
A regular meeting of the City of Daytona Beach Planning Board was held on Thursday, June 28, 2007, at 6:00 PM in City Hall Commission Chambers, 301 S. Ridgewood Ave., Daytona Beach, FL

Board members present were as follows:

Ms. Anita Gallentine
Mr. Bob Hoitsma, Vice Chair
Mr. Jeff Hurt
Ms. Janet LeSage
Mr. John McGhee II
Mr. Larry Moore
Ms. Edith Shelley, Chair
Ms. Cathy Washington (Arrived at 6:10 p.m.)
Mr. Kenneth Wood

Absent members:

Mr. James Neal
Mr. Sam Rogers

Staff members present:

Ms. Cheryl Harrison-Lee, Development Services Director
Mr. Daniel Reed, Planning Administrator
Mr. Steven Spraker, Planning Manager
Ms. Marie Hartman, Deputy City Attorney
Ms. Lana Loss, Planning Technician

1. Call to Order

Ms. Shelley called the June 28, 2007 Planning Board Meeting to order at 6:00 p.m.

2. Roll Call

Mr. Hurt called the roll and noted members present as stated above.

3. Approval of the Minutes: May 24, 2007

Mr. Moore made a motion to approve the May 24, 2007 meeting minutes. Mr. Hurt seconded the motion and it was unanimously approved (8-0).

Ms. Shelley stated staff notified her that the July Planning Board Agenda would be very full and there was a possibility that there would be two meetings for the July agenda. She said the dates they were considering were Tuesday, July 31, 2007 or Thursday, August 2, 2007, and the Board could discuss the possibilities at the end of the meeting.

4. PLANNED REDEVELOPMENT REZONING, DEV 2006-103, Marina Point II

A request by New Dawn Daytona, LP, a Florida limited partnership, for approval of a rezoning from M-1 (Local Service Industry) to PR (Planned Redevelopment) to allow multi-family condominiums or hotel/condominiums and 150 marina boat slips together with related amenities on a 4.7 ± acre parcel. The site is located at 645 South Beach Street, Daytona Beach, Florida and is bounded by South Beach Street to the west, the Halifax River to the east and Marina Point Drive to the north. THE APPLICANT HAS REQUESTED THAT THIS ITEM BE CONTINUED UNTIL JULY 26, 2007.

Ms. Shelley stated the applicant requested that the item be continued to the July 26, 2007 Planning Board meeting.

Board Motion

Mr. Hoitsma made a motion to continue the request to the July 26, 2007 Planning Board meeting. Ms. Gallentine seconded the motion.

Board Action

The motion was unanimously approved (8-0).

5. RIGHT-OF-WAY VACATION, DEV 2007-070, Marina Point II

A request by New Dawn Daytona, LP, a Florida limited partnership, for approval of a right-of-way vacation of a 0.109-acre portion of South Beach Street. The proposed right-of-way vacation is located in front of the existing Daytona Boat Works facility at 645 South Beach Street. THE APPLICANT HAS REQUESTED THAT THIS ITEM BE CONTINUED UNTIL JULY 26, 2007.

Ms. Shelley stated the applicant requested that the item be continued to the July 26, 2007 Planning Board meeting.

Board Motion

Mr. Hoitsma made a motion to continue the request to the July 26, 2007 Planning Board meeting. Mr. Moore seconded the motion.

Board Action

The motion was unanimously approved (8-0).

6. REZONING, DEV 2006-133, 1501 North Atlantic Avenue

A request by Glenn D. Storch, Attorney for the Owner, Waldemar Rucinski for a rezoning from T-1 (Tourist Accommodations) to T-2 (Tourist, Office, Restaurant) of a 0.33 ± acre parcel to allow an office use. The subject property is located at 1501 North Atlantic Avenue.

Staff Recommendation

Mr. Spraker presented information contained in the Staff report, a copy of which is hereto attached and made part of the record. He gave a PowerPoint presentation showing the location of the site to the Board, a copy of which is hereto attached and made part of the record.

Applicant's Presentation

Mr. Glenn Storch, Storch, Morris and Harris, representing the applicant, was present to answer questions.

