
A regular meeting of the City of Daytona Beach Planning Board was held on Thursday, January 25, 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, Chair
Mr. Jeff Hurt
Ms. Janet LeSage
Mr. John McGhee II
Mr. Larry Moore
Mr. James Neal
Ms. Edith Shelley, Vice Chair
Ms. Cathy Washington
Mr. Kenneth Wood

Absent members:

Mr. Sam Rogers

Staff members present:

Mr. Steven Spraker, Planning Manager
Ms. Marie Hartman, Deputy City Attorney
Ms. Belinda Collins, Principal Planner
Mr. James Benderson, Principal Planner
Ms. Lana Loss, Planning Technician

1. Call to Order

Mr. Hoitsma called the January 25, 2007 Planning Board Meeting to order at 6:00 p.m.

2. Roll Call

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

3. Approval of the Minutes: December 14, 2006

Mr. Hurt made a motion to approve the December 14, 2006 Planning Board Meeting minutes. Ms. Shelley seconded the motion and it was unanimously approved (10-0).

Mr. Hoitsma stated Mr. Henry Henderson, former Planning Board member recently passed away and he would be sorely missed.

4. **SEMI-PUBLIC USE, DEV 2006-164, Bethune-Cookman College-Nursing Center**

A request by Mr. Glen Greiner, of the Performance Group, on behalf of Mr. Ervin Ross, Director of Physical Planning for Bethune-Cookman College (BCC), for site plan and semi-public use approval for the renovation of a former automotive dealership to the College of Nursing Center facility. The subject property is located at 739 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. Glenn Greiner, The Performance Group, Daytona Beach, representing the applicant, was present to answer questions. He said the proposed project was broken down into 3 phases, the first of which was the renovation of the front building, which was being incorporated into Phase 2. He said the existing asphalt parking area would be converted into parking spaces to be used by students and would comply with the City's code. He said the architectural theme would be that of the Wildcat Center, which was across the street. He said a stormwater pond with a grassy area would be constructed as part of Phase 2 and Phase 3 would be constructed within 1-year of the completion of Phase 2.

Mr. Greiner said the applicant was requesting approval with minor code variations, the first being that the existing building did not meet the setback requirements on the western portion of the property and there were no plans to expand the building, only renovations to the appearance of the building. He said they were also requesting a 13 foot drive aisle with a 45 degree angle rather than the 14 foot access aisle required by code, which would enable them to provide the required 5 foot landscape buffer on the east side of the property.

Mr. Greiner stated the Midtown Redevelopment Area Board suggested a fence that was BCC themed be constructed rather than the 6-foot high wood or masonry wall permitted by code.

Mr. Moore asked what type of fencing BCC had. Mr. Greiner stated BCC had fencing which consisted of brick columns with aluminum fence between the columns. He said that type of fence did not comply with the City's Land Development Code and he felt it would not provide adequate screening. Mr. Spraker stated the proposed fence was not part of the Midtown Redevelopment Area Board's recommendation.

Ms. Shelley commended the college for providing walk-in health care off Lockhart Street.

Citizen's Comments

Mr. James Gilbert, 92 Grove Street, Ormond Beach, stated he owned property across the street on Magnolia Avenue, and he recently received a letter notifying him of the redevelopment of the building but not the extent of the plans. He said he had concerns with the proximity of the parking lot to the neighborhood, noise, additional garbage, traffic issues, the decrease of nearby property values and safety with regards to the retention pond including mosquitoes. He said the community was more than just Bethune Cookman College and the desire to have a nursing center, which was a wonderful thing, but not at the detriment to others in the neighborhood.

Mr. Hoitsma asked what the notice indicated. Mr. Spraker stated the code required that the applicant notify property owners within 500 of the subject property for a Special Use request. He said this gave the property owners the opportunity to discuss the request with City staff or the applicant prior to the public hearings.

Mr. Hoitsma asked what some of the other permitted uses for the site were. Mr. Spraker noted the BA zoning district allowed automobile repair, vehicle sales and warehouses. He said staff worked with the applicant to eliminate access to the neighborhood, which would significantly reduce impacts.

Mr. Greiner stated they requested literature from the St. John's Water River Management District on mosquito control for state required retention ponds and that BCC would place a fountain in the pond to keep it from becoming stagnant.

Mr. Hurt asked if the college would maintain the parking lot. Mr. Greiner stated yes, BCC had a maintenance facility and they would be responsible for any debris.

Ms. Washington stated she would abstain from voting because she was employed by Bethune Cookman College.

Board Motion

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

Board Action

The motion was unanimously approved (9-0).

5. **RESIDENTIAL PLANNED UNIT DEVELOPMENT AMENDMENT AND PRELIMINARY PLAT, DEV 2006-132, First Amendment to the Pinehaven Residential Planned Unit Development Agreement**

A request by Mr. Patrick Monaghan, P.E., of Peritus Civil, Inc., on behalf of Mr. Pete Gamble, of the Housing Authority of the City of Daytona Beach to approve the site plan, preliminary plat and first amendment to the Pinehaven Planned Residential Unit Development. The application proposes 55 single family lots, 136 multi-family units,

and Day Care facility on a 27.44 ± acre parcel. The site is bound by George Engram Boulevard to the north, Dr. Mary McLeod Bethune Boulevard to the south, Keech Street to the west and Rose Avenue to the east.

