

MINUTES  
REGULAR MEETING – PLANNING BOARD  
April 28, 2016

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, April 28, 2016 at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board Members Present:

Robert Hoitsma, Chair  
Pat Drago  
Jeff Hurt  
James Neal  
James Newman  
Cathy Washington

Board Members Absent:

Tony Barhoo

Staff Members Present:

Richard Walton, Planning Director  
Dennis Mrozek, Planning Manager  
Rose Askew, Planner  
Carrie Avallone, Assistant City Attorney  
Marianne Pulaski, Planning Technician  
Becky Groom, Board Secretary

1. **Call to Order**

Mr. Hoitsma called the meeting to order at 6:02 p.m.

2. **Roll Call**

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

3. **Approval of the Minutes** - March 24, 2016

**Board Action:**

A motion was made by Mr. Hurt, seconded by Ms. Washington to approve the minutes of the March 24, 2016 Planning Board Meeting as presented. The motion was approved unanimously (6-0).

4. **Rezoning to Planned Development-General (PD-G), Mason Avenue/Nova Road, DEV2015-088**

**Staff Presentation:**

Rose Askew, Planner, presented the staff report which is included as part of the packet. Ms. Askew stated the property is located at the corner of Mason Avenue and Nova Road and has been vacant since 2013. Ms. Askew stated the request is to combine 5 parcels into 1 and the rezoning will make all of the properties consistent. Ms. Askew stated the applicant proposes to remove the existing structures and to clean up the site from any contaminants that may exist from the automotive use.

Ms. Askew stated a waiver is requested to reduce the landscaping in order to accommodate a drive-thru. She stated an additional request is to permit the monument sign to be 9 feet high instead of 8 feet as is permitted in the Land Development Code. Ms. Askew stated additional waivers include a request to allow architectural features that are less than the minimum 30 horizontal feet required and to reduce the minimum percentage for windows to 12.3 percent. Ms. Askew stated the proposed primary color for the building is red.

**Applicant's Presentation:**

Michael Sznajstajler, Cobb & Cole, 149 S. Ridgewood, Daytona Beach, Florida, spoke representing the applicant, JRN Inc. Mr. Sznajstajler introduced Clay Neal, who is the Vice President of Real Estate of JRN.

Mr. Sznajstajler stated JRN cleaned up the existing site voluntarily and received a no further action letter from DEP prior to the end of last year. He stated there will be an increase in the number of jobs at the new site by 50%. Mr. Sznajstajler stated this will be the American Showman flagship store for KFC and will be the second store of this style in the country. Mr. Sznajstajler stated the entrance to the site off of Mason will be moved further to the east and will provide a one-way circle around the building in order to prohibit people from avoiding the traffic light and going through the site. Mr. Sznajstajler stated the reason for the request to allow less than 30 feet of architectural features and the reduction in windows is to allow for privacy in the cooking and restroom areas.

Ms. Drago asked about the sign height waiver request.

Mr. Sznajstajler stated the sign size request is based on a corporate franchise requirement. He noted there is an existing pole sign on site which is 20 feet high and could be retrofitted with a KFC sign, but removing the pole sign would allow the creation of a nice monument sign.

Mr. Newman asked if there will be a visibility problem with the sign.

Mr. Walton stated 8 feet high is the city standard.

Mr. Newman asked why such a broad spectrum of uses.

Mr. Sznajstajler stated that in case the KFC failed, it will not sit vacant for a long time. It is a PD so it would have come in for a redevelopment review if the building was not used in the same way.

Mr. Hoitsma stated he has a problem with the sign request since it varies from the city standards. Mr. Hoitsma asked if KFC has any variation from the red color in any other stores nationwide.

Mr. Sznajstajler stated red is the color for the American Showman store and red and white is used for KFC stores across the country. He stated a Code cannot meet every scenario and what is requested is the minimum amount required in order to move the project forward.

Ms. Drago stated the criteria has been established in the Land Development Code. She stated when she visits other areas, modifications are made in color in order to meet code. She stated she feels since the request is for a one foot variance on the sign, the applicant should do what is asked.

Ms. Washington asked if the one foot height really makes a difference.

Mr. Newman stated the color is instantly recognizable and the project will be an improvement to the corner.

