



**The City of Daytona Beach**  
**AGENDA**  
**Planning Board Meeting**  
**6:00 PM - Thursday, September 26, 2024**  
**City Commission Chambers**  
Website: [www.codb.us](http://www.codb.us)

	Page
<b>1. CALL TO ORDER</b>	
<b>2. ROLL CALL</b>	
<b>3. APPROVAL OF MINUTES</b>	
<b>3.A. Approval of the Minutes of the September 12, 2024 Planning Board Meeting will be provided at the October 24th meeting.</b>	
<b>4. NEW ITEMS</b>	
<b>4.A. Terrace Avenue Homes Bring Hope PD-G Rezoning and Preliminary-Plat DEV2024-211 &amp; DEV2024-436 (Quasi-Judicial Hearing)</b>	4 - 34
<p>A request by Jessica Gow, Esquire, 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.</p> <p><a href="#">4A - Terrace Ave Homes Bring Hope PD-G Staff Report</a></p>	
<b>4.B. Halifax Townhomes - Preliminary-Plat DEV2024-306 (Quasi-Judicial Hearing)</b>	35 - 49
<p>A request by Steven R. Buswell, PE, of Parker Mynchenberg &amp; 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.</p> <p><a href="#">4B - Halifax Townhomes Project Oasis Phase 3</a></p>	
<b>4.C. Dowling Court York Street - Right-of-Way Vacation DEV2024-420 (Quasi-Judicial Hearing)</b>	50 - 77

A request by Jessica Gow, Cobb Cole, on behalf of the property owners, to vacate the Dowling Court and York Court rights-of-way, to 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.

[4C - Dowling CT York CT ROW](#)

**4.D. 1st Amendment Project Delta West - Planned Development-Redevelopment (PD-RD) DEV2022-174 (Quasi-Judicial Hearing)** 78 - 131

A request by Jessica Gow, Cobb Code, 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.

[4D - 1st Amendment Delta West](#)

**4.E. Tomoka Townhomes Parcel B - Site Plan DEV2023-063 (Quasi-Judicial Hearing)** 132 - 155

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  $\pm$  acres, with utility, stormwater drainage and other site-related improvements. The property is generally located at the intersection of Williamson and Cornerstone Boulevard.

[4E - Tomoka Townhomes Parcel B](#)

**4.F. Bayless Digital Billboards - Land Development Code Text Amendment DEV2024-304 (Legislative Hearing)** 156 - 161

A request by Robert A. Merrell III and Jessica Gow, 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.

[4F - Bayless Digital Billboard](#)

**4.G. Planned Development Extension Process - Land Development Code Text Amendment DEV2024-591 (Legislative Hearing)** 162 - 164

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.

[4G - Extension Process to PD Text Amendment](#)

**5. OTHER BUSINESS**

- a. Downtown/Balough 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

**6. ADJOURNMENT**

**NOTICES** - Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the Planning Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not prepare or provide such a record. For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8023 Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.



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**In accordance with the Americans with Disabilities Act (ADA)**, persons with a disability needing a special accommodation to participate in the Planning Board meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Telephone: 386-671-8023, Email: [clerk@codb.us](mailto:clerk@codb.us) not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 7-1-1 or 1-800-955-8771.

Agenda Item 4A (Quasi-Judicial Hearing)  
**Planned Development - General Rezoning & Preliminary Plat**  
DEV2024-211 & DEV2024-436  
Terrace Avenue – Homes Bring Hope PD

**STAFF REPORT**

**MEETING DATE:** September 26, 2024, Planning Board  
**REPORT DATE:** September 17, 2024  
**SUBJECT:** DEV2024-211 & DEV2024-436 Terrace Avenue – Homes Bring Hope  
PD-G Rezone & Preliminary Plat  
**APPLICANT:** Jessica Gow, Esq., Cobb Cole  
**OWNER:** Homes Bring Hope, LLC  
**STAFF:** Danalee Petyk, AICP, Senior Planner

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**SUMMARY OF REQUEST**

This request is for a rezone of ± 0.74 acres of land from Single-Family Residential-5 (SFR-5) to Planned Development-General (PD-G) for a six (6) lot affordable single-family residential subdivision. The affordable housing will be provided for individuals and families with income at 80% or below of the Area Median Income (AMI), adjusted for family size. The request also includes the associated preliminary plat for the Terrace Ave subdivision.

As part of the PD-G rezoning, the applicant has requested the following waivers and LDC modifications:

- Modify the single-family lot dimensional standards for lot width, building coverage, and setbacks
- Reduce the required roadway width from 24 feet to 16 feet internal to the development

A majority vote by the Planning Board members present and voting is required to forward a recommendation to the City Commission. The item is tentatively scheduled to be heard by the City Commission for 1<sup>st</sup> reading on November 6, 2024, and for 2<sup>nd</sup> reading on November 20, 2024.

**Staff recommendation:** 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.

**SITE INFORMATION**

**Location:** Southeast corner of the Bellevue Avenue and Terrace Avenue intersection

**Parcel No(s):** 5339-03-84-0040

**Property Size:** ± 0.74 acres

**Existing Zoning:** Single-Family Residential-5 (SFR-5)

**Existing Future Land Use:** Level 2 Residential (L2-R)

**Adjacent Land Use and Zoning:** *Existing uses listed in the table below are not intended to be an all-inclusive list, but a general summary of types of uses near the subject property.*

	Existing Use(s)	Future Land Use Designation	Existing Zoning Classification
<b>Site</b>	Vacant	L2-R	SFR-5
<b>North (Across Bellevue Ave)</b>	Single-Family Residential	L1-R	SFR-5
<b>South</b>	Single-Family Residential	L2-R	MFR-20
<b>East</b>	Single-Family Residential	L2-R	MFR-20
<b>West (Across Terrace Ave)</b>	Daytona Memorial Park	Cemetery	SFR-5



**Aerial View of the Property**

**PROJECT DESCRIPTION**

The applicant proposes to rezone ± 0.74 acres of vacant property to allow for the development of an affordable single-family residential subdivision. The subdivision will be developed with six (6) lots with rear access to an internal private alley. The subdivision will have landscape buffers and a stormwater pond. The property will be developed as a certified Affordable Housing Project under Section 6.22, Land Development Code (LDC), which requires the property to be maintained as affordable for a minimum period of ten (10) years. The affordable housing will be provided for individuals and families with income at 80% or below of the Area Median Income (AMI), adjusted for family size.

The general development plan for the single-family use on the property is shown in *Attachment A*.

Concurrent with the rezoning request, the applicant has submitted a preliminary plat for the Terrace Ave subdivision, as shown in *Attachment B*. This subdivision plat will create the six (6) single-family detached lots with a separate tract and easements for common area and associated infrastructure facilities.

**PROJECT ANALYSIS – PLANNED DEVELOPMENT REZONING**

According to Section 3.4.D.3, *Site-Specific Zoning District Amendment Review Standards*, Land Development Code (LDC), the City shall consider the criteria below when determining whether to adopt or deny a proposed Site-Specific Zoning District Map Amendment. In addition, the City Commission must find applications for a PD zoning district classification in compliance with Section 4.8.B, *General Standards for All Planned Development Districts*, LDC, before approving said PD zoning district classification. The analysis of the proposed Planned Development – General zoning classification is below.

**Site-Specific Zoning District Map Amendment Review Standards**

Per Section 3.4.D.3, LDC, in determining whether to adopt or deny a proposed Site-Specific Zoning District Map Amendment, the City shall consider the following:

**a. Whether the applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:**

**i. Is consistent with and furthers the goals, objectives, and policies of the Comprehensive Plan and all other applicable City-adopted plans;**

The property has a Level 2 Residential (L2-R) future land use designation, which allows up to 20 dwelling units per acre of residential uses. The Level 2 residential area can be used as transitional areas between more intensive urban uses and less intensive uses. The proposed single-family subdivision is consistent with the allowable uses of the L2-R future land use designation of the property.

Staff finds the proposed rezone is consistent with the L2-R FLU designation and meets this criterion.

**ii. Is not in conflict with any portion of this Code.**

The development standards for a PD District must comply with Article 6: Development Standards and Article 7: Subdivision Standards in the LDC; any modifications of those standards must be established in the PD Plan (*Attachment A*) and the PD Agreement. The applicant has requested modifications to these standards, as detailed below and in the attached Waiver & Benefits Letter (*Attachment C*).

**LDC Modifications & Project Details**

- *Dimensional Lot Standards* – The applicant has requested a waiver from Section 4.2.B, LDC, to revise the dimensional standards for single-family residential developments to allow for flexibility in design and layout. The waiver includes modifications from the setback, lot width, and building coverage standards. The proposed modifications are detailed in the table below:

<b>Dimensional Standard</b>	<b>LDC Requirement (SFR-5)</b>	<b>Proposed PD Modification</b>
<b>Lot width</b>	50'	30'
<b>Front yard setback</b>	25'	15'
<b>Side yard setback</b>	7.5'	5'
<b>Building lot coverage</b>	35%	60%

Section 4.8, LDC, requires proposed PD rezonings to establish minimum lot standards within the PD Agreement. The other dimensional standards proposed are detailed later in this report.

- *Streets* – The applicant has requested a waiver from Section 7.2.D, LDC, to reduce the standard pavement width for two-way roadways for a local street from 24 feet to 16 feet. The proposed subdivision layout shows this roadway will be a rear-access private alley within an access easement over the residential lots. As the intent is for the alley to be for local traffic only and will function as a private driveway, Staff does not object to this reduction.

If the requested LDC modifications are granted, the proposed PD agreement will be consistent with the LDC, and the proposed amendment will meet this criterion.

**iii. Addresses a demonstrated community need;**

The applicant has provided a Waiver & Benefits Letter (*Attachment C*) which details the proposed public benefits to the project and addresses the standard for a demonstrated community need. Per the applicant, this project is intended to provide affordable housing to the community. The Waiver & Benefits Letter details the requested modifications to the LDC, as identified above, in exchange for the public benefits enumerated in the letter.

Staff does not object to the applicant’s demonstration they meet this criterion.

**iv. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;**

The subject property is situated between existing single-family residential lots to the north, east, and south, and the Daytona Memorial Park cemetery to the west. The surrounding single-family lots vary in width from 50 feet to 160 feet. The proposed smaller lots with this development serves as a transition between the cemetery and the single-family neighborhoods. As such, the proposed use is compatible with the existing developments in the area and with the Level 2 Residential FLU designation on the property.

The property has an existing SFR-5 zoning classification which allows the development of a single-family residential development within the bounds of the LDC requirements. The proposed PD-G zoning district proposes the same use with the necessary waivers and development standards to accommodate this specific project. As the uses of the PD-G are consistent with the existing zoning, it would be considered appropriate.

Staff finds the proposed amendment is compatible with the existing and proposed uses surrounding the subject land and the requested PD-G zoning district is appropriate; therefore, the rezone meets this criterion.

**v. Would result in a logical and orderly development pattern;**

The standards proposed in the PD Agreement and the LDC would result in a logical and orderly development pattern for the property and the surrounding area. Staff finds the proposed amendment meets this criterion.

**vi. Would not adversely affect the property values in the area;**

Staff does not find any indication the proposed development plan will adversely affect the property values in the area. The proposal is development of a vacant site with uses similar in scope and character with the surrounding area. The amendment meets this criterion.

**vii. Would result in development that is adequately served by public facilities (roads, potable water, wastewater, solid waste, storm water, schools, parks, police, and fire and emergency medical facilities); and**

The PD Agreement acknowledges approval of the rezoning does not constitute a Concurrency Certificate as required by the LDC. The applicant will be required to separately obtain a Concurrency Certificate and, where applicable, enter into a proportionate fair share agreement, prior to approval of a final plat for the proposed development.

Staff has reviewed the requested development for impacts to public facilities as part of the rezoning and offers no objection to the proposed uses and the conceptual development plan.

**viii. Would not result in significantly adverse impacts on the natural environment including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and**

The development is required to go through the final plat and site plan review process and provide environmental assessments and appropriate permitting from environmental agencies. Staff does not find any indication the development would result in significant adverse impacts to the natural environment. The PD rezoning meets this criterion.

**b. If the applicant demonstrates that the proposed amendment meets the criteria in subparagraph [a] above, whether the current zoning district designation accomplishes a legitimate public purpose.**

The existing zoning on the property is Single-Family Residential-5 (SFR-5) which is consistent with the L2-R future land use designation on the property. The SFR-5 zoning district is primarily intended to accommodate single-family residential developments. The applicant proposes to rezone the property to a PD to accommodate an affordable single-family subdivision with six (6) lots. The PD rezoning will result in a more constrained single-family development with affordable housing for the community.

**Planned Development Zoning Districts Review Standards**

The City Commission must find applications for a Planned Development (PD) zoning district classification in compliance with the standards outlined in Section 4.8.B, *General Standards for All Planned Development Districts*, LDC, before approving said PD zoning district classification. The analysis of the proposed PD, including the PD Agreement and Plan, is below.

**1. PD Plan/Agreement**

The PD Plan/Agreement includes an overall development plan for the property, as shown in *Attachment A*. The applicant has also requested modifications to the LDC in conjunction with the proposed development plan for the property, as stated earlier in this report and in the submitted Waiver & Benefits Letter (*Attachment C*). The PD Plan/Agreement complies with the standards of this subsection.

**2. Consistency with City Plans**

If adopted by the City Commission, the PD zoning district designation and the PD Plan/Agreement will be consistent with the Comprehensive Plan.

**3. Compatibility with Surrounding Areas**

The proposed development plan is compatible with the surrounding residential areas. The PD Agreement provides for appropriate buffers and establishes development criteria to provide for transition to the surrounding area based on the primary use proposed.

#### **4. Development Phasing Plan**

The development is not proposed to be phased but the PD Agreement does allow for phasing to occur if desired. The construction permits for the initial development of the property must be submitted within two (2) years of the approval of the PD Agreement, with substantial completion within four (4) years of approval.

#### **5. Conversion Schedule**

The PD is proposed for only single-family uses; therefore, the conversion schedule between residential uses is not applicable.

#### **6. On-Site Public Facilities**

The development will provide on-site public facilities as required to accommodate the uses proposed. The facilities will be reviewed at final plat and site plan and the applicant will obtain the appropriate City, State, or federal permits as applicable.

#### **7. Uses**

The following uses are proposed as permitted uses on the property per the PD Agreement. All uses are subject to compliance with the use-specific standards in Article 5 of the LDC. The uses provided here is a general summary of the proposed uses in the PD Agreement; additional requirements or conditions may be applicable to the uses as stated in the PD Agreement and LDC.

- **Residential Uses**

- Single-family detached dwelling\* (\*the Property shall be developed as a certified Affordable Housing Project under Section 6.22 of the City's LDC. The property shall be maintained as Affordable Housing for a period of 10 years, subject to the terms and conditions of a deed restriction in a form acceptable to the City.)

#### **8. Densities/Intensities**

The applicant proposes a maximum density of 9 dwelling units per acre. No non-residential uses are proposed on the property.

#### **9. Dimensional Standards**

The following lot development criteria shall apply to the property:

- Maximum building height: 35'
- Minimum building setbacks:
  - Front: 15'
  - Side: 5'
  - Street Side: 15'
  - Rear: 25'
- Maximum building coverage: 60%

- Minimum open space: 20%
- Maximum impervious surface area: 80% of overall site
- Maximum density: 9 dwelling units per acre (du/ac)
- Minimum lot width: 30'
- Minimum lot depth: 125'
- Minimum lot size: 3,750 sq. ft.
- Minimum living unit area: 900 sq. ft.
- Minimum space between buildings: 10'

**10. Development Standards**

All development in a PD district shall comply with the development standards in Article 6: Development Standards, and Article 7: Subdivision Standards, or any modifications of those standards established in the PD Plan/Agreement as consistent with City plans, the objective of the particular type of development standard, the purpose of the particular PD district, and any additional limitations or requirements set forth in Sections 4.8.C, LDC.

**Neighborhood Meeting**

The applicant conducted a neighborhood meeting on June 24, 2024, as required by the LDC. A summary of the neighborhood meeting prepared by the applicant is in *Attachment D*.

**PROJECT ANALYSIS – PRELIMINARY PLAT**

According to Section 3.4.K.3, *Major Subdivision Preliminary Plat*, LDC, a preliminary plat for a major subdivision, as defined by the LDC, requires review and recommendation by the Planning Board with a final review and decision by the City Commission. The basis of the decision by the City Commission shall be the preliminary plat’s compliance with the review standards in Section 3.4.K.3.c, LDC. The analysis of the proposed preliminary plat is below.

**Major Subdivision Preliminary Plat Review Standards**

Per Section 3.4.K.3.c, LDC, an application for a Major Subdivision Preliminary Plat shall be approved only on a finding there is competent substantial evidence in the record that the proposed subdivision and associated development complies with:

**i. The standards in Article 7: Subdivision and Infrastructure**

Staff has found the proposed preliminary plat is compliant with all lot dimensions, access, and infrastructure requirements outlined in Article 7 of the LDC and the proposed Terrace Avenue – Homes Bring Hope PD Agreement.

**ii. Applicable standards in Article 6: Development Standards**

Staff has found the proposed preliminary plat is compliant with the standards outline in Article 6 of the LDC and the proposed Terrace Avenue – Homes Bring Hope PD Agreement.

The property is subject to final plat review. Several minor comments must be addressed prior to approval of the final plat but do not affect the overall layout or scope of the preliminary plat.

**iii. All other applicable standards in this Code**

Staff has found the proposed preliminary plat is compliant with all other applicable standards in the LDC and the proposed Terrace Avenue – Homes Bring Hope PD Agreement.

**iv. All requirements or conditions of any prior applicable development orders**

The proposed preliminary plat is subject to the proposed Terrace Avenue – Homes Bring Hope PD Agreement and the requirements related to subdivision and lot standards. The preliminary plat is in compliance with the proposed PD Agreement.

**v. All other applicable City regulations**

Staff has found the proposed preliminary plat is compliant with all other applicable City regulations.

A development order approving a Major Subdivision Preliminary Plat authorizes the submittal of an application for approval of a Final Plat for the subdivision or an approved phase of the subdivision, in accordance with the LDC. Final Plats require approval from the City Commission only. The Final Plat empowers the subdivision of land; however, it does not act as a site plan approval.

A development order approving a Major Subdivision Preliminary Plat shall automatically expire if an application for approval of a Final Plat for the subdivision, or an approved phase of the subdivision, is not submitted within two years after the date of the development order, or an extension of this time period that is authorized in accordance with the LDC.

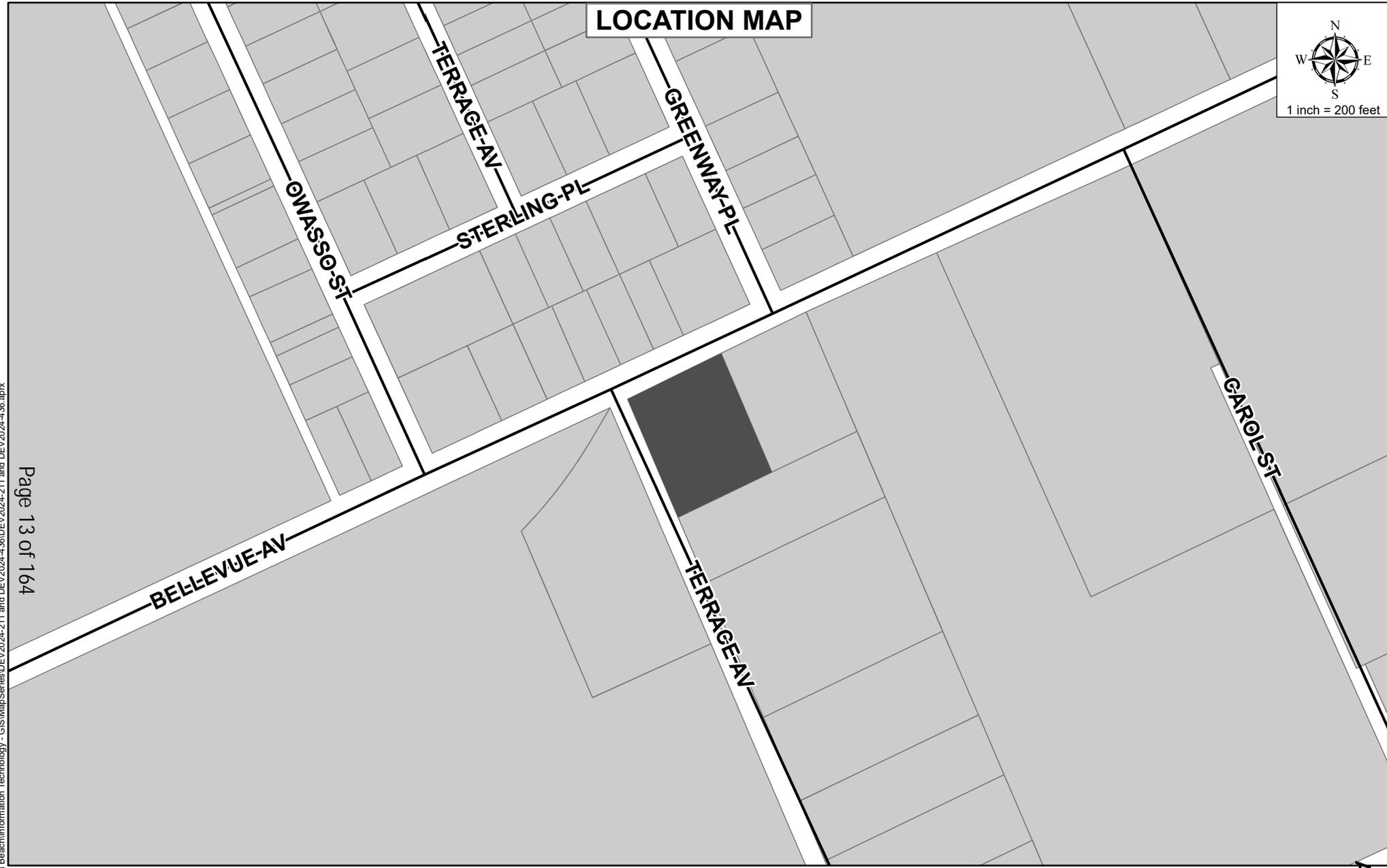
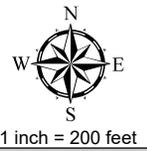
**RECOMMENDATION**

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.

A majority vote by the Planning Board members present and voting is required to forward a recommendation to the City Commission.

The item is tentatively scheduled to be heard by the City Commission for 1<sup>st</sup> reading on **November 6, 2024**, and for 2<sup>nd</sup> reading on **November 20, 2024**.

LOCATION MAP



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DEV2024-211 & DEV2024-436  
HOMES BRING HOPE PD-G  
REZONING AND PRE-PLAT  
LOCATION MAP

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Agenda Item #4.A.

AERIAL



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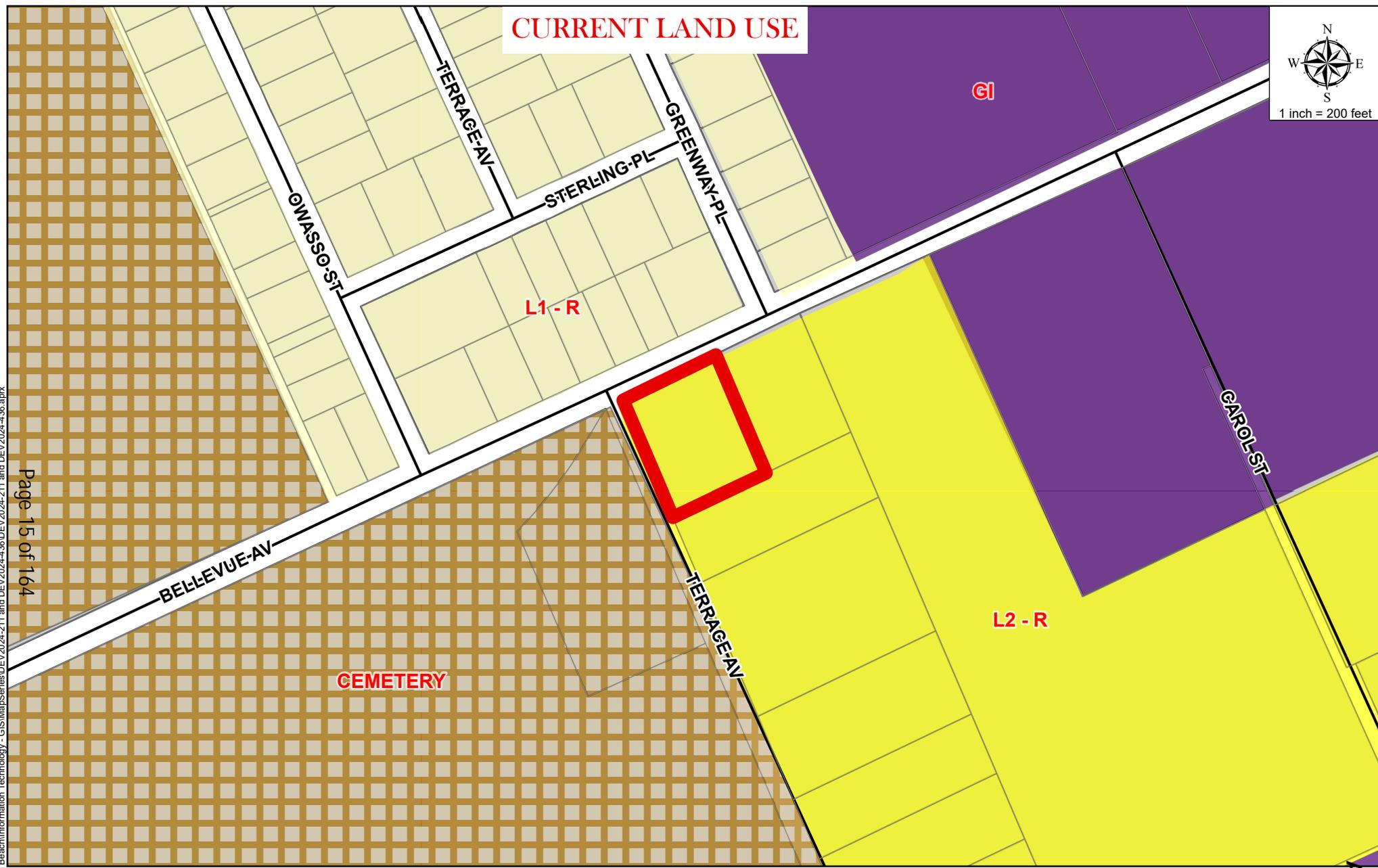
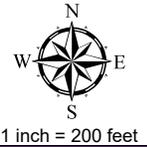


**DEV2024-211 & DEV2024-436  
HOMES BRING HOPE PD-G  
REZONING AND PRE-PLAT  
AERIAL MAP**

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Agenda Item #4.A.

**CURRENT LAND USE**



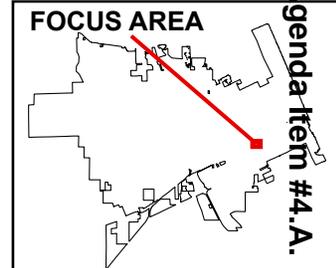
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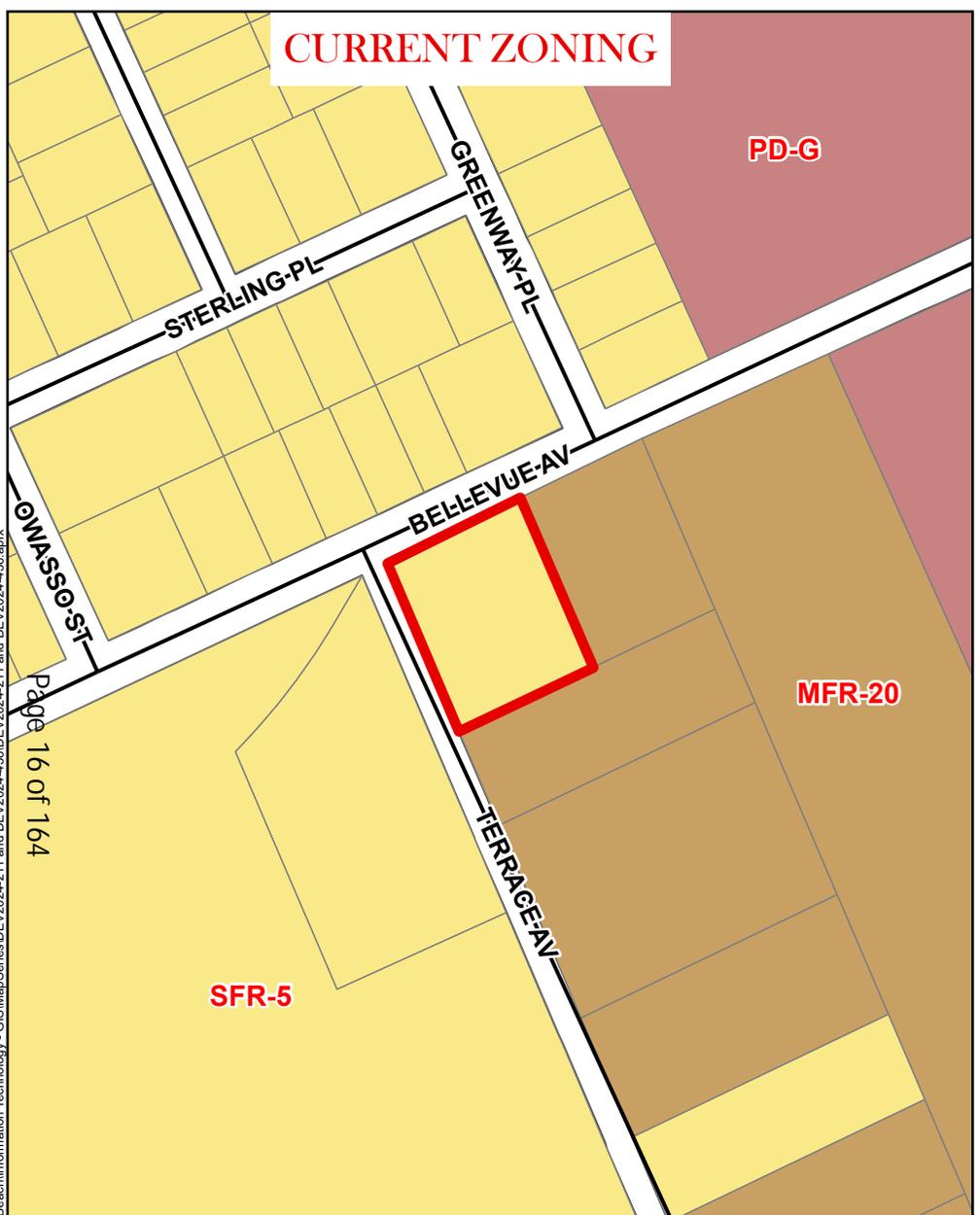
**DEV2024-211 & DEV2024-436  
HOMES BRING HOPE PD-G  
REZONING AND PRE-PLAT  
CURRENT LAND USE MAP**

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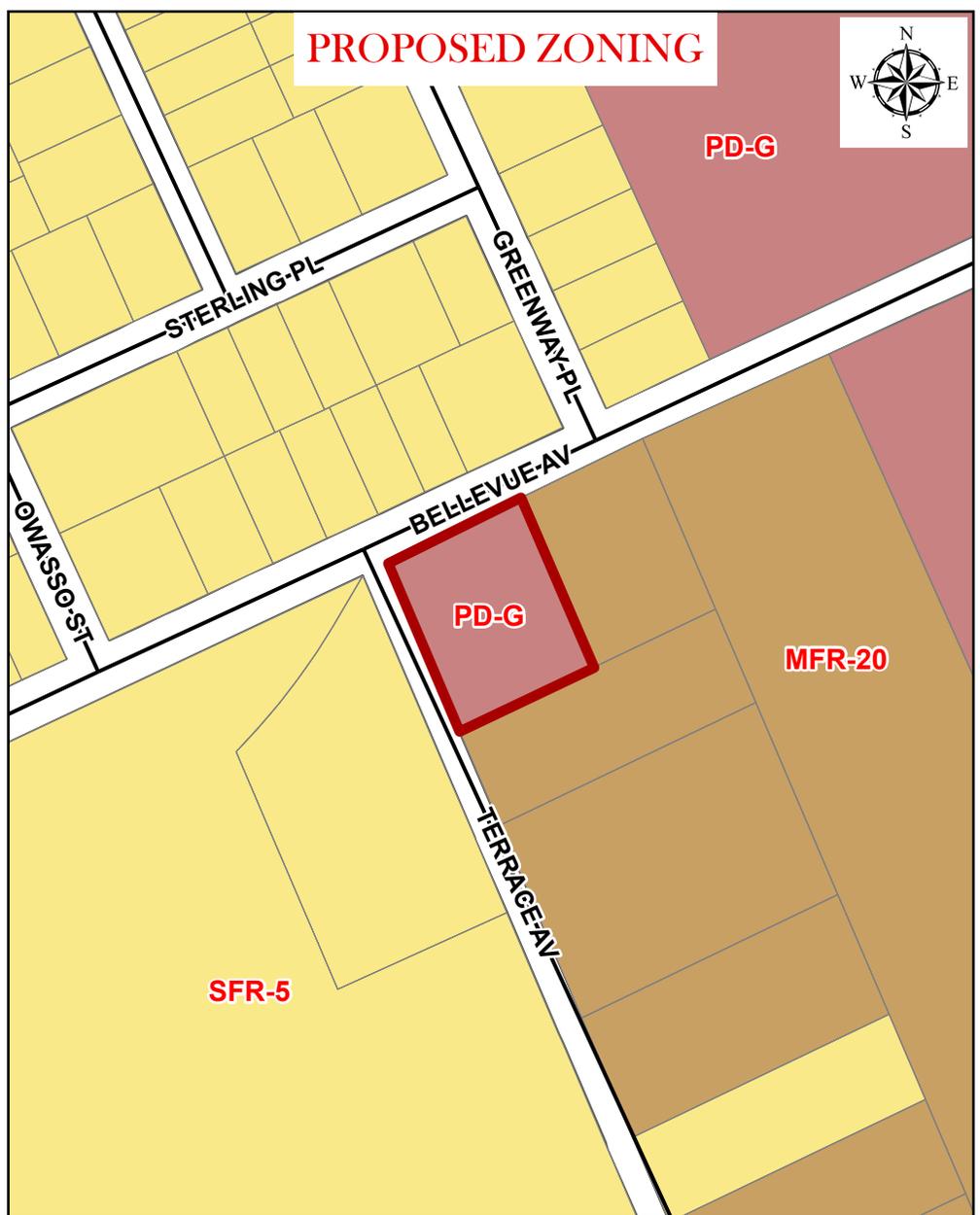
Agenda Item #4.A.

# CURRENT ZONING



1 inch = 200 feet

# PROPOSED ZONING



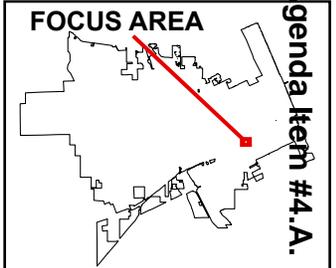
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## DEV2024-211 & DEV2024-436 HOMES BRING HOPE PD-G REZONING AND PRE-PLAT CURRENT AND PROPOSED ZONING MAP

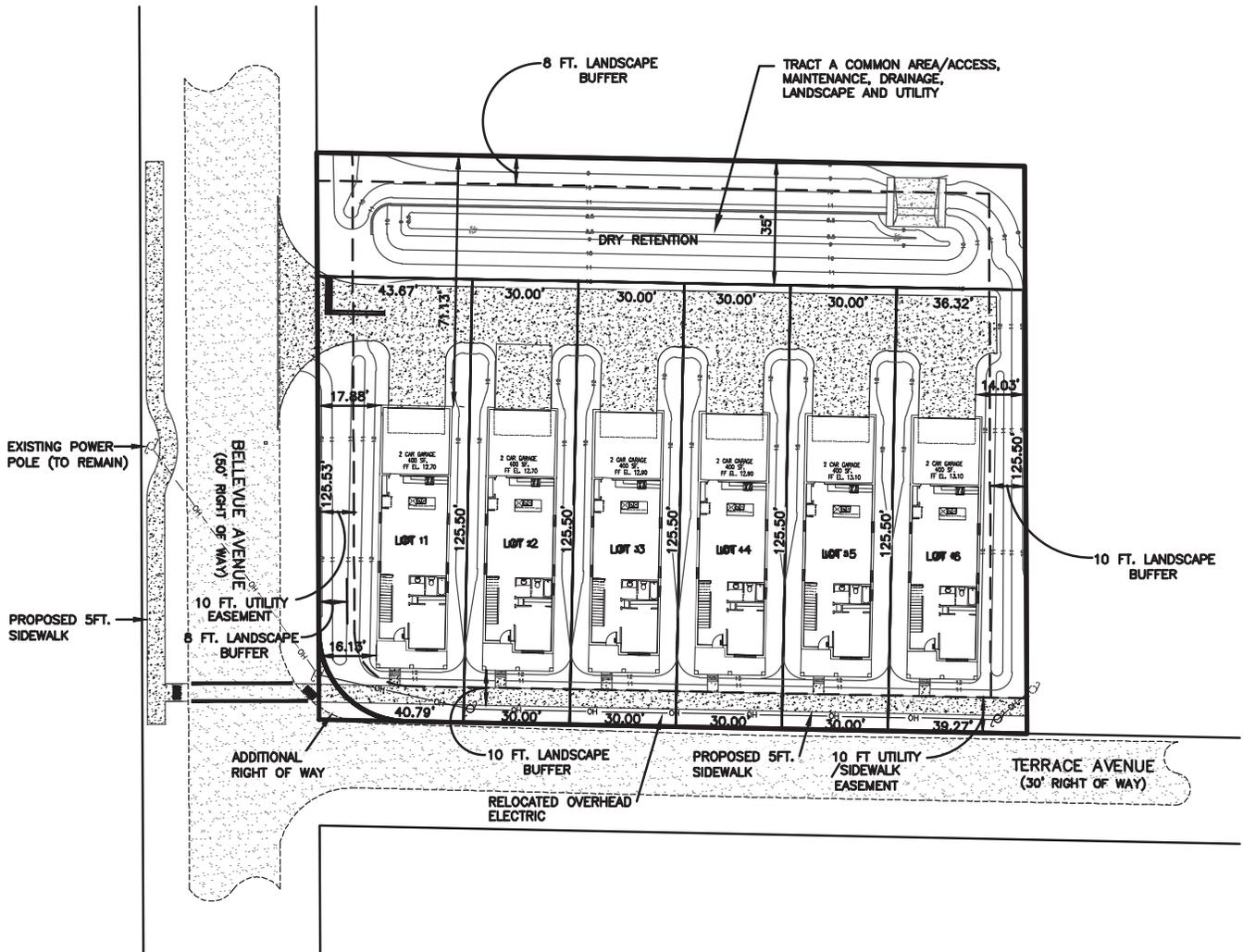
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Agenda Item #4.A.



SCALE: 1" = 50'



**TERRACE AVENUE - HOMES BRING HOPE  
PLANNED DISTRICT (PD)  
PD PLAN**

**PARKER MYNCHENBERG  
& ASSOCIATES, INC.**  
PROFESSIONAL ENGINEERS \* LANDSCAPE ARCHITECTS  
1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117  
(386) 677-6891 FAX (386) 677-2114  
E-MAIL: info@parkermynchenberg.com  
CERTIFICATION OF AUTHORIZATION NUMBER: 00003910

**EXHIBIT "B"**

DATE: 6-15-2024

# TERRACE AVE. SUBDIVISION

A PARTIAL REPLAT OF THAT UNNAMED LOT, BELLEVUE PARK REPLAT NO.2 RECORDED IN MAP BOOK 27, PAGE 144 ALSO BEING A PORTION OF BLOCK 84, TITLED J.B. HIGBEE'S PROPERTY, DEED BOOK "0" PAGE 487, LYING NORTH OF TERRACE AVENUE SECTION 39-TOWNSHIP 15 SOUTH-RANGE 35 EAST, CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA

MAP BOOK: \_\_\_ PAGE: \_\_\_

**LEGAL DESCRIPTION:**

A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 75665, PAGE 4740, LESS AND EXCEPT A PORTION OF THE LANDS DESCRIBED IN PARCEL 2, OFFICIAL RECORDS BOOK 7752, PAGE 0515, ALL BEING A PORTION OF BLOCK 84, DEED BOOK "0", PAGE 487.

**DESCRIBED AS FOLLOWS:**

BEGIN AT THE NORTHWEST CORNER OF BLOCK 84, AS SHOWN ON THE PLAT OF BELLEVUE MEMORIAL PARK REPLAT NUMBER 2 RECORDED IN MAP BOOK 27, PAGE 144; THENCE N64°42'50"E, ALONG THE SOUTHERLY RIGHT OF WAY OF BELLEVUE AVENUE AS NOW LAD OUT AND MONUMENTED, ACCORDING TO SAID MAP BOOK 27, PAGE 144, TO THE EASTERLY LINE OF THE WESTERLY 488.00 FEET, SAID LINE ALSO BEING THE EASTERLY RIGHT OF WAY OF TERRACE AVENUE AS NOW LAD OUT AND MONUMENTED, ACCORDING TO SAID MAP BOOK 27, PAGE 144, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE N64°52'50"E, ALONG SAID SOUTHERLY RIGHT OF WAY OF BELLEVUE AVENUE, A DISTANCE OF 160.94 FEET TO THE EASTERLY LINE OF BELLEVUE AVENUE, A DISTANCE OF 160.94 FEET TO THE WESTERLY LINE OF BELLEVUE AVENUE, A DISTANCE OF 648.50 FEET A DISTANCE 200.06 FEET TO THE NORTHERLY LINE OF THE LANDS DESCRIBED IN PARCEL 2, OFFICIAL RECORDS BOOK 7752, PAGE 0515; THENCE S64°52'50"W ALONG SAID NORTHERLY LINE A DISTANCE OF 160.54 FEET TO THE AFOREMENTIONED EASTERLY RIGHT OF WAY OF TERRACE AVENUE; THENCE N23°49'25"W, A DISTANCE OF 200.06 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.737 ACRES MORE OR LESS.

**NOTES:**

1) NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL PORTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO MANNER BE CONSIDERED A PART OF ANY OTHER PLAT OR RECORD. A DIGITAL COPY OF THIS PLAT IS AVAILABLE FOR VIEWING AT THE PUBLIC RECORDS OF THIS COUNTY.

2) BEARING STRUCTURE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM (EAST ZONE) NAD 83 (2007) DATUM, WITH THE SOUTH RIGHT OF WAY LINE OF BELLEVUE AVENUE, HAVING A BEARING OF N64°52'50"E

3) ■ DENOTES PERMANENT REFERENCE MONUMENT 4"x4" CONCRETE MONUMENT STAMPED PRIM LB 3019.

4) UTILITIES IN UTILITY EASEMENTS SHALL INCLUDE, BUT ARE NOT LIMITED TO, PUBLIC UTILITIES, NATURAL GAS, ELECTRIC (INCLUDING FLORIDA POWER & LIGHT CO.), TELEPHONE, CABLE TV

5) ALL PLATTED EASEMENTS, EXCLUSIVE OF PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY, SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF ANY ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT OF A CONFLICT BETWEEN SUCH PUBLIC UTILITIES AND CABLE TELEVISION, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGE. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY, SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION

6) THE UTILITY EASEMENTS REFERRED ABOVE AND DEPICTED AS SHOWN, HEREON ARE GRANTED AND CONVEYED TO ANY PUBLIC OR PRIVATE UTILITY AND ARE SEVERABLE, NON-EXCLUSIVE EASEMENTS, GRANTING THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN AND REPAIR UNDERGROUND PUBLIC UTILITY SYSTEMS (INCLUDING WIRES, CABLES, CONDUITS AND ABOVE GROUND APPURTENANT EQUIPMENT) UNLESS OTHERWISE INDICATED.

7) THERE SHALL BE A 10.00' WIDE NON-EXCLUSIVE TRANSFERABLE UTILITY EASEMENT TO ALL UTILITY PROVIDERS RUNNING OUTSIDE OF, PARALLEL WITH AND ADJACENT TO THE PUBLIC RIGHT OF WAY.

8) ALL LINES INTERSECTING CURVES ARE RADIAL UNLESS SHOWN AS NON-RADIAL AND NOTED (NR)

9) COORDINATE VALUES SHOWN, HEREON BASED UPON FLORIDA STATE PLANE COORDINATE SYSTEM (EAST ZONE) NAD 83 (2007) DATUM USING CITY OF DAYTONA MONUMENTS RMR 94 AND RMR 87.

10) NOTE: ALL MEASUREMENTS REFER TO FLORIDA STATE PLANE IN ACCORDANCE WITH THE DEFINITION OF THE U.S. SURVEY FOOT OR METER ADOPTED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY. ALL MEASUREMENTS SHALL USE THE 39.371712=3.280833333333333 EQUATION FOR CONVERSION FROM A U.S. FOOT TO METERS.



**INDEX OF SHEETS:**

- 1 COVER SHEET
- 2 DETAIL SHEET

11) PER F.S. 177.081(3) "WHEN A TRACT OR PARCEL OF LAND HAS BEEN SUBDIVIDED AND A PLAT THEREOF BEARING THE DEDICATION OF THE OWNERS OF RECORD AND MORTGAGES HAVING A RECORD INTEREST IN THE LANDS SUBDIVIDED, AND WHEN THE APPROVAL OF THE GOVERNING BODY HAS BEEN SECURED AND RECORDED IN COMPLIANCE WITH THIS PART, ALL STREETS, ALLEYS, EASEMENTS, RIGHTS OF WAY, AND PUBLIC AREAS SHOWN ON SUCH PLAT SHALL BE CONSIDERED, SAID RIGHTS OF WAY, STREETS, ALLEYS, AND PUBLIC AREAS TO BE DEDICATED TO THE PUBLIC USES AND PURPOSES INTENDED TO HAVE BEEN STATED, HOWEVER, NOTHING HEREIN SHALL BE CONSTRUED AS CREATING AN OBLIGATION UPON ANY GOVERNING BODY TO PERFORM ANY ACT OF CONSTRUCTION OR MAINTENANCE WITHIN SUCH DEDICATED AREAS EXCEPT WHEN THE OBLIGATION IS VOLUNTARILY ASSUMED BY THE GOVERNING BODY"

12) THE PROPERTY DESCRIBED IN THIS PLAT IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND DESCRIPTIONS FOR HIB TERRACE AVENUE PROPERTY OWNERS' ASSOCIATION, INC. AS SET FORTH IN THE ORB \_\_\_\_\_ OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA AND IS HEREAFTER AMENDED AS PROVIDED FOR IN SAID DECLARATION.

13) COVENANTS AND RESTRICTIONS FOR THE HIB TERRACE AVENUE PROPERTY OWNERS' ASSOCIATION, INC. ARE RECORDED IN ORB \_\_\_\_\_ Pg. \_\_\_\_\_ OFFICIAL RECORDS OF VOLUSIA COUNTY.

14) ALL LOT WIDTHS MEET OR EXCEED THE MINIMUM REQUIRED DIMENSION OF 30 FT. AS MEASURED AT THE FRONT SETBACK LINE.

15) THE CITY OF DAYTONA BEACH SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF ANY DRAINAGE OR STORMWATER SYSTEMS OR AREAS AND EASEMENTS SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE HIB TERRACE AVENUE PROPERTY OWNERS' ASSOCIATION, INC..

16) THE DRAINAGE EASEMENTS SHOWN ON THE PLAT ARE CONVEYED TO THE CITY OF DAYTONA BEACH FOR THE PURPOSE OF CONVEYING AND STORING STORMWATER FROM THE PUBLIC RIGHT-OF-WAY. THE EASEMENT RIGHTS INCLUDE THE RIGHT TO CONVEY SUCH STORMWATER THROUGH ANY UNDERDRAINS INSTALLED BY THE PROPERTY OWNER WITHIN THESE TO UNDERDRAINS. THE RIGHTS GRANTED HEREIN WILL NOT BE DEEMED TO BE AN EASEMENT. THE RIGHTS GRANTED HEREIN WILL NOT BE DEEMED TO BE A REPAIR IN ACCORDANCE WITH PARAGRAPHS A AND B OF SECTION 222.8 OF THE CITY OF DAYTONA BEACH LAND DEVELOPMENT CODE, AS AMENDED. THE PROPERTY OWNER WILL REMAIN RESPONSIBLE FOR MAINTENANCE AND REPAIR OF SUCH DRAINAGE STRUCTURES AND FACILITIES, INCLUDING ANY UNDERDRAINS, AND THE CITY OF DAYTONA BEACH WILL HAVE THE RIGHT TO PERFORM MAINTENANCE ACTIVITY AT THE COST OF THE PROPERTY OWNER UNDER THE CIRCUMSTANCES DESCRIBED HEREIN.

**DEDICATION:**

KNOW ALL MEN BY THESE PRESENTS, THAT JAMES BRING HOPE OF DAYTONA BEACH, LLC, BEING THE OWNER IN FEE SIMPLE OF THE LANDS SHOWN ON THE ATTACHED PLAT, HAS HEREBY DEDICATED TO THE HIB TERRACE AVENUE PROPERTY OWNERS' ASSOCIATION, INC., FOR THE PURPOSE OF COMMON AREA, ACCESS, MAINTENANCE, DRAINAGE, UNDERDRAIN AND UTILITY.

TRACT B, IS HEREBY DEDICATED TO THE CITY OF DAYTONA BEACH FOR THE PURPOSE OF RIGHT OF WAY & ACCESS.

LOTS 1-6 ARE SUBJECT TO A 160' ACCESS, MAINTENANCE, AND DRAINAGE EASEMENT.

IN WITNESS WHEREOF, \_\_\_\_\_ HAS CAUSED THESE PRESENTS TO BE SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

SIGNED AND SEALED IN THE PRESENCE OF:

PRINT NAME \_\_\_\_\_ HOBBS BRING HOPE OF DAYTONA BEACH, LLC

PRINT NAME \_\_\_\_\_ PRESIDENT

ATTESTED BY: \_\_\_\_\_ VICE-PRESIDENT

STATE OF: FLORIDA  
 COUNTY OF: VOLUSIA

THIS IS TO CERTIFY THAT THE ABOVE SIGNED BEFORE ME BY MEANS OF [ ] PHYSICAL PRESENCE OR [ ] ON LINE NOTARIZATION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AS PRESIDENT AND \_\_\_\_\_ AS VICE-PRESIDENT OF HOBBS BRING HOPE OF DAYTONA BEACH, LLC, AS HE IS PERSONALLY KNOWN TO ME

NOTARY PUBLIC  
 TITLE/RANK: \_\_\_\_\_ SEAL  
 STATE OF FLORIDA AT LARGE  
 MY COMMISSION EXPIRES: \_\_\_\_\_ SIGNATURE  
 COMMISSION NUMBER: \_\_\_\_\_ PRINT NAME

CERTIFICATE OF APPROVAL BY THE CITY OF DAYTONA BEACH ENGINEER

THIS IS TO CERTIFY THAT ON \_\_\_\_\_ THIS PLAT WAS APPROVED.

CITY ENGINEER \_\_\_\_\_

CERTIFICATE OF CLERK

I HEREBY CERTIFY THAT I HAVE EXAMINED THE FOREGOING PLAT AND FIND IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND WAS FILED FOR RECORD

ON \_\_\_\_\_ AT \_\_\_\_\_ FILE NUMBER \_\_\_\_\_

CLERK OF THE CIRCUIT COURT \_\_\_\_\_ IN AND FOR VOLUSIA COUNTY, FLORIDA

CERTIFICATE OF APPROVAL BY THE CITY OF DAYTONA BEACH SHERIFF

I HEREBY CERTIFY THAT I HAVE EXAMINED THE FOREGOING PLAT AND FIND IT COMPLIES TO CHAPTER 177, FLORIDA STATUTES.

DATE \_\_\_\_\_

CERTIFICATE OF SHERIFF AND WARRER

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING A LICENSED AND REGISTERED SHERIFF AND WARRER, DOES HEREBY CERTIFY THAT ON JUNE \_\_\_\_\_ 20\_\_\_\_ THE SURVEY WAS COMPLETED, THE PLAT SHOWN ON THE FOREGOING PLAT, THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS HEREIN DESCRIBED AND THAT SAID PLAT WAS RECORDED IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES, AND THAT SAID PLAT IS LOCATED IN THE CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA.

