

MINUTES
REGULAR MEETING – PLANNING BOARD
October 25, 2018

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, October 25, 2018 at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board Members Present:

James Newman, Vice Chair
Tony Barhoo
Jeff Hurt
Tony Servance
Helen Humphreys
James Neal

Board Members Absent:

Cathy Washington, Chair

Staff Members Present:

Dennis Mrozek, Planning Director
Robert Jagger, City Attorney
Doug Gutierrez, Principal Planner
Reed Berger, Redevelopment Director
Hannah Ward, Planner
Becky Groom, Board Secretary

1. **Call to Order**

Mr. Newman called the meeting to order at 6:05 p.m.

2. **Roll Call**

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

3. **Approval of the Minutes** - September 27, 2018

Board Action:

A motion was made by Mr. Barhoo, seconded by Mr. Servance, to approve the minutes of the September 27, 2018 meeting as presented. The motion carried (6-0).

Continued Items:

4. **Sixth Amendment to Daytona Beach Kennel Club Planned District Agreement, DEV2018-089 (Quasi-Judicial Hearing)**

Staff Presentation:

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the applicant has removed the request for outdoor recreation/entertainment and special events as permitted uses for the property. Ms. Ward stated the applicant is requesting to amend the agreement to allow for a maximum of two EMC signs. Ms. Ward stated the applicant proposes to convert the existing billboard on the property into an EMC sign following the expiration of the 20-year term in which the billboard is permitted to remain. Ms. Ward stated the proposed EMC sign is consistent with similar signs that have been approved along Interstate 95. Ms. Ward stated the applicant is requesting waivers from the requirements in the LDC to accommodate the EMC sign.

Mr. Barhoo asked if there are other projects in the area that have been approved to have two EMC signs.

Applicant Presentation:

Robert Merrell, Cobb & Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida, spoke representing the applicant. Mr. Merrell stated there are other projects that have been approved, such as Tanger Outlets and Tomoka Town Center, that have similar signage approved.

Public Comments:

John Nicholson, 413 N. Grandview, Daytona Beach, Florida asked if the sign along I-95 will remain.

Mr. Merrell stated the EMC sign will replace the billboard.

Board Action:

A motion was made by Mr. Hurt, seconded by Mr. Servance, to approve Sixth Amendment to Daytona Beach Kennel Club Planned District Agreement, DEV2018-089, in accordance with the staff report as presented. The motion carried (6-0).

New Items:

5. **Rezoning to Planned Development-Redevelopment (PD-RD) – Breakers Park Hotel, DEV2018-064 (Quasi-Judicial Hearing)**

Staff Presentation:

Reed Berger, Redevelopment Director, presented the staff report which is included as part of the packet. Mr. Berger stated the property is located at the corner of Harvey and Ocean adjacent to Breakers Park. Mr. Berger stated the project will be for a shared site to accommodate Courtyard by Marriott and Springfield Suites hotels in one facility. Mr. Berger stated the hotels will include 300 units and 358 parking spaces. Mr. Berger stated the project includes a 15 foot boardwalk which will be located along the ocean from Breakers Park to the south to Harvey. Mr. Berger stated the Beachside Redevelopment Board reviewed and approved the project unanimously (7-0). Mr. Berger stated the Beachside Redevelopment Board's comments included concerns about the Harvey beach access; access drives from Ocean Avenue; the need to make Ocean Avenue more walkable; traffic congestion on Ocean and Harvey; and parking for construction employees and equipment. Mr. Berger stated the applicant has agreed to submit a construction parking plan as part of their development agreement.

Ms. Humphreys expressed concern about spacing at the entranceway and asked if the entrance to the site will accommodate large buses and traffic congestion during special events.

Mr. Barhoo asked if Harvey will be one way.

Mr. Berger stated Harvey will be pedestrian only but will be used as access for emergency vehicles and vendors.

Applicant Presentation:

Glenn Storch, 420 S. Nova Road, Daytona Beach, Florida, spoke representing the applicant. Mr. Storch stated this is the first new project in the E-zone and is needed to boost the Main Street area. Mr. Storch stated the vacation of Harvey was granted by Volusia County in order to allow access to the site's parking area; and, in turn, the developer will rebuild Harvey as a pedestrian plaza area with pavers or a paver-like design and a new sidewalk. Mr. Storch stated there will be sufficient spacing for buses, and the plans presented in the packet reflect buses parked at the entranceway. Mr. Storch stated this project will be a major driving force for redevelopment.

Ms. Humphreys expressed concern about beach maintenance once the project is developed and asked about stormwater drainage for the site.

