

## Agenda Item 9 (Quasi-Judicial Hearing)

### Rezoning - Planned Development-General

DEV2017-072

Williamson Crossing PD

## STAFF REPORT

**DATE:** September 8, 2017

**TO:** Planning Board Members

**FROM:** Dennis Mrozek, AICP, Planning Manager

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### PROJECT REQUEST

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of Scott Bullock, Indigo Development LLC, to rezone 21± acres of land located at Williamson Boulevard and LPGA Boulevard from General Industrial (M3) to Planned Development-General (PD-G), to allow for a mixed use development.

### PROJECT LOCATION

The subject property is generally located south of LPGA Boulevard and east of Williamson Boulevard. The site is currently vacant and undeveloped. The property is zoned M3 (General Industrial) and has a current future land use designation of Mixed Use. Adjacent land uses and zoning classifications are illustrated in the following table and are also shown in the accompanying maps.

**Table 1: Land Use and Zoning**

	Existing Uses	Existing Future Land Use Designation	Existing Zoning Classification
<b>Site</b>	Vacant & Undeveloped	Mixed Use	General Industrial (M3)
<b>North</b>	Office (across LPGA Blvd.)	Mixed Use	Planned Development-General (PD-G) & Residential Professional (RP)
<b>South</b>	Vacant & Undeveloped	Mixed Use	General Industrial (M3)
<b>East</b>	Vacant & Undeveloped	Mixed Use	General Industrial (M3)
<b>West</b>	Office (across Williamson Blvd.)	Mixed Use	Planned Development-General (PD-G)



*LPGA Blvd. facing South*

## **PROJECT DESCRIPTION**

The applicant is requesting to rezone this property to Planned Development-General to allow for multiple uses, including commercial, office, institutional and residential uses. The full development is approximately 21± acres and is currently vacant and undeveloped. Development of the property may occur in a single phase, or in multiple phases. The subject site is adjacent to the RaceTrac LPGA PD, which is directly on the southeast corner of LPGA Blvd. and Williamson Blvd. The RaceTrac LPGA PD was approved by the City Commission in September 2013, and is currently in the building permit phase of the development process.

The proposed Williamson Crossing Planned Development is intended to allow for a number of different types of uses and a fluid development plan. This flexibility will allow the site to be developed as the market dictates. The limited modifications to LDC standards will ensure development is consistent with the City's Land Development Code (LDC) minimum standards for parking, building design, signage, etc.

### ***GENERAL PLANNED DEVELOPMENT DISTRICT PURPOSES***

*The Planned Development (PD) districts are established and intended to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and other City goals and objectives by:*

- a. Reducing or diminishing the inflexibility or uniform design that sometimes results from strict application of zoning and development standards designed primarily for individual lots;*
- b. Allowing greater freedom in selecting the means of providing access, open space, and design amenities;*
- c. Allowing greater freedom in providing a well-integrated mix of residential and nonresidential land uses in the same development, including a mix of housing types, lot sizes, and densities;*
- d. Providing for efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and*
- e. Promoting quality design and environmentally sensitive development that respects surrounding established land use character and respects and takes advantage of a site's natural and man-made features, such as trees, wetlands, surface waters, floodplains, and historic features.*

## **PROJECT ANALYSIS**

Review of and the decision on a Planned Development application shall be based on compliance of the proposed zoning reclassification and PD Plan/Agreement with the review standards in Section 3.4.D.3, Site-Specific Zoning District Map Amendment Review Standards, and the standards for the proposed type of PD district in Section 4.8, Planned Development Zoning Districts.

### **Site-Specific Zoning District Map Amendment Review Standards**

In determining whether to adopt or deny a proposed Site-Specific Zoning District Map Amendment, the City shall consider:

**a. Whether the applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:**

**i. Is consistent with and furthers the goals, objectives, and policies of the comprehensive plan and all other applicable City-adopted plans;**

The property included in the PD Rezoning application has the comprehensive plan land use designation of Mixed Use. The proposed uses on the site are consistent with the Mixed Use land use designation.

**ii. Is not in conflict with any portion of this Code;**

Development standards for a PD District must comply with all development standards of the Land Development Code. The applicant has proposed no modifications to these standards.

**iii. Addresses a demonstrated community need;**

The applicant has not provided a Modification/Benefit letter that details public benefits and addresses the review standards for a demonstrated community need per Section 3.4.D.3. and 3.4.F.4.