Mr. Storch stated Mr. Rucinski planned to use the existing structure on the property for a real estate office for condominium sales for a previously approved project. He said the business hours would be from 9:00 a.m. – 5:00 p.m., which would work well in the existing neighborhood. He said a restaurant was allowed on the site through the current zoning and his client was prepared to file covenants and restrictions that would prohibit a restaurant use on the site in perpetuity.

Ms. Gallentine asked how long his client owned the property. Mr. Storch stated his client owned the property for a year or two. Ms. Gallentine stated she noticed improvements to the structure over the last few years, including a new roof, windows and siding. She said the Volusia County tax records did not show any permits for the work done, which made her wonder about the applicant's true intentions. She asked if Ocean Sands was where the applicant resided, which was going to be demolished to build a 22-story condominium. Mr. Storch stated that was correct.

Ms. Gallentine stated the structure on the property was a single-family 2 bedroom, 1 bath home. She asked how many people would be going in and out of the property each day. Mr. Storch stated if approved, his client would be using the structure for an office and required only one person to be on the property to serve the clientele to review specifications for the condominiums. He felt an office was the perfect and least intrusive use for the property.

Ms. Gallentine asked what would happen to the property once the condominiums were sold. Mr. Storch stated it would be sold as an office use, which would have landscape buffers and appear as though it were part of the neighborhood.

Citizen's Comments

Ms. Tracey Remark, 815 N. Oleander Avenue, Daytona Beach, stated she appreciated the fact that the property owner was willing provide deed restrictions. She said she spoke with Mr. Storch who said they would be willing to include additional restrictions to prohibit convalescent, nursing or group homes on the property.

Mr. John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated issues that needed to be considered were that the owner was improving the condition of the structure and the building would be vacant in the evening, which would cause fewer disruptions to the neighbors.

Ms. Laura Mercs, 436 and 425 Nautilus Avenue, Daytona Beach, stated she had been a resident there since 1968 and since then her neighborhood had been gradually degrading, including issues with drug dealers, prostitutes and rental properties which were dilapidated. She said some of the neighbors were trying to maintain the quality of life to which they had grown accustomed. She said the goal in her neighborhood was to keep the zoning the way it was and encourage families to move into the area to make it the neighborhood it once was.

Ms. Sherrie Martin, 1511 N. Atlantic Avenue, Daytona Beach, stated she had concerns with parking because of the size of the lot. She said she did not want to see a restaurant on the site because it was too small to accommodate such a use.

Ms. Leslie Ramshaw, 1516 N. Atlantic Avenue, Daytona Beach, read a letter of opposition to the Board, a copy of which is hereto attached and made part of the record. She asked the Board to deny the request because the proposed use would have a negative impact on her family as well as others in the neighborhood.

Ms. Robina Vilaubi, 445 Nautilus Avenue, Daytona Beach, stated she was concerned with access into the property, which would be on Nautilus Avenue, not on A1A and was opposed to the request.

Ms. Susan Chambers, 333 Nautilus Avenue, Daytona Beach, stated there was a rejuvenation of homes and families in the neighborhood and they wanted to protect what they had left that was not a hotel, condominium or 7-11.

Mr. Dave Owens, 433 Nautilus Avenue, Daytona Beach, stated he was in favor of anything that would improve the neighborhood and was not opposed to an office, but he had concerns with parking and what would happen to the property in the future.

Ms. Shelley asked what the residents would like to see on the site. She stated the current zoning allowed the applicant to construct a parking lot if he wished and the applicant ensured a restaurant would not be built on the site. She said she could not see a family moving into the home. Mr. Owens stated they were not against an office, but they did not want to see clients turning around in their neighborhoods and had concerns with future use. He asked about visioning and the standards along the west side of A1A. Ms.

Shelley encouraged those who spoke to attend the next Visioning Meeting, which would be July 9, 2007, to provide their input.

Mr. Storch wanted to stipulate that they would include nursing and convalescent homes be restricted on the property. He said he would meet with the neighbors prior to the City Commission meeting to review the covenants and restrictions, which would be permanent on the site.

