

MINUTES
REGULAR MEETING – PLANNING BOARD

July 28, 2011

Minutes for the Regular Planning Board for The City of Daytona Beach, Florida, held on Thursday, July 28, 2011, at 6:00 p.m., in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board members Present were as follows:

Jeff Hurt
Tracey Remark
Bob Hoitsma
Janet LeSage
John McGuinness
Louis Moore
James Neal (6:10)
Cathy Washington
Shirley Benjamin
Matthew Bohon

Absent Members:

Kevin Fishback

Staff members present:

Richard Walton, Planning Director
Dennis Mrozek, Senior Planner
Thomas Weitnauer, Principal Planner
Carrie Lathan, Assistant City Attorney
Rose Williams, Planning Technician

1. **Call to Order**

Louis Moore, Chair called the meeting to order at 6:00 pm.

2. **Roll Call**

Ms. Washington called the roll and noted members present as listed above.

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3. **Approval of the Minutes:** June 23, 2011

Board Motion

It was moved by Mrs. Remark to approve the June 23, 2011 Planning Board Meeting Minutes. Seconded by Ms. Washington.

Board Action

The motion was approved 9-to-0.

4. **Semi-Public Use Request - Museum of Arts & Sciences, DEV2011-039**

A request by Robert A. Merrell III, Esquire, Cobb Cole, and Robert Ball, P.E., Zev Cohen & Associates, Inc., on behalf of Debbi Allen, Executive Director, Museum of Arts and Sciences, to approve a resolution to expand an existing semi-public use permit by 29.76± acres of land located at 352 South Nova Road, to allow for museum uses similar to the current uses on the adjacent property.

Staff Presentation

Dennis Mrozek, Senior Planner gave a brief PowerPoint presentation that included the request as stated above. He stated included with the staff report was a supplemental memo that indicated the applicant was required to provide verification from Volusia County that the subject site was eligible to be used as proposed. He stated the applicant still anticipates they will receive clearance from the County but as of tonight, the City has not received verification and based on this, staff was recommending continuing the request to a future date.

Mr. Moore asked for the date staff was requesting to continue the item too.

Mr. Mrozek replied he deferred that answer to the applicant.

Applicant Presentation

Robert Merrell, Cobb Cole, 150 Magnolia Avenue stated he felt it would be best to postpone all questions until the actual hearing. He stated for the benefit of persons present tonight that might have questions, they would be happy to answer them after the meeting. He stated the the County conveyed the proposed piece of land to the City a long time ago and that it has some title restrictions on the use that must be clarified with the County. Mr. Merrell stated he and his clients were trying to make sure all of the necessary protocols were in place so the transfer from the City to the museum would be approved by the County and that the County attorney was still pondering the issue. He requested a continuance for one month with the hopes that there would be some resolution by then.

Mr. Moore stated since the notice did go out, there may be some residents present that may not be able to attend next month and may want to speak now.

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Mr. Merrell stated they would be happy answer questions now or after the meeting.

Mr. Hurt stated in the past applicants would answer questions out in the lobby area so the meeting could proceed.

Citizen Comments

No comments.

Board Comments

No comments.

Board Motion

It was moved by Mr. Hoitsma and seconded by Mrs. Remark to continue Semi-Public Use Request - Museum of Arts & Sciences, DEV2011-039 to the August 25, 2011 Planning Board Meeting.

Board Action

The motion was approved 9-to-0.

5. **Other Business**

A. **Downtown/Ballogh Road Redevelopment Area Board Report**

Ms. Washington stated the Board met on July 12th at 12:00 noon. They received staff reports from the Police Department and Code Enforcement; approved a request to install a wall graphic at Sweet Marlays' Coffee Shop, located at 214 South Beach Street and a conditional use permit for a sidewalk café at Rhokkoh's Frozen Yogurt, located at 200 North Beach Street. The Board received an update on the Streetscape project that had been approved by the City Commission. The project will run from ISB to Ridgewood Avenue to A1A and is scheduled to be completed within six to nine months. The concept will be presented to stakeholders in September.

