



The CITY OF DAYTONA BEACH Planning Board Minutes

City Hall
Commission Chambers
Regular Meeting

301 South Ridgewood Avenue
Thursday, February 27, 2020
6:00 PM

Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
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Board Members Present:

Tony Servance, Chair
Helen Humphreys, Vice Chair Tony Barhoo
Jeff Hurt
Milverton Robinson
Cathy Washington

Staff Members Present:

Dennis Mrozek, Planning Director
Ben Gross, Deputy City Attorney
Doug Gutierrez, Principal Planner
Lauren Davis, Planner
Hannah Ward, Planner
Sidney Kendrick, Planner
Steven Bapp, Planner
Vanessa Trimble, Development Review Technician

Call to Order

Mr. Servance called the meeting to order at 6:00 p.m.

Roll Call

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

Approval of the Minutes - January 23, 2020

Board Action:

A motion was made by Mr. Barhoo, seconded by Ms. Humphreys, to approve the minutes of the January 23, 2020 meeting as presented. The motion carried.

New Items:

Site Plan - Clyde Morris Landing Apartments - DEV2019-160

Staff Presentation:

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the request is to approve a site plan for 38 acres of land in order to construct a 392 unit multi-family complex with associated site improvements. Ms. Ward stated the City Commission previously approved an amendment to the Clyde Morris Industrial PD, which would allow the residential development. Ms. Ward stated this request is to approve the site plan for the residential units as well as the construction of a stormwater retention pond to serve the entire area. Ms. Ward stated affordable housing has been contemplated on the property but the PD does not require affordable house and market-rate properties can be constructed. Ms. Ward stated traffic requirements must be addressed prior to site plan approval as well as complying with technical comments raised by the Fire Department that are outlined in the staff report.

Applicants Presentation:

David Stokes, 431 Horatio Avenue, Mainland, Florida, stated he is the civil engineer on the project and is available to answer any questions there may be from the Board.

Mr. Robinson asked what the timeline is for the project.

Mr. Stokes stated the project would start as soon as permits are issued and it will take about one year to complete a building.

Mr. Robinson asked if affordable housing would be part of the project.

Mr. Stokes stated yes.

Board Action:

A motion was made by Mr. Barhoo, seconded by Ms. Humphreys, to approve Site Plan - Clyde Morris Landing Apartments -- DEV2019-160, in accordance with the staff report as presented. The motion carried.

Large Scale Comprehensive Plan Amendment (LSCPA) - Sun Glow Mini Storage - DEV2019-074

This item was presented in conjunction with Item 6, Rezoning to Planned Development-General (PD-G) - Second Amendment to the Amended and Restated Halifax Habitat Village Residential PD/SunGlow Mini-Storage Complex PD - DEV2019-075.

Staff Presentation:

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. Mr. Gutierrez stated the property is located north of LPGA and west of Wesley Street. Mr. Gutierrez stated 3.3 acres of the project is currently located in Volusia County. Mr. Gutierrez reviewed the proposed text amendments that identify the parcels and noted the applicant is processing an application for annexation of the 3.0 acre parcel.

Applicants Presentation:

The Applicants comments were included under Item 6.

Board Action:

A motion was made by Mr. Hurt, seconded by Ms. Humphreys, to approve Large Scale Comprehensive Plan Amendment (LSCPA) - Sun Glow Mini Storage - DEV2019-074, in accordance with the staff report as presented, contingent on approval of the annexation agreement. The motion carried (6-0).

Rezoning to Planned Development-General (PD-G) - Second Amendment to the Amended and Restated Halifax Habitat Village Residential PD/SunGlow Mini-Storage Complex PD - DEV2019-075

This item was presented in conjunction with Item 5, Large Scale Comprehensive Plan Amendment (LSCPA) - Sun Glow Mini Storage - DEV2019-074.