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.

Ms. Shelley commended the applicant for keeping the proposed buildings in scale with the adjacent single family residential. She asked if the exterior would be siding or stucco.

Applicant's Presentation

Mr. Patrick Monaghan, P.E., of Peritus Civil, Inc., representing the applicant, was present to answer questions. Mr. Monaghan stated the project was redesigned to provide a buffer for the bald eagles that were located on the site. He said all the apartments would have a stucco finish.

Mr. Neal asked if Rose Street would be widened. Mr. Monaghan stated they would be making improvements to Rose Street by working with Florida Power & Light to relocate the telephone poles and the applicant agreed to dedicate 10-foot right of way along Rose Street.

Citizen's Comments

Ms. Anita Miller Buxton, 230 Desoto Street, Daytona Beach, stated she had concerns with the safety of the residents in the middle of the proposed projects.

Mr. Monaghan stated Picerne Development, who would be developing the project, would be screening the applicants and have to abide by any state and federal regulations that would apply.

Mr. John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated the area currently looked like a park and the existing trees should be required to remain on site rather than destroy them and replant smaller trees.

Mr. Hoitsma stated many of the trees on the site were pine trees. Mr. Monaghan stated they would be preserving as many large trees on several of the lots as possible.

Board Motion

Ms. Shelley made a motion to approve the request. Mr. Neal seconded the motion.

Board Action

The motion was unanimously approved (10-0).

6. **NOTICE OF PROPOSED CHANGE, DEV 2006-003, Phase 2 of the LPGA DRI**

A request for the third notice of proposed change for the LPGA Development of Regional Impact and a determination that the proposed changes are not substantial and do not cause new or increased impacts to regional resources.

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.

Ms. Gallentine asked if the current construction of Williamson Boulevard would coincide with the proposed amendment. Mr. Spraker stated the proposed amendment would not affect the current construction.

Applicant's Presentation

Mr. Ted Garn, Indigo Development, Mr. Kurt von der Osten, MSKP Volusia, Mr. Jim Lieb, HDI and Mr. Joel Ivey, Ivey Planning Group were present to answer questions.

Citizen's Comments

There were no citizen comments.

Board Motion

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

Board Action

The motion was unanimously approved (10-0).

7. **REZONING AND PRELIMINARY PLAT, DEV 2006-157, Father Lopez High School**

A request by Ms. Lori Webb-Paris, P.E., of MSCW, Inc., on behalf of Bishop Thomas G. Wenski as the Bishop of the Diocese of Orlando, for a rezoning from Volusia County A-2 (Rural Agriculture) to City of Daytona Beach PCD (Planned Commercial Development) for a 98.57± acre parcel, to enter into the Father Lopez High School Planned Commercial Development Agreement to establish development standards for a phased high school with associated improvements, and a one lot preliminary plat. The subject property is located along LPGA Boulevard, directly north of Municipal Stadium.

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.

Ms. Gallentine asked how many bus trips the school would generate.

Applicant's Presentation

Ms. Allison Turnbull, Baker Hostetler and Ms. Lori Webb-Paris, MSCW, Inc., were present to answer questions. Ms. Turnbull stated the proposed development would produce 986 daily trips in Phase 1, 239 of which would occur during the a.m. peak hours. She said Phase 1 and Phase 2 would produce a total of 1,729 daily trips, 407 of which would occur during the a.m. peak hours.

Mr. Moore asked about the wetlands surrounding the area. Ms. Webb-Paris stated the largest wetland areas would be maintained and preserved. She said they were able to do some upland preservation on the site.

Citizen's Comments

There were no citizen comments.

Board Motion

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

Board Action

The motion was unanimously approved (10-0).

8. SMALL SCALE COMPREHENSIVE PLAN LAND USE MAP AMENDMENT, DEV 2006-180, Halifax Hospital Site Expansion

A request by Mr. Robert Merrell, Esquire, of Cobb & Cole, on behalf of Mr. Michael Morgan, Halifax Medical Center, for approval of a small-scale Comprehensive Plan land use map amendment of 9.34± acres from "Level 2 Residential" to "Government/Institutional (Hospitals)". The subject properties are located south of Willis Avenue, west of Heinemann Street, and east of Lakeshore Drive.

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. Chris Challis, Cobb & Cole, Mr. Eric Pepper, Halifax Hospital, Mr. Don Schaffer, Perkins and Will, Mr. Dwight Durant, Zev Cohen and Associates and Mr. Gary Hutman, Ghyabi & Associates, were present to answer questions. Mr. Challis 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.

Ms. Gallentine asked if the expansion was part of a 10 or 20-year plan and did they anticipate greater expansion. Mr. Challis stated it was an outlook through the year 2020.

Citizen's Comments

There were no citizen comments.

Board Motion

Ms. Shelley made a motion to approve the request. Mr. Moore seconded the motion.

