

MINUTES
REGULAR MEETING – PLANNING BOARD
October 26, 2017

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, October 26, 2017 at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board Members Present:

Cathy Washington, Chair
James Neal, Vice Chair
Tony Barhoo
Jeff Hurt
James Newman
Tony Servance

Staff Members Present:

Richard Walton, Planning Director
Dennis Mrozek, Planning Manager
Jason Jeffries, Redevelopment Project Manager
Hannah Ward, Planner
Carrie Avallone, Assistant City Attorney
Marianne Pulaski, Planning Technician

1. **Call to Order**

Ms. Washington called the meeting to order at 6:02 p.m.

2. **Roll Call**

The roll was called and members were noted present as stated above.

3. **Approval of the Minutes** - September 28, 2017

Board Action:

A motion was made by Mr. Hurt, seconded by Mr. Barhoo, to approve the minutes of the September 28, 2017 Planning Board meeting as presented. The motion carried unanimously.

4. **Rezoning to Planned Development-Redevelopment (PD-RD) – 246 S. Beach Street, DEV2017-084 (Quasi-Judicial Hearing)**

Staff Presentation:

Jason Jeffries, Redevelopment Project Manager, presented the staff report which is included as part of the packet. Mr. Jeffries stated the proposed project would be located in the South Beach Historic District. Mr. Jeffries stated a neighborhood meeting was held as part of the review process for the application; and the meeting was attended by residents, business owners, and elected officials. Mr. Jeffries stated the application was reviewed by the Historic Preservation Board at their meeting of September 19, 2017, and the Board determined that the request is consistent with historic preservation standards. Mr. Jeffries stated the Downtown Redevelopment Board reviewed the application at their October 3, 2017 meeting and did not find that this application is consistent with the Downtown Redevelopment Plan and did not recommend approval of the Planned Development.

Applicant's Presentation:

Colleen Miles, Land Development Resource Group, 140 S. Beach Street, Suite 400, Daytona Beach, Florida, spoke representing the applicant. Ms. Miles stated there is existing residential usage on the second floor of the building and the applicant has attempted to contact that tenant but has been unable to speak with the tenant. Ms. Miles stated the Downtown Redevelopment Board did not find that the application was not consistent with the Comprehensive Plan but did not like the use. Ms. Miles stated the use hours are restricted and the use will be limited to the second floor of the building. Ms. Miles stated the business will not have piercing associated with it and the tattoo work will be done predominantly by appointment. Ms. Miles stated only one operator will be on site. Ms. Miles stated letters of support from businesses currently located on Beach Street have been provided to the Board as part of the packet.

Mr. Newman asked if the application is for the unit or the entire building.

Ms. Miles stated the entire property will have to be rezoned but there is a restriction to limit the tattoo parlor to the second floor with hours of operation from 10:00 a.m. to 10:00 p.m.

James Rogers, 1025 S. Beach Street, No. 162, Daytona Beach, Florida, stated he will be the owner and operator of Red Sparrow Tattoos if he is permitted to open at this location. Mr. Rogers stated the studio will be a high-end, fully custom tattoo studio. Mr. Rogers stated the business will be predominantly appointment based due to the large number of people seeking his artwork. Mr. Rogers stated he believes his studio will be a valuable addition to the Beach Street area and will attract more people to the street. Mr. Rogers stated if he is permitted to open, he

will operate the business with respect and dignity not only for his business but for the other businesses and residents located along Beach Street.

Mr. Servance asked Mr. Rogers if he has looked at other areas for locating his business.

Mr. Rogers said he has looked at other locations from New Smyrna Beach to Ormond Beach but the other locations have not worked out.

Ms. Washington asked about signage.

Ms. Miles stated the signage will not say tattoo. Ms. Miles stated there will be a sign on the front façade that reads Red Sparrow Studios and a sign will be on the side of the building that will be similar in size to the name plates of the Board members that are on the dais.