Staff Presentation:

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the property is currently vacant and undeveloped. Ms. Ward stated the request is to rezone the entire property to a Planned Development. Ms. Ward stated the acreage for the Halifax Habitat Village PD will be reduced to 9.05 acres and 12.83 acres will be used for the SunGlow Mini-Storage. Ms. Ward stated a portion of the property is planned to be used for an RV/boat storage area. Ms. Ward stated the applicant is requesting a variance from the Land Development Code to allow 38,610 s.f. of canopy for the recreational vehicle storage area and proposes to use chain link fence and additional landscaping instead of an opaque fence. Ms. Ward stated about 40 feet of landscaping will remain in the area. Ms. Ward stated the applicant is proposing to reduce the perimeter buffer at the south end from 15 feet to 10 feet and to reduce the number of parking spaces to 88, noting there will be 128 additional parallel parking spaces within the storage facility.

Ms. Humphreys asked if the stored boats would be stacked.

Ms. Ward stated she does not believe that is the intent since that would then be considered a dry-docking facility and noted there is a maximum height limit of 35 feet.

Mr. Barhoo asked about the request to increase the canopy area and, if there are other areas in the City, where such large canopies are in place.

Ms. Ward stated this development is set back about 800 feet from the major City thoroughfare and will not be visible. Ms. Ward noted that last month the Planning Board reviewed changes to the LDC that removes the restriction for large canopies.

Mr. Mrozek stated developments, such as the Buc-ee's, requested a waiver for the large canopy.

Mr. Barhoo asked about the reduction in requested parking spaces.

Ms. Ward stated the 88 spaces will be code compliant and the 128 spaces will be within the complex and will be parallel to the storage units.

Mr. Robinson asked why chain link fencing is being allowed.

Ms. Ward stated the applicant is requesting a 40 foot depth of landscaping in the area, which vastly exceeds code requirements; and this landscaping will be in front of the proposed chain link fence, which will be on the interior side of the development. Ms. Ward stated the applicant proposes additional plantings as well.

Applicants Presentation:

Joey Posey, 420 S. Nova Road, Daytona Beach, Florida, spoke representing the applicant. Mr. Posey stated the chain link fence will help with visibility should there be someone trespassing on the property. Mr. Posey stated staff is hoping to address the safety concern by the use of additional buffer space and landscaping. Mr. Posey stated the natural buffer area is very deep and there will be no opportunity for someone to see into the area from the road.

Mr. Hurt stated previously opaque fences were discussed in storage areas but this site will not be visible due to the 40-foot buffer and landscaping.

Ms. Ward stated chain link fences are permitted in industrial districts up to 8 feet high but what is proposed is 6 feet high.

Mr. Posey stated if there was something the Board would like included, he would be happy to take the Board's recommendations to the developer.

Mr. Robinson stated to remain consistent with previous Board action; he would prefer an opaque fence.

Mr. Posey stated if there were adjacent neighbors in the future, they would still not be able to see past 40 feet of vegetation.

Board Action:

A motion was made by Ms. Washington, seconded by Ms. Humphreys, to approve Rezoning to Planned Development-General (PD-G) - Second Amendment to the Amended and Restated Halifax Habitat Village Residential PD/SunGlow Mini-Storage Complex PD - DEV2019-075, subject to the annexation and Comprehensive Plan Amendment being approved. The motion carried (6-0).

Large Scale Comprehensive Plan Amendment (LSCPA) - Tymber Creek - DEV2019-156

This item was presented in conjunction with Item 8, Rezoning to Planned Development-General (PD-G) - Tymber Creek PD - DEV2018-175.

Staff Presentation:

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. Mr. Gutierrez stated additional information has been provided to the Board regarding land use. Mr. Gutierrez stated the property is located north of Tournament Drive and LPGA and is currently vacant and undeveloped. Mr. Gutierrez stated the conservation area would not be affected by this amendment. Mr. Gutierrez stated during staff review, a mapping error was identified and noted the Conservation Future Land Use was in an incorrect location. Mr. Gutierrez stated the maps do have a disclaimer that addresses mapping errors.

Applicants Presentation:

The Applicants comments were included with Item 8.

Board Action:

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve Large Scale Comprehensive Plan Amendment (LSCPA) - Tymber Creek - DEV2019-156, in accordance with the staff report as presented. The motion carried (5-1 with Mr. Robinson voting nay).

Rezoning to Planned Development-General (PD-G) - Tymber Creek PD - DEV2018-175

This item was presented in conjunction with Item 7, Large Scale Comprehensive Plan Amendment (LSCPA) - Tymber Creek - DEV2019- 156.