**iv. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;**

The applicant has requested a wide range of uses to be permitted for the property. The proposed uses of the property are listed in this report under Planned Development Zoning Districts Review Standard, #7. LPGA Blvd. and Williamson Blvd. include multiple existing and proposed commercial and residential uses. The subject property is immediately adjacent to an approved RaceTrac gas station and is across the street from existing office uses and potential commercial and residential uses.

**v. Would result in a logical and orderly development pattern;**

Standards established in the PD Agreement and the LDC would result in a logical and orderly development pattern for the subject property.

**vi. Would not adversely affect the property values in the area;**

Staff does not have any indication the proposed development would have an adverse effect on the property values in the area.

**vii. Would result in development that is adequately served by public facilities (roads, potable water, wastewater, solid waste, storm water, schools, parks, police, and fire and emergency medical facilities); and**

The PD Agreement acknowledges rezoning approval does not constitute a Concurrency Certificate. During the site plan review process for each proposed phase of the development, the applicant will be required to separately obtain a Concurrency Certificate or, where applicable, to enter into a proportionate fair share agreement. No curb cuts or driveways will be approved at this time.

Water and sewer service shall be provided by the City of Daytona Beach. All utilities constructed by the developer for the purpose of serving the property shall be constructed underground. Developer will also provide easements and grants for the installation, maintenance and upkeep of the public utilities including water, sewer, reclaim water, electrical and telephone, as well as cable television and fiber, if available. Water, sewer, and stormwater infrastructure must be constructed to current City standards and consistent with the PD Agreement. Off-site utility infrastructure improvements, at the cost of the developer may be required for site plan approval.

The stormwater retention and/or detention facilities will be maintained at a level consistent with the standards of the St. Johns River Water Management District and the Florida Department of Transportation. Collection and transmission facilities shall be located pursuant to an approved site plan, or site plans approved for individual lots or structures.

Staff has reviewed the requested development for impacts to public facilities and, with the exception of curb cuts or driveways shown on the PD Plan, offers no objection to the proposed development plan.

**viii. Would not result in significantly adverse impacts on the natural environment including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and**

Staff does not anticipate any adverse environmental impacts with the approval of this request.

**b. If the applicant demonstrates that the proposed amendment meets the criteria in subparagraph [a] above, whether the current zoning district designation accomplishes a legitimate public purpose.**

The current zoning designation is General Industrial (M3), which is intended to accommodate only industrial type uses. The Future Land Use of the property is Mixed Use, which permits a wide range of use types. The current zoning at this location does not allow all the uses proposed.

**Planned Development Zoning Districts Review Standards**

Before approving a PD zoning district classification, the City Commission shall find the application for the PD zoning district, as well as the PD Plan/Agreement included as part of the application, comply with the following standards:

## **1. PD Plan/Agreement**

The PD Plan/Agreement includes a PD plan for the subject site. This includes only conceptual identification (*Attachment A*) of proposed vehicle access points, development area, parking areas, common areas, landscaping and site improvements.

### **Landscaping**

Landscaping shall be consistent with the requirements of the LDC. Final review of landscaping shall be addressed at site plan approval.

Minimum Perimeter Landscape Buffers:

Williamson Blvd.:	50 ft.
LPGA Blvd.:	50 ft.

### **Signage**

The location and dimensions of the signage on the property shall be consistent with the applicable LDC requirements for commercial and multifamily/residential uses, as appropriate. Signage for commercial uses shall comply with the permitted signage in the BR-2 zoning district and for multifamily uses (*Attachment B*).

## **2. Consistency with City Plans**

If adopted by the City Commission, the PD zoning district designation and the PD Plan/Agreement will be consistent with the proposed comprehensive plan change.

## **3. Compatibility with Surrounding Areas**

The proposed development plan meets compatibility standards for the property perimeters. The applicant has conducted a neighborhood meeting, as required by the LDC. A summary of the neighborhood meeting prepared by the applicant is attached (*Attachment C*).

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## **4. Development Phasing Plan**

Development of the Property may occur in multiple phases, but is not required. Phases may be developed in any order and the sizing and configuration of the phases may change consistent with the PD Agreement. Although the order, sizing and configuration of phases may be modified, each proposed phase shall be required to install all necessary infrastructure, including all necessary easements and dedications, in order to stand alone, with the support of previously built phases. Each phase shall be built so as to be consistent with applicable City standards and the PD Agreement. Permits for development of phases or sub-phases may be submitted for approval through the City's final Site Plan processes.