Public Comments:

Tim Minnis, 248 S. Beach Street, Daytona Beach, Florida, stated he is the owner of Davidson Brothers Fruit which is located next door to this site. Mr. Minnis stated he resides on the second floor of 248 S. Beach Street and his wall will abut the proposed business which will be open at night until 10:00 p.m. if approved. Mr. Minnis stated with the proposed Brown & Brown project planned for the downtown, he does not think this is the time to allow such a business on Beach Street. Mr. Minnis stated he is concerned about the image a tattoo parlor will have on Beach Street. Mr. Minnis stated he has spoken with the existing tenant who lives on the second floor of 246 S. Beach Street and that tenant leaves for work at 4:00 a.m. every day. Mr. Minnis stated there has been opposition to this application. Mr. Minnis stated if the proposed applicant is not successful, there will be another tattoo parlor located on the site if the zoning is changed. Mr. Minnis stated allowing a tattoo parlor at this site is contradictory to what has been the goal for Beach Street and does not feel this is the right direction for Beach Street.

Richard Detore, 153 Lewis Street, Daytona Beach, Florida spoke in favor of Mr. Rogers' application. Mr. Detore stated Mr. Rogers is booked for weeks in advance of appointments and is an icon in the tattoo industry who will bring money into the town.

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida stated the notion that Brown & Brown employees will be turned-off by a tattoo parlor being located next to their offices is not true. Ms. Ruby stated tattooing is very popular among young adults. Ms. Ruby stated the applicant is passionate about Beach Street which is what is needed. Ms. Ruby stated the tattoos are expensive and the business will have high-end clientele. Ms. Ruby stated she feels the business will be a good fit for this space. Ms. Ruby stated the sign along Beach Street will not

say tattoo on it. Ms. Ruby stated if the existing resident has not attended a meeting or written a letter, maybe she doesn't care about the proposed use.

Sandy Murphy, 136 Park Avenue, Daytona Beach, Florida, stated she recently attended the Redevelopment Conference held in Daytona Beach; and it was discussed at the conference that if you want redevelopment, you have to go after the creative class and restaurants. Ms. Murphy stated tattoo artists are the creative class and perform high-end art work on bodies instead of on walls.

Belinda Haynes, 464 North Charles Street, Daytona Beach, Florida, stated she feels this project is needed on Beach Street and feels this business will set an example for young people in the city.

Board Comments:

Mr. Hurt stated tattooing is a form of art and he does not have a problem with the business being located on Beach Street.

Mr. Barhoo stated it will be positive since it will bring more money and business to the Beach Street area.

Mr. Servance stated he feels this business will be a good opportunity for Beach Street.

Mr. Newman stated he feels Mr. Rogers is a brilliant artist but does not feel this is the proper location for his business. Mr. Newman stated he voted for the tattoo parlor on Main Street because the surrounding community seemed to support it; but he does not see the same support for this location. Mr. Newman stated he received a packet of information regarding this application when he arrived at the meeting this evening and would prefer if there is additional information that an item be delayed in order to give the Board members an opportunity to review the material that has been provided to them. Mr. Newman stated he is concerned by the comments made by Mr. Minnis and the Board should be sensitive to those comments. Mr. Newman stated if the business was coming in next door to him, he would be upset about it. Mr. Newman stated he is not opposed to a tattoo parlor on Beach Street but this upstairs location may not be the appropriate place for it.

Mr. Neal stated there will not be large numbers of people at the business since it will be by appointment only and this business should not hinder the residential owners currently residing in this building.

Ms. Washington expressed concern with the traffic in and out of the building and the effect the traffic will have on the existing residents.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Servance, to approve Rezoning to Planned Development-Redevelopment (PD-RD) – 246 S. Beach Street, DEV2017-084, in accordance with the staff report as presented. The motion carried 4-2 (Mr. Newman and Ms. Washington voted no).

5. **First Amendment to Bayberry Cove Planned District Agreement – DEV2017-099**

Staff Presentation:

Hannah Ward, Planner, presented the staff report which is included as part of the packet. Ms. Ward stated the request is to amend the Bayberry Cove Planned District Agreement to revise the minimum specialty setback requirements for air conditioning units/heating units, swimming pool shells, and pool pumps that will be associated with single-family dwellings and townhomes on the property. Ms. Ward stated the request is to reduce the minimum specialty setback requirement for air conditioning units and heating units from 3 feet to 1.5 feet with the condition that the units be installed so that they are separated no less than 8 feet apart. Ms. Ward stated the applicant is also requesting to reduce the minimum specialty setback requirement for swimming pool shells from 8 feet to 6 feet and pool pumps from 5 feet to 1.5 feet.

Mr. Hurt asked if similar setback approvals were recently granted for another application.

Ms. Ward stated the same setbacks were approved for Minto properties.

