

**MINUTES
SOUTH DAYTONA
PLANNING AND APPEALS BOARD
Regular Meeting**

March 17, 2021

6:00 P.M.

South Daytona City Council Chambers
1672 South Ridgewood Avenue
South Daytona, FL

PURSUANT TO SECTION 286.0105 FLORIDA STATUTES, if an individual decides to appeal any decisions made with respect to any matter considered at a meeting or hearing, that individual will need a record of the proceeding and will need to ensure that a verbatim record of the proceeding is made. The City does not prepare or provide a verbatim record of the proceedings.

In accordance with the American Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in the proceedings should contact the City of South Daytona's Deputy City Clerk at (386) 322-3011 for assistance at least 48 hours before the date of the meeting.

I. CALL TO ORDER AND ROLL CALL

Members Present

Abe Agront, Chairman
Phil Trimarchi, Vice-chair
David Beery
Marian (Sam) Buckman
Ari Morse
Rick Jackson
Jerry Masters

Staff Present

Patty Rippey, CRD
S. Laureen Kornel, CDD
Nancy Stuparich, City Attorney
Lauren Rizzo, Recording Secretary
Patsy Huffman, Permit Technician

II. ADMINISTRATIVE ITEMS

There were no administrative items.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF THE MINUTES: February 24, 2021

Mr. Morse made a motion to approve the February 24, 2021 meeting minutes. Mr. Jackson seconded the motion. Hearing no objections, the minutes were unanimously approved (7-0).

V. DISCLOSURE OF EXPARTE COMMUNICATION

None disclosed.

VI. PUBLIC HEARINGS

A. PCD 2021-04: Planned Commercial Development (PCD) Amendment.

Ms. Patty Rippey, Community Redevelopment Director, presented the item explaining that this is a request by Zev Cohen & Associates, Inc., on behalf of the property owner, Halifax Riverfront Luxury Development, LLC, to amend the Master Development Agreement established by Ordinance 04-25 and subsequent First Amendment to the Master Development Agreement (MDA) established by Ordinance 15-03. The Future Land Use designation and zoning classification approved on September 13, 2004, under the originating Ordinance 04-25 was High-Density R-4 and Planned Unit Development (PUD). The principal use permitted in the original Master Development Agreement included a 492-unit, 185' high, residential condominium with accessory uses to include boat slips. The First amended order, approved on February 24, 2015, by Ordinance 15-03, amended the use to Assisted Living Facility (ALF) with associated living units and medical development. Neither of the those planned projects have materialized and the City has been approached by the current owner, Halifax Riverfront Luxury Development, LLC, with a request to amend the current Master Development Agreement for a mixed-use project with elements that are compatible with the current land use and zoning permitted uses. In the past year or so, there has been increased interest by developers along the U.S.1 corridor, especially in this parcel and other properties with waterfront access. As testament to that fact, the Enclave at 3230 Apartment complex will be completing the construction of a 256-unit apartment complex this spring. That site is located on the southernmost parcel, on the west side of S. Ridgewood Avenue. Also, a 17 townhome, 84 unit 2-tower condominium, and 37 boat slip project located on the east side of U.S.1 at the south end of the City, is in the site plan review stage and expected to break ground during 2021. There were no known objections, only a call to Ms. Rippey from a resident regarding the meeting being held on St. Patrick's Day. It is expected that the proposed amendment will be reviewed by the City Council on April 13, 2021 (1st Reading) and May 11, 2021 (2nd reading). It is recommended the Planning & Appeals Board approve Case #LDC 2021-04 amending the Master Development Agreement established by Ordinance 04-25 and amended by Ordinance 15-03 as specified in this report.

Mr. Jackson asked if a turn lane was planned. Ms. Rippey advised that the developer would be able to address this and that there would be a turn lane but it may be too early is the process with FDOT for the developer to determine where it will be.

Chairperson Agront asked if this would increase traffic in the area. Ms. Rippey stated that a traffic study will be done, but that based on informal observation the project is well within the allowable standards. Chairperson Agront asked what the plan would be if the resulting study numbers were found to be higher than anticipated. Ms. Rippey advised that mitigation would be required and determined by the study for the developer.

