

MINUTES  
REGULAR MEETING – PLANNING BOARD  
July 27, 2017

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, July 27, 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  
Tony Barhoo  
Jeff Hurt  
James Neal  
James Newman  
Tony Servance

Staff Members Present:

Richard Walton, Planning Director  
Dennis Mrozek, Planning Manager  
Reed Berger, Redevelopment Director  
Rose Askew, Planner  
Doug Gutierrez, Planner  
Carrie Avallone, Assistant City Attorney  
Marianne Pulaski, Planning Technician  
Hannah Ward, Planner  
Becky Groom, Board Secretary

1. **Call to Order**

Ms. Washington called the meeting to order at 6:00 p.m.

2. **Roll Call**

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

3. **Approval of the Minutes** - June 22, 2017

**Board Action:**

A motion was made by Mr. Newman, seconded by Mr. Barhoo, to approve the minutes of the June 22, 2017 Planning Board Meeting, as presented. The motion carried unanimously (6-0).

**Continued Item:**

4. **Land Development Code Text Amendment – Articles 3 and 4, DEV2017-068**

**Staff Presentation:**

Richard Walton, Planning Director, stated this item was discussed at the last Planning Board meeting. Mr. Walton stated the amendment relates to regulating the splitting of lots. Mr. Walton stated what is proposed is an amendment to Articles 3 and 4 of the Land Development Code which would require that single family lots must meet the minimum size requirement in order to be subdivided.

**Board Comments:**

Mr. Hurt stated that most lots are platted at a certain size and this amendment will remove the question of subdivision of lots when other lots are already developed at a larger size.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Barhoo, to approve Land Development Code Text Amendment – Articles 3 and 4, DEV2017-068, in accordance with the staff report as presented. The motion carried unanimously (6-0).

**New Items:**

5. **Second Amendment to Renar Golf Communities at LPGA International Planned District Agreement, DEV2017-048**

**Staff Presentation:**

Rose Askew, Planner, presented the staff report which is included as part of the packet. Ms. Askew stated the request to add maximum lot coverage of 47 percent for lots located in Eagle Marsh and Gray Hawk, Unit 2, subdivisions. Ms. Askew outlined the history of the project. Ms. Askew stated there are no other amendments proposed to the Planned District Agreement at this time.

Mr. Newman asked if this request will affect the setbacks.

Ms. Askew stated there has not been a request to reduce the setbacks and a setback variance request would require action by the Board of Adjustment.

**Applicant's Presentation:**

Joe McAuliff, 165 Catriona, the applicant, stated the homes that are being built are identical to those that were constructed by the previous owner, Woodside. Mr. McAuliff stated the residents of the community seem to be in favor of the project.

**Public Comments:**

There were no public comments.

**Board Action:**

A motion was made by Mr. Newman, seconded by Mr. Barhoo, to approve Second Amendment to Renar Golf Communities at LPGA International Planned District Agreement, DEV2017-048, in accordance with the staff report as presented. The motion carried unanimously (6-0).

6. **Rezoning to Planned Development-General (PD-G) – Daytona Mitsubishi, DEV2016-129**

**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 900 N. Nova Road and is the site of the former AT&T building which has been vacant for quite some time. Mr. Mrozek stated the project will be a phased development with the car dealership being part of Phase 1 and the car wash, detailing, and lube center will be part of Phase 2. Mr. Mrozek outlined the Land Development Code modifications requested which include landscaping, signage, and building design. Mr. Mrozek stated if the landscaping that is required by Code is installed, numerous parking spaces would be lost. Mr. Mrozek stated a 30 foot high monument sign is proposed.

Mr. Barhoo asked if the sign request is consistent with other auto dealerships.

Mr. Mrozek stated there are other 30 foot pole signs at other dealerships. Mr. Mrozek stated the request can be considered consistent with the area but it is a modification to the Land Development Code.

Mr. Newman asked if the proposed sign will create any site visibility problems for traffic.

Mr. Mrozek stated the site visibility will be reviewed during Site Plan approval and any concerns regarding sight visibility will be addressed at that time.

**Applicant's Presentation:**

Mark Dowst, 536 N. Halifax, spoke representing the applicant. Mr. Dowst stated a service canopy is proposed to the north of the property and a delivery canopy to the west. Mr. Dowst stated there will be a pedestrian paver patio at the front of the site along Nova Road. Mr. Dowst stated a 35 foot pole is permitted by the LDC but the applicant is requesting a 30 foot monument sign and stated the applicant feels a monument sign will look better. Mr. Dowst distributed photographs of signs at other dealerships in the area to show what is in place at other sites.

Mr. Hurt stated he feels it will be good to see the vacant site renovated.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Barhoo, seconded by Mr. Servance, to approve Rezoning to Planned Development-General (PD-G) – Daytona Mitsubishi, DEV2016-129, in accordance with the staff report as presented. The motion carried unanimously (6-0).

