

MINUTES
REGULAR MEETING – PLANNING BOARD
October 23, 2014

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, October 23, 2014 at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board Members Present:

Tony Barhoo
Ned Harper
Jeff Hurt
Larry Moore
James Neal
Cathy Washington, Vice Chair
Arthur Wright

Board Members Absent:

Robert Hoitsma, Chair
Pat Drago

Staff Members Present:

Richard Walton, Planning Director
Dennis Mrozek, Senior Planner
Carrie Avallone, Assistant City Attorney
Reed Berger, Redevelopment Director
Rose Askew, Planner
Becky Groom, Board Secretary

1. **Call to Order**

Vice Chair Washington called the meeting to order at 6:06 p.m.

2. **Roll Call**

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

Ms. Washington welcomed Arthur Wright as a member of the Planning Board representing Zone 2.

3. **Approval of the Minutes** - September 18, 2014 and September 25, 2014

a. September 18, 2014

Board Action:

A motion was made by Mr. Hurt, seconded by Mr. Barhoo, to approve the minutes of the September 18, 2014 Planning Board Meeting. The motion was approved unanimously (7-0).

b. September 25, 2014

Board Action:

A motion was made by Mr. Moore, seconded by Mr. Neal, to approve the minutes of the September 25, 2014 Planning Board Meeting. The motion was approved unanimously (7-0).

4. **Rezoning, Residential Planned Unit Development (RPUD) – Cypress Point, DEV2014-046 (Quasi-Judicial Hearing)**

Dennis Mrozek, Senior Planner, presented the staff report which is included in the packet. Mr. Mrozek stated the project is in the LPGA development and is adjacent to the existing clubhouse. Mr. Mrozek stated the developer is requesting a reduction in the dimensional standards, including a reduction in the size of the lots.

Mr. Moore asked about the setback waiver that is requested.

Mr. Mrozek stated the setback would be 5 feet from the property line which would allow a 10 setback between each unit.

Mr. Barhoo asked how many homes would be constructed on the same acreage if the waivers are not granted.

Mr. Mrozek stated there could be smaller homes placed on the lots or larger lots used if the waivers are not granted.

Mr. Harper asked what the distance is between homes in neighboring communities.

Mr. Mrozek stated there are other areas that have 5 foot setbacks.

Mr. Hurt stated the Villas in Pelican Bay has lots that have 5 foot setbacks and feels 5 feet is typical for golf villas.

Applicant Presentation:

James Stowers, Wright, Carey & Stowers, 44A W. Granada Blvd., Ormond Beach, spoke representing the applicant and stated the goal is to be compatible with the development that has been in place for the past 10 to 12 years. Mr. Stowers stated this is a Master Planned Development and the 5 foot setback is outlined in the development agreement. Mr. Stowers stated a neighborhood meeting was held in July and only one resident attended.

Mr. Moore stated the variances requested are for front, rear, and side yard setbacks as well as the size of the homes. Mr. Moore asked how many homes were added to the project as a result of the requested variances.

Mr. Stowers stated other existing developments in the LPGA Master Planned Development have permitted smaller lots and what is proposed would be larger in many instances.

Mr. Moore asked what would be the public benefit for allowing the variances.

Mr. Stowers stated the front 30 foot landscape buffer is an asset and having this property incorporated into the larger development is a good thing.

Mr. Moore asked what the average square footage of the homes will be.

Mr. Stowers stated they will be consistent with what is outlined in the development plan.

Mr. Barhoo stated he lives in LPGA and stated he believes there are areas where the setbacks are much larger. Mr. Barhoo stated he lives close to the clubhouse and was not notified of a public meeting. Mr. Barhoo stated he is concerned about the request for a lot reduction.

Mr. Mrozek stated if the new Land Development Code was in place at this time, the lot size and setback would not be a variance request.

Public Comments:

John Nicholson, 413 N. Grandview, stated what is proposed are homes, not townhouses, and stated a 5 foot setback is extremely narrow. Mr. Nicholson stated there will be tiny homes placed on the lots and this is not what was anticipated for the area. Mr. Nicholson stated when people bought in that area, they bought with the intention of having a quality subdivision and that will be taken from them.

Donald Pawson, 24 Promenade at Lions Paw, stated he is the president of the homeowners association for Lions Paw and was not notified of a meeting

regarding this project. Mr. Pawson stated in Lions Paw, the lots are 90 feet or 100 feet wide by 200 plus feet deep. Mr. Pawson expressed concern about additional traffic and drainage impacts.

Rosemarie Romano, 25 Promenade at Lions Paw, stated she is concerned about property values declining as a result of this project as well as drainage and traffic impacts.

Mr. Stowers stated what is proposed are single family homes at a minimum of 1,500 sq. ft. He stated this project is not about lower property values but bringing more quality to the area. Mr. Stowers stated the project will be located adjacent to the clubhouse and there are a number of amenities that residents will be able to take advantage of there. Mr. Stowers stated the prices for the proposed homes will be in the range of \$200,000 to \$300,000. Mr. Stowers stated the original plans for the project were to locate a hotel and conference center on the property but that is now not a viable use. Mr. Stowers stated the residential community will not generate as much traffic as would have been generated by a hotel.

