

MINUTES
REGULAR MEETING – PLANNING BOARD
October 24, 2024

Minutes of the Special Meeting of the Planning Board for the City of Daytona Beach, Florida, held on Thursday, October 24, 2024, at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

1. Call to Order

Mr. McLean, Chair, called the meeting to order

2. Roll Call

Board Members:

Tony Barhoo	Present (left at 7:42PM)
Michael McLean, Chair	Present
James Newman	Present
Milverton Robinson	Present
Tony Servance	Absent
Cathy Washington, Secretary	Present
Vernon Weatherholtz, Vice Chair	Present

Staff Present:

Dennis Mrozek, Planning Director
David Russell, Assistant City Attorney
Doug Gutierrez, Planning Manager
Danalee Petyk, Senior Planner
Paula Long, Planner
Luke Rinkus, Planner
Luci Brito, Office Specialist II

3. Approval Of Minutes – September 12, 2024

Approval of the Minutes of the September 12, 2024, Planning Board Meeting held at City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

A motion was made by Mr. Barhoo and seconded by Mr. Weatherholtz to approve the minutes. The motion carried (6-0) as follows:

Tony Barhoo	Yes
Michael McLean	Yes

James Newman	Yes
Milverton Robinson	Yes
Cathy Washington,	Yes
Vernon Weatherholtz	Yes

4. Items

A. Executive Storage Small Scale Comprehensive Plan Amendment (SSCPA) DEV2023-016 (Legislative Hearing)

A request by Rob Merrell, Esq., of Cobb Cole, on behalf of Executive Storage, LLC, to approve a Small-Scale Comprehensive Plan Amendment (SSCPA) changing the future land use map designation from County Activity Center (AC) to City Mixed Use (MU). The Applicant is also applying for an Annexation and rezoning to a Planned Development – General (PD-G). The property is located 1464 Tomoka Farms Road.

Staff Presentation:

Doug Gutierrez, Planning Manager, Senior Planner, presented the staff report which was included as part of the packet. A request by Rob Merrell, Esq. of Cobb Cole, on behalf of Executive Storage, LLC, to approve a Small-Scale Comprehensive Plan Amendment (SSCPA) changing the future land use map designation from County Activity Center (AC) to City Mixed Use (MU). The Applicant is also applying for an Annexation and rezoning to a Planned Development – General (PD-G). The property is located 1464 Tomoka Farms Road. Staff finds that the small-scale amendment is consistent with the Comprehensive Plan, does not represent urban sprawl and the City has available capacity to serve the demand on available water and sewer.

A motion was made by Mr. Barhoo and seconded by Mr. Weatherholtz to approve Executive Storage Small Scale Comprehensive Plan Amendment (SSCPA) DEV2023-016 . The motion carried (6-0) with the breakdown as follows:

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

B. Executive Storage PD-G Rezoning DEV2023-017 (Quasi-Judicial Hearing)

A request by Robert A. Merrell, Esq., of Cobb Cole, on behalf of Executive Storage, LLC, to rezone of 4.20 ± acres of land from Volusia County Rural Agriculture Center (A-2) to Planned Development-General (PD-G), to allow for storage facility. The property is located 1464 Tomoka Farms Road.

Staff Presentation:

Doug Gutierrez, Planning Manager, Senior Planner, presented the staff report which was included as part of the packet. A request by Robert A. Merrell, Esq., of Cobb Cole, on behalf of Executive Storage, LLC, to rezone of 4.20 ± acres of land from Volusia County Rural Agriculture Center (A-2) to Planned Development-General (PD-G), to allow for storage facility. The property is located 1464 Tomoka Farms Road.

Staff finds the requested rezone meets the criteria in Sections 3.4.D.3 and 4.8.B, Land Development Code. Staff recommends the Planning Board forward the rezone of ± 4.20 acres from Volusia County Rural Agriculture (A-2) to Planned Development – General (PD-G) to the City Commission with a recommendation of approval.

Applicant Presentation:

Rob Merrell, Esq of Cobb Cole and Associates, on behalf of Executive Storage, LLC was present to answer any questions.

Mr. Weatherholtz asked about drainage and flooding on the property.

Mr. Merrell advised the site will follow all LDC requirements in reference to stormwater management and drainage.

Sal Bologna property owner addressed the board and advised that prior to purchasing the property he walked the property with his environmentalist and the property is high and dry.