7. **Rezoning to Planned Development-General (PD-G) – River Pointe, DEV2016-098**

**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 north of Silver Beach and is currently vacant and undeveloped. Mr. Mrozek stated the proposed project will be developed in two phases with the first phase including the infrastructure, clubhouse, common areas, boat slips and a duplex building with two models being completed within 5 years. Mr. Mrozek stated the second phase which will include the remaining duplex buildings will be developed within 6 years. Mr. Mrozek stated the only Land Development Code modification request is a modification for a reduction in the minimum building separation for the duplex buildings from 15 feet to 8 feet. Mr. Mrozek stated a neighborhood meeting was held and the report from that meeting is included as part of the packet.

**Applicant's Presentation:**

Corey Brown of the Storch Law Firm, 420 S. Nova Road, spoke representing the applicant. Mr. Brown stated concerns that were raised at the neighborhood meeting were regarding parking. Mr. Brown stated the concerns raised are not enforceable by the City but noted those concerns will be included in the MDA and the condo association will be responsible for enforcing those items.

Mr. Newman asked if the project will proceed upon approval or is it pending further investment.

Mr. Brown stated he does not know the timeframe.

**Public Comments:**

Linda Smiley, 357 Manhattan Way, stated she attended the neighborhood meeting and there are a lot of unanswered questions. Ms. Smiley expressed concern about the limited parking for the project. Ms. Smiley stated there are no extra parking spaces on the street for visitors and there are only 6 spaces allocated for the clubhouse. Ms. Smiley stated the reduction in the space between the buildings was not discussed at the meeting. Ms. Smiley stated many times the items presented and discussed at neighborhood meetings are not what are presented at the Planning Board meeting. Ms. Smiley stated when the project was originally presented, each unit was proposed to have their own swimming pool and that is not a requirement. Ms. Smiley stated it was not presented that the project would not be developed for 5 to 6 years.

Mr. Brown stated each unit will have the ability to have their own pool and it is not a pool for each building. Mr. Brown stated it is not a requirement of the owner to construct a pool. Mr. Brown stated the development meets all of the parking requirements.

Ms. Washington asked how many visitor parking spaces are provided.

Mr. Brown stated there are 6 spaces.

Mr. Mrozek stated the applicant must submit construction permits within 18 months of approval of the agreement and there must be substantial completion within 5 years.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Neal, to approve Rezoning to Planned Development-General (PD-G) – River Pointe, DEV2016-098, in accordance with the staff report as presented. The motion carried unanimously (6-0).

8. **Fifth Amendment to Daytona Beach Kennel Club Planned District Agreement – DEV2017-052**

**Staff Presentation:**

Hannah Ward, Planner, presented the staff report which is included as part of the packet. Ms. Ward stated the request is to increase the frequency of the sign copy changes from 60 seconds to 10 seconds.

**Applicant's Presentation:**

Rob Merrell, Cobb & Cole, 149 S Ridgewood, spoke representing the applicant. Mr. Merrell stated he was involved in the development of the original requirements for the EMC signage. Mr. Merrell stated since that time, there have been many similar signs installed and it is now believed that there is no distraction to drivers if the message changes more frequently. Mr. Merrell stated the standard around the country is for the signage to change between every 4 to 12 seconds. Mr. Merrell distributed pictures of the existing electronic message center sign to the Planning Board members.

Mr. Newman asked if Mr. Merrell knew what the other cities in the area are doing regarding copy change.

Mr. Merrell stated some cities have flashing signage and video.

Mr. Barhoo stated the Holly Hill sign flashes.

Mr. Hurt stated the sign at the entrance to the municipal complex in Port Orange is used to display information messages about city events.

Mr. Newman stated signage is advertising for businesses and perhaps the city should be more lenient on sign requirements.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Newman, to approve Fifth Amendment to Daytona Beach Kennel Club Planned District Agreement – DEV2017-052, in accordance with the staff report as presented. The motion carried unanimously (6-0).

9. **First Amendment to Minto Tomoka-Parcel B Planned District Agreement – DEV2017-051**

**Staff Presentation:**

Hannah Ward, Planner, presented the staff report which is included as part of the packet. Ms. Ward stated the request is to revise setbacks from 3 feet to 1.5 feet for air conditioning and heating units, and the minimum specialty setback requirement for pool pumps be reduced from 5 feet to 1.5 feet with the condition that air conditioning and heating units be installed such that units are separated no less than 8 ft. apart.

Mr. Hurt stated he is pleased to see that this is presented to the Planning Board prior to construction.