Mr. Hurt stated there hasn't been anything new on Mason Avenue for a long time. He stated a 9 foot sign does not bother him.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Neal, to approve Rezoning to Planned Development-General (PD-G), Mason Avenue/Nova Road, DEV2015-088, in accordance with the staff report as presented.

**Board Action:**

The motion carried (6-0).

5. **Rezoning-First Amendment to Planned District Agreement, Twistee Treat, DEV2016-023**

**Staff Presentation:**

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated the project is at the northeast corner of the property at Beville and Nova. Mr. Mrozek stated the application does not meet the criteria for standards and landscaping. Mr. Mrozek stated the Land Development Code does prohibit buildings that have the appearance of signage.

**Applicant's Presentation:**

James Johnston, 300 S. Orange Avenue, Orlando, spoke representing the applicant. He stated the use is permitted on the property and he is in agreement with the staff report.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Ms. Drago, seconded by Mr. Neal, to approve Rezoning-First Amendment to Planned District Agreement, Twistee Treat, DEV2016-023, in accordance with the staff report as presented.

**Board Action:**

The motion carried unanimously (6-0).

6. **Appeal – ALDI Building Design Standards, DEV2016-041**

**Staff Presentation:**

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated this is a request by the applicant to appeal to the Planning Board to modify building design standards associated with a site plan application. Mr. Mrozek presented sketches of the proposed eastern elevation which will run parallel to the building that will remain on the site. Mr. Mrozek stated the LDC requires projections for every 30 feet of wall space. He stated the proposed columns on the building would only be two feet wide and project 8 inches. Mr. Mrozek stated the Planning Board will have to determine if the proposed modifications are acceptable and if the modifications are visible from the street. Mr. Mrozek stated the applicant is requesting approval of the modification to the design standard.

**Applicant's Presentation:**

Bill Tomala and Justin May spoke representing the applicant. Mr. Tomala stated he feels what is proposed meets the intent of the code and design standards.

Mr. Hoitsma asked if there could be a change in the roof line on the east side.

Mr. Tomala stated he would have to discuss that with his client but it would be a cost issue.

Mr. Hurt stated he will be pleased to see an improvement in this area.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Ms. Washington, to approve Appeal – ALDI Building Design Standards, DEV2016-041, in accordance with the staff report as presented.

**Board Action:**

The motion carried unanimously (6-0).

7. **Discussion Item: Standards on Light Pole Heights**

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated the previous Land Development Code did not have a height limit on light poles. He stated the new LDC has a height limit of 25 feet. Mr. Mrozek presented photographs that showed the heights of various light poles throughout the city, including Volusia Mall, which are 34 feet high; Dollar General on Mason Avenue are 24 feet high; Belair Plaza lights are 34 feet high; the AutoMall has a height of 23 feet; Bethune-Cookman has light poles at 31 feet high; and City Hall has light poles 38 feet high. Mr. Mrozek stated on larger projects where there are no single family homes adjacent to the property, the light fixtures can be taller and should be appropriately shielded. Mr. Mrozek stated when modifications have been requested, it has been part of a PD, which he feels is a good way to better look at the entire project.

Mr. Hurt stated he feels requests need to be looked on a case by case basis.

Mr. Mrozek stated he feels right now the requests are handled appropriately and requests fit the areas where requests for higher poles have been made.

Ms. Drago thanked Mr. Mrozek for the work he put into preparing this response to her concern.

8. **Other Business**

a. Downtown Redevelopment Board Report

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

b. Midtown Redevelopment Area Board Report

Mr. Barhoo was not in attendance to present a report to the Board.

c. Beachside Redevelopment Area Board Report

Mr. Newman stated he did not attend the Beachside Redevelopment Board meeting in April.

d. Public Comments

There were no public comments.

e. Staff Comments

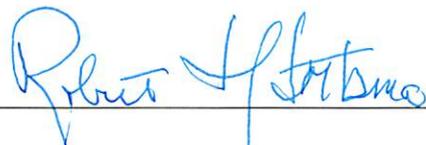
Mr. Walton stated the TPO is conducting a survey and encouraged Board members to participate in the survey.

f. Board Comments

There were no Board comments.

**Adjournment**

The meeting adjourned at 7:20 p.m.

  
Robert Hoitsma, Chair

ATTEST:

  
Pat Drago, Secretary

Pat Drago, Secretary  
Secretary