

**MINUTES**

**LAND DEVELOPMENT REGULATION BOARD**

**DECEMBER 16, 2009**

A Public Hearing of the Land Development Regulation Board was called to order in the City Council Chamber at 1672 South Ridgewood Avenue, South Daytona, Florida, at 6:00 PM by Board Chairman, Eric Sander.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**MEMBERS PRESENT:**

Eric Sander, Chairman  
Bob Rulapaugh, Vice Chairman  
Joe Trepasso  
Phil Trimarchi  
Sam Buckman

**STAFF:**

John Dillard, Com. Dev. Director  
Patty Rippey, Redevelopment Dir.  
Helen Wert, Ass't. Com. Dev. Dir.  
Joyce Pazman, Recording Secretary

Board members Brandon Young, Mike DeBloom, and Shawn Goepfert, were unable to attend; however, there was a quorum.

**APPROVAL OF MINUTES:**

Joe Trepasso made a motion, seconded by Phil Trimarchi, to approve the minutes of the November 18, 2009 Land Development Regulation Board meeting.

**VOICE VOTE: ALL YES**

**DISCLOSURE OF EXPARTE COMMUNICATIONS: NONE**

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

**Quasi-Judicial Action – Public Hearing:**

- 1. Administrative Request to Designate the City's Community Redevelopment Area (CRA) in its entirety as a State of Florida Brownfield Economic Enhancement Area for the Purpose of Environmental Remediation, Rehabilitation, and Economic Development.**

John Dillard, introduced himself as Community Development Director, and stated to the Board members that this item will be presented by Patty Rippey, Redevelopment Director. Ms. Rippey told the Board that City staff is discussing designating the entire CRA as a State of Florida Brownfield Economic Enhancement Area. This program differs somewhat from the federal program because it is an economic development program, and gives the City more tools for financial incentives to pass on to developers. It helps to encourage development in already developed areas that would be an improvement. The City has looked at this program for other areas in the City, but decided to focus on the CRA because there are many empty lots, especially on the river, that might possibly interest people to make an investment in the community, knowing that this State program would create jobs during the redevelopment process. Additionally, if any type of contamination is discovered, there would be grant money to clean up the site.

Ms. Rippey stated that she has received a few telephone calls; namely, one from a business owner/resident who inquired if this program would affect the title on his property. Ms. Rippey said it would not be affected; this is a designation and is not recorded with the Property Appraiser. Another feature of this program is the option that someone can opt out of the area; this is an administrative item and the map would be changed to show that area is no longer included.

Chairman Sander asked Ms. Rippey if individual properties can opt out and Ms. Rippey answered yes. Vice Chairman Rulapaugh asked if this State funding is for the City to use for improvements. Ms. Rippey said it is not for the City to use, but for a developer to use. Chairman Sander said his concern was that the designation of Brownfield in relation to contamination; but knowing it is Brownfield Economic, he is satisfied with the wording.

Ms. Rippey said the City is planning to take this item to the City Council on January 12, 2010. George Houston is the Regional Representative for this program, based out of the Orlando DEP office, and he will attend and provide a presentation at the meeting. Ms. Rippey said the LDRB members are invited to attend the Council meeting or contact Mr. Houston with any questions. Chairman Sander said it is good to be able to offer incentives to developers.

Chairman Sander asked if there were any questions or comments from the audience or Board members. Phil Trimarchi made a motion, seconded by Bob Rulapaugh to approve the designation of the CRA as requested.

**VOICE VOTE: ALL YES**

**Quasi-Judicial Action – Public Hearing:**

- 2. Administrative Request to Amend the South Daytona Comprehensive Plan based on the Recommendations of the Adopted Evaluation and Appraisal Report, by Amending**

**Various Goals, Objectives, and Policies as well as text, tables, maps, and figures (as applicable) for the following Elements of the South Daytona Comprehensive Plan: Introduction, Public Participation, Population Estimates/Projections, Future Land Use Element, Future Land Use Map, Transportation Element, Housing Element, Utilities Element, Conservation Element, Coastal Management Element, Recreation & Open Space Element, Capital Improvements Element, Intergovernmental Coordination Element, and Public School Facilities Element.**

Chairman Sander announced that inasmuch as this Public hearing includes an item relative to the Large Scale Comprehensive Plan, we have a Citizen Courtesy Information Sheet if anyone is interested in receiving updates, especially relative to the date of the publication of the Notice of Intent. Chairman Sander said the sheet will be passed around.

John Dillard stated to the Board that this item is a continuation from the last meeting, and tonight we will cover the Elements that were not discussed last month. The four Elements to be covered tonight are Transportation, Housing, Coastal Management, and Intergovernmental Coordination.

Tom Harowski, TMH Consulting, made his presentation to the Board. Mr. Harowski said he will review some of the material from the last meeting, as well as summarize the highlights of the amendment package that was provided to the Board members for this evening's meeting.