Mr. Morse asked what the standard parking space per unit capacity. Ms. Rippey advised the standard is two spaces per unit. Mr. Morse stated he saw from the report that this project is slightly below that ratio, which Ms. Rippey affirmed. Ms. Rippey also advised that this can be adjusted within a PCD and that part of what the City would require is valet for commercial uses. She advised that due to the high number of one-bedroom units the developer has determined needs based on prior developments. Mr. Agront asked if this is to avoid the same problem Halifax Landing (2801 S. Ridgewood Ave) is currently facing, which Ms. Rippey affirmed.

Mr. Jackson stated he saw the capacity of the restaurant is estimated to be 200, which may impact the parking per unit negatively. Ms. Rippey advised that offsite valet parking would be a solution that would not be included in the residential parking estimation. Chairperson Agront asked if there was a back-up plan in case parking becomes an issue. Ms. Rippey responded there was not a back-up plan at this time but could be a recommendation by the board.

Mr. Beery asked if there was any consideration to lower the density in order to improve the parking. Ms. Rippey advised that the density is already being lowered from the existing Master Development Agreement. Ms. Rippey stated that the estimate of units was originally 492 units and is now 330 units, and that the structure is going from 185 feet to 88 feet tall.

Chairperson Agront asked if there were any more questions before the developer spoke. Vice-chair Trimarchi wanted to confirm that tonight's review was only to approve changes to the PCD, to which Ms. Rippey replied in the affirmative.

Mark Karet, Director of Planning and Landscape Architecture for Zev Cohen and Associates, 300 Interchange Boulevard Suite C, Ormond Beach, FL, 32174, addressed the Board. Mr. Karet advised that also present for the meeting were Paul Saks, President of Tierra Linda Development; David Portwood, of Davenport Consulting Group; and Sean Palmer of Davenport Consulting Group. Mr. Karet commended City staff for working quickly and thoroughly. Mr. Karet also expressed his appreciation for the presentation and approval in the Staff Report, and stated he is excited about the project. Mr. Karet advised that they have found the parking ratios from their previous designs to be about 1.6-1.8 spaces per unit successfully. He stated this project is at 1.75, which is an increase from the 1.5 ratio previously allotted. Mr. Karet said parking ratios will be looked at in further detail with City staff as they work on the site plan and further into the development process. Mr. Karet stated that a detailed traffic study with FDOT will also come with the site plan which should address some concerns expressed by Board members. He stated that considering the 330 apartments, marina, and restaurant, average daily traffic of 2,522 trips per day is about 6.4% of the unused capacity on this portion of South Ridgewood Avenue. Mr. Karet advised that for peak hour traffic, the project will generate approximately 208 trips during the "PM hour" which is about 6% of the use capacity. Mr. Karet stated that he was referencing 2019 data as 2020 data was impacted by the COVID-19 pandemic.

Paul Saks of Tierra Linda Development, 645 Mayport Road #5, Atlantic Beach, FL 32233, addressed the Board. Mr. Saks stated that for most of their projects the parking ratio is about 1.5-1.7. He cited the fact that though there are many one-bedroom apartments, many of the two-bedroom apartments are only occupied by a single resident. Mr. Saks stated that these will be rental apartments and two parking spots is usually allotted for condos, so this project as rentals will usually allow for a lower ratio. Mr. Saks stated that there is scalability in the restaurant if that is a concern, but that they want to accommodate residents of the City to be able to enjoy as well. Mr. Saks then elaborated on current and pending projects Tierra Linda Development are currently invested in. Mr. Saks asked Ms. Rippey to load some pictures he had sent to her, but the photos were unable to be loaded on the Chambers AV system at the time of the meeting. While Ms. Rippey attempted to load the photos, Mr. Saks expressed that this project would be unique as rental units on the water are uncommon.