Board Action

The motion was unanimously approved (10-0).

9. REZONING, DEV 2006-184, Halifax Hospital Site Expansion

A request by Mr. Robert Merrell, Esquire, of Cobb & Cole, on behalf of Mr. Michael Morgan, Halifax Medical Center, for approval of a zoning amendment of 9.34 ± acres from R1a (Single-Family) to HM (Hospital). The subject property is located south of Willis Avenue, west of Heinemann Street, and east of Lakeshore Drive.

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. Chris Challis, Cobb & Cole, Mr. Eric Pepper, Halifax Hospital, Mr. Don Schaffer, Perkins and Will, Mr. Dwight Durant, Zev Cohen and Associates and Mr. Gary Hutman, Ghyabi & Associates, representing the applicant, were present to answer questions.

Citizen's Comments

There were no citizen comments.

Board Motion

Ms. Shelley made a motion to approve the request. Mr. McGhee seconded the motion.

Board Action

The motion was unanimously approved (10-0).

10. RIGHT-OF WAY VACATION, DEV 2006-053

A request by Mr. William Morrison to vacate approximately 0.082 ± acres of area identified as driveways on the Stillman's replat subdivision. The driveways are located in the 700 block of S. Peninsula Drive and the 100 block of Lenox 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

The applicant was not present to give a report.

Ms. Shelley asked what type of structure was being proposed. Mr. Spraker stated the applicant was proposing a garage.

Ms. Shelley asked if there was access on Lenox Avenue to the Bolding property. Mr. Spraker stated it was access to the applicant's property.

Ms. Gallentine stated it was her understanding that the driveway from Lenox Avenue was the Bolding's property.

Mr. Spraker stated the Board could continue the request to discuss the issue with the applicant.

Citizen's Comments

There were no citizen comments.

Board Motion

Ms. Shelley made a motion to continue the item to the February 22, 2007 Planning Board meeting. Ms. Gallentine seconded the motion.

Board Action

The motion was unanimously approved (10-0).

Mr. Spraker stated the following items were part of the 1st cycle 2007 Large Scale Comprehensive Plan Amendments and there was a sign up sheet provided if any one in the audience wanted to be notified by the Department of Community Affairs of their review and any notice of intent.

11. 1st CYCLE 2007 LARGE SCALE COMPREHENSIVE PLAN AMENDMENTS

A. CLYDE MORRIS BOULEVARD TEXT AMENDMENT, DEV 2006-151

A request by Joel Ivey, Ivey Planning Group, on behalf of Consolidated-Tomoka Land Company to modify language within Neighborhood K section of the Future Land Use Element of the City's Comprehensive Plan to allow an increase of residential density on 58.89 ± acres.

Staff Recommendation

Mr. Benderson 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 said it was his understanding that the applicant was permitted a density of 40 units per acre, but was requesting 20 units per acre. Mr. Benderson stated that was correct.

Mr. Moore stated there was no specific application associated with the request. Mr. Benderson stated he believed the applicant was considering multi-family for the site. Mr. Moore asked why the Board should approve the item without knowing the entire request. Mr. Spraker stated the land use established what an applicant could apply for through zoning. He said land use applications did not require a site plan.

Ms. LeSage stated if the land use was not changed, the applicant would not be prohibited to rezone a portion of the property. Mr. Spraker stated it would restrict the number of multi-family units.

Mr. McGhee asked if the proposed change coincided with the Vision Plan. Mr. Spraker stated he was unsure of the City's Vision plan as it related to the Clyde Morris Boulevard corridor.

Mr. Spraker stated the first thing the Board needed to consider was if the proposal would negatively impact the infrastructure, and staff determined that commercial would have greater impacts than residential. He said the second thing the Board needed to consider was if multi-family was an appropriate use for the area and staff felt it was.

Applicant's Presentation

Ms. Rebecca Hammock, Ivey Planning Group, representing the applicant, was present to answer questions.

Citizen's Comments

Mr. John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated he had concerns that too many low income housing projects would be located in one area and that the students should be allowed to attend Hinson Middle School. Mr. Spraker stated Hinson Middle School was at capacity according to the Volusia County School Board. He said he could not speak to what type of housing would be on the site.

Ms. Shelley stated the report from Ivey Planning Group said, according to Steve Spraker, CODB Planning Manager, regardless of the increase in density, development of the subject would not be able to exceed the 3 floor area ratio (FAR) if the residential square footage was included within the FAR calculation. Mr. Spraker stated the existing commercial land use designation allowed approximately 7.7 million square feet of office, which could be general or medical, and would have a much higher trip generation and water and sewer requirement. He said going from residential to commercial would not increase the impacts and water and sewer lines were being established in the area. He said the site was in the Volusia County's roadway plan and any proposed projects would have to be reviewed for concurrency to ensure adequate infrastructure.

Board Motion

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

Board Action

The motion was approved (8-2) with Ms. LeSage and Mr. McGhee casting the dissenting votes.