Brad Bauknedt, Newkirk Engineering, 747 Hope Street, Ormond Beach, Florida stated stormwater will be retained on site and will be filtered through a rock bed system and will not flow to the beach.

Mr. Storch stated the entire seawall will have to be rebuilt since it is deteriorated so additional permitting beyond city requirements must be obtained and will take approximately 15 months. Mr. Storch stated it will take approximately three years for the project to be completed.

Mr. Hurt stated the area has been neglected for a long time and he believes the project will be good for the area.

Public Comments:

Jim Cameron, Senior Vice President of Governmental Relations, Daytona Regional Chamber, stated the Chamber wants to go on record in support of this project and is excited about the redevelopment of this area.

Anne Ruby, 137 Park Avenue, stated she is concerned about parking for the project and asked if the laundry facilities for the project will be in-house. Ms. Ruby asked for the status of the seawall repairs for the lot on the south side of Harvey.

Mr. Storch stated 320 parking spaces are required and the developer is providing 358. Mr. Storch stated he does not know at this point if laundry service will be in-house.

John Nicholson, 413 N. Grandview, Daytona Beach, Florida stated he supports having a village type project south of Main Street. Mr. Nicholson stated he is in favor of the boardwalk. Mr. Nicholson stated there is no sidewalk planned for the east side of Ocean Avenue and there is sufficient space for it. Mr. Nicholson expressed concern about delivery trucks for cement and rebar to the site during construction.

Board Action:

A motion was made by Mr. Hurt, seconded by Mr. Servance, to approve Rezoning to Planned Development-Redevelopment (PD-RD) – Breakers Park Hotel, DEV2018-064, in accordance with the staff report as presented. The motion carried (6-0).

6. **Large Scale Comprehensive Plan Amendment (LSCPA) – Preserve at LPGA, DEV2018-026 (Legislative Hearing)**

This item was presented in conjunction with Item 7, Rezoning to Planned Development-General (PD-G) – Preserve at LPGA, DEV2017-091.

Staff Presentation:

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. Mr. Gutierrez stated the project is located across from Municipal Stadium on LPGA and no commercial uses are planned for the site.

Applicant Presentation:

Robert Merrell, Cobb & Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Merrell stated the project will provide reasonably priced housing in a growing area.

Mr. Newman asked what the average square footage will be for the proposed houses.

Mr. Merrell stated the average square footage will be 2,000 s.f.

Public Comments:

John Nicholson, 413 N. Grandview, Daytona Beach, Florida stated he is concerned about traffic in the area and stated a traffic study is needed for LPGA. Mr. Nicholson stated the homes presented look cheap to him.

Mr. Merrell stated traffic flow moves well, except during peak school times.

Board Action:

A motion was made by Mr. Barhoo, seconded by Mr. Servance, to approve Large Scale Comprehensive Plan Amendment (LSCPA) – Preserve at LPGA, DEV2018-026, in accordance with the staff report as presented. The motion carried (6-0).

7. **Rezoning to Planned Development-General (PD-G) – Preserve at LPGA, DEV2017-091 (Quasi-Judicial Hearing)**

This item was presented in conjunction with Item 6, Large Scale Comprehensive Plan Amendment (LSCPA) – Preserve at LPGA, DEV2018-026.

Staff Presentation:

Dennis Mrozek, Planning Director, presented the staff report which was included as part of the packet. Mr. Mrozek stated the project is planned for a 158 unit single family subdivision. Mr. Mrozek stated the applicant is requesting only one full access to the site at the south side of the property and one emergency access point. Mr. Mrozek stated the Fire Department has reviewed the request regarding access and finds the request acceptable. Mr. Mrozek stated the applicant is also requesting to increase the number of model homes and is asking for a delay in sidewalk construction. Mr. Mrozek stated the applicant has agreed to install sidewalks as the lots are developed.

Mr. Hurt asked if the sidewalk will have to be in place before a Certificate of Occupancy can be issued.

Mr. Mrozek stated that is correct.

Applicant Presentation:

The applicant's comments are note in Item 6.

Public Comments:

Public comments are noted in Item. 6

Board Action:

A motion was made by Mr. Servance, seconded by Mr. Neal, to approve Rezoning to Planned Development-General (PD-G) – Preserve at LPGA, DEV2017-091, in accordance with the staff report as presented. The motion carried (6-0).

8. **Right-of-Way Vacation – Brown & Brown, DEV2018-134 (Public Hearing)**

Staff Presentation:

Mr. Gutierrez presented the staff report which was included as part of the packet. Mr. Gutierrez stated the right-of-way vacation requested is for all of Wisconsin and portions of San Juan and First in order to develop the Brown & Brown headquarters site. Mr. Gutierrez stated the applicant is in the process of obtaining the “no objection” letters from utility providers, which must be received prior to approval by the City Commission. Mr. Gutierrez stated the right-of-way vacation has been reviewed by the City's

Technical Review Team and agrees that the right-of-way is not needed for public purpose.