Mr. Masters addressed Mr. Saks stating he understands the Board is not there to critique the project, that the review for this meeting is whether to change the PCD. Mr. Masters continued that he wanted to ask about the gated access and how that security would allow for access from the community of South Daytona. Mr. Saks stated that sections of garage parking will be gated off for resident access only. Mr. Masters asked if the public areas would truly be public and that members of the community would not be forced to pay to park. Mr. Saks stated that they will likely have that option available, but it will not be a forced option. Mr. Masters stated that he wanted the demographic of South Daytona to be considered and that an upscale restaurant may not suit that demographic. Mr. Saks stated they were not sure it would be upscale; it may be a casual restaurant and that more surface parking was added to accommodate the restaurant and the marina.

Chairperson Agront asked if the marina would be open to the public. Mr. Saks advised that they do not anticipate many residents using the marina, but that there will be a designated portion of slips for residents and the rest will be open to the public.

Chairperson Agront asked what the anticipated price range would be for the units. Mr. Saks stated that he would not be able to answer that question but that the property management would be able to once they get further into the project. Mr. Saks advised that they do research and do not want to price themselves out of the local market.

Chairperson Agront wanted to mention Halifax Landing (2801 S. Ridgewood Ave) and how parking has been found to be the biggest drawback of that development. Chairperson Agront asked what the back-up plan would be if parking became an issue. Mr. Saks advised that there is not a back-up plan at this time, but he is confident that the land plan addresses parking sufficiently. Ms. Rippey stated that she believed someone from Halifax Landing was present for the meeting and also that the mix of units at that property is different from the amount of one-bedroom units at the proposed project. An unidentified member of the audience advised there are no one-bedroom units at Halifax Landing. Mr. Beery asked what the ratio of Halifax Landing was. Ms. Rippey responded that she did not know but she believed it to be 1.5 or lower based on

it being a much earlier agreement. Mr. Karet stated that much of what their company is developing in Daytona Beach is about 1.7-1.75 spaces per unit. Mr. Beery asked if that did or did not include the restaurant. Mr. Karet stated that, no, that parking is considered separately.

Chairperson Agront asked if there were any further questions for the developers. There were none.

Chairperson Agront asked if there was any public comments or questions from the audience. Ellen Joyner, 15 Sandusky Road, approached the podium to address the Board. Ms. Joyner stated that she was happy about the height reduction of the project and that she was also concerned about traffic and thanked the Board for their questions to the developers, especially as she also owns 1 Sandusky Road. Ms. Joyner stated she did not read or hear anything about the timetable for breaking ground. She also wanted to know more about the price points and said she researched what another new development, the Enclave (3230 S. Ridgewood Ave), was listing for prices. Ms. Joyner also stated she wanted to know more about site drainage and wildlife. Ms. Joyner stated she is excited about the project, but wants her lifestyle considered as well.

Mr. Karet started by addressing the timeframe and stating that may depend on the next steps in the development process. He stated that he anticipates the price point to be higher than the Enclave apartments based on the amenities and waterfront aspect of the proposed project. Mr. Karet stated there are two existing wetland permits in place and 1.16 acres of wetland preservation.

Mr. Morse asked if there was a timetable on the permit based on approval of the PCD amendment. Ms. Rippey stated there is not a timetable and stated that they have to ensure that revisions for the Master Development Agreement are agreed upon by both the City and the developers before going before City Council. Ms. Rippey stated she does anticipate the item going before Council in April and May, but then site plan submittals will begin which will also take time and exchanging of revisions and comments. Ms. Rippey anticipates seeing groundbreaking is 2022 or 2023 which is a conservative estimation.

Chairperson Agront asked if there were any other questions or comments. Hearing none, he asked for a motion.

Ms. Buckman motioned for approval, and Vice-chair Trimarchi seconded the motion. Hearing no objections, the motion passed with a unanimous vote for approval (7-0).

VII. OTHER BUSINESS AND DISCUSSION ITEMS

VIII. MEMBER COMMENTS

IX. ADJOURNMENT

Chairman Agront asked for a motion to adjourn. A motion was made by Mr. Morse, and Mr. Masters seconded the motion. The meeting was adjourned at 6:52 PM.

Respectfully submitted,

Lauren Rizzo, Planning Technician

ATTEST:

Abe Agront, Chairman

Minutes transcribed by Lauren Rizzo