peak time parking which generally is in December which for the remainder of the year creates

over parkage, empty lots and blight. Mr. Crowe stated at non peak times the ratio averages two spaces per thousand square feet which means at that time half if not more of the parking lot is empty. He stated the City's LDC Consultants recommend reducing minimum required parking, allowing flexibility through deferred parking, shared parking, alternative parking plans, etc. and capping parking which is a green development standard where the ability to have too much parking is taken away, which affects the community in its entirety. He stated the request was consistent with zoning amendment criteria as it had a beneficial impact by potentially increasing commercial space, reducing development costs and reducing paved areas which will reduce stormwater runoff and surface heat. He stated staff was in favor of the request with a few recommendations: 1) Restaurants be calculated separately; 2) Grocery stores, drug stores, and convenience stores, be calculated at 4/1000, and be included in the shopping center parking calculation, while calculating movie theaters and exercise clubs separately.

Mrs. Remark asked for clarification on staff's last recommendation.

Mr. Crowe replied grocery stores, drug stores or conveniences would remain within the shopping center calculation at 4/1000 but if they stand alone they would be calculated at whatever the stand alone calculation was. He stated the request was scheduled for the May City Commission meeting and staff was recommending approval with the following conditions:

1. ~~*5/1,000*~~ *4/1,000 sq. ft. GLFA excluding movie theaters, grocery stores, drug stores, convenience stores and heath/exercise clubs. The required parking for these uses within shopping centers shall be as required for each use individually.*
2. *Shopping centers shall not have more than ten percent of its gross leasable area occupied by restaurants.*
3. *Shopping centers may petition staff for approval of shared parking in cases where minimum parking is less than required in # 1 above or use referenced in # 2 above exceeds the 10% threshold. The petition for shared parking shall include an independent, professional parking study in a form acceptable to the city, which includes but is not limited to, information indicating that the shopping center uses have varying operating hours and peak parking times to allow for shared parking.*

Mrs. Remark asked on page four of the Staff Report under Project Analysis, second paragraph that reads "staff was recommending removing restaurants from the shopping center calculations and tabulated separately etc." And yet the recommendation that is underlined on the next page says staff will tell the shopping center what their mix of businesses should be by saying no more than 10 percent can be occupied by restaurants.

Mr. Crowe apologized for the error and stated as staff worked through the Staff Report the position changed. It started out with taking restaurants and then evolved to limiting them as a percentage of the overall. He stated he believed either course of action would be appropriate.

Mrs. Remark stated the other way would give the business owner more flexibility in terms of what business mix they might put in.

Mr. Crowe stated that was correct but to keep in mind that number three also allows them to exceed the 10 percent with an independent parking study.

Mr. Moore stated so then a restaurant and shopping center would require four spaces.

Mr. Crowe replied yes but restaurants could not exceed 10 percent of the shopping center space.

Mrs. Remark stated or it could be tabulated the way restaurants are normally tabulated which is one space for every 50 square feet of restaurant space.

Mr. Crowe stated he did not think that was an option the way the request was being presented. He stated the thinks the way it is presented it was part of a shopping center and is 4 per 1,000.

Mrs. Remark stated but if you take the restaurant out you could tabulate it separately.

Mr. Crowe replied yes if you took it out.

Mrs. Remark stated if a grocery store, drug store or convenience store were in a mini-shopping center, which was basically anything less than five acres they would only be required to have three and a half spaces per 1,000 and asked the difference between under five acres and over five acres if that was the only difference between a mini-shopping center.

Mr. Walton replied the difference was in the ITE list of shopping centers they included those types of uses in their recommendation for the four per 1,000.

Colleen Miles, Zoning Officer stated the difference was one was gross leasable and one was gross floor area.