A motion was made by Mr. Robinson and seconded by Mr. Newman to approve Executive Storage PD-G Rezoning DEV2023-017 adding a cell tower usage to the project. The motion carried (6-0) with the breakdown as follows:

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

C. Dowling Court and York Court – Right of Way Vacation DEV2024-420 (Legislative Hearing)

A request by Jessica Gow Esq., of Cobb Cole on behalf of the property owners, to vacate the Dowling Court and York Court rights-of-way, to be combined with the adjacent properties to allow for a mixed-use development. The property is generally located southeast of the North Ridgewood Avenue and Bay Street intersection.

Staff Presentation:

Danalee Petyk, Senior Planner, presented the staff report which was included as part of the packet. A request by Jessica Gow Esq., of Cobb Cole on behalf of the property owners, to vacate the Dowling Court and York Court rights-of-way, to be combined with the adjacent properties to allow for a mixed-use development. The property is generally located southeast of the North Ridgewood Avenue and Bay Street intersection.

Staff recommends approval of the requested vacate of the Dowling Court right-of-way of the of the Dowling Court plat, as recorded in Map Book 18, Page 105, in the public records of Volusia County, Florida, and the requested vacate of the York Court right-of-way of the Map of Subdivision of Lots 5 & 6, according to Hodgemens Map of Daytona, Florida, plat as recorded in Map Book 16, Page 144, in the public records of Volusia County, Florida; with the condition Lots 7, 8, and 9 of the Dowling Court Subdivision be combined with the parcel to the east prior to the adoption of the Dowling Court vacate

Applicant Presentation:

Jessica Gow Esq., of Cobb Cole, on behalf of the property owners, to vacate the Dowling Court and York Court rights-of-way, to be combined with the adjacent properties to allow for a mixed-use development. The property is generally located southeast of the North Ridgewood Avenue and Bay Street intersection.

A motion was made by Mr. Barhoo seconded by Mr. Weatherholtz, to approve the Dowling Court and York Court – Right of Way Vacation DEV2024-420. The motion carried (6-0) with the breakdown as follows:

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

D. First Amendment Project Delta West – Planned Development-Redevelopment (PD RD) DEV2022-174 (Quasi-Judicial Hearing)

A request by Jessica Gow Esq., of Cobb Cole on behalf of Accent Daytona Beach, LP, and 125 US 1, LLC, (property owners) for a rezoning request for the 1st amendment to the Project Delta West Planned Development-Redevelopment (PD-RD) Agreement to incorporate an additional 0.86 acres of property zoned Redevelopment Downtown-Commercial (RDD-3) into the PD-RD for a total of ± 6.86 acres and to revise the PD Agreement and PD Plan for a proposed mixed-use development. The property is generally located southeast of the intersection of Bay Street and Ridgewood Avenue.

Staff Presentation:

Danalee Petyk, Senior Planner, presented the staff report which was included as part of the packet. A request by Jessica Gow Esq., of Cobb Cole, on behalf of Accent Daytona Beach, LP, and 125 US 1, LLC, (property owners) for a rezoning request for the 1st amendment to the Project Delta West Planned Development-Redevelopment (PD-RD) Agreement to incorporate an additional 0.86 acres of property zoned Redevelopment Downtown-Commercial (RDD-3) into the PD-RD for a total of \pm 6.86 acres and to revise the PD Agreement and PD Plan for a proposed mixed-use development. The property is generally located southeast of the intersection of Bay Street and Ridgewood Avenue.

Staff supports the Downtown Redevelopment Board's recommendation for approval and finds the requested rezone meets the criteria in Sections 3.4.D.3 and 4.8.B, Land Development Code. Staff recommends the Planning Board forward the 1st amendment to the Project Delta West Planned Development-Redevelopment (PD-RD) Agreement to incorporate an additional 0.86 acres of property currently zoned Redevelopment Downtown-Commercial (RDD-3) into the PD-RD for a total of \pm 6.86 acres and to revise the PD Agreement and PD Plan to the City Commission with a recommendation of approval.

Applicant Presentation:

Jessica Gow Esq., of Cobb Cole, on behalf of Accent Daytona Beach, LP, and 125 US 1, LLC, (property owners) for a rezoning request for the 1st amendment to the Project Delta West Planned Development-Redevelopment (PD-RD) Agreement.

Mr. Barhoo does not agree with the reduction in the parking requirement.

Mr. Mrozek advised staff examined this project and determined reduced parking is appropriate. The project will also be providing on street parking.

Mr. Weatherholtz asked how long the developer has to get the project built

Ms. Petyk stated the original PD would determine the time limits of the project.

Mr. Newman wanted to know if the surrounding public parking was restricted by time limits.