B. INDIAN LAKE ROAD LAND USE AMENDMENT, DEV 2006-150

A request by Joel Ivey, Ivey Planning Group, on behalf of Consolidated-Tomoka Land Company to exchange the land uses of two parcels of land totaling 280 acres. The first 140± acre parcel proposes a land use map amendment from "Urban Transition" to "General Industry". The second 140± acre parcel proposes a land use map amendment from "General Industry" to "Urban Transition".

Staff Recommendation

Ms. Collins presented information contained in the Staff report, a copy of which is hereto attached and made part of the record. She 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 stated there would not be a major change of use, because the applicant was requesting to exchange the land uses for the two parcels. Ms. Collins stated that was correct.

Mr. Moore stated it did not make much sense to have general industry on both sides of an urban transition area. Mr. Spraker stated the general development pattern for the area was industrial, for heavy industrial uses, which should not be located next to residential or other commercial. He said the proposal would provide key components for the City by providing a location for general industrial use as well as a location for uses that did not fit in with other industrial uses.

Ms. Shelley asked if this was the area that allowed adult entertainment. Mr. Spraker stated yes.

Applicant's Presentation

Ms. Rebecca Hammock, Ivey Planning Group and Mr. Ted Garn, Consolidated Tomoka Land Company, were present to answer questions. Ms. Hammock stated one of the reasons for switching the land uses was because the property owner had the desire to build a road from Indian Lake Road eastward to open the area up to more industrial and since there was already roadway access, it made sense to start with that portion of the property. She said in order to negate the impacts of the industrial use, they were proposing the switch so the other parcel would be in a holding pattern. She said if there was a need for additional industrial in the future, they could apply for a comprehensive plan amendment and prove that the infrastructure existed.

Mr. Garn stated they internally referred to the property as the NIMBY (Not In My Back Yard) Park. He said it was highly unlikely there would be a residential component to the property. He said there had been some interest in the land, and there was an existing lift station for sanitary sewer service for the general area close to Indian Lake Road. He said they would like to construct a City dedicated roadway off Indian Lake Road to expand the property's options for development.

Citizen's Comments

There were no citizen comments.

Board Motion

Ms. Shelley made a motion to approve the request. Mr. Moore seconded the motion.

Board Action

The motion was unanimously approved (10-0).

C. DENSITY BONUS IN THE DOWNTOWN REDEVELOPMENT AREA, DEV 2006-154

A request by Mr. Robert Merrell to amend Section 8, Redevelopment Element of the City's Comprehensive Plan, to establish criteria to allow a density bonus, up to 50 units per acre, for parcels under unified ownership greater than 4 acres, in the geographic boundary of Fairview Avenue to the north, International Speedway Boulevard to the south, North Beach Street to the east and North Ridgewood Avenue to the west.

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.

Ms. Shelley stated at the Downtown/Balough Road Redevelopment Area Board meeting, Mr. Dunn specifically asked to include language for Riverfront Park to have a density of 2 units per acre. Mr. Spraker stated that language was omitted and could be included. He said the Board could recommend changes to the public benefits.

Applicant's Presentation

Mr. Chris Challis, Cobb and Cole, representing the applicant, was present to answer questions. He said only one residential project had come to fruition in the downtown area in the last 5 years since the Nottingham Plan was approved. He said the church super block, which had been on the market for quite some time, was key to successful downtown revitalization. He said it was a challenging location and approval of the request would assist in the revitalization effort.

Ms. Gallentine stated the condominium market had fallen on hard times and asked if the request was to allow more units, with lower market prices, so the developer could make a larger profit. Mr. Challis stated he could not speak to a larger profit involved with an increase in density. He said an increase in density usually proposed smaller units, which would be more affordable to meet the changing market demands.

Ms. Shelley stated density bonuses should not be given because market conditions had changed. She said they needed to consider the benefits to the community as a whole. She said a density bonus should not be given to fulfill the City's adopted policies and goals.

Mr. Hurt stated the market had drastically changed and without a density bonus, they would not see projects coming forward, due to the inability to obtain financing and construction costs. He said more residents downtown would benefit the entire City.

Citizen's Comments

Mr. Glenn Storch, Storch, Morris and Harris, stated the concept of incentives and the goals that were achieved were the most important things to consider. He said incentives were needed to provide the potential at the application process, to negotiate public benefit in exchange for greater density to achieve the Vision that the City was proposing for the area. He said this could be a tool for Downtown revitalization.

Ms. Pam Woods, 731 N. Peninsula Drive, Daytona Beach, President of Save Our Neighborhoods, stated a major concern of the group, was the massive increase in density throughout the City. She asked the Board to deny the request as well as the next request. She said the City was going through a Vision Process and there was much to be discussed prior to allowing an increase in density.

Mr. Kay Kincaid, 275 Indigo Drive, Daytona Beach, stated if the Board approved density bonuses Downtown, there would be mass everywhere and everyone would be requesting a density bonus. She said they needed to wait and see what the Vision Plan would entail.

Mr. Dan Harshaw, 910 Poinsettia Road, Daytona Beach, stated the request should be approved per project, not for the entire Downtown area.

Mr. John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated the request would promote smaller units, without the amenities that would encourage the upper class. He asked the Board to wait to consider the request until the Vision Process was complete.