Applicant Presentation

Glenn Storch, Storch, Morris and Harris Law Firm, 420 South Nova Road, Daytona Beach stated he and Mark had been dealing with this issue for a while and they had to go through a number of variances for various shopping centers jus to keep it to the point where it could be dealt with in today's market. He stated typically when you have the same variances for the same types of things you should look at doing a zoning or LDC change. He stated one of the reasons they were having such a problem was because Daytona Beach's standards were different from everyone else's and as staff has indicated there are a number of reasons why the City should not want that. He stated it creates vast asphalt areas that are not required and are usually empty. Mr. Storch stated when they started researching this they found that surrounding communities were now addressing this issue based on new information and knowledge so they brought this data to Mr. Walton who has a wealth of knowledge on this issue and was very helping in coming up with possible solutions to resolve the issue. He stated what they are trying to do was modernize the LDC in such a way where it is greener, uses less area for asphalt and providing parking that is needed not over needed and also to remain competitive with sister cities and the County. He stated for most things the County has

minimum parking requirement of two point five up to 400,000 square foot shopping centers and a maximum of four. He stated he really appreciated the flexibility City staff had built in to the request and wishes he would have thought of it himself. He stated they did not have a problem with the concept of limiting restaurants to 10 percent of the shopping center and if they go over that amount they will come in with a traffic study if needed.

Mark Dowst, 536 North Halifax Avenue, Daytona Beach stated they had done a lot of shopping centers throughout Daytona Beach and other cities and they had a pretty good feel for what kind of parking worked for different mixes. He stated they had a lot of feedback from their clients and the major tenants that operate in them. He stated they felt the 4/1,000 was a very comfortable parking ratio to have in a shopping center and the limitation on certain high intensity uses such as restaurants needed to be in there. He stated the way the suggestion was crafted was if there were restaurants up to 10 percent floor area then it would fall under the 4/1,000 with no separate calculation but it goes over 10 percent the restaurant will be taken out and calculated separately.

Mrs. Remark stated in looking at parking requirements for some of the City's neighboring cities she was curious why the calculation was not 3.5/1,000 for regular or mini-shopping centers because she believes it would give the City a competitive edge.

Mr. Dowst replied based upon his experience he could not say he believed 3.5/1,000 was good for all shopping centers because typically there are a few restaurants in them and a few other types of businesses and 4/1,000 is a comfortable place to be right now. He stated he was not saying 3.5/1,000 would not work but 4/1,000 was more comfortable. He stated something else to keep in mind was the way the LDC worked was if there were a single tenant like Builders Square was their requirement was 3.5/1,000 because it was a retail box. He stated if you take two retail boxes and put them together it would then become a shopping center and would require 5/1,000. He stated he believed a large benefit the City would get with the change to 4/1,000 is it will level the playing field and help redevelop some of the older shopping centers in the City.

Citizen Comments

John Nicholson, 413 North Grandview Avenue, Daytona Beach stated he was not speaking either for or against the request. He stated he was afraid if the City approved the 4/1,000 square feet because that was what neighboring cities were doing we would still be behind the eight ball. He stated he recommended approving 3.5/1,000 square feet or something else because if Ormond Beach and Port Orange had 4/1,000 no one would want to come to Daytona Beach to build or remodel shopping centers. He stated the City would need some type of advantage for developers to come.

Mr. Storch stated in this particular case they were looking at the best interest for the City and he would prefer to do things in increments and there were things in the agreement to allow flexibility and they could always come back.

Mr. Walton stated the LDC consultants would also be reviewing parking and this was probably

an interim fix until they get to that point.

Board Comments

Mr. Hoitsma stated they should keep in mind that everything was not set in concrete and could be changed if needed.

Mr. Dowst stated after these changes there will still be room to grow.

Mrs. Remark asked the attorney for Home Depot to let the shopping center owner know that hat racking trees was in violation of the LDC.

Mr. Storch stated he believed they recently re-landscaped the entire center.

Mrs. Remark replied she knew that but hat racking was how they were now pruning the trees to look like little triangles.

Mr. Storch replied he would be glad to pass that information on to the owner.

Board Motion

It was moved by Mr. Hurt to approve Land Development Code Text Amendment, Minimum Parking for Shopping Centers, DEV 2010-012, Seconded by Mrs. Remark with staff recommendations as follows:

1. *~~5/1,000~~ 4/1,000 sq. ft. GLFA excluding movie theaters and heath/exercise clubs. The required parking for these uses within shopping centers shall be as required for each use individually.*
2. *Shopping centers shall not have more than ten percent of its gross leasable area occupied by restaurants.*
3. *Shopping centers may petition staff for approval of shared parking in cases where minimum parking is less than required in # 1 above or use referenced in # 2 above exceeds the 10% threshold. The petition for shared parking shall include an independent, professional parking study in a form acceptable to the City, which includes but is not limited to, information indicating that the shopping center uses have varying operating hours and peak parking times to allow for shared parking.*

Board Action

The motion was approved 9-to-0.