Ms. Shelley asked where access to the property would be. Mr. Storch stated access would be on Nautilus Avenue, but the amount of traffic they anticipated would be the same as a single-family use.

Board Motion

Mr. Hurt made a motion to approve the request with the conditions that the property remain an office use in perpetuity, with the covenants and restrictions on the property to prohibit a nursing or convalescent home, hotel or restaurant use and to meet with the neighbors to discuss and include their comments prior to the City Commission meeting. Mr. Moore seconded the motion.

Board Action

The motion was approved (7-2) with Ms. Gallentine and Ms. LeSage casting the dissenting votes.

7. MURAL, DEV 2007-104, Daytona USA Mural

A request by Kim Isemann, General Manager, Daytona USA, for a hand painted mural on the outside wall of the Daytona USA attraction, located at 1801 West International Speedway Boulevard.

Staff Recommendation

Mr. Spraker presented information contained in the Staff report, a copy of which is hereto attached and made part of the record. He gave a PowerPoint presentation showing the location of the site to the Board, a copy of which is hereto attached and made part of the record.

Applicant's Presentation

Mr. Rob Merrell, Cobb & Cole, representing the applicant, was present to answer questions. He distributed a copy of the proposed wall mural to the Board, a copy of which is hereto attached and made part of the record. He said the proposed mural was intended to commemorate the 50th Anniversary of the Daytona 500.

Ms. Shelley stated the City's Land Development Code (LDC) included language that stated a wall graphic depicted a scene or picture with no written message, word, insignia,

arrow or logo. She stated it appeared there were many logos on the mural and wondered how the Board would deal with the same issues for future requests. Mr. Merrell stated the idea behind the mural was for it to appear realistic and accurate and was not intended for advertising.

Mr. Hoitsma stated the Speedway had always done a nice job with improvements to the property including roadways, landscaping and statues. He felt the mural was disappointing and more of an advertisement.

Ms. LeSage stated a request for a similar design on a parking garage recently went before the Main Street/South Atlantic Redevelopment Area Board. She asked staff to explain the difference between the item that the redevelopment area board approved and the request before the Planning Board. Mr. Spraker stated the City's code required that the redevelopment area boards reviewed wall graphics in redevelopment areas and the Planning Board reviewed wall graphics outside redevelopment areas.

Mr. Moore stated the wall graphic appeared to be carnival-like and had many logos, which were prohibited. Mr. Spraker stated staff's interpretation was that the graphics that were depicted were no different than those of a football team, which had uniforms and helmets, and the graphics were in essence, the uniforms of NASCAR.

Ms. LeSage stated it would not be fair to allow a big business to put up a wall graphic with advertisements and not allow a small business to put up a graphic of an ice cream cone on the side of a building.

Mr. Hurt stated the Speedway was a major tourist attraction in the City and was different from other businesses.

Citizen's Comments

Mr. John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated there was a blank wall at the Speedway, which was on the major artery into the City. He said the proposed wall graphic was unattractive and could be modified so it would be more appealing to both citizens and tourists.

Ms. Tracey Remark, 815 N. Oleander Avenue, Daytona Beach, stated the City's LDC included language for wall graphics, which depicted a scene, picture, illustration, or design with no written message, word, insignia, arrow or logo. She said if someone wanted to start a company and use the Speedway's logo, they would be involved in a lawsuit. She said NASCAR was actively involved in a lawsuit with AT&T in an attempt to keep the AT&T logo off the Cingular car, because NASCAR had an agreement with Nextel. She said there were logos and words on the proposed graphic and she did not see how the Board could approve the request. She hoped Mr. Merrell would withdraw the request and work with staff to meet the requirements of the code. She said there were many ways to show the history of NASCAR without words and logos.

Mr. Merrell stated the Speedway did not have a relationship with the companies depicted in the graphic, nor were they being paid by any of them. He said the STP sticker was not a logo, but a depiction of Richard Petty's car as it was in 1972, and was what everyone expected his car to look like. He said it was not intended to result in the sale of STP oil treatment. He said if the Board was saying it was not a mural because there was a logo on it, he disagreed with that. Ms. Shelley stated it appeared some of the Board members felt there was advertising on the mural.

