



**PLANNING AND ZONING BOARD
Council Chambers
3048 S. Atlantic Avenue
Daytona Beach Shores, Florida
Tuesday, October 9, 2007
9:30 a.m.
AGENDA**

CALL TO ORDER

AUDIENCE REMARKS

Time for citizens and members of the audience to be heard with regard to items not on the agenda. The audience will be given the opportunity to speak regarding agenda topics prior to each vote before the Planning and Zoning Board.

APPROVAL OF MINUTES: Minutes of Planning and Zoning Board Meeting of September 11, 2007.

PUBLIC HEARING:

1. RSP 2006-5, 120 Atares Avenue. A proposed site plan for the construction of an 18-unit condominium
2. Ordinance 2007- W. Proposed Changes to the LDC establishing a new commercial redevelopment district in the CRA and updating landscaping, parking and signs regulations within the CRA.

ACTION/DISCUSSION:

REMARKS OF STAFF

REMARKS OF BOARD MEMBERS

ADJOURNMENT

NOTICES: Notice is hereby given to all interested parties that if any person should decide to appeal any decision made at the aforementioned meeting of the P&Z Board, such person will need a recording of the proceedings conducted at such meeting, and for such purpose he or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the City Clerk, City of Daytona Beach Shores, at least five working days prior to the meeting.



PLANNING AND ZONING BOARD
3048 S. Atlantic Avenue Daytona Beach Shores, Florida
Tuesday, October 9, 2007
Minutes

CALL TO ORDER : Chairman Tabeling called the meeting to order at 9:30 am.

Members present were: George Tabeling, Julien Moussalli, Peggy Rice, Marion Kyser and Ernest Tapscott. **Staff present:** Sandra Ambrose, City Attorney, Stewart Cruz, City Planner and Fred Hiatt, Community Services Director.

AUDIENCE REMARKS: Glen Dunno of 129 Atares Avenue had concerns regarding yard sale signs and other disposable signs. He would like them to be on display for a weekend without them being thrown away by code enforcement. He was advised to speak with city staff and possibly address the city council.

APPROVAL OF MINUTES: Minutes of Planning and Zoning Board Meeting of September 11, 2007.

A change was requested in the wording of Dr. Kyser's nomination. The nomination should read Vice-Chair and not Vice-Mayor.

Dr. Kyser moved, seconded by Mr. Moussalli to accept the change and approve the minutes of September 11, 2007. The motion passed unanimously.

PUBLIC HEARING:

1. RSP 2006-5, 120 Atares Avenue. A proposed site plan for the construction of an 18-unit condominium

The hearing opened at 9:39 am.

The City Attorney swore in all witnesses for the hearing.

City Planner Stewart Cruz gave his staff report to the board. He stated that the property was currently occupied by a single family residential structure. The proposed project would be 4 stories with 18 units. The height of the building would be 45 feet even though the maximum allowed building height is 65 feet. The site meets all the city's codes and regulations. It was stated that the landscaping plan exceeded what was required. Staff recommends approval contingent upon the developer executing and providing the stormwater maintenance agreement to the City per Sec. 9-10 of the City's LDC. Mr. Craig Kincaid, owner of the property, stated that construction may begin in 9-12 months. There was a brief discussion regarding the shape of the windows on the top floor. Project engineer Mark Dowst explained the design was very popular among new construction.

No one spoke in favor of the project.

Mr. Glen Dunno of 129 Atares Avenue spoke against the project. He felt the condominium would bring extra traffic and commotion to the neighborhood.

Community Services Director Fred Hiatt stated that the property was zoned specifically for this type of use.

The hearing closed at 10:07 am.

Ms. Rice moved, seconded by Dr. Kyser to recommend approval of the site plan to the City Council contingent on the stormwater maintenance agreement.

ROLL CALL VOTE:	TABELING	YES	
	KYSER	YES	
	RICE	YES	
	MOUSSALLI	YES	
	TAPSCOTT	YES	(motion carried 5-0)

2. Ordinance 2007- W. Proposed Changes to the LDC establishing a new commercial redevelopment district in the CRA and updating landscaping, parking and signs regulations within the CRA.

City Planner Stewart Cruz gave a brief history of the CRA. He explained that the City staff had been working on updating the code as it pertains to the CRA district. Assistant City Manager Jim McCroskey showed the board a power point presentation that illustrated the areas of change. Examples of adverse land use are: adult entertainment, spiritual reading, body emporium, body piercing, auto repair, body art, bars with alcohol use over 50%, stand alone gas stations, and go cart racing venues. Examples of adverse front yard setback uses are: newspaper boxes, outside storage, boat storage, dumpsters, front yard displays, parking and other vacant lot uses. The proposed landscape requirements would accomplish the following: create a 15' landscape buffer on three sides of all new development, provide for irrigation and long term maintenance, and utilize parking and fences in the buffer. The new sign regulation would discourage the following: pole signs, flashing signs, wall graphics, development signs, bus bench signs, window signs, vehicles used for signage, roof signs and banners, and oversized shopping center signs.

The board discussed when the changes would go into effect and how they would be enforced. The city will attempt to have grants available as an incentive to help businesses/condominiums in the district voluntarily conform to the new regulations. All existing businesses would be grandfathered until any renovations were made.

City Planner Cruz reviewed the proposed ordinance for the board members. He noted one important change is that any new development would have to apply for a landscape certificate of compliance annually.

Ms. Rice moved, seconded by Mr. Tapscott to recommend approval of Ordinance 2007-W to the City Council.

ROLL CALL VOTE:	TABELING	YES	
	KYSER	YES	
	RICE	YES	
	MOUSSALLI	YES	
	TAPSCOTT	YES	(motion carried 5-0)

ACTION/DISCUSSION: None.

REMARKS OF STAFF: None.

REMARKS OF BOARD MEMBERS: None.

ADJOURNMENT The meeting adjourned at 11:08 a.m.

ATTEST:

CITY OF DAYTONA BEACH SHORES

Cheri Schwab

George Tabeling, Chairman