Mr. Kurt von der Osten, 105 Grande Champion Drive, Daytona Beach, stated this item and the next item were not key to the redevelopment of the Downtown Area. He said the concurrency exception for the Downtown area was the best incentive. He said the Board needed to show support for the Vision Process and postpone any decisions on the two density bonus requests.

Ms. LeSage stated the City's riverfront was pristine and people would be willing to pay for beautiful riverfront views. She said the issue should not be about quantity, it should be about quality. She felt the Board should hold off on any decisions until the Vision Process was complete.

Mr. Neal asked what the timeframe was for the Vision Process. Ms. Shelley stated they hoped to have something in writing in October or November of 2007.

Mr. Hurt stated the amendment would be a bargaining tool for the City and would not be applied to every project.

Ms. Gallentine stated she was opposed to the amendment. She said the beachside had many irregular shaped lots and developers would be requesting density bonuses for those areas as well. She said residents spoke loud and clear about their opposition to increased densities.

Mr. Hoitsma stated the Board had always discussed additional residential in the Downtown and the amendment would help accomplish that goal. He said they were on the right track, but the request was a little premature due to the fact that the City was going through a Vision Process.

Board Motion

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

Board Action

The motion was denied (2-8) with Ms. Gallentine, Mr. Hoitsma, Ms. LeSage, Mr. McGhee, Mr. Moore, Mr. Neal, Ms. Shelley and Ms. Washington casting the dissenting votes.

D. DENSITY BONUS IN THE BALLOUGH ROAD REDEVELOPMENT AREA, DEV 2006-173

A request by Mr. Glen Storch to amend Section 8, Redevelopment Element of the City's Comprehensive Plan, to establish criteria to allow a density bonus in the Ballough Road Redevelopment Area, up to 50 units per acre, for parcels under unified ownership greater than 4 acres, in the geographic boundary of Second Street to the north, Mason Avenue to the south, North Beach Street to the west and the Halifax River to the west.

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, stated it was extremely important to have a vision. He said there had been other projects proposed for the site that did not materialize due to financing and other issues. He said the site had unusual characteristics and would not support million dollar addresses. He said this would be a tool to come up with reasons to support the density bonus. He asked the Board to approve the request for the specific site.

Mr. Hoitsma asked how large the site was. Mr. Storch stated the site was 4.3 acres.

Mr. Hoitsma asked if a developer had a plan. Mr. Storch stated Terra Mark was the property owner and they were in the process of developing a site plan but wanted to get direction from the City. Mr. Hoitsma asked if the anticipated plan could be built with the existing density. Mr. Storch stated the increase in density would provide flexibility for a mix of different size units. He said they were hoping to come forward with a project whether the density bonus request was approved or not.

Citizen's Comments

Mr. Kurt von der Osten, 105 Grande Champion Drive, Daytona Beach, stated he wondered how the increase in density would affect the height of the proposed structure.

Mr. John Nicholson, 413 N. Grandview Avenue, stated the site was a prime location and was an appropriate area for a greater density and height. He asked the Board to wait to consider the request until the Vision Process was completed.

Ms. Kay Kincaid, 275 Indigo Drive, Daytona Beach, stated the Board needed to wait to make a decision until the Vision Process was complete. She said the City needed to create a river walk plan.

Mr. Storch wanted to stress that the request was designed to promote things like a river walk and if they wanted developers to pay for it, they needed to give them something in return.

Ms. Shelley stated she felt the same way on this item as she did on the previous item and they should not allow a density bonus.

Ms. Gallentine said the site was a beautiful bay and felt they did not need to provide an incentive for the property to be developed.

Mr. Hurt stated the request was a bargaining tool for the City to use and the bonus would have to be earned. He felt not approving the request would delay the possibility of more residential downtown.

Ms. LeSage stated she would like to see quality over quantity.

Board Motion

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

Board Action

The motion was denied (2-8) with Ms. Gallentine, Mr. Hoitsma, Ms. LeSage, Mr. McGhee, Mr. Moore, Mr. Neal, Ms. Shelley and Ms. Washington casting the dissenting votes.

E. INDIGO LAKES AMENDMENT, DEV 2006-152:

A request by Indigo Lakes, LLC, to amend the Future Land Use Map designation of 56.8 ± acres from "Golf Course" to 28.23 ± acres "Level 1 Residential" and 24.89 ± acres "Level 2 Residential". The subject properties are located west of Williamson Boulevard and south of Indigo Drive and west of Indigo Drive and south of Crooked Stick Drive and east of I-95.

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 there were two letters in the Board's packets from Indigo Lakes residents who were unable to attend the meeting, copies of which are hereto attached and made part of the record.

Applicant's Presentation

Mr. Mark Karet, Zev Cohen and Associates, Mr. Mitch Pasin and Mr. Ken Brown principals of Indigo Lakes, Mr. Cliff Tate, Kimely-Horn, traffic engineer, Mr. Shawn McGuigan, General Manger and Director of Golf and some of the Presidents of the various Homeowner's Associations were present to answer questions.