SHERIFF S. HERTZBERG  
 OFFICE OF SHERIFF AND WARRER  
 FLORIDA LICENSE NUMBER 9812  
 2827 WALK ROAD  
 DAYTONA BEACH, FLORIDA 32127 (904) 791-5283

DATE \_\_\_\_\_

CERTIFICATE OF APPROVAL BY THE CITY OF DAYTONA BEACH MANAGER

THIS IS TO CERTIFY THAT ON \_\_\_\_\_ THIS PLAT WAS APPROVED BY THE CITY OF DAYTONA BEACH, FLORIDA

CITY MANAGER \_\_\_\_\_



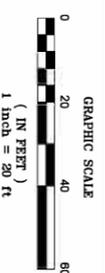
**SLIGER & ASSOCIATES, INC.**  
 PROFESSIONAL LAND SURVEYORS

3921 NOVA ROAD  
 DAYTONA BEACH, FLORIDA 32117  
 PHONE (386) 761-4345  
 LICENSED BUSINESS CERTIFICATION NO. 5019

# TERRACE AVE. SUBDIVISION

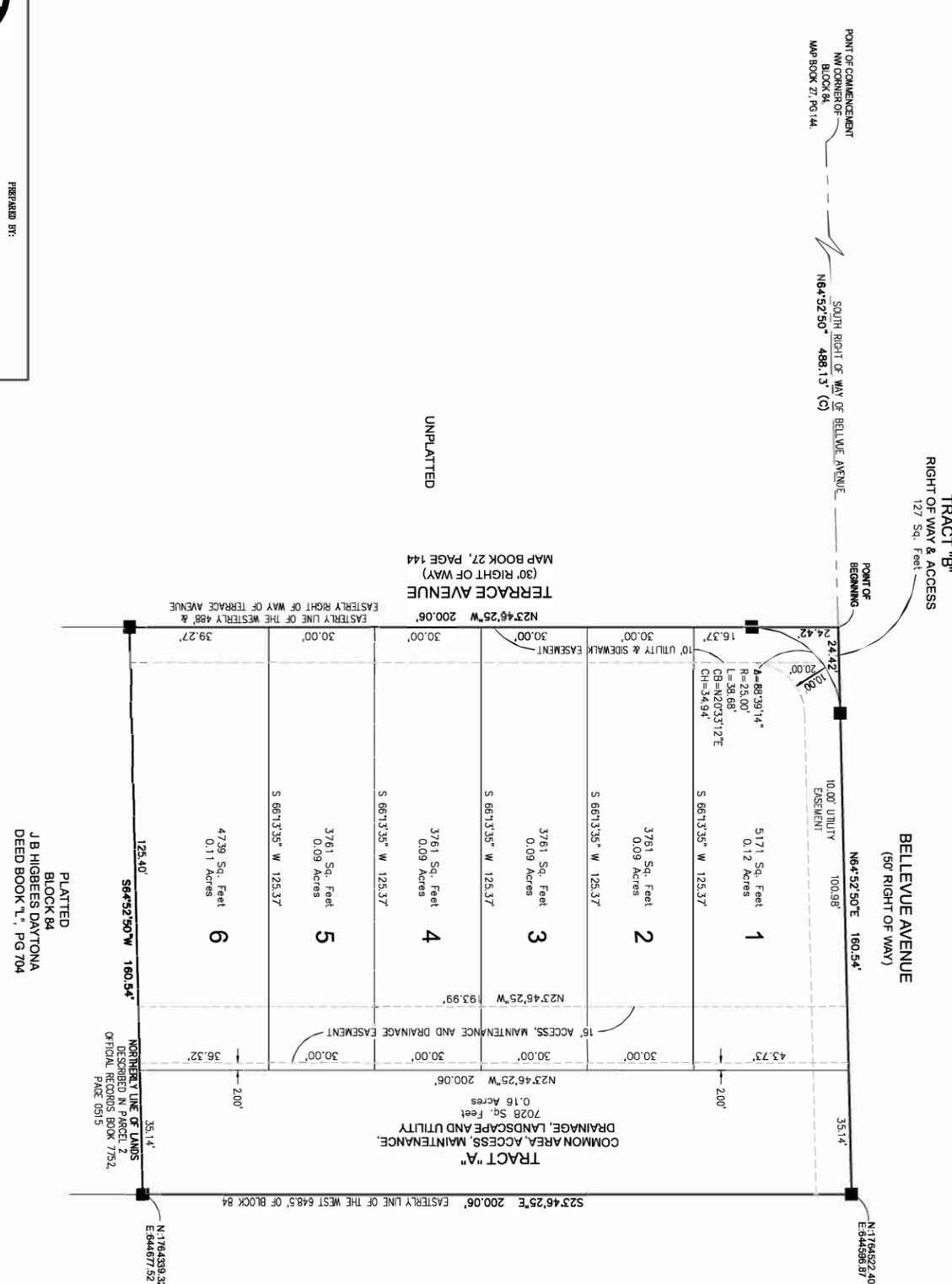
A PARTIAL REPLAT OF THAT UNNAMED LOT, BELLEVUE PARK REPLAT NO.2 RECORDED IN MAP BOOK 27, PAGE 144 ALSO BEING A PORTION OF BLOCK 84, TITLED J.B. HIGBEE'S PROPERTY, DEED BOOK "O", PAGE 487, LYING NORTH OF TERRACE AVENUE SECTION 39-TOWNSHIP 15 SOUTH-RANGE 35 EAST, CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA

MAP BOOK: --- PAGE: ---



ABBREVIATIONS	
A	DELTA OR CENTRAL ANGLE
R	RADIUS
L	ARC LENGTH
CB	CHORD BEARING
C	CHORD LENGTH
LB	LICENSED BUSINESS
LS	LAND SURVEYOR
R/W	RIGHT OF WAY
OMB	OPTICAL RECORDS BOOK
PG	PAGE
PG	SECTION AREA
SGM	SIGNATURE UNDER WATER MANAGEMENT DISTRICT
DE	DRAINAGE EASEMENT
UE	UTILITY EASEMENT

LEGEND	
■	DENOTES PERMANENT REFERENCE MONUMENT 4"x4" CONCRETE MONUMENT STAMPED P.M. LB 3019.
△	DENOTES NAIL & CAP STAMPED P.C.P. LB3019.
	DENOTES PC / FT

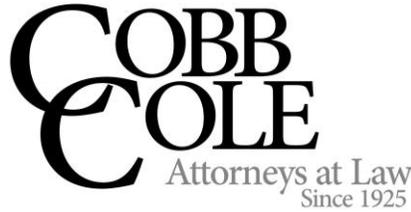


PLATTED  
BLOCK 84  
J.B. HIGBEE'S DAYTONA  
DEED BOOK Q, PAGE 487

PLATTED  
BLOCK 84  
J.B. HIGBEE'S DAYTONA  
DEED BOOK L, PG 704

PREPARED BY:  
**SLIGER & ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS  
3021 NOVA ROAD  
DAYTONA BEACH, FLORIDA 32117  
PHONE: (386) 751-4385  
LICENSED BUSINESS CERTIFICATION NO. 3019

Scott W. Cichon  
Robert A. Merrell III  
John P. Ferguson  
Mark A. Watts  
Heather Bond Vargas  
Michael J. Woods  
Raymond L. Schumann  
Kathleen L. Crotty  
Michael O. Sznajstajler  
Matthew S. Welch  
Robert E. Doan  
William A. Rice  
Douglas J. Collins  
Sara E. Glover  
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Alanna V. Smith

OF COUNSEL  
Larry D. Marsh

William M. Cobb (1881-1939)  
Thomas T. Cobb (1916-2004)  
W. Warren Cole, Jr. (1926-2008)

July 18, 2024

**VIA ELECTRONIC SUBMITTAL**

Dennis L. Mrozek  
Planning Director  
City of Daytona Beach  
301 S. Ridgewood Avenue, Room 240  
Daytona Beach, FL 32114

Re: Modification & Benefits Letter - DEV2024-211  
Terrace Avenue – Homes Bring Hope PD-G Rezoning

Dear Mr. Mrozek:

As you may know, Cobb Cole has the pleasure of representing Homes Bring Hope, LLC (“Applicant”) in connection with their application for rezoning to a Planned Development - General (PD-G) for the property located along Terrace Avenue in Daytona Beach, Florida. The Developer is requesting a rezoning to a Planned Development in order to allow the development of an certified affordable housing community. As required by the City of Daytona Beach’s Land Development Code (“LDC”), this letter will detail the public benefits of the development as well as the proposed LDC modifications.

*Development Summary/Public Benefits.* The project will develop an existing, vacant lot on the Property as a six (6) unit affordable housing development that is specifically designed to assist a large, underserved population of the Daytona Beach community. The project will provide much needed housing targeted specifically to residents with financial constraints. Homes Bring Hope is a FBH Community Organization that is committed to fighting homelessness, unemployment and poverty within our community by providing the opportunity for income-constrained individuals to achieve homeownership. We believe that creating the opportunity for homeownership provides for the security and stability that residents in our community need in order to empower them to rise above financial hardship with key community support.

We understand that providing for an array of housing types, across the socio-economic spectrum, is a leading goal of the City, and we hope to help meet this goal with the proposed project. In addition, the nature of this development will foster economic development within the area and result in an increased ad valorem tax base for the City of Daytona Beach.

*LDC Modifications.* The Applicant recognizes the importance of the standards set forth in the LDC and has made every reasonable effort to bring forward a project consistent with the LDC.

However, the general application of the LDC, which is designed to apply on a single project basis, would constrain the potential development and limit the ability to create a cohesive and well-planned project. As more particularly described below, the project requires certain minor code waivers to allow for flexibility in design and development, which are balanced against the public benefits of the proposed development.

*Article 4, Section 4.2 – Residential Base Zoning Districts*

Section 4.2 of the LDC provides standards for the typical development of single-family housing. We are requesting modifications from these requirements to allow for flexibility in design and layout that will result in additional affordable housing units being developed within the property. The typical front yard setback for residential development is 20' – we are requesting a 15' front setback to allow for the development of an alley-loaded product with driveway locations in the rear of the lot. We are also requesting a modification to the minimum lot width from 50' to 30' to allow the development product shown on the conceptual layout – as a result of the narrower lot sizes, we are requesting to modify the side setback from 7.5" to 5", and to allow an updated building coverage from 35% to 60% to allow larger living spaces within the proposed lots.

*Article 7, Section 7.2.D – Streets*

Section 7.2.D. of the LDC sets forth a standard pavement width for two-way roadways within a local street to be 24 feet in width. For the rear access roadway within the development, the Applicant is requesting a modification to a width of 16 feet. The rear roadway acts as an alley-type roadway to access the rear garage and entries of the proposed homes, and adequate sized roadways for actual transit opportunities exist adjacent to the project. The alley-design is for local traffic only and provides a private driveway type access to the proposed homes.

\*\*\*\*\*

This project will provide additional residential opportunities to a demographic that sorely needs it. Through the Planned Development process, the Applicant will be able to bring a well-planned and visually pleasing development that meets the requirements and policies of the Comprehensive Plan. The Applicant respectfully requests approval of the Planned Development-General zoning and the proposed modifications.

Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



**Jessica L. Gow**

Direct Dial (386) 323-9225

Email [Jessica.Gow@CobbCole.com](mailto:Jessica.Gow@CobbCole.com)

Fax (386) 323-9206



Daytona Beach • DeLand

Memorandum

Post Office Box 2491  
Daytona Beach, Florida 32115-2491  
(386) 255-8171  
CobbCole.com

**To:** Dennis Mrozek, Planning Director, City of Daytona Beach

**From:** Debi LaCroix

**Date:** June 25, 2024

**Client/Matter #:** Homes Bring Hope Terrace Avenue Planned Development-General  
Rezoning - DEV2024-211

**Subject:** Neighborhood Meeting Summary –June 24, 2024

---

A neighborhood meeting was held in the meeting room of the Fairfield Inn & Suites Daytona Beach Speedway/Airport, located at 1820 Checkered Flag Boulevard, Daytona Beach, FL 32114 on June 24, 2024 at 6:00 p.m.

Jessica Gow, Parker Mynchenberg, Dick Smith and Debi LaCroix were in attendance to explain the request. A number of interested citizens attended the meeting. See the attached sign-in sheet.

Ms. Gow gave an overview of the request to rezone the property to a Planned Development-General to allow for the construction of 6 single-family fee-simple affordable housing homesites. She explained that the property currently has split single family and multifamily zoning. The Future Land Use is Level 2 residential.

Resident raised general drainage concerns - Mr. Mynchenberg explained that the property is lower in the rear and higher in the front, which helped determine the proposed location of the stormwater pond. Mr. Mynchenberg reported that the property will not be allowed to discharge more than what is currently discharged. Mr. Mynchenberg indicated there will be dry retention with a berm, which will be reviewed and permitted during the subdivision process. He also reported there will be a 10' landscape buffer with a continuous hedge between the property and its neighbors.

Residents in attendance expressed their preference for the single-family product residences in lieu of townhomes for the site, which were previously contemplated. An adjacent owner expressed her concern that the proposed project will turn into low-income government housing, noting her concern that this would lead to crime and drug-related activities – the project team noted that they do not believe there should be a direct correlation in resident minds between affordable housing

Memorandum

Page 2

and crime, but that the project will be reviewed by the City's planning department to ensure there are adequate infrastructure and resources to support the homes.

An adjacent owner inquired about the project's construction and Mr. Smith indicated the houses will be concrete block structures.

One resident indicated that they would like the team to consider a fence on the South side of the property.

One resident suggested that the residents plant fruit trees for the required landscaping.

One resident suggested no parking signs along Terrace Avenue, which the development team noted would be an item for City review and consideration.

Ms. Gow explained that the project is currently in the rezoning phase before the project would proceed to Planning Board, followed by the City Commission.

Ms. Gow thanked the neighbors for their attendance.

We have included the list of property owners to whom we sent the Invitation to Neighborhood Meeting, a copy of the Invitation, and photos of the signs we posted on the property. We've also included the handout materials we provided during the meeting.

Thank you.

TERRACE AVENUE- HOMES BRING HOPE PLANNED DISTRICT AGREEMENT

DEV2024-211

NEIGHBORHOOD MEETING

FAIRFIELD INN & SUITES BY MARRIOTT

1820 Checkered Flag Boulevard, Daytona Beach, FL 32114

June 24,2024

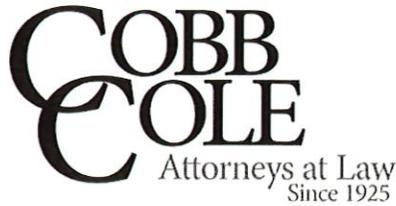
6:00 P.M.

SIGN IN SHEET

lesThackston@gmail.com,

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE OR EMAIL</u>
Debi Lacroix	Cobb Cile	386/323-944
LES THACKSTON	859 TERRACE AV	386 877 8152
DANIEL OAKES	1370 BELLEVUE AV,	(386) 290-6456
Charles Yokubowicz	817 TERRACE	386 405 4577
FRANK WOUR	1329 BELLEVUE AVE	386-566-0422
Jessica Gow	1 Daytona Blvd	386-323-9226
Dick Smith	2379 Seville Rd. S/S	386 547 4729
PAULINA MARY CHRYSTY	677691	INFO@mary.com
Jenny Nazak	501 MARVEL	<del>386</del> 512 619-5363
Ariella Kawai	1382 Bellevue Ave	386-712-6837

Scott W. Cichon  
Robert A. Merrell III  
John P. Ferguson  
Mark A. Watts  
Heather Bond Vargas  
Michael J. Woods  
Raymond L. Schumann  
Kathleen L. Crotty  
Michael O. Sznajstajler  
Matthew S. Welch  
Robert E. Doan  
William A. Rice  
Douglas J. Collins  
Sara E. Glover  
Holly W. Zitzka



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Jessica L. Gow  
Nika K. Hosseini  
Sydney V. Cichon  
Anthony E. Aguanno  
Baylee D. Bunyard  
Anne M. Kehrl  
Alanna V. Smith

OF COUNSEL  
Larry D. Marsh  
Ira Halfond

William M. Cobb (1881-1939)  
Thomas T. Cobb (1916-2004)  
W. Warren Cole, Jr. (1926-2008)

June 13, 2024

**INVITATION TO NEIGHBORHOOD MEETING**

Dear Neighbor:

The law firm of Cobb Cole has the pleasure of representing Homes Bring Hope LLC, (Owner) in connection with their application for Planned Development Rezoning on their property located at Terrace Avenue, Daytona Beach, FL as shown on the attached map. The owner intends to develop the property as a certified affordable housing project, comprised of six (6) single-family dwelling units.

As neighbors to the proposed development, we would like to invite you to discuss the project on **Monday, June 24, 2024, at 6:00 p.m.** at the Fairfield Inn and Suites by Marriott, located at 1820 Checkered Flag Blvd., Daytona Beach, FL 32114.

You may provide written comments or questions regarding this request by email to [Tequila.Nelson@CobbCole.com](mailto:Tequila.Nelson@CobbCole.com) or by letter to Tequila Nelson, Cobb Cole, One Daytona Boulevard, Suite 600, Daytona Beach, FL 32114. Please include your name, address, and contact information in your correspondence. A copy of any correspondence received prior to the meeting will be included in the summary of the meeting provided to the City of Daytona Beach.

We look forward to seeing you at this meeting if you are interested in discussing this amendment to the existing project.

Sincerely,

**Jessica Gow**  
Direct Dial (386) 323-9226  
Email [Jessica.Gow@CobbCole.com](mailto:Jessica.Gow@CobbCole.com)  
Fax (386) 323-9207

JLG/tmn

***Terrace Avenue and Bellevue***



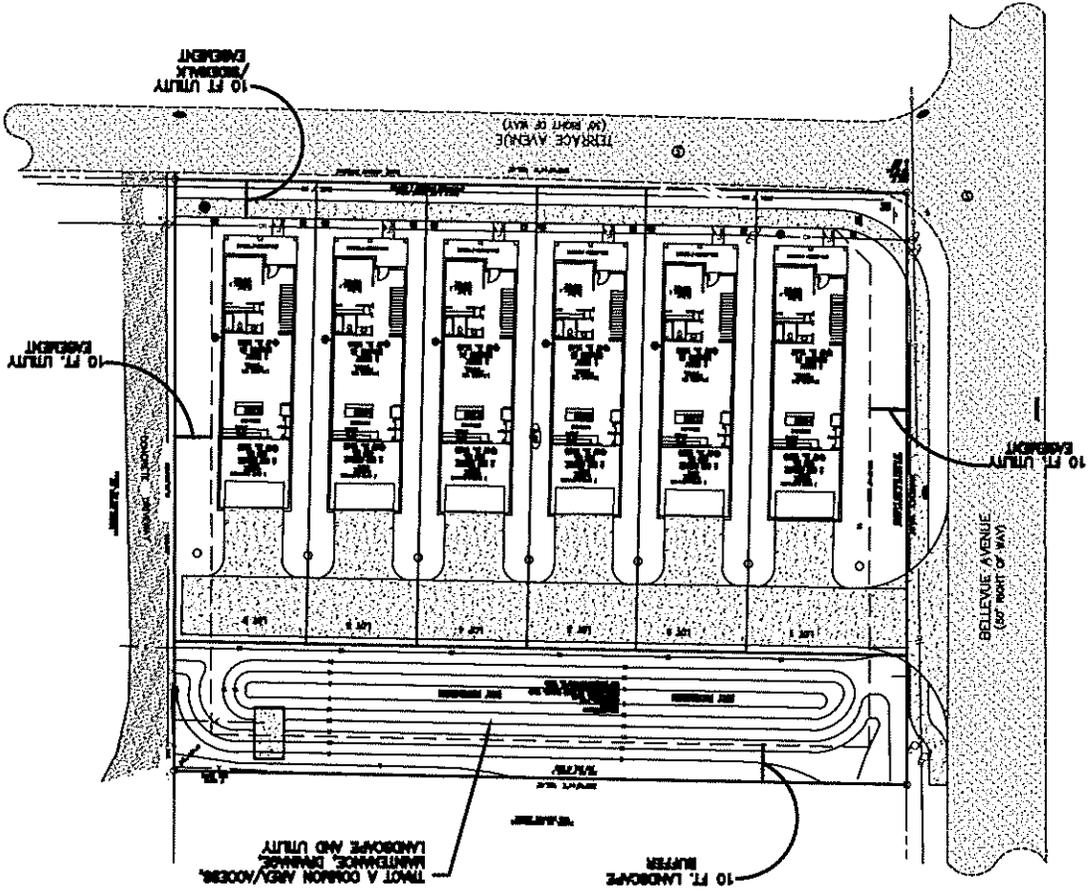
01/22/2021

# PD PLAN HOMES BRING HOPE PD

**PARKER MYNCHENBERG & ASSOCIATES, INC.**  
 PROFESSIONAL ENGINEERS & LANDSCAPE ARCHITECTS  
 1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117  
 (386) 677-6881 FAX (386) 677-2114  
 E-MAIL: info@porkermynchenberg.com  
 CERTIFICATION OF AUTHORIZATION NUMBER: 00003910

## EXHIBIT "B"

DATE: 2-18-2024



Z:\Homes Bring Hope\PD-Exhibits\PD-Exhibits 2-22-2024.dwg, 2/27/2024 1:28:43 PM, Shane-2021, \_DWG To PDF.pc3, ANSI full b

Print using Adobe® Reader's "Actual size" setting

SOSA ROBERTA  
138 PHELPS RD  
UTICA, PA 16362

THOMAS JAMES R II  
1365 STERLING PLACE  
DAYTONA BEACH, FL 32114

MCLAUGHLIN GLENN DAVID  
1374 BELLEVUE AVE  
DAYTONA BEACH, FL 32114

COUGHLIN EDWARD J  
1369 STERLING PL  
DAYTONA BEACH, FL 32114

OAKES DANIEL S  
1370 BELLEVUE AVE  
DAYTONA BEACH, FL 32114

LEE DALE E  
8008 W 51ST  
OVERLAND PARK, KS 66202

PEASE BRENDA JONES TR  
1366 BELLEVUE AVE  
DAYTONA BEACH, FL 32114

STONEMOR FLORIDA LLC  
311 VETERANS HWY STE B  
LEVITTOWN, PA 19056

1362 BELLEVUE AVE LLC  
2482 CHARLES MILL DR  
HILLIARD, OH 43026

STONEMOR FLORIDA LLC  
P O BOX 207  
FEASTERVILLE TREVOSSE, PA 19053

BEVERIDGE DAWN A  
2482 CHARLES MILL DR  
HILLIARD, OH 43026

STONEMOR FLORIDA LLC  
P O BOX 207  
FEASTERVILLE TREVOSSE, PA 19053

JONES DON J  
796 GREENWAY PL  
DAYTONA BEACH, FL 32114

STEVENS JILL  
776 OWASSO ST  
DAYTONA BEACH, FL 32114

HARDING ANDRE D  
1349 STERLING PL  
DAYTONA BEACH, FL 32114

MORGAN AVENUE LLC  
1170 TREE SWALLOW DR UNIT 130  
WINTER SPRINGS, FL 32708

LEWANDOWSKI JOSEPH P  
1353 STERLING PL  
DAYTONA BEACH, FL 32114

GRAVIANO NICHOLAS D  
1361 STERLING PL  
DAYTONA BEACH, FL 32114

Print using Adobe® Reader®'s "Actual size" setting

BLOOD DIANE  
1378 STERLING PL  
DAYTONA BEACH, FL 32114

WARRILOW SHAWN  
789 GREENWAY PL  
DAYTONA BEACH, FL 32114

LAIRD TINA  
768 TERRACE AVE  
DAYTONA BEACH, FL 32114

ROSARIO CINDIE  
785 GREENWAY PL  
DAYTONA BEACH, FL 32114

WALTON ROBERT  
1904 POSSUM HOLLOW RD SE  
NEW PHILEDELPHIA, OH 44663

CARMAN KELLY ANN  
773 GREENWAY PL  
DAYTONA BEACH, FL 32114

ARCHIAPATTI LAURA TR  
24 TWIN RIVERS DR  
ORMOND BEACH, FL 32174

769 GREENWAY REALTY LLC  
1 ORIENT WY APT 306  
RUTHERFORD, NJ 07070

CASE PATRICIA A  
1358 STERLING PL  
DAYTONA BEACH, FL 32114

DIXON KATHERINE L  
60 FOREST RD  
ASHEVILLE, NC 28803

MILKOWSKI ERIC  
159 PLANEBROOK RD  
MALVERN, PA 19355

NOUR GEORGE A  
3142 S PENINSULA DR  
DAYTONA BEACH, FL 32118

765 TERRACE AVENUE LLC  
121 INLET HARBOR RD  
PONCE INLET, FL 32127

STEVENS ROY F TR  
4330 HALIFAX DR  
PORT ORANGE, FL 32129

SMITH LAURIE  
764 GREENWAY PL  
DAYTONA BEACH, FL 32114

HOMES BRING HOPE LLC  
1400 RICHMOND AVE  
DAYTONA BEACH, FL 32117

FITZGIVENS LACEY ERIN  
793 GREENWAY PL  
DAYTONA BEACH, FL 32114

CANNON PLACE LLC  
360 NOTTINGHILL ST  
ORMOND BEACH, FL 32174

WAGNER ELIDA A  
797 GREENWAY PL  
DAYTONA BEACH, FL 32114

*Print using Adobe® Reader®'s "Actual size" setting*

ST JAMES COURTNEY  
3786 NIGHT HERON DR  
SANFORD, FL 32773

BONNER ROBERT E TR  
862 TERRACE AVE  
DAYTONA BEACH, FL 32114

STONEMOR FLORIDA SUBSIDIARY LLC %STONEM...  
3331 STREET RD STE 200  
BENSALEM, PA 19020

STONEMOR FLORIDA SUBSIDIARY  
3331 STREET RD SUITE 200  
BENSALEM, PA 19020



**NEIGHBORHOOD MEETING NOTICE**

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON  
6/24/24 AT 6:00 AM TO INTRODUCE THE

FOLLOWING APPLICATION FOR THIS PROPERTY:

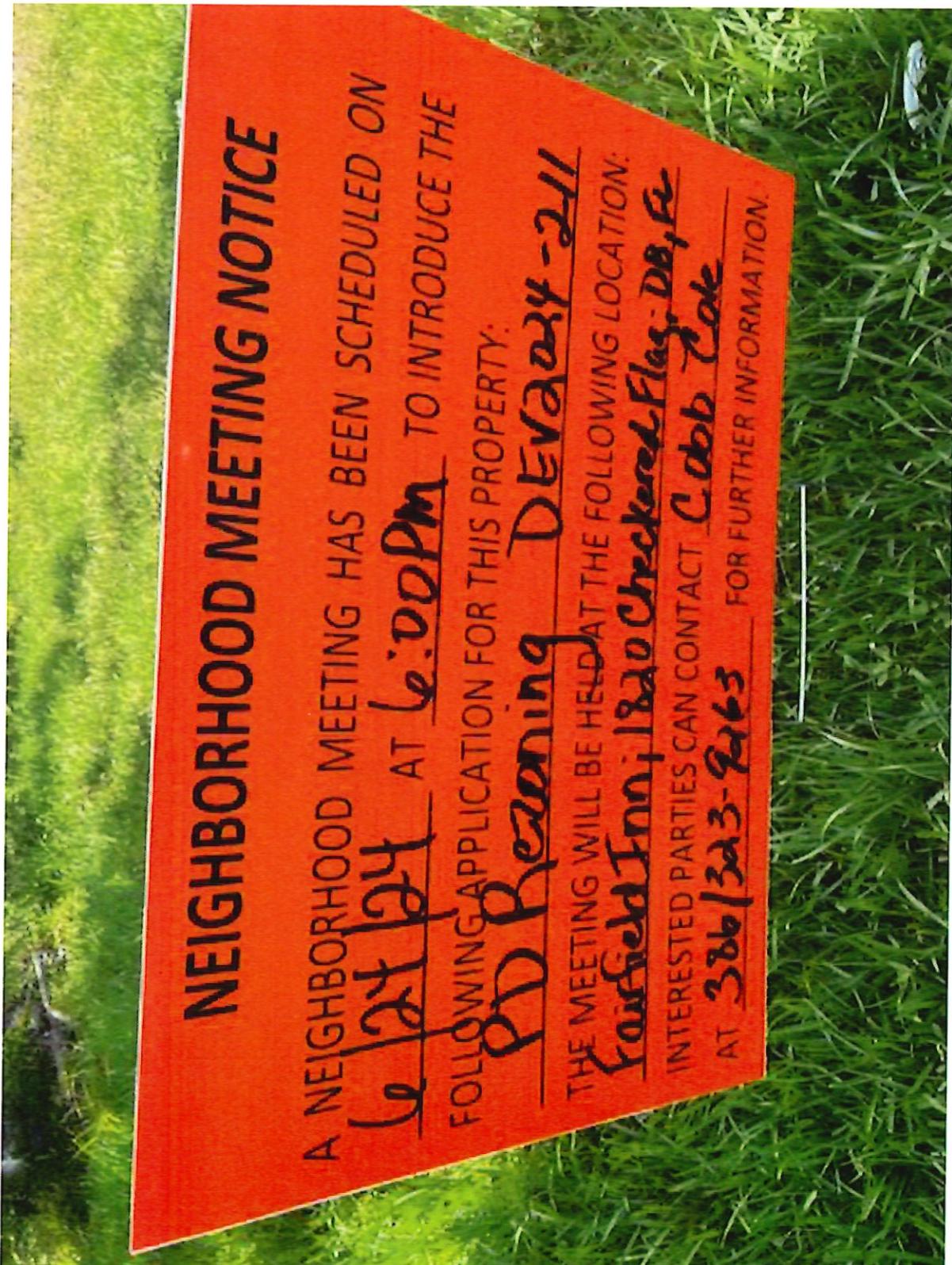
P.D. Reasoning DEN 2024-211

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

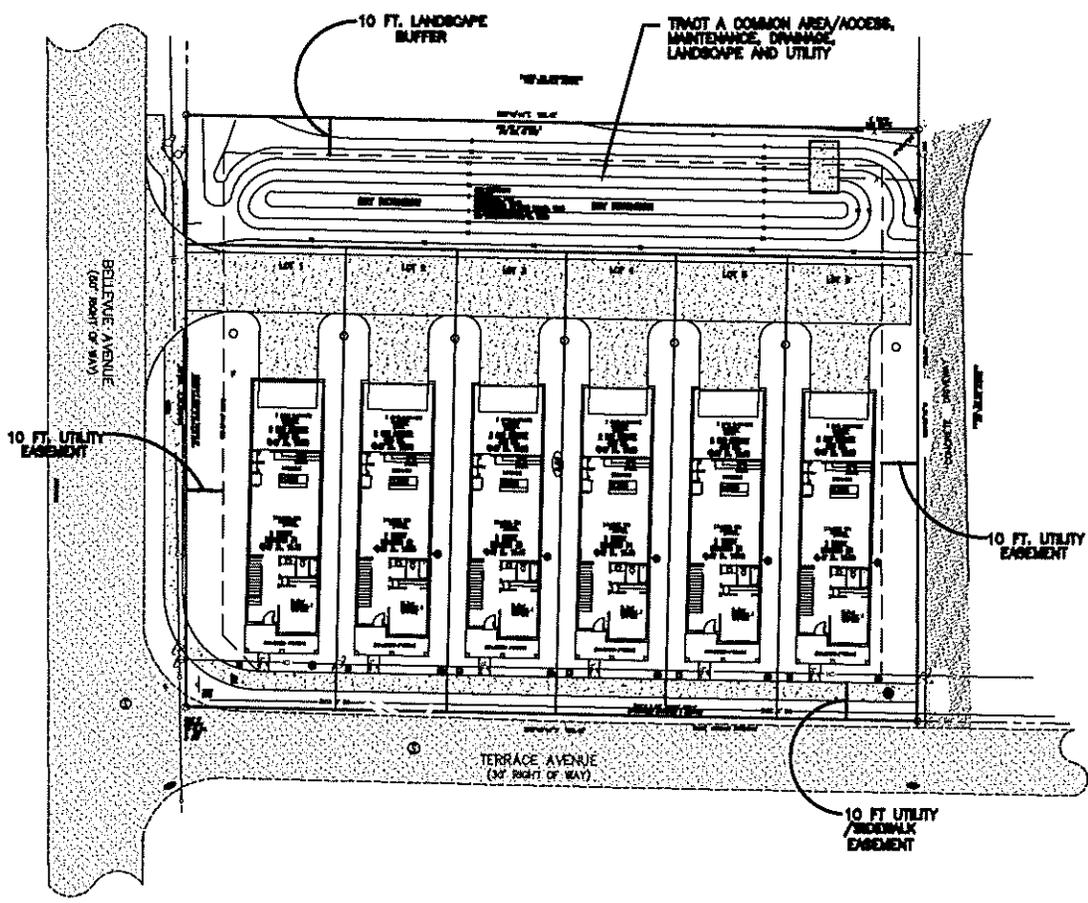
Fairfield Inn, 1820 Chestnut Flg, DB, A

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 386/323-9263 FOR FURTHER INFORMATION.



Z:\Homes Bring Hope\PD-Exhibits\PD-Exhibits 2-22-2024.dwg, 2/27/2024 1:28:43 PM, Shane-2021, \_DWG To PDF.pc3, ANSI full



# PD PLAN HOMES BRING HOPE PD

**PARKER MYNCHENBERG  
& ASSOCIATES, INC.**  
 PROFESSIONAL ENGINEERS • LANDSCAPE ARCHITECTS  
 1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117  
 (386) 677-6891 FAX (386) 677-2114  
 E-MAIL: info@parkermynchenberg.com  
 CERTIFICATION OF AUTHORIZATION NUMBER: 00003910

**EXHIBIT "B"**

DATE: 2-19-2024



Agenda Item 4B (Quasi-Judicial Hearing) N Williamson Blvd  
**Major Subdivision Preliminary Plat**  
DEV2024-306  
Halifax Townhomes, Project Oasis - Phase 3

**STAFF REPORT**

**DATE:** September 18, 2024  
**TO:** Planning Board Members  
**FROM:** Luke Rinkus, Planner

**SUMMARY OF REQUEST**

A request by Steven R. Buswell, PE, of Parker Mynchenberg & Associates on behalf of Daytona Lux Development, LLC (property owner), to approve a preliminary plat for the development of 220-unit multi-family fee simple townhome development including an amenity center, common space, drainage easements and tree preservation areas on 39.44 ± acres of land. See attachment A.

**Staff recommendation:** 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.

**Project Purpose**

The purpose of a subdivision plat review under the City’s Land Development Code (LDC), is to determine whether a proposed subdivision’s layout complies with applicable provisions of the LDC relating to such design-oriented issues as lot dimensional requirements, orientation, and shape; street and sidewalk widths, location, and external connectivity; functionality of drainage system; and location of public utilities serving the subdivision.

A development order approving a Major Subdivision Preliminary Plat authorizes the submittal of an application for approval of a Final Plat for the subdivision or an approved phase of the subdivision, in accordance with the LDC. The proposed Major Subdivision Preliminary Plat (*Attachment A*) will allow the applicant to move forward with the Final Plat approval process, which is required before the subdivision of land (whether improved or unimproved).

**SITE INFORMATION**

**Location:** West of Clyde Morris Blvd, east of Williamson and south of LPGA

**Parcel No(s):** 521000000024

**Property Size:** ±39.44 acres

**Existing Zoning:** Planned Development - General (PD-G)

**Existing Future Land Use:** Mixed Use

*Existing uses listed below are not intended to be an all-inclusive list, but a general summary of types of uses near the subject property.*

**Table 1: Land Use and Zoning**

	<b>Existing Uses</b>	<b>Future Land Use Designation</b>	<b>Existing Zoning Classification</b>
<b>Site</b>	Vacant Undeveloped	Mixed Use	PD-G
<b>North</b>	Mixed Use	Mixed Use	PD-G
<b>South</b>	Nursing Home	General Industry	M3
<b>East</b>	Multifamily and Residential	General Industry	PD-G
<b>West</b>	Multifamily	MU	PD-G

**PROJECT DESCRIPTION**

Platting of a 220-unit multi-family fee simple townhome development including an amenity center with one (1) lot for future development. The roadways are proposed to be private. The pump station will be public. All flood plain impacts / mitigation and tree preservation are consistent with the overall Oasis PD.

**Major Subdivision Preliminary Plat Review Standards**

An application for a Major Subdivision Preliminary Plat shall be approved only on a finding there is competent substantial evidence in the record that the proposed subdivision and associated development complies with:

**i. The standards in Article 7: Subdivision and Infrastructure;**

Staff has found this Preliminary Plat is compliant with all lot dimensions, access, and infrastructure requirements outlined in Article 7 of the Land Development Code (LDC) and the Project Oasis Planned District Agreement.

**ii. Applicable standards in Article 6: Development Standards;**

Staff has found this Preliminary Plat is compliant with the standards of the LDC, Article 6: Development Standards and the Project Oasis Planned District Agreement.

Prior to approval of the Final Plat, the following conditions must be satisfied:

- *Surveys need to be Signed and sealed per F.A.C. 5J-17.05.*

**iii. All other applicable standards in this Code;**

Staff has found this Preliminary Plat is compliant with all other applicable standards in The City’s Land Development Code and the Project Oasis Planned District Agreement.

**iv. All requirements or conditions of any prior applicable development orders; and**

The subject Preliminary Plat has been reviewed by staff and found to be consistent with the Project Oasis Planned District Agreement. The minimum width, depth and lot area size of each proposed lot meets the standards previously approved by the City Commission as a part of the PD Rezoning.

**v. All other applicable City regulations.**

Staff has found the Preliminary Plat is in compliance with all applicable City regulations. Therefore, approval of the subject Preliminary Plat will allow the applicant to move forward with the Final Plat approval process.

The City’s Technical Review Team (TRT) has reviewed the proposed Major Subdivision Preliminary Plat and has found it to be compliant with the subdivision requirements in the LDC & the Project Oasis Planned District Agreement.

Major Subdivision Preliminary Plat plans must be reviewed by the Planning Board prior to City Commission action. A development order approving a Major Subdivision Preliminary Plat authorizes the submittal of an application for approval of a Final Plat for the subdivision of an approved phase of the subdivision. Final Plats require approval from the City Commission only. The Final Plat empowers the subdivision of land; however, it does not act as a site plan approval.

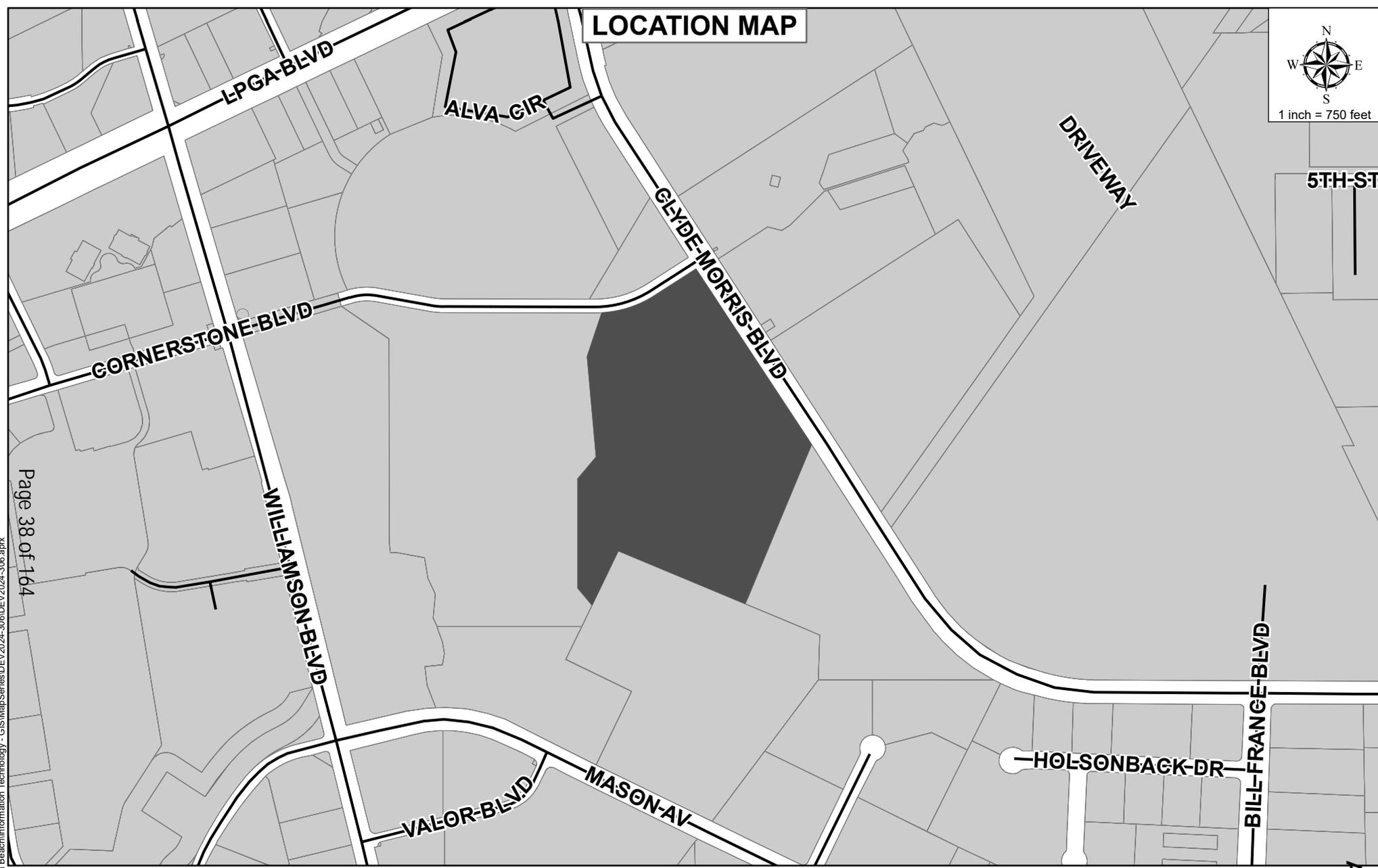
A development order approving a Major Subdivision Preliminary Plat shall automatically expire if an application for approval of a Final Plat for the subdivision, or an approved phase of the subdivision, is not submitted within two years after the date of the development order, or an extension of this time period that is authorized in accordance with the LDC.

**RECOMMENDATION**

Staff recommends approval of the Major Subdivision Preliminary Plat for the Project Oasis Planned District Agreement – Phase 3 project to allow 220 lots on 39.44 ± acres of land west of Clyde Morris Boulevard, south of LPGA Boulevard and east of Williamson Boulevard.

A majority vote of the Planning Board members, present and voting, is required to recommend approval to the City Commission.

LOCATION MAP



Page 38 of 164

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**DEV2024-306  
HALIFAX TOWNHOMES PRE-PLAT  
LOCATION MAP**

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Agenda Item #4.B.



**AERIAL**



Page 39 of 164

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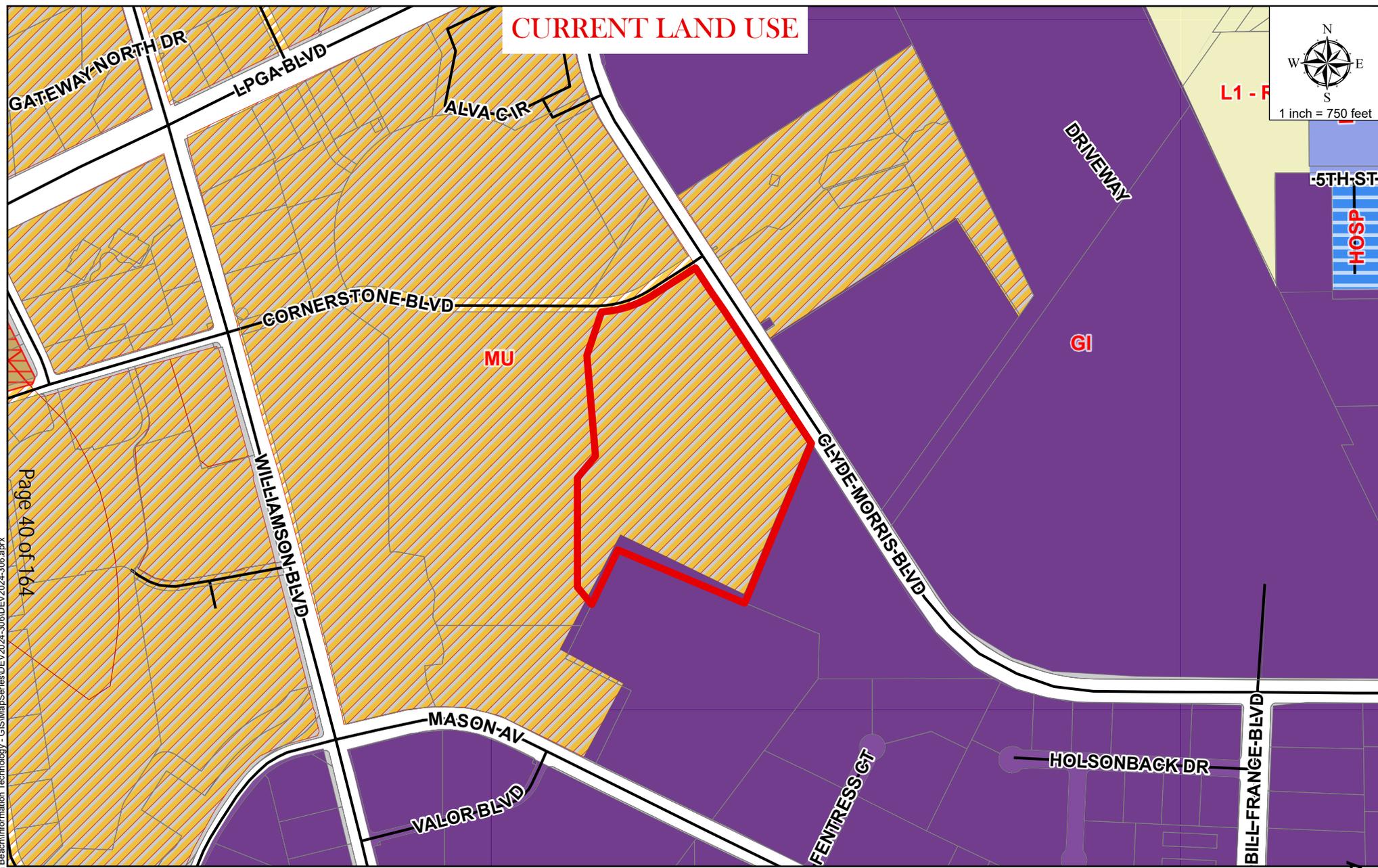
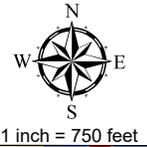


# DEV2024-306 HALIFAX TOWNHOMES PRE-PLAT AERIAL MAP

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Agenda Item #4.B.

# CURRENT LAND USE



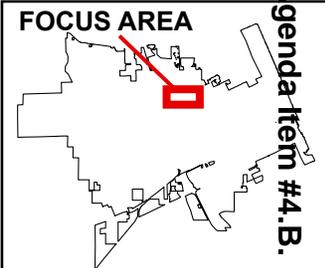
Page 40 of 164

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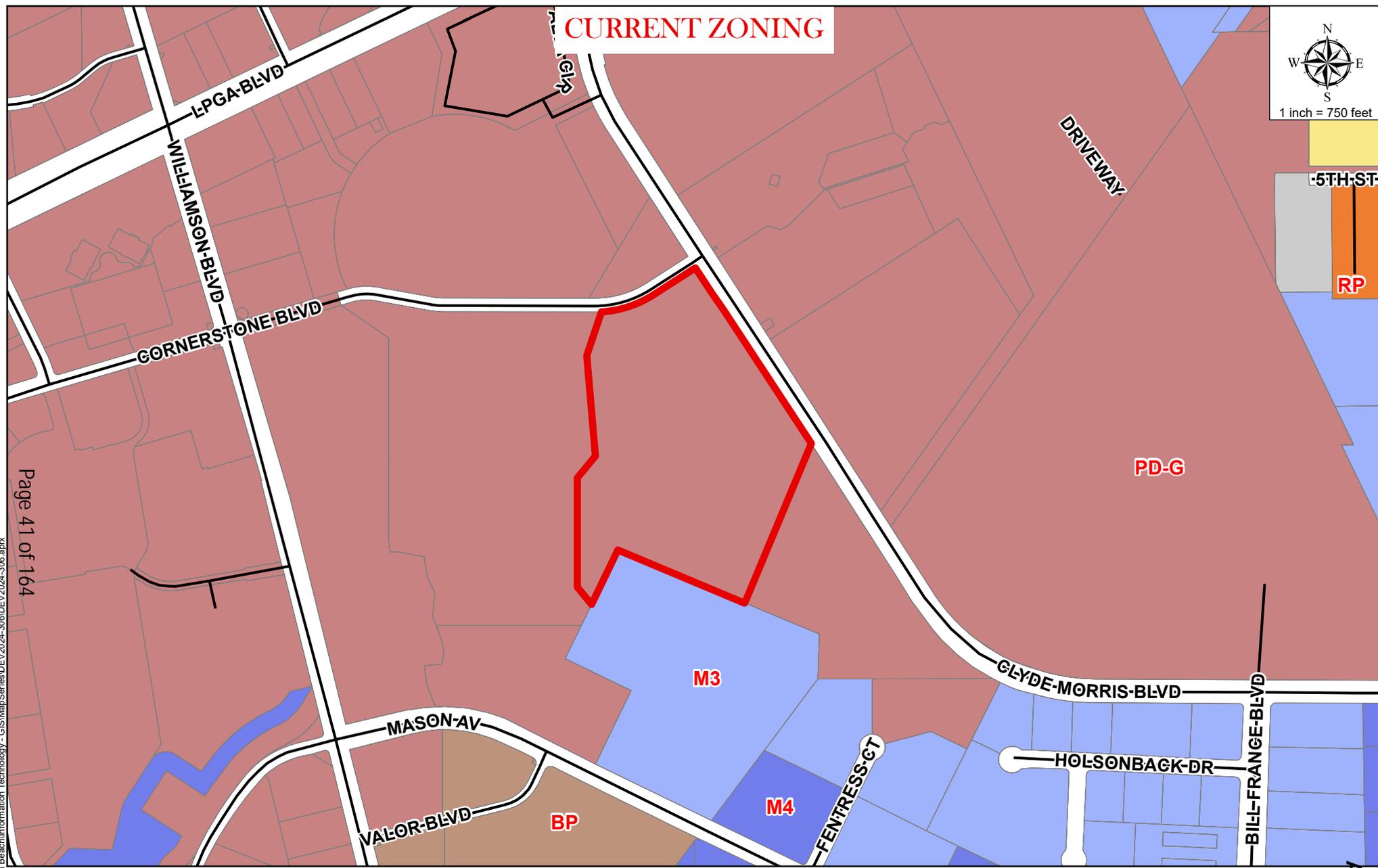
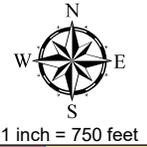
## DEV2024-306 HALIFAX TOWNHOMES PRE-PLAT CURRENT LAND USE MAP

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Agenda Item #4.B.

# CURRENT ZONING



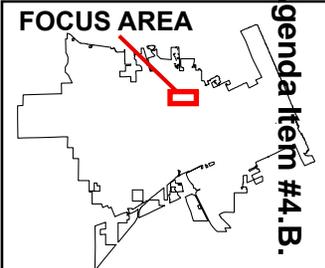
Page 41 of 164

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## DEV2024-306 HALIFAX TOWNHOMES PRE-PLAT CURRENT ZONING MAP

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Agenda Item #4.B.

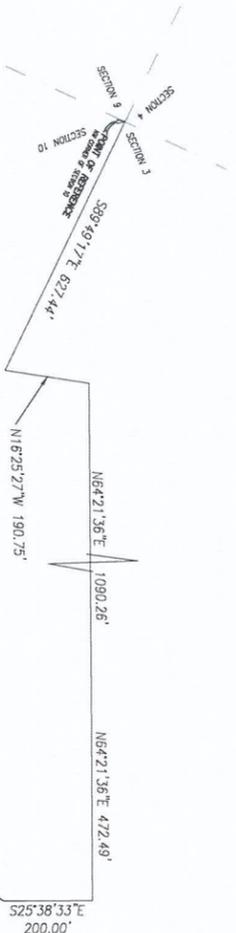


# Attachment A

**HEALTHEAX  
HOVINGHOMES**

A PORTION OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 32 EAST,  
CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA.