Mr. Hoitsma felt the proposed wall mural would not add anything to the community and if they wanted to put the graphic on the inside or the back of a building that would be fine, but not at the Gateway to the City.

Ms. Gallentine stated she disagreed with Mr. Merrell and felt there were logos on the proposed wall graphic.

Ms. LeSage felt there were other ways to get the message across to the race fans.

Board Motion

Mr. Hurt made a motion to approve the request. Mr. Wood seconded the motion.

Board Action

The motion was denied (2-7) with Ms. Gallentine, Mr. Hoitsma, Ms. LeSage, Mr. McGhee, Mr. Moore, Ms. Shelley and Ms. Washington casting the dissenting votes.

8. REZONING, DEV 2007-082, Integra Shores

A request by Robert McDaniel, Integra Shores, LLC, for approval of a preliminary plat and a zoning map amendment from Volusia County A-2 (Rural Agriculture) to RPUD (Residential Planned Unit Development) for a 23.24 ± acre parcel and to enter into the Integra Shores Residential Planned Unit Development Agreement to establish development standards for a multifamily residential development consisting of 288 units. The subject property is located at the northeast corner of Clyde Morris Boulevard and Strickland Range Road.

Staff Recommendation

Mr. Spraker presented information contained in the Staff report, a copy of which is hereto attached and made part of the record. He gave a PowerPoint presentation showing the location of the site to the Board, a copy of which is hereto attached and made part of the record.

Mr. Hoitsma asked about the wetlands that would be impacted. Mr. Spraker stated there was a total of four acres of wetlands on the site, two of which would be impacted. He said wetlands could be impacted through mitigation in accordance with the St. John's River Water Management District.

Applicant's Presentation

Mr. Robert McDaniel, representing Integra Land Company, as an Officer of the company, was present to answer questions.

Ms. Gallentine asked about the wildlife that would be impacted on the site and if there were any gopher tortoises on the property. Mr. McDaniel stated they conducted a full environmental survey and would comply with all environmental regulations.

Citizen's Comments

Mr. John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated his comments applied to Items 8, 9, 10A, 10C and 10D. He said the project would increase the City's population, which was needed. He said he had concerns with the size of the units being too small, the price ranges and if they would be affordable housing.

Mr. Joe Mojica, civil engineer with the IBI Group, stated his firm designed several projects in the area including Tuscany Woods and Tuscany Townhomes and there were no gopher tortoises were found on either site. He said the proposed project would be a good balance with the existing developments in the area.

Ms. LeSage asked what the rental prices would be. Mr. McDaniel stated the term affordable was currently a moving target. He said government and public financing would be involved with the project and they anticipated rents in the price range of \$850 - \$1325.

Ms. LeSage asked if the units would be 1-bedroom, 1-bath and 2-bedroom, 2-bath. Mr. McDaniel stated yes and they would also have a 3-bedroom, 2-bath for a total of three product types.

Mr. Moore asked about the 25% reduction between the buildings from 40 feet to 30 feet. Mr. Spraker stated the City's code had a calculation for multi-family, which was unique to the City of Daytona Beach. He said the proposed project would be closer together to tighten up the site for fewer impacts on wetlands. He said the proposed plan exceeded building and fire codes and staff felt the reduction was appropriate considering the number of benefits the project would provide.

Board Motion

Mr. Hoitsma made a motion to approve the request with staff recommendations. Mr. Moore seconded the motion.

Board Action

The motion was unanimously approved (9-0).

9. REZONING, DEV 2007-002, Andros Isles Villages

A request by DD/Gateway Daytona, LLC, for approval of a six lot preliminary plat and a zoning map amendment for a 45± acre parcel of land from HID (Highway Interchange District) to Residential Planned Unit Development (RPUD) in order to authorize development of a mixed-use project containing commercial, office and multi-family uses and to enter into the Andros Isles Villages RPUD Agreement. The subject property is located at the southwest quadrant of the intersection of Beville Road and Williamson Boulevard.

Staff Recommendation

Mr. Spraker presented information contained in the Staff report, a copy of which is hereto attached and made part of the record. He gave a PowerPoint presentation showing the location of the site to the Board, a copy of which is hereto attached and made part of the record.