Steve Buswell, Parker Mynchenberg & Associates, 1729 Ridgewood Avenue, stated two wetlands exist on the east side and the wetlands will be preserved. Mr. Buswell stated the project is designed for a 100 year storm event, which is 11 inches of rain within 24 hours.

Mr. Moore stated his question was not answered about how many additional homes will be permitted in the project by granting the variances.

Mr. Buswell stated he is speculating, but he believes it would be 10% to 15% additional homes based on the request for a 10% to 15% reduction.

Mr. Moore asked who will be responsible for the area designated as a tot lot.

Mr. Buswell stated it is intended for a play area and it will be the responsibility of the homeowners association.

Mr. Hurt stated he lives in Pelican Bay and any golf course community has different size houses, including large estate homes and small villas.

Mr. Wright asked if this area is designated as a flood zone on the new FEMA maps.

Mr. Buswell stated this has been permitted by the St. Johns River Water Management District and flooding has been addressed through the overall master system.

Mr. Moore asked what the public benefits are in granting the variances.

Mr. Stowers stated the public benefits include the 30 buffer area, the tot lot, and a positive development for the City of Daytona Beach that will enhance the tax base.

Mr. Barhoo stated he is not opposed to the project but is opposed to the reduction in the setbacks.

Mr. Pawson stated the same builder is building homes in Centennial and asked what the homes are selling for in Centennial and what is the size of the lots.

Mr. Stowers stated a Master Planned Development provides for different size homes depending on what a homeowner wants at different stages in their life. Mr. Stowers stated the homes in Centennial have a minimum square footage of 2,000 and a minimum size lot area of 9,700 sq. ft.

Mr. Nicholson asked where the children will go to school.

Mr. Stowers stated he has met with the School District and the applicant will continue to go through that process.

Ms. Washington stated she was not comfortable with the applicant not having met with people that live in the immediate area and stated that needs to be done.

Mr. Stowers stated notification was sent to property owners within 300 feet of the proposed project. He stated for the Planning Board meeting, notification was sent to property owners who live within 500 feet of the proposed project. Mr. Stowers stated he would be happy to schedule another resident meeting.

Mr. Pawson stated there are only 5 houses within the 500 feet area.

Mr. Moore stated he is concerned about the variances. He stated he is also concerned that these items will be permitted in the new Land Development Code.

Mr. Wright stated he is concerned about parking and cars will be forced to park on the street.

Mr. Barhoo stated he is concerned about the setbacks and variances.

Mr. Neal stated he feels the development will enhance the area and he likes the project.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Neal, to approve Rezoning, Residential Planned Unit Development (RPUD) – Cypress Point, DEV2014-046, in accordance with the staff report as presented, including the waivers for

modification to lot development standards, reduction of minimum separation between buildings from 15 feet to 10 feet, and allowing model homes within the development.

Board Action:

The motion failed by vote of 5 to 2 (Mr. Barhoo and Ms. Washington voting no).

5. **First Amendment for Two Men and a Truck f/k/a Merita Daytona Facility Planned Commercial Development (PCD) – DEV2014-111 (Quasi-Judicial Hearing)**

Mr. Mrozek presented the staff report which is included as part of the packet. Mr. Mrozek stated the project is located at 370 South Nova Road and the building is currently vacant. Mr. Mrozek stated staff recommends approval.

Applicant Presentation:

Harry Newkirk, Newkirk Engineering, stated there will be 25 employees at the site along with 7 trucks. Mr. Newkirk stated a new monument sign will be located at the front of the building.

Mr. Walton stated the base of the sign is planned to match the monument signs that will be located at the Museum which is adjacent to this project.

Public Comments:

There were no public comments.

Board Motion:

A motion was made by Mr. Barhoo, seconded by Mr. Moore, to approve First Amendment for Two Men and a Truck f/k/a Merita Daytona Facility Planned Commercial Development (PCD) – DEV2014-011, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

6. **Rezoning, Residential Planned Unit Development (RPUD) – McCrary Dormitory, DEV2014-120 (Quasi-Judicial Hearing)**

Reed Berger, Redevelopment Director, presented the staff report which is included as part of the packet. Mr. Berger stated the rezoning is for only the south

half of the property and will re-establish a dormitory to house 8 students. Mr. Berger stated staff recommends approval.

Applicant Presentation:

Mark Dowst, 536 N. Halifax, stated he is the engineer on the project. Mr. Dowst stated he will not be adding onto the building but it will be brought up to its original condition. Mr. Dowst stated the chain link fencing will be removed and new landscaping installed.

Earl McCrary, 133 Coral Circle, South Daytona, the applicant, stated he is looking forward to working with Bethune-Cookman in re-establishing the dormitory. He stated the home may be established as part of the Bonner Foundation, and if approved, the students will be required to serve 10 hours per week in the community and during the summer must volunteer 240 hours to the community.