Ms. Gow stated they are unrestricted public parking.

Mr. Barhoo wanted to know if the large public parking lot to the east of the project would be developed into something else.

Ms. Gow stated that lot was owned by the city.

Mr. Mzorek stated it did not appear that the city would be using that parking lot for anything other than transforming the lot into a parking garage.

A motion was made by Mr. Newman seconded by Mr. Weatherholtz, to approve First Amendment Project Delta West – Planned Development-Redevelopment (PD-RD) DEV2022-174. The motion carried (5-1) with the breakdown as follows:

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

Mr. Barhoo left the meeting after Item 4D was voted on, the time was approximately 7:42PM.

E. Banfield Pet Hospital PD-G Rezoning DEV2021-531 (Quasi-Judicial Hearing)

A request by Tahesha Silva, Larson Design Group, on behalf of KRG ISS, LCC (property owner), to rezone 0.92± acres of land from the Chili’s Planned Development to the Banfield Pet Hospital Planned Development – General (PD-G) to allow for the redevelopment of a vacant restaurant building at 2510 W International Speedway Boulevard, or more generally located north of International Speedway Boulevard, approximately 0.40 miles east of Interstate 95.

Staff Presentation:

Danalee Petyk, Senior Planner, presented the staff report which was included as part of the packet. A request by Tahesha Silva, Larson Design Group, on behalf of KRG ISS, LCC (property owner), to rezone 0.92± acres of land from the Chili’s Planned Development to the Banfield Pet Hospital Planned Development – General (PD-G) to allow for the redevelopment of a vacant restaurant building at 2510 W International Speedway Boulevard, or more generally located north of International Speedway Boulevard, approximately 0.40 miles east of Interstate 95.

Staff recommends the Planning Board forward the rezone of ± 0.92 acres from the Chili’s Planned Development to the Banfield Pet Hospital Planned Development-General (PD-G) with a recommendation of approval.

Applicant Presentation:

Clarence Almenor, on behalf of Larson Design Group, of KRG ISS, LCC (property owner), to rezone 0.92± acres of land from the Chili’s Planned Development to the Banfield Pet Hospital Planned Development – General (PD-G) to allow for the redevelopment of a vacant restaurant building at 2510 W International Speedway Boulevard, or more generally located north of International Speedway Boulevard, approximately 0.40 miles east of Interstate 95.

A motion was made by Mr. Robinson seconded by Mr. Newman to approve Banfield Pet Hospital PD-G Rezoning DEV2021-531 . The motion carried (5-0) with the breakdown as follows:

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

F. Terrace Avenue Homes Bring Hope PD-G Rezoning and Preliminary Plat DEV2024-211 & DEV2024-436 (Quasi- Judicial Hearing)

A request by Jessica Gow, Esq., of Cobb Cole, on behalf of Homes Bring Hope LLC, to rezone 0.74± acres of property from Single-Family Residential 5 (SFR-5) to Planned Development-General (PD-G), to allow for an affordable single-family residential development. This request also includes a preliminary plat for the Terrace Avenue subdivision. The property is generally located on the southeast corner of Bellevue Avenue and Terrace Avenue Intersection.

Staff Presentation:

Danalee Petyk, Senior Planner, presented the staff report which was included as part of the packet. A request by Jessica Gow Esq., of Cobb Cole, on behalf of Homes Bring Hope LLC, to rezone 0.74± acres of property from Single-Family Residential 5 (SFR-5) to Planned Development-General (PD-G), to allow for an affordable single-family residential development. This request also includes a preliminary plat for the Terrace Avenue subdivision. The property is generally located on the southeast corner of Bellevue Avenue and Terrace Avenue Intersection.

Staff recommends the Planning Board forward the rezone of ± 0.74 acres from Single-Family Residential-5 (SFR-5) to Planned Development-General (PD-G) and the Preliminary Plat for the Terrace Ave subdivision to the City Commission with a recommendation of approval.

Applicant Presentation:

Jessica Gow, Esq., of Cobb Cole, on behalf of Homes Bring Hope LLC, to rezone 0.74± acres of property from Single-Family Residential 5 (SFR-5) to Planned Development-General (PD-G), to allow for an affordable single-family residential development. This request also includes a preliminary plat for the Terrace Avenue subdivision. The property is generally located on the southeast corner of Bellevue Avenue and Terrace Avenue Intersection.

Mr. Newman asked about the access for waste disposal.

Ms. Petyk stated the waste disposal would be on the front curb of the properties.

Mr. Newman asked how the affordable housing thresholds were established.