B. **Midtown Redevelopment Area Board Report**

Ms. Benjamin stated the Board met on July 12th at 6:00 pm. They received staff reports from the Police Department and Code Enforcement. She stated the main discussion was on prohibited uses and that Charles Bryant had been assigned as the liaison for the Board. She stated a workshop was being scheduled for FAMU to present the Master Plan for Midtown; and the Board received an update on current redevelopment projects.

Mrs. Remark asked if the Board made a decision on prohibited uses or would there be additional discussion.

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Ms. Benjamin replied there would be additional discussion and then it would be brought back to the Planning Board.

C. Main Street/South Atlantic Redevelopment Area Board Report

Mrs. Remark stated the Board met on July 13th at 6:30 pm. She stated the Board changed their meeting time back to 6:00 pm and they had two new members, Gary Libby and Theresa Doan. She stated Angela Cameron resigned from the Board because of her new position with the Ocean Center so they have one vacancy to fill. The Board received staff reports from the Police Department and Code Enforcement. The Police Department's report was lengthy due to a spike in crime in the proposed E-zone area. She stated the crime spike had been brought down to eight percent above last year's report and they discussed ways to possibly partner with the County to work on crime in the area. Mrs. Remark stated the Board received the E-zone Master Plan documents and had begun their review; they received an update on the ISB Streetscape Project with projected dates for construction to begin by July 2012.

D. Public Comments

No comments.

E. Staff Comments

Mr. Walton stated the Board received a complete copy of the final Ezone Master Plan prepared by AECOM that had been approved by the City Commission. He stated a public input meeting was held last night at Peabody Auditorium and that a lot of steps would have to be carried out before the plan could be implemented. Inserted in each Board member's folder was a memo on the Neighborhood Enhancement District that was given to the City Commission. He stated it was a memo he wrote to the City Manager and there had been no discussion on the contents of the memo. He informed members of the Planning Board Subcommittee that staff was expecting to receive Module 2 of the LDC Re-write by the end of next week; the document was very large and the committee would be given several weeks for review after which a meeting would be held for their input. He relayed to the committee members that the smaller document was the actual plan and the larger one was backup materials.

Mr. Moore asked when it would be presented to the public.

Mr. Walton replied the scope of services requires that after each module Clarion comes to Daytona for two days to hold meetings, of which, one must be a public meeting. He stated usually the first day is dedicated to meeting with the sub-committee and any other stakeholders like the City's Technical Review Team (TRT) and Volusia County Association for Responsible Development (VCARD). The public meeting for input from residents is held on the second day. Mr. Walton went back to his discussion on the Ezone Master Plan. He stated because of the size, graphics and color in the document, it was very expensive to print so hard copies were available at the library and in the City Clerk's Office for review; an electronic copy is also available online. He stated Module 2 will be available in the same way.

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Mrs. Remark asked is they would have more time for review.

Mr. Walton replied he was anticipating several weeks for review.

F. Board Member Comments

Mr. Hurt asked if the request to have live music that was made by Robbie O'Connell's gets approved by the City Commission would also apply to the Ezone.

Mr. Walton replied if approved, it would only apply to that piece of property.

Mr. Moore reminded the Board that they needed to come to a decision on submerged lands.

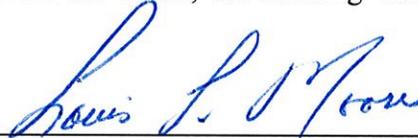
Mr. Walton stated if not Module 2, it would be addressed in Module 3

Mr. Neal asked if Module 2 would be mailed out next Friday.

Mr. Walton replied he was anticipating getting it out by the end of the day next Friday, but he had not received the document from the consultant so he could not say for sure.

Adjournment

There being no further actions to come before the board, the meeting was adjourned at 6:20 pm.



LOUIS MOORE
Chair

ATTEST:



CATHY WASHINGTON
Secretary