Mr. Spraker stated staff received correspondence regarding issues on the project from Mr. Robert Riggio late that afternoon, a copy of which was included in the Board's packets and hereto attached and made part of the record. He asked that the Board allow Mr. Riggio to make a presentation so that staff could address his concerns.

Mr. Hoitsma asked why staff felt residential was a better use for the site than commercial. Mr. Spraker stated they considered the existing developments in the area including Pelican Bay to the east. He said staff felt an intense commercial use would not be compatible with the Pelican Bay subdivision. He said there would be a 50-foot scenic setback around the entire property and he did not know, from a marketing perspective, if the City could absorb that much retail and that commercial had a much higher trip generation with regards to traffic. He said the existing HID zoning district allowed residential and the outparcels of the proposed project could provide some neighborhood commercial type uses, including a restaurant.

Ms. Shelley asked about Mr. Riggio's concerns. Mr. Spraker stated one of Mr. Riggio's issues was with residential being consistent with the land use and zoning for the site. He said the existing land use allowed 40 units per acre and the existing zoning permitted residential. He said there was a question of how the RPUD was consistent with a matrix, which was referenced in the City's Comprehensive Plan. He said the matrix was a guide and not adopted as part of the Comprehensive Plan. He said when staff reviewed the request, they took into consideration that the existing and proposed zoning allowed multi-family. He said in Mr. Riggio's letter, there were references to the Neighborhood R Policy of the Comprehensive Plan, which only allowed commercial. He said if they were proposing commercial they would have to be consistent with the Neighborhood Policy, but staff's interpretation was that commercial did not necessarily preclude the residential use, which was allowed under the land use and zoning.

Applicant's Presentation

Mr. Mark Karet, Zev Cohen and Associates, Mr. Jay Adams and Mr. Mike Smith, DeBartolo Development and Mr. Sans Lassiter, Lassiter Transportation, representing the applicant, were present to answer questions. Mr. Karet reviewed the proposed site plan with the Board, including the apartment portion, landscaping, commercial outparcels and proposed architecture. He said the site included an 11-acre wetland conservation area and the applicant paid mitigation for the impacted wetlands, in excess of \$1million. He said the project would include a clubhouse, upgraded landscaping, lighting and pavement.

Mr. Karet stated he received a copy of Mr. Riggio's letter late that afternoon and he would like to hear what Mr. Riggio had to say so they could thoroughly understand his concerns before they responded. He said they felt it was an authorized development in accordance with the City's zoning and Comprehensive Plan.

Citizen's Comments

Mr. Robert Riggio, Riggio and Mitchell P.A., and Mr. Gary Dickens, Community Design Associates, were present representing DSC of Newark Enterprises, Inc., the owner of the property directly to the south of the site of the request.

Mr. Riggio stated his opinion was that the proposed project was not consistent with the City's Comprehensive Plan. He said the site divided I-95, Williamson Boulevard and Beville Road and had a land use classification of Interchange Commercial, which was intended to have a commercial use to serve the interchange. He said the areas to the south included land uses of Interchange Commercial, Mixed-Use, General Industry, then stepped down from Level 2 Residential to Office Professional to Level 1 Residential. He said the incompatibility of residential and commercial was the reason why the property owner had been working with the City for the past 20 years to try to create an area where commercial would abut commercial or some type of business/retail land use. He said this would eliminate the issues that would arise when commercial was located next to residential. He the site of the proposed project was specifically designated as a commercial area and the request before the Board was essentially a residential request for apartments, which did not fit any of the uses that were allowed by the Neighborhood R Policy of the City's Comprehensive Plan. He said the Neighborhood R Policy specifically stated that uses in the Interchange Commercial, which included the area south of Beville Road between I-95 and Williamson Boulevard, shall be limited to retail uses associated with the traveling public, as well as hotels, motels, restaurants and other uses directly related to the needs of travelers. He said there might be a market for residential, but they could not rezone the property until they proved to be consistent with the Comprehensive Plan and the Board could not consider the request because of the constraints of the Comprehensive Plan. He said other reasons commercial was intended for the area was to enhance the tax base and provide a Gateway to the City. He said the land uses to the south allowed commercial, therefore if the Board approved the proposed project, when a commercial project comes forward, the residents of the proposed project will have issues with the City allowing commercial abutting residential.