7. **Appeal of Administrative Decision, DEV2010-018**

A request by Dino Paspalakis, to appeal the decision of an administrative official's interpretation of the Land Development Code (LDC), Article 18, Section 6.6 (a) regarding a prohibited sign.

Staff Presentation

Colleen Miles, Zoning Officer stated the request was being made by a Boardwalk merchant who would like to display the jester shown in the Board's agenda packet. She stated the merchant feels the jester was in keeping with the Mardi Gras theme of the business. She stated the sign was in keeping with the theme of the business but as the City's Zoning Officer, she made the determination that it was a prohibited sign based on Article 18, Section 6.6 of the LDC that reads as follows: Staff's interpretation: "inflatable air signs or balloons which retain shape from the use of air, helium, or other gaseous elements" She stated additionally the sign does not meet the criteria for exterior building appurtenances, Article 18, Section 4.3(c)(4) pertaining to the sign being out of scale with the building, being made of high quality materials, and withstanding weather.

Applicant Presentation

James Morris, Storch, Morris and Harris on behalf of the applicant Dino Paspalakis. He stated Mr. Paspalakis was distributing documents to the Board for review. He stated he felt it was important to note when the Board reviews the appeal that a different section of the LDC is cited in the first part of the Staff Report, which was something that was never relied upon by Staff in the course of making the determination. He stated his view of the request before the Board was to consider whether or not the Article 16, Section 6.6 relied on by Ms. Miles applies. He referred the Board back to the opening language from Section 6.6, which reads *"except to the extent specifically provided otherwise"* and Article 18, Section 4.3 (c)(4) which has the provisions for the statement in Section 6.6. Mr. Morris stated once Ms. Miles determined the sign was prohibited, Mr. Paspalakis took the sign down. He stated when you read the Staff Report, the first part talks about building features and he did not believe any of the first section cited in the Staff Report applied to the case. He further stated the Board should apply Article 18, Section 4.3, which reads *"Exterior building appurtenances, including freestanding elements, which are designed to support a building motif, theme, or style relating to the business may be permitted outside retail establishments."* He stated the first thing that needed to be determined was what an appurtenance was and that he had provided the Board with the definition which reads *"something subordinate to another more important thing; an improvement belonging or in passing with a principle property"* and he believed that was just what the jester was. Mr. Morris referred the Board back to the photo they received with his letter. He stated his client did not decide to use the jester on a whim; he was at a game show out west, saw the jester, thought it was appropriate for his business so he purchased it, brought it back and that was when Ms. Miles made her determination. He stated when Mr. Paspalakis purchased the jester; he was aware of the provisions in the LDC but did not think he would be in violation. Mr. Morris stated Ms. Miles was always good to work with, always listens but in this instance they could not agree on her determination. He read more of the language from

Section 4.3 and then compared it to the sign on the Jansen Swimsuit building next door. He stated that sign was almost as wide as the store that she is located on but he did not believe it was out of scale. He stated he believed the only language that was pertinent to this case was the language that read *"except to the extent specifically provided otherwise"* and the first part he read provided otherwise. He stated when you think about amusement and activities and centers, he felt the Boardwalk had suffered in terms of buildings and other things being taken from it but the Paspalakis' have remained there doing everything they can to bring business there. He stated when you talk about a business motif it was important to portray the idea that there was actually an amusement area. Mr. Morris stated he believed this language was actually placed in the LDC because of the Indian at Bucs Gun Rack. He stated amusement activities were something the City should want to make an impression upon people and he felt it was consistent with the LDC.