Public Comments:

John Nicholson, 413 N. Grandview, stated he is in favor of the project but is concerned that there is a loss of revenue since this will be a school project.

Mr. Hurt stated this is privately owned and is on the tax rolls.

Mr. Barhoo stated he is a member of the Midtown Redevelopment Board and this item was presented to the Board and was approved. He stated this project will take care of an eyesore in the community.

Board Motion:

A motion was made by Mr. Barhoo, seconded by Mr. Neal, to approve Rezoning, Residential Planned Unit Development (RPUD) – McCrary Dormitory, DEV2014-120, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

7. **Substantial Modification to RPUD – Eagle Landing, DEV2014-124 (Quasi-Judicial Hearing)**

Rose Askew, Planner, presented the staff report which is included as part of the project. Ms. Askew stated the request is to reduce the front setbacks in order to accommodate the Eagle Landing Clubhouse.

Applicant Presentation:

Steve Buswell, Parker Mynchenberg & Associates, 1729 Ridgewood Avenue, stated he is the engineer on the project. He stated there will be no changes to the landscaping to the north and will abut Shady Place.

Public comments:

John Nicholson, 413 N. Grandview, asked where garbage pick up will be on the site. Mr. Nicholson asked if there is a connect between this site and the Embry-Riddle project.

Mr. Buswell stated there is access to Clyde Morris from this property.

Mr. Walton stated there is a section of property between this site and the Embry-Riddle site.

Board Motion:

A motion was made by Mr. Neal, seconded by Mr. Moore, to approve Substantial Modification to RPUD – Eagle Landing, DEV2014-124, in accordance with the staff report as presented.

Board Action:

The motion carried unanimously (7-0).

8. **Other Business**

a. Downtown/Balough Road Redevelopment Area Board Report

Ms. Washington stated the Board met on October 7, 2014, and discussed the Orange Avenue project. Ms. Washington stated one item was approved which was a conditional use for a Chicago Style Bar & Grill.

b. Midtown Redevelopment Area Board Report

Mr. Barhoo stated the Midtown Redevelopment Area Board met on October 14, 2014 and heard a presentation on the Orange Avenue project. Mr. Barhoo stated the McCrary dormitory request was presented and approved by the Board. Mr. Barhoo stated the Midtown Master Plan was presented and approved.

c. Main Street/South Atlantic Redevelopment Area Board Report

Mr. Walton stated Mr. Davis was the appointee for the Main Street/South Atlantic Redevelopment Area Board and he has resigned from the Planning Board. Mr. Walton asked if any member would be interested in volunteering to serve on that Board.

Mr. Hurt asked that the appointment to the Main Street/South Atlantic Redevelopment Area Board be discussed when a full Board is present.

d. Public Comments

John Nicholson, 413 N. Grandview, asked about submerged lands. He stated nothing has been done. Mr. Nicholson stated he was not aware 50 foot lot sizes were permitted.

Mr. Walton stated submerged lands have been discussed and is addressed in the new Land Development Code.

Mr. Moore asked if staff talked with any other area communities on how they addressed submerged lands.

Mr. Walton stated staff's research was based on what Clarion had provided.

e. Staff Comments

Mr. Walton stated the first public hearing will be held on the new Land Development Code at the November 5 City Commission meeting. He thanked the Planning Board for all of their work in reviewing the details of the new Code.

Mr. Walton introduced the new Deputy City Manager, Gary Shimun. Mr. Shimun stated he has met several of the Planning Board members at other Board meetings and looks forward to working with everyone.

f. Board Comments

Mr. Barhoo stated he feels the Planning Board needs to look at the vision for the City of Daytona Beach to determine what we would like the City to look like. Mr. Barhoo stated we should adhere to the standards that are in place and not allow those to be diminished.

Mr. Moore asked how the 50 foot width in lot size came about in the new Land Development Code.

Mr. Walton stated the 4 single family zoning districts are combined into one in the new Land Development Code.

Mr. Hurt stated Pelican Bay and many surrounding communities have estate lots, patio lots, duplex lots, and condo lots. He stated he does not believe smaller lots reduce property values. Mr. Hurt stated the purpose is to provide different housing depending on what people may want in a home.

Ms. Washington stated she was concerned about the proximity of the LPGA lots to the higher priced homes.

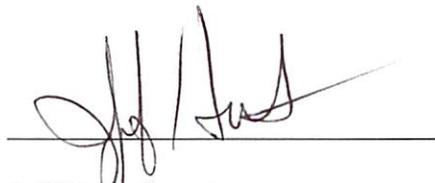
Mr. Walton stated in the new Land Development Code, the standard will be to notify residents within 300 feet of a proposed project and to also notify the homeowners association.

Adjournment: The meeting adjourned at 7:45 p.m.



Cathy Washington, Chair

ATTEST:



Jeff Hurt, Secretary