Mr. Dickens stated the location of the site was extraordinary because of the fact that it was located at the intersection of two interstates. He said the property had limited access and the proposed Andros Isles Boulevard, which would be 2-lane, would be the primary road that would feed the proposed project as well as the property to the south, including several hundred thousand square feet of non-residential development. He said when an applicant comes forward to obtain approval for a non-residential development to the south, they would have 600 residents (from the proposed project) opposing primary access on Andros Isle Boulevard to support a regional commercial center. He said it was not what they planned for over the past 15 years. He said the staff report included language that stated that an Interchange Commercial Land Use designation was an area generally oriented to interstate highway traffic and suitable for commercial development including amusement and planned districts.

Mr. Spraker continued the sentence on the land use that Mr. Dickens recited, which stated intensities and densities shall be limited to compatible zoning districts, but in no case will they exceed a maximum of 60% of building coverage or a maximum of 40 dwelling units per acre. He said all commercial zoning districts allowed a residential use within the City's Comprehensive Plan. He the Neighborhood R Policy applied to commercial uses and specifically prohibited truck stops and large retail establishments oriented to local consumers. He said based on the existing land use, which allowed 40 units per acre and the existing zoning, staff felt Mr. Riggio could not justify prohibiting residential on the site. He said regarding compatibility, Beville Road was much different than US 92, State Road 40 or Dunlawton Avenue and there was a tremendous amount of residential along the Beville Road corridor. He said residential could be a Gateway to the City. He said staff maintained their position that the request would work as a residential development.

Mr. Hoitsma asked if someone developed the property to the south in a commercial manner, would they be able to have access off Williamson Boulevard or would they have to access the property from Beville Road. Mr. Spraker stated Andros Isles Boulevard would extend southward and it was his understanding that they would have access from Williamson Boulevard and the proposed Andros Isles Boulevard. Mr. Hoitsma asked if the access road from Beville Road would be wide enough to accommodate future development to the south. Mr. Spraker stated the proposed road was intended to provide relief for Williamson Boulevard, and if the Board wanted to recommend that the road be 4-lane, staff had no objection, although he did not believe the capacity would warrant a 4-lane roadway.

Mr. Lassiter stated they prepared more than one traffic study for the site, which included one for commercial and one for residential. He said a retail center would generate approximately 18,700 daily trips and apartments would trigger 8,786 trips per day. He said the spine road would bisect the middle of the site and intersect Beville Road at a location where the Florida Department of Transportation would not allow a traffic signal. He said this would limit the amount of traffic to the site and the intensity of the use.

Mr. Karet distributed copies of the definition of Interchange Commercial from the Comprehensive Plan, which allowed a maximum of 40 units per acre and permitted uses allowed in the Highway Interchange District from the Land Development Code which

included residential development to the Board, copies of which are hereto attached and made part of the record. He said the zoning was consistent with the Comprehensive Plan. He said they would speak with Mr. Riggio regarding Mr. Coraci's concerns, to try and resolve the issues, which had to do with the impacts that residential would have on future commercial development. He said the City needed more residential and they felt the proposed project was a place that people would want to live.

Mr. Jay Adams, stated they worked with Mr. Coraci for approximately three years, and did not understand why he was opposed to the project. He said they chose not to develop commercial property because of the wetlands on the site and the traffic impacts that would be created by a commercial project. He said multi-family was allowed on the site and it was a perfect location for residential, situated between Port Orange and Ormond Beach, right off the interstate. He said they did a market study and found there was a need for residential and the proposed project would be conducive to the area. He said they already had a huge investment in the project of approximately \$12 million and the total investment would be approximately \$52 million.

Mr. McGhee asked what the size and cost of the proposed apartments would be. Mr. Karet stated the units would range in size from 890 square feet to 1,200 square feet at a monthly rental of \$820 - \$1,345, depending on if amenities or a storage unit was included. He said they would not be affordable housing units.