Mr. Walton stated there was not a reference in Mr. Morris's appeal or the advertisement for tonight other than Section 6.6. He stated Mr. Morris referred to that section but most of his discussion was dealing with another section of the LDC. He reminded the Board of a recent appeal of an administration interpretation for property located on Halifax. He stated this was a City-wide interpretation and he believes staff has been very consistent in terms how regulations have been handled. He stated if the Board wants to allow these types of things City-wide and overturn staff's decision based on the discussion tonight that is what the Board will start to see.

Mr. Morris stated his argument focused specifically on Section 6.6 because if he was appealing staff's interpretation and application what he had to do was look at how 6.6 reads and determine if there was somewhere else in the LDC that did permit it. He stated so from the standpoint of the appeal that Mr. Paspalakis prepared he cited Section 6.6. He stated another thing is Mr. Walton's question implies whether or not the Board feels this was good policy but that was not the question being brought forward tonight it is interpretation of the existing language. He stated the Board may decide the policy needs changing and that was certainly within the Board's discretion but that is not the case tonight.

Mr. Walton stated the Board just had a lengthy discussion about the language "except to the extent specifically provided otherwise" and the Board determined it was a prohibited sign there.

Mrs. Remark stated that Mr. Walton pointed out that Mr. Morris was using a different section for the appeal and yet the Staff Report reads it was an appeal of the decision of an administrative official's interpretation of the LDC.

Mr. Walton replied if you look at the letter Mr. Morris sent to each Board member, the appeal is based on the January 29th email from Ms. Miles to the applicant that deals with Section 6.6.

Mr. Morris stated that was his argument; in order to interpret an ordinance there is a phrase in law called imperium material which means the entire ordinance must be read together in order to construe what the meaning is. He stated he would have to base his appeal not only on the fact that section 6.6 does not apply but also on areas in the LDC that would apply. He stated the question for the Board was whether or not 6.6 as applied by staff prohibit the request.

Ms. Miles stated she kind of concurred with Mr. Morris and actually it is provided for otherwise. She stated in Section 6.6 where she cited the part that talks about mobile inflatable air signs, balloons retain shape, etc., there is a provision in the City that allows those types of signs and that is only during special events, they must be a temporary sign and must be mounted to the ground.

Mrs. Remark asked how to determine a sign from a building appurtenance.

Ms. Miles replied the code defines a sign as "communication of necessary information, enhance the attractiveness, a person or animal stationed close to a business for attracting attention and she did not feel the cowboy and Indian fit that definition but the inflatable jester on the top of the building would.

Mr. Walton stated the photo representative of the jester and that you would need a moving picture to see how it actually operates and attracts attention.

Ms. Miles replied exactly and she believes it is an attention getting device, therefore it would be classified as a sign and signs in redevelopment areas are not permitted on roofs.

Mrs. Remark asked for further clarification on what an appurtenance was.

Ms. Miles replied appurtenances would be the Mardi Gras faces that were already on the building that project out from the building.

Mr. Morris stated if you look at Bucks Gun Rack they use a sort of western theme for their entire building facade. He stated the other statement Ms. Miles referencing a person or animal, the statue in front of Bucks Gun Rack is neither a person nor animal and it is not stationed away from the building. He stated that provision was designed to address the people we see dancing around in the median with signs and the word appurtenance was used because it is a broad term. He asked if a jester face is an appurtenance, then why isn't the jester figure an appurtenance. Mr. Morris stated the Board and staff may not like the language in the LDC then the appropriate thing to do would be to revise it.

Citizen Comments

Dino Paspalakis, 565 Riverside Drive, Daytona Beach spoke in favor of the request. He stated his business was an amusement center and he was trying to put a smile on people's faces. He stated thought about Bucks Gun Rack and the City ordinance pertaining to signs and he thought it would be ok. He stated he would not have purchased the jester if he had known he would be in violation.

John Nicholson, 413 North Grandview Avenue, Daytona Beach spoke in favor of the request. He asked the Board to remember that this was an amusement area and not housing or commercial property. He stated the Boardwalk is dead and Mr. Paspalakis is trying to get movement back on the Boardwalk.

Board Comments

Mrs. Shelley stated she agreed with staff's interpretation of the code.

Mrs. Remark stated she was in favor of the appeal and no one would ever be able to convince her that a sign was a use.