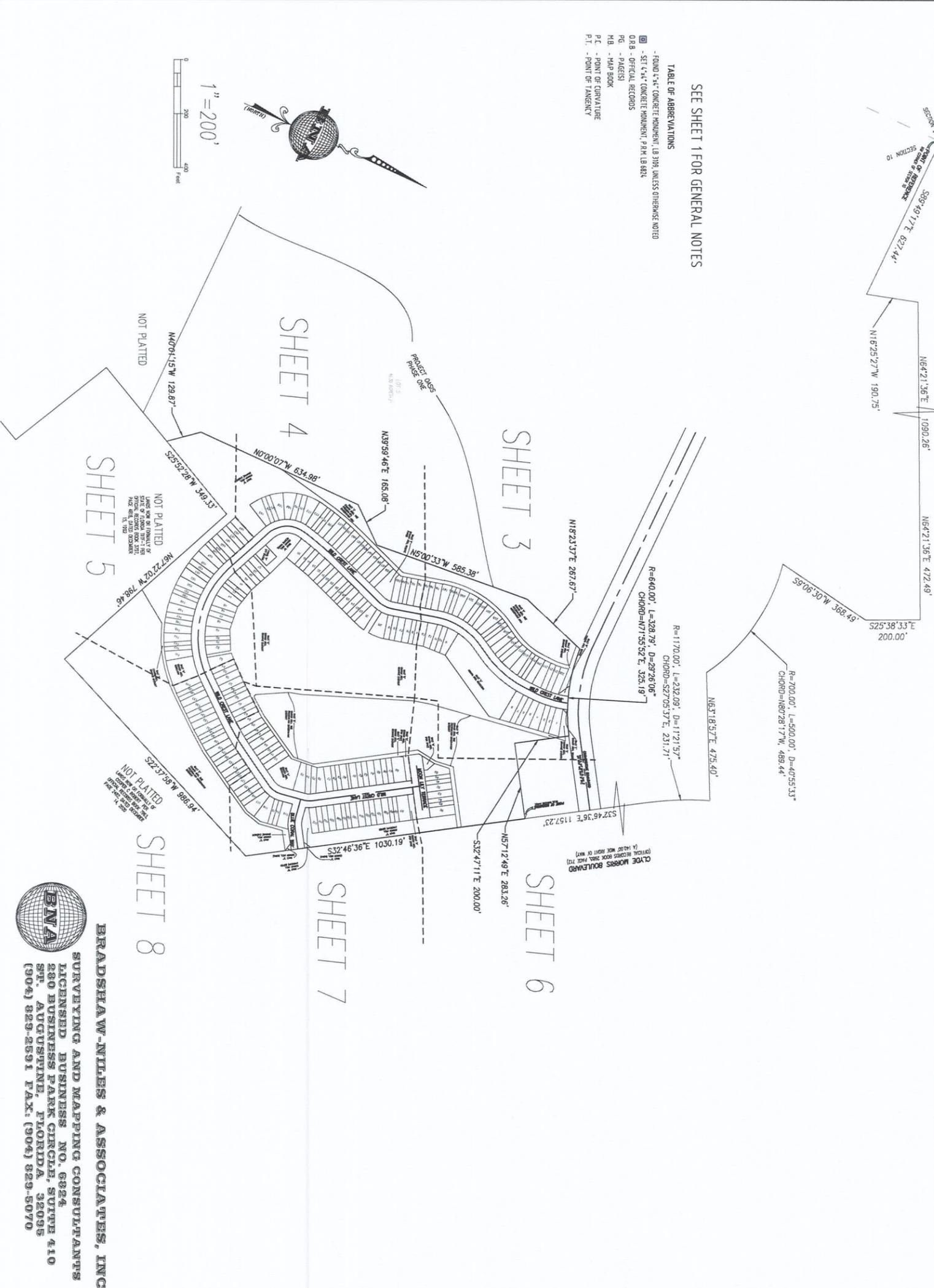
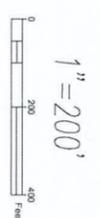
SHEET 2 OF 8



SEE SHEET 1 FOR GENERAL NOTES

**TABLE OF ABBREVIATIONS**

- FOUND 4"x4" CONCRETE MONUMENT, LB 3108, UNLESS OTHERWISE NOTED
- ▣ - SET 4"x4" CONCRETE MONUMENT, P.B.M. LB 824
- O.A.B. - OFFICIAL RECORDS
- P.G. - PAGES
- M.B. - MAP BOOK
- P.C. - POINT OF CURVATURE
- P.T. - POINT OF TANGENCY



**BRADSHAW-NILES & ASSOCIATES, INC.**  
**SURVEYING AND MAPPING CONSULTANTS**  
 LICENSED BUSINESS NO. 6824  
 280 BUSINESS PARK CIRCLF, SUITE 410  
 ST. AUGUSTINE, FLORIDA 32095  
 (904) 829-2591 FAX: (904) 829-5070

# Attachment A

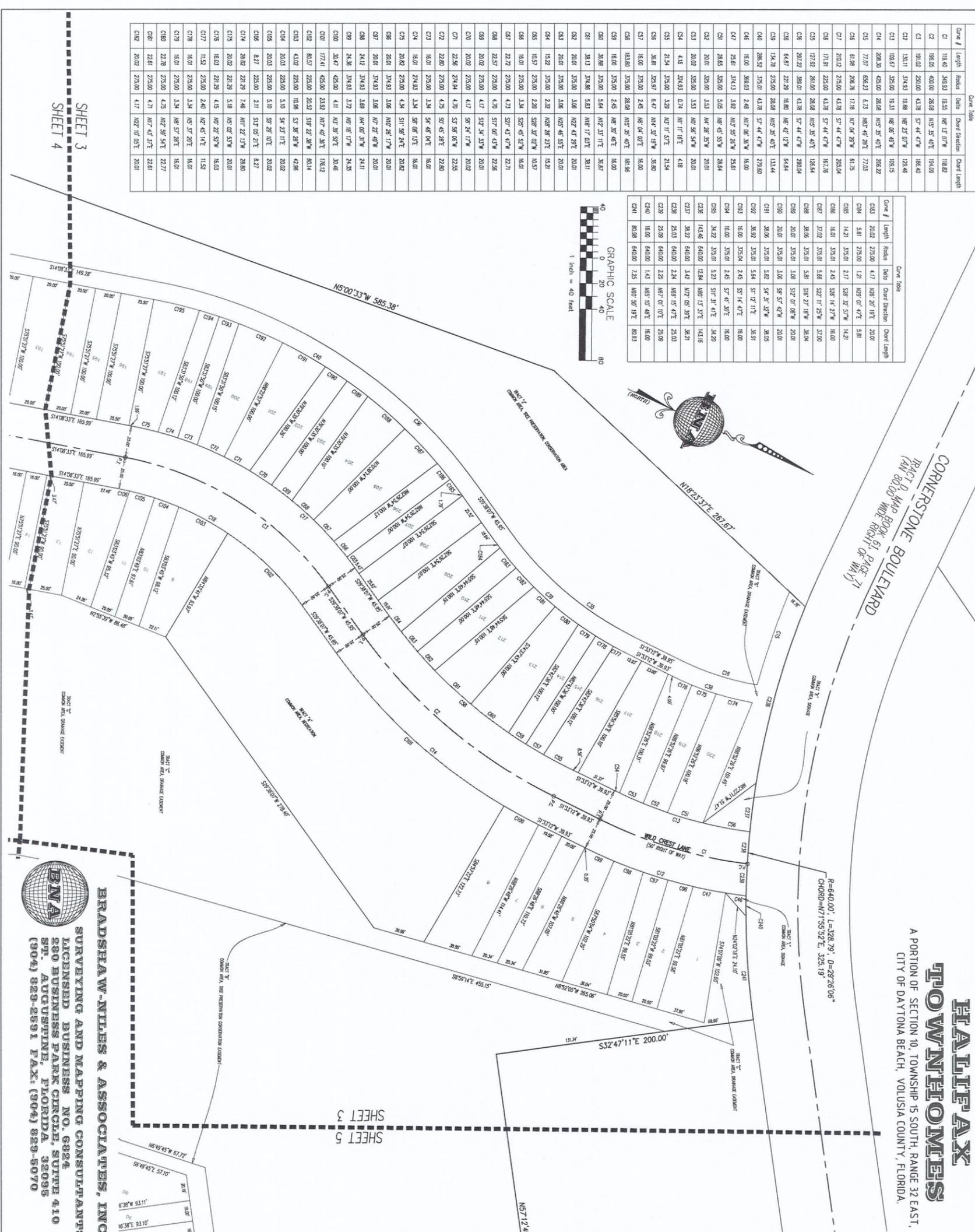
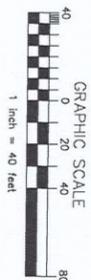
MAP BOOK PAGE 8  
SHEET 3 OF 8

**HAUTEAUX TOWNHOMES**  
A PORTION OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 32 EAST,  
CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA.

CORNERSTONE BOULEVARD  
TRACT D, MAP BOOK 51, PAGE 71  
(AN 80.00' WIDE RIGHT OF WAY)

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	115.40	340.31	18.55	N 87° 17' 00" W	118.82
C2	195.65	400.00	28.03	N 85° 35' 40" E	194.09
C3	191.02	250.00	43.78	S 74° 47' 00" W	186.40
C4	130.11	374.31	19.88	N 82° 07' 00" W	128.46
C5	109.67	350.00	19.33	N 87° 08' 48" W	102.15
C6	206.30	425.00	28.08	N 85° 35' 40" E	202.22
C7	77.07	656.23	6.73	N 85° 09' 36" E	77.03
C8	61.98	286.76	17.18	N 7° 04' 25" W	61.75
C9	202.32	250.00	43.78	S 74° 47' 00" W	203.64
C10	171.81	225.00	43.78	S 74° 47' 00" W	162.78
C11	127.52	281.00	28.08	N 85° 35' 40" E	128.64
C12	293.22	380.00	43.78	S 74° 47' 00" W	290.04
C13	64.87	227.29	16.80	N 87° 47' 12" W	64.64
C14	134.78	275.00	28.08	N 85° 35' 40" E	133.44
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C16	16.00	380.00	2.46	N 87° 08' 36" W	16.00
C17	25.61	374.31	1.82	N 85° 35' 26" W	25.61
C18	26.65	325.00	5.05	N 87° 45' 55" W	26.64
C19	20.01	325.00	3.53	N 87° 28' 35" W	20.01
C20	20.02	325.00	3.53	N 87° 59' 54" W	20.01
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C68	16.00	375.00	2.45	N 87° 07' 07" E	16.00
C69	16.00	375.00	2.45	N 87° 07' 07" E	16.00
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C99	16.00	375.00	2.45	N 87° 07' 07" E	16.00
C100	16.00	375.00	2.45	N 87° 07' 07" E	16.00

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C101	20.02	275.00	4.17	N 82° 20' 18" E	20.01
C102	5.81	275.00	1.21	N 82° 07' 47" E	5.81
C103	14.21	375.00	2.17	S 28° 35' 57" W	14.21
C104	16.01	375.00	2.45	S 05° 14' 27" W	16.00
C105	37.02	375.00	5.68	S 27° 11' 25" W	37.00
C106	38.06	375.00	5.81	S 15° 27' 18" W	38.04
C107	20.01	375.00	3.53	S 74° 47' 00" W	20.01
C108	20.01	375.00	3.53	S 74° 47' 00" W	20.01
C109	38.06	375.00	5.81	S 15° 27' 18" W	38.05
C110	38.06	375.00	5.81	S 15° 27' 18" W	38.05
C111	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C112	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C113	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C114	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C115	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C116	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C117	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C118	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C119	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C120	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C121	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C122	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C123	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C124	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C125	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C126	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C127	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C128	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C129	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C130	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C131	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C132	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C133	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C134	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C135	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C136	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C137	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C138	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C139	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C140	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C141	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C142	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C143	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C144	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C145	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C146	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C147	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C148	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C149	16.00	375.00	2.45	S 74° 47' 00" W	16.00
C150	16.00	375.00	2.45	S 74° 47' 00" W	16.00



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# Attorneys

MAP BOOK PAGE

A PORTION OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 32 EAST,  
CITY OF DAYTONA BEACH, YULISIA COUNTY, FLORIDA.

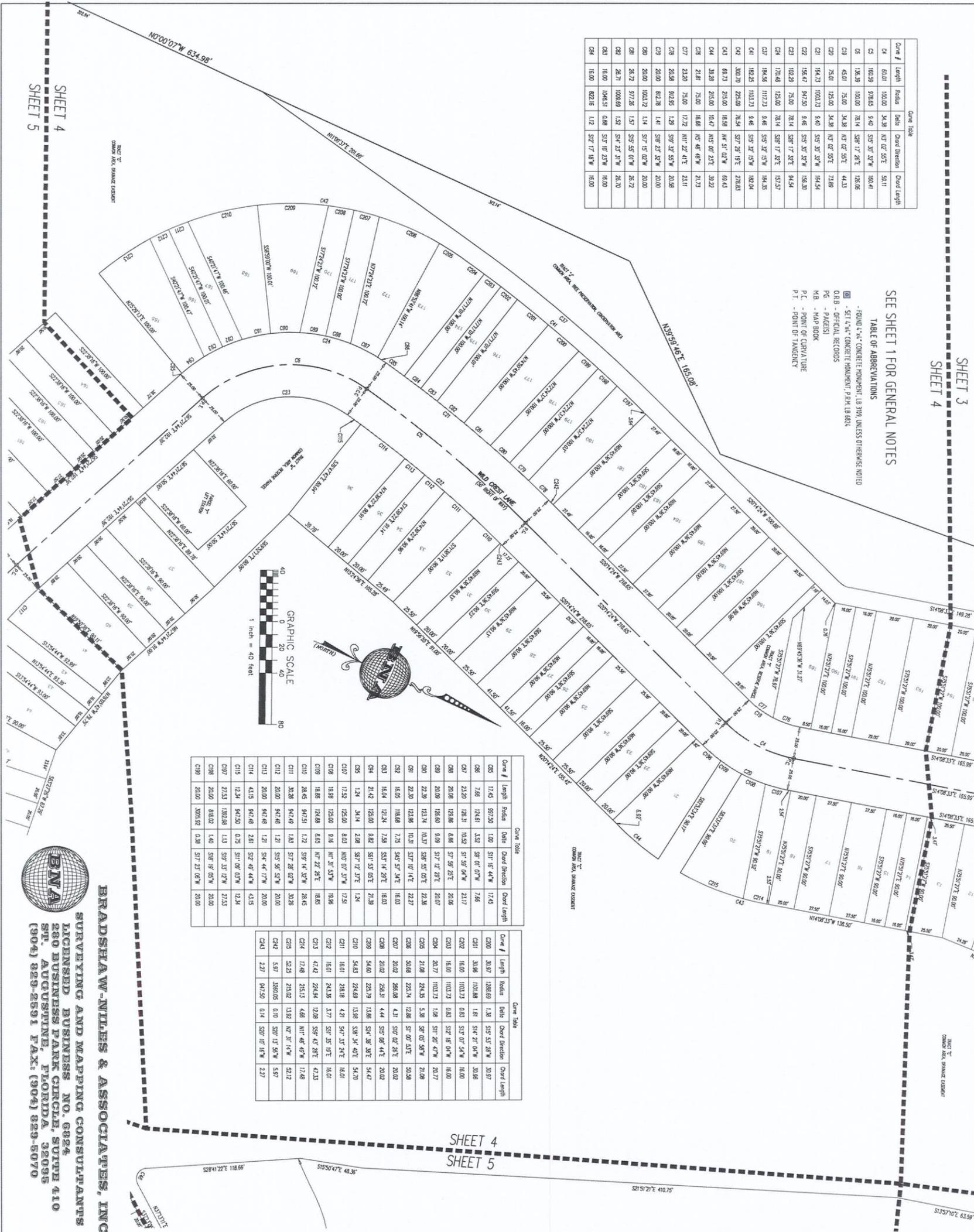
SHEET 4 OF 8

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	65.00	100.00	34.38	N7°02'55"E	59.11
C2	163.59	318.63	54.40	S15°30'32"W	160.41
C3	136.39	100.00	78.14	S89°17'26"E	128.06
C4	45.00	75.00	34.38	N7°02'55"E	43.33
C5	75.00	125.00	34.38	N5°02'55"E	71.88
C6	164.23	1003.23	9.40	S15°30'32"W	164.54
C7	158.40	942.50	9.46	S15°30'32"W	158.30
C8	162.29	75.00	78.14	S89°17'26"E	94.54
C9	178.48	133.00	78.14	S89°17'26"E	151.57
C10	184.58	1117.23	9.46	S15°30'32"W	184.33
C11	182.25	1103.23	9.46	S15°30'32"W	182.04
C12	300.70	225.00	75.54	S37°29'19"E	218.83
C13	68.23	215.00	18.58	N4°01'02"W	69.43
C14	38.88	215.00	10.47	N15°00'23"E	39.22
C15	21.81	75.00	18.68	N5°46'48"W	21.73
C16	24.58	91.55	1.28	S19°32'55"W	24.98
C17	23.20	75.00	17.22	N11°22'41"E	23.11
C18	20.00	812.78	1.41	S18°23'32"W	20.00
C19	20.00	1003.12	1.14	S17°15'02"W	20.00
C20	20.00	1003.12	1.57	S15°55'01"W	20.72
C21	28.71	1008.69	1.52	S14°23'31"W	28.70
C22	16.00	1048.51	0.88	S17°10'23"W	16.00
C23	16.00	822.15	1.12	S27°17'18"W	16.00

SEE SHEET 1 FOR GENERAL NOTES

TABLE OF ABBREVIATIONS

- FOUND 4"x4" CONCRETE MONUMENT, 1.83 3/8% UNLESS OTHERWISE NOTED
- - SET 4"x4" CONCRETE MONUMENT, P.M. 1.8 8/8%
- O.B. - OFFICIAL RECORDS
- P.G. - PLATINGS
- M.B. - MAP BOOK
- P.C. - POINT OF CURVATURE
- P.T. - POINT OF TANGENCY



Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C26	17.45	992.50	1.80	S17°02'44"W	17.45
C27	7.68	154.63	3.52	S81°01'07"W	7.68
C28	23.20	128.31	10.52	S1°59'04"W	23.17
C29	20.08	128.86	8.86	S1°59'23"E	20.06
C30	20.09	128.60	9.09	S17°12'29"E	20.07
C31	22.30	123.74	10.37	S87°32'02"E	22.30
C32	22.30	123.86	10.31	S87°01'14"E	22.27
C33	16.05	118.68	7.75	S49°57'34"E	16.03
C34	16.04	123.24	7.58	S53°14'28"E	16.03
C35	1.24	34.14	2.08	S87°12'17"E	1.24
C36	17.32	125.00	8.03	N10°07'31"W	17.31
C37	16.00	138.90	8.16	N1°31'53"W	16.00
C38	16.06	124.68	8.65	N7°22'28"E	16.05
C39	28.45	94.751	1.72	S19°14'32"W	28.45
C40	30.28	94.749	1.83	S17°28'02"W	30.28
C41	20.00	94.746	1.21	S19°59'57"W	20.00
C42	20.00	94.746	1.21	S19°59'57"W	20.00
C43	20.00	94.746	1.21	S19°59'57"W	20.00
C44	43.15	94.746	2.81	S17°49'44"W	43.15
C45	12.34	94.750	0.75	S17°07'07"W	12.34
C46	21.53	1392.86	1.13	S19°33'12"W	21.53
C47	20.00	818.82	1.40	S18°19'05"W	20.00
C48	20.00	1003.92	0.38	S17°23'02"W	20.00

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C200	30.97	1288.69	1.38	S15°53'28"W	30.97
C201	30.96	1101.88	1.61	S14°21'04"W	30.96
C202	16.00	1103.23	0.83	S15°07'54"W	16.00
C203	16.00	1103.23	0.83	S17°16'04"W	16.00
C204	20.17	1103.23	1.08	S11°20'47"W	20.17
C205	21.08	224.58	5.38	S8°05'58"W	21.08
C206	20.02	268.08	4.31	S10°02'28"E	20.02
C207	20.02	268.08	4.31	S10°02'28"E	20.02
C208	50.68	225.74	12.88	S1°00'34"E	50.59
C209	54.60	225.74	13.68	S4°38'30"E	54.47
C210	54.63	224.69	13.98	S3°34'40"E	54.70
C211	16.00	218.18	4.21	S4°13'24"E	16.01
C212	16.00	243.38	3.77	S1°35'10"E	16.01
C213	47.42	224.94	12.08	S59°43'20"E	47.33
C214	17.48	215.13	4.68	N11°46'49"W	17.48
C215	52.25	215.02	13.91	N4°31'44"W	52.12
C216	5.97	180.05	0.10	S20°13'59"W	5.97
C217	2.27	942.50	0.14	S20°10'18"W	2.27

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SHEET 4  
SHEET 5

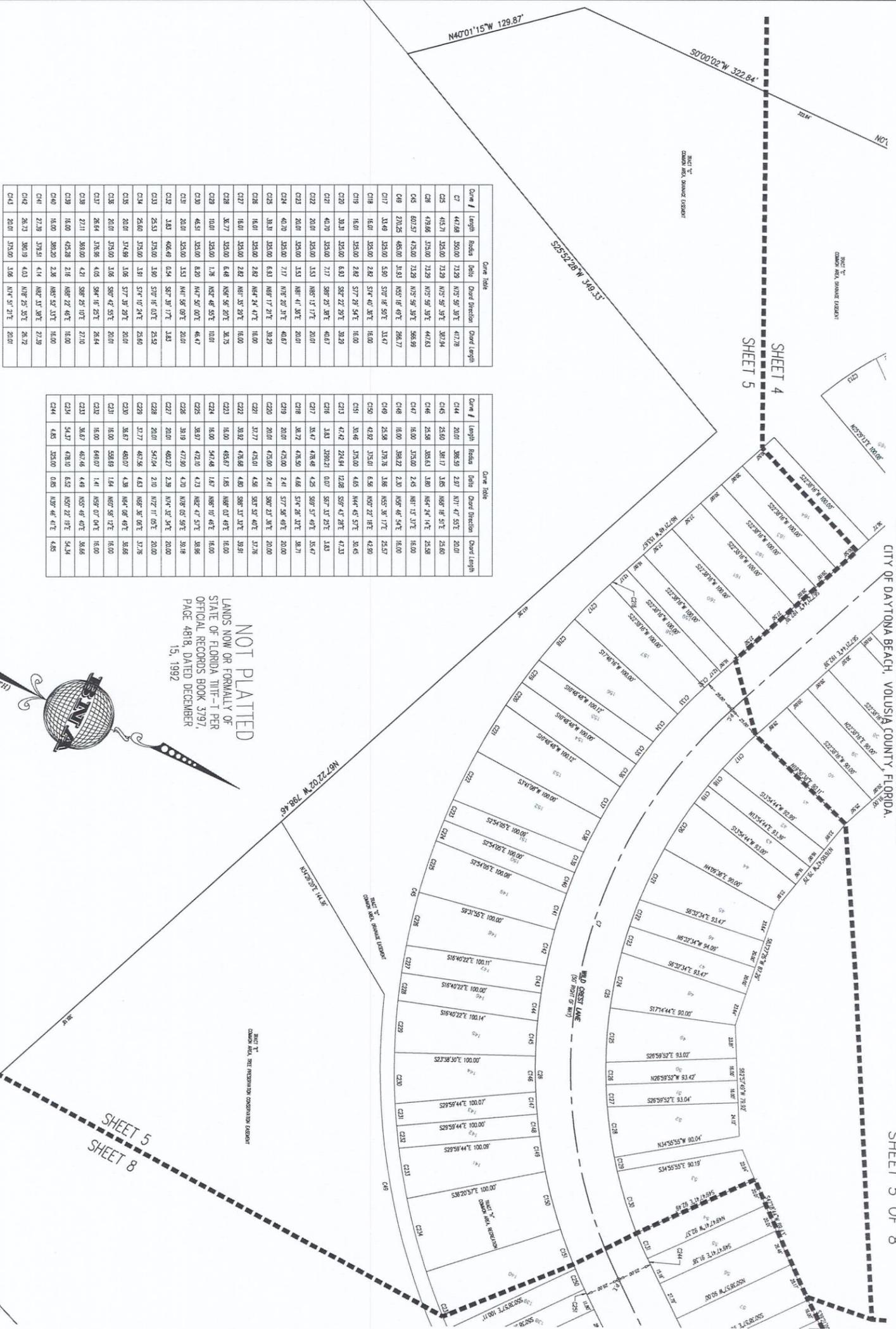
SHEET 3  
SHEET 4

# Atlantic Home

MAP BOOK PAGE 1

A PORTION OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 32 EAST,  
CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA.

SHEET 5 OF 8



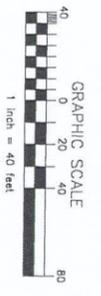
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	44.68	350.00	7.28	N75°59'39"E	47.78
C2	415.71	350.00	71.29	N75°59'39"E	387.94
C3	419.86	375.00	73.29	N75°59'39"E	444.83
C4	607.57	425.00	71.29	N75°59'39"E	568.89
C5	270.25	485.00	31.93	N85°16'49"E	286.77
C6	16.01	350.00	2.82	S77°28'54"E	16.00
C7	16.01	350.00	2.82	S77°28'54"E	16.00
C8	16.01	350.00	2.82	S77°28'54"E	16.00
C9	16.01	350.00	2.82	S77°28'54"E	16.00
C10	16.01	350.00	2.82	S77°28'54"E	16.00
C11	16.01	350.00	2.82	S77°28'54"E	16.00
C12	16.01	350.00	2.82	S77°28'54"E	16.00
C13	16.01	350.00	2.82	S77°28'54"E	16.00
C14	16.01	350.00	2.82	S77°28'54"E	16.00
C15	16.01	350.00	2.82	S77°28'54"E	16.00
C16	16.01	350.00	2.82	S77°28'54"E	16.00
C17	16.01	350.00	2.82	S77°28'54"E	16.00
C18	16.01	350.00	2.82	S77°28'54"E	16.00
C19	16.01	350.00	2.82	S77°28'54"E	16.00
C20	16.01	350.00	2.82	S77°28'54"E	16.00
C21	16.01	350.00	2.82	S77°28'54"E	16.00
C22	16.01	350.00	2.82	S77°28'54"E	16.00
C23	16.01	350.00	2.82	S77°28'54"E	16.00
C24	16.01	350.00	2.82	S77°28'54"E	16.00
C25	16.01	350.00	2.82	S77°28'54"E	16.00
C26	16.01	350.00	2.82	S77°28'54"E	16.00
C27	16.01	350.00	2.82	S77°28'54"E	16.00
C28	16.01	350.00	2.82	S77°28'54"E	16.00
C29	16.01	350.00	2.82	S77°28'54"E	16.00
C30	16.01	350.00	2.82	S77°28'54"E	16.00
C31	16.01	350.00	2.82	S77°28'54"E	16.00
C32	16.01	350.00	2.82	S77°28'54"E	16.00
C33	16.01	350.00	2.82	S77°28'54"E	16.00
C34	16.01	350.00	2.82	S77°28'54"E	16.00
C35	16.01	350.00	2.82	S77°28'54"E	16.00
C36	16.01	350.00	2.82	S77°28'54"E	16.00
C37	16.01	350.00	2.82	S77°28'54"E	16.00
C38	16.01	350.00	2.82	S77°28'54"E	16.00
C39	16.01	350.00	2.82	S77°28'54"E	16.00
C40	16.01	350.00	2.82	S77°28'54"E	16.00
C41	16.01	350.00	2.82	S77°28'54"E	16.00
C42	16.01	350.00	2.82	S77°28'54"E	16.00
C43	16.01	350.00	2.82	S77°28'54"E	16.00
C44	16.01	350.00	2.82	S77°28'54"E	16.00

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C14	20.01	386.59	2.97	N17°47'55"E	20.01
C15	25.60	381.17	3.85	N89°16'31"E	25.60
C16	25.58	386.63	3.89	N64°24'14"E	25.58
C17	16.00	375.00	2.85	N81°13'37"E	16.00
C18	16.00	388.22	2.90	N89°48'54"E	16.00
C19	25.58	378.76	3.86	N85°38'17"E	25.57
C20	42.92	375.00	6.56	N89°22'18"E	42.80
C21	38.66	375.00	6.65	N44°45'57"E	38.65
C22	47.42	274.94	12.08	S89°43'28"E	47.33
C23	38.67	478.48	4.25	S89°57'49"E	38.47
C24	38.72	478.50	4.66	S74°28'37"E	38.71
C25	20.01	475.00	2.41	S77°58'49"E	20.00
C26	20.01	475.00	2.41	S77°58'49"E	20.00
C27	20.01	475.00	2.41	S77°58'49"E	20.00
C28	20.01	475.00	2.41	S77°58'49"E	20.00
C29	20.01	475.00	2.41	S77°58'49"E	20.00
C30	20.01	475.00	2.41	S77°58'49"E	20.00
C31	20.01	475.00	2.41	S77°58'49"E	20.00
C32	20.01	475.00	2.41	S77°58'49"E	20.00
C33	20.01	475.00	2.41	S77°58'49"E	20.00
C34	20.01	475.00	2.41	S77°58'49"E	20.00
C35	20.01	475.00	2.41	S77°58'49"E	20.00
C36	20.01	475.00	2.41	S77°58'49"E	20.00
C37	20.01	475.00	2.41	S77°58'49"E	20.00
C38	20.01	475.00	2.41	S77°58'49"E	20.00
C39	20.01	475.00	2.41	S77°58'49"E	20.00
C40	20.01	475.00	2.41	S77°58'49"E	20.00
C41	20.01	475.00	2.41	S77°58'49"E	20.00
C42	20.01	475.00	2.41	S77°58'49"E	20.00
C43	20.01	475.00	2.41	S77°58'49"E	20.00
C44	20.01	475.00	2.41	S77°58'49"E	20.00

NOT PLATTED  
LANDS NOW OR FORMALLY OF  
STATE OF FLORIDA TITHE-T PER  
OFFICIAL RECORDS BOOK 3797,  
PAGE 4818, DATED DECEMBER  
15, 1992

SEE SHEET 1 FOR GENERAL NOTES

- TABLE OF ABBREVIATIONS
- FOUND 1/4" CONCRETE MONUMENT, LAB 3199, UNLESS OTHERWISE NOTED
  - SET 1/4" CONCRETE MONUMENT, PER PL 184821
  - O.A.B. - OFFICIAL RECORDS
  - P.C. - POINT OF CURVATURE
  - P.T. - POINT OF TANGENCY
  - PC - PAGES
  - M.B. - MAP BOOK

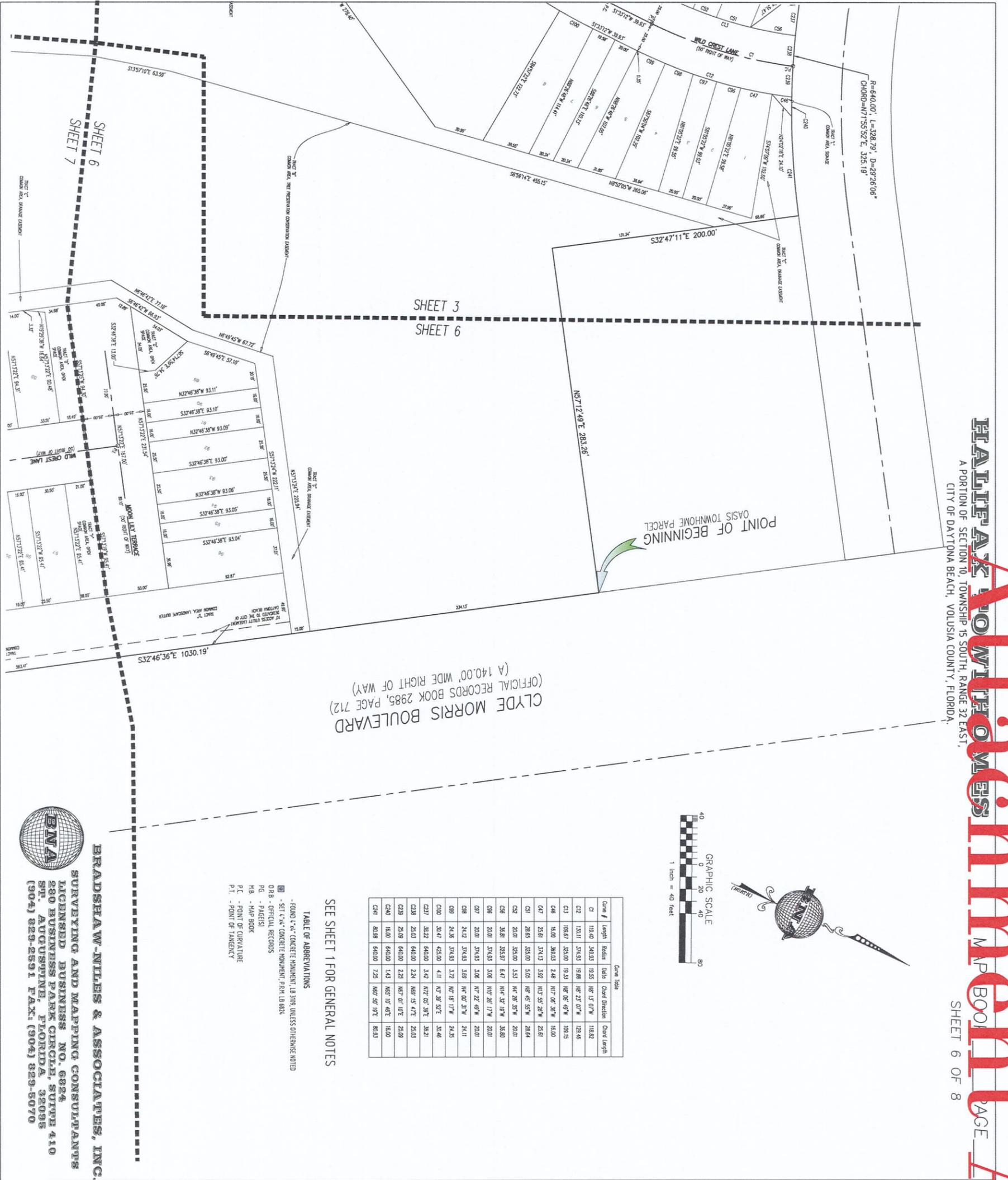


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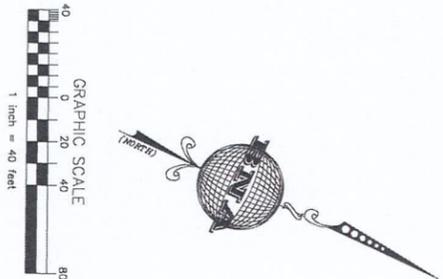
**PLATTEAU HOMEBORES**  
 A PORTION OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 32 EAST,  
 CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA.

**MAP BOOK**  
 SHEET 6 OF 8

# Attachment A



CLYDE MORRIS BOULEVARD  
 (OFFICIAL RECORDS BOOK 2985, PAGE 712)  
 (A 140.00' WIDE RIGHT OF WAY)

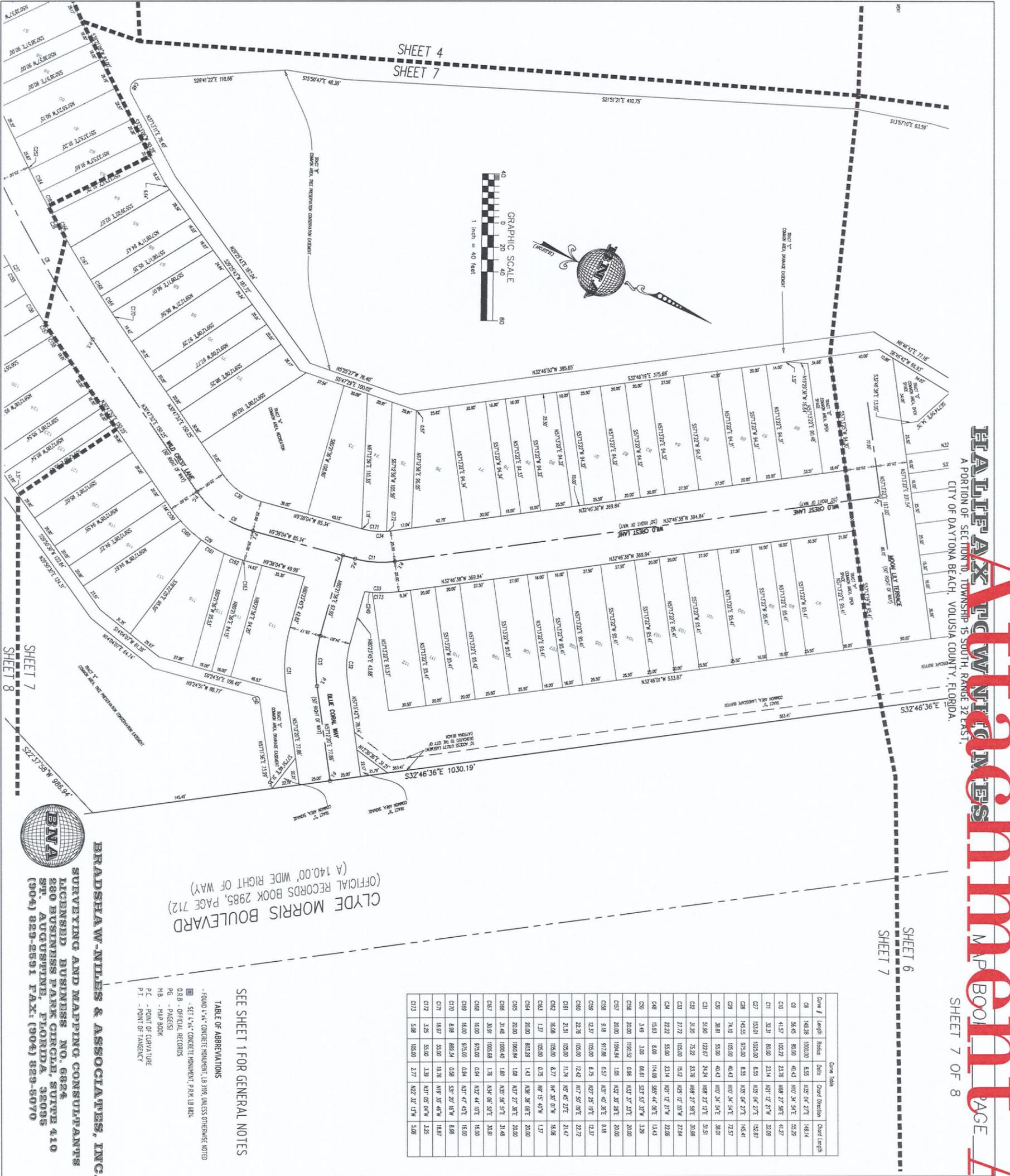


Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	119.40	346.83	10.55	N8° 13' 07" W	118.82
C2	130.11	374.83	15.88	N8° 23' 07" W	129.46
C3	109.67	325.00	19.33	N8° 06' 49" W	109.15
C4	16.00	369.03	2.48	N17° 06' 38" W	16.00
C47	25.61	374.13	3.92	N13° 55' 26" W	25.61
C51	28.85	325.00	3.53	N4° 28' 35" W	28.84
C54	36.81	325.87	6.47	N4° 12' 19" W	36.80
C56	20.01	374.83	3.06	N10° 26' 17" W	20.01
C57	20.01	374.83	3.06	N7° 22' 49" W	20.01
C58	24.12	374.83	3.69	N4° 00' 31" W	24.11
C59	24.36	374.83	3.72	N0° 18' 17" W	24.35
C60	30.47	425.00	4.11	N0° 39' 32" E	30.46
C237	38.22	640.00	3.42	N07° 05' 39" E	38.21
C238	25.03	640.00	2.24	N68° 15' 47" E	25.03
C239	25.09	640.00	2.25	N67° 01' 07" E	25.09
C240	16.00	640.00	1.43	N65° 10' 49" E	16.00
C241	88.08	640.00	7.25	N69° 59' 19" E	88.03

SEE SHEET 1 FOR GENERAL NOTES

- TABLE OF ABBREVIATIONS
- - FOUND 1/4" CONCRETE MONUMENT, 1.8 3/16" UNLESS OTHERWISE NOTED
  - - SET 1/4" CONCRETE MONUMENT, P.M. 1.8 3/16"
  - OR - OFFICIAL RECORDS
  - PG - PAGES
  - M.B. - MAP BOOK
  - P.C. - POINT OF CURVATURE
  - P.I. - POINT OF TANGENCY

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**PLATTE AXE**  
 A PORTION OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 32 EAST,  
 CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA.

**W.D. OREST LANE**  
**BLUE CORAL WAY**  
**CLYDE MORRIS BOULEVARD**

**MAP BOOK**  
 SHEET 7 OF 8

Curve #	Length	Radius	Delta	Chord direction	Chord length
C8	142.26	1000.00	4.55	N35° 04' 27" E	148.14
C9	56.45	80.00	46.43	N07° 34' 54" E	53.29
C10	41.57	108.22	23.78	N68° 27' 59" E	41.27
C11	32.31	80.00	23.14	N01° 12' 27" W	32.08
C12	353.01	1025.00	6.53	N35° 04' 27" E	352.87
C13	145.55	925.00	8.53	N35° 04' 27" E	145.41
C14	74.00	105.00	46.43	N07° 34' 54" E	72.57
C15	38.81	55.00	46.43	N07° 34' 54" E	38.01
C16	51.90	122.87	24.24	N68° 27' 12" E	51.51
C17	31.20	75.22	23.78	N68° 27' 59" E	30.98
C18	27.72	105.00	15.12	N25° 12' 55" W	27.64
C19	22.22	55.00	23.14	N01° 12' 27" W	22.06
C20	15.83	8.00	114.03	S89° 44' 06" E	13.43
C21	3.49	3.00	86.61	S23° 53' 37" W	3.29
C22	20.00	1194.52	0.98	N33° 37' 31" E	20.00
C23	8.18	917.88	0.57	N31° 42' 36" E	8.18
C24	12.37	105.00	6.75	N27° 25' 19" E	12.37
C25	22.16	105.00	12.42	N17° 50' 09" E	22.12
C26	21.51	105.00	11.74	N5° 45' 23" E	21.47
C27	16.08	105.00	8.77	N4° 30' 07" W	16.08
C28	1.37	105.00	0.75	N9° 15' 40" W	1.37
C29	20.00	1094.84	1.43	N39° 38' 09" E	20.00
C30	31.46	1000.40	1.80	N35° 56' 51" E	31.46
C31	30.91	1055.88	1.78	N34° 08' 57" E	30.91
C32	16.00	975.00	0.84	N32° 44' 10" E	16.00
C33	8.88	888.34	0.58	S17° 20' 16" W	8.88
C34	18.87	55.00	10.25	N10° 30' 45" W	18.87
C35	3.58	55.00	3.39	N41° 05' 04" W	3.25
C36	5.88	105.00	2.77	N27° 37' 17" W	5.88

CLYDE MORRIS BOULEVARD  
 (OFFICIAL RECORDS BOOK 2985, PAGE 712)  
 (A 140.00' WIDE RIGHT OF WAY)

SEE SHEET 1 FOR GENERAL NOTES

**TABLE OF ABBREVIATIONS**

- FOUND 4"x4" CONCRETE MONUMENT 1.8 390, UNLESS OTHERWISE NOTED
- SET 4"x4" CONCRETE MONUMENT 9 PM 13 4824
- O.S.B. - OFFICIAL RECORDS
- P.G. - PAGES
- H.B. - MAP BOOK
- P.C. - POINT OF CURVATURE
- P.T. - POINT OF TANGENCY

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 SURVEYING AND MAPPING CONSULTANTS  
 LICENSED BUSINESS NO. 6824  
 280 BUSINESS PARK CIRCH, SUITE 410  
 ST. AUGUSTINE, FLORIDA 32095  
 (904) 829-2591 FAX: (904) 829-5070

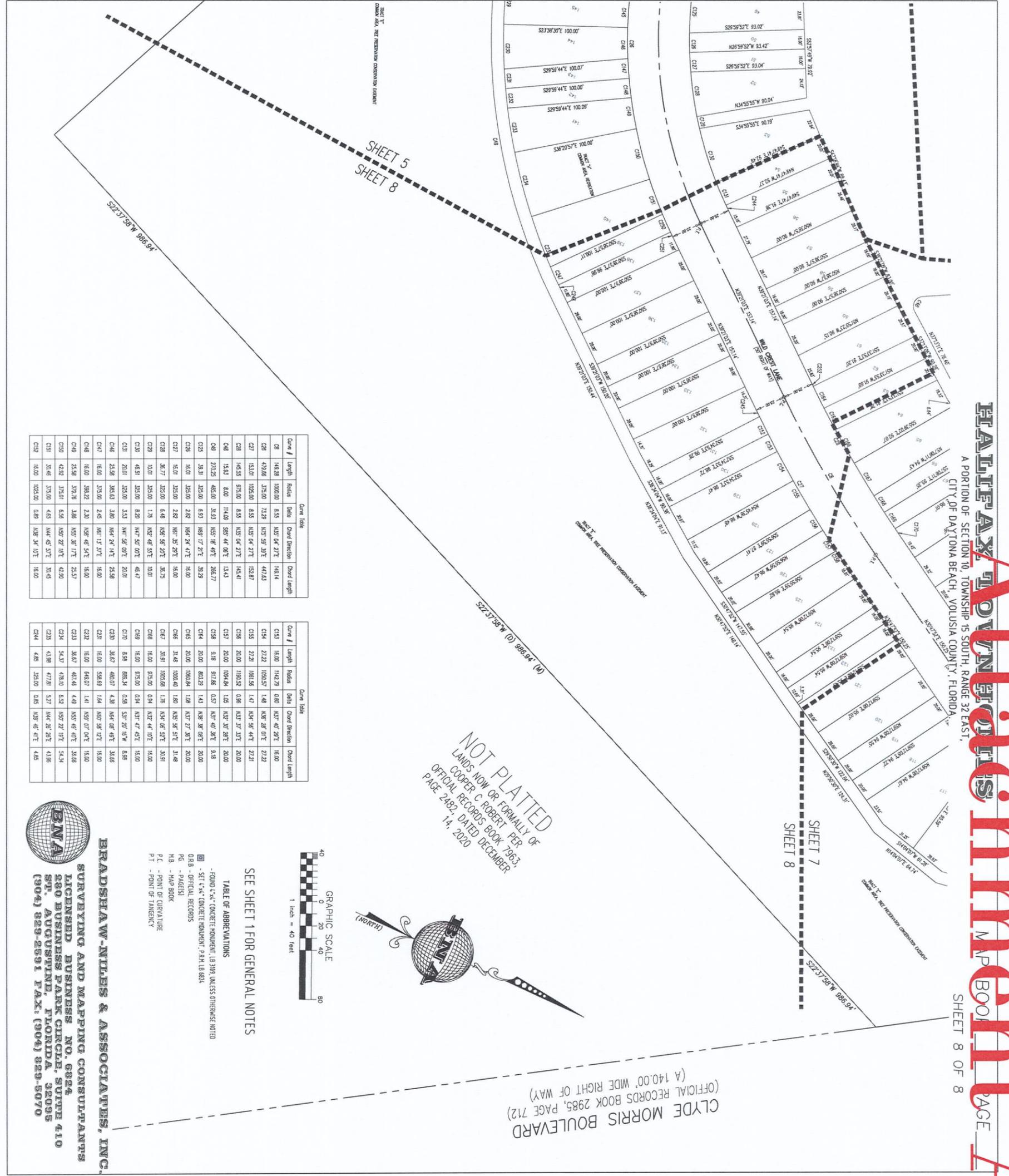
**HALETTEA TOWNHOUSES**  
 A PORTION OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 32 EAST,  
 CITY OF DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA

**Atchmann**  
 MAP BOOK PAGE A

SHEET 8 OF 8

CLYDE MORRIS BOULEVARD  
 (OFFICIAL RECORDS BOOK 2985, PAGE 712)  
 (A 140.00' WIDE RIGHT OF WAY)

NOT PLATTED  
 LANDS NOW OR FORMALLY OF  
 COOPER C. ROBERT PER  
 OFFICIAL RECORDS BOOK 2985,  
 PAGE 2482, DATED DECEMBER  
 14, 2020



Corner	Length	Bearing	Area	Course	Course Direction	Course Length
C146	144.28	100.00	8.55	N57°04'27"E	148.14	
C147	479.86	375.00	71.28	N57°59'30"E	442.83	
C148	153.01	1025.00	8.55	N57°04'27"E	152.87	
C149	145.55	975.00	8.55	N57°04'27"E	145.41	
C150	153.01	8.00	14.08	S89°44'03"E	134.43	
C151	270.25	485.00	31.93	N57°18'49"E	268.77	
C152	39.33	325.00	6.53	N69°17'21"E	39.29	
C153	16.00	325.00	0.20	N47°50'07"E	46.47	
C154	46.59	325.00	8.20	N47°50'07"E	46.47	
C155	20.01	325.00	3.53	N47°50'07"E	20.01	
C156	16.00	325.00	2.45	N61°17'37"E	16.00	
C157	35.37	325.00	6.48	N59°59'20"E	35.75	
C158	16.00	325.00	2.82	N61°35'29"E	16.00	
C159	10.00	325.00	1.76	N57°48'55"E	10.01	
C160	46.59	325.00	8.20	N47°50'07"E	46.47	
C161	25.58	385.63	3.80	N64°24'14"E	25.58	
C162	16.00	398.22	2.30	N59°45'54"E	16.00	
C163	25.58	378.78	3.88	N55°38'17"E	25.57	
C164	42.92	375.00	6.54	N59°27'18"E	42.90	
C165	38.46	375.00	4.15	N44°45'57"E	38.45	
C166	16.00	1025.00	0.88	N58°34'10"E	16.00	

Corner	Length	Bearing	Area	Course	Course Direction	Course Length
C167	16.00	1142.78	0.80	N37°49'29"E	16.00	
C168	27.22	1095.57	1.48	N38°08'07"E	27.22	
C169	37.21	1061.56	1.47	N34°59'44"E	27.21	
C170	20.00	1198.52	0.98	N37°37'33"E	20.00	
C171	20.00	1094.84	1.05	N37°30'28"E	20.00	
C172	5.18	972.88	0.57	N37°49'30"E	5.18	
C173	20.00	801.23	1.43	N38°38'08"E	20.00	
C174	20.00	1068.84	1.28	N37°27'30"E	20.00	
C175	31.46	1008.40	1.80	N35°58'55"E	31.46	
C176	35.93	1005.68	1.76	N34°59'32"E	35.91	
C177	16.00	975.00	0.94	N37°44'10"E	16.00	
C178	16.00	975.00	0.94	N37°44'10"E	16.00	
C179	8.88	888.34	0.58	S37°29'49"E	8.88	
C180	36.87	868.07	4.38	N64°08'49"E	36.86	
C181	16.00	598.68	1.64	N67°59'17"E	16.00	
C182	16.00	648.07	1.41	N59°07'04"E	16.00	
C183	36.17	467.46	4.49	N59°49'47"E	36.86	
C184	54.37	478.10	6.52	N59°27'19"E	54.34	
C185	43.88	478.10	5.27	N44°28'28"E	43.86	
C186	4.83	325.00	0.85	N37°49'47"E	4.83	



SEE SHEET 1 FOR GENERAL NOTES

- TABLE OF ABBREVIATIONS
- FOUND 1/4" CONCRETE MONUMENT, 1.8" DIA. UNLESS OTHERWISE NOTED
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Agenda Item 4C (Legislative Hearing)

**Right-of-Way Vacation**

DEV2024-467

Dowling Court and York Court Rights-of-Way Vacation

**STAFF REPORT**

**MEETING DATE:** September 26, 2024, Planning Board  
**REPORT DATE:** September 12, 2024  
**SUBJECT:** DEV2024-420 Dowling Court and York Court Rights-of-Way Vacation  
**APPLICANT:** Jessica Gow, Cobb Cole  
**STAFF:** Danalee Petyk, AICP, Senior Planner

---

**SUMMARY OF REQUEST**

A request by Jessica Gow, Cobb Cole, on behalf of the property owners, to vacate the Dowling Court and York Court rights-of-way, generally located southeast of the North Ridgewood Avenue and Bay Street intersection.

Both the Dowling Court and York Court rights-of-way are improved and provide access to properties internal to the site. Once vacated, the rights-of-way will be converted to acreage and combined with the adjacent properties.

The properties surrounding and including the rights-of-way to be vacated are under review for a concurrent amendment to the Project Delta West Planned Development-Redevelopment. If the subject rights-of-way are vacated and the amendment to the PD is approved, the properties will be reconfigured and combined with the rights-of-way to be redeveloped with a mixed-use project.

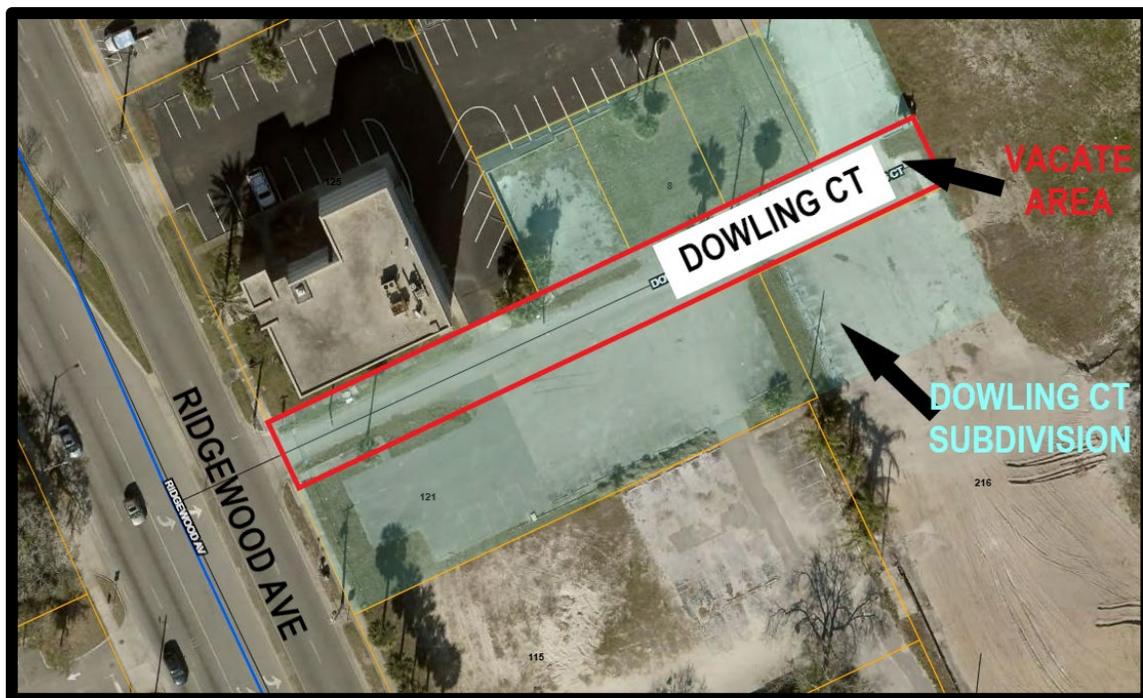
According to Section 3.4.AA.3.g, *Right-of-Way Vacation*, Land Development Code (LDC), a Right-of-Way Vacation requires review and recommendation by the Planning Board with final decision by the City Commission following a public hearing. A majority vote by the Planning Board members present and voting is required to recommend approval of the right-of-way vacation.

**Staff recommendation:** 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 Hodgeman's 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.

**PROJECT DESCRIPTION & BACKGROUND**

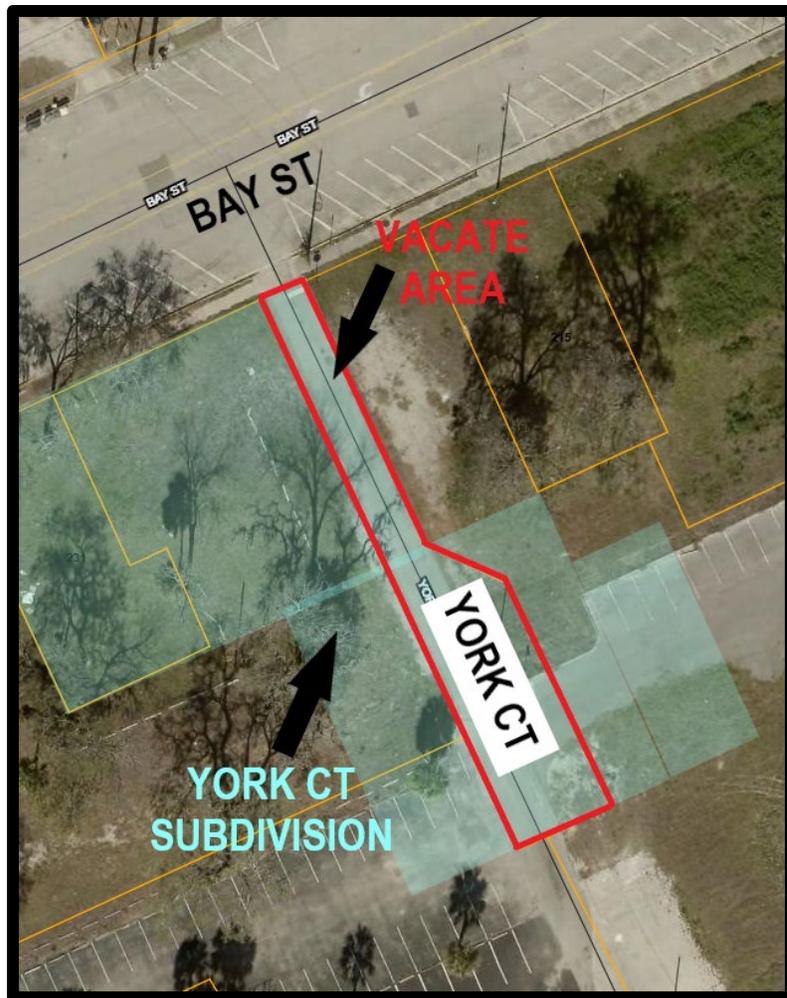
Jessica Gow, Cobb Cole, on behalf of the property owners, has requested to vacate the public rights-of-way known as Dowling Court of the Dowling Court Plat (“Dowling Court subdivision”) and York Court of the Map of Subdivision of a Part of Lots 5 & 6 Block 8, according to Hodgemens Map of Daytona, Florida Plat aka Cross subdivision (“York Court subdivision”). Copies of the original plats are provided in *Attachment C* for reference.