Staff Presentation:

Hannah Ward, Planner, presented the staff report which was included as part of the packet. Ms. Ward stated this is a request to rezone from Single-Family Residential-5 (SFR-5) to Planned Development-General (PD-G) to allow for a mixed-use development. Ms. Ward stated five access points are proposed for the development. Ms. Ward stated the applicant is requesting to increase the building height from 35 feet to 65 feet for the multifamily buildings and reduce the rear yard setback for multifamily buildings from 25 feet to 15 feet.

Mr. Robinson asked about the building height increase.

Ms. Ward stated multi-family zoning districts at the proposed density do allow a height of 65 feet but the current zoning on the property would not permit that.

Mr. Mrozek stated this type of height is something that is requested routinely for multifamily developments.

Mr. Robinson expressed concern about the lack of open spaces in the area.

Ms. Ward stated the applicant proposes to comply with the requirements in the Land Development Code regarding landscaping and open space.

Mr. Gross stated the city cannot adopt a policy that prohibits development of the property in its entirety because it would be considered a taking, but the City does require when the property is developed to provide open space.

Mr. Barhoo expressed concern about the request for a reduction in the setbacks, which will reduce green space.

Ms. Ward stated that the applicant has not requested modifications with regard to green space.

Ms. Humphreys asked if the property is located near flood zones.

Ms. Ward stated that if the property is in the flood zone, it is addressed for compliance with the site plan.

Applicants Presentation:

Jessica Gow, Cobb & Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Ms. Gow stated the proposed project reflects a decrease in the amount of commercial development that is permitted on the property. Ms. Gow stated that they have requested to waive the permitted signage for residential uses in order to apply the sign table in the PD Agreement to residential and commercial uses. Ms. Gow stated no waivers are being requested for commercial setbacks; and the reduction for setbacks in the residential area is to provide an opportunity to plat around the wetland areas.

Mr. Hurt asked if the wetlands were not there, the request for the reduction in setbacks would not be requested.

Ms. Gow stated that is correct and there is no plan to impact the wetlands that are outlined on the plan.

Mr. Robinson asked if the public will have access to the wetlands.

Ms. Gow stated that the wetlands will be private property.

Mr. Gross stated that the Land Development Code requires open space to be accessible to people within the Planned Development, as opposed to the public at large.

Mr. Hurt stated that the purpose of wetlands is to collect excess water. They are not intended to be used for recreation.

Mr. Gross stated that wetlands are for the protection of the environment.

Mr. Robinson asked if the developer can do whatever they see fit with the wetlands.

Ms. Gow stated that there are no plans to impact the wetlands on the property.

Public Comments:

Debra Kreimer, 176 Mendoza Circle, Daytona Beach, Florida, stated she previously provided a letter to the Planning Board which should be included as part of the packet. Ms. Kreimer stated she relied upon representations that the property behind hers was a conservation area when she purchased her home. Ms. Kreimer asked that the Board give consideration as to how the proposed development will impact those who live along Mendoza Circle. Ms. Kreimer stated she believes that Mendoza Circle will be the only residential street in the LPGA subdivision that will have commercial development visible from their properties, which will have an impact property values. Ms. Kreimer asked that setbacks be increased so that development is not close to their homes, consistent with the setbacks for Major Thoroughfares. Ms. Kreimer stated if a hotel is constructed and the 65 foot height limit is permitted, someone on an upper floor will be able to see onto her property and an opaque buffer will not restrict that.

Ms. Gow stated a high-level buffer is required between commercial and residential uses; and what will be required is Type D, which is opaque so the commercial development should not be visible from the residential area.

Mr. Gross stated the buffer must be opaque, whether it is the existing vegetation or not.

Ms. Gow stated that is correct. Ms. Gow stated the 65 foot height limit is for the multi-family development, which is not adjacent to the single-family area that is already developed.

Diana Velicha, 164 Mendoza Circle, Daytona Beach, Florida stated she does not want to see a hotel or storage units at the rear of her property.

Mr. Hurt stated the multi-family structure would not be built adjacent to the existing single-family development.