Mr. Hoitsma stated he was on the Board when this language was put in the LDC and what the Board said was "if it was on or next to the building then the building shall serve as the background." He stated the building could not be the background because it is on the roof. He stated it also reads it shall not overpower the building or site and this does. He read several additional criteria from the LDC that reflects the jester was in violation. He stated he really had problems with it.

Mr. Moore stated he was wondering if it on the ground instead of on the roof but even with that it still violates other areas of the LDC. He stated he felt Ms. Miles was correct in her interpretation.

Mrs. Remark asked Mr. Moore if he thought it was a sign.

Mr. Moore replied no he saw it as an attraction for the business and he probably should have said something to Code Enforcement.

Board Motion

It was moved by Mrs. Shelley to approve Appeal of Administrative Decision, DEV2010-018. Seconded by Mr. Moore.

Board Action

The motion failed 3-to-6 by roll-call-vote as follows:

Mr. McGhee, II	No
Mr. Hurt	Yes
Mrs. Remark	Yes
Mrs. Shelley	No
Mr. Hoitsma	No
Mrs. LeSage	No
Mr. McGuinness	No
Mr. Moore	No
Ms. Washington	Yes

8. **Land Development Code Text Amendment, Tattooing in M-5 Districts, DEV 2010-017**

An administrative request by the Development and Administrative Services Department, Planning Division to amend the City's Land Development Code (LDC), Article 1 (Development and Use of Land) and Article 13 (Industrial Districts), to allow for tattooing in the M-5 zoning district.

Staff Presentation

Colleen Miles, Zoning Officer gave a brief presentation. She stated this was an administrative request to allow tattooing in M-5 (Heavy Industry) zoning district located on Indian Lake Road and that currently tattooing was prohibited throughout City. She stated over the years the City had received numerous requests for tattooing within the City limits. She stated she had done research and could not fine one time where tattooing had ever been allowed in the City. She stated it was determined by this Board and the City Commission that tattooing was not in the best interest of the City but over the last few years it has become an art form and is much more prevalent and accepted. She stated this was similar to other requests that this Board and the City Commission has had to deal with previously to provide best zoning practices for the City.

Mrs. Shelley stated when this request came before the Board in the past there was a large group of tattoo artists that were present and asked for the request to be denied because of where their businesses were located. She stated there was a large sign on A1A advertising tattooing and she knew they do not actually perform the tattooing at that site; they bus customers to a different location outside the City limits. She stated she was not happy to see the sign and she was not happy to open this up even though it would be in the M-5 District. She stated she would like to deal with the sign on A1A because it was in a tourist area and that was one of the reasons different tourists groups that came to the City said they did not want it because high school students came to the City on trips. She stated she had received multiple complaints from residents and tourists about the sign and would like to address it tonight if possible and if not some time in the near future.

Mr. Moore asked if it was legal to have the sign there and the business is not actually there.

Ms. Miles replied actually there was a business there and they were advertising the retail sale of the design, body jewelry and clothing.

Mr. Moore asked if the statement in the Staff Report that reads the request would not have a negative effect on the health, welfare or safety of the neighborhood" referencing the present neighborhood.

Ms. Miles replied yes it would be the surrounding area.

Mrs. Remark asked about the neighborhoods immediately on the south side of International Speedway Boulevard (ISB).

Ms. Miles replied she believed Indian Lake Road was far enough west that what was located was not residentially zoned in the County but she could not say for sure.

Mrs. Remark asked when you turn off ISB how far the M-5 District was.

Ms. Miles stated it should have been included in the information the Board received but it was a little bit north.

Mrs. Shelley stated it was very close.

Mrs. Remark asked if the neighborhoods on the south side of ISB right across from the location been informed in any way other than advertisement of tonight's meeting.

Ms. Miles replied not that she was aware of.

Mr. Walton stated a LDC text amendment would not require neighborhood notification.

Ms. Miles stated when the M-5 District was created all of those uses were permitted there.