Dowling Court is adjacent to Lots 1 through 5 of the Dowling Court subdivision to the south and Lots 6 through 9 of the Dowling Court subdivision to the north. The right-of-way abuts another property to the north at 125 N Ridgewood Avenue which was not part of the original Dowling Court plat. The subject right-of-way is improved and was constructed to provide access to the lots created with the Dowling Court subdivision as they did not directly front Ridgewood Avenue. Over time, many of the platted lots were combined with other parcels, and only Lots 7 through 9 remain as is without direct access to another existing, improved right-of-way. The sketch of description of the Dowling Court right-of-way to be vacated is provided in *Attachment A* and an aerial showing the requested vacate area and the boundary of the original platted subdivision is below.



***Aerial View of Dowling Court Right-of-Way Vacate Area***

York Court is adjacent to Lots 4 through 6 of the York Court subdivision to the west and Lots 1 through 3 of the York Court subdivision to the east. The subject right-of-way is improved and was constructed to provide access and parking to the York Court subdivision. These lots have since been combined with other parcels, all of which have access to another existing, improved right-of-way. The sketch of description of the York Court right-of-way to be vacated is provided in *Attachment B* and an aerial showing the vacate area and the boundary of the original platted subdivision is below.



**Aerial View of York Court Right-of-Way Vacate Area**

The developers of the Accent Daytona project have obtained most of the properties within the block, including the original platted lots from each subdivision abutting the rights-of-way to be vacated. These properties, including the rights-of-way to be vacated, are under review for a rezone to amend the Project Delta West Planned Development-Redevelopment (DEV2022-174), to be heard concurrently with this request. If the subject rights-of-way are vacated and the rezone is approved, the properties will be combined and re-developed with a mixed-use development including commercial, office, and multi-family residential.

**PROJECT ANALYSIS**

According to Section 3.4.AA.3.g, *Right-of-Way Vacation*, Land Development Code (LDC), a Right-of-Way Vacation requires review and recommendation by the Planning Board with final decision by the City Commission following a public hearing.

**Right-of-Way Vacation Review Standards**

Per Section 3.4.AA.4, LDC, an application for vacation of a public street right-of-way shall be approved only on a finding there is competent substantial evidence in the record that the proposed vacation meets the review standards as follows:

**a. The right-of-way is not now, or in the foreseeable future, needed for a public purpose for the City or its inhabitants;**

The Dowling Court right-of-way is improved and provides the sole legal access Lots 7, 8, and 9 of the Dowling Court subdivision which are currently separate vacant parcels. The York Court right-of-way is also improved; however, it does not provide sole legal access to any currently existing parcels. The properties directly abutting York Court have direct access to the surrounding rights-of-way including North Ridgewood Avenue, North Palmetto Avenue, and Bay Street. While the vacation would eliminate necessary access for the three aforementioned platted lots abutting Dowling Court, these three lots, along with several of the other parcels, are all under common ownership or are part of the proposed amendment to the Delta West Planned Development-Redevelopment, and, once redeveloped, would not be needed for a public purpose. However, to ensure access is not being eliminated to any property, Staff recommends the vacate be conditioned to require these three lots be combined with the parcel to the east prior to the adoption of the Dowling Court vacation.

All utility providers have provided letters of no objection to the proposed rights-of-way vacate. The letters of no objection are provided in *Attachment D*.

**b. Vacation of the right-of-way is consistent with the comprehensive plan.**

The Dowling Court and York Court rights-of-way are not designated in the City's Comprehensive Plan nor do any of the other policies related to rights-of-way apply. This vacation request is consistent with the Comprehensive Plan.

**Effect of Right-of-Way Vacation**

Per Section 3.4.AA.6, LDC, approval of the total vacation of a public street right-of-way and recording of a survey showing the vacation shall extinguish any right or title the City has or may have in or to the area vacated. Any right or title to such area shall be released to the owners of abutting properties in such pro rata proportions, to such extent, and in such manner as provided by State law.

The platted York Court right-of-way is located between properties owned by two separate entities. The property abutting the southwest corner of the York Court right-of-way is owned by 125 US 1 LLC and the property abutting the remainder of York Court is owned by Accent Daytona Beach LP. Both property owners are part of the proposed Accent Daytona development.

Once vacated, the York Court right-of-way will be converted to acreage and split amongst the two property owners with the property owned by 125 US 1 LLC (Parcel ID 5339-01-08-0050) to receive a portion of the southwest corner of the vacated right-of-way and the property owned by Accent Daytona Beach LP (Parcel ID 5339-01-08-0020) to receive the remainder.

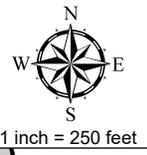
Once the lot combination is completed and the right-of-way is vacated, Dowling Court will be converted to acreage and combined in its entirety with the property located to the south, east, and northeast of the vacate.

**RECOMMENDATION**

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.

A majority vote by the Planning Board members present and voting is required to recommend approval to the City Commission.

LOCATION MAP



Page 55 of 164

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DEV2024-420  
DOWLING CT YORK ST ROW  
LOCATION MAP

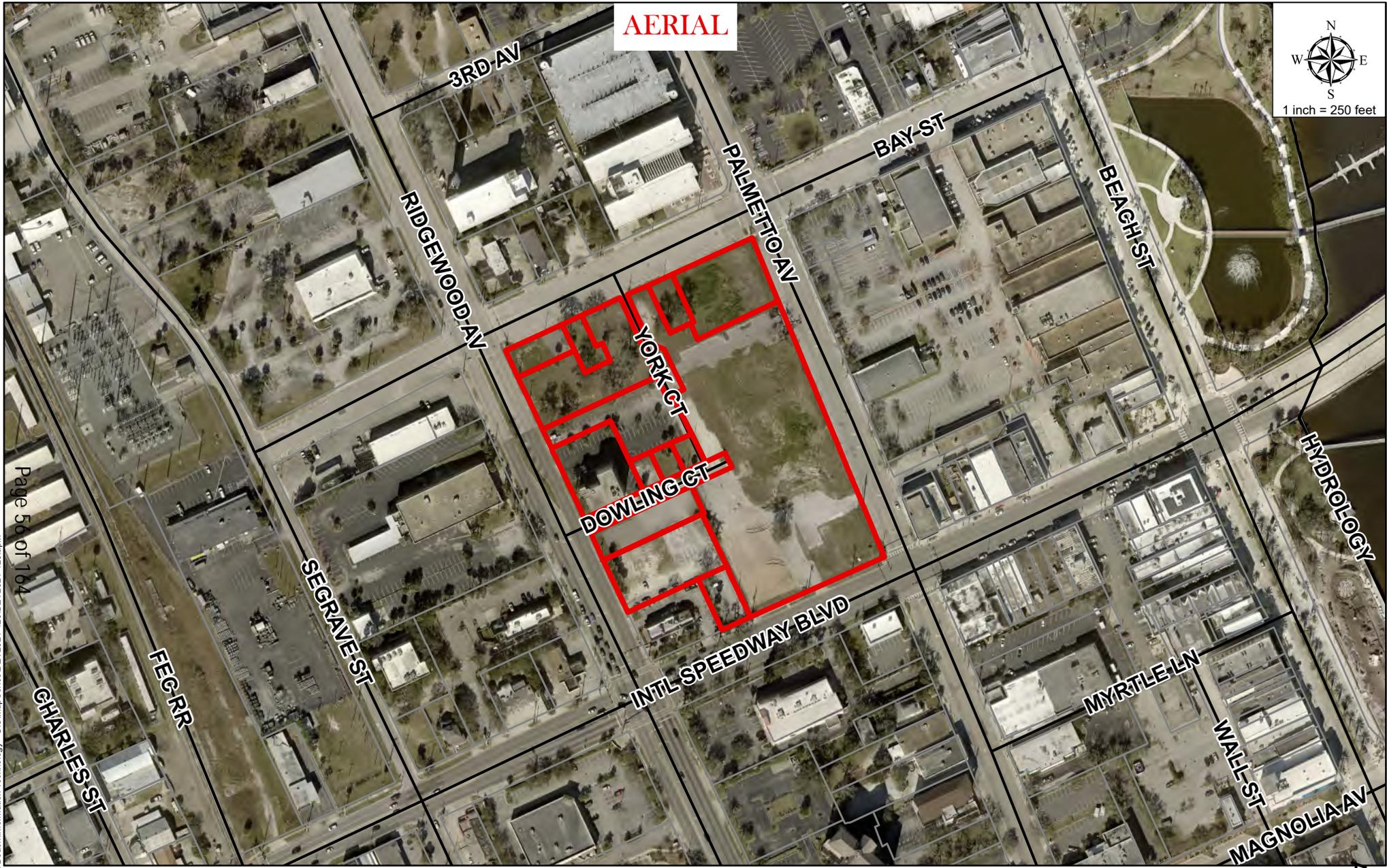
City of Daytona Beach Map disclaimer:  
This map was developed and produced by the City of Daytona Beach GIS. The map is provided for reference only and are not intended to show map scale accuracy or all inclusive map features. As indicated, the accuracy of the map has not been verified and it should be used for informational purposes only. Map discrepancies should be brought to the attention of City Engineering and or Development Services.

Agenda Item #4.C.

AERIAL



1 inch = 250 feet



Page 56 of 164

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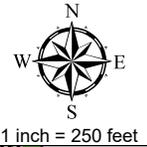
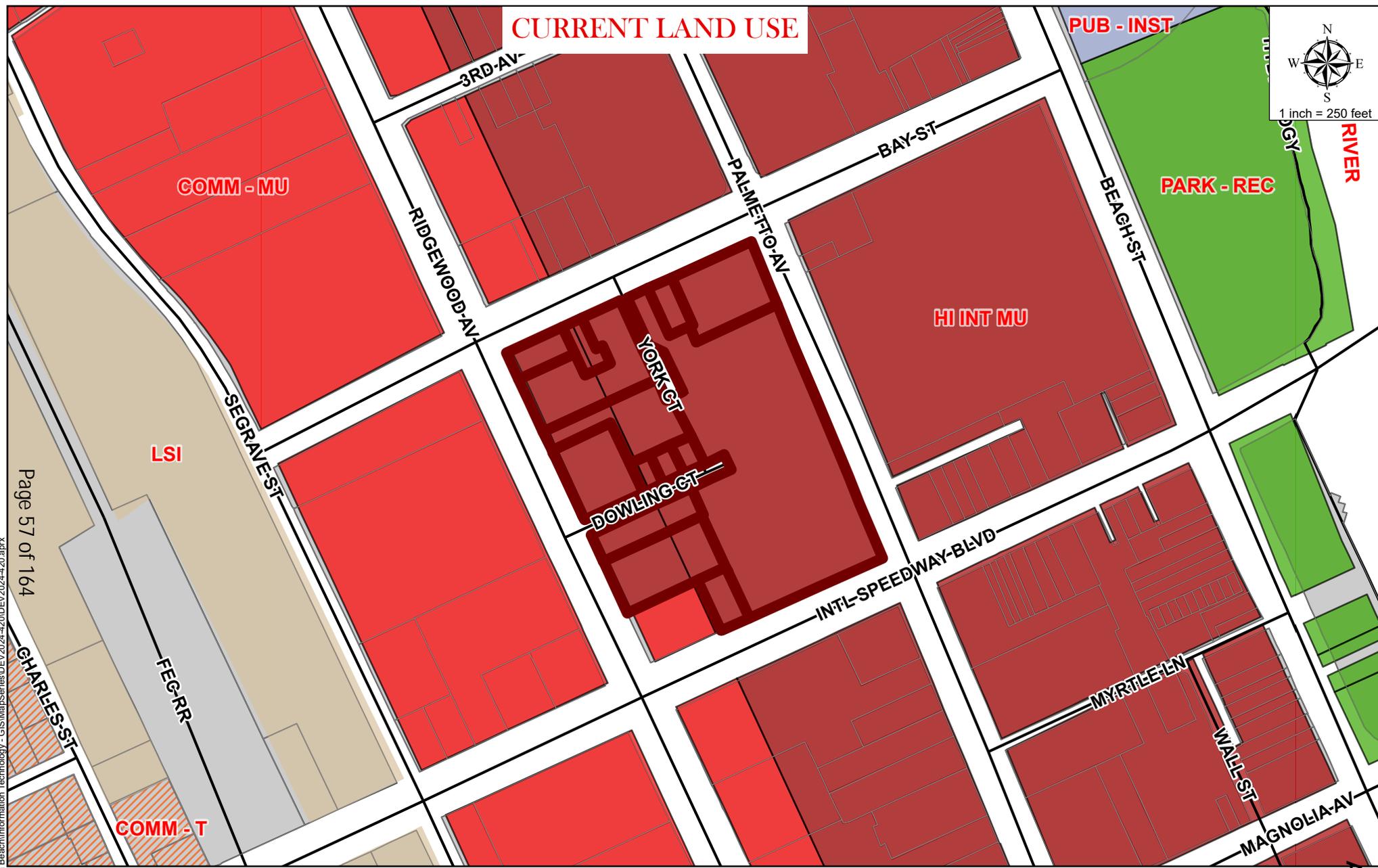


# DEV2024-420 DOWLING CT YORK ST ROW AERIAL MAP

City of Daytona Beach Map disclaimer:  
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Agenda Item #4.C.

**CURRENT LAND USE**



Page 57 of 164

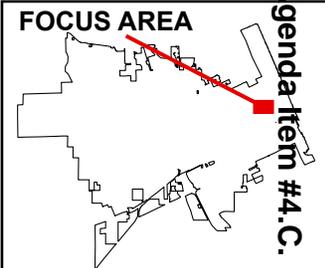
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**DEV2024-420**  
**DOWLING CT YORK ST ROW**  
**CURRENT LAND USE MAP**

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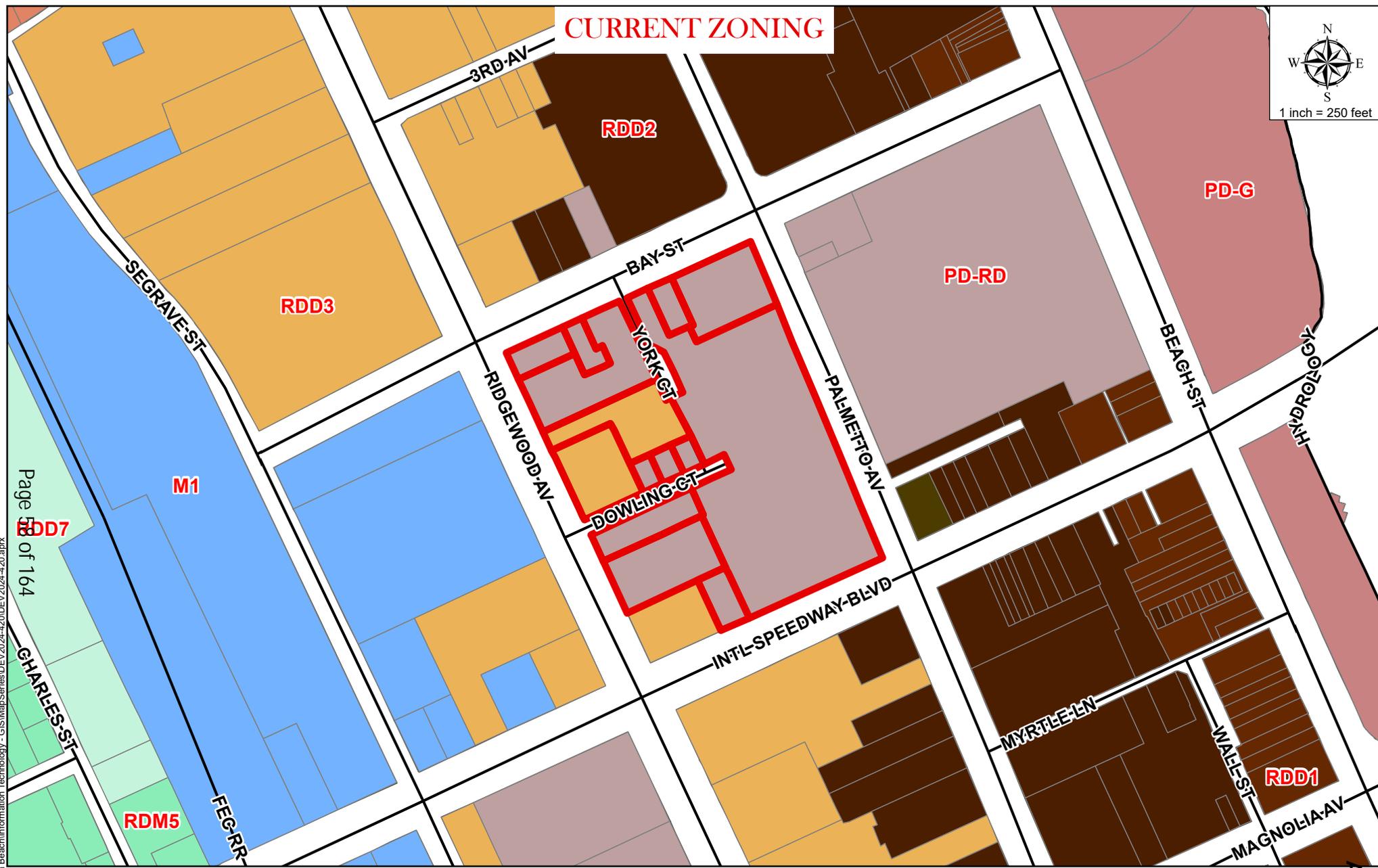


Agenda Item #4.C.

# CURRENT ZONING



1 inch = 250 feet



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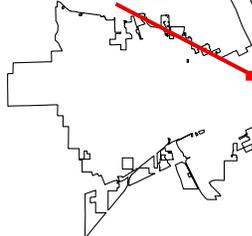


## DEV2024-420 DOWLING CT YORK ST ROW CURRENT ZONING MAP

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FOCUS AREA



Agenda Item #4.C.

# SKETCH AND DESCRIPTION OF DOWLING COURT VACATION!

A PORTION OF DOWLING COURT SUBDIVISION, AS RECORDED IN MAP BOOK 6, PAGE 185 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

CERTIFICATIONS:  
MARSHALL PROPERTY SERVICES, LLC

LEGAL DESCRIPTION: PROPOSED RIGHT OF WAY VACATION OF A PORTION DOWLING COURT SUBDIVISION

A PORTION OF DOWLING COURT, AS RECORDED IN MAP BOOK 6, PAGE 185 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 1, DOWLING COURT, AS RECORDED IN MAP BOOK 6, PAGE 185 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID CORNER ALSO BEING AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF DOWLING COURT (A 30.00 FOOT WIDE RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY LINE OF NORTH RIDGEWOOD AVENUE (A 100.00 FOOT WIDE RIGHT OF WAY); THENCE N 25° 05' 35" W, ALONG SAID EASTERLY RIGHT OF WAY LINE OF NORTH RIDGEWOOD AVENUE, A DISTANCE OF 30.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID DOWLING COURT; THENCE N 65° 00' 23" E, DEPARTING SAID EASTERLY RIGHT OF WAY LINE OF NORTH RIDGEWOOD AVENUE AND ALONG SAID NORTHERLY RIGHT OF WAY LINE OF DOWLING COURT, A DISTANCE OF 298.04 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID DOWLING COURT; THENCE S 25° 05' 35" E, ALONG SAID EASTERLY RIGHT OF WAY LINE OF DOWLING COURT, A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF DOWLING COURT; THENCE S 65° 00' 23" W, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF DOWLING COURT, A DISTANCE OF 298.04 FEET TO THE POINT OF BEGINNING.

### LEGEND/TABLE OF ABBREVIATIONS

- - FOUND 4"x4" CONCRETE MONUMENT, AS NOTED
- ⊙ - SET 1/2" IRON PIPE, LB 6824
- - FOUND IRON PIPE OR ROD AS NOTED
- R/W - RIGHT OF WAY
- (D) - DEED CALL
- (M) - MEASURED
- (C) - CALCULATED
- (P) - PLAT

LAST FIELD DATE: 09/13/2021  
FIELD BOOK AND PAGE: N/A  
PROJECT NO: 600-028 DRAWING NO.  
DOWLING-VAC.dwg  
SHEET 1 OF 2

#### GENERAL NOTES:

- 1.) ALL COORDINATES AND BEARINGS SHOWN HEREIN ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983-1990 ADJUSTMENT (N.A.D. 83/90) FOR THE EAST ZONE OF THE STATE OF FLORIDA, TRANSVERSE MERCATOR PROJECTION AND BASED ON NATIONAL GEODETIC SURVEY CONTROL POINTS AS FOLLOWS:  
"JACKSONVILLE CORS ARP" "GAINESVILLE CORS ARP"  
N 30°29'02.515" N 29°41'11.557"  
W 081°42'05.330" W 082°16'36.736"  
SCALE FACTOR CONVERGENCE=0.99999711 SCALE FACTOR CONVERGENCE=0.99996288  
(THIS IS A GPS CONTINUOUSLY OPERATING REFERENCE STATION) (THIS IS A GPS CONTINUOUSLY OPERATING REFERENCE STATION)  
THE BEARINGS ARE BASED ON THE EAST RIGHT OF WAY LINE OF NORTH RIDGEWOOD AVENUE, AS BEING N 25°05'35" W.
- 2.) NO UNDERGROUND FOUNDATIONS, STRUCTURE OR UTILITIES, IF ANY, NOR INTERIOR FENCES WERE LOCATED BY THIS SURVEY.
- 3.) NO IMPROVEMENTS OR GEOGRAPHIC FEATURES OF ANY KIND, WERE LOCATED BY THIS SURVEY, UNLESS SHOWN HEREON.
- 4.) THIS IS MAP TO DEPICT SKETCH AND DESCRIPTION ONLY AND DOES NOT SUPPORT ANY JURISDICTION OF ANY FEDERAL, STATE, COUNTY OR LOCAL AGENCY. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OR TITLE COMMITMENT. THIS COMPANY BEARS NO RESPONSIBILITY TO ANY CLAIMS MADE BY SUCH INSTRUMENTS. THIS IS NOT A BOUNDARY SURVEY.
- 5.) ALL BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED.

THIS SURVEY IS CERTIFIED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON AND IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF THE PROFESSIONAL SURVEYOR AND MAPPER OF FLORIDA SHOWN HEREON.

THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTERS 5J-17.051 & 5J-17.052 F.A.C.

06/20/2022  
DATE OF SIGNATURE

ALBERT D. BRADSHAW, P.S.M., FLORIDA CERTIFICATION NO. 5257

BRADSHAW-NILES & ASSOCIATES, INC.  
SURVEYING AND MAPPING CONSULTANTS

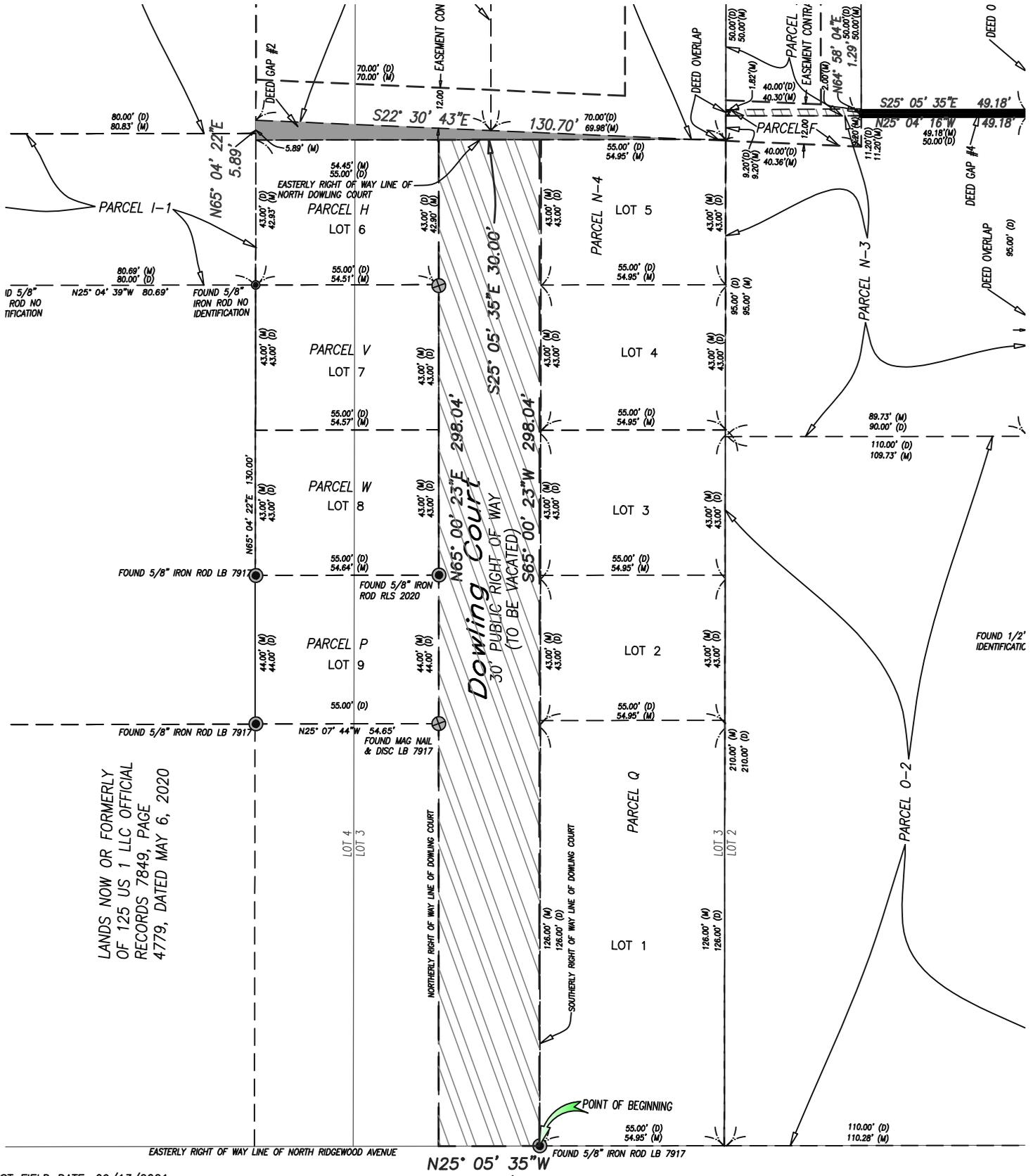


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(904) 829-2591 FAX: (904) 829-5070

# SKETCH AND DESCRIPTION OF DOWLING COURT VACATION

A PORTION OF DOWLING COURT SUBDIVISION, AS RECORDED IN MAP BOOK 6, PAGE 185 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

CERTIFICATIONS:  
MARSHALL PROPERTY SERVICES, LLC



LANDS NOW OR FORMERLY OF 125 US 1 LLC OFFICIAL RECORDS 7849, PAGE 4779, DATED MAY 6, 2020

LAST FIELD DATE: 09/13/2021  
FIELD BOOK AND PAGE: N/A  
PROJECT NO: 600-028 DRAWING NO.  
DOWLING-VAC.dwg  
SHEET 2 OF 2

## North Ridgewood Avenue

100' PUBLIC RIGHT OF WAY



### GENERAL NOTES:

- ALL COORDINATES AND BEARINGS SHOWN HEREIN ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983-1990 ADJUSTMENT (N.A.D. 83/90) FOR THE EAST ZONE OF THE STATE OF FLORIDA, TRANSVERSE MERCATOR PROJECTION AND BASED ON NATIONAL GEODETIC SURVEY CONTROL POINTS AS FOLLOWS:  
"JACKSONVILLE CORS ARP" "GAINESVILLE CORS ARP"  
N 30°29'02.515"  
W 081°42'05.330"  
SCALE FACTOR CONVERGENCE=0.99999711  
(THIS IS A GPS CONTINUOUSLY OPERATING REFERENCE STATION)
- NO UNDERGROUND FOUNDATIONS, STRUCTURE OR UTILITIES, IF ANY, NOR INTERIOR FENCES WERE LOCATED BY THIS SURVEY.
- NO IMPROVEMENTS OR GEOGRAPHIC FEATURES OF ANY KIND, WERE LOCATED BY THIS SURVEY, UNLESS SHOWN HEREON.
- THIS IS MAP TO DEPICT SKETCH AND DESCRIPTION ONLY AND DOES NOT SUPPORT ANY JURISDICTION OF ANY FEDERAL, STATE, COUNTY OR LOCAL AGENCY. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OR TITLE COMMITMENT. THIS COMPANY BEARS NO RESPONSIBILITY TO ANY CLAIMS MADE BY SUCH INSTRUMENTS. THIS IS NOT A BOUNDARY SURVEY.
- ALL BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED.

THIS SURVEY IS CERTIFIED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON AND IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF THE PROFESSIONAL SURVEYOR AND MAPPER OF FLORIDA SHOWN HEREON.

FOR TABLE OF ABBREVIATIONS SEE SHEET 1

THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTERS 5J-17.051 & 5J-17.052 F.A.C.

10/14/2021  
DATE OF SIGNATURE



**BRADSHAW-NILES & ASSOCIATES, INC.**  
SURVEYING AND MAPPING CONSULTANTS  
LICENSED BUSINESS NO. 6824  
280 BUSINESS PARK CIRCLE, SUITE 410  
ST. AUGUSTINE, FLORIDA 32095  
(904) 829-2591 FAX: (904) 829-5070

# SKETCH AND DESCRIPTION OF YORK COURT VACATION:

YORK COURT, AS SHOWN ON THE MAP OF SUBDIVISION OF LOTS 5 & 6, ACCORDING TO HODGEMANS MAP OF DAYTONA, FLORIDA, AS RECORDED IN MAP BOOK 5, PAGE 19 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

**CERTIFICATIONS:**  
MARSHALL PROPERTY SERVICES, LLC

LEGAL DESCRIPTION: PROPOSED RIGHT OF WAY VACATION OF YORK COURT

YORK COURT AS SHOWN ON THE MAP OF SUBDIVISION OF LOTS 5 & 6, ACCORDING TO HODGEMANS MAP OF DAYTONA, FLORIDA, AS RECORDED IN MAP BOOK 5, PAGE 19 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 6, HODGEMANS OF DAYTONA, AS RECORDED IN MAP BOOK 2, PAGE 82 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID CORNER BEING DESCRIBED AS A MAG NAIL AND DISC IDENTIFIED LB 7917, SAID CORNER ALSO BEING AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF BAY STREET (A 100 FOOT WIDE RIGHT OF WAY) AND THE WESTERLY RIGHT OF WAY LINE OF YORK COURT (A VARIABLE WIDTH RIGHT OF WAY); THENCE N 64° 46' 18" E, ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE OF BAY STREET, A DISTANCE OF 16.19 FEET A 5/8" IRON ROD IDENTIFIED AS LB 7917, SAID IRON ROD BEING AT THE INTERSECTION OF THE SAID SOUTHERLY RIGHT OF WAY LINE OF BAY STREET AND THE EASTERLY RIGHT OF WAY LINE OF YORK COURT; THENCE S 24° 59' 26" E, ALONG SAID EASTERLY RIGHT OF WAY LINE OF YORK COURT, A DISTANCE OF 110.29 FEET TO AN IRON ROD IDENTIFIED AS LB 7917; THENCE S 60° 33' 28" E, CONTINUING ALONG SAID EASTERLY RIGHT OF WAY LINE OF YORK COURT, A DISTANCE OF 30.87 FEET TO A 5/8" IRON ROD IDENTIFIED AS LB 7917; THENCE S 25° 05' 30" E, CONTINUING ALONG SAID EASTERLY RIGHT OF WAY LINE OF YORK COURT, A DISTANCE OF 84.88 FEET TO A 5/8" IRON ROD WITH NO IDENTIFICATION, SAID IRON ROD BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF YORK COURT; THENCE S 65° 04' 12" W, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF YORK COURT, A DISTANCE OF 33.91 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE OF YORK COURT; THENCE N 25° 05' 30" W, ALONG SAID WESTERLY RIGHT OF WAY LINE OF YORK COURT, A DISTANCE OF 220.18 FEET TO THE POINT OF BEGINNING.

### LEGEND/TABLE OF ABBREVIATIONS

- - FOUND 4"x4" CONCRETE MONUMENT, AS NOTED
- ⊙ - SET 1/2" IRON PIPE, LB 6824
- - FOUND IRON PIPE OR ROD AS NOTED

R/W - RIGHT OF WAY

(D) - DEED CALL

(M) - MEASURED

(C) - CALCULATED

(P) - PLAT

LAST FIELD DATE: 09/13/2021  
FIELD BOOK AND PAGE: N/A  
PROJECT NO: 600-028  
DRAWING NO. YORK-VAC.dwg  
SHEET 1 OF 2

#### GENERAL NOTES:

- 1.) ALL COORDINATES AND BEARINGS SHOWN HEREIN ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983-1990 ADJUSTMENT (N.A.D. 83/90) FOR THE EAST ZONE OF THE STATE OF FLORIDA, TRANSVERSE MERCATOR PROJECTION AND BASED ON NATIONAL GEODETIC SURVEY CONTROL POINTS AS FOLLOWS:  
"JACKSONVILLE CORS ARP" "GAINESVILLE CORS ARP"  
N 30°29'02.515" N 29°41'11.557"  
W 081°42'05.330" W 082°16'36.736"  
SCALE FACTOR CONVERGENCE=0.99999711 SCALE FACTOR CONVERGENCE=0.99996288  
(THIS IS A GPS CONTINUOUSLY OPERATING REFERENCE STATION) (THIS IS A GPS CONTINUOUSLY OPERATING REFERENCE STATION)  
THE BEARINGS ARE BASED ON THE SOUTHERLY RIGHT OF WAY LINE OF BAY STREET, AS BEING N 64°46'18" E.
- 2.) NO UNDERGROUND FOUNDATIONS, STRUCTURE OR UTILITIES, IF ANY, NOR INTERIOR FENCES WERE LOCATED BY THIS SURVEY.
- 3.) NO IMPROVEMENTS OR GEOGRAPHIC FEATURES OF ANY KIND, WERE LOCATED BY THIS SURVEY, UNLESS SHOWN HEREON.
- 4.) THIS IS A MAP TO GRAPHICALLY DEPICT A SKETCH AND DESCRIPTION ONLY AND DOES NOT SUPPORT ANY JURISDICTION OF ANY FEDERAL, STATE, COUNTY OR LOCAL AGENCY. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OR TITLE COMMITMENT. THIS COMPANY BEARS NO RESPONSIBILITY TO ANY CLAIMS MADE BY SUCH INSTRUMENTS. THIS IS NOT A BOUNDARY SURVEY.
- 5.) ALL BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED.

THIS SURVEY IS CERTIFIED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON AND IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF THE PROFESSIONAL SURVEYOR AND MAPPER OF FLORIDA SHOWN HEREON.

THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTERS 5J-17.051 & 5J-17.052 F.A.C.

06/20/2022  
DATE OF SIGNATURE

ALBERT D. BRADSHAW, P.S.M., FLORIDA CERTIFICATION NO. 5257

BRADSHAW-NILES & ASSOCIATES, INC.  
SURVEYING AND MAPPING CONSULTANTS



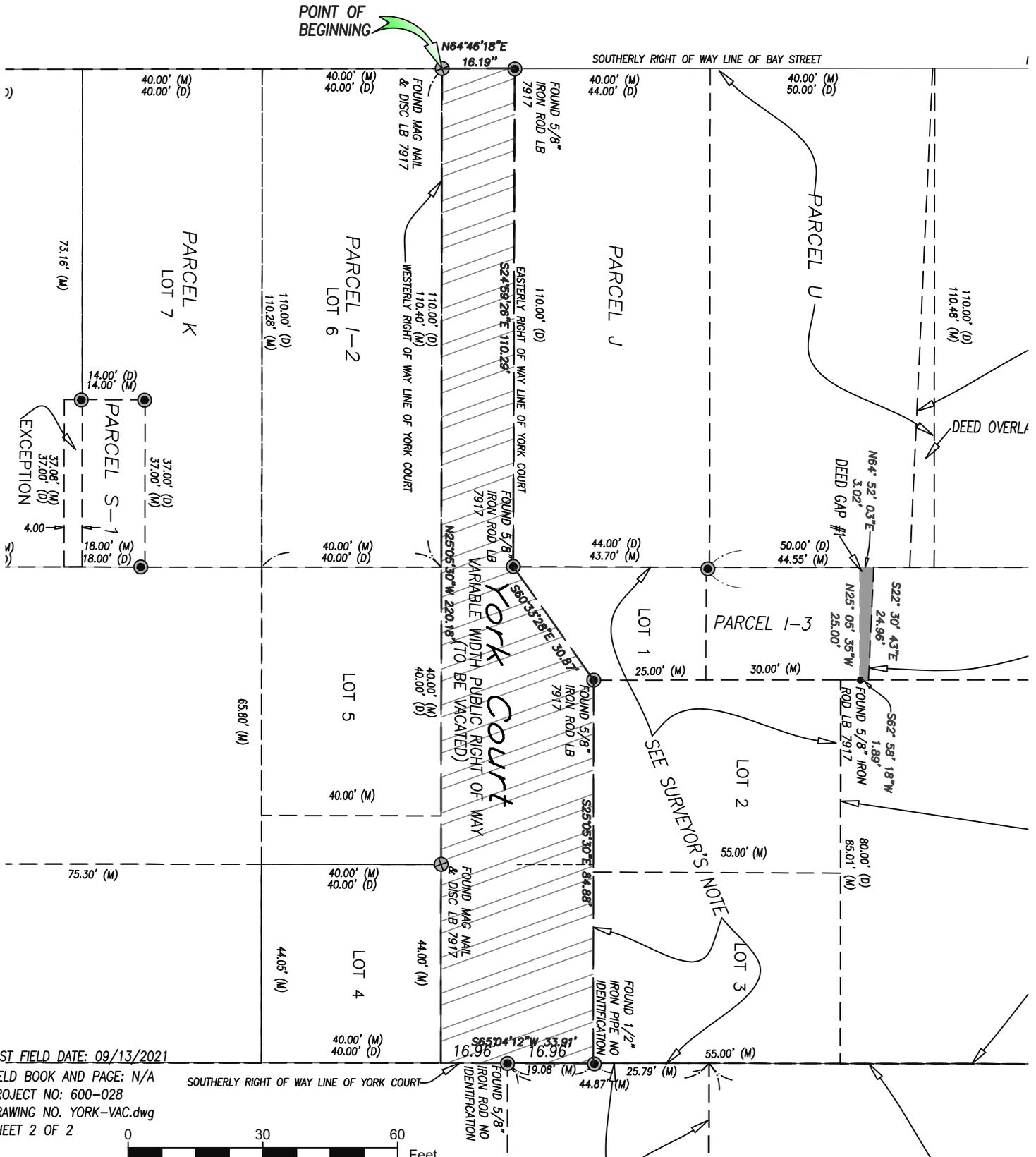
LICENSED BUSINESS NO. 6824  
280 BUSINESS PARK CIRCLE, SUITE 410  
ST. AUGUSTINE, FLORIDA 32095  
(904) 829-2591 FAX: (904) 829-5070

# SKETCH AND DESCRIPTION OF YORK COURT VACATION:

YORK COURT, AS SHOWN ON THE MAP OF SUBDIVISION OF LOTS 5 & 6, ACCORDING TO HODGEMANS MAP OF DAYTONA, FLORIDA, AS RECORDED IN MAP BOOK 5, PAGE 19 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

CERTIFICATIONS:  
MARSHALL PROPERTY SERVICES, LLC

*Bay Street*  
100' PUBLIC RIGHT OF WAY AS PRESENTLY MONUMENTED



LAST FIELD DATE: 09/13/2021  
FIELD BOOK AND PAGE: N/A  
PROJECT NO: 600-028  
DRAWING NO. YORK-VAC.dwg  
SHEET 2 OF 2

GENERAL NOTES:

- 1.) ALL COORDINATES AND BEARINGS SHOWN HEREIN ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983-1990 ADJUSTMENT (N.A.D. 83/90) FOR THE EAST ZONE OF THE STATE OF FLORIDA, TRANSVERSE MERCATOR PROJECTION AND BASED ON NATIONAL GEODETIC SURVEY CONTROL POINTS AS FOLLOWS:  
"JACKSONVILLE CORS ARP" "GAINESVILLE CORS ARP"  
N  $30^{\circ}29'02.515''$  N  $29^{\circ}41'11.557''$   
W  $081^{\circ}42'05.330''$  W  $082^{\circ}16'36.736''$   
SCALE FACTOR CONVERGENCE=0.99999711 SCALE FACTOR CONVERGENCE=0.99996288  
(THIS IS A GPS CONTINUOUSLY OPERATING REFERENCE STATION) (THIS IS A GPS CONTINUOUSLY OPERATING REFERENCE STATION)
- 2.) NO UNDERGROUND FOUNDATIONS, STRUCTURE OR UTILITIES, IF ANY, NOR INTERIOR FENCES WERE LOCATED BY THIS SURVEY.
- 3.) NO IMPROVEMENTS OR GEOGRAPHIC FEATURES OF ANY KIND, WERE LOCATED BY THIS SURVEY, UNLESS SHOWN HEREON.
- 4.) THIS IS A MAP TO GRAPHICALLY DEPICT A SKETCH AND DESCRIPTION ONLY AND DOES NOT SUPPORT ANY JURISDICTION OF ANY FEDERAL, STATE, COUNTY OR LOCAL AGENCY. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OR TITLE COMMITMENT. THIS COMPANY BEARS NO RESPONSIBILITY TO ANY CLAIMS MADE BY SUCH INSTRUMENTS. THIS IS NOT A BOUNDARY SURVEY.
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FOR TABLE OF ABBREVIATIONS SEE SHEET 1

THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTERS 5J-17.051 & 5J-17.052 F.A.C.

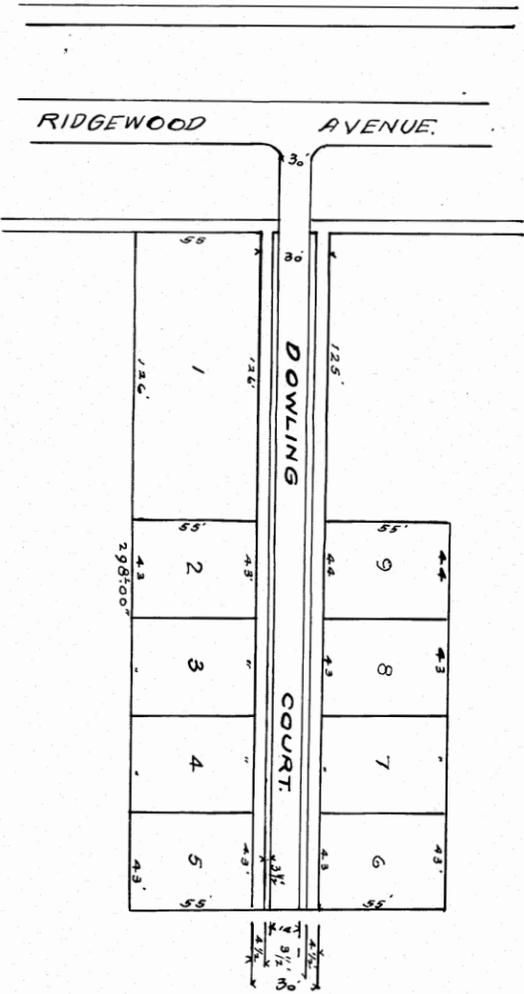
06/20/2022  
DATE OF SIGNATURE

ALBERT D. BRADSHAW, P.S.M., FLORIDA CERTIFICATION NO. 5257



BRADSHAW-NILES & ASSOCIATES, INC.  
SURVEYING AND MAPPING CONSULTANTS  
LICENSED BUSINESS NO. 6824  
280 BUSINESS PARK CIRCLE, SUITE 410  
ST. AUGUSTINE, FLORIDA 32095  
(904) 829-2591 FAX: (904) 829-5070

BOOK 18 PAGE 105



**DOWLING COURT**

owned by  
Glenn Dowling  
 Daytona, Florida  
 Scale: 50' = 1" Aug. 21, 1924

Stacy C. Szelam  
 Civil Engineer  
 Daytona, Fla.

Filed for record  
 Stacy C. Szelam

State of Florida,  
 County of Volusia.  
 I, Glenn Dowling, being duly sworn, depose that he is the owner of the following described property, all of Lot 3 except the 125 feet of the West 135 ft. thereof and except the West 125 feet of the East 135 ft. of Lot 4, except the West 125 feet of Block B Hood, and except the East 135 feet of Lot 4, Block B Hood, and except that he has caused a survey and subdivision to be made according to plat herewith which to the best of his knowl- edge is correct.

Glenn Dowling  
 Signed sworn to and acknowledged before me  
 this 22nd day of Aug, 1924.

W. B. Szelam  
 Notary Public,  
 My Comm. Ex-25, Exp. 12, 1925.

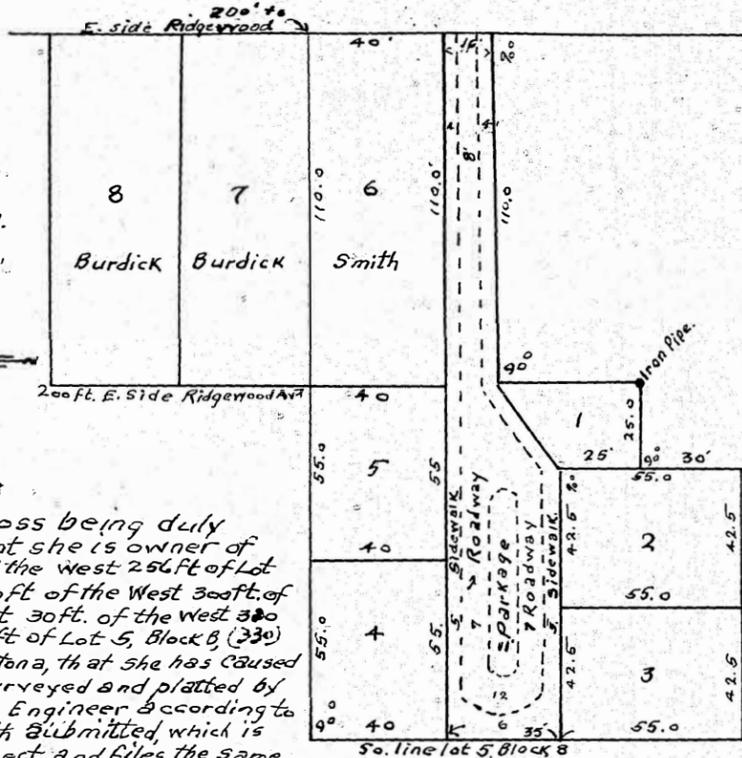
Examined & Approved  
W. B. Szelam  
 Acting City Manager  
 Daytona, Fla. 23-1924  
 Board of Commissioners, City of Daytona, Fla.

A TRUE COPY  
 OF MAP  
 IN BOOK NO. 6  
 PAGE NO. 185  
 BY \_\_\_\_\_ CLERK  
 D. C.

Bay St.

Map of Subdivision  
of a Part of  
Lots 5 & 6 Block 8,  
according to  
Hodgemans Map  
of  
Daytona, Florida.

June, 1914 - Scale 40' = 1"  
C.M. Rogers  
Engineer  
Daytona, Fla.



State of Florida  
County of Volusia

Lucy A. Cross being duly  
sworn says that she is owner of  
the east 16 ft. of the west 256 ft. of Lot  
6 and the east 100 ft. of the West 300 ft. of  
Lot 5 and the east 30 ft. of the west 300  
ft. of the south 85 ft. of Lot 5, Block 8, (330)  
Hodgemans Daytona, that she has caused  
the same to be surveyed and platted by  
C.M. Rogers, Civil Engineer according to  
the plat herewith submitted, which is  
sworn to be correct and files the same  
for record. --- Lucy A. Cross,

Signed, sworn and acknowledged be-  
fore me this 20th day of Oct. A.D. 1914,  
Laurence H. Thompson  
Notary Public.  
My Commission Expires Sept. 17, 1917.

Filed in Office  
Oct. 26, 1914  
Sam'l. D. Jordan, C.K.  
By Clifford Gots, D.C.

Florida East Coast Railroad

No. 77° E.

Flagler Avenue.

Street.

Canal

State of Florida  
Volusia County

On this day personally appeared  
before me C.R. Arnold, who makes  
oath before me, that he is the owner of  
the land embraced in this plat and that  
the survey and plat of the same is  
correct. --- C.R. Arnold

Sworn to and subscribed before me this  
11th day of Sept. A.D. 1914.  
R.B.F. Roper  
Notary Public  
My Commission Expires  
Feb. 6th 1918.

C.R. Arnold's  
Subdivision of part of  
East 1/2 of N-East 1/4 of N.West 1/4  
of Sect. 10.  
Twp. 17.  
S. Range, 34 E.

Scale 1" = 100'

Filed in Office  
Sept. 12, 1914  
Sam'l. D. Jordan,  
Clerk, C.C.

Surveyed and  
platted by  
R.B.F. Roper  
1914.

A TRUE COPY OF MAPS  
IN BOOK NO. 5  
PAGE NO. 19  
CLERK  
D.C.

5-19  
BOOK 16 PAGE 144

ATTACHMENT C



Timothy Haynes  
Supervisor, Construction  
Field Ops

May 30, 2024

Scott Adams  
Zevchoen  
300 Interchange Blvd Suite C  
Ormond Beach, FL, 32174

**RE: PROPOSED RIGHT OF WAY VACATION OF PORTION OF BAY ST, DOWLING CT, AND YORK CT ALONG US 92 & RIDGEWOOD AVE ACCORDING TO THE MAP OR PLAT THEREOF DESCRIBED IN THE ATTACHED EXHIBIT A FOR THE CONSTRUCTION OF ACCENT DAYTONA**

To Whom It May Concern:

This letter is in response to a request to Charter Communications - Spectrum to vacate the above referenced "ROW Easements" which is also described in the attached survey map.

Spectrum has "no objection" to the vacation of the right of way portions of Bay St, Dowling Ct, and York Ct along US 92 & Ridgewood Ave in the above paragraph, of the above mentioned property as described in the attached "Exhibit A" and survey map.

If you have any questions regarding this, please contact me.

Sincerely,

Timothy Haynes  
Charter Spectrum  
Construction Supervisor  
(386) 414-5078



09/11/2023

Sean Meade, E.I.  
Project Engineer  
ZEV COHEN & ASSOCIATES, INC.  
300 Interchange Blvd., Suite C  
Ormond Beach, FL 32174

RE: Letter of No Objection: ROW Vacate of Dowling Ct. and York Ct., City of Daytona Beach

Dear Mr. Meade,

Peoples Gas System, Inc., has reviewed the request and has no objection to the vacation of the above-mentioned rights-of-way.

Please feel free to contact me at 813-228-1627 or via email at [imorales@tecoenergy.com](mailto:imorales@tecoenergy.com) if you have any questions or concerns.

Sincerely,

DocuSigned by:  
  
2BD1A33763174CF...  
Isabel M. Morales  
Real Estate Services



September 21, 2023

Zev Cohen & Associates Inc.  
300 Interchange Blvd Ste. C  
Ormond Beach, FL, 32174

Dear Sean Meade,

This letter is in response to your request for the release of a platted road right-of-way.

In meeting with your request, FPL has no objection to releasing our rights in the road right-of-way known as "Dowling Ct and York Ct" in Plat Book 2, Page 82 of the Public records of Volusia County .

The release is restricted to the following description: Parcel Numbers:  
533901080012, 533901080020, 533901080022, 533901080060, 533901080061,  
533901080064, 533911000080, 533912000010, 533912000070, 533912000080,  
533912000090, 533901080042, 533901080050.

Should you have any questions or concerns, please do not hesitate to contact Greyson Malone at 386-322-3418.

Sincerely,

Joshua Zehnder  
Engineering Lead



717 US-301, Tampa, Florida 33619

Scott Adams  
300 Interchange Blvd. | Suite C  
Ormond Beach, FL. 32174  
P: 386-677-2482 | F: 386-677-2505  
sadams@zevcohen.com | www.zevcohen.com

Attn: Scott Adams

RE: No Objection to Vacate within Limits of Roadways: PROPOSED RIGHT OF WAY  
VACATION OF YORK STREET

Dear Mr. Adams,

Please see response to your request below.

1. As such, Crown Castle has no objection to your request to vacate the area noted on the supporting documentation provided by yourself. Crown Castle does not have facilities residing within York Street / Court, Volusia County, FL.
2. If the information provided is erroneous in any way, please notify us immediately and consider this letter of no objection rescinded.
3. Our closest facilities reside on the pole line and in an underground state, within the within the east and west ROW of Ridgewood Ave. If the vacate affects these facilities in any manner, consider this letter of no objection rescinded.

Sincerely,

*Christopher Perkins*

CHRIS PERKINS  
Operations Manager

CROWN CASTLE FIBER  
717 US-301, Tampa, Florida 33619



717 US-301, Tampa, Florida 33619

Scott Adams  
300 Interchange Blvd. | Suite C  
Ormond Beach, FL. 32174  
P: 386-677-2482 | F: 386-677-2505  
sadams@zevcohen.com | www.zevcohen.com

Attn: Scott Adams

RE: No Objection to Vacate within Limits of Roadways: PROPOSED RIGHT OF WAY  
VACATION OF A PORTION DOWLING COURT SUBDIVISION

Dear Mr. Adams,

Please see response to your request below.

1. As such, Crown Castle has no objection to your request to vacate the area noted on the supporting documentation provided by yourself. Crown Castle does not have facilities residing within Dowling Court, Volusia County, FL.
2. If the information provided is erroneous in any way, please notify us immediately and consider this letter of no objection rescinded.
3. Our closest facilities reside on the pole line and in an underground state, within the within the east and west ROW of Ridgewood Ave. If the vacate affects these facilities in any manner, consider this letter of no objection rescinded.

Sincerely,

*Christopher Perkins*

CHRIS PERKINS  
Operations Manager

CROWN CASTLE FIBER  
717 US-301, Tampa, Florida 33619



To:  
Scott Adams  
ZEVCOHEN  
Mailing:300 Interchange Blvd, Suite C  
Ormond Beach, FL 32174  
Phone: 386-677-2482  
Email: [sadams@zevcohen.com](mailto:sadams@zevcohen.com)

November 22, 2022

This is a "Letter of No Objection" to the requested vacation of plat "additional area" indicated on Bay St, Dowling CT, and York Ct located on property between International Speedway and Bay St. in Daytona Beach, Florida. Please accept this letter as notification.