As discussed at last month's meeting, all of the EAR-based amendments must be made in one cycle, which have been divided into two hearings. The City is working on a schedule that would have the EAR-based amendment package adopted by May 2010. The next step after tonight's hearing meeting is to have the transmittal hearing at the second City Council meeting in January 2010. The State will go through their review process and send us the ORC report some time toward the end of March. Depending upon when we receive that report, we will have the adoption hearing some time in April or May 2010.

The types of changes the City would like to accomplish in the Elements includes making recommended changes to goals, objectives, and policies that respond to specific recommendations of the Evaluation and Appraisal report. The City may also make other changes that seem appropriate. We are making changes to the Future Land Use Map. Additionally, we are extending our plan horizon from 2010 to 2025; therefore, a lot of the data has been updated to project out to 2025.

The types of changes include updating the data and analysis in the front section of each element. We have edited and updated the commentary in each plan element. Maps and charts have been updated and appendices with dated material have been deleted.

The package for tonight's meeting includes the Transportation Element, Housing Element, Coastal Zone Element, and Intergovernmental Coordination Element. The elements will complete the package of elements that need to be amended. The two elements in the Plan not being addressed in this process are the Public School Facilities Element, which was recently adopted, and the Capital Improvements Element, which the City just finished updating.

The last two sections in the book are new categories. The first one is the addition of an additional land use category; namely, Medium Density Residential 4 Land Use category. The second addition came about while going through the Housing Element data. We will make an amendment to the existing Policy 1-10 in the Future Land Use Element as it relates to the Mixed Use Land Use category.

The Medium Density 4 Proposed Land Use category will be added to the list of available categories, but will not be identified on the map at this time. The density range to be proposed is from 10 units per acre to 25 units per acre. That covers the gap between Residential Density 3, which caps out at 10, and Residential High Density 4, which has a floor of 25. The place to utilize this category is within the Redevelopment District or with multi-family developments to the east of Stevens Canal. This land use classification is targeted at the large body of multi-family projects in the City that we would like to see redeveloped or improved. Additionally, there is a provision for some bonus density opportunities that could raise the maximum density in this Medium Density Residential 4 classification to 35 units per acre.

Mr. Harowski explained to the Board that there are 41 rental projects in this focus area. There are 20 units in the 4 projects under 10 units per acre range; 70 units in the 6 projects in the 10-15 units per acre range; 556 units in the 20 projects in the 15-25 units per acre range; and 480 units in the 11 projects in the over 25 units per acre range. By providing this land use classification with some densities in the ranges where the investment could be recovered, it becomes a feasible thought to renovate and replace these projects.

The criteria for the medium density residential 4 bonus process would be to consolidate two or more projects into one, consolidate an entire block or a parcel into a 3-acre parcel or larger, which would put that into range for a PUD zoning, add amenities to a project during the redevelopment, such as a community room, outdoor recreational facilities, etc., meet the CRA design guidelines, enhanced landscaping, and any other proposals approved by the City Council. In exchange for each bonus item, the City will give the developer two additional units per acre up to a maximum of ten bonus units per acre.

Another significant change to the Plan is an amendment to the Future Land Use Policy 1-10, which explains the criteria for the Mixed Use 1 Land Use Classification. There are five sub groups in this category, and the City would like to amend some language in the second sub-category, which will delete the requirement for shoreline frontage. Additionally, the revised language would offer opportunities for sites east of Ridgewood Avenue to redevelop at high density with mixed use. Mr. Harowski explained to the

Board that the Mixed Use 1 proposed amendment would allow projects of three acres or more with high density potential, but no river frontage, to qualify as a mixed use project.

Highlights in some of the other elements include Reed Canal improvements added to the Transportation Element, analysis of older multi-family projects added to the Housing Element, and the shoreline restoration plan recommendations, recently adopted by the City Council, have been added to the Coastal Zone Element.

Following this hearing, the next steps will be to take these EAR-based Amendments to the City Council for consideration, followed by the transmittal to DCA. After the City receives the ORC report from DCA, needed amendments will be made based upon their report. The City will review the revisions, and then the EAR-based Amendments will go back to the City Council for adoption. This process will be done by April or May 2010.

Chairman Sander asked Mr. Harowski for clarification on the locations within the City for Mixed Use designation. Mr. Harowski pointed out the areas in the City on the map, and stated that the policy would allow the opportunity for redevelopment in these areas in the future. Vice Chairman Rulapaugh added that this would give more flexibility and be more attractive to potential developers.

Chairman Sander thanked Mr. Harowski for all his work and for his excellent presentation, and asked if there were any additional questions or comments from the Board or the audience.

Phil Trimarchi made a motion, seconded by Sam Buckman, to approve the proposed EAR-based amendments for recommendation to the City Council.

**VOICE VOTE: ALL YES**

Chairman Sander asked Mr. Dillard for the date of the January meeting. Ms. Wert responded and stated that the meeting will be one week earlier, on January 13<sup>th</sup>, to allow for one additional week of review time before taking the EAR-based Amendments to the City Council.

Sam Buckman made a motion, seconded by Phil Trimarchi, to adjourn the meeting.

**VOICE VOTE: ALL YES**

There being no further business, the meeting adjourned at 6:40 p.m.

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Eric Sander, Chairman

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Joyce Pazman, Recording Secretary