Mr. McGuinness said he was lured into the tattoo location and he asked if he could get a tattoo there. He stated they were vague about the answer and gave him a postcard with a referral and an address in Holly Hill. He stated from the sign it appears the tattooing is done at that location and he felt it was an operation just for referrals. He stated his second comment was the LDC reads the reason tattooing and bottle clubs are not permitted is because they are detrimental to the community and he wanted to know why we would want to have that type of business in any part of the community.

Ms. Miles replied the provision in the LDC was written quite some time ago and it would appear from the adjacent municipalities and public perception that it seems to be more acceptable.

Mrs. Shelley stated she feels it is at its peak and if Ms. Miles would talk to colleges and young professionals in other areas you would find it was not as acceptable. She stated in previous discussions it was acceptability versus community standards.

Mrs. Remark stated she was surprised to see this agenda item considering the long history behind it here in the City. She stated she had done quite a bit of research on the subject and places like Norfolk, Virginia has had make room for tattooing because of numerous court cases. She stated she did not like doing things because of court cases and would much rather wait for someone to sue the City for not being allowed to have a tattoo business because she believed in this City it was still detrimental. She stated right behind tattooing there have been major stories done on branding. Mrs. Remark stated she sees this as the wave right behind tattooing and feels if the City opens the door for any reason other than being forced to do so it will be stuck with the next fad that people decide to do.

Mr. Hurt stated the discussion on adult bars originated from a lawsuit and at that time the City did not have a zoning classification that would allow adult bars. He stated the courts ruled that the City had to have a place for that type of business and that was the reason the M-5 District on Indian Lake Road was created. He stated if someone does decide to sue the City we will be have to go through the same lengthy court process again that will cost hundreds of thousands of dollars. He stated he did not have a problem with the request.

Mrs. Shelley stated she had a problem with seeing the request come forward from staff and she felt if someone was interested in bringing this request to the Board they should bring the case forward and pay the fees. She stated her statement was not a negative comment toward staff because she understood why staff brought the request forward but she did not like it.

Mr. Moore asked if staff had been approached with this request.

Ms. Miles replied almost every week since she had been with the City.

Mrs. Remark asked if anyone had threatened to sue the City or do they just go to one of our neighboring cities and open a business.

Ms. Miles replied there are mechanisms that would allow it like a planned development (PD), except to the extent allowed otherwise and that is why she offers the possibility of rezoning process when it becomes contentious.

Mrs. Remark asked if there was the possibility for zoning that would allow this.

Ms. Miles replied one would assume that the legal interpretation …

Mrs. Remark stated so actually the City does not have a blanket prohibition because the PD process is available.

Ms. Lathan stated if there was something in the LDC that was prohibited; she did not believe staff would not recommend the applicant try to get through the PD process.

Mrs. Remark stated live entertainment was being allowed at Vince Carter's Restaurant while it was prohibited use in restaurants serving alcohol and it went through in the PD.

Ms. Miles stated she was not trying to split hairs but live entertainment was not the use, the restaurant was the use with the provision for live entertainment.

Ms. Lathan stated Development Services staff sent this request through Legal Department staff for review and Legal Department's thinking was along the same line as Mr. Hurt's that the City should get out ahead of it rather than remain vulnerable to the challenge.

Citizen Comments

John Nicholson, 413 North Grandview Avenue, Daytona Beach spoke in favor of the request. He stated he felt M-5 District was a great place for this because you really could not see it from the SR92. He asked if there was a possibility that someone could come to the City with a request for tattooing or branding and were adamant enough about it that they would be willing sue the City. He stated if this were in place it would save the City from a lawsuit and huge expenses that would come along with it.

Board Comments

Mrs. Shelley stated this was the reason why every time zoning is taken away in the M-5 District she is always concerned. She stated it would behoove the City to maintain an adequate amount of M-5 Zoning District.

Mrs. Remark asked Mrs. Shelley for further clarification on her statement.

Mrs. Shelley stated property owners in that area had been approved for zoning changes in that area and the City needed to be mindful about doing that.

Ms. Miles stated actually the City flipped the zoning.

Mrs. Shelley stated then it was an equal trade but that was why she made the comments earlier because some of the property out there is privately owned and the property owner can request a zoning change. She stated she was saying since this is the stance the City was taking we needed to be very conscious about how much M-5 zoning we currently have.