RE: See Attached Documents

[..\Documents\LEGAL DESCRIPTION-PROPOSED ROW VAC BAY STREET.DOCX](#)

[..\Documents\LEGAL DESCRIPTION-PROPOSED ROW VAC DOWLING COURT.DOCX](#)

[..\Documents\LEGAL DESCRIPTION-PROPOSED ROW VAC YORK COURT.DOCX](#)

[..\Documents\600-028-BNDY-ROW-VAC-DOWLING.PDF](#)

[..\Documents\600-028-BNDY-ROW-VAC-BAY.PDF](#)

[..\Documents\600-028-BNDY-ROW-VAC-YORK.PDF](#)

Sincerely,  
Darrell Broom  
AT&T Engineer  
1500 Herbert St  
Port Orange, FL 32129  
c. (404) 285-0458



From: Emmons, Walter <[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)>  
Sent: Tuesday, April 30, 2024 7:27 PM  
To: Scott Adams <[sadams@zevcohen.com](mailto:sadams@zevcohen.com)>; relocations <[relocations@centurylink.com](mailto:relocations@centurylink.com)>; Potter, Amy <[Amy.Potter@lumen.com](mailto:Amy.Potter@lumen.com)>  
Cc: Kris Rowley <[krowley@zevcohen.com](mailto:krowley@zevcohen.com)>; Sean Meade <[smeade@zevcohen.com](mailto:smeade@zevcohen.com)>; File <[file@zevcohen.com](mailto:file@zevcohen.com)>; Sirmans, Tony <[Tony.Sirmans@lumen.com](mailto:Tony.Sirmans@lumen.com)>; Hunt, Michael <[michael.hunt@lumen.com](mailto:michael.hunt@lumen.com)>  
Subject: RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

Scott, correct, we have no facilities within York or Dowling.



**Walter Emmons**  
Sr Network Implementation Program Manager  
380 S Lake Destiny Dr, Orlando, FL, 32810  
tel: 407-754-0109 | cell: 386-337-4010  
[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)

From: Scott Adams <[sadams@zevcohen.com](mailto:sadams@zevcohen.com)>  
Sent: Friday, April 26, 2024 3:58 PM  
To: Emmons, Walter <[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)>; relocations <[relocations@centurylink.com](mailto:relocations@centurylink.com)>; Potter, Amy <[Amy.Potter@lumen.com](mailto:Amy.Potter@lumen.com)>  
Cc: Kris Rowley <[krowley@zevcohen.com](mailto:krowley@zevcohen.com)>; Sean Meade <[smeade@zevcohen.com](mailto:smeade@zevcohen.com)>; File <[file@zevcohen.com](mailto:file@zevcohen.com)>; Sirmans, Tony <[Tony.Sirmans@lumen.com](mailto:Tony.Sirmans@lumen.com)>; Hunt, Michael <[michael.hunt@lumen.com](mailto:michael.hunt@lumen.com)>  
Subject: RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

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So based on that map this vacate shouldn't be an issue, correct? No Lumen facilities within York or Dowling?

**Scott Adams | Permit Coordinator**



300 Interchange Blvd. | Suite C  
Ormond Beach, FL. 32174  
P: 386-677-2482 | F: 386-677-2505  
[sadams@zevcohen.com](mailto:sadams@zevcohen.com) | [www.zevcohen.com](http://www.zevcohen.com)



From: Emmons, Walter <[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)>  
Sent: Friday, April 26, 2024 3:56 PM  
To: Scott Adams <[sadams@zevcohen.com](mailto:sadams@zevcohen.com)>; relocations <[relocations@centurylink.com](mailto:relocations@centurylink.com)>; Potter, Amy <[Amy.Potter@lumen.com](mailto:Amy.Potter@lumen.com)>  
Cc: Kris Rowley <[krowley@zevcohen.com](mailto:krowley@zevcohen.com)>; Sean Meade <[smeade@zevcohen.com](mailto:smeade@zevcohen.com)>; File <[file@zevcohen.com](mailto:file@zevcohen.com)>

Sirmans, Tony <Tony.Sirmans@lumen.com>; Hunt, Michael <michael.hunt@lumen.com>  
Subject: RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

Scott, the purple dots are not structures, just links to our asbuilt records.



**Walter Emmons**

Sr Network Implementation Program Manager  
380 S Lake Destiny Dr, Orlando, FL, 32810  
tel: 407-754-0109 | cell: 386-337-4010  
walter.emmons@lumen.com

From: Scott Adams <sadams@zevcohen.com>  
Sent: Friday, April 26, 2024 3:47 PM  
To: Emmons, Walter <walter.emmons@lumen.com>; relocations <relocations@centurylink.com>; Potter, Amy <Amy.Potter@lumen.com>  
Cc: Kris Rowley <krowley@zevcohen.com>; Sean Meade <smeade@zevcohen.com>; File <file@zevcohen.com>; Sirmans, Tony <Tony.Sirmans@lumen.com>; Hunt, Michael <michael.hunt@lumen.com>  
Subject: RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

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If its within the R/W of Ridgewood nothing needs to be done. We already have a no objection letter from FPL (attached for reference). Im not sure what the purple dots are? The two in the middle of the project would have to be removed/relocated.

**Scott Adams | Permit Coordinator**



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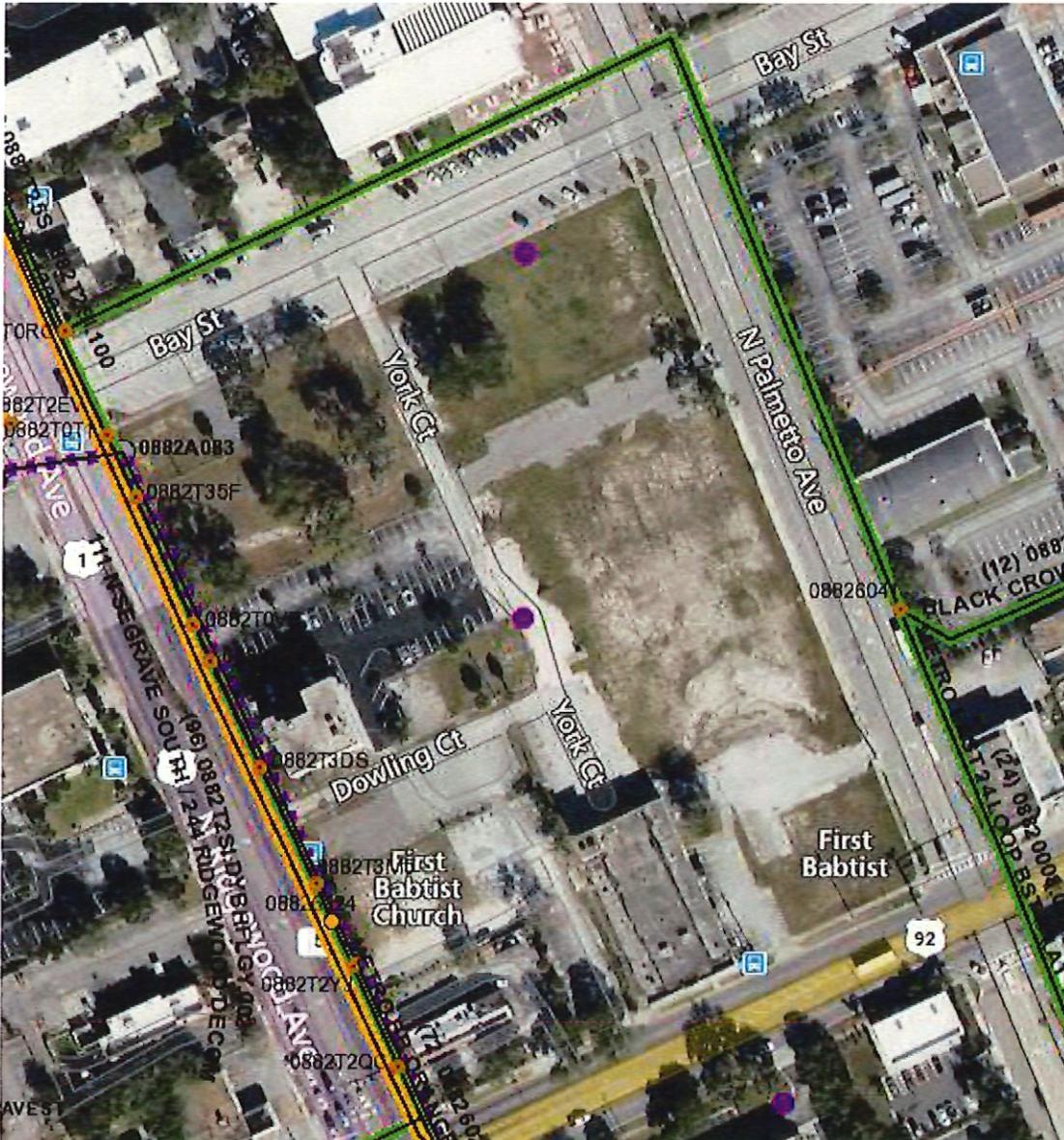


From: Emmons, Walter <walter.emmons@lumen.com>  
Sent: Friday, April 26, 2024 3:27 PM  
To: Scott Adams <sadams@zevcohen.com>; relocations <relocations@centurylink.com>; Potter, Amy <Amy.Potter@lumen.com>  
Cc: Kris Rowley <krowley@zevcohen.com>; Sean Meade <smeade@zevcohen.com>; File <file@zevcohen.com>; Sirmans, Tony <Tony.Sirmans@lumen.com>; Hunt, Michael <michael.hunt@lumen.com>  
Subject: RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

Scott, please note that we have an Underground fiber optic cable and conduits underneath the sidewalk in the East Side of N Ridgewood Ave Right of Way.  
We also have aerial cables attached to wire strand on the utility pole line.

We own the Green(Aerial) and the Purple(Underground) facilities in the image below. Charter/Spectrum owns the Yellow(Aerial) facilities.

Are you asking for both the underground and aerial cables to be relocated?  
Are you asking the City of Daytona Beach and the Electrical Utility Company to remove the poles?



**Walter Emmons**  
Sr Network Implementation Program Manager  
380 S Lake Destiny Dr, Orlando, FL, 32810  
tel: 407-754-0109 | cell: 386-337-4010  
[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)



From: Scott Adams <[sadams@zevcohen.com](mailto:sadams@zevcohen.com)>  
Sent: Friday, April 26, 2024 11:14 AM  
To: relocations <[relocations@centurylink.com](mailto:relocations@centurylink.com)>; Emmons, Walter <[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)>; Potter, Amy <[Amy.Potter@lumen.com](mailto:Amy.Potter@lumen.com)>

Cc: Kris Rowley <[krowley@zevcohen.com](mailto:krowley@zevcohen.com)>; Sean Meade <[smeade@zevcohen.com](mailto:smeade@zevcohen.com)>; File <[file@zevcohen.com](mailto:file@zevcohen.com)>;  
Sirmans, Tony <[Tony.Sirmans@lumen.com](mailto:Tony.Sirmans@lumen.com)>; Hunt, Michael <[michael.hunt@lumen.com](mailto:michael.hunt@lumen.com)>  
Subject: RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

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Good morning Amy,  
Im hoping you will be able to help out with this R/W vacate in Daytona Beach FL? Please see attached exhibits and legal descriptions for reference.  
If anything else is needed for this please let me know.

Thank you,

**Scott Adams | Permit Coordinator**



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From: Scott Adams

Sent: Tuesday, April 23, 2024 3:25 PM

To: 'Relocations@Lumen.com' <[Relocations@Lumen.com](mailto:Relocations@Lumen.com)>; 'Emmons, Walter' <[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)>

Cc: Kris Rowley <[krowley@zevcohen.com](mailto:krowley@zevcohen.com)>; Sean Meade <[smeade@zevcohen.com](mailto:smeade@zevcohen.com)>; File <[file@zevcohen.com](mailto:file@zevcohen.com)>;

'Sirmans, Tony' <[Tony.Sirmans@lumen.com](mailto:Tony.Sirmans@lumen.com)>; 'Hunt, Michael' <[michael.hunt@lumen.com](mailto:michael.hunt@lumen.com)>

Subject: RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

Good afternoon,

Is there any update you can give regarding this R/W Vacate request?

Thank you,

**Scott Adams | Permit Coordinator**



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From: Scott Adams

Sent: Tuesday, April 9, 2024 4:23 PM

To: 'Relocations@Lumen.com' <[Relocations@Lumen.com](mailto:Relocations@Lumen.com)>

Cc: Kris Rowley <[krowley@zevcohen.com](mailto:krowley@zevcohen.com)>; Sean Meade <[smeade@zevcohen.com](mailto:smeade@zevcohen.com)>; File <[file@zevcohen.com](mailto:file@zevcohen.com)>;

Emmons, Walter <[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)>; Sirmans, Tony <[Tony.Sirmans@lumen.com](mailto:Tony.Sirmans@lumen.com)>; 'Hunt, Michael' <[michael.hunt@lumen.com](mailto:michael.hunt@lumen.com)>

**Subject:** RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

To Whom it concerns,

We would like to request a utility relocate regarding Lumens utility within the r/w's of Dowling Ct, Bay Street & York Court as described in the surveys with sketch & descriptions attached. The general location of this project is Daytona Beach Florida, see vacate aerial image attached for reference. If any other information is needed for this request please let me know.

Thank you,

**Scott Adams | Permit Coordinator**



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---

**From:** Hunt, Michael <[michael.hunt@lumen.com](mailto:michael.hunt@lumen.com)>

**Sent:** Tuesday, April 9, 2024 10:51 AM

**To:** Scott Adams <[sadams@zevcohen.com](mailto:sadams@zevcohen.com)>; Emmons, Walter <[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)>; Sirmans, Tony <[Tony.Sirmans@lumen.com](mailto:Tony.Sirmans@lumen.com)>

**Cc:** Kris Rowley <[krowley@zevcohen.com](mailto:krowley@zevcohen.com)>; Sean Meade <[smeade@zevcohen.com](mailto:smeade@zevcohen.com)>; File <[file@zevcohen.com](mailto:file@zevcohen.com)>

**Subject:** RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

All requests must go through [Relocations@Lumen.com](mailto:Relocations@Lumen.com)

**LUMEN**<sup>®</sup>

**Michael Hunt**

Sr Network Implementation Program Manager

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From: Scott Adams <[sadams@zevcohen.com](mailto:sadams@zevcohen.com)>  
Sent: Tuesday, April 09, 2024 10:42 AM  
To: Emmons, Walter <[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)>; Sirmans, Tony <[Tony.Sirmans@lumen.com](mailto:Tony.Sirmans@lumen.com)>  
Cc: Kris Rowley <[krowley@zevcohen.com](mailto:krowley@zevcohen.com)>; Sean Meade <[smeade@zevcohen.com](mailto:smeade@zevcohen.com)>; File <[file@zevcohen.com](mailto:file@zevcohen.com)>; Hunt, Michael <[michael.hunt@lumen.com](mailto:michael.hunt@lumen.com)>  
Subject: RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

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Thank you for getting back to us on this Walter. We have a no objection letter from power (FPL), which will require aerial to be relocated. Unless your aerial isn't on their poles? Please let us know the process to relocate and receive a no objection letter. Attached no objection letter for reference.

Thank you,

**Scott Adams | Permit Coordinator**



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From: Emmons, Walter <[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)>  
Sent: Tuesday, April 9, 2024 10:35 AM  
To: Scott Adams <[sadams@zevcohen.com](mailto:sadams@zevcohen.com)>; Sirmans, Tony <[Tony.Sirmans@lumen.com](mailto:Tony.Sirmans@lumen.com)>  
Cc: Kris Rowley <[krowley@zevcohen.com](mailto:krowley@zevcohen.com)>; Sean Meade <[smeade@zevcohen.com](mailto:smeade@zevcohen.com)>; File <[file@zevcohen.com](mailto:file@zevcohen.com)>; Hunt, Michael <[michael.hunt@lumen.com](mailto:michael.hunt@lumen.com)>  
Subject: RE: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

Scott, we have both aerial and underground fiber optic cables in the East US 1/N Ridgewood Ave Utility ROW and the North International Speedway Blvd Utility ROW that are in service and we cannot sign a no objection letter.

**Walter Emmons**

Sr Network Implementation Program Manager  
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[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)



From: Scott Adams <[sadams@zevcohen.com](mailto:sadams@zevcohen.com)>  
Sent: Friday, April 05, 2024 3:27 PM  
To: Emmons, Walter <[walter.emmons@lumen.com](mailto:walter.emmons@lumen.com)>; Sirmans, Tony <[Tony.Sirmans@lumen.com](mailto:Tony.Sirmans@lumen.com)>  
Cc: Kris Rowley <[krowley@zevcohen.com](mailto:krowley@zevcohen.com)>; Sean Meade <[smeade@zevcohen.com](mailto:smeade@zevcohen.com)>; File <[file@zevcohen.com](mailto:file@zevcohen.com)>  
Subject: 17168 Accent Daytona R/W vacate request / Century Link / Lumen

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Good afternoon Walter / Tony,

We have another R/W vacate request in Daytona Beach FL. Please see the attached aerial for reference. I have also included sketch & descriptions along with surveys. If anything else is needed to process the no objection letter please let us know.

Thank you,

**Scott Adams | Permit Coordinator**



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Agenda Item 4D (Quasi-Judicial Hearing)  
**Planned Development-Redevelopment (PD-RD) Amendment**  
DEV2022-174  
1<sup>st</sup> Amendment to the Project Delta West PD-RD

**STAFF REPORT**

**MEETING DATE:** September 26, 2024, Planning Board  
**REPORT DATE:** September 17, 2024  
**SUBJECT:** DEV2022-174 1<sup>st</sup> Amendment to the Project Delta West PD-RD  
**APPLICANT:** Jessica Gow, Cobb Cole  
**OWNER:** Accent Daytona LP & 125 US 1 LLC  
**STAFF:** Danalee Petyk, AICP, Senior Planner  
Phebe Fuqua, Redevelopment Project Manager

---

**SUMMARY OF REQUEST**

This rezoning request is the 1<sup>st</sup> 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 ± 6.86 acres and to revise the PD Agreement and PD Plan for a proposed mixed-use development with commercial retail, office, and multi-family residential with workforce housing. The amendment to the PD includes the following modifications and additions:

- Incorporate 0.86 acres of property currently zoned Redevelopment Downtown-Commercial (RDD-3) into the PD-RD.
- Revise the PD Plan to incorporate the additional property and update the proposed development layout
- Modify the required parking section to incorporate the requested waivers
- Allow for clustering of building perimeter landscaping
- Replace the sign program with a new sign program
- Replace the arborist report exhibit with an updated arborist report

As part of this amendment, the applicant has requested the following waivers and Land Development Code (LDC) modifications:

- Reduce the required parking ratio from 2 spaces per dwelling unit to 1.19 spaces per dwelling unit
- Allow for 30% of the parking spaces to be provided as compact spaces
- Remove the prohibition for advertising of off-site signs for uses on separate parcels but still within the PD boundary

This PD Amendment is contingent upon vacation of the Dowling Court and York Court rights-of-way, heard concurrent with this request (DEV2024-420).

The property is within the Downtown Redevelopment Area. Pursuant to the requirements of the Land Development Code, Section 3.3.G - Advisory Board Review and Recommendation, the request is subject to review by the Downtown Redevelopment Board. The request was presented at the Downtown Redevelopment Board meeting held September 10, 2024. The Board voted 5 – 0 to recommend approval of this request. The summary staff report, which was revised for accuracy following the meeting, and the draft minutes from the September 10, 2024, meeting are provided as *Attachment F*.

A majority vote by the Planning Board members present and voting is required to forward a recommendation to the City Commission. The item is tentatively scheduled to be heard by the City Commission for 1<sup>st</sup> reading on November 6, 2024, and for a 2<sup>nd</sup> reading on November 20, 2024.

**Staff recommendation:** 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 1<sup>st</sup> 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 ± 6.86 acres and to revise the PD Agreement and PD Plan to the City Commission with a recommendation of approval.

**SITE INFORMATION**

**Location:** Southeast corner of the Ridgewood Avenue and Bay Street intersection

**Parcel No(s):** 5339-01-08-0012, 5339-01-08-0020, 5339-01-08-0022, 5339-01-08-0060, 5339-01-08-0061, 5339-01-08-0064, 5339-11-00-0080, 5339-12-00-0010, 5339-12-00-0070, 5339-12-00-0080, 5339-12-00-0090, 5339-01-08-0042, 5339-01-08-0050

**Property Size:** ± 6.86 acres

**Existing Zoning:** Project Delta West PD-RD and Redevelopment Downtown-Commercial (RDD-3)

**Existing Future Land Use:** High Intensity Mixed Use (HI INT MU)

**Adjacent Land Use and Zoning:** *Existing uses listed in the table below are not intended to be an all-inclusive list, but a general summary of types of uses near the subject property.*

	<b>Existing Use(s)</b>	<b>Future Land Use Designation</b>	<b>Existing Zoning Classification</b>
<b>Site</b>	Vacant, Office	HI INT MU	PD-RD, RDD-3
<b>North (across Bay St)</b>	Residential Mixed-Use	HI INT MU, COMM-MU	RDD-2, RDD-3
<b>South (across Intl Speedway Blvd)</b>	Commercial Mixed-Use	HI INT MU	RDD-2, RDD-3
<b>East (across Palmetto Ave)</b>	Mixed-Use	HI INT MU	PD-RD, RDD-2
<b>West (across Ridgewood Ave)</b>	Commercial, Public Park	COMM-MU	M1, RDD-3



*Aerial View of the Property*

## **PROJECT DESCRIPTION AND HISTORY**

The original Planned Development-Redevelopment (PD-RD) for Project Delta West was approved in 2019 to allow for a mixed-use commercial project with a grocery store, luxury apartments, parking garage, restaurant, and retail. Prior to the original rezone approval, the properties were developed with several buildings including a church. These buildings have since been demolished and the properties are currently vacant. The development proposed with the 2019 rezone never moved forward and the properties were sold in 2021 to Accent Daytona Beach LP.

The applicant is requesting the 1<sup>st</sup> amendment to the Project Delta West PD-RD to incorporate two (2) additional parcels currently owned by 125 US 1 LLC and developed with a multi-story office building and parking lot. The amendment will also revise the development program for a mixed-use project with multi-family residential, a new commercial building, and the existing office building.

The multi-family residential component of the proposed development program is for 304 apartment units of which a portion will be allocated for affordable housing. The final number of units for affordable housing will be negotiated with the City, but as of the writing of this staff report, approximately 50 units will be for workforce housing and 2 units will be reserved for first responders to be awarded through a lottery system. Workforce housing is provided for individuals and families with income at 120% or below the Area Median Income (AMI), adjusted for family size.

The changes proposed to the PD Agreement to accommodate the revised development program are as follows:

- *Incorporate 0.86 acres of property currently zoned Redevelopment Downtown-Commercial (RDD-3) into the PD-RD* – The amendment will add an additional 0.86 acres of property which is currently developed with a multi-story office building and associated parking. The office building will remain, and the parking will be reconfigured with the overall development.
- *Revise the PD Plan to incorporate the additional property and update the proposed development layout* – The amendment includes an updated PD plan to reflect the proposed changes in the development program. The revised PD plan and an architectural rendering of the multifamily building are shown in *Attachment A*.
- *Modify the required parking section to incorporate the requested waivers* – The applicant has revised the language of the parking section of the PD Agreement to incorporate the waivers they are requesting for a reduced parking ratio for multifamily uses and compact parking. The waiver requests are detailed later in this report.
- *Allow for clustering of building perimeter landscaping* – The applicant has revised the language of the landscape section of the PD Agreement to allow for building perimeter landscaping to be clustered and for up to 30% of the building perimeter landscaping to be relocated to other areas internal to the site, so long as the planting quantity is being met.
- *Replace the sign program with a new sign program* – The amendment will replace the existing sign program in the PD with a new sign program. The original sign program included standards for all uses in the entire property with maximum sign copy areas dedicated to each building. As the development program has changed, the sign program requires corresponding changes. The new sign program sets standards for multifamily uses and incorporates the waiver requested for off-site signage. All other signage will be governed by the LDC. The signage plan is shown in *Attachment B*.
- *Replace the arborist report exhibit with an updated arborist report* – The amendment will replace the arborist report exhibit in the PD Agreement with an updated arborist report which reflects the current status of the historic and specimen trees on site. The existing PD Agreement allows for the removal of the historic and specimen trees on the property, consistent with the arborist report, so long as the tree preservation and replacement requirements of the LDC are met.

The amendment is contingent upon the vacation of the Dowling Court and York Court rights-of-way which will be converted to acreage and combined with the other properties to accommodate the development.

## **PROJECT ANALYSIS**

According to Section 3.4.D.3, *Site-Specific Zoning District Amendment Review Standards*, Land Development Code (LDC), the City shall consider the criteria below when determining whether to adopt or deny a proposed Site-Specific Zoning District Map Amendment. In addition, the City Commission must find applications for a PD zoning district classification in compliance with Section 4.8.B, *General Standards for All Planned Development Districts*, LDC, before

approving said PD zoning district classification. The analysis of the proposed Planned Development – Redevelopment zoning classification is below.

### **Site-Specific Zoning District Map Amendment Review Standards**

Per Section 3.4.D.3, LDC, in determining whether to adopt or deny a proposed Site-Specific Zoning District Map Amendment, the City shall consider the following:

**a. Whether the applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:**

**i. Is consistent with and furthers the goals, objectives, and policies of the Comprehensive Plan and all other applicable City-adopted plans;**

The proposed amendment does not change the overall intent of the existing PD; therefore, it remains consistent with the Comprehensive Plan.

**ii. Is not in conflict with any portion of this Code.**

The development standards for a PD District must comply with Article 6: Development Standards and Article 7: Subdivision Standards in the LDC; any modifications of those standards must be established in the PD Plan and the PD Agreement. With this amendment to the PD, the applicant has requested three (3) modifications to these standards, as detailed below and in the attached Waiver & Benefits Letter (*Attachment C*).

### **LDC Modifications & Project Details**

- *Parking* – The applicant has requested two waivers from the requirements of Section 6.2, LDC, regarding parking on the property, detailed as follows:
  - *Parking Ratio* – The applicant has requested a modification from Section 6.2.C.1 – *Minimum Number of Off-Street Parking Spaces*, LDC, to reduce the number of required parking spaces per multi-family dwelling unit from 2 spaces to 1.19 spaces. The applicant has provided a parking study justifying the requested reduction (*Attachment D*). Per the parking study, the reduction is justified as the development is primarily one bedroom units, additional parking and transit options are available in the immediate vicinity, and bicycle parking will be provided on site. To further accommodate the reduced parking request, the developer proposes to add additional on-street parking along Bay Street and Palmetto Avenue as shown on the revised PD Plan (*Attachment A*)
  - *Compact Spaces* – The applicant has requested a modification from Section 6.2.H.1.a – *Dimensional Standards for Parking Spaces and Aisles*, LDC, to allow for up to 30% of the required parking be provided as compact parking spaces. The required parking dimension is 9' wide by 19' long for

perpendicular parking spaces; the compact spaces would be 8.5' wide by 17' long.

- *Off-site Signage* – The applicant has requested a waiver from Section 6.10.E.1.g – *Prohibited Signs*, LDC, to remove the restriction for off-site signage to allow advertising of uses which are still within the PD boundaries, but on separate lots, on the same sign.

If the requested LDC modifications are granted, the proposed PD agreement will be consistent with the LDC, and the proposed amendment will meet this criterion

**iii. Addresses a demonstrated community need;**

The applicant has provided a Waiver & Benefits Letter (*Attachment C*) which details the proposed public benefits to the project and addresses the standard for a demonstrated community need. The Waiver & Benefits Letter details the requested modification to the LDC, as identified above, in exchange for the public benefits enumerated in the letter.

Staff does not object to the applicant's demonstration they meet this criterion.

**iv. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;**

The proposed amendment does not change the overall intent of the existing mixed-use PD. The additional acreage to be incorporated into the PD is an existing office development and will remain as such; therefore, the amendment is compatible with the surrounding land uses.

**v. Would result in a logical and orderly development pattern;**

The standards proposed in the PD Agreement and the LDC would result in a logical and orderly development pattern for the property and the surrounding area. Staff finds the proposed amendment meets this criterion.

**vi. Would not adversely affect the property values in the area;**

The proposed amendment does not change the overall intent of the existing mixed-use PD; therefore, Staff does not have any indication there will be an adverse impact on the property values in the area.

**vii. Would result in development that is adequately served by public facilities (roads, potable water, wastewater, solid waste, storm water, schools, parks, police, and fire and emergency medical facilities); and**

The proposed amendment does not change the overall potential impacts of the existing PD and the existing office development; therefore, Staff has no objection in relation to the impacts to public facilities.

**viii. Would not result in significantly adverse impacts on the natural environment including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and**

The development is required to go through the site plan review process and provide environmental assessments and appropriate permitting from environmental agencies. Staff does not find any indication the development would not result in significant adverse impacts to the natural environment. The amendment meets this criterion.

**b. If the applicant demonstrates that the proposed amendment meets the criteria in subparagraph [a] above, whether the current zoning district designation accomplishes a legitimate public purpose.**

The existing zoning on the property is the Project Delta West Planned Development – Redevelopment (PD-RD) and Redevelopment Downtown-Commercial (RDD-3), both of which are consistent with the HI INT MU future land use designation on the property. The existing PD is currently vacant and the 0.86 acres of property with RDD-3 zoning is developed with a multi-story office building. The applicant proposes to incorporate the additional 0.86 acres of RDD-3 zoned property into the Project Delta West PD-RD to create a more cohesive mixed-use development within the block.

### **Planned Development Zoning Districts Review Standards**

Amendments to Planned Developments shall be reviewed in accordance with the additional review standards outlined in Sections 4.8.B.2 and 3 for review of planned development districts. The analysis of the proposed amendment with these standards is below.

#### **2. Consistency with City Plans**

If adopted by the City Commission, the amendment to the PD Agreement will be consistent with the Comprehensive Plan.

#### **3. Compatibility with Surrounding Areas**

The proposed amendment to the PD Agreement would modify the development program without changing the overall intent of the previously approved mixed-use PD; therefore, the amendment would not change the compatibility with the surrounding area.

#### **Neighborhood Meeting**

The applicant conducted a neighborhood meeting on June 23, 2023, as required by the LDC. A summary of the neighborhood meeting prepared by the applicant is in *Attachment E*.

#### **Redevelopment Board**

The property is within the Downtown Redevelopment Area. Pursuant to the requirements of the Land Development Code, Section 3.3.G - Advisory Board Review and Recommendation, the

request is subject to review by the Downtown Redevelopment Board. The request was presented at the Downtown Redevelopment Board meeting held September 10, 2024. The Board voted 5 – 0 to recommend approval of this request. The summary staff report, which was revised for accuracy following the meeting, and the draft minutes from the September 10, 2024, meeting are provided as *Attachment F*.

### **RECOMMENDATION**

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 1<sup>st</sup> 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 ± 6.86 acres and to revise the PD Agreement and PD Plan to the City Commission with a recommendation of approval.

A majority vote by the Planning Board members present and voting is required to forward a recommendation to the City Commission.

The item is tentatively scheduled to be heard by the City Commission for 1<sup>st</sup> reading on **November 6, 2024**, and for 2<sup>nd</sup> reading on **November 20, 2024**.

# LOCATION MAP



Page 87 of 164

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## DEV2022-174 1ST AMENDMENT PROJECT DELTA WEST fka ACCENT LOCATION MAP

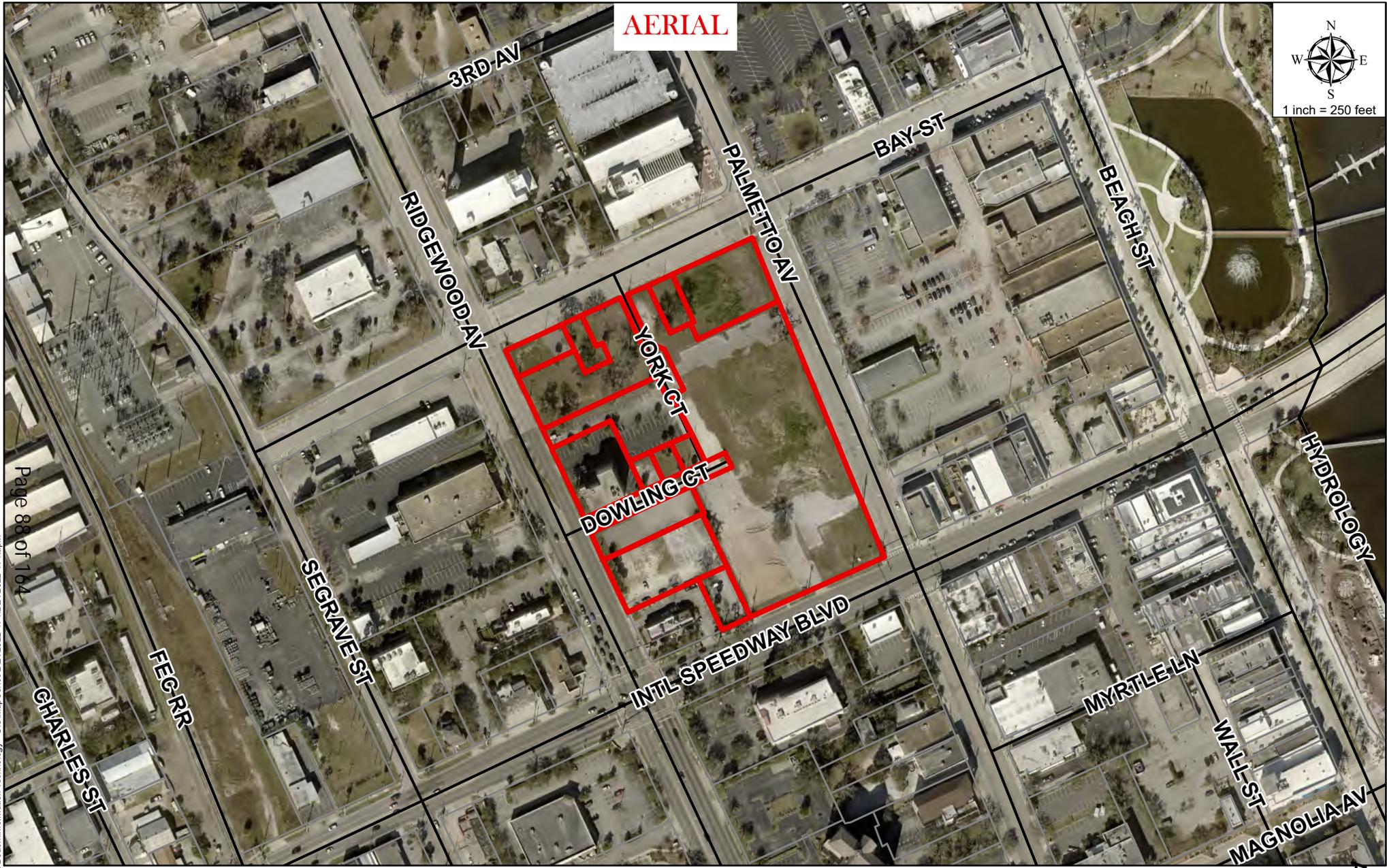
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Agenda Item #4.D.

AERIAL



1 inch = 250 feet



Page 88 of 164

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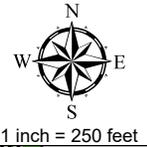
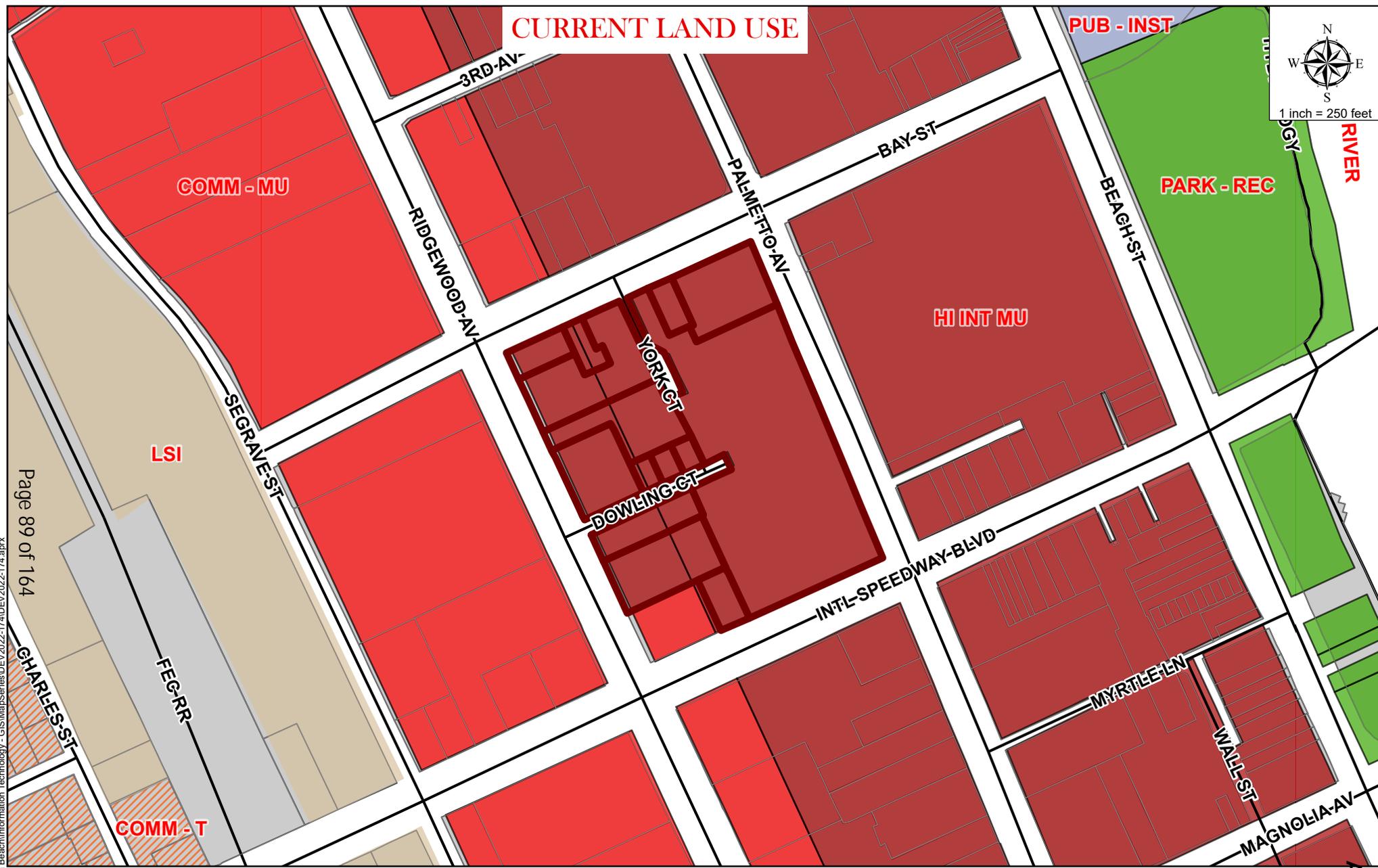


**DEV2022-174  
1ST AMENDMENT PROJECT DELTA WEST  
fka ACCENT  
AERIAL MAP**

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Agenda Item #4.D.

**CURRENT LAND USE**



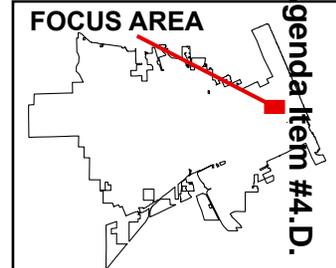
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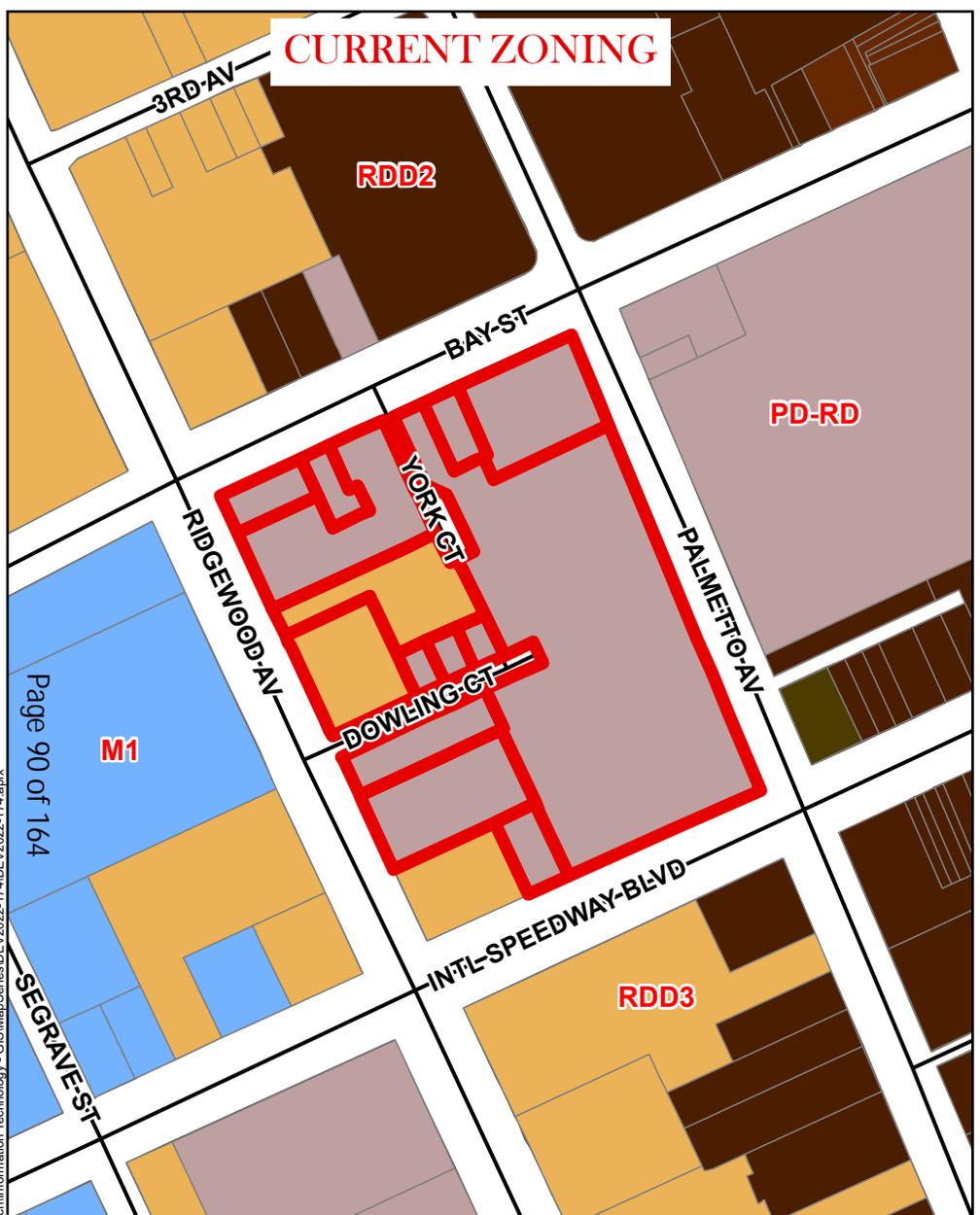
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1ST AMENDMENT PROJECT DELTA WEST  
fka ACCENT  
CURRENT LAND USE MAP**

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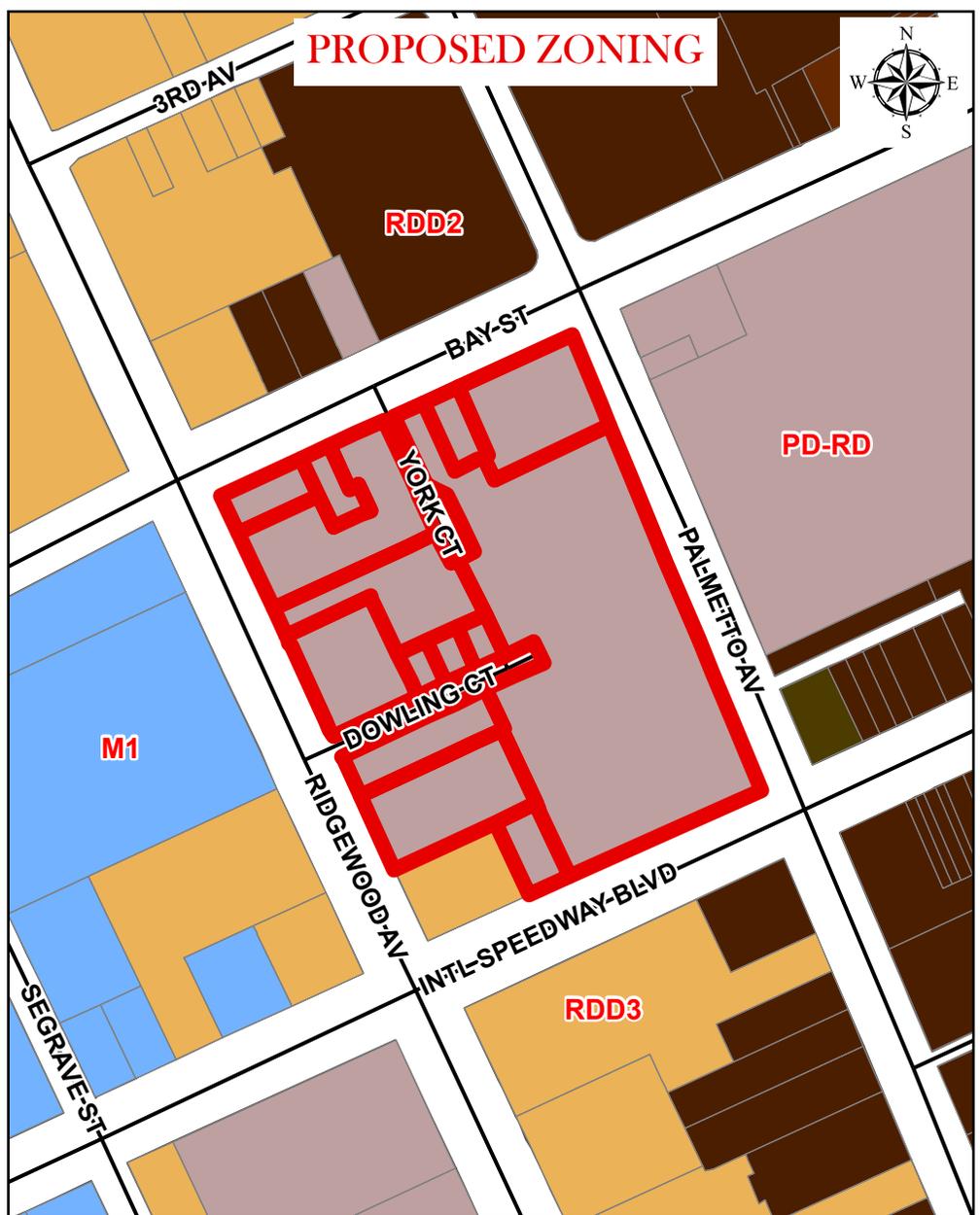
Agenda Item #4.D.

**CURRENT ZONING**



1 inch = 250 feet

**PROPOSED ZONING**



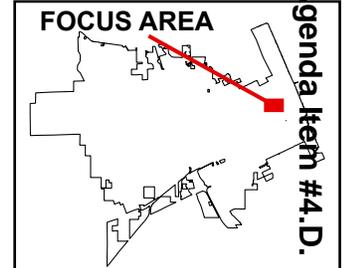
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**DEV2022-174  
1ST AMENDMENT PROJECT DELTA WEST  
fka ACCENT  
CURRENT AND PROPOSED  
ZONING MAP**

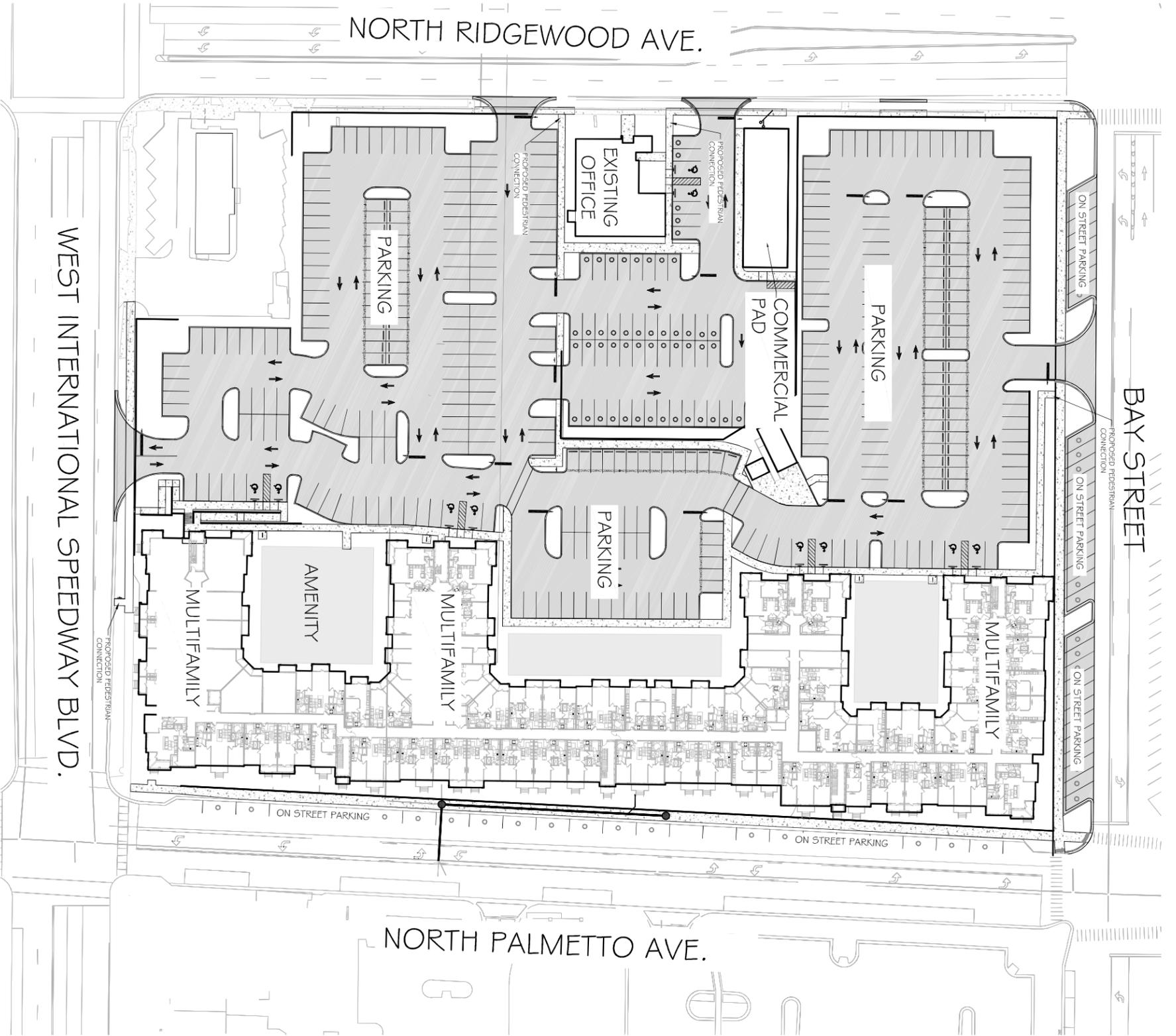
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Agenda Item #4.D.



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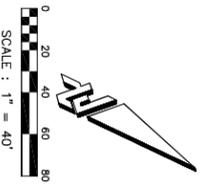


**NOTES:**

1. EXISTING MUNICIPAL STORMWATER SYSTEMS TO BE MODIFIED IN ACCORDANCE WITH THE LDC
2. SITE IS LOCATED WITHIN FLOOD ZONE AE & X. IT HAS BEEN DETERMINED BY STAFF THAT COMPENSATING STORAGE WILL NOT BE REQUIRED CONSIDERING THE SITE IS TIDALLY INFLUENCED.
3. ALL EXISTING DRAINAGE PATTERNS OF OFF-SITE PROPERTIES SHALL BE MAINTAINED OR ACCOMMODATED WITHIN THE PROPOSED STORMWATER MANAGEMENT SYSTEM.
4. ALL APPLICABLE FEDERAL AND STATE PERMITS SHALL BE OBTAINED.
5. ANY EXISTING OR PROPOSED UTILITIES TO BE PUBLIC SHALL BE LOCATED WITHIN AN EASEMENT OR PUBLIC RIGHT-OF-WAY.
6. STORMWATER AND UTILITY CONNECTIONS POINTS AND SIZES TO BE DETERMINED WITH SITE DESIGN.
7. USES AND AREAS SHOWN ARE FOR PLANNING PURPOSES ONLY ACTUAL USES AND LOCATIONS WILL BE DETERMINED AT SITE PLAN. SETBACKS WILL BE DESCRIBED IN THE AGREEMENT OR AS DETERMINED BY CODE.