Mr. Karet gave a brief history on the golf course to the Board. He said in 1999, there were approximately 450 members. He said five years later they were down to 46 members. He said maintenance issues and lack of reinvestment seemed to be the greatest concerns. He said Indigo Lakes, LLC, the current owners, had begun various improvements to the course and the quality of the neighborhood. He said there was no master Homeowner's Association; there were 8 or 9 separate groups, with no common organizational tie. He went on to say the applicant held 2 neighborhood meetings, which were well attended, where they presented the proposed planned redevelopment of the golf course and it was overwhelmingly received.

Mr. Karet distributed and reviewed the conceptual plan with the Board, a copy of which is hereto attached and made part of the record. He said they were not requesting site plan approval or a zoning change at this point, but they wanted to show a conceptual plan to the Board.

He said staff's recommendations related to height and the number of units. He said staff recommended 11 units per acre, which would yield 500 units for the overall development, which was acceptable to the applicant. He said staff also recommended a height limit. He said they had no objection to the 35-foot height limit within 300 feet of single-family homes, but were requesting a height limit of 68 feet instead of 48 feet, where they were applying for the Level 2 Residential. He said they were proposing 4 stories of residential over a base elevation of 12 feet, where an entry way and parking would be located.

Ms. Gallentine stated Mr. Karet indicated that several meetings were held with the Homeowner's Associations. She asked what negative concerns they heard from the residents. Mr. Karet stated some of the concerns voiced were if they were going to do everything they said they were going to do, traffic issues and other impacts due to the additional number of residents.

Mr. Hoitsma asked where the 57 acres came from. Mr. Karet stated the existing 11th hole would be relocated and hole 12 would be reconfigured. He said there was very dense vegetation where the townhomes were being proposed.

Mr. Hoitsma asked what the advantages to the existing residents would be. Mr. Karet stated the maintenance and reinvestment of the golf course would be a major advantage.

Mr. Moore asked if there were any homes along the course where they were planning to make changes. Mr. Karet stated there were 2 condominiums that would continue to have a golf view.

Mr. Mitch Pasin, Indigo Lakes, LLC, stated his interest was in recreating the neighborhood to provide additional amenities, which would include a pool, clubhouse, media house, meeting room and tennis courts. He said they were only interested in being there if the residents wanted them there and they had no interest in being their adversary. He said the residents overwhelmingly approved the proposal.

Citizen's Comments

Mr. John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated this was what the neighborhood needed. He said the golf course needed to be playable, that a sufficient number of trees needed to be planted and that drainage problems needed to be resolved.

Mr. Jim Maniak, resident of Unit 7, Indigo Lakes, stated there were just under 500 residences with 8 Homeowner's Associations. He said they met several times with the developer and as an informal group of presidents. He said he did not represent everyone, but most of the residents were in general support of the proposal, and they wanted to ensure that it was done in a way that would preserve the quality of life in Indigo Lakes that they currently enjoyed. He said the development would double the number of residents in the Indigo Lakes area and they wanted to maintain the serenity of the area. He said they would continue to work with the developer and the City to ensure their objectives were met.

Mr. Maniak asked if staff was recommending 11 units per acre or 10 units per acre. Mr. Spraker stated staff's recommendation was for 10 units per acre, which would be 475 total units. Mr. Maniak stated they would support the developer with the change in height if it would support parking and not increase the density. He said they would support 475 units with the additional 20 feet of height.

Ms. Carol Raymond, 277 Brayburn Circle, Unit 8, Indigo Lakes, stated the proposal would be a wonderful addition to the community and supported the request.

Mr. Bernie Strauss, 270 Glenbriar Circle, Unit 8, Indigo Lakes, since 1991, stated everything went downhill when the original owners sold the property. He said the traffic on Williamson Boulevard was horrendous and the developer needed to meet with the residents again, to clarify the number of units being proposed.

Mr. Karet stated the staff report that was emailed to him recommended 11 units per acre, which was what they were relying on.

Mr. Shawn McGuigin, 1316 Overlook Drive, General Manager and Director of Golf at Indigo Lakes since 2001, stated he could personally attest to the reconditioning of the golf course and that the new owners had spent more in the last three months than what had been spent in the last six years.

Mr. Chris Fitzgerald, 120 Point O Woods, Indigo Lakes, stated 90% of the residents wanted to see this project happen. He said there were concerns with the condominiums that overlooked the 11th hole, which would be most affected by the new entrance and the height and density of the proposed building.

Ms. Kay Kincaid, 275 Indigo Drive, Indigo Lakes, stated she was not allowed to speak at any of the meetings and was ignored by Mr. Pasin. She said she had major concerns with the limited access, drainage and traffic. She said Mr. Pasin was not the owner of the property, he was the developer. She asked the Board to deny the request.

Mr. Moore stated he was very much against the request and it was a classic case of a club not doing well. He said his major concern was that they were taking green space and a recreation area to build on. He said he saw this as the first phase of many.

Mr. Hurt stated a golf course was an entity that expected to make a profit. He said it was not a park, and if it was at the point of disrepair, something needed to be done to maintain a pristine condition so that people would play on the course.