Board Motion

It was moved by Mr. Hurt to approve Land Development Code Text Amendment, Tattooing in M-5 Districts, DEV 2010-017. Seconded by Mr. Moore.

Board Action

The motion failed 4-to-5 by roll-call-vote with the breakdown as follows:

Mr. McGhee, II	Yes
Mr. Hurt	Yes
Mrs. Remark	No
Mrs. Shelley	No
Mr. Hoitsma	Yes
Mrs. LeSage	No
Mr. McGuinness	No
Mr. Moore	Yes
Ms. Washington	No

9. **Right-of-Way Alley Vacation, Lenox & Revilo Boulevard, DEV 2010-014**

A request by The City of Daytona Beach, Engineering Division to approve a 380± foot long, 10-foot wide for right-of-way alley vacation, located north of Lenox Avenue, south of Revilo Boulevard, east of Grandview Avenue, at the rear of various platted lots.

Staff Presentation

Thad Crowe, Planning Manager gave a PowerPoint presentation. He stated this request was being made by the City's Engineering Department and that Ken Kruger, Development Review Engineer for the City was available to answer any questions. He stated the request was to close a right-of-way alley that was located 375 feet west of Atlantic Avenue and the request was initiated to assist residents with issues pertaining to fences within an undeveloped alley right-of-way. He stated part of the alley was being used and the intent was to leave that portion open and close the part that was unimproved. He showed a series of photographs that reflected the part of the alley that was being vacated and stated Engineering staff had met with residents and explained what each resident would receive. He stated staff had sent letters to the utility providers but they did not anticipate any problems since there were not any utilities in the alley but they could not proceed until they received final approval. He stated the LDC vacation criteria stated the City Commission had to determine whether or not the property was needed for public use and Board's recommendation would help greatly with that decision. He stated it was staff's position that the alley was not needed for public use and staff was recommending approval.

Mr. McGuinness asked if 100 percent of the residents agreed to the vacation.

Ken Kruger, Development Review Engineer with the Public Works Department stated he was one of the staff members that met with the residents and at the last meeting all of the residents in attendance were in favor of the vacation request. He stated Ron McLemore, Utilities Director led the meeting and that Mr. McLemore allowed the residents to discuss their view points and concerns and develop their own solution to the problem.

Mr. McGuinness stated so every lot owner was represented at the meeting.

Mr. Kruger replied he could not say that every lot owner was represented but they were all notified of the meeting and that several people in attendance stated they were representing residents that could not attend the meeting. He stated he had received phone calls since the right-of-way vacation application request was put together and everyone was still on board.

Mr. Hurt stated he could see where the neighbors would agree because they will receive 5-feet of property that they could now police and control.

Citizen Comments

Daniel Pelland, 721 South Grandview Avenue, Daytona Beach spoke in favor of the request.

Board Motion

It was moved by Mrs. Remark to approve Right-of-Way Alley Vacation, Lenox & Revilo Boulevard, DEV2010-014. Seconded by Mr. McGuinness.

Board Action

The motion was approved 9-to-0.

10. ***Other Business***

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

Mrs. Shelley stated the Board met on Tuesday, March 2nd and discussion on NLC America Downtown Program request to do a marketing study for the downtown area. She stated the Board did not express a lot of interest but appreciated the presentation. She stated the Board also discussed updating the Redevelopment Plan and redevelopment projects. She stated there was additional discussion on Redtails violations of the Sidewalk License Agreement and staff will handle that.

B. **Midtown Redevelopment Area Board Report**

Mr. McGhee stated the Board met on Tuesday, March 9th and had discussions on Bike Week, land acquisition strategies and Midtown Redevelopment Plan. He stated the Board was very displeased with the Marketing Plan that is moving forward. He stated when the plan came to the Midtown Board it had already been approved by the CRA and so the Midtown Board never saw a complete plan nor did they approve it. He stated what should have moved forward in the marketing plan was "One Daytona" but what the Midtown Board the plan they saw was not representative of the Midtown Redevelopment Area.

Mr. Moore asked if there were any problems with parking behind the church during Bike Week.