Ms. Petyk stated the thresholds were set by the federal government.

Ms. Gow advised the A.M.I. thresholds are based on our area which is referred to as the “Daytona/Deltona Area” and basically encompasses the entire county.

Daniel Oakes 1370 Bellevue is against the project.

Leslie Thaxton 859 Terrace Avenue is against the project.

Mr. Robinson asked about fencing.

Ms. Gow stated the property owners would determine the fencing.

A motion was made by Mr. Weatherholtz seconded by Mr. Robinson to approve Terrace Avenue Homes Bring Hope PD-G Rezoning and Preliminary Plat DEV2024-211 & DEV2024-436 . The motion carried (4-1) with the breakdown as follows:

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

G. 932 Mason Ave. PD-G Rezoning DEV2024-294 (Quasi-Judicial Hearing)

A request by Robert Merrell Esq., of Cobb Cole, on behalf of Wolf 429 Holdings, LLC, to rezone 0.28± acres of land from Business Retail-2 (BR-2) to Planned Development-General (PD-G) for an expansion of an existing legal nonconforming veterinary clinic use. The property is generally located North of Mason Avenue, approximately 400 feet east of Nova Road.

Staff Presentation:

Danalee Petyk, Senior Planner, presented the staff report which was included as part of the packet. A request by Robert Merrell Esq., of Cobb Cole on behalf of Wolf 429 Holdings, LLC, to rezone 0.28± acres of land from Business Retail-2 (BR-2) to Planned Development-General (PD-G) for an expansion of an existing legal nonconforming veterinary clinic use. The property is generally located North of Mason Avenue, approximately 400 feet east of Nova Road. Staff recommends the Planning Board forward the rezone of ± 0.28 acres from Business Retail-2 (BR-2) to Planned Development-General (PD-G) to the City Commission with a recommendation of approval.

Applicant Presentation:

A request by Robert Merrell Esq., of Cobb Cole, on behalf of Wolf 429 Holdings, LLC, to rezone 0.28± acres of land from Business Retail-2 (BR-2) to Planned Development-General (PD-G) for an expansion of an existing legal nonconforming veterinary clinic use. The property is generally located North of Mason Avenue, approximately 400 feet east of Nova Road.

A motion was made by Mr. Newman seconded by Mr. Weatherholtz to approve 932 Mason Ave. PD-G Rezoning DEV2024-294. The motion carried (5-0) with the breakdown as follows:

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

H. Halifax Townhomes – Preliminary- Plat DEV2024-306 (Quasi-Judicial Hearing)

A request by Steven R. Buswell, PE, of Parker Mynchenberg & Associates, on behalf of Daytona Lux Development, LLC, to approve a preliminary plat on 39.4 ± acres of land, for the development of a 220-unit multi-family fee simple townhome development, to include an amenity center, common space, drainage easements and tree preservation. the property is generally located west of Clyde Morris Boulevard, east of Williamson and south of LPGA.

Staff Presentation:

Luke Rinkus, Planner, presented the staff report which was included as part of the packet. A request by Steven R. Buswell, PE, of Parker Mynchenberg & Associates, on behalf of Daytona Lux Development, LLC, to approve a preliminary plat on 39.4 ± acres of land, for the development of a 220-unit multi-family fee simple townhome development, to include an amenity center, common space, drainage easements and tree preservation. the property is generally located west of Clyde Morris Boulevard, east of Williamson and south of LPGA. Staff finds the proposed Major Subdivision Preliminary Plat meets the review standards in Sections 3.4.K.3.b., Land Development Code. Staff recommends the Planning Board approve the Major Subdivision Preliminary Plat for Halifax Townhomes to allow for the construction of a 220-unit multi-family townhome development on± 39.44 acres.

Applicant Presentation:

Jessica Gow, Esq., of Cobb Cole, on behalf of Steven R. Buswell, PE, of Parker Mynchenberg & Associates, on behalf of Daytona Lux Development, LLC, to approve a preliminary plat on 39.4 ± acres of land, for the development of a 220-unit multi-family fee simple townhome development, to include an amenity center, common space, drainage easements and tree preservation. the property is generally located west of Clyde Morris Boulevard, east of Williamson and south of LPGA.

A motion was made by Mr. Robinson seconded by Mr. Newman to approve Halifax Townhomes – Preliminary- Plat DEV2024-306. The motion carried (5-0) with the breakdown as follows:

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

I. Tomoka Townhomes Parcel B – Site Plan DEV2023-063 (Quasi-Judicial Hearing)

A request by Charlie Potter, PE - AVID Group, on behalf of Tomoka Town Center 3, LLC, to approve a major site plan to construct an 82-unit residential Townhouse community on 7.22 ± acres, with utility, stormwater drainage and other site-related improvements. The property is generally located at the intersection of Williamson and Cornerstone Boulevard.