Ms. Shelley stated it would never occur to her that if someone purchased a home on a golf course, that there would be further development.

Mr. Hoistma stated the number of daily trips that would be generated by the additional units bothered him.

Mr. Spraker stated the first issue the Board needed to consider was the maximum density allowed, which the applicant's understanding of staff's position was 500 units. He said the second issue was height, which the applicant proposed an increase to 68 feet, which was 20 feet above staff's recommendation of 48 feet.

Ms. Shelley asked how the proposed project would affect Senate Bill 360 with regards to school capacity. Mr. Spraker stated the Volusia County School Board reviewed the proposal and there was capacity due to the fact that there had been very limited residential growth in the City over the past 15 years.

Board Motion

Mr. Hurt made a motion to approve the request with a maximum number of units at 475 and the maximum height at 68 feet. Mr. Neal seconded the motion.

Board Action

The motion was denied (3-7) with Ms. Gallentine, Mr. Hoitsma, Ms. LeSage, Mr. McGhee, Mr. Moore, Ms. Shelley and Ms. Washington casting the dissenting votes.

F. SALOMON STABLES AMENDMENT, DEV 2006-153:

A request by Salomon Stables LLC, to amend the Future Land Use Map designation of a parcel totaling 10.76 acres as follows: 7.96 acres from Volusia County "Activity Center" to City of Daytona Beach "Level 3 Residential" and 2.80 acres from Volusia County "Environmental Systems Corridor" to City of Daytona Beach "Potentially Environmentally Significant". The subject property is located at 1484 Tomoka Farms Road, approximately 1,800 feet south of the intersection of Bellevue Avenue and Tomoka Farms 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.

Applicant's Presentation

Mr. Pete Zahn, Zahn Engineering, representing the applicant, was present to answer questions. He said since the property abutted the Daytona Beach city limits on the west property line, they decided to annex the property into the city, which they would make application for. He said the developer was willing to cap the density at 33 units per acre.

Citizen's Comments

There were no citizen comments.

Board Motion

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

Board Action

The motion was unanimously approved (10-0).

G. FAIRLAWN AMENDMENT, DEV 2006-155:

A request by Emerald Coast Development Partners, LLC, to amend the Future Land Use Map designation of 88 ± acres from Volusia County "Low Intensity Urban" to City of Daytona Beach "Level 1 Residential" and amending text in the Future Land Use Element, Neighborhood K, to limit the residential density to no more than 3.5 units per acre. The

subject property is located east of Clyde Morris Boulevard and north of 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.

Applicant's Presentation

Mr. Michael Singletary, developer, and Mr. Steve Buswell, Parker Mynchenberg and Associates, were present to answer questions.

Mr. Moore asked about the wetlands. Mr. Spraker noted the applicant had a preliminary wetland assessment performed and they would have to take the impacts into consideration prior to construction.

Citizen's Comments

There were no citizen comments.

Board Motion

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

Board Action

The motion was unanimously approved (10-0).

H. SEAGATE HOMES AMENDMENT, DEV 2006-185:

A request by Seagate Management LLC, to amend the Future Land Use Map designation of 75 ± acres from Volusia County "Urban Low Intensity" (ULI) to City of Daytona Beach "Level 1 Residential" and amending text in the Future Land Use Element, Neighborhood K, to limit the residential density to 3.6 units per acre. The subject property is located south of Avenue "K" and west of the terminus of Golf 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. Jason Gambone, Director of Planning and Community relations for Seagate Homes, was present to answer questions.

Citizen's Comments

There were no citizen comments.

Board Motion

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

Board Action

The motion was unanimously approved (10-0).

I. CIE AMENDMENT, DEV 2007-004:

An administrative request to amend the Capital Improvements Element of the Comprehensive Plan to add the US 92 roadway expansion from 4 to 6 lanes from Tomoka Farms Road to Interstate 4.

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.

Citizen's Comments

There were no citizen comments.

Board Motion

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

Board Action

The motion was unanimously approved (10-0).

J. OLD DAYTONA AMENDMENT, DEV 2006-160:

An administrative request to amend the Future Land Use Map designation of a portion of the Old Daytona neighborhood, located along Palmetto Avenue, south of Live Oak Avenue to South Street, from "Office/Residential" and "Level 3 Residential" to "Level 2 Residential".

Staff Recommendation

Ms. Collins presented information contained in the Staff report, a copy of which is hereto attached and made part of the record. She 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.

Ms. Shelley stated the Downtown/Balough Road Redevelopment Area Board unanimously recommended approval of the request.

Citizen's Comments

Mr. Stefan Shields, 126 Cedar Street, Daytona Beach, representing 34 homeowners in the neighborhood, stated they were in full support of the request.

Ms. Connie Kryowski, 225 N. Halifax Avenue, Daytona Beach, President of the Art League, stated she was assured that the Art League would not be affected by the request.

Ms. Gallentine stated the Seabreeze/University Neighborhood was rezoned to single-family quite some time ago and learned that even though the zoning existed, some property owners might still try to breach the City's code and that the neighbors needed to report violations as they occurred.