DEV2022-174

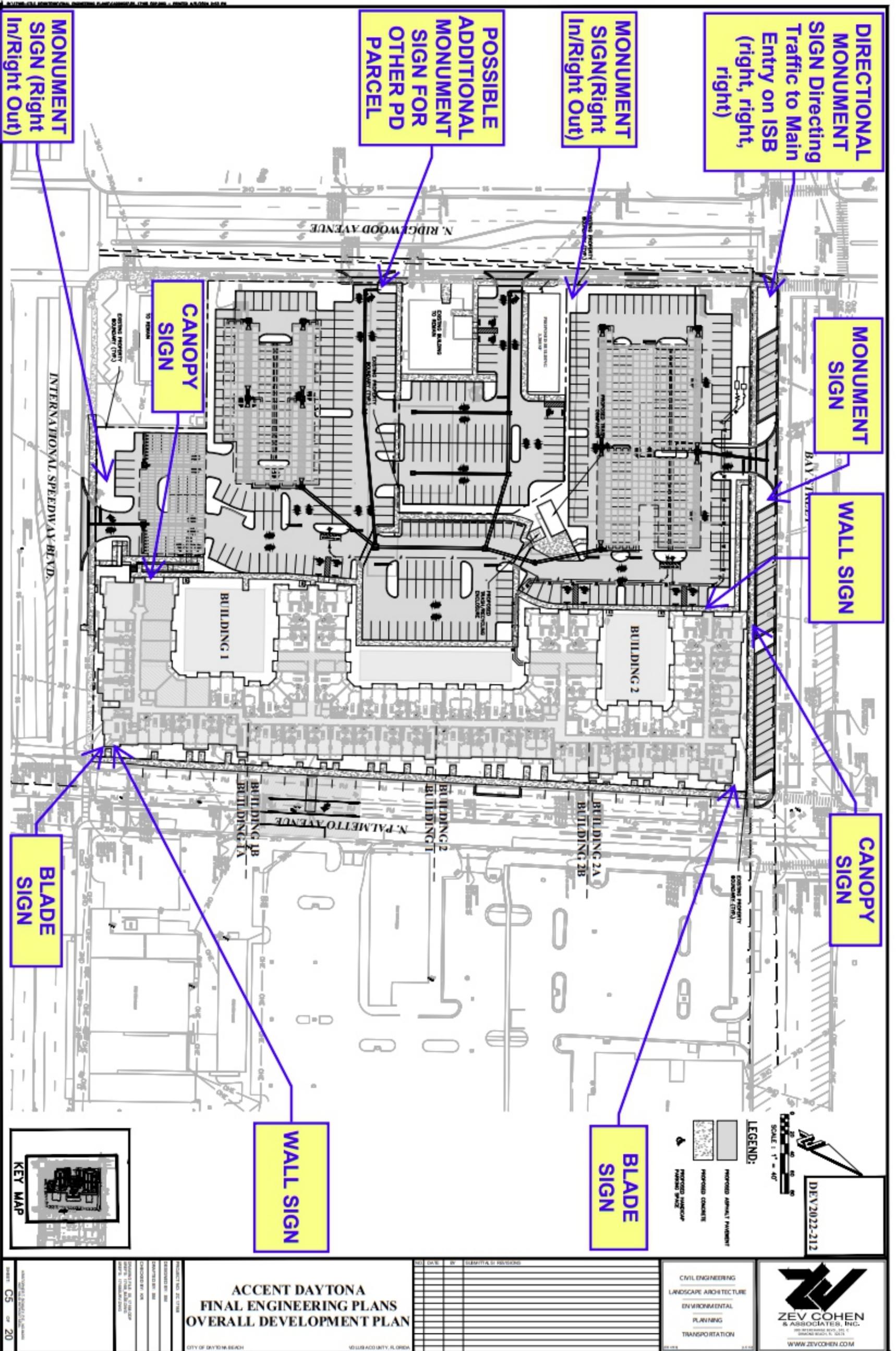
ATTACHMENT A



<p>PROJECT NO: ZC 17168                  DESIGNED BY: JES                  DRAFTED BY: JES                  CHECKED BY: SB                  DRAWING TITLE: 17168 PD WEST                  XREFS: 72771                  72772</p>	<p><b>PROJECT DELTA WEST                  PD EXHIBIT                  1ST AMENDMENT</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>SUBMITTALS / REVISIONS</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>01</td> <td>6/20/19</td> <td>REVISED PER 1ST AMENDMENT</td> <td>JES</td> </tr> <tr> <td>02</td> <td>8/31/22</td> <td>REVISED 8/31/22</td> <td>JES</td> </tr> <tr> <td>03</td> <td>3/13/24</td> <td>REVISED PER LAYOUT</td> <td>JES</td> </tr> </tbody> </table>	NO.	DATE	SUBMITTALS / REVISIONS	BY	01	6/20/19	REVISED PER 1ST AMENDMENT	JES	02	8/31/22	REVISED 8/31/22	JES	03	3/13/24	REVISED PER LAYOUT	JES	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">CIVIL ENGINEERING</td> </tr> <tr> <td style="text-align: center;">LANDSCAPE ARCHITECTURE</td> </tr> <tr> <td style="text-align: center;">ENVIRONMENTAL</td> </tr> <tr> <td style="text-align: center;">PLANNING</td> </tr> <tr> <td style="text-align: center;">TRANSPORTATION</td> </tr> </table>	CIVIL ENGINEERING	LANDSCAPE ARCHITECTURE	ENVIRONMENTAL	PLANNING	TRANSPORTATION	 <p><b>ZEV COHEN                  &amp; ASSOCIATES, INC.</b>                  300 INTERCHANGE BLVD., STE. C                  ORLANDO BEACH, FL 32714                  WWW.ZEVCOHEN.COM</p>
NO.	DATE	SUBMITTALS / REVISIONS	BY																						
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CITY OF DAYTONA BEACH	VOLUSIA COUNTY, FLORIDA	(EB 4515)	(LC 42)																						



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ENVIRONMENTAL PLANNING  
TRANSPORTATION

NO.	DATE	BY	SUBMITTED BY	REVISIONS

**ACCENT DAYTONA  
FINAL ENGINEERING PLANS  
OVERALL DEVELOPMENT PLAN**

CITY OF DAYTONA BEACH 40 LIBRARY DRIVE, FLORIDA

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Revision Date  
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Date  
06.19.2024

Designer  
C.Craig/DK

Opportunity Number  
55336

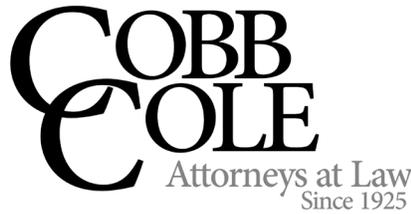
Property Name & Address  
Accent Daytona  
International Speedway Blvd  
Daytona, FL 32114

Management Company  
Westplan Investors

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W. Warren Cole, Jr. (1926-2008)

September 18, 2024

**VIA ELECTRONIC DELIVERY**

Dennis L. Mrozek  
Planning Director  
City of Daytona Beach  
301 S. Ridgewood Avenue, Room 240  
Daytona Beach, FL 32114

Re: First Amendment to Project Delta West – DEV2022-174  
Modifications and Benefits Letter

Dear Dennis:

As you know, it is this Firm’s pleasure to represent Accent Daytona Beach, LP (“Property Owner”) in connection with development of property located at 118 N. Palmetto Ave., Daytona Beach, FL 32114 (the “Property”). The Property was previously approved for a mixed-use development known as Project Delta, including the provision of multifamily uses to encourage pedestrian activity downtown. The Property is undergoing an amendment to the Planned Development to detail the development proposal for the multifamily project. The Daytona Beach Land Development Code (LDC) requires Planned Development rezoning applicants to provide a letter detailing any and all code waivers needed to construct their project, as well as the public benefits of the project which are proposed to compensate for the needed waivers.

We recognize the importance of the standards contained in the City's LDC and have made every commercial reasonable effort to bring forward a project consistent with the LDC. However, in this case, the project requires certain minor LDC waivers which are balanced against many significant public benefits.

**Public Benefit**

The Property Owner has been diligently pursuing development approvals for the site to permit construction of the proposed 286 unit multifamily residential development proposed for the Property (the “Project”). A fiscal and economic impact analysis was recently completed for the Project, which concluded that the proposed development would create permanent economic

City of Daytona Beach  
DEV2022-174

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activities that will generate \$51,000,000 in gross annual economic output on an annual basis to the local economy. The development is expected to contribute an additional \$55,000,000 in ad valorem taxable value for the Property, in comparison to its current value of approximately \$900,000.

As individuals move to the area to live in the proposed multi-family project, there will be an increase in local spending by new residents across multiple business sectors, resulting in an economic output of 349 total jobs and \$16,000,000 in wages and salaries, each and every year. The current buildout of the property is estimated at a capital cost of \$70,000,000 in improvements that will raise the taxable value of the site and surrounding areas.

In review of this request, we have analyzed the applicable provisions of the City's Comprehensive Plan, along with the redevelopment plan applicable to the Property, and have determined that the proposed project is consistent with the following goals, objectives, and policies contained therein:

- *Redevelopment Element, GOAL 1.* To encourage public and private cooperative efforts that result in: the creation of environmentally and economically sound and aesthetically pleasing new development and rehabilitated projects; the stimulation and attraction of private investment in redevelopment areas; increased employment opportunities, better service to residents and tourists; and improvements in the tax base consistent with the adopted Redevelopment Area Plans.
- *Redevelopment Element, Objective 1.1. Regulatory Controls and Incentives.* Through regulatory controls and incentives, encourage investment in new development and rehabilitation that will improve assessed property values by 3% per year, and maintain a minimum of 85% building occupancy in the City's Redevelopment Areas.
- *Redevelopment Element, Policy 1.1.12.* Update the Downtown and Ballough Road Area Redevelopment Area Plan to provide revitalization strategies, development standards, and public infrastructure improvements to support and enhance the area with an emphasis on urban residential, office, shopping and entertainment. (Ordinance #09-278)
- *Redevelopment Element, Policy 1.5.10.* Development within the TCEA will become more pedestrian-oriented. The City promotes revitalization by improving pedestrian access through the provision of mixed land uses, parking controls, increased public transportation and increased pedestrian-oriented public spaces (such as parks and plazas).
- *Housing Element, Objective 1.1 New Construction* Assist the private sector in providing the necessary additional housing units to support the planning horizon population projection.

City of Daytona Beach  
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- *Conservation Element*, Policy 1.5.2. As redevelopment occurs along the Halifax River, special efforts should be made to place first floor elevations above the floodplain.

The Project is consistent with the following strategic priorities stated in the Downtown/Balough Road Redevelopment Area Plan: (i) leveraging of the Halifax River and other locational advantages to expand the mix of housing within the Downtown and Balough Road Redevelopment Areas, and (ii) targeting infrastructure improvements in a manner that strengthens the appeal of these Redevelopment Areas, along with being consistent with the following recommendation highlights included in the Downtown/Balough Road Redevelopment Area Plan:

- In light of current market conditions, the public sector must continue to play a lead role in expanding and facilitating the development of amenities and services that will attract visitors and promote Downtown/Balough Road living.
- Downtown/Balough Road's most viable short-term market opportunity is the potential residential development of properties that have prime riverfront views. New river view housing can be a catalyst for promoting Downtown/Balough Road neighborhood revitalization and stabilization. Anchoring the Beach Street retail area on both the north and south ends have the highest priority for this use.
- The Redevelopment Plan is intended to insure that public intervention has a market focus that encourages private investment, long-term public benefit, and positions Downtown/Balough Road to develop as a place that has increasing competitive advantages for business, residents and visitors. The motivation for businesses to invest in expanding or relocating to an area is driven by decision-maker's assessment of true long-term competitive advantages.

### Waivers

We have identified the need for waivers from the following LDC requirements:

#### *Article 6, Section 6.2 –Parking*

The Applicant is requesting a modification to allow a reduced parking ratio for multifamily development within the site, based on a review of surrounding parking needs and similar projects situated in other areas. Section 6.2 of the LDC sets forth certain requirements for minimum off-street parking. The Applicant is requesting that a multifamily residential parking ratio of 1.19 parking spaces per dwelling unit be applied for the property. The Applicant is also requesting a modification to allow thirty percent (30%) of the parking spaces to be provided as compact parking spaces at a minimum parking space dimension of 8.5' x 17'.

City of Daytona Beach  
DEV2022-174

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*Article 6, Section 6.10 – Signage*

Section 6.10.E.1.g. prohibits off-site signs that contain commercial messages not related to the site, or advertise goods, products, services, or facilities not available or located on the site, or direct persons to a different location from where the sign is installed. As the parcels will be master planned for a mixed-use development, this modification is required to allow master signage to be located on one parcel while advertising multiple uses or sites.

We look forward to working with you on this matter. If there is any further information we can provide to assist in review, please do not hesitate to reach out.

Sincerely,



**Jessica Gow, Esq.**

Direct Dial (386) 323-9225

Email [Jessica.Gow@CobbCole.com](mailto:Jessica.Gow@CobbCole.com)



**Westplan Investors**

**Accent Daytona Beach, LP  
3715 Northside Parkway, NW  
Bldg 400, Suite 375**

**Atlanta, GA 30327  
04/04/2024**

**City of Daytona Beach  
Planning and Development Department  
301 S Ridgewood Ave  
Daytona Beach, FL 32114**

Dear Members of the Planning and Development Department,

Re: Request to Lower Minimum Parking Ratio for Accent Daytona Beach

We write to request a reduction in the minimum parking ratio for our new apartment development at the corner of Palmetto Ave and Bay St from the current 2.0 spaces per residential unit to a more practical 1.2 spaces per unit. This would result in 364 on-site spaces, for the 304 unit project. Below, we elaborate on our justifications for this request.

**Predominately One-Bedroom Units**

Over two-thirds of our development comprises of one-bedroom units. These units typically require fewer parking spaces compared to two-bedroom and three-bedroom units due to lower occupancy. Therefore, we propose that a ratio of 1.2 parking spaces per unit would adequately serve our community.

**Additional Offsite Parking**

The property is adjacent to Bay Street and Palmetto Ave and the office building owned by Jack White, which collectively offer an additional 115 off-site parking spaces. Including these spaces brings our total number of parking spaces to 479, resulting in a parking ratio to 1.58 spaces per unit, even exceeding the reduced requirement we propose.

## Code Ordinance Supporting Lower Parking Minimums

### *Transit Accessibility.*

The City staff may authorize up to a ten percent reduction in the minimum number of off-street parking spaces required by Table 6.2.C.1, Minimum Number of Off-Street Parking Spaces, for uses located within 1,000 feet of a bus or rapid transit stop. Our project is located within 1,000 feet of a bus stop and we plan to encourage residents use of public transportation, therefore our project is in compliance for a 10% transit accessibility reduction.

### *Special Facilities for Bicycle Commuters.*

The City staff may authorize up to a five percent reduction in the minimum number of off-street parking spaces required by Table 6.2.C.1. Our project includes thirty-five bicycle spaces and therefore is in compliance for a 5% Bicycle Commuter reduction.

## Expert Opinions on Parking Requirements

### *Kimley Horn*

The national civil engineering firm Kimley Horn has developed a Park+ Model aimed at right-sizing parking. Their studies show that similar markets, such as St. Petersburg, Florida, require only 0.44 parking spaces per apartment unit.

### *Donald Shoup*

Donald Shoup, a UCLA urban planning professor and the nation's leading researcher on parking since 1975, recommends abolishing parking minimums. His work points out that such minimums often result in an oversupply of parking, contradicting sustainable urban development objectives.

## Similar Project from Our Portfolio

### *Nolensville Pike Project*

Our recent project next to Nashville's new MLS stadium, now called Braxton Music City, successfully operates with a parking ratio of 1.19 spaces per unit. This project has been recognized with the Award of Excellence for the 2023 Build Tennessee Awards by the Associated General Contractors of America.

## Precedents from Other Florida Cities

*\*Code citations are from the respective city's code of ordinances unless otherwise noted.*

*Clearwater*

Clearwater allows legal on-street parking to substitute for required off-street parking under specific conditions, effectively reducing the parking ratio. It also allows for a payment in lieu of parking in the downtown district.

Code reference: Section 3-1404, Section B-303 table 3

*Fort Lauderdale*

The city has lowered parking minimums to 1 space per housing unit in the City Center and Arts and Sciences Districts.

Code reference: Section 47-20.2 table 3

*Fort Meyers*

In certain downtown districts, Fort Meyers permits a reduction of required parking spaces between 33-50%.

Code reference: Section 118.8.5(d), Section 118.8.1 diagram 7.

*Fort Pierce*

Fort Pierce offers a payment in lieu of parking, and no off-street parking is required in the Downtown Business and Entertainment District. They also allow a 25% reduction in parking requirements in the Peacock Arts District for new developments.

Code reference: section 125-315(4b), section 125-315(4c), section 125-315(5)

*Jacksonville*

There are no parking minimums in the downtown overlay district.

Code reference: Section 656.361.6.2 (k2a)

*Key West*

Key West allows for one parking space per unit in their historic district.

Code reference: section 108-572(2a)

## *Miami*

Miami allows for 1 parking space per unit for mixed use development in special districts and also allows for a payment in lieu of parking requirement.

Code reference: section 602.12, section 617.5, section 621.4, section 35-220

## *Miami Beach*

In CD-2 zones, one parking space per unit is mandated. Exemptions apply for properties within 1,500 feet of public transit or parking garages. In MXE zones, the requirement is also one space per unit, with the same exemptions for proximity to transit or garages. For RM1 and RM2 zones, one parking space is required per unit, applicable only to units sized between 550 and 1,600 square feet.

Code reference: Section 130-31(c), Section 130-31(e1), multiple other references throughout section 130

## *Orlando*

Properties in downtown parking zone A are not subject to minimum required off street parking. Properties in downtown parking zone B are required to have 1 parking space per unit, and a maximum of 2 per unit.

Code reference: section 61.342(a)

## *Pensacola*

1 space per unit is required normally, however, off-street parking is not required in the HC-1 and HC-2 districts. Also, off-street parking is not required in the dense business area for residential land uses. Shared parking is allowed to satisfy off-street parking requirements under certain circumstances.

Code reference: section 12-4-1, section 12-4-1(4), section 12-4-1(j)

## *Punta Gorda*

Within the City Center Zoning District, the city has established a Parking Exemption area. In this area, buildings with a footprint below 10,000 square feet are not required to provide parking for uses on site.

Code reference: chapter 26 section 10.6

## *Sarasota*

For multi-family dwelling units specifically designated as affordable to households with an income at or below 120 percent of the Area Median Income (AMI), a single parking space per unit is required. Similarly, in the zoning districts of DTNE, DTE, DTC, and DTB, the parking requirement is set at one space per unit.

Code reference: section VII-206(8), section VII-203

### *St Petersburg*

In 2022 St. Petersburg eliminated minimum parking requirements for residential housing units in the downtown core that have 750 square feet or less. They also reduced minimum parking requirements for affordable housing units, ADUs, bicycle parking, and other properties located within 660 feet of a high-frequency transit route.

Code reference: Section 16.10.020.1, section 16.40.090.3.2(c).

### *West Palm Beach*

West Palm Beach has reduced parking minimums and parking maximums in the CBD and other special districts. There are no parking minimums in the Okeechobee Business district. There is no parking minimum for microunits in the CBD.

Code reference: section 94-111, section 94-111 (table IV-9)

### *Panama City*

Sites located in the DTD zoning district, lots less than or equal to 10,000 square feet, buildings constructed prior to 1945, and buildings less than five stories in height are exempt from the minimum parking requirements.

Code reference: Section 104-33(e4)

### *Gainesville*

The city council recently voted to eliminate parking mandates for all uses citywide.

Code reference: ordinance No. 211262

### *Kissimmee*

The Downtown district in Kissimmee is exempt from off-street parking requirements.

Code reference: section 14-7-21

*Winter Haven*

Since 2000, Winter Haven has exempted all land uses within its Downtown Commercial zoning district from parking requirements.

Code reference: section 21-142 (b)

*Stuart*

Stuart has no parking requirements in the Old Downtown District and offers a payment in lieu of parking for up to three required spaces.

Code reference: section 3.01.00, Ord. No. 1978-04, § 1, 6-28-04

**Conclusion**

Given these considerations:

1. Our unit mix is predominantly one-bedroom units requiring less parking.
2. Proximity to a bus stop allows residents to use public transportation.
3. We are providing bicycle parking, suitable for our downtown location.
4. We are located in the Downtown Redevelopment Zone which should receive special design considerations, consistent with the policies of other Florida city's treatment of their culturally and economically significant downtown districts.

We firmly believe that reducing the parking minimum for our development will not only meet our functional requirements but also align with the parking policies of various Florida cities aiming to promote urban development.

We appreciate your consideration and are open to further discussions.

Sincerely,

Matt Ross

Investment Associate

Accent Daytona Beach LP



Daytona Beach • DeLand

Post Office Box 2491  
Daytona Beach, Florida 32115-2491  
(386) 255-8171  
CobbCole.com

# Memorandum

**To:** Dennis Mrozek, Planning Director, City of Daytona Beach

**From:** Deborah D. LaCroix, CLA

**Date:** June 23, 2023

**Client/Matter #:** First Amendment to Project Delta West Planned District  
DEV2022-174

**Subject:** Neighborhood Meeting Summary – June 14, 2023

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A neighborhood meeting was held in the meeting room of the Fairfield Inn and Suites, 1820 Checkered Flag Boulevard, Daytona Beach, FL on June 14, 2023 at 6:00 p.m.

Jessica Gow, Matthew Morton, Brad Johnson, Chris Kacena, Kris Rowley and Debi LaCroix were in attendance to explain the request. Several interested citizens attended the meeting. See the attached sign-in sheet.

Ms. Gow gave an overview of the request to the interested neighbors.

Ms. Ruby asked regarding the plan for parking in the middle of the development. Ms. Gow explained that the proposed garden style apartments presented an urban edge.

Ms. Ruby asked regarding the parking ratio. Ms. Gow explained that the current plan shows about 1.1 spaces per unit.

Ms. Ruby asked regarding the potential for a grocery store onsite. Ms. Gow explained that the current plan does not contemplate a grocery store, although the zoning document still permits that use for future redevelopment. Some attendees noted that there are not enough rooftops to support the use. Ms. Smiley indicated that there used to be a grocery store downtown.

Mr. Guerra asked regarding the size of the outparcel and whether that would be big enough for a grocery store. Ms. Gow explained that it was probably more suitable for office or smaller retail uses.

Mr. Cevollos asked regarding the potential for ground floor retail and 2<sup>nd</sup> floor residential to be incorporated into the development. Mr. Morton and Ms. Gow explained that that concept was not contemplated for this development, and that it was a challenge to establish is typical multifamily

residential projects, although other projects within the downtown have mixed uses, such as the Zappi's building.

Ms. Ruby asked regarding the number of units and price point. Mr. Morton explained that the current proposal included 286 market-rate units, including 35%-40% 2 bedroom units and 60%-65% 1 bedroom units.

Mr. Hurt indicated that he thought this concept for development would be good for the neighborhood. He saw it as a "Flagler Avenue" approach with the pedestrian access.

Ms. Murphy asked how the stormwater would be handled. Mr. Rowley explained that it would be an underground system.

Mr. Rowley explained that the proposal is not gated, that it will be open to the downtown area. He indicated that the streetscape and utilities are being discussed as a potential partnership with the City of Daytona Beach.

Ms. Ruby asked regarding timeline and color scheme. Mr. Morton responded that they would like to begin construction as soon as possible and that it would take 20-24 months to build. There will be residents before all buildings are built.

Mr. Cioodatti indicated that he applauded the developers for taking a chance on Daytona Beach. Mr. Hurt seconded the sentiment.

Ms. Ruby indicated that the trolley/shuttle was needed.

Mr. Cevollos was very interested in a bike lane on Palmetto. Ms. Gow indicated that would be something to discuss with the City and that we would provide his request in our summary of the meeting. Mr. Morton indicated that they always provide bike parking and storage in their developments.

Ms. Ruby asked regarding the number of parking spaces being provided on Palmetto. Mr. Rowley responded 43.

Mr. Reinhart asked regarding electric vehicle charging stations. Mr. Morton responded that they provide electric vehicle charging stations in their developments.

Ms. Ruby indicated that the City needs to come up with an alternate transit plan.

Mr. Cevollos asked regarding whether bus stops would be improved. Mr. Rowley responded that yes all bus stops will be improved. There will also be a pedestrian crossing on Palmetto. Mr. Cevollos asked whether that could be raised like a speed table.

The neighbors generally supported the Amendment.

Ms. Gow thanked the neighbors for their attendance and indicated that the project was still in Technical Review Team Review and would continue on to Redevelopment Board and Planning Board.

We have included the list of property owners to whom we sent the Invitation to Neighborhood Meeting, a copy of the Invitation, and photos of the signs we posted on the property. We have also included an email with questions and comments from Dr. Patel which we received prior to the meeting.

We look forward to this item being scheduled for the Redevelopment Board, Planning Board and the City Commission at their next available meetings.

Thanks.

Deb.

FIRST AMENDMENT TO  
PROJECT DELTA WEST PLANNED DISTRICT

DEV2022-174

NEIGHBORHOOD MEETING

FAIRFIELD INN & SUITES, 1820 CHECKERED FLAG BLVD., DAYTONA BEACH

JUNE 14, 2023

6:00 P.M.

SIGN IN SHEET

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE OR EMAIL</u>
Debi LaCruz	Cobb Cole	386/323-9244
Matt Reinhart	Volusia Co. Council	386-507-4004
Thomas Cevallos	118 Blue Heron Dr.	(210) 250-1604
EROL JOHNSON	1055 HUST	386.265.3848
Kris Raney	300 International Blvd.	386 2909551
Mark Watts	Cobb Cole	386/736-7700
Charles Guarn	Hometown News	CGuarn@hometownnewsmedia.com
Jack White	125 N Ridgewood	386-627-7777
Mike Cicciatti	125 NUST	317-7777
MATTHEW MORTON	WESTPLAN	770-560-6838
Brad Johnson	westplan	404-493-9399
CHRIS FACENA	STUDIO ARCHITECTS	404-803-3869

NAME

ADDRESS

PHONE OR EMAIL

Jeff Hurt	1134 Botross Way D/B	Jeff@JeffHurtRealty.com
Jessica Gow	144 S. Ridgewood	
Linda Smiley	357 Manhattan Ave	
Robert Zitzka	231 N. Lincoln Dr.	
Lauren Tse	300 N Beach	ltse@bbins.com
Sander Murphy	136 Park Ave	smurphy@ptd.net
Anne Ruby	137 Park Ave	aeruby@gmail.com
Larry Madenrot		
Erin Capulli	Greenwich Gateway	

**Debi LaCroix**

---

**From:** Debi LaCroix  
**Sent:** Tuesday, June 13, 2023 11:23 AM  
**To:** svpdds@gmail.com  
**Subject:** RE: 118 N. Palmetto

Good morning and thank you for your email.

While the landscaping is a City function, we will include your letter and questions in our summary to the City and note that we would appreciate them providing a follow-up to you.

We thank you for your support.

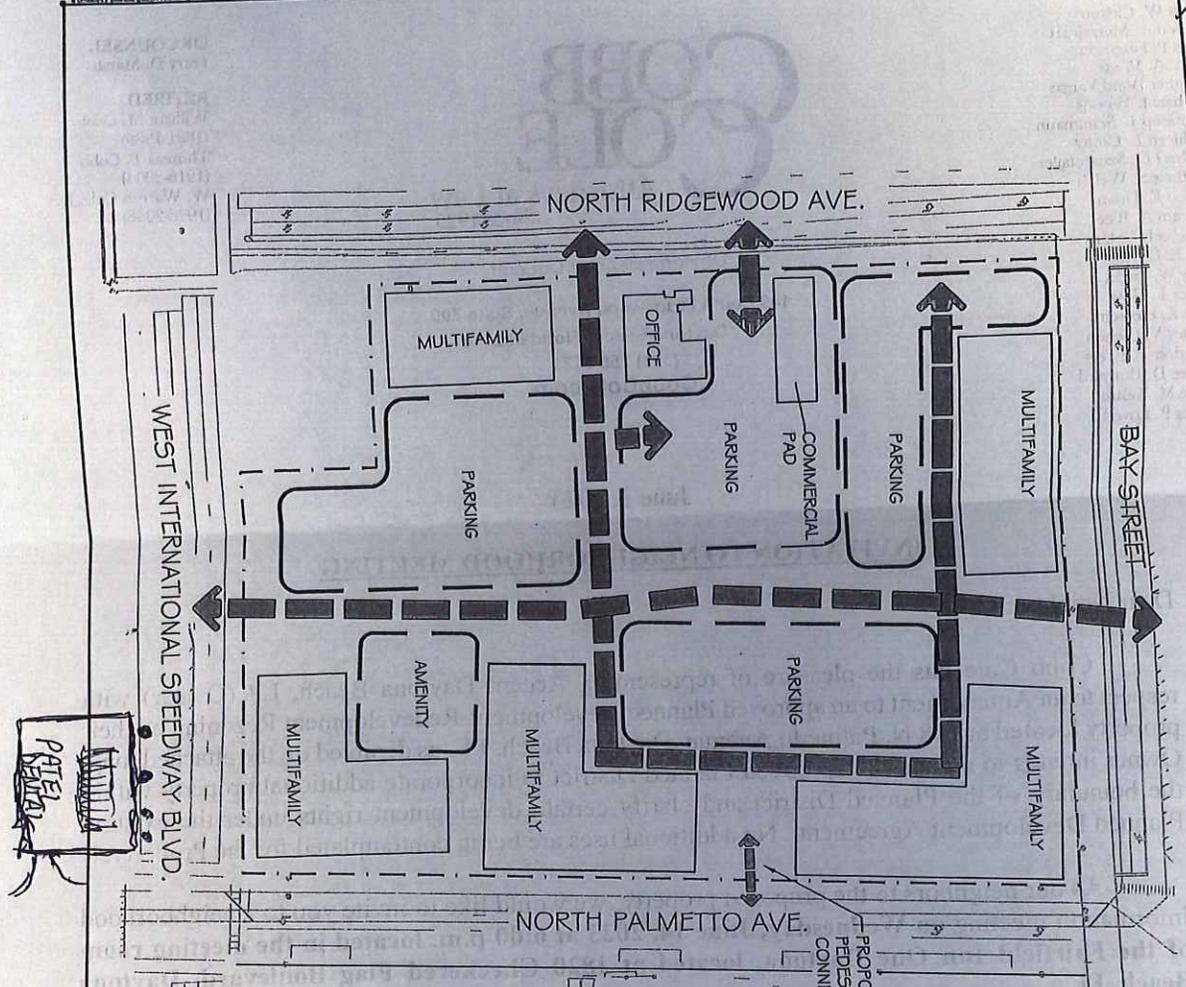
Thanks!

Deb.

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**From:** Sandeep Patel <svpdds@gmail.com>  
**Sent:** Tuesday, June 6, 2023 12:59 PM  
**To:** Debi LaCroix <Debi.Lacroix@cobbcole.com>  
**Subject:** Re: 118 N. Palmetto

*SANDER PATEL 305.494.5002 Thanks Building? SWYA & MILAN PROPERTIES*



*now that we have your new beautiful development and my (owner) new*



- NOTES:**
1. EXISTING MUNICIPAL STORMWATER SYSTEMS TO BE MODIFIED IN ACCORDANCE WITH THE LDC.
  2. SITE IS LOCATED WITHIN FLOOD ZONE AE & X. IT HAS BEEN DETERMINED BY STAFF THAT COMPENSATING STORAGE WILL NOT BE REQUIRED CONSIDERING THE SITE IS TIDALLY INFLUENCED.
  3. ALL EXISTING DRAINAGE PATTERNS OF OFF-SITE PROPERTIES SHALL BE MAINTAINED OR ACCOMMODATED WITHIN THE PROPOSED STORMWATER MANAGEMENT SYSTEM.
  4. ALL APPLICABLE FEDERAL AND STATE PERMITS SHALL BE OBTAINED.
  5. ANY EXISTING OR PROPOSED UTILITIES TO BE PUBLIC SHALL BE LOCATED WITHIN AN EASEMENT OR PUBLIC RIGHT-OF-WAY.
  6. STORMWATER AND UTILITY CONNECTIONS POINTS AND SIZES TO BE DETERMINED WITH SITE DESIGN.
  7. USES AND AREAS SHOWN ARE FOR PLANNING PURPOSES ONLY. ACTUAL USES AND LOCATIONS WILL BE DETERMINED AT SITE PLAN. SETBACKS WILL BE DESCRIBED IN THE AGREEMENT OR AS DETERMINED BY CODE.

- LEGEND:**
- PROPOSED ACCESS
  - PROPOSED USE
  - PROPOSED PD BOUNDARY

*It's there and I plan to have a beautiful street looking I have terrible that I know I have (city's) do any who I can't about. who I can't to, or can't*

<p><b>PROJECT DELTA WEST PD EXHIBIT 1ST AMENDMENT</b></p>		<p>CIVIL ENGINEERING LANDSCAPE ARCHITECTURE ENVIRONMENTAL PLANNING TRANSPORTATION</p>	<p>ZEV COHEN &amp; ASSOCIATES, P.A. 10000 W. BAYVIEW BLVD., SUITE 100 DADE COUNTY, FL 33147 WWW.ZEVCOHEN.COM</p>
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*we get the city to improve both sides of the street*

Hello, I received your invitation to the neighborhood meeting regarding the 118 N. Palmetto property. I'm excited to see the development progressing and for what it's worth the owners have my full support to get whatever they want accomplished done.

I'm not sure if I can make it to the meeting with my schedule but will try. I wanted to comment about the city part of the street landscaping. With the new development across the street from my office, is it possible to improve the streetscaping on both sides of ISB between Ridgewood and Palmetto ? The city owned trees in front of my building look terrible, but I don't think I'm allowed to do anything about them. The block directly east of me on ISB has street lamps but they end at Palmetto. Continuity would look nice.

I don't know if this is the place to have this conversation, but either way any guidance on how to get this addressed and possibly passed on to the developers would be greatly appreciated. Thanks!

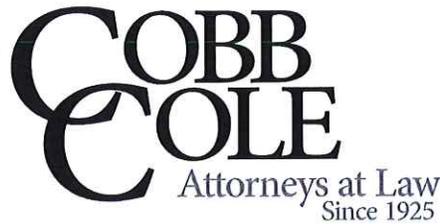
Also are you able to share any renderings of what the finished project will look like (I'm just curious to see it). If not, I totally understand.

Sandeep V. Patel, DDS, FAGD  
(Surya & Millan Properties, LLC)  
201. W International Speedway Blvd  
Daytona Beach, FL 32114  
cell (305.494.5002)

--

Sent from Gmail Mobile

Scott W. Cichon  
Robert A. Merrell III  
John P. Ferguson  
Mark A. Watts  
Heather Bond Vargas  
Michael J. Woods  
Raymond L. Schumann  
Kathleen L. Crotty  
Michael O. Sznajstajler  
Matthew S. Welch  
Robert E. Doan  
William A. Rice  
Douglas J. Collins  
Sara E. Glover  
Holly W. Zitzka  
Jessica L. Gow  
Nika K. Hosseini  
Sydney V. Cichon  
Brandon T. Byers  
Baylee D. Bunyard  
Anne M. Kehrl  
James P. Love III



OF COUNSEL  
Larry D. Marsh  
  
RETIRED  
William M. Cobb  
(1881-1939)  
Thomas T. Cobb  
(1916-2004)  
W. Warren Cole, Jr.  
(1926-2008)

Daytona Beach • DeLand  
  
149 South Ridgewood Avenue, Suite 700  
Daytona Beach, Florida 32114  
(386) 255-8171  
CobbCole.com

June 1, 2023

**INVITATION TO NEIGHBORHOOD MEETING**

Dear Neighbor:

Cobb Cole has the pleasure of representing Accent Daytona Beach, LP (Owner) with respect to an Amendment to an approved Planned Development-Redevelopment Rezoning on their property located at 118 N. Palmetto Avenue, Daytona Beach, FL, as depicted on the attached map. Owner intends to amend the approved Planned District to incorporate additional property within the boundary of the Planned District and clarify certain development rights under the existing Planned Development Agreement. No additional uses are being contemplated for the Property.

As our neighbors to the proposed property, we would like to invite you to a neighborhood information meeting on **Wednesday, June 14, 2023 at 6:00 p.m. located in the meeting room of the Fairfield Inn One Daytona, located at 1820 Checkered Flag Boulevard, Daytona Beach, FL.**

**You may provide written comments or questions regarding this request by email to Debi.LaCroix@CobbCole.com or by letter to Debi LaCroix, CLA, Cobb Cole, 149 S. Ridgewood Avenue, Suite 700, Daytona Beach, FL 32114. Please include your name, address and contact information in your correspondence.**

We look forward to your attendance at this meeting and discussing the proposed project.

Sincerely,

**Jessica L. Gow**  
Direct Dial (386) 323-9225  
Email [Jessica.Gow@CobbCole.com](mailto:Jessica.Gow@CobbCole.com)  
Fax (386) 323-9206

JLG/ddl  
Enclosure(s)



HORNER-SMITH LLP ATTN FRANK MALONEY CFO  
9500 S. Dadeland Blvd., #800  
Miami, FL 33156

RIVERLAND GAS & OIL INC  
P.O. Box 1159  
Deerfield, IL 60015

SKY POWER LLC  
1700 S. Ocean Blvd., Apt. 5D  
Pompano Beach, FL 33062

BURGER KING COMPANY LLC  
5757 Blue Lagoon Dr.  
Miami, FL 33126

L A SAUER CENTER LLC  
5070 Cape Cole Blvd.  
Punta Gorda, FL 33955

TL3 DAYTONA LLC  
P.O. Box 730788  
Ormond Beach, FL 32173

PAUL S PHILLOS LLC C/O CVS #17401 STORE ACCT  
1 CVS Dr., MC 2320  
Woonsocket, RI 02895

114 PALMETTO LLC  
2433 S. Palmetto Ave.  
South Daytona, FL 32119

SURYA & MILLAN PROPERTIES LLC  
201 W. International Speedway Blvd.  
Daytona Beach, FL 32114

BURGOYNE PROPERTIES LTD  
1010 E. Adams St.  
Jacksonville, FL 32202

ROSENFELD VIRGIL TR  
5208 Mt. Plymouth Rd.  
Apopka, FL 32712

FRALAU INVESTMENTS LLC  
31 Lake Vista Way  
Ormond Beach, FL 32174

232 BAY LLC  
125 N. Ridgewood Ave., Ste. 100  
Daytona Beach, FL 32114

HOUSING AUTHORITY OF DAYTONA BEACH  
211 N. Ridgewood Ave., Ste. 200  
Daytona Beach, FL 32114

STATE OF FLORIDA TITF C/O DEPT OF MGMT SERV  
4050 Esplanade Way, Ste. 315  
Tallahassee, FL 32399

COUNTY OF VOLUSIA  
123 W. Indiana Ave.  
DeLand, FL 32720

GAMINDE EPIFANIO IX  
114 San Lucia Dr.  
DeBary, FL 32713

DAYTONA RIDGEWOOD LLC  
1401 Broad St.  
Clifton, NJ 07013

WGT INC  
6595 Kyrkham Ct.  
Sanford, FL 32771

TOOLE MICHAEL K  
138 W. International Speedway Blvd.  
Daytona Beach, FL 32114

PATE JOHN  
90 Dix Ave.  
Ormond Beach, FL 32174

142 ISB LLC  
P.O. Box 248  
Daytona Beach, FL 32115

MASTERSON DAVID  
146 W. International Speedway Blvd.  
Daytona Beach, FL 32114

PAI IN THE SKY LLC  
48 Nicholas Ct.  
Ormond Beach, FL 32176

PARKERSTARK MANAGEMENT LLC  
23 Riverside Dr., #501  
Holly Hill, FL 32117

115 SOUTH PALMETTO LLC  
101 S. Palmetto Ave., Ste. 2  
Daytona Beach, FL 32114

SONG BYUNG GU  
135 International Speedway Blvd.  
Daytona Beach, FL 32114

RAYMOND WILLIAM  
871 N. Halifax Ave.  
Ormond Beach, FL 32176

RAMIREZ RENATO  
152 Flomich St.  
Daytona Beach, FL 32117

DON VITOS ITALIAN  
19 E. Lakeside Place  
Palm Coast, FL 32137

MACDOWELL GAREY L  
2354 Green St.  
Daytona Beach, FL 32114

MARTIN KLAYER PROPERTIES LLC  
1197 N. Halifax Ave.  
Daytona Beach, FL 32118

CHANG ANTHONY S K  
310 W. International Speedway Blvd.  
Daytona Beach, FL 32114



**NEIGHBORHOOD MEETING NOTICE**

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON 6/14/23 AT 6:00 PM TO INTRODUCE THE FOLLOWING APPLICATION FOR THIS PROPERTY:

PD Amendment Develoaa-174

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Kingsfield Trac, One Douglas, 1820 Chestnut Hwy, 780

INTERESTED PARTIES CAN CONTACT Cobb Cole AT 386 323-9244 FOR FURTHER INFORMATION.



**NEIGHBORHOOD MEETING NOTICE**

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON  
6/14/23 AT 6:00 PM TO INTRODUCE THE

FOLLOWING APPLICATION FOR THIS PROPERTY:

PD Amendment Dev 2022-174

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Fairfield Inn, One Dayton, 1800 Cherokee Blvd

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 386/328-9244 FOR FURTHER INFORMATION

# NEIGHBORHOOD MEETING NOTICE

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON 6/14/23 AT 6:00 PM TO INTRODUCE THE

FOLLOWING APPLICATION FOR THIS PROPERTY:

PD Amendment DeVa~~aa~~-174

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Fairfield Inn; One Day Inn, 1830 Chesapeake Hwy, 28

INTERESTED PARTIES CAN CONTACT Cobb Cok

AT 386/323-9244 FOR FURTHER INFORMATION.

**NEIGHBORHOOD MEETING NOTICE**

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON  
6/14/23 AT 6:00 PM TO INTRODUCE THE  
FOLLOWING APPLICATION FOR THIS PROPERTY:

PD Amendment Dev2022-174

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Kwikfield Inn, One Douglas, 1820 Chestnut Ave, DB

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 386/333-9244 FOR FURTHER INFORMATION.

**DOWNTOWN REDEVELOPMENT BOARD  
MINUTES  
Tuesday September 10<sup>th</sup> 2024**

The regular meeting of the Downtown Redevelopment Board was held on Tuesday September 10<sup>th</sup>, 2024, at 12:00 p.m. The meeting was held in the City Commission Chambers, Daytona Beach City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following People were present:

**Board Members Present:**

Mr. Kenneth Hunt, Chair  
Mr. Pete Zahn, Vice Chair  
Mr. John Kamchan  
Ms. Sheryl Cook  
Mr. Javier Benavente

**Board Members Absent:**

Mr. Jake Nicely  
Mr. Tibor Benke  
Mr. James Newman

**Staff Members Present:**

Mr. Ken Thomas, Redevelopment Director  
Mr. Anthony Jackson, Deputy City Attorney  
Ms. Michele Toliver, Redevelopment Project Manager  
Mrs. Angela Armstrong, Redevelopment Project Manager  
Ms. Phebe Fuqua, Redevelopment Project Manager  
Mrs. Mandana Carry, Office Specialist III

**1. Call to Order**

Mr. Hunt called the meeting to order at 12:02 p.m.

**2. Roll Call**

Mrs. Carry called roll and noted members present as stated above.

**3. Pledge of Allegiance**

The Pledge of Allegiance was stated by the board.

**4. Approval of Minutes**

A motion was made to approve the minutes from August 6<sup>th</sup>, 2024, by Mr. Zahn, seconded by Ms. Cook. The motion was carried 5-0.

## 5. Police Report

Captain Nikolow presented the police report covering August 15<sup>th</sup> to September 4<sup>th</sup>. He submits these reports every two weeks to the chief, who then sends them to the city manager. He also noted that they are still waiting for the county's programs to start tracking statistics and conducting special analysis.

During this period, the district responded to 1,774 calls, wrote 315 reports, made 44 felony and 93 misdemeanor arrests, conducted 412 traffic stops, issued 323 tickets, and completed 355 field interview cards and 42 courtesy cards. They also towed 29 vehicles, responded to 53 crashes, made 3 DUI arrests, and handled 24 city ordinance violations. There were 19 arrests for trespassing in parks, 24 for domestic violence, 4 aggravated assaults, and 5 burglaries (3 of which led to arrests). Of the 4 car break-ins, one resulted in an arrest. He reported no major crimes during this time, which is positive for the area.

Officers continued monitoring parks and the area under the bridge for quality-of-life issues, leading to 32 arrests. They also monitored the Jackie Robinson Bridge during games and events, resulting in 11 arrests. The police are working with Walgreens, The Speedway, and Ridgewood to install "No Trespassing" signs, though panhandling enforcement has been challenging.

At the Heritage Inn, the police collaborated with code enforcement to address violations. Lieutenant Harris contacted Ms. Fuqua to explore city grants for bringing the property into compliance. Recent operations led to 3 felony arrests, 1 misdemeanor arrest, and warrant checks for tenants.

A recent traffic initiative focused on school zones and pedestrian safety, resulting in 163 traffic stops and 141 citations. Officers also addressed a beachside complaint on North Halifax.

Upcoming events include Trucktoberfest, Biketoberfest, and Bethune-Cookman University's homecoming, for which they are planning increased staffing and overtime. They're still awaiting confirmation on whether the pep rally will be held at Jackie Robinson Stadium.

Ms. Cook asked whether the current numbers were higher or lower compared to the past. Captain Nikolow responded that the area hasn't experienced many major crimes during his tenure. He noted that most issues are related to quality-of-life concerns. He also mentioned that the security company has been a valuable support to the police department.

## 6. Presentations

### 6. A. Delta West/Accent Daytona

Mr. Mrozek mentioned that the agenda needed to be amended because the item under discussion was a request to rezone, which requires an amendment to an existing Planned Development.

Mr. Benavente made a motion to amend the agenda to include the item for a public hearing, which was seconded by Ms. Cook. The motion was carried 5-0.

## **6. B. 400 S Beach Street-Framework**

Ms. Fuqua gave an update on the Framework project, specifically regarding the 400 S Beach Street apartments. She noted that in December 2021, the City of Daytona Beach CRA and the City Commission approved the Framework Downtown Redevelopment Incentive Agreement. By March 2022, the City Commission also approved the Framework Downtown Planned District Agreement and PD-RD rezoning. The site has since been cleared for redevelopment, with plans for 350 dwelling units and parking in compliance with the Land Development Code. The building design meets city thoroughfare and PD standards.

As of January 4, 2022, the Downtown Redevelopment Board recommended the project for approval. Philip Smith, President of Framework Group, LLC, announced that they decided to scrap the phased development plan, speeding up the overall timeline for both the start and completion of the project.

Jessica Gow from Cobb Cole confirmed that the project renderings have not changed. She explained that they recently held a groundbreaking for the demolition of the former buildings on the site. The project is part of an incentive agreement with the city, offering a tax rebate program through the CRA. However, if Framework couldn't complete the construction and the lender had to step in, the incentive agreement would not be transferable to the lender. They worked with the city's legal team to amend this agreement, which was approved by the City Commission about a month ago. Now, with financing in place and permits issued, foundations are being poured. Ms. Gow stated that the estimated construction timeline is 12-18 months, with some staggered certificates of occupancy.

## **6. C. Daytona Beach Fire Headquarters**

Ms. Fuqua provided an update on the proposed fire station, which will be located on Ridgewood, with the back of the building on Seagrave. Mr. Zahn asked about the next steps for the project. Ms. Fuqua explained that they are finalizing the site plan, with only minor modifications needed before moving forward to break ground.

Mr. Mrozek added that the site plan for the fire station had already been approved by the City Commission as part of a public use permit, and the requirement for the plan to go before redevelopment boards was waived because the site falls within two different redevelopment areas. The site plan was approved based on staff review, so it won't return to the board. A \$10 million grant has been secured to assist with the project. While no specific timeline for completion is available, the estimate is a couple of years.

The project engineer shared that a pre-construction meeting was held the day before. They plan to start construction after getting the final building permit and funding approval from the City Commission in early October. The construction is expected to take 16-18 months, with the fire station likely opening in early 2026.

### **6. D. Quasi-Judicial Hearing Accent Daytona/Delta West Development Plan**

Ms. Fuqua presented a request to rezone 10.2 acres from Planned Development-Redevelopment (PD-RD) to support a mixed-use development, which will include residential, retail, and workforce housing. The proposal involves vacating the rights-of-way for York Court and Dowling Court to make room for 300 units, with some allocated for workforce housing at 120% of the Area Median Income and housing for first responders. The development also features enhanced landscaping along Ridgewood Avenue, along with parking additions on Bay Street and Palmetto Avenue. A public hearing with the City Commission will be scheduled alongside the right-of-way vacation.

Staff determined that the proposed rezoning complies with sections 3.4D.3 and 4.8.B of the Land Development Code. They recommend that the Downtown Redevelopment Board forward the rezoning request to the City Commission with a recommendation for approval. The 10.2-acre property is located at the intersection of Ridgewood Avenue and International Speedway Boulevard.

The area is currently zoned PD-RD, with a future designation for mixed-use development. Nearby land uses include residential mixed-use to the north (RD PD2), commercial mixed-use to the south (RD-D3), and commercial/residential mixed-use to the east (PD-RD). To the west is a public park within the RD-D3 zone.

The proposal includes several waivers, particularly for building height, parking ratios, and road modifications, which are considered justified and necessary for the project. The allocation of workforce and first responder housing is still under negotiation with the developer. The project aligns with the city's goals of providing affordable and moderate-income housing and fostering an inclusive residential environment. The development is also consistent with surrounding residential and commercial areas and is expected to enhance the vibrancy of the area by increasing foot traffic and supporting local commerce.

Staff recommends that the Downtown Redevelopment Board forward the rezoning request to the City Commission with a recommendation for approval.

Mr. Benavente asked about the impact of vacating Dowling Court on the office building at the northeast corner of Dowling Court and Ridgewood, specifically how it would affect the property owner. Mr. Mrozek confirmed that discussions with the business owner are still ongoing.

Ms. Gow clarified that the property in question is 6.86 acres, not 10.2 acres as previously stated, with 0.3 acres including Jack White’s office building. Mr. White has been consulted and is involved in the rezoning amendment. She corrected that there is no waiver for building height since it was already approved in the original development plan.

The amendment focuses on three main goals:

1. Revising the signage for the multifamily development to 1,120 square feet, with future commercial development following the Land Development Code.
2. Addressing parking needs by improving Palmetto Avenue and adding on-street parking. Over two-thirds of the proposed units will be one-bedroom, with one parking space per bedroom. Additionally, 115 more parking spaces are available within a block of the site.
3. Promoting alternative transportation by lowering the parking ratio, as the project targets residents who may not need a car due to the downtown location.

Mr. Benavente then asked if the city has tools to incentivize future retail development. Ms. Fuqua confirmed that discussions are ongoing to provide incentives for boosting commerce in the area.

Mr. Brown expressed that he's been working for over two years to bring a grocery store downtown but has found that vendors are waiting for the population to increase. He believes the proposed project will help achieve that goal.

Mr. Benavente suggested that a pedestrian bridge would improve safety when crossing International Speedway Boulevard. Ms. Gow mentioned that there is already a crosswalk at Beach Street and ISB, but it’s rarely used due to the high speed of traffic, making people afraid to cross.

John Nicholson, 413 N Grandview Avenue, raised concerns about redevelopment. He noted that there were plans to build a private building behind McKay’s, but the inclusion of housing—specifically HUD housing—was insisted upon. Mr. Nicholson argued that people in HUD housing typically don’t have the disposable income to support nearby restaurants and businesses, making redevelopment challenging. He also mentioned missed opportunities for apartments and a parking garage in the same location, which the mayor opted to convert into HUD housing. Mr. Nicholson warned against placing low-income residents in redevelopment areas, as it may hinder progress. He also criticized open parking in downtown as a waste of valuable land and urged caution in planning for empty spaces.

Mr. Zahn made a motion, seconded by Mr. Kamchan, to forward the rezoning of the 6.86 acres from PD-RD to PD-RD to the planning board and the city commission with a recommendation for approval. The motion was carried 5-0.

## 7. Staff Reports

### 7. A. Public Works Report

Ms. Fuqua presented the public works report, noting it included updates on projects that the board had inquired about. She emphasized that this was just a portion of the public works' ongoing projects and encouraged the board to request more detailed information on specific projects in advance if needed.

Mr. Benavente asked for an update on the bridge being constructed to the library and its expected completion date. Ms. Fuqua mentioned she was unsure but would find out. He also inquired if special events would block access to the electric vehicle charging station on Magnolia. Ms. Fuqua explained that the only event that may affect it is the closure of Magnolia every first Friday. However, she pointed out that there's a Blink app to notify users of alternative charging stations, including one at city hall.

Ms. Cook requested an update on the Jackie Robinson project. Ms. Fuqua confirmed that ground was broken two weeks ago and promised to keep providing updates.

Ms. Cook also raised concerns about flooding issues on Palmetto, Magnolia, and Beach Street, pointing out how cars were submerged, and people had to drive the wrong way to exit Downtown. She stressed that if no action is taken, they could face significant problems during hurricanes. She asked whether new buildings would be required to have their properties raised. Ms. Fuqua responded that any new development must adhere to FEMA reports on base flood elevation. Developers must go through a Technical Review Team process to address these concerns before proceeding. She assured the board that staff was aware of the flooding issues, and many business owners had reported them via the SeeClickFix app, prompting staff to respond. She also mentioned efforts to be proactive, such as adding flood signage in vulnerable areas.

### 7. B. Code Enforcement Report

Mark Jones, the code enforcement supervisor, gave an informal report on their efforts along the Ridgewood corridor. His team is working on maintaining the appearance of businesses, including tasks like painting, signage, and landscaping. They have a dedicated group of inspectors focusing on commercial properties, noting improvements such as the enhanced appearance of the Dollar General store.

Ms. Cook inquired about a sign posted on May 14<sup>th</sup> at the old Ritzy building, questioning why it's still there with no visible progress. Mr. Jones explained that their procedure involves sending certified mail to the property owner. If the mail is not accepted, they post a notice on the building. If no action is taken after a certain period, the issue goes to a hearing.

Ms. Cook mentioned she had contacted the building’s realtor and noted that while work is ongoing in the back, the front windows are deteriorating and look unappealing compared to other properties. Mr. Jones promised to investigate further.

Ms. Fuqua asked Mr. Jones about the flags, signage, and banners on medians, which had been a concern. Mr. Jones responded that their standard procedure is to remove such items from the medians. He advised reporting these issues via SeeClickFix or by calling the code compliance number. He also noted that sometimes removed signs are put back in place.

### **7. C. Downtown Security Report**

Ms. Fuqua provided an update on the security report, noting that security personnel are serving as ambassadors to enhance their role in providing resources and support. They are diligently taking notes and including them in their daily reports to staff. She announced an emergency contact number for the Downtown CRA Shops of Daytona Beach: 904-889-0883. This number is intended for emergency use only. For more serious issues that might require arrests, she emphasized the importance of calling 911.

### **7. D. Redevelopment Project Manager Report**

Ms. Fuqua provided updates on several initiatives. The Triage Program currently has over 50 applicants. This program is designed to assess and support businesses by identifying areas where they need help. She also announced a meet-and-greet event for program participants, which will facilitate networking and attract additional members.

Applications for outdoor seating are now being accepted, and two restaurants are already in the process. She encouraged other businesses interested in outdoor seating to apply to ensure compliance. There is also a grant program available to help cover some of the costs of enhancing outdoor seating. She noted that some business owners have not yet responded and that the grace period for compliance will soon end.

Ms. Fuqua also discussed upcoming events, noting that information can be found on both the city and DDA websites. She encouraged everyone to review the strategic plan for downtown and Ballough and to highlight or ask questions about specific aspects if needed.

Additionally, Mr. Benavente requested that security reports be sent via email only, in order to reduce paper waste.

## **8. Public Comments**

John Nicholson, 413 N Grandview Avenue, expressed his concerns and suggestions regarding downtown development. He highlighted that the city is investing \$30 million into City Island, while Hyatt Brown is contributing \$37 million to Beach Street.

However, he noted that this investment creates a gap in the middle of downtown, as Beach Street will extend only to Main Street, leaving a void.

Mr. Nicholson urged the board to push for improvements to City Island to ensure that it complements the downtown area's development. He proposed planting large trees to create a well-established park and make the area more appealing. Additionally, he stressed the need to plan and enhance the streetscapes from Mason Avenue to the Marina, which he believes looks terrible at present.