Applicant Presentation:

Rob Merrell, Cobb & Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Merrell stated additional property was acquired for the Brown & Brown project which necessitates the vacation.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Barhoo, seconded by Ms. Humphreys, to approve Right-of-Way Vacation – Brown & Brown, DEV2018-134, in accordance with the staff report as presented. The motion carried (6-0).

9. **Wall Graphic Request – Daytona Pizza & Wings, DEV2018-131**

Staff Presentation:

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the property is located at 312 Seabreeze. Ms. Ward stated a Code Enforcement violation was issued for failure to obtain a permit for the wall graphic and this is a request to resolve the issue.

Applicant Presentation:

Richard Kitt, 312 Seabreeze, Daytona Beach, Florida, stated he owns the property and business inside. Mr. Kitt stated he was unaware he needed a permit for the wall graphic and he is now trying to work through the process to obtain the permit.

Ms. Humphreys stated she has seen the graphic and thinks it looks very nice.

Mr. Newman stated he has seen the graphic and it is very creative.

Public Comments:

John Nicholson, 413 N. Grandview, Daytona Beach, Florida stated he is concerned that people will feel they can put whatever signage they want in place and obtain permitting afterwards.

Mr. Newman stated there is a penalty applied for obtaining a permit after the work has been done and what has been done still must be approved.

Board Action:

A motion was made by Mr. Hurt, seconded by Ms. Humphreys, to approve Wall Graphic Request – Daytona Pizza & Wings, DEV2018-131, in accordance with the staff report as presented. The motion carried (6-0).

10. **Other Business**

a. Downtown/Balough Road Redevelopment Area Board Report

Ms. Washington was not in attendance to provide a report.

b. Midtown Redevelopment Area Board Report

Mr. Barhoo stated he was out of the city so he did not have a report on this Board.

c. Beachside Redevelopment Area Board Report

Mr. Newman stated the Beachside Redevelopment Area Board met and reviewed the Breakers Hotel project that was presented this evening.

d. Public Comments

Mr. Newman stated he would like to ask about the seawall on Harvey Street that was brought up earlier in the meeting by Anne Ruby.

Mr. Mrozek stated the applicant has been working on a PD application which will not proceed until the seawall is repaired. Mr. Mrozek stated the rezoning will not go forward to the City Commission until the seawall is addressed.

Ms. Ruby asked if a building is painted with a checkered flag wall graphic, is that permitted and asked if a special permit is needed for that. Ms. Ruby stated she does not feel it is attractive.

Ms. Ward stated a checkered pattern would be a wall graphic. Ms. Ward stated the graphic has been there for a long time and was probably permitted under the old Land Development Code so the city would not now require the owner to obtain a permit since it has been in place for a long time.

Ms. Humphreys expressed concern about t-shirts being placed along the entire front of the buildings covering the windows along Main Street.

Ms. Ward stated she will look into that concern for Ms. Humphreys.

Ms. Ruby stated she is concerned about the fluorescent signage on a building at the corner of Main Street and A1A and asked that staff look into the signage.

John Nicholson, 413 N. Grandview, stated the CRA for Main Street will not have a Project Manager so nothing will be looked into. Mr. Nicholson stated the checkered flag designs were put in place over 20 years ago and they are city approved. Mr. Nicholson stated the seawall at Harvey was originally cited 11 months ago and it still looks like garbage.

e. Staff Comments

Mr. Mrozek stated Kathy Gattermer will be starting with the City as the new Planning Manager.

f. Board Comments

Mr. Hurt stated the staff report did not have the attachment with the staff report showing the permitted outdoor uses for the dog track item.

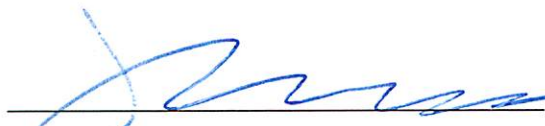
Ms. Ward stated it is a general category and the uses are not listed.

Mr. Mrozek stated the applicant can apply for a Special Event permit and there is a maximum of 14 days per year where special events can be held on site.

Mr. Barhoo expressed concern about traffic on LPGA and who will pay for the eventual widening of the road.

Mr. Mrozek stated the applicant can apply for a proportionate share agreement for the road improvements.

Mr. Newman stated when roads are widened, traffic will increase. Mr. Newman stated he would to see projects that have commercial uses so people do not have to leave their subdivisions as frequently.



James Newman, Vice Chair



Jeff Hurt, Board Secretary