Board Motion

Mr. Hurt made a motion to approve the request. Ms. Washington seconded the motion.

Board Action

The motion was unanimously approved (9-0).

10. 2nd CYCLE LARGE SCALE COMPREHENSIVE PLAN AMENDMENTS

Mr. Spraker stated the City could adopt Large Scale Comprehensive Plan Amendments twice a year. He said additional items for the second cycle of the Large Scale Comprehensive Plan Amendments would come forward in July and August, including the Neighborhood M Amendment, Terra Mark and the riverfront height item. He said when staff started researching the riverfront, there were issues such as non-conforming properties and concerns with revisions to the Neighborhood Policies as well as the Land Development Code. He said staff was proposing to bring the item to the Board in August.

Item 10D was heard here.

A. DEV 2007-072, Hand Avenue Land Use Amendment

A request by Joel Ivey, Ivey Planning Group, on behalf of Ted Garn, Operations Manager, Consolidated Tomoka Land Company, for a Future Land Use Map Amendment for 13 ± acres from Volusia County “Urban Medium Intensity” to City “Level 2 Residential” and neighborhood text amendments to Neighborhood S of the Future Land Use Element.

Staff Recommendation

Mr. Spraker presented information contained in the Staff report, a copy of which is hereto attached and made part of the record. He gave a PowerPoint presentation showing the location of the site to the Board, a copy of which is hereto attached and made part of the record.

Applicant’s Presentation

Mr. Joel Ivey, Ivey Planning Group, representing the applicant was present to answer questions.

Board Motion

Mr. Hurt made a motion to approve the request. Mr. Hoitsma seconded the motion.

Board Action

The motion was unanimously approved (9-0).

B. DEV 2007-073, Riverbend Community Church Land Use Amendment

A request by Joel Ivey, Ivey Planning Group, on behalf of Pastor Alden Stephens, Riverbend Community Church, for a Future Land Use Map Amendment for 65 ± acres from Volusia County “Low Impact Urban” and “Environmental System Corridor” to City “Government/Institution” (Church) and neighborhood text amendments to Neighborhood V of the Future Land Use Element.

Staff Recommendation

Mr. Spraker presented information contained in the Staff report, a copy of which is hereto attached and made part of the record. He gave a PowerPoint presentation showing the location of the site to the Board, a copy of which is hereto attached and made part of the record.

Mr. Hoitsma asked why the church wanted to be located in the City and what would the City gain by approving the request. Mr. Spraker stated many members of the Church lived in the City of Daytona Beach.

Applicant's Presentation

Mr. Jim Morris, Storch, Morris and Harris, representing the applicant, was present to answer questions. He said they went through extensive site design and received the U.S. Army Corps of Engineers and St. John's River Water Management permits with a cost of wetland mitigation of \$600,000. He said the City of Ormond Beach had a wetland floodplain policy, which would not allow them to develop in that city, even with the permits obtained. He said was it was a community-wide facility and drew a large number people from several communities and the property was contiguous to the City of Daytona Beach. He said it would be an asset to the community and would provide contribution of the dedication of right-of-way for the extension of Tymber Creek Road and would act as a hurricane shelter when necessary. He said the church would not contribute to the City's tax roll. He asked the Board to approve the request.

Ms. Shelley stated she was a member of Riverbend Community Church and members included people from Samsula, Port Orange, Ormond-by-the-Sea, Palm Coast and it was a community wide church.

Mr. John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated the Board permitted 5,000 new residents in the City with the items they approved that evening. He said approximately 30% of the properties in the City were tax exempt. He said it was the sixth property in the City to serve Ormond Beach. He said allowing the project into the City would hurt the City's tax base and he wanted the Board members to be aware of it.

Mr. Hurt said many people moved into a City because of a church.

Board Motion

Mr. Hurt made a motion to approve the request. Mr. Moore seconded the motion.

Board Action

The motion was approved (8-1) with Mr. McGhee casting the dissenting vote.