He also recommended that the city acquire riverfront properties to develop them, creating more attractions and activities throughout downtown to make the area more vibrant and engaging.

**9. Board Comments**

Mr. Zahn emphasized the need for precise language in recommendations to prevent confusion and ensure clarity, expressing frustration with the lack of clear wording.

Mr. Jackson clarified that there is no public notice requirement for the redevelopment board to consider in this particular situation.

**10. Adjournment**

The meeting was adjourned at 1:54 p.m.

\_\_\_\_\_  
Mr. Kenneth Hunt, Chair

\_\_\_\_\_  
Ms. Chernelia Stuart, Board Secretary

Agenda Item: Quasi-Judicial Hearing  
Planned Development-General (PD-G) Rezoning  
DEV2022-174  
Delta West Accent Daytona PD

## STAFF REPORT

MEETING DATE: TBD (Planning Board)

REPORT DATE: September 17, 2024

SUBJECT: DEV2022-174 Delta West Accent Daytona PD-G Rezoning

APPLICANT: Delta West Development LLC

OWNER: Delta West Development LLC

STAFF: Phebe Fuqua, Redevelopment Project Manager

## SUMMARY OF REQUEST

This request is for a rezoning of ±6.86 acres of land from PD-RD to Planned Development-General (PD-RD) to facilitate a mixed-use development consisting of commercial retail, workforce housing, and public amenities. The proposed development will include:

- 50 workforce housing units (120% AMI).
- 2 housing units for first responders, to be awarded through a lottery.
- Enhanced landscaping along Ridgewood Avenue.
- Commercial spaces to support local retail.
- Vacating of right-of-ways for York Court and Dowling Court as part of the development process.

The developer wishes to proceed to public hearings pending the completion of the right-of-way vacation for York Court and Dowling Court.

Staff Recommendation: Staff finds that the requested rezone complies with the requirements of Sections 3.4.D.3 and 4.8.B of the Land Development Code (LDC). Staff recommends the Planning Board forward the rezoning of ±6.86 acres from Commercial (C) and Residential-20 (R-20) to Planned Development-General (PD-G) to the City Commission with a recommendation of approval.

## SITE INFORMATION

Location: Intersection of Ridgewood Avenue and International Speedway Boulevard

Parcel No(s): 5339-01-08-0012, 5339-01-08-0020, 5339-01-08-0022, 5339-01-08-0060, 5339-01-08-0061, 5339-01-08-0064, 5339-11-00-0080, 5339-12-00-0010, 5339-12-00-0070, 5339-12-00-0080, 5339-12-00-0090, 5339-01-08-0042, 5339-01-08-0050

Property Size: ±6.86 acres

Existing Zoning: Commercial (C) and Residential-20 (R-20)

Existing Future Land Use: Mixed-Use

Adjacent Land Use and Zoning:

Location	Existing Use	Future Land Use	Existing Zoning
North	Residential	Mixed-Use R-20	
South	Commercial	Mixed-Use C	
East	Commercial/Residential	Mixed-Use	C/R-20
West	Public Park	N/A P	

### PROJECT DESCRIPTION AND HISTORY

The Delta West Accent Daytona project proposes a mixed-use development on the subject property, incorporating residential, commercial, and workforce housing elements. The development is designed to align with the broader goals of the Downtown CRA redevelopment plan. Key components of the project include:

- 50 workforce housing units (30 units at 120% AMI) as part of Phase 1.
- 2 housing units specifically designated for first responders, to be awarded through a lottery process.
- Additional landscaping along the Ridgewood corridor, enhancing the streetscape and promoting walkability.
- The development will support local businesses through the inclusion of retail spaces in Phase 2.

As part of the request, the applicant seeks to vacate the rights-of-way for York Court and Dowling Court to enable cohesive development of the site. A public hearing will proceed upon successful vacation of these rights-of-way.

### PROJECT ANALYSIS

#### 1. Site-Specific Zoning District Map Amendment Review Standards

According to Section 3.4.D.3 of the Land Development Code (LDC), the City shall consider the following criteria when determining whether to adopt or deny the proposed amendment:

##### a. Consistency with the Comprehensive Plan

The project is consistent with the goals and objectives of the City’s Comprehensive Plan, particularly with the Mixed-Use Future Land Use designation. It furthers the goals of increasing affordable housing options, enhancing public spaces, and promoting commercial growth.

##### b. Compliance with the Land Development Code

The project includes requested modifications to standard LDC requirements, such as increased building height, adjusted parking ratios, and additional landscape requirements. These modifications have been justified and will not adversely affect the surrounding community.

c. Addressing Community Needs

This project addresses a critical community need by providing workforce housing and affordable living spaces. Additionally, the inclusion of two housing units for first responders contributes to the city's efforts to support essential workers.

d. Compatibility with Surrounding Uses

The proposed development is compatible with the surrounding uses, which include residential, commercial, and recreational properties. The project will serve as a catalyst for economic development in the downtown CRA area, promoting foot traffic and enhancing the local economy.

e. Logical and Orderly Development Pattern

The development plan is consistent with the city's vision for the downtown CRA. The phased approach ensures that development progresses in a structured manner, contributing to an orderly pattern of growth.

f. Impact on Property Values

Staff does not anticipate any negative impact on property values in the area. The introduction of new housing and commercial opportunities is likely to positively influence property values and the local economy.

g. Public Facilities

The development will be served by existing public infrastructure, including roads, water, wastewater, and stormwater facilities. The developer will be required to secure necessary permits and agreements to ensure that the project does not overburden public facilities.

h. Environmental Impact

The developer is required to undergo the site plan review process, which will include environmental assessments. Staff has not identified any significant adverse environmental impacts associated with the proposed development.

**RECOMMENDATION**

Staff finds that the requested rezoning complies with the applicable criteria outlined in Sections 3.4.D.3 and 4.8.B of the LDC. Staff recommends that the Planning Board forward the rezoning of ±6.86 acres PD-RD to Planned Development-General (PD-RD) to the City Commission with a recommendation of approval.

Agenda Item 4E (Quasi-Judicial Hearing)

Major Site Plan Approval

DEV2023-063

Parcel B – Townhomes @ Tomoka Town Center

**STAFF REPORT**

**MEETING DATE:** September 26, 2024, Planning Board  
**REPORT DATE:** August 28, 2024  
**SUBJECT:** DEV2023-063 Parcel B - Townhomes  
**APPLICANT:** Charlie Potter, PE - AVID Group  
**AVID** Jeffrey W. Preston – Tomoka Town Center 3, LLC  
**STAFF:** Paula M. Long, Planner

**SUMMARY OF REQUEST**

This request is for the approval of a major site plan to construct an 82-unit residential Townhouse community on 7.22 ± acres zoned as Planned Development – General (PD-G).

According to Section 3.4.1.2.b, Site Plan, Land Development Code (LDC), a Major Site Plan approval is required by the Planning Board, if the project is 20,000 square feet or more of gross floor area. The basis of the decision by the Planning Board shall be the site plan’s compliance with the review standards in Section 3.4.1.5, LDC and the Tomoka Town Center Planned District (PD) Agreement.

A majority vote by the Planning Board members present and voting is required to approve the Major Site Plan.

**Staff recommendation:** Staff finds the proposed Major Site Plan meets the review standards in Sections 3.4.1.5, 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.

**SITE INFORMATION**

**Location:** At the intersection of Williamson and Cornerstone Boulevards.  
**Parcel No(s):** 521010000010  
**Property Size:** 7.22± acres  
**Existing Zoning:** PD-G  
**Existing Future Land Use:** Mixed-Use (MU)

**Adjacent Land Use and Zoning:** Existing uses listed in the table below are not intended to be an all-inclusive list, but a general summary of types of uses near the subject property.

	Existing Use(s)	Future Land Use (FLU) Designation	Existing Zoning Classification
Site	Vacant	MU	PD-G
North	Vacant	MU	PD-G
South	Residential	MU	PD-G
East	Vacant	MU	PD-G
West	Commercial/ Entertainment	MU	PD-G

**Aerial View of the Property**



**PROJECT DESCRIPTION**

The Major Site Plan proposes the construction of an 82-unit residential Townhouse community with utility, stormwater drainage and site-related improvements.

The proposed site plan for the property is shown in **Attachment A**.

**PROJECT ANALYSIS**

According to Section 3.4.I.2.b, *Site Plan*, Land Development Code (LDC), a Major Site Plan approval is required by the Planning Board, if the project is 20,000 square feet or more of gross floor area. The basis of the decision by the Planning Board shall be the site plan's compliance with the review standards in Section 3.4.I.5, LDC and the Tomoka Town Center Planned District (PD) Agreement. The analysis of the proposed site plan is below.

**Major Site Plan Review Standards**

Per Section 3.4.I.5, LDC, an application for a Major Site Plan shall be approved only on a finding there is competent substantial evidence in the record that the proposed development meets the review standards as follows:

**a. Is consistent with the Comprehensive Plan.**

The subject property has a Future Land Use (FLU) designation of MU, which allows for the residential. The proposed aforementioned use is consistent with the Comprehensive Plan. The Comprehensive Plan's Neighborhood S policy is satisfied for density maximum being 20 dwelling units per acre (du/ac).

The proposed development is consistent with the Comprehensive Plan and meets this review standard.

**b. Complies with the applicable district, use, and intensity and dimensional standards of this Code.**

The site plan for the development, shown in Attachment A, has been reviewed by the City's Technical Review Team (TRT) for compliance with the applicable provisions in the Tomoka Town Center PD (PD) Agreement and as detailed in the LDC. The TRT has determined the site plan complies with the use, intensity, and dimensional standards of the LDC and PD. The proposed development meets this review standard.

**c. Complies with the applicable development standards of this Code (Article 6).**

The site plan has been reviewed by the City's TRT for compliance with requirements of the LDC & PD. Prior to issuance of a site plan approval letter for the project, the following conditions must be met:

- All technical comments in connection with the Survey must be resolved.
- Final Site Plan documents will reflect resolution of all technical comments.

The details of the site plan are described as follows.

**Site Details**

Site Navigation:

- Vehicle Connections – The project includes two vehicle ingress/egress access point connections on Cornerstone and Williamson Boulevards.
- Pedestrian Connection – Internal sidewalk system connects to both Cornerstone and Williamson Boulevards at the ingress/egress points.

Parking Space Calculations satisfies the LDC & the PD as detailed below:

Required	Proposed	
82 units x 2 parking spaces/unit =164 spaces	Driveways & Garage	164
	Common Area	15
	<b>Total</b>	<b>179</b>

**Lot Development Criteria** (\*\* & \*\*\* criteria amended by the 1<sup>st</sup> & 2<sup>nd</sup> Amendments to the Tomoka Town Center Planned Development Agreement.)

Lot Specifications:

Total Project Area: 314,590 SF 7.22 ± Acres

	Required		Proposed
Number of Units:	Maximum 118		82
Density du/ac.:	Maximum 144		82
Maximum Building Height:	95'	*	29.5'
Minimum Building Setbacks:			
East (Williamson Blvd.) – Scenic Thoroughfare Overlay (STO):	50'		59'
South (Access Road):	0'		19'
North (Cornerstone Blvd.):	15'		15'
West Access:	0'		12'
Minimum Landscape Buffers:			
East (Williamson Blvd.) – Scenic Thoroughfare Overlay (STO):	50'		50'
South (Access Road):	3'		3'
North (Cornerstone Blvd.):	10'		10'
West (Cornerstone Blvd):	3'		3'
Open Space:	10%	**	55.10%

**Proposed Lot Coverage**

Description:	SF		SF	%
Building:	88,068			
Pavement/Concrete/Other Impervious:	61,035			
Vehicle Use Area (VUA):	53,196	Impervious Area:	202,299	64.31%
<b>Total Impervious Area:</b>	<b>202,299</b>	Pervious Area:	112,291	35.69%
		<b>Total Project Area:</b>	<b>314,590</b>	<b>100.00%</b>

**Building Design**

- The proposed buildings and site configuration is consistent with the use. The proposed architectural design is provided in **Attachment B**.
- Landscaping – The detailed landscape plan for the project, shown in **Attachment C**, has been reviewed for compliance with the LDC, as well as the PD, and is found to be acceptable.

**d. Complies with all other applicable standards in this Code.**

City Staff has reviewed the proposed site plan and has found it in compliance with all other applicable standards of the in the LDC and the PD.

**e. Complies with all requirements or conditions of any prior applicable development orders.**

There are no applicable development orders on this property.

**f. Is issued a Concurrency Certificate in accordance with Section 3.4.Z.2.b, Concurrency Certificate Determination Procedure.**

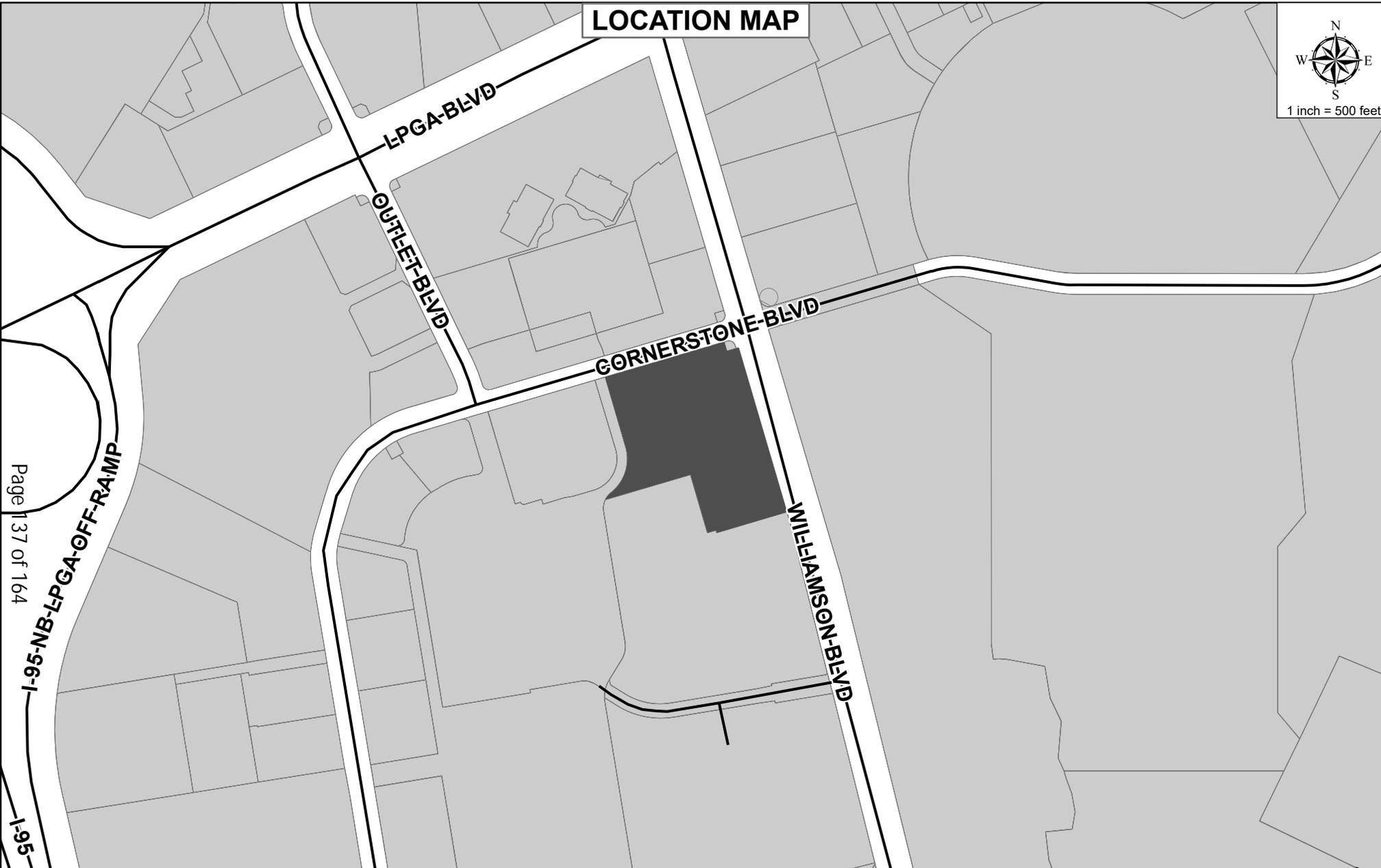
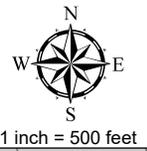
A concurrency application has been submitted and reviewed by staff as part of this application. Staff has found the application to be acceptable.

**RECOMMENDATION**

Staff finds the proposed Major Site Plan meets the review standards in Sections 3.4.1.5, Land Development Code and the Tomoka Town Center Planned District Agreement. Provided all conditions are satisfied, 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.

A majority vote by the Planning Board members present and voting is required to approve the Major Site Plan.

# LOCATION MAP



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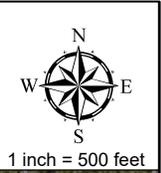


## DEV2023-063 TOMOKA TOWN CENTER SITE TE PLAN LOCATION MAP

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Agenda Item #4.E.

**AERIAL**



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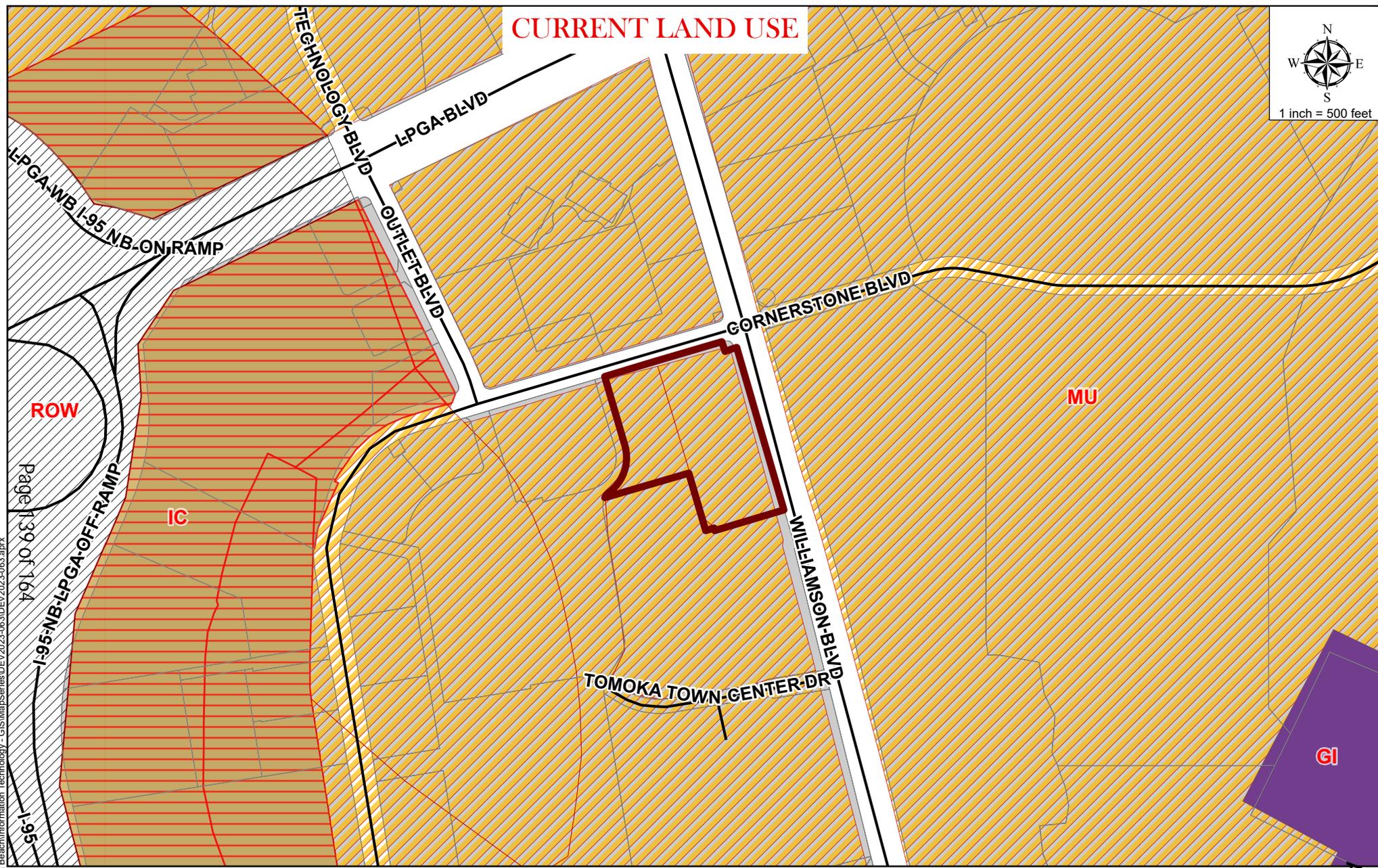
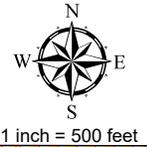


**DEV2023-063  
TOMOKA TOWN CENTER  
SITE TE PLAN  
AERIAL MAP**

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Agenda Item #4.E.

# CURRENT LAND USE



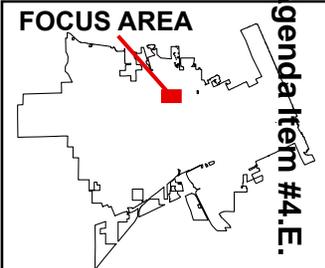
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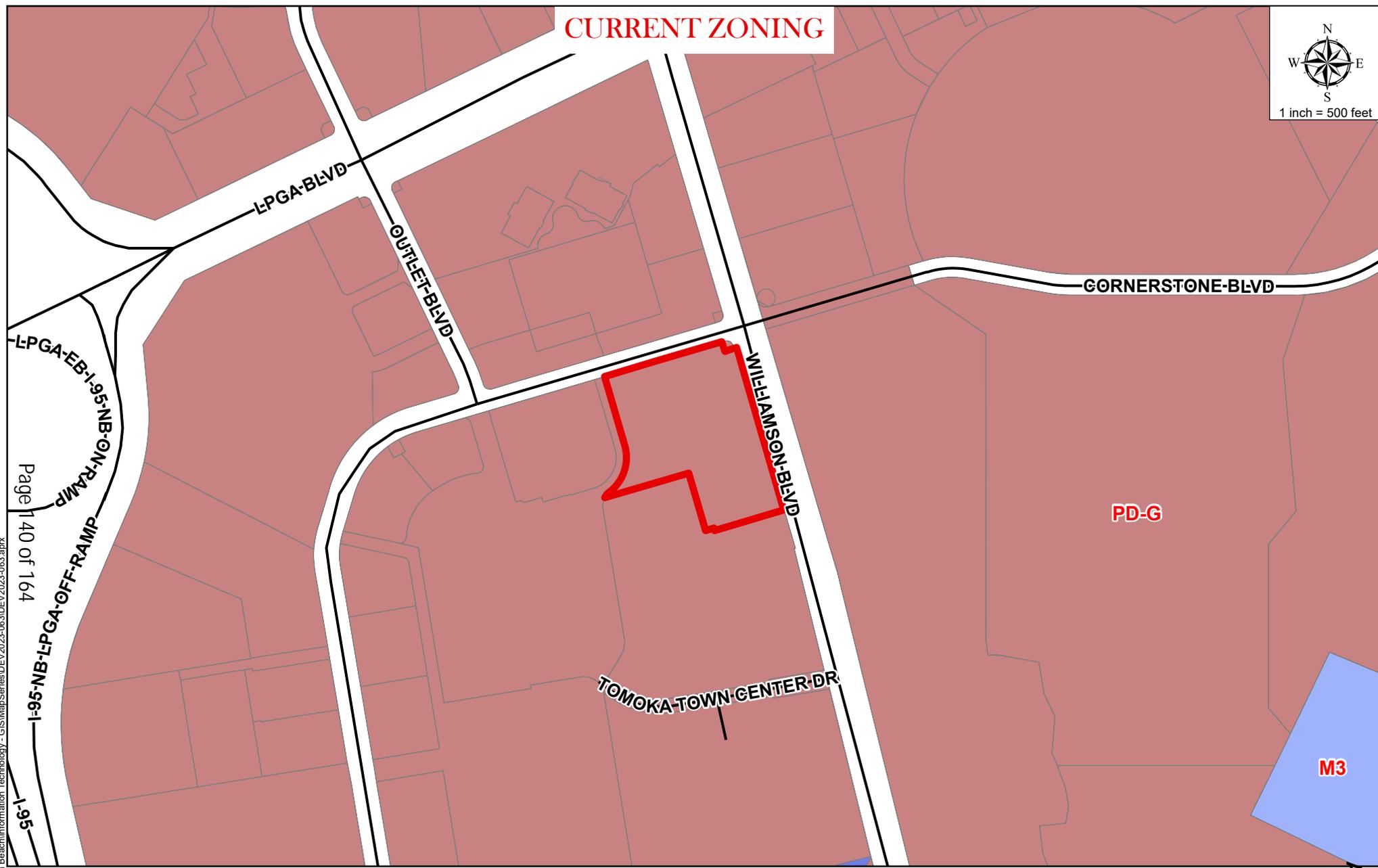
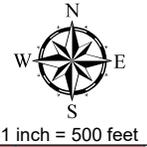
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Agenda Item #4.E.

# CURRENT ZONING



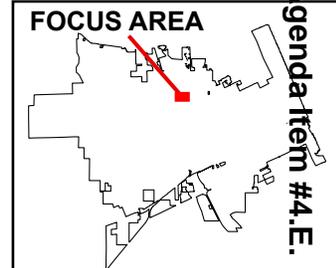
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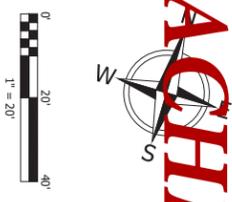
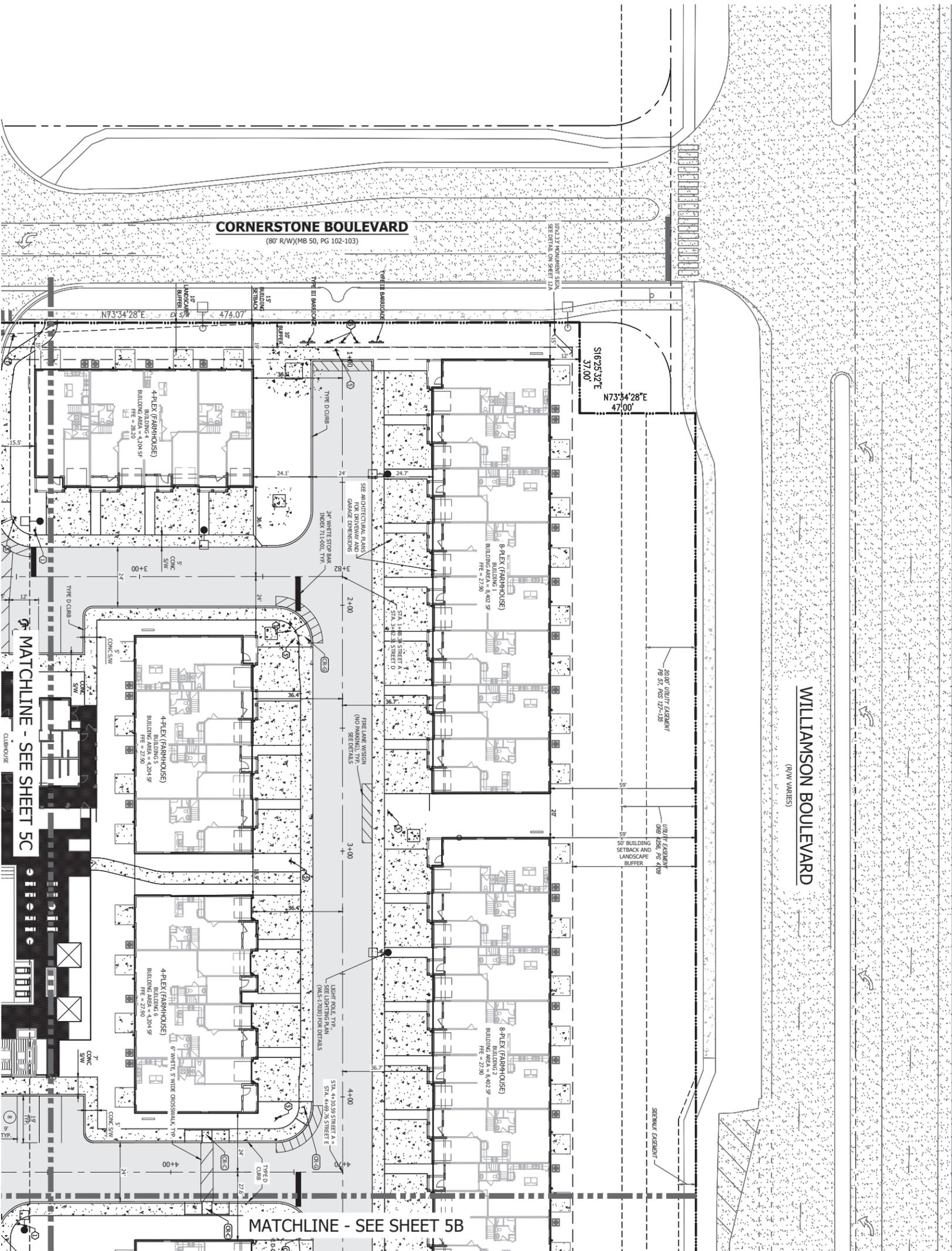


## DEV2023-063 TOMOKA TOWN CENTER SITE TE PLAN CURRENT ZONING MAP

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**ATTACHMENT 'A'**

DAYTONA BEACH  
ID # DEV2023-063

**PARCEL B TOWNHOMES @ TOMOKA TOWN CENTER CITY OF DAYTONA BEACH, FLORIDA**

**HORIZONTAL CONTROL PLAN 1**

**SA**

**TOMOKA TOWN CENTER 3, LLC**

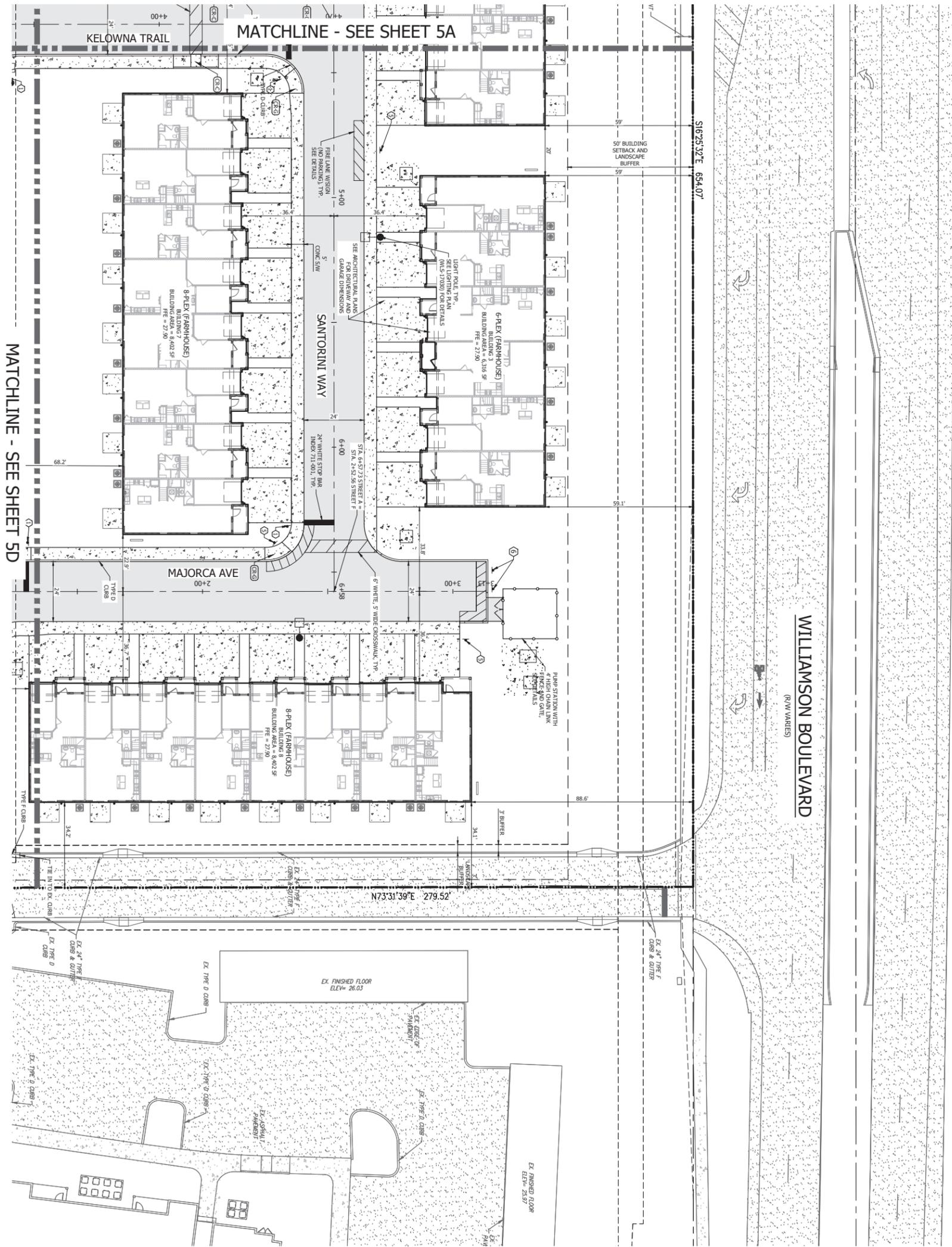
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**CHARLES E. POTTER**  
REGISTERED PROFESSIONAL ENGINEER  
STATE OF FLORIDA  
NO. 84818  
09/08/2024

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**C. POTTER**  
PROJ. #: 2980041  
DATE: 9/6/2024

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ATTACHMENT 'A'

DAYTONA BEACH  
ID # DEV2023-063

**5B**

**PARCEL B TOWNHOMES @ TOMOKA TOWN CENTER CITY OF DAYTONA BEACH, FLORIDA**

**HORIZONTAL CONTROL PLAN 2**

**TOMOKA TOWN CENTER 3, LLC**

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**CHARLES E. POTTER**  
L.T.C.E.  
NO. 84818  
STATE OF FLORIDA  
09/08/2024  
PROFESSIONAL ENGINEER

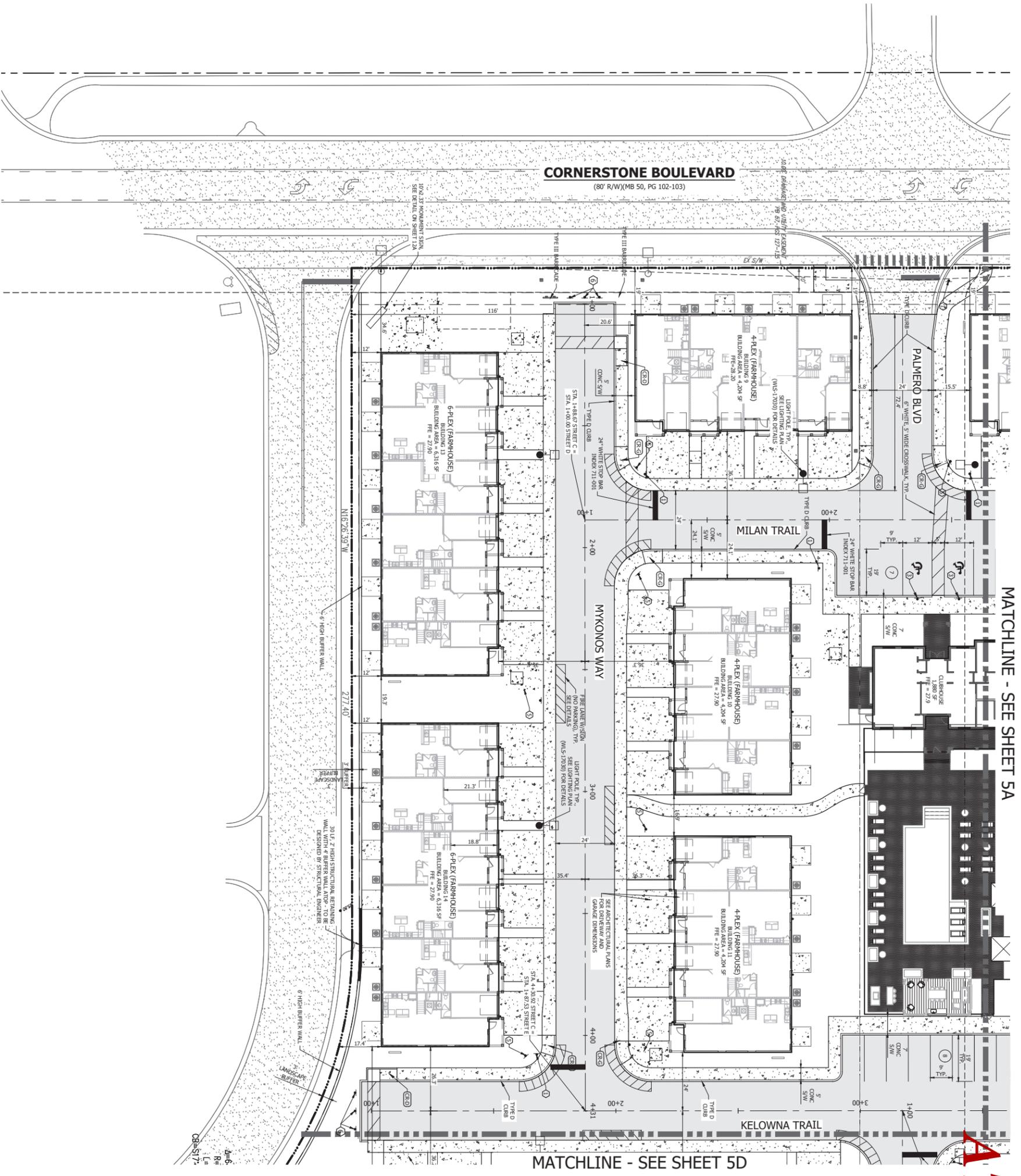
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PROJ. MANAGER:  
**C. POTTER**

PROJ. #:  
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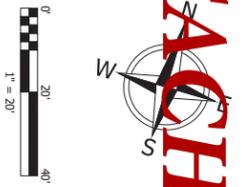
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MATCHLINE - SEE SHEET 5A

MATCHLINE - SEE SHEET 5D



ATTACHMENT 'A'

DAYTONA BEACH  
ID # DEV2023-063

**PARCEL B TOWNHOMES @ TOMOKA TOWN CENTER**  
CITY OF DAYTONA BEACH, FLORIDA

**HORIZONTAL CONTROL PLAN 3**



**TOMOKA TOWN CENTER 3, LLC**



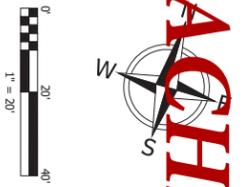
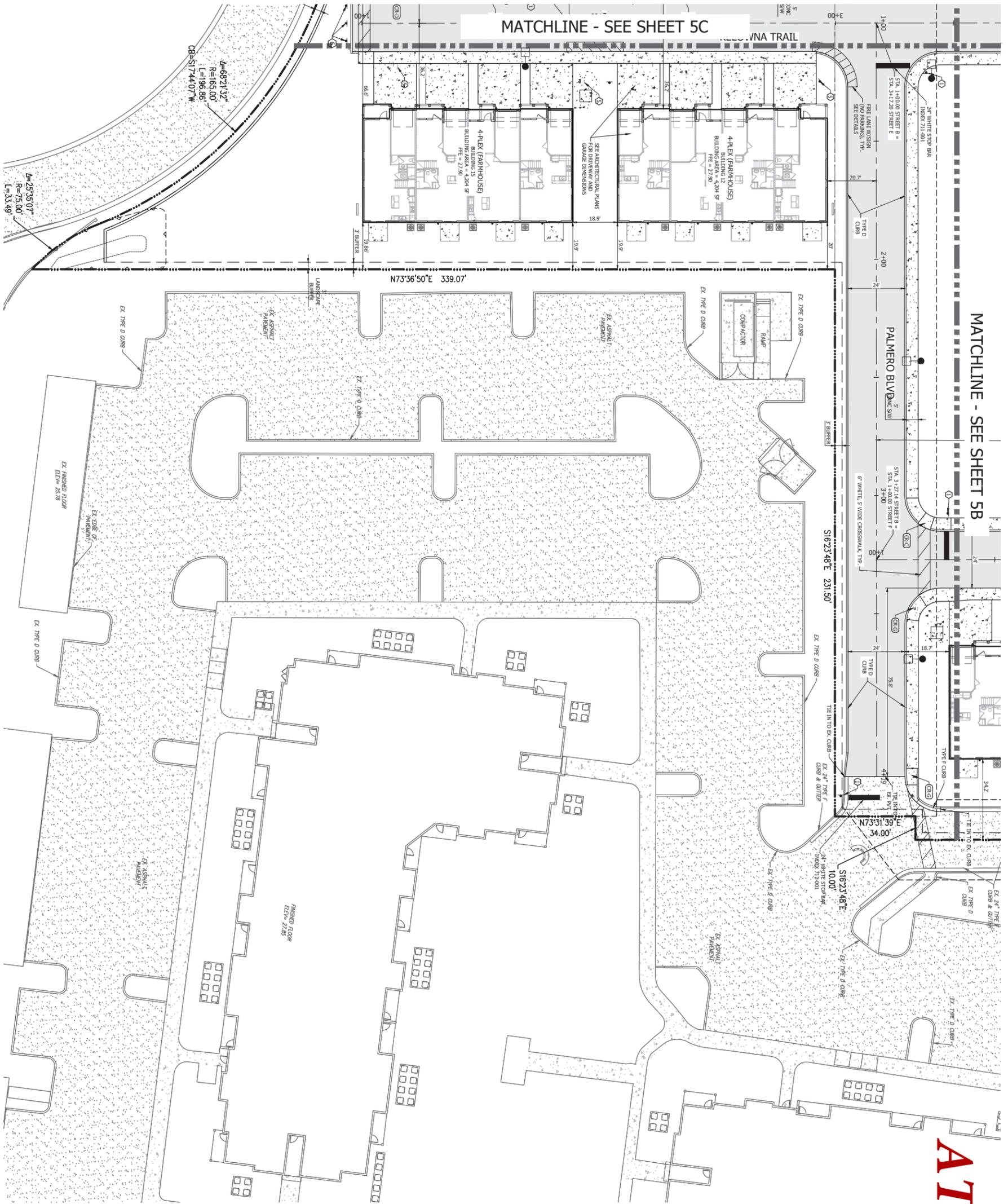
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**ATTACHMENT 'A'**

DAYTONA BEACH  
ID # DEV2023-063

**PARCEL B TOWNHOMES @ TOMOKA TOWN CENTER CITY OF DAYTONA BEACH, FLORIDA**

**HORIZONTAL CONTROL PLAN 4**

**5D**

**TOMOKA TOWN CENTER 3, LLC**

CIVIL ENGINEERING 2300 CURLEW ROAD STE 201  
LAND PLANNING PALM HARBOR, FLORIDA  
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PROJ. MANAGER: **C. POTTER**

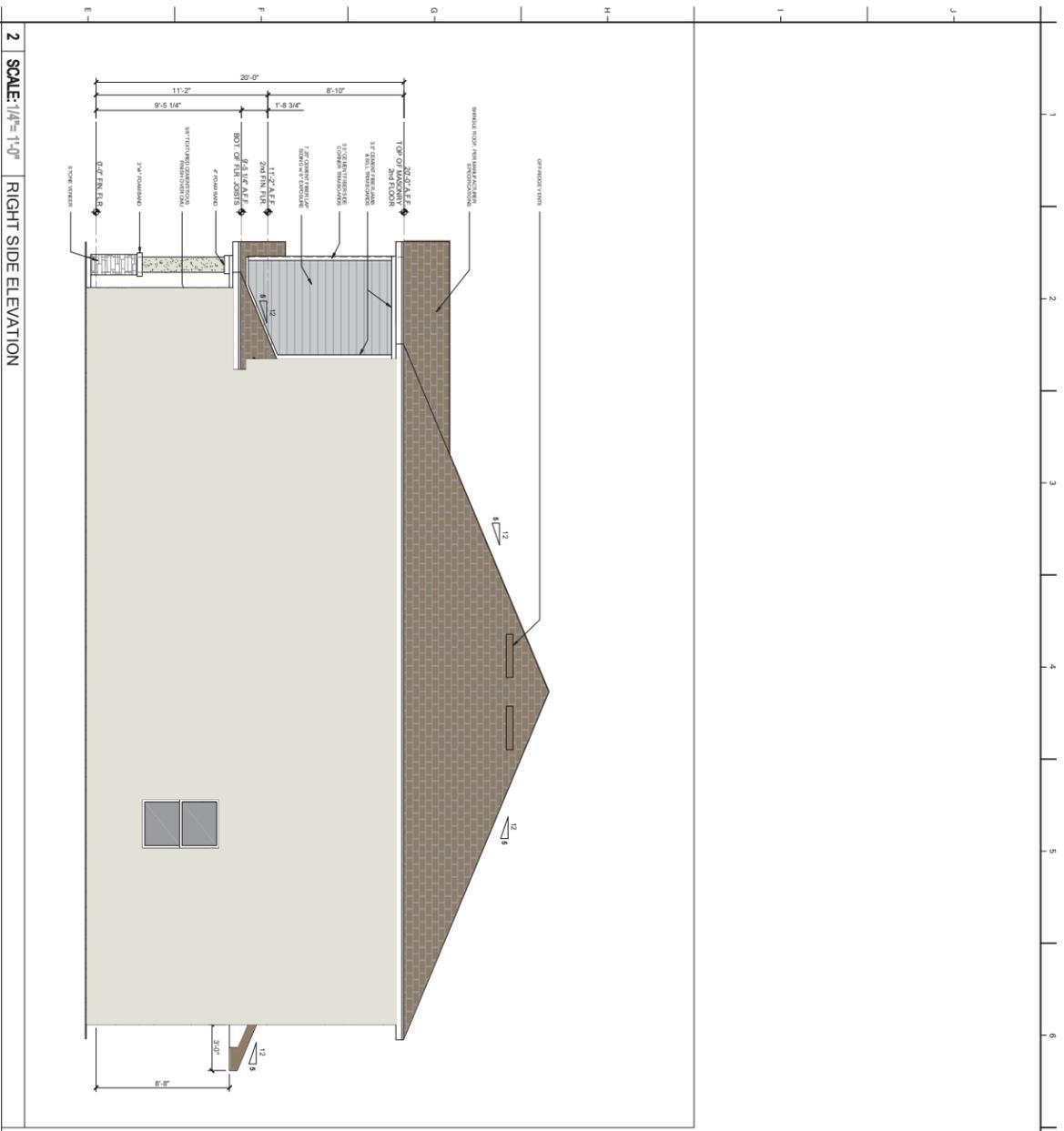
PROJ. #: 2980041

DATE: 9/6/2024

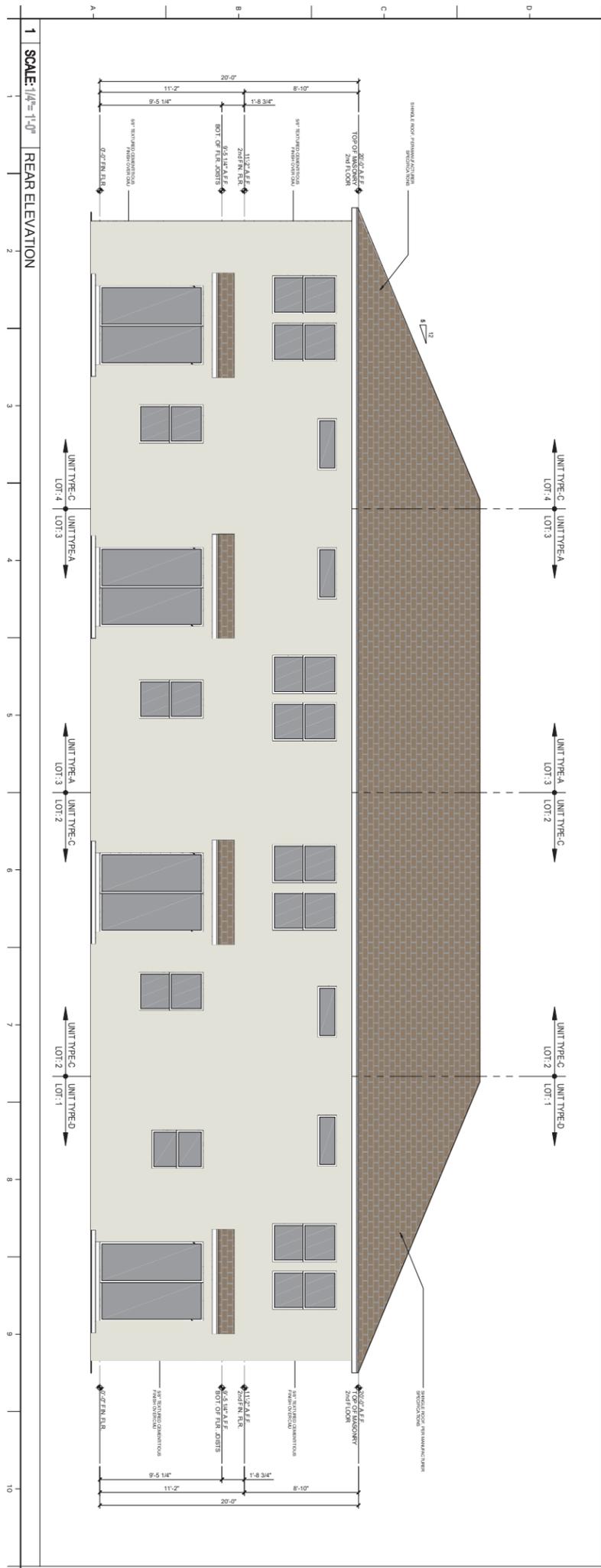
CHARLES E. POTTER  
LICENSED PROFESSIONAL ENGINEER  
NO. 84818  
STATE OF FLORIDA  
09/08/2024

NO.	DATE	DESCRIPTION	BY
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4			
3			
2			
1			





Body: SW6168 Moderne White  
 Secondary Body: SW7071 Gray Screen  
 Trim: SW7006 Extra White  
 Accent/Door: SW7730 Forrest Wood



ELEVATION NOTES:

1. STUCCO OR PORTLAND CEMENT PLASTER SHALL BE PROPORTIONED AND MIXED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
2. MASONRY VENEER SHALL COMPLY WITH SECTION 05120 OF THE RESIDENTIAL EDITION OF THE FLORIDA BUILDING CODE IF APPLICABLE.
3. EXTENSION OF A BUILDING SHALL NOT BE LESS THAN 6" FROM SECTION 05120 OF THE FLORIDA BUILDING CODE INSPECTION FOR TERMITES.
4. MASONRY SHALL BE APPLIED TO THE EXTERIOR WALLS OF THE BUILDING IN A MANNER TO PREVENT ENTRY OF WATER INTO WALL CAVITY OR PENETRATION OF WATER TO THE BUILDING STRUCTURAL FRAMING COMPONENTS FLASHING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
5. EXTENSION WINDOW ABOVE OPENINGS.
6. EXTENSION WINDOW ABOVE OPENINGS.
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11. EXTENSION WINDOW ABOVE OPENINGS.
12. EXTENSION WINDOW ABOVE OPENINGS.
13. EXTENSION WINDOW ABOVE OPENINGS.
14. EXTENSION WINDOW ABOVE OPENINGS.
15. EXTENSION WINDOW ABOVE OPENINGS.
16. EXTENSION WINDOW ABOVE OPENINGS.
17. AT BELTIN GUTTERS.