Ms. Telly Hovan, 46 Lazy Eight Drive, Port Orange, stated she was a member of the Art League of Daytona Beach, and asked for clarification regarding structures that might be destroyed. Mr. Spraker stated the Downtown/Balough Road Redevelopment Area Board recommended preserving the neighborhood as single-family and to allow the density in the comprehensive plan. He said this would permit a property owner to rebuild any destroyed structure to its original state. He said the Art League was not included in the proposed amendment.

Board Motion

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

Board Action

The motion was unanimously approved (10-0).

K. GRANDVIEW AVENUE & 5TH STREET AMENDMENT, DEV 2007-005:

An administrative request to amend the Future Land Use Map designation of .8 acres from "Level 2 Residential" to "Commercial Mixed Use". The subject properties are located at the southeast corner of South Grandview and Grandview 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.

Ms. Gallentine asked how close the property was to residential. Mr. Spraker stated there was residential across the street. Ms. Gallentine stated she had concerns with the impacts on the residents.

Ms. Shelley asked why the request was for "Commercial Mixed Use" and what was being proposed. Mr. Spraker stated the corner was bound by A-1-A and U.S. 92 and was a premier site within the Main Street Redevelopment Area. He said there was not enough depth for an adequate size parcel and in staff's opinion it made sense to continue the commercial aspect of that area.

Ms. LeSage asked why the request was administrative and not brought forward by an individual. Mr. Spraker stated staff felt the proposed land use was the correct use for the area whether or not there was an interested party. He said there had been discussion for a mixed-use grocery store with residential above.

Ms. LeSage stated the property needed to be redeveloped but not with a project that would negatively impact Surfside Village.

Citizen's Comments

Mr. John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated the area facing Surfside Village should be single-family homes or townhomes. He said commercial would bring garbage and delivery trucks into the neighborhood.

Ms. Shelley stated they needed to protect the encroachment into the neighborhoods. Mr. Spraker stated the Board could recommend restrictions to the proposed amendment.

Ms. Pam Woods, 731 N. Peninsula Drive, Daytona Beach, asked the Board to deny the request. She said Surfside Village was a neighborhood that was making a comeback. She said a grocery store on the site would decimate the neighborhood. She said they needed to preserve and protect the neighborhoods.

Ms. LeSage stated they were going through a Vision Process and this was a perfect example of moving too fast. She said they should not sacrifice an historic neighborhood for commercial on one or two parcels.

Ms. Shelley stated the community needed to determine the quality of life they wanted as a whole and how to put it into the bricks and mortar of the City.

Ms. LeSage stated it was a prime location and someone would eventually come forward

with a plan for the site if they did not approve the request that evening. Mr. Spraker stated large scale comprehensive plan amendments could only be adopted twice a year.

Ms. Gallentine stated the site issues with the proposed request could just as easily apply to properties on the west side of A-1-A. She said if they approved the request, others would come forward, and they needed to value their neighborhoods.

Board Motion

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

Board Action

The motion was denied (2-8) with Ms. Gallentine, Mr. Hoitsma, Ms. LeSage, Mr. McGhee, Mr. Moore, Mr. Neal, Ms. Shelley and Ms. Washington casting the dissenting votes.

L. FUTURE LAND USE MAP CONVERSION, DEV 2007-006:

An administrative request to convert the existing Future Land Use Map (Figure 10.1) to a Geographic Information System (GIS) map.

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.

Citizen's Comments

There were no citizen comments.

Board Motion

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

Board Action

The motion was unanimously approved (10-0).

Other Business

Selection of a Chairperson, Vice-Chairperson and Secretary

Mr. Hoitsma stated the Board needed to appoint a Chairperson and Vice-Chairperson.

Mr. Hurt made a motion nominate Edith Shelley, Chairperson. Mr. Moore seconded the motion. The motion was unanimously approved (10-0).

Mr. Hurt made a motion to nominate Bob Hoitsma, Vice-Chairperson. Ms. Gallentine seconded the motion. The motion was unanimously approved. (10-0).

It was determined since Cathy Washington was appointed Board Secretary in March of 2006, her term had not expired.

Development Services Director Report

Mr. Spraker stated there was a school concurrency summit on January 31, 2007 and the information was in the Board's packets if any of the members would like to attend. He said staff was continuing to work on the Evaluation and Appraisal Report. He said the City Commission requested that policy issues be brought to them by the Board Chair prior to hearing the items at the various Boards.

Downtown/Balough Road Redevelopment Area Board Report

Ms. Shelley reported on the Board's January 9, 2007 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 January 10, 2007 meeting.

Vision Committee Report

Ms. Shelley reported on the January 8, 2007 Vision Committee meeting.

Public Comments

Mr. John Nicholson, 413 N. Grandview Avenue, Daytona Beach, stated the City of Daytona Beach was not growing and they needed to require more attractive buildings to draw residents to the City.

Mr. Hoitsma thanked the Board for their efforts on such a long meeting.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 11:10 p.m.

ROBERT HOITSMA
Chair

CATHY WASHINGTON
Secretary