Mr. Barhoo expressed concerns about the reduced setbacks.

Applicant's Presentation:

Richard Smith, ICI Homes, 2379 Beville Road, Daytona Beach, Florida stated this setback reduction is requested in order to have similar setbacks as the neighboring project.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Hurt, seconded by Mr. Servance, to approve First Amendment to Bayberry Cove Planned District Agreement – DEV2017-099, in accordance with the staff report as presented. The motion carried unanimously.

6. **Preliminary Plat – Bellewood Commons, DEV2017-082)**

Staff Presentation:

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated the property is located at 1250 Beville Road. Mr. Mrozek stated the Level II residential allows up to 20 dwelling units per acre.

Applicant's Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida, stated he was available to answer any questions the Board may have.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Barhoo, to approve Preliminary Plat – Bellewood Commons, DEV2017-082, in accordance with the staff report as presented. The motion carried unanimously.

7. **Other Business**

a. Downtown/Balough Road Redevelopment Board Report

Ms. Washington stated the Downtown/Balough Road Redevelopment Board met on October 3, 2017, and reviewed the application presented this evening for the tattoo parlor on Beach Street. Ms. Washington stated the Board did not support the application. Ms. Washington stated the Board also reviewed a request for Indoor Cycling which was approved by the board. Ms. Washington stated the Board asked about the proposed message board signs planned for International Speedway Blvd. and Mr. Jeffries advised the Board that the request for the message board signs will not be moving forward. Ms. Washington stated the Board asked about the vacant car lot site on North Beach Street and Mr. Jeffries stated the property has gone through EPA testing and is in remediation. Ms. Washington stated the Board asked about the proposed Pub & Grub planned for the property across from City Hall. Ms. Washington stated that Mr. Jeffries advised the Board that the permit is still active and will be for 6 months and work was being done at the site prior to Hurricane Irma. Ms. Washington stated the Board asked about the historic bus station and Mr. Jeffries stated that Mr. Joseph Hopkins had notified him

prior to Hurricane Irma that the project is moving forward. Ms. Washington stated no information was provided to the Board on ISB streetscape.

b. Midtown Redevelopment Area Board Report

Mr. Barhoo stated the Midtown Redevelopment Area Board met on October 10, 2017 and reviewed the Compstat and Code Enforcement reports. Mr. Barhoo stated the Board expressed concern about debris removal from Hurricane Irma.

c. Beachside Redevelopment Area Board Report

Mr. Newman stated he was unable to attend the October Beachside Redevelopment Area Board meeting so he did not have a report to provide to the Board.

d. Public Comments

Marjorie Johnson, 122 S. Keech Street, Daytona Beach, Florida stated she did not see a problem with a tattoo parlor being located along Beach Street. Ms. Johnson stated she will attend the City Commission to voice her support for this proposed business. Ms. Johnson stated she is concerned about Midtown and the debris that has not been removed from Hurricane Irma. Ms. Johnson asked the Planning Board to support projects in Midtown since she feels her community has been neglected for many years.

e. Staff Comments

Mr. Walton reminded the Board that the November Planning Board meeting will be on the third Thursday of the month due to the Thanksgiving holiday. Mr. Walton stated the schedule of Planning Board meetings for 2018 is included as part of the packet.

f. Board Comments

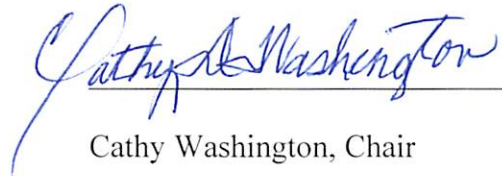
Mr. Newman stated he believes the Board does support Midtown and stated the debris from Hurricane Irma was just recently removed from his street and only because he called every day to have it removed. Mr. Newman stated there are other areas of the city where piles of debris are stacked and are not being removed. Mr. Newman stated there should be contingency plans in the waste removal contracts for debris removal. Mr. Newman stated his only concern about the proposed tattoo parlor on Beach Street is because it will be located upstairs next to residential.

Ms. Washington stated the trash removal company only removed portions of the debris on her street and left some of the debris. Ms. Washington asked who she should report her concerns to.


Mr. Walton stated Public Works oversees trash removal.

Adjournment

There being no further business, the meeting adjourned at 7:01 p.m..


Cathy Washington, Chair

ATTEST:


Secretary