**Applicant's Presentation:**

Rob Merrell, Cobb & Cole, 149 S. Ridgewood Avenue, spoke representing the applicant. Mr. Merrell stated this item has been presented to the City's Technical Review Team and staff had no objections.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Servance, to approve Fifth Amendment to Minto Tomoka-Parcel B Planned District Agreement – DEV2017-051, in accordance with the staff report as presented. The motion carried unanimously (6-0).

10. **Public Use Permit – Ocean Center EMC – DEV2017-033**

**Staff Presentation:**

Reed Berger, Redevelopment Director, presented the staff report which is included as part of the packet. Mr. Berger stated the existing sign has been in place since the original construction of the Ocean Center. Mr. Berger stated there have been architectural updates to the Ocean Center and the proposed sign will be more in line with the new style of the building. Mr. Berger stated a number of waivers have been requested by Volusia County which are outlined in the staff report and that the waiver for modification of minimum setback is no longer needed.

**Applicant's Presentation:**

James Wachtel, Djdesign, the applicant, stated the original sign was built in the 1980's and the request is to incorporate the latest technology and place a sign that will enhance the new architecture. Mr. Wachtel stated there has been discussion about advertising other sites, such as the Peabody Auditorium and Daytona Lagoon, on the Ocean Center sign since that has been done in the past.

Clay Ervin, 123 W. Indiana Avenue, Volusia County, stated Volusia County is wanting to be a good neighbor and is willing to let the Peabody and Daytona Lagoon use the message center if the code allows.

Mr. Berger stated if it is ok with the Planning Board, staff has no objection to the Peabody advertising on the message center.

Ms. Avallone stated off-site advertising will need to be identified as a modification.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Servance, to approve Public Use Permit – Ocean Center EMC – DEV2017-033, in accordance with the staff report as presented, and noting that the Planning Board has no objections to off-site advertising. The motion carried unanimously (6-0).

11. **Large Scale Comprehensive Plan Amendment (LSCPA) – Intergovernmental Coordination and Future Land use Elements, DEV2017-065**

**Staff Presentation:**

Doug Gutierrez, Planner, presented the staff report which is included as part of the packet. Mr. Gutierrez stated the presentation will include Items 11 and 12, DEV2017-065 and DEV2017-062. Mr. Gutierrez stated the items relate to the First Step Homeless Shelter and the 626 acres of property for the project which are not contiguous to the city. Mr. Gutierrez stated an Interlocal Agreement was entered into by the City and Volusia County, a copy of which is included in the packet.

Mr. Walton thanked Volusia County Staff and elected officials for working with the City on these items.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Servance, to approve Large Scale Comprehensive Plan Amendment (LSCPA) – Intergovernmental Coordination and Future Land use Elements, DEV2017-065, and Large Scale Comprehensive Plan Amendment (LSCPA) – Low Intensity Urban, DEV2017-062, in accordance with the staff reports as presented. The motion carried unanimously (6-0).

12. **Large Scale Comprehensive Plan Amendment (LSCPA) – Low Intensity Urban, DEV2017-062**

This item was presented as part of Item 11.

13. **Land Development Code Text Amendment – Articles 5, 6, and 11, DEV2017-076**

**Staff Presentation:**

Rich Walton, Planning Director, presented the staff report which is included as part of the packet. Mr. Walton stated the City Commission directed staff to draft a text amendment in order to prohibit dispensaries at this time.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Barhoo, to approve Land Development Code Text Amendment – Articles 5, 6, and 11, DEV2017-076, in accordance with the staff report as presented. The motion carried unanimously (6-0).

14. **Other Business**

a. Downtown Redevelopment Board Report

Ms. Washington stated the Downtown Redevelopment Board did not meet in July.

b. Midtown Redevelopment Area Board Report

Mr. Barhoo stated the Midtown Redevelopment Area Board met on July 11, 2017 and discussed Code Enforcement and Compstat reports. Mr. Barhoo stated an update was received from staff on various projects. Mr. Barhoo stated there were no action items scheduled.

c. Beachside Redevelopment Area Board Report

Mr. Newman stated the Beachside Redevelopment Area Board did not meet in July.

d. Public Comments

There were no public comments.

e. Staff Comments

Mr. Walton welcomed Hannah Ward and stated she is learning the City's process very quickly.

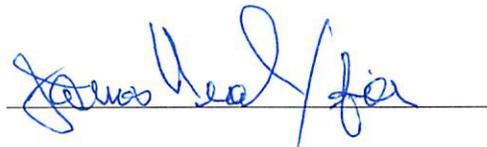
f. Board Comments

Mr. Newman asked if the Land Development Code should be reviewed in order to modify the message sign regulations.

Mr. Walton stated staff will be working an amendment to the LDC standards for items that are routinely modified.

**Adjournment**

There being no further business, the meeting adjourned.



Cathy Washington, Chair

ATTEST:



Secretary