Staff Presentation:

Paula Long, Planner, presented the staff report which was included as part of the packet. A request by Charlie Potter, PE - AVID Group, on behalf of Tomoka Town Center 3, LLC, to approve a major site plan to construct an 82-unit residential Townhouse community on 7.22 ± acres, with utility, stormwater drainage and other site-related improvements. The property is generally located at the intersection of Williamson and Cornerstone Boulevard. Staff finds the proposed Major Site Plan meets the review standards in Sections 3.4.I.5, Land Development Code. Staff recommends the Planning Board approve the Major Site Plan for Parcel B Townhomes @ Tomoka Town Center to allow for the construction of an 82-unit residential Townhouse community on 7.22 ± acres of land.

Applicant Presentation:

Jessica Gow, Esq., of Cobb Cole, on behalf Charlie Potter, PE - AVID Group, on behalf of Tomoka Town Center 3, LLC, to approve a major site plan to construct an 82-unit residential Townhouse community on 7.22 ± acres, with utility, stormwater drainage and other site-related improvements. The property is generally located at the intersection of Williamson and Cornerstone Boulevard.

Mr. Weatherholtz asked about the retention pond.

Mr. Merrell stated the retention pond is part of the master plan.

A motion was made by Mr. Newman seconded by Ms. Washington to approve Tomoka Townhomes Parcel B – Site Plan DEV2023-063. The motion carried (4-1) with the breakdown as follows:

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

J. Bayless Digital Billboards LDC Text Amendment DEV2024-304 (Legislative Hearing)

Staff Presentation:

Dennis Mrozek, Planning Director, presented the staff report which was included as part of the packet. A request by Robert A. Merrell and Jessica Gow, of Cobb Cole, on behalf of Peter Costanza, Lamar Advertising, to amend the Land Development Code (LDC), Section 6.10.J.2.C.iii., to allow an existing nonconforming billboard along West International Speedway Blvd. and within 500 feet of Bayless Blvd. to be removed and replaced with a digital billboard at the same location.

Permitting digital billboards within the City is a policy matter ultimately decided by the City Commission after a recommendation by the Planning Board. Staff supports the Board’s recommendation.

Applicant Presentation:

Robert A. Merrell Esq. and Jessica Gow Esq., of Cobb Cole, on behalf of Peter Costanza, Lamar Advertising, to amend the Land Development Code (LDC), Section 6.10.J.2.C.iii., to allow an existing nonconforming billboard along West International Speedway Blvd. and within 500 feet of Bayless Blvd. to be removed and replaced with a digital billboard at the same location.

A motion was made by Mr. Newman seconded by Mr. Weatherholtz to approve Bayless Digital Billboards LDC Text Amendment DEV2024-304. The motion carried (5-0) with the breakdown as follows:

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

K. Planned Development Extension Process LDC Text Amendment DEV2024-591 (Legislative Hearing)

Staff Presentation:

Dennis Mrozek, Planning Director, presented the staff report which was included as part of the packet. A request by the Growth Management and Planning Department, Planning Division, to amend Article 3 (Review Process), Section 3.4.F (Planned Development), of the Land Development Code (LDC), to limit PD extension requests to only PD Agreements that have not yet expired.

Staff recommends approval of the request to amend the Land Development Code to limit PD extension requests to only PD Agreements that have not yet expired.

Mr. Robinson asked what happens if the P.D. expires.

Mr. Russell explained it would have to be rezoned.

A motion was made by Mr. Newman seconded by Ms. Washington to approve Planned Development Extension Process LDC Text Amendment DEV2024-591. The motion carried (4-1) with the breakdown as follows:

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

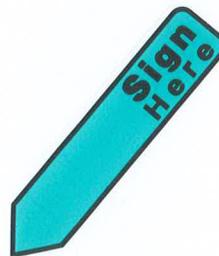
5. Other Business

- A. Downtown /Ballough Road Redevelopment Area Board Report
- B. Midtown Redevelopment Area Board Report
- C. Beachside Redevelopment Area Board Report
- D. Affordable Housing Advisory Committee (AHAC) Report
- E. Public Comments
- F. Staff Comments
- G. Board Members Comments

The meeting was adjourned at 9:17 P.M.



Michael McLean, Chair



Luci Brito, Secretary