Michelle Feria Li, 180 Mendoza Circle, Daytona Beach, Florida stated she is concerned about what is proposed for the adjacent property and how it may affect the values of their homes and daily lives. Ms. Feria Li stated there will be an impact of light and noise to their homes and expressed concern about the animals that live on the wetlands.

Brinda Tremblay-Jones, 123 Jubilee Circle, Daytona Beach, Florida stated the proposed development would not impact her as much as it will the other neighbors. Ms. Tremblay-Jones stated the Board just discussed another storage unit facility and there is a new facility on Valor. Ms. Tremblay-Jones stated no one has discussed the bridge and additional traffic will only make it worse for everybody that travels the road. Ms. Tremblay-Jones stated improvements to the road should be a priority. Ms. Tremblay-Jones expressed concern about the animals that live in the wetlands.

John Nicholson, 413 N. Grandview, Daytona Beach, Florida spoke about the reduction of easements.

Ms. Gow stated the landscape buffer required by Code is 15 feet; and if there is a conservation easement on the property, it will not be affected by this request. Ms. Gow stated when the site plan is presented for this development, the developer will be required to pay for their proportionate share of the impact to our roadways to the cost of fixing them and the bridge project will be a contributing factor.

Board Comments:

Mr. Robinson expressed concern about the environmental impact and how this development will impact the current neighbors.

Mr. Gross stated the site plan would have to be reviewed consistent with the PD agreement that is being presented this evening.

Mr. Barhoo asked when something would be done as far as the road and bridge project along LPGA.

Mr. Mrozek stated specifically we are talking about the Tomoka Farms River Bridge and there is a bottleneck there. Mr. Mrozek stated initial costs to improve the bridge were estimated to be \$8,000,000 but he is not sure of the exact figures. Mr. Mrozek stated this bridge is not on a City road but is on a Volusia County road. Mr. Mrozek stated the projects coming in are helping to fund improvements to the road system and everyone is aware that it needs to be addressed.

Mr. Mrozek stated, regarding the open space that has been discussed, there is a wetland and conservation area that will not be developed from Granada to International Speedway Blvd. Mr. Mrozek stated the area backs up to Mosaic and cannot and will not be developed.

Mr. Robinson stated his concern is the speed at which the developments are coming forward and asked how it could be managed at a slower pace. Mr. Robinson stated that maybe the bridge should be done first.

Mr. Mrozek stated Daytona Beach is a very exciting place right now and a lot of people want to be here.

Board Action:

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve Rezoning to Planned Development-General (PD-G) - Tymber Creek PD - DEV2018-175, in accordance with the staff report as presented. The motion carried (5-1 with Mr. Robinson voting nay).

Large Scale Comprehensive Plan Amendment (LSCPA) - JMJ Silver Pines - DEV2019-126

Staff Presentation:

Doug Gutierrez, Principal Planner, presented the staff report which was included as part of the packet. Mr. Gutierrez stated the property is located at the intersection of International Golf Drive and LPGA. Mr. Gutierrez stated this property was presented to the Planning Board in September, 2019; and in December, 2019, the Volusia Growth Management Committee requested additional information regarding Volusia County's concerns about traffic impact. Mr. Gutierrez stated as a result, a neighborhood policy was created to limit density for the entire parcel.

Mr. Hurt stated when LPGA was originally planned; property was set aside for three golf courses, one of which was not developed. Mr. Hurt stated this change would make use of the excess land for residential use.

Applicants Presentation:

Jessica Gow, Cobb & Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida stated this is a request to make the rezoning and Comp Plan Amendment consistent with each other.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Barhoo, seconded by Ms. Humphreys, to approve Large Scale Comprehensive Plan Amendment (LSCPA) - JMJ Silver Pines - DEV2019-126, in accordance with the staff report as presented. The motion carried (6-0).

Site Plan - Goodwill Industries Retail - Williamson Crossing. Lot 7 - DEV2019-109

Staff Presentation:

Lauren Davis, Planner, presented the staff report which was included as part of the packet. Ms. Davis stated the PD agreement was approved in May 2019 by the City Commission; and the applicant is now requesting site plan approval, which will be consistent with the PD that has been approved by the City Commission. Ms. Davis stated a Traffic Impact Analysis has been submitted to the City for review and a Proportionate Fair Share Agreement must be approved by the City Commission. Ms. Davis stated no drop boxes will be permitted on site and no large training groups will be permitted.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Ms. Humphreys, seconded by Ms. Washington, to approve Site Plan - Goodwill Industries Retail - Williamson Crossing, Lot 7 - DEV2019-109, in accordance with the staff report as presented. The motion carried (6-0).