ATTACHMENT 'B'

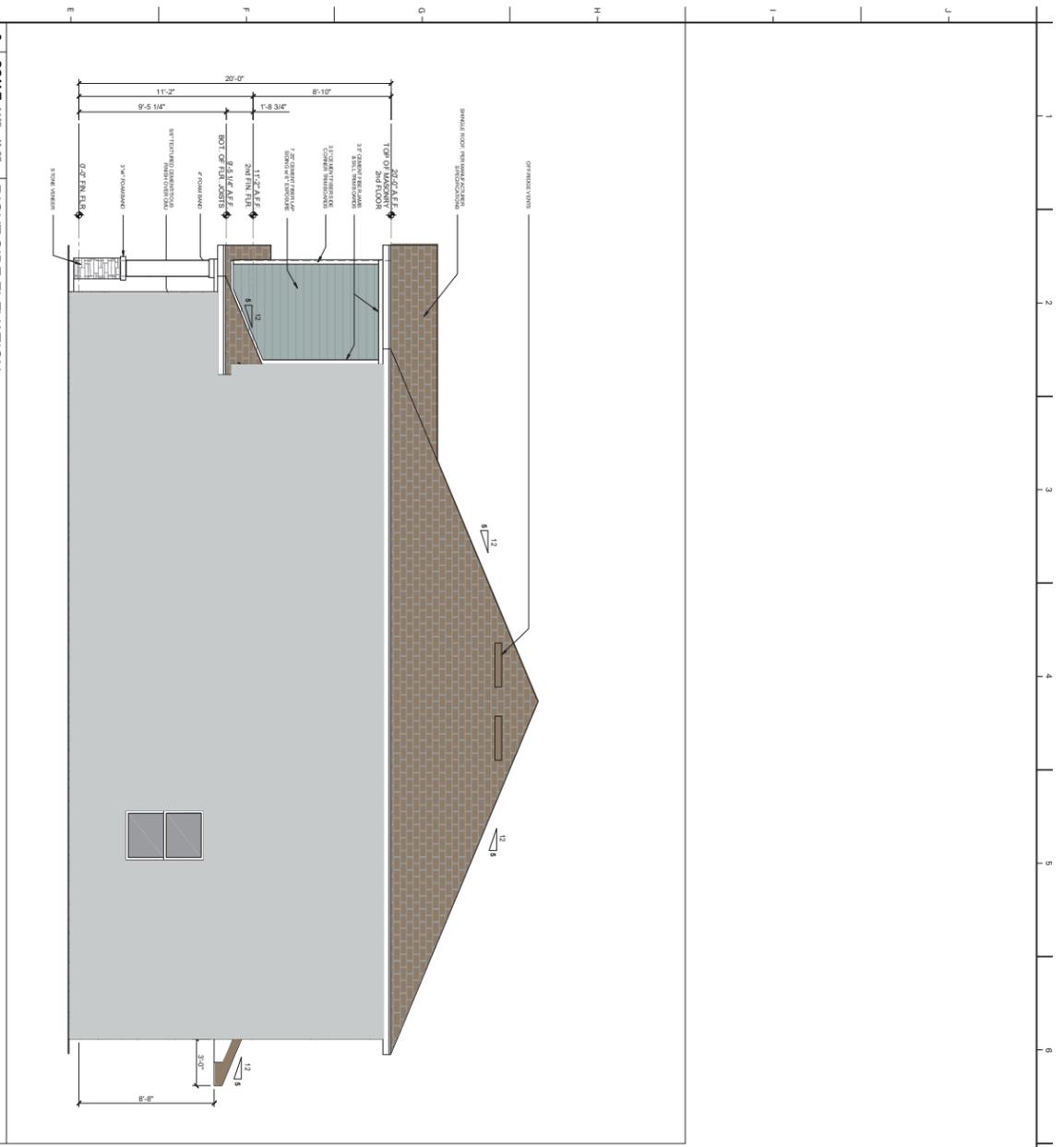


CONTRACT NO. 44121  
 PLAN NUMBER: 22- FRONT LOUD  
 PLAN NAME: 19  
 VERSION: 19  
 KEY PLAN

REVISIONS	DATE	DESCRIPTION

SHEET NUMBER: A-402.CR  
 PROJECT NAME: 22- FRONT LOUD  
 PROJECT NUMBER: 07.22.22  
 DRAWN BY: BS  
 CHECKED BY: JG  
 DATE: 07.22.22  
 SHEET TITLE: ELEVATIONS





**ELEVATION NOTES:**

1. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.
2. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT AND THE LOCAL BUILDING DEPARTMENT.
3. ALL PLASTER SHALL BE TYPE S-1 OR S-2.
4. STUCCO OR PORTLAND CEMENT PLASTER SHALL BE PROPORTIONED AND MIXED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
5. MASONRY VENEER SHALL COMPLY WITH SECTION 05120 OF THE RESIDENTIAL EDITION OF THE FLORIDA BUILDING CODE IF APPLICABLE.
6. ALL MASONRY SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 05120 OF THE FLORIDA BUILDING CODE. EXTENSION OF A BUILDING SHALL NOT BE LESS THAN 8" FROM SECTION 05120 OF THE FLORIDA BUILDING CODE INSPECTION FOR TERMITES.
7. ALL MASONRY SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 05120 OF THE FLORIDA BUILDING CODE. MANNER TO PREVENT ENTRY OF WATER INTO WALL CAVITY ON REMOVAL OF WATER TO THE BUILDING STRUCTURAL FRAMING COMPONENTS FLASHING SHALL BE INSTALLED IN ACCORDANCE WITH SECTION 05120 OF THE FLORIDA BUILDING CODE.
8. EXTENSION WINDOW ABOVE OPENINGS.
9. EXTENSION WINDOW ABOVE OPENINGS.
10. EXTENSION WINDOW ABOVE OPENINGS.
11. EXTENSION WINDOW ABOVE OPENINGS.
12. EXTENSION WINDOW ABOVE OPENINGS.
13. EXTENSION WINDOW ABOVE OPENINGS.
14. EXTENSION WINDOW ABOVE OPENINGS.
15. EXTENSION WINDOW ABOVE OPENINGS.
16. EXTENSION WINDOW ABOVE OPENINGS.
17. AT BELTLINE GUTTERS.

**FINISH SCHEDULE:**

- Body: SW 7071 Gray Screen
- Secondary Body: SW7616 Breezy
- Trim: SW7006 Extra White
- Accent/Door: SW2838 Polish Mahogany

**COMMON:**

PLAN NUMBER: A-402  
 PLAN NAME: 22' FRONT LOAD  
 VERSION: 15

**KEY PLAN:**

**1 SCALE: 1/4" = 1'-0" REAR ELEVATION**

**2 SCALE: 1/4" = 1'-0" RIGHT SIDE ELEVATION**

**REVISIONS:**

NO.	DATE	DESCRIPTION	MARK

**MARK DATE DESCRIPTION**

**DESIGN PROFESSIONAL OF RECORD**

**PROJECT NUMBER:** A-402

**DATE:** 07/22/22

**DRAWN BY:** BS

**CHECKED BY:** JG

**CAD PROJECT:** A-402.dwg

**SHEET TITLE:** ELEVATIONS

**SHEET NUMBERS:** A-402.CR

**PROPERTY:** PROJECT ONLY, SDC

**NOTES:**

DO NOT SCALE PRINTS. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. DIMENSIONS ARE TO BE REFERENCED TO BMA SOLUTIONS, INC. FOR CLARIFICATION PRIOR TO CONSTRUCTION.

**ATTACHMENT 'B'**

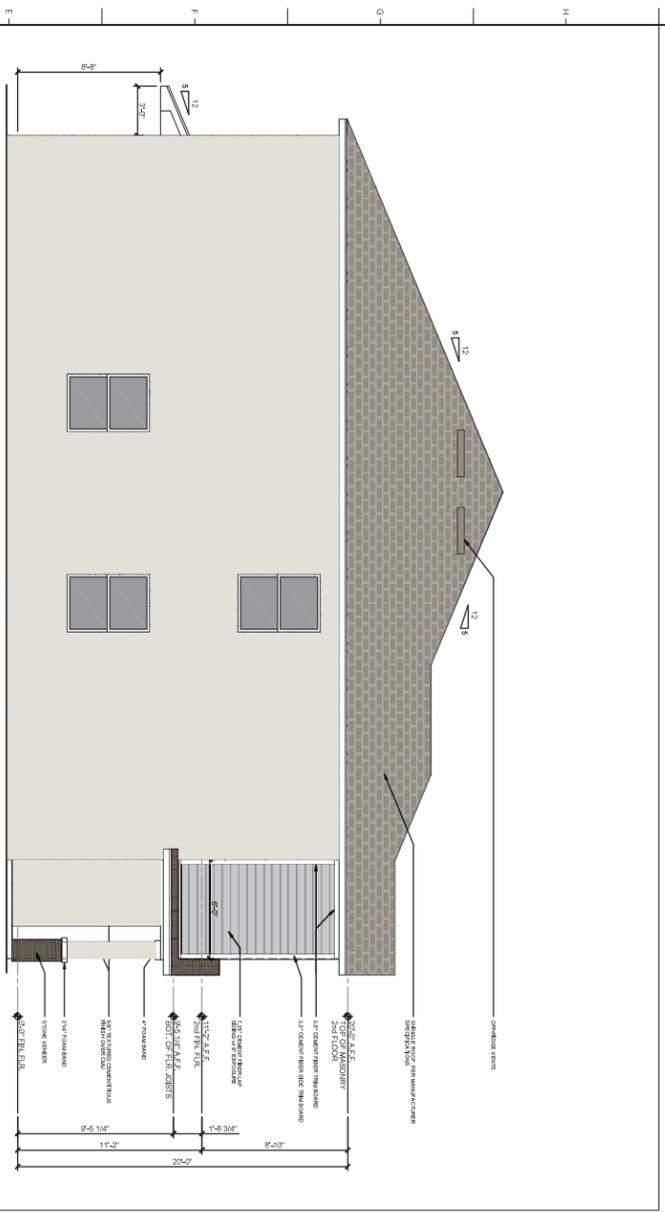
**ARCDYNAMICS**  
 INCORPORATED

**1600 WEST WINDYBROOK**  
 SUITE 100  
 1-407-464-1005 | www.arcdynamics.com

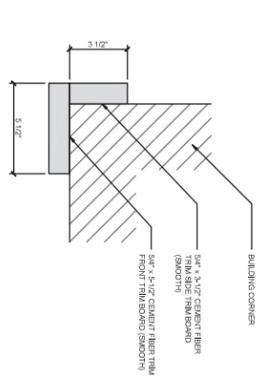
# ATTACHMENT 'B'



- ELEVATION NOTES:**
1. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO FACE UNLESS INDICATED OTHERWISE.
  2. FINISHES AND MATERIALS SHALL BE AS SHOWN ON THE ELEVATIONS UNLESS OTHERWISE NOTED.
  3. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
  4. STUCCO OR PORTLAND CEMENT PLASTER SHALL BE RECOMMENDED AND APPLIED IN ACCORDANCE WITH SECTION 05105 - THE RESIDENTIAL EDITION OF THE FLORIDA BUILDING CODE AS APPLICABLE.
  5. MAJOR VERTICAL JOINTS SHALL BE LOCATED AT THE CENTERLINE OF THE BUILDING OR AT THE CENTERLINE OF THE BUILDING COVER AS APPLICABLE.
  6. CEILING LINE WITH INTERIOR WALL COVERINGS MATERIAL SHALL BE LOCATED ON THE EXTERIOR WALLS UNLESS OTHERWISE NOTED.
  7. MINIMUM OVERLAP OF EXTERIOR WALL COVERINGS SHALL BE AS SHOWN ON THE ELEVATIONS UNLESS OTHERWISE NOTED. FINISHING SHALL BE INSTALLED TO THE BUILDING STRUCTURE, FRAMING COMPONENTS, FLASHING SHALL BE INSTALLED TO THE BUILDING STRUCTURE.
  - 7.1. EXTERIOR WINDOW AND DOOR OPENINGS
  - 7.2. INTERSECTION OF CHIMNEYS OR OTHER MAJOR VERTICAL INTERSECTIONS WITH FRAME WALLS SHALL BE AS SHOWN ON THE ELEVATIONS UNLESS OTHERWISE NOTED.
  - 7.3. CONTINUOUSLY ABOVE ALL PROTECTING MOISTURE BARRIERS SHALL BE INSTALLED UNLESS OTHERWISE NOTED.
  - 7.4. WHERE EXTERIOR PORCHES, DECKS OR STAIRS ATTACH TO A WALL OR FLOOR, THE ATTACHMENT SHALL BE AS SHOWN ON THE ELEVATIONS UNLESS OTHERWISE NOTED.
  - 7.5. AT WALL AND ROOF INTERSECTIONS
  - 7.6. AT WALL AND ROOF INTERSECTIONS
  - 7.7. AT WALL AND ROOF INTERSECTIONS



Body: SW6168 Moderne White  
 Secondary Body: SW7071 Gray Screen  
 Trim: SW7006 Extra White  
 Accent/Door: SW7730 Forrest Wood



**REVISIONS**

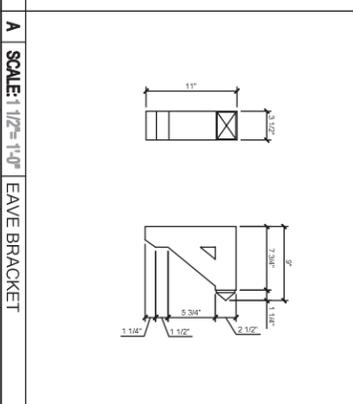
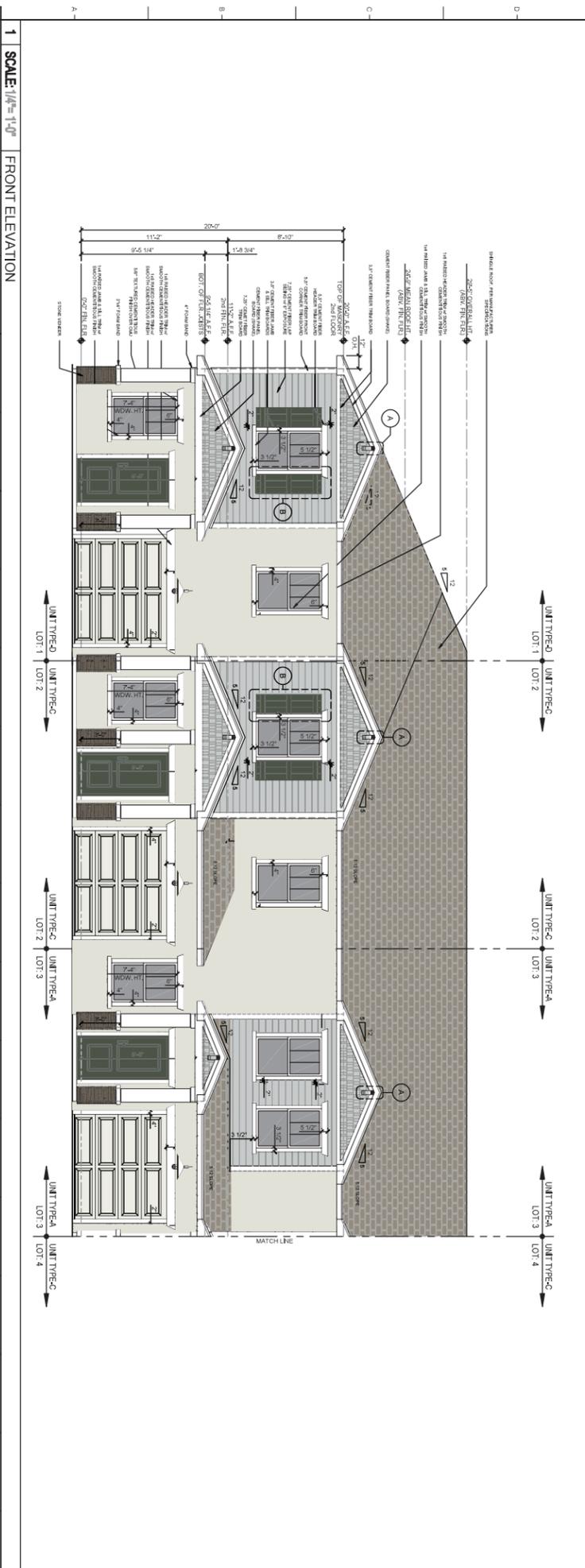
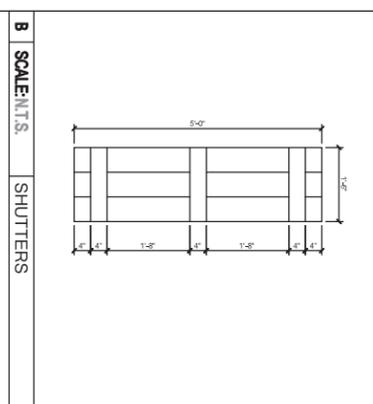
NO.	DATE	DESCRIPTION
1	07/27/22	ISSUED FOR PERMITS
2	08/01/22	ISSUED FOR PERMITS
3	08/01/22	ISSUED FOR PERMITS

**MARK DATE DESCRIPTION**

MARK	DATE	DESCRIPTION
DESIGN PROFESSIONAL OF RECORD		

**PROFESSIONAL SEAL**

PROJECT NUMBER	072722
ISSUE DATE	07/27/22
DESIGNED BY	BC
CHECKED BY	JC
COMPANY	ARC/DYNAMICS INC. 2022
SCALE	AS SHOWN



**PROJECT DATA**

PERMITS AND REGULATORY AGENCIES SHALL BE PROVIDED DIMENSIONS ON ALL SHEETS. DIMENSIONS ARE TO BE REPORTED TO BLM CONSULTING INC. ON ALL PERMITS AND TO THE CITY OF TAMPA ON ALL PERMITS.

PROJECT NUMBER: 072722  
 ISSUE DATE: 07/27/22  
 DESIGNED BY: BC  
 CHECKED BY: JC  
 COMPANY: ARC/DYNAMICS INC. 2022

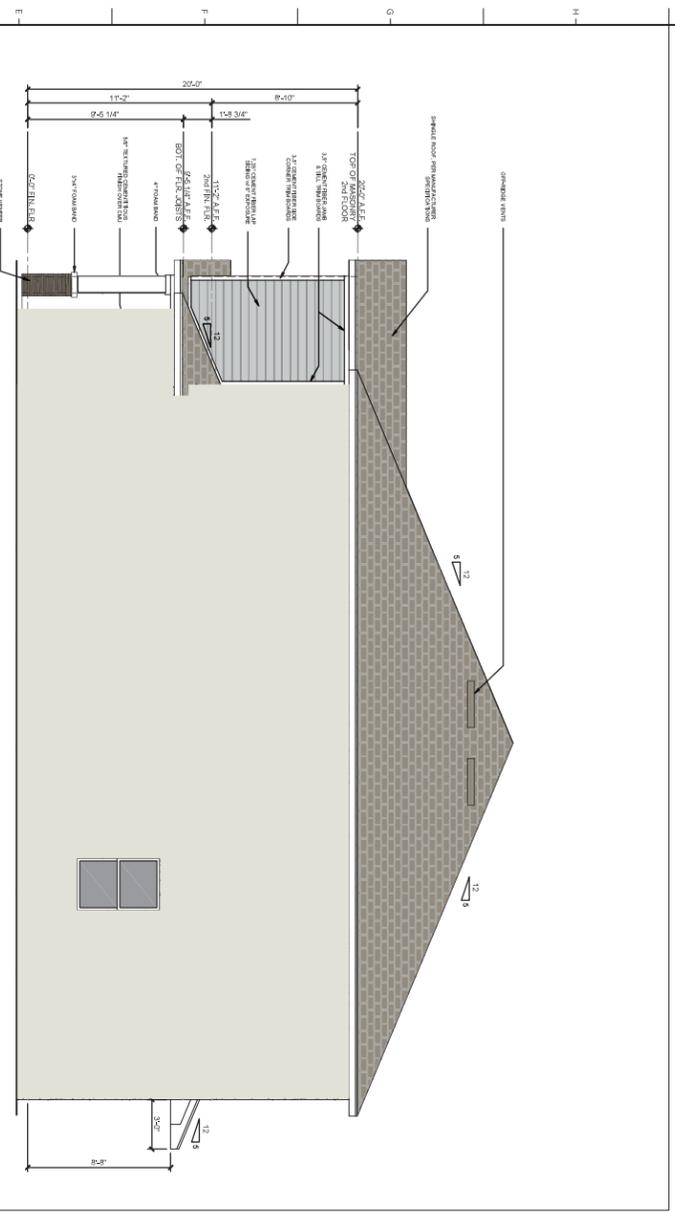
**ELEVATIONS**

SHEET NUMBER	SCALE	DESCRIPTION
A-401	1/2"=1'-0"	EAVE BRACKET

# ATTACHMENT 'B'

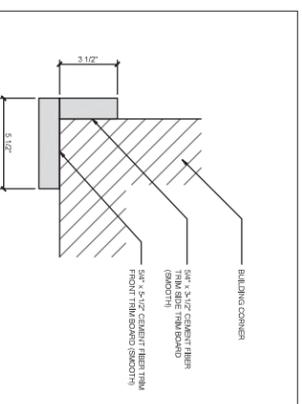


- ELEVATION NOTES:**
1. UNLESS OTHERWISE NOTED, ALL DIMENSIONS SHALL BE IN FEET AND INCHES.
  2. FINISHES AND MATERIALS SHALL BE AS SHOWN ON THE ATTACHED FINISH SCHEDULE.
  3. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
  4. STUCCO ON PORTLAND CEMENT FLATERS SHALL BE REINFORCED AND MOIST CURED.
  5. ACCORD TO THE FLORIDA BUILDING CODE, WITH SECTION 905.2(5) - THE RESIDENTIAL EDITION OF THE FLORIDA BUILDING CODE, ALL EXTERIOR WALLS SHALL BE FINISHED WITH A FINISH THAT IS DURABLE AND RESISTANT TO WEATHERING.
  6. CEILING LINE WITH EXTERIOR WALLS SHALL BE FINISHED WITH A FINISH THAT IS DURABLE AND RESISTANT TO WEATHERING.
  7. ALL EXTERIOR WALLS SHALL BE FINISHED WITH A FINISH THAT IS DURABLE AND RESISTANT TO WEATHERING. FINISHES SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
  - 7.1. EXTERIOR WINDOW DOOR OPENINGS
  - 7.2. INTERSECTION OF CHIMNEYS OR OTHER MASSIVE INTERSECTIONS WITH FRAME WALLS
  - 7.3. INTERSECTION OF CHIMNEYS OR OTHER MASSIVE INTERSECTIONS WITH WALLS
  - 7.4. CONTINUOUSLY ABOVE ALL PROTECTIVE MOISTURE BARRIERS
  - 7.5. WHERE EXTERIOR ROOFCHES, DECKS OR STAIRS ATTACH TO A WALL OR FLOOR
  - 7.6. AT WALL AND ROOF INTERSECTIONS
  - 7.7. AT WALL AND ROOF INTERSECTIONS

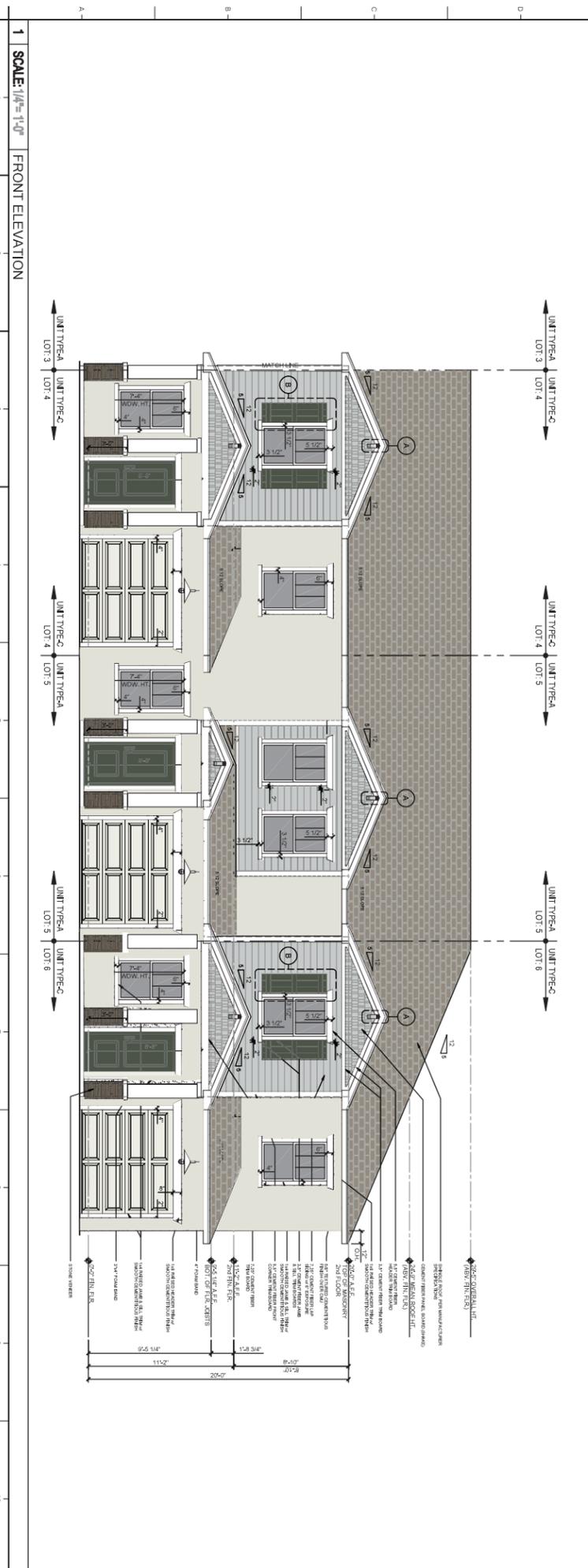


2 SCALE: 1/4"=1'-0" RIGHT SIDE ELEVATION

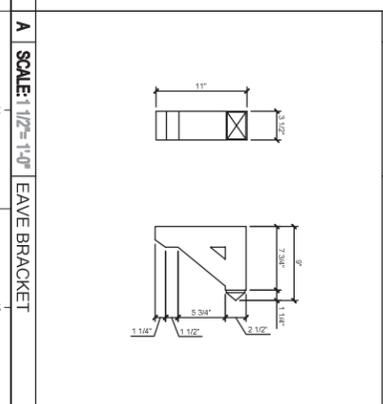
- Body: SW6168 Moderne White
- Secondary Body: SW7071 Gray Screen
- Trim: SW7006 Extra White
- Accent/Door: SW7330 Forrest Wood



X SCALE: 3/8"=1'-0" CORNER TRIM



1 SCALE: 1/4"=1'-0" FRONT ELEVATION



B SCALE: 1/2"=1'-0" SHUTTERS

REVISIONS

NO.	DATE	DESCRIPTION

DESIGN PROFESSIONAL OF RECORD

MARK DATE DESCRIPTION

PROJECT NUMBER: 07272

ISSUE DATE: 07/27/22

DRAWN BY: BS

CHECKED BY: JS

COMPONENT: Arch/Window Per 202

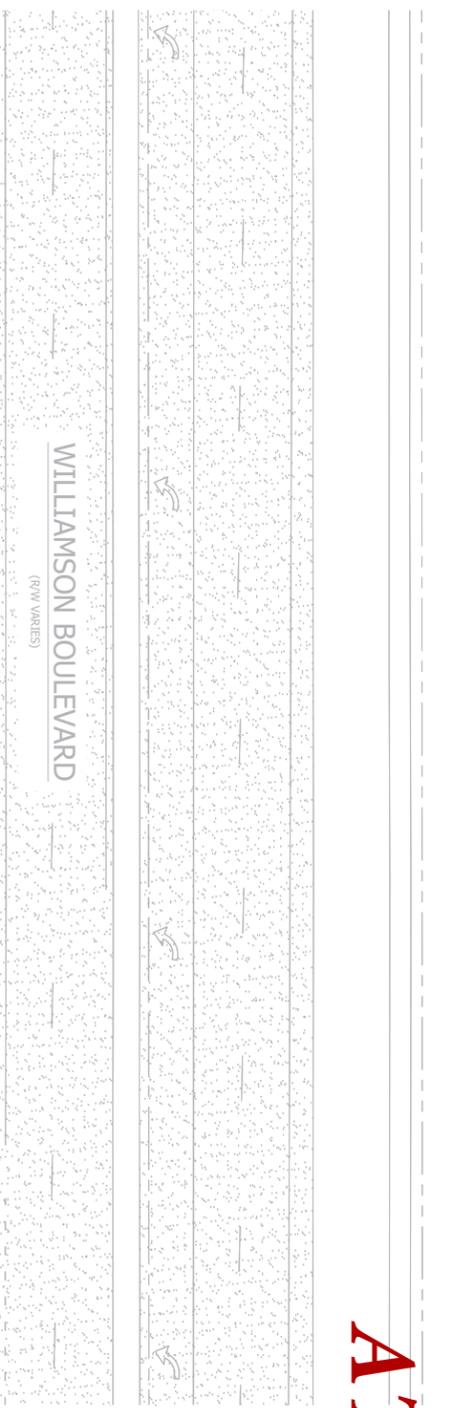
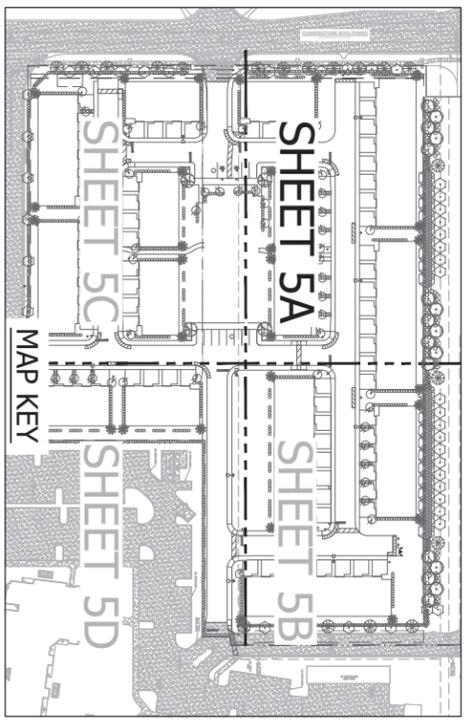
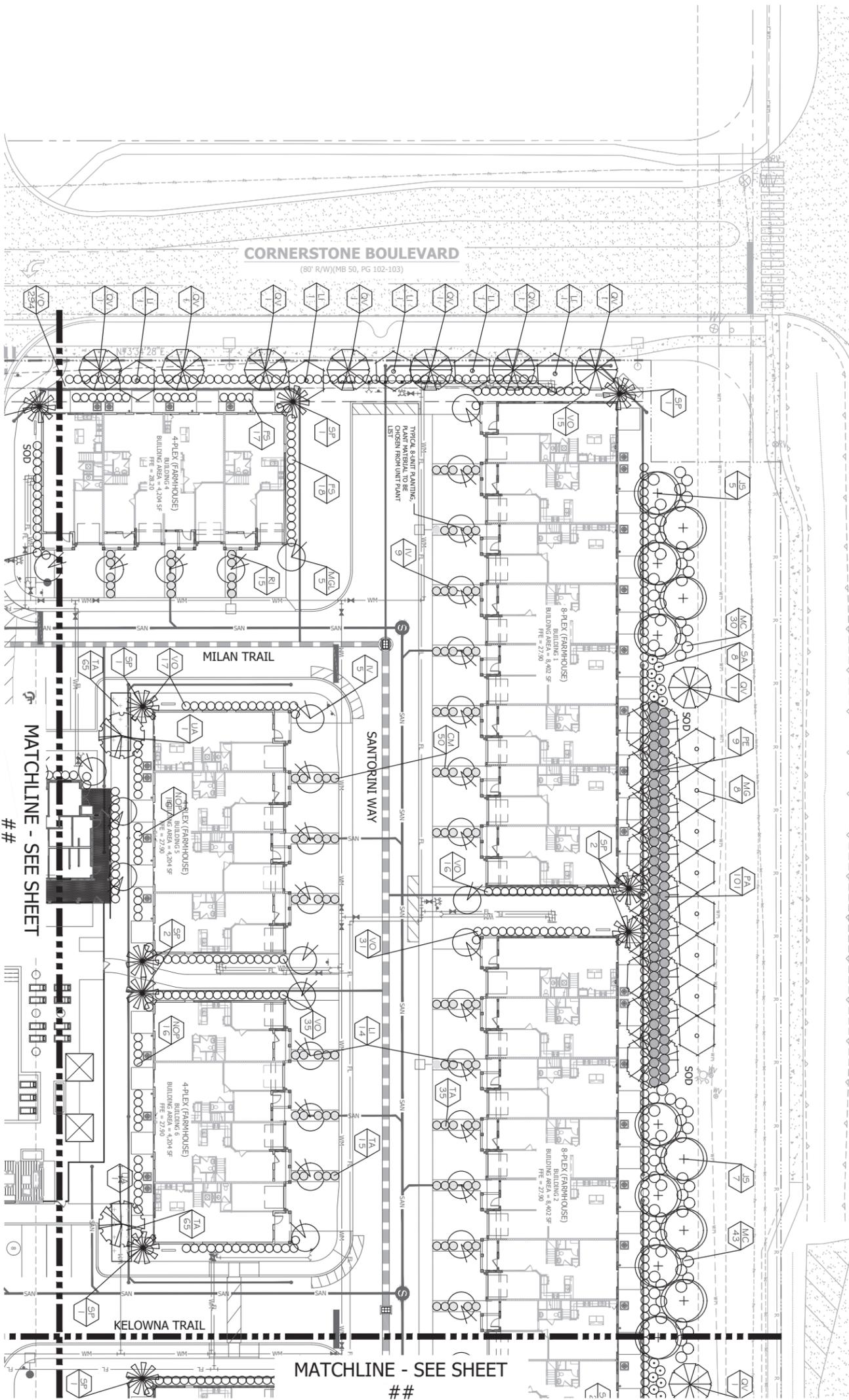
SCALE: 1/4"=1'-0"

**ELEVATIONS**

SHEET NUMBER: **A-402.CR**

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**ATTACHMENT 'C'**

DAYTONA BEACH  
ID # DEV2023-063

**PARCEL B APARTMENTS @ TOMOKA TOWN CENTER**  
CITY OF DAYTONA BEACH, FLORIDA

**LANDSCAPE PLAN 1**

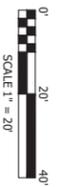
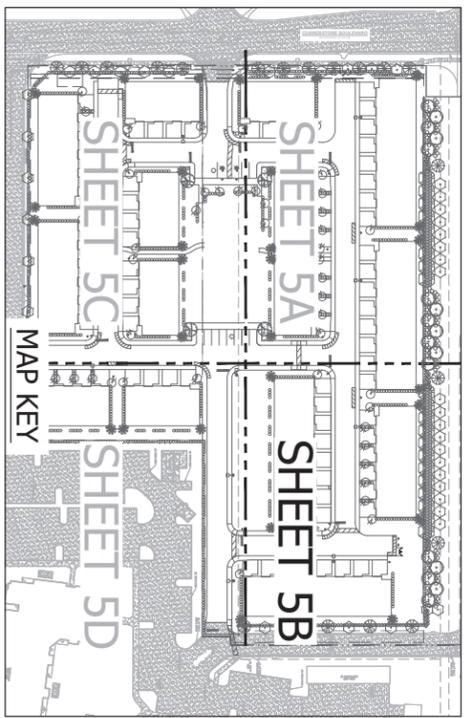
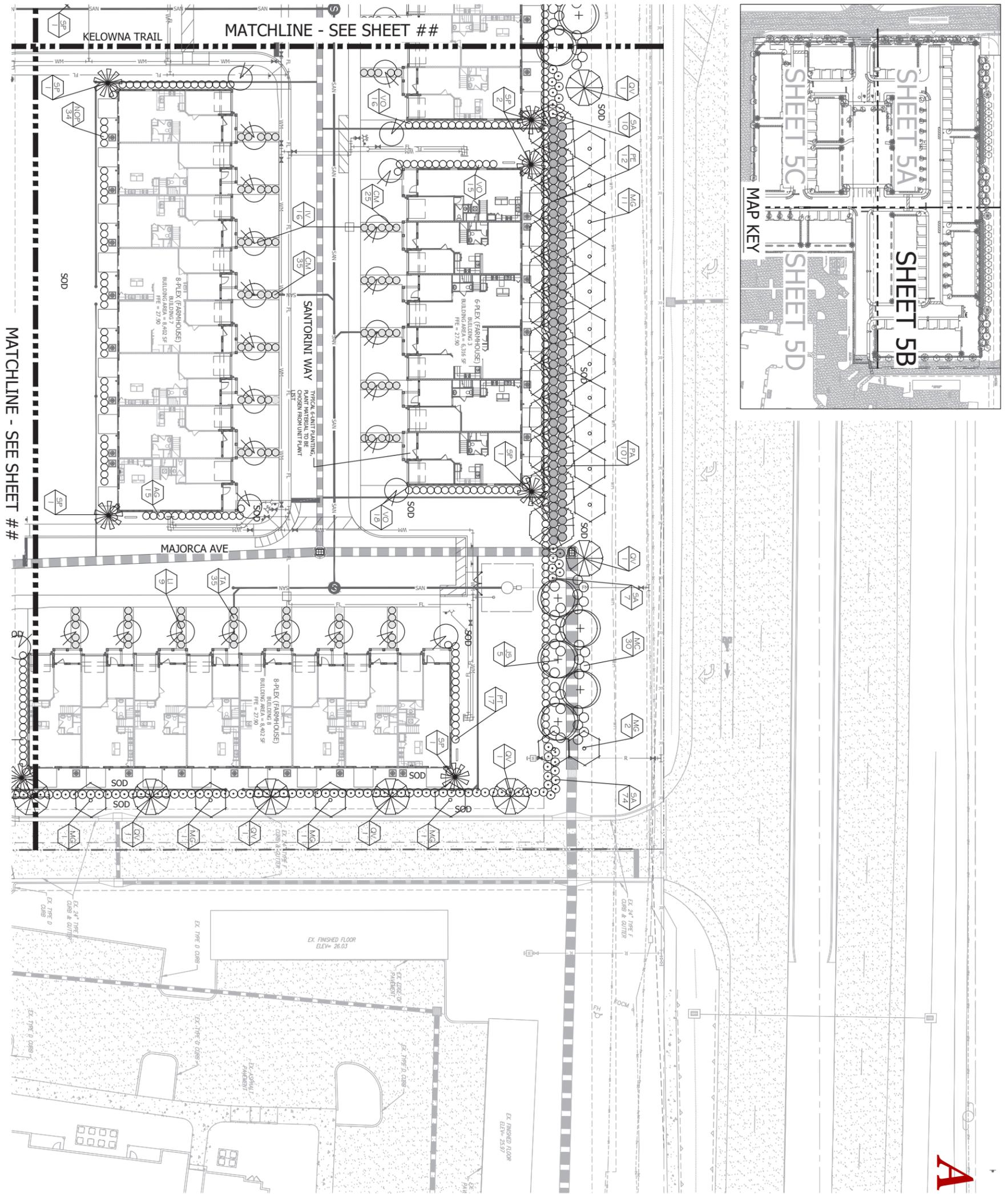
**AVID GROUP**

CJM DESIGNS, LLC  
3333 SAN PEDRO STREET  
CLEARWATER, FLORIDA 33759  
PHONE: (727) 430-5038

REGISTERED LANDSCAPE ARCHITECT  
C. MORAHAN  
1021103-04100

PROJ. MANAGER:  
**C. MORAHAN**  
PROJ. #: 2980041  
DATE: 7/19/2024

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**ATTACHMENT C**

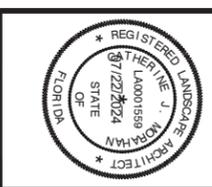
DAYTONA BEACH  
ID # DEV2023-063

**PARCEL B APARTMENTS @ TOMOKA TOWN CENTER**  
CITY OF DAYTONA BEACH, FLORIDA

**LANDSCAPE PLAN 2**

**AVID GROUP**

CJM DESIGNS, LLC  
3333 SAN PEDRO STREET  
CLEARWATER, FLORIDA 33759  
PHONE: (727) 430-5038



PROJ. MANAGER:  
**C. MORAHAN**

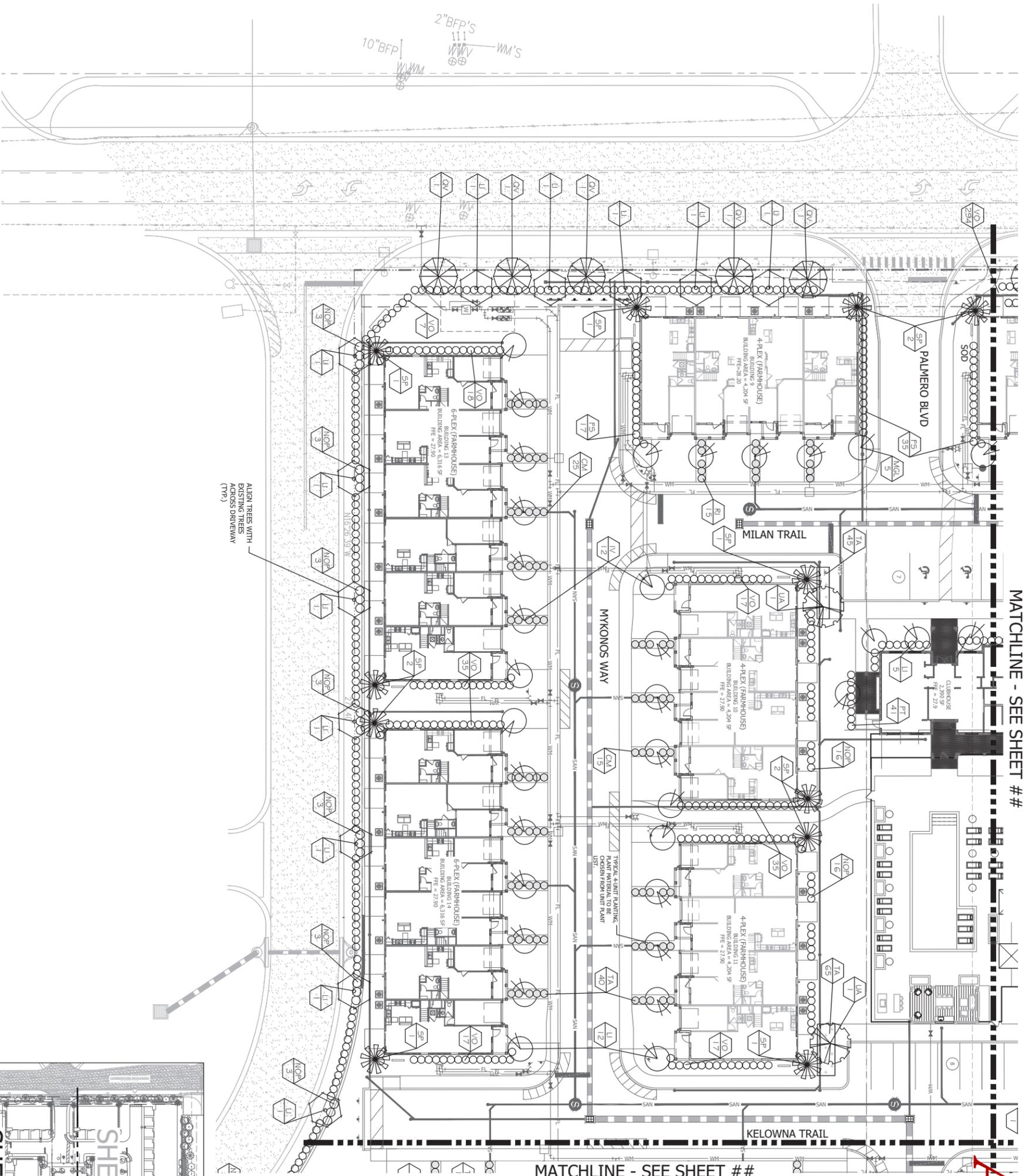
PROJ. #:  
**2980041**

DATE:  
**7/19/2024**

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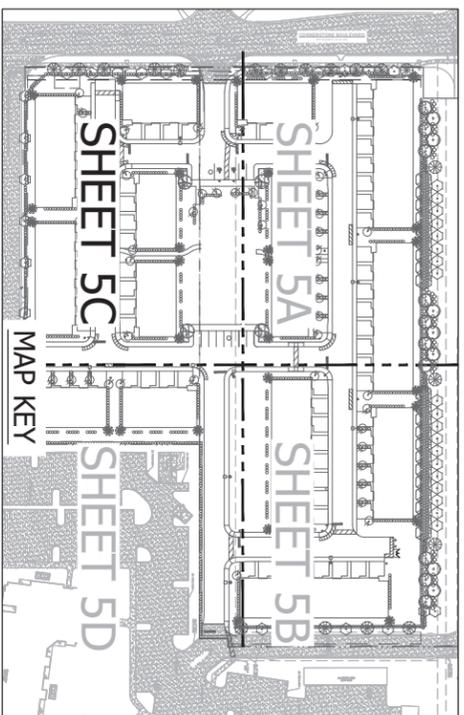
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MATCHLINE - SEE SHEET #

MATCHLINE - SEE SHEET #

ALIGN TREES WITH EXISTING TREES ACROSS DRIVEWAY (TRP)



**ATTACHMENT C**

DAYTONA BEACH  
ID # DEV2023-063

NO.	DATE	DESCRIPTION	BY
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PROJ. MANAGER:  
**C. MORAHAN**  
PROJ. #:  
**2980041**  
DATE:  
**7/19/2024**



**AVID GROUP**  
CJM DESIGNS, LLC  
3333 SAN PEDRO STREET  
CLEARWATER, FLORIDA 33759  
PHONE: (727) 430-5038

**PARCEL B APARTMENTS @ TOMOKA TOWN CENTER**  
CITY OF DAYTONA BEACH, FLORIDA  
**LANDSCAPE PLAN 3**

**L3**



Agenda Item 4.F. (Legislative Hearing)

**Land Development Code Text Amendments**

DEV2024-304

Amending Article 6.10 of the LDC

**STAFF REPORT**

**DATE:** September 20, 2024

**TO:** Planning Board Members

**FROM:** Dennis Mrozek, AICP, Planning Director

**PROJECT REQUEST**

A request by Robert A. Merrell III and Jessica Gow, 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.

**PROJECT DESCRIPTION**

The applicant is seeking approval of an amendment to the LDC that would allow the owner of the existing static billboard on the property at the southwest corner of Bayless Blvd. and West International Speedway Blvd (W. ISB) to be removed and replaced with a digital billboard. Digital billboard replacement requires the removal of four existing billboards located within the City.

**BACKGROUND**

In December 2015, the City Commission approved an LDC text amendment which allowed digital billboards in the City with certain requirements. The amendment allowed existing conforming static billboards to be replaced with a digital billboard, provided four existing billboard faces were removed within the City. The amendment also included several locations along W. ISB with nonconforming static billboards to also qualify as an allowable location for a digital billboard replacement. These qualifying locations were within 500 feet of the centerlines of Nova Road, Clyde Morris Blvd., and Williamson Blvd. The goal of the amendment that allowed digital billboard replacement included the reduction of the number of existing billboards in the City, improving aesthetics of I-95 and City thoroughfares, and allowing for emergency announcements or alerts to be displayed on a moment's notice on the digital billboard. In April 2019, the City Commission approved an additional LDC text amendment to the allowable digital billboard replacement locations by removing the Clyde Morris Blvd. location and adding the Fentress Blvd. location.



Bayless/W.ISB Static Billboard



Bayless/W.ISB Static Billboard



Fentress/W.ISB Digital Billboard



Nova/W.ISB Digital Billboard

The static billboards at Nova Road and Fentress Blvd. have been replaced with digital billboards, in accordance with all LDC requirements. The addition of the digital billboards at Fentress Blvd. and Nova Road have included the removal of billboards on Mason Avenue and E. ISB on the beachside.

**PROPOSED LDC TEXT CHANGE**

The applicant is seeking approval of the following proposed text amendment for Article 6, Section 6.10.J.2.c.iii of the Land Development Code to permit a digital billboard along W. ISB and within 500 feet of Bayless Blvd. Proposed additions to the LDC are shown in underlined format below.

- J. Sign Types and General Standards. The following types of signs are permitted in various zoning districts. Wherever permitted, a sign shall meet these general standards and any additional standards or restrictions established in the sign schedule for the district in which it is located.
  - 2. Billboards Permitted Only Along Certain Arterial Streets.
    - c. Digital billboards shall be permitted in accordance with the following conditions, and shall comply with the standards set forth in Section 6.10.J.2.b, except as modified below:
      - iii. Location. Digital billboards permitted in accordance with the exchange provisions of Section 6.10.J.2.c.i may be constructed only in the following locations:

- (a) Digital billboards may be located anywhere billboards are permitted in accordance with Section 6.10.J.2.b.
- (b) An existing billboard along I-95 which is non-conforming due to setbacks or spacing may be removed and replaced with a digital billboard in the same location.
- (c) An existing non-conforming billboard located along West International Speedway Boulevard and within 500 feet of the centerline of Nova Road, Fentress Boulevard, Bayless Boulevard, or Williamson Boulevard may be removed and replaced with a digital billboard in the same location.

**AMENDMENT ANALYSIS**

**Text Amendment Review Standards**

The purpose of Section 3.4.B.1 is to provide a uniform means for amending the text of this Code whenever the public necessity, convenience, general welfare, comprehensive plan, or appropriate land use practices justify or require doing so.

The advisability of amending the text of this Code is a matter committed to the legislative discretion of the City Commission and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the City Commission shall weigh the relevance of and consider whether and the extent to which the proposed amendment. The applicant has also provided a response to the criteria below, which can be found in *Attachment A*.

**a. Is consistent with the comprehensive plan;**

Staff has reviewed the request for consistency with the comprehensive plan and offers no objections.

**b. Is in conflict with any provision of this Code or the Code of Ordinances;**

Existing non-conforming billboards in the City are permitted to exist provided they are not altered or expanded. The City Commission approved an LDC text amendment that allowed certain locations of billboards in the City the ability to replace an existing static billboards with a digital billboard.

The proposed amendment will allow the current static billboard at Bayless Blvd. to be replaced with a digital billboard in accordance with LDC standards for digital billboard replacement. Should this request be approved by the City Commission, the modification would not conflict with the LDC.

**c. Is required by changed conditions;**

The proposed text amendment is required to allow a non-conforming billboard along W. ISB and within 500 feet of the centerline of Bayless Boulevard to be converted to a digital billboard, provided all LDC requirements are met.

**d. Addresses a demonstrated community need;**

Per the LDC, digital billboard permittees shall display emergency announcements or alerts (e.g. Amber Alerts, Silver Alerts and Evacuation Alerts) on the digital billboard at no charge on an as-needed basis as determined by the City.

**e. Is consistent with the purpose and intent of the zoning districts in this Code, or would improve compatibility among uses and would ensure efficient development within the city;**

An existing non-conforming digital billboard is currently located north of West ISB and is within 500 feet of the centerline of Bayless Boulevard. Existing non-conforming billboards may be removed and replaced with a digital billboard in the same location and height (*Sec. 6.10.J.2.c.iv.b*).

**f. Would result in a logical and orderly development pattern; and**

The proposed LDC text amendment will create a logical and orderly development pattern by providing a regulation for the location and placement of digital billboards.

**g. Would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.**

Staff does not anticipate any environmental impacts with the proposed LDC text amendment.

**RECOMMENDATION**

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.

An affirmative vote of the majority of Planning Board members present and voting shall be required to recommend approval to the City Commission.

This item is tentatively scheduled to be heard by the City Commission for first reading on November 6, 2024, and for second reading on November 20, 2024 (Public Hearing).

**LDC TEXT AMENDMENT NARRATIVE CRITERIA**

**SECTION 3.4.B.3.**

- a. Is the LDC Text Amendment consistent with the Comprehensive Plan?

**The Application is consistent with the Comprehensive Plan and allows for advertising in an appropriate number and scale within the City of Daytona Beach to support commercial businesses and allow for the sharing of information.**

- b. Is the LDC Text Amendment in conflict with any provision of the LDC or the Code of Ordinances?

**The Application is not in conflict with any provision of the LDC or the Code of Ordinances.**

- c. Is the LDC Text Amendment required by changed conditions?

**The Application is consistent with changing billboard technology to deliver messages to drivers through changeable electronic copy that is appropriately scaled to ensure delivery of information without creating a distraction to motorists.**

- d. Does the LDC Text Amendment address a demonstrated community need?

**The Application is consistent with changing billboard technology to deliver messages to drivers through changeable electronic copy that is appropriately scaled to ensure delivery of information without creating a distraction to motorists.**

- e. Is the LDC Text Amendment consistent with the purpose and intent of the zoning districts in the LDC, or would it improve compatibility among uses and ensure efficient development within the City?

**The Application is consistent with the purpose and intent of the zoning districts in the LDC and will improve compatibility by upgraded billboard technology and delivering messages to drivers without distraction.**

- f. Would the LDC Text Amendment result in a logical and orderly development pattern?

**The Application is consistent with the Comprehensive Plan and allows for advertising in an appropriate number and scale within the City of Daytona Beach to support commercial businesses and allow for the sharing of information.**

- g. Would the LDC Text Amendment result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands or the natural functioning of the environment?

**The Application will not adversely affect or impact the natural environment.**

Agenda Item 4G (Legislative Hearing)

**Land Development Code Text Amendment**

DEV2024-591

Section 3.4.F. Planned Development Extension Process

**STAFF REPORT**

**DATE:** September 20, 2024

**TO:** Planning Board Members

**FROM:** Dennis Mrozek, AICP, Planning Director

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**AMENDMENT REQUEST**

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.

**AMENDMENT DESCRIPTION**

Staff is seeking approval to amend the Land Development Code (LDC) to limit requests for extensions to the timetable for development within a Planned Development (PD) Agreement to only those PD Agreements that have not already expired. Currently, requests to extend a PD Agreement (whether expired or not expired) can be approved by the City Commission at a single hearing, without review of the Planning Board. But if approved, this LDC amendment would require property owners requesting to extend expired PD Agreements to apply for an amendment to the PD through the rezoning process. This process requires the property owner to make a formal application to the City to rezone the property, conduct a neighborhood meeting, be reviewed by staff and the Planning Board (and Redevelopment Board, if applicable), then approved by the City Commission at a public hearing.

**PROPOSED AMENDMENT**

The following is the proposed change to the LDC. Proposed additions are shown below in underline:

**Section 3.4.F. Planned Development.**

\*\*\*[omitted text not affected by this amendment]\*\*\*

8. Lapse; Extension. Except as provided below, Approval of the classification of land to a PD zoning district does not lapse, but approval of the PD Plan/Agreement shall automatically lapse if an application for a Major Subdivision Preliminary Plat, Minor

Subdivision Plat, or Site Plan (Major or Minor) for any part of the development described by the approved PD Plan/Agreement is not submitted within two years after approval of the Planned Development, or any other expiration period approved as part of the PD Plan/Agreement. The City Commission may extend the two-year expiration period set forth above, or other expiration periods set forth in the PD Plan/Agreement, by resolution for good cause shown; provided, however, that a request for an extension of any such expiration period must be made before the period lapses. If a PD Plan/Agreement lapses, the owner of the PD-zoned land may apply to amend the PD zoning classification to incorporate a new PD Plan/Agreement (see paragraph 10 below) or apply to reclassify the site to another base or PD district. Alternatively, The City may administratively rezone the lands or any portion thereof, consistent with requirements of law.

\*\*\*[omitted text not affected by this amendment]\*\*\*

## **AMENDMENT ANALYSIS**

### **Text Amendment Review Standards**

The purpose of Section 3.4.B.1 is to provide a uniform means for amending the text of this Code whenever the public necessity, convenience, general welfare, comprehensive plan, or appropriate land use practices justify or require doing so.

The advisability of amending the text of this Code is a matter committed to the legislative discretion of the City Commission and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the City Commission shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

**a. Is consistent with the comprehensive plan;**

The proposed text amendment is consistent with the comprehensive plan.

**b. Is in conflict with any provision of this Code or the Code of Ordinances;**

The proposed amendment would not be in conflict with the LDC and Code of Ordinances if adopted by the City Commission.

**c. Is required by changed conditions;**

The proposed amendment would require expired PD Agreements to be reviewed through a formal rezoning process. This process includes staff analysis of the proposed uses and development standards established in the PD. Older PD Agreements would be analyzed for current development patterns around the property, in addition to compatibility of the surrounding land uses.

**d. Addresses a demonstrated community need;**

The change allows the Planning Board the ability to review and make recommendations to the City Commission on PD extension requests that are more appropriate with current development patterns.

**e. Is consistent with the purpose and intent of the zoning districts in this Code, or would improve compatibility among uses and would ensure efficient development within the city;**

Older and expired PD Agreements will be reviewed for current development patterns in the surrounding area. Compatibility among uses would be re-evaluated and addressed through the rezoning process.

**f. Would result in a logical and orderly development pattern; and**

Review of older and expired PD Agreements with current uses and development patterns would result in logical and orderly development patterns.

**g. Would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.**

Staff does not anticipate any adverse environmental impacts with the proposed amendment.

**RECOMMENDATION**

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.

A majority vote by the Planning Board members present and voting is required to recommend approval to the City Commission. The item is anticipated to be heard by the City Commission for a first reading on November 6, 2024, and for second reading on November 20, 2024.