C. DEV 2007-077, Master Development/Coraci Property Land Use Amendment

A request by Mark Karet, Zev Cohen and Associates, on behalf of James Coraci, DSC of Newark Enterprises and Berry Walker, Master Development of Central Florida to:

1. Amend the Future Land Use Map for 25 ± acres from the City of Port Orange "Suburban Residential" to City of Daytona Beach "Level 1 Residential";
2. Amend the Future Land Use Map for 10 ± acres from the City of Port Orange "Suburban Residential" to City of Daytona Beach "Low Intensity Commercial";

3. Add text policies to Neighborhood R within the Future Land Use Element to limit the development of 391 ± acres to 1,000 units and restrict the 10 ± acre commercial development to a maximum of 75,000 square feet;
4. Amend the City's Future Transportation Map to eliminate a portion of a spine road between Williamson Boulevard and I-95, north of Madeline Avenue, based on environmental constraints;

for 401 acres located between US Interstate 95 and Williamson Boulevard, approximately one mile south of Beville Road.

Staff Recommendation

Mr. Spraker presented information contained in the Staff report, a copy of which is hereto attached and made part of the record. He gave a PowerPoint presentation showing the location of the site to the Board, a copy of which is hereto attached and made part of the record.

Mr. Spaker stated the applicant requested that Item 4 be deleted from the request. He said there was letter in the Board's packets from the City of Port Orange, expressing concerns, a copy of which is hereto attached and made part of the record. He said staff would share the traffic study with the City of Port Orange and Volusia County, due to the fact that Williamson Boulevard was a County road.

Applicant's Presentation

Mr. Mark Karet, Zev Cohen and Associates, representing the applicant was present to answer questions. He distributed a copy of a location map for Walkers Green to the Board, a copy of which is hereto attached and made part of the record. He said they wanted to incorporate a portion of the property into the City of Daytona Beach, so they would work with one entity and one set of regulations. He said he agreed with the staff report and asked the Board to approve the request.

Board Motion

Mr. Hurt made a motion to approve the request. Mr. Hoitsma seconded the motion.

Board Action

The motion was unanimously approved (9-0).

D. DEV 2007-079, Neighborhood M Amendment

A request by Bobbi Hayashi, Hayashi Syndication, to amend a policy within Neighborhood M of the Future Land Use Element to allow multi-family development along West International Speedway Boulevard, between Nova Road and Clyde Morris Boulevard.

Ms. Shelley stated there had been a request to continue the item to the July 26, 2007 Planning Board meeting. Mr. Glenn Storch, Storch, Harris and Morris stated he would like to meet with the neighbors to try to solve some of their issues that he recently heard. Mr. Storch stated he would speak with neighbors that were in attendance that evening to get their names and addresses and set up a meeting.

Board Motion

Mr. Hurt made a motion to continue the request to the July 26, 2007 Planning Board meeting. Mr. Moore seconded the motion.

Board Action

The motion was unanimously approved (9-0).

Other Business

• **Development Services Director Report**

Ms. Harrison-Lee stated the City received funding from the Florida Department of Community Affairs and the Metropolitan Planning Organization for a citywide traffic study, to review impacts on the roadways and if there was an adequate network to accommodate new developments.

Ms. Harrison-Lee introduced Mr. Reed Berger, Redevelopment Director, to the Board.

Ms. Harrison-Lee stated there were 20 items tentatively scheduled for the July Planning Board meeting and they were considering August 2, 2007 for a second meeting. Ms. Shelley asked the Board members to note the date.

• **Downtown/Balough Road Redevelopment Area Board Report**

Ms. Shelley reported on the Board's June meeting.

• **Midtown Redevelopment Area Board Report**

Mr. Rogers was not present to give a report.

• **Main Street/South Atlantic Redevelopment Area Board Report**

Ms. LeSage reported on the Board's June meeting.

• **Vision Committee Report**

Ms. Shelley reported on the Committee's June meeting.

- **Public Comments**

There were no public comments.

- **Board Members Comments**

Mr. Hoitsma stated he preferred the meetings starting at 6:00 p.m. rather than 7:00 p.m.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 9:15 p.m.

EDITH SHELLEY
Chair

CATHY WASHINGTON
Secretary