Land Development Code Text Amendment - Accessory Use of the LDC - DEV2019-132

Staff Presentation:

Rose Askew, Planning Coordinator, presented the staff report which was included as part of the packet. Ms. Askew stated this is a request to amend the Land Development Code relating to accessory structures throughout the city. Ms. Askew stated currently the standards vary throughout the city and structures are limited to 200 s.f. Ms. Askew stated staff receives variance requests for structures larger than 200 s.f. and this change will help reduce those variance requests. Ms. Askew stated the use for garages will be defined to ensure apartments are not included as part of an accessory structure/garage request.

Mr. Hurt asked if this would make the requirements consistent throughout the city.

Ms. Askew stated yes, in residential districts.

Ms. Humphreys asked if there is a height limitation.

Ms. Askew stated the height limit is 20 feet and that will not change.

Board Action:

A motion was made by Mr. Barhoo, seconded by Ms. Washington, to approve Land Development Code Text Amendment - Accessory Use of the LDC - DEV2019-132, in accordance with the staff report as presented. The motion carried (6-0).

Other Business:

1. Downtown/Balough Road Redevelopment Area Board Report

Ms. Washington stated the Downtown/Balough Road Redevelopment Area Board did not meet in February.

2. Midtown Redevelopment Area Board Report

Mr. Robinson stated the Midtown Redevelopment Board had their regular meeting in February and additionally have held two workshops. Mr. Robinson stated the Board discussed the strategic plan and the need for it to be updated. Mr. Robinson stated the Board has expressed concern about the lack of grocery stores in Midtown, which is a disservice to the citizens. Mr. Robinson stated the Board would like to see a report on staff activities related to recruitment. Mr. Robinson stated the Midtown Board expressed concern that there is development and activity on the beachside and LPGA areas and there is a lack of progress in Midtown. Mr. Robinson stated the Midtown Redevelopment Board would like to have a report presented each month regarding the activities of the Planning Board. The Board agreed by consensus to allow Mr. Robinson to provide a monthly report to the Midtown Redevelopment Board of the actions taken by the Planning Board at their regular meetings.

Mr. Robinson stated the Midtown Redevelopment Board expressed concern about the budget and who controls the budget for the Midtown area. Mr. Robinson stated the Board has expressed concern that staff prepares the Board meeting agenda without input from the Board. Mr. Robinson stated the Chair of the Midtown Board would like to be on the CRA agenda on a regular basis. Mr. Robinson stated the Board would like to be more active. Mr. Robinson stated the Board would like to receive a report on the grants, how many requests are received and the amount of grants awarded. Mr. Robinson stated the Board discussed that the Midtown Redevelopment Board meetings are held at city hall and not in the Midtown area.

Mr. Hurt stated the Board meetings are public meeting and there has to be equipment available to record the meetings so that is why the meetings are held in the Commission Chambers.

Mr. Mrozek stated he would work with Reed Berger, Redevelopment Director, to prepare a summary of the results of the Planning Board meetings. Mr. Mrozek stated the information is also available online.

3. Beachside Redevelopment Area Board Report

The Beachside Redevelopment Area Board did not meet in February.

4. Public Comments

John Nicholson, 413 N. Grandview, Daytona Beach, Florida spoke regarding a grocery store in Midtown and the Tomoka Farms bridge.

Brenda Tremblay-Jones suggested Timber Creek be extended to help with traffic congestion in the LPGA area.

Mr. Mrozek stated there may be some development occurring in that area that will help with a connection from LPGA to Granada.

5. Staff Comments

Mr. Mrozek introduced two new planners to the Board: Sidney Kendrick and Steven Bapp.

6. Board Member Comments

There were no Board comments.

Adjournment

There being no further business to come before the Board, the meeting was adjourned.



Tony Servance, Chair



Jeff Hurt, Secretary