Mr. McGhee replied the only negative comments he heard regarding Bike Week were pertaining to the signs on MMB were different than the signs on the beachside.

Mrs. Shelley stated she thought there were also some issues with one of the banners.

Mr. McGhee replied the banner downtown on Beach and MMB that was affixed to the FPL signs but it was denied in Midtown.

C. **Main Street/South Atlantic Redevelopment Area Board Report**

Mrs. Remark stated the Board met on Wednesday March 10th and they were not happy with the Marketing Plan going forward either because the Board said they were only Ok with the first three items as that would not cost the City any money but all of sudden a music festival was in it that no one else had seen. She stated there was a unanimous recommendation to the Board of Adjustments against reestablishing a single-family home use at 123 South Coates Street because the property backs on to A1A immediately south of Salty Dog and north of Molly Hatchers Sub Shop. She stated the Board did not feel that would work because the surrounding zoning had been changed to mixed use and the Board was still working on the decision for the Ezone Consultants. Mrs. Remark stated at a special meeting held on Wednesday, March 24th the Board approved a proposal for a conditional use request allowing amusement rides at Daytona Lagoon.

D. **Public Comments**

None.

E. **Staff Comments**

Mr. Walton stated the LDC consultants came to town and held wrap up meetings for Phase II of the LDC Re-write. He stated on March 15th the Planning Board Sub-committee and Economic Development Advisory Board Sub-committee held a joint meeting and on March 16th a public forum was held. He stated at both meeting the consultants received comments on the Diagnosis and Annotated Outline of the LDC. He stated staff was anticipating having the contract for tasks 3 and 4 ready for the second City Commission meeting in April so if anyone has additional comments, please pass them on to staff. He stated second a very spirited public input meeting was held to discuss with property owners and business owners in part of the Seabreeze Overlay District that was not protected. He stated the purpose was to resolve issues from property owners that were opposed in an effort to assist staff when the item goes back before the City Commission.

F. **Board Member Comments**

Mrs. Shelley commented on Mr. McGhee and Mrs. Remark's comments about the Marketing Plan. She stated she had been appointed to serve on the Marketing Task Force and she was asked to chair the internal marketing campaign portion of the task force. She stated her concerns that she was discussing with Ms. Washington, which were not related to Planning Board but were concerning Midtown's lack of representation in the internal marketing campaign. Mrs. Shelley asked Mr. McGhee if within the next few days he could get her a list of names of people in the Midtown Area (residents or businesses), and Ms. Washington if she could get her a student from Bethune-Cookman University who participate in the internal marketing campaign. She stated it will be a televised advertising campaign and that not everyone on the list would be used in the campaign but she wanted to make sure whomever the people were, they would be actual Midtown representatives. She stated Mr. Harry Burney and Reverend Corwin Lasenby were assisting her to make sure Midtown would be represented. She stated if there were particular places in Midtown that needed to be highlighted to please let her know because the travel channel was doing a segment on Daytona Beach and they would like to have

areas of interest in each redevelopment area represented. She stated she would be happy to come and address the Board if needed and actually what was moving forward was not a marketing plan. She stated they would be developing a marketing plan that should be presented to the City Commission by next fall.

Mr. Hurt asked Mrs. Shelley if she could give them her email address after the meeting.

Mrs. Shelley replied she was very conscientious about that because of her position on the Planning Board so she would prefer to address it in a different way.

Mr. Moore stated he read somewhere that it would be televised on April 19th.

Mrs. Shelley replied she was not sure but she knew it would be very soon. She stated she would be in Midtown tomorrow driving around and would possibly meet with Harry Burney and Pastor Lasenby.

Mrs. Remark referenced an article in the historic district. She stated she had received positive feedback. She stated there was a book coming out next week on Florida's Mediterranean Mansions that features on the back cover, Jim Camp's Villa, which is located in Daytona Beach's new locally designated historic district.

Mr. Hoitsma thanked the Board members that represent the Planning Board on various other City boards.

Adjournment

There being no further actions to come before the board, the meeting was adjourned at 9:40 PM.

Robert J Hoitsma

ROBERT HOITSMA
Chair

ATTEST:

Cathy A Washington

CATHY WASHINGTON
Secretary