## **5. Conversion Schedule**

Not applicable.

## **6. On-Site Public Facilities**

No onsite public facilities are proposed.

## **7. Uses**

The following uses are permitted within the Property, subject to compliance with the Use Specific Standards set forth in Article 5, LDC:

- Adult daycare center
- Animal Grooming
- Antique store

- Art gallery
- Art, crafts, music, dance, photography, or martial arts studio/school
- Assisted living facility
- Bank or financial institution with drive-through service
- Bank or financial institution without drive-through service
- Bar or lounge
- Book or media shop
- Boutique Bar
- Brewpub
- Business service center
- Business services offices
- Check cashing service
- Child care facility
- Cigar lounge
- Cinema
- Club or Lodge
- College or university
- Conference or training center
- Continuing care retirement community
- Contractor's office
- Convenience store
- Drug store or pharmacy without drive-through service
- Dry cleaning or laundry drop-off establishment
- Duplex
- Duplex Subdivision
- Employment agency
- Florist shop
- Gift shop or stationery store
- Grocery store
- Hospice residential facility
- Hotel or motel
- Jewelry store
- Large retail sales establishment
- Liquor or package store
- Meat, poultry, or seafood market
- Medical or dental clinic/office
- Medical or dental lab
- Multifamily dwelling
- Multifamily complex
- Newspaper or magazine publishing
- Nightclub
- Nursing home facility
- Other indoor recreation/entertainment use
- Other retail sales and service establishment
- Personal services establishment
- Private school with fewer than 20 students
- Private school with 20 or more students

- Professional services office
- Public school
- Radio or television studio
- Restaurant with drive-in service
- Restaurant with drive-through service
- Restaurant without drive-in or drive-through service
- Secondhand retail shop
- Shopping center
- Specialty eating or drinking establishment
- Telecommunications facility, collocated on existing structure other than telecommunications tower
- Telecommunications facility, collocated on existing telecommunications tower
- Telecommunications tower, monopole up to 90 feet high
- Telecommunications tower, monopole more than 90 but no more than 180 feet high
- Townhouse Subdivision
- Travel agency
- Upper story dwelling (above nonresidential use)
- Utility use, minor
- Vocational or trade school

### **8. Densities/Intensities**

Maximum floor area ratio: 3

Maximum residential density: 25 du/acre

### **9. Dimensional Standards**

#### Commercial Development Criteria

The following development criteria shall apply to all commercial uses on the property:

Minimum Open Space	20%
Maximum Floor to Area Ratio (FAR) per lot	3.0
Maximum Density	25 du/ac
Maximum Building Height	50 ft.
Minimum Lot Depth	100 ft.
Minimum Lot Width	25 ft. (minimum two lots, contiguous)
Minimum Building Setbacks:	
(a) Front Yard	25 ft. (50 feet min. fronting LPGA and/or Williamson)
(b) Side Yard	7.5 ft.
(c) Street Side Yard	15 ft.
(d) Rear Yard	10 ft.
Minimum Building Separation	20 ft.
Maximum Impervious Area	80%

#### Residential Development Criteria

The following development criteria shall apply to all residential uses on property:

#### Minimum Lot Area

Multi-family Dwellings/Complexes 2,500 sf.

Minimum Lot Depth 100 ft.

Minimum Lot Width	25 ft. (Townhome with party wall or zero lot line product)
Maximum Lot Coverage	50%
Maximum Density	25 du/ac
Minimum Open Space	20% per lot
Maximum Impervious Space	80% per lot
Minimum Building Setbacks:	
North Boundary (LPGA)	50 ft.
South Boundary	20 ft.
East Boundary	10 ft.
West Boundary (Williamson)	50 ft.
Minimum Building Separation	
Front-to-Front	50 ft.
Front-to-Rear	50 ft.
Front-to-Side	25 ft.
Side-to-Side	25 ft.
Maximum Building Height	50 ft.

### **10. Development Standards**

All development in a PD district shall comply with all development standards in the Land Development Code, or any modifications of those standards as established in the PD Plan/Agreement, be consistent with City plans, the objective of the particular type of development standard, the purpose of the particular PD district, and any additional limitations or requirements set forth in Sections 4.8.C and 4.8.D for the particular type of PD district.

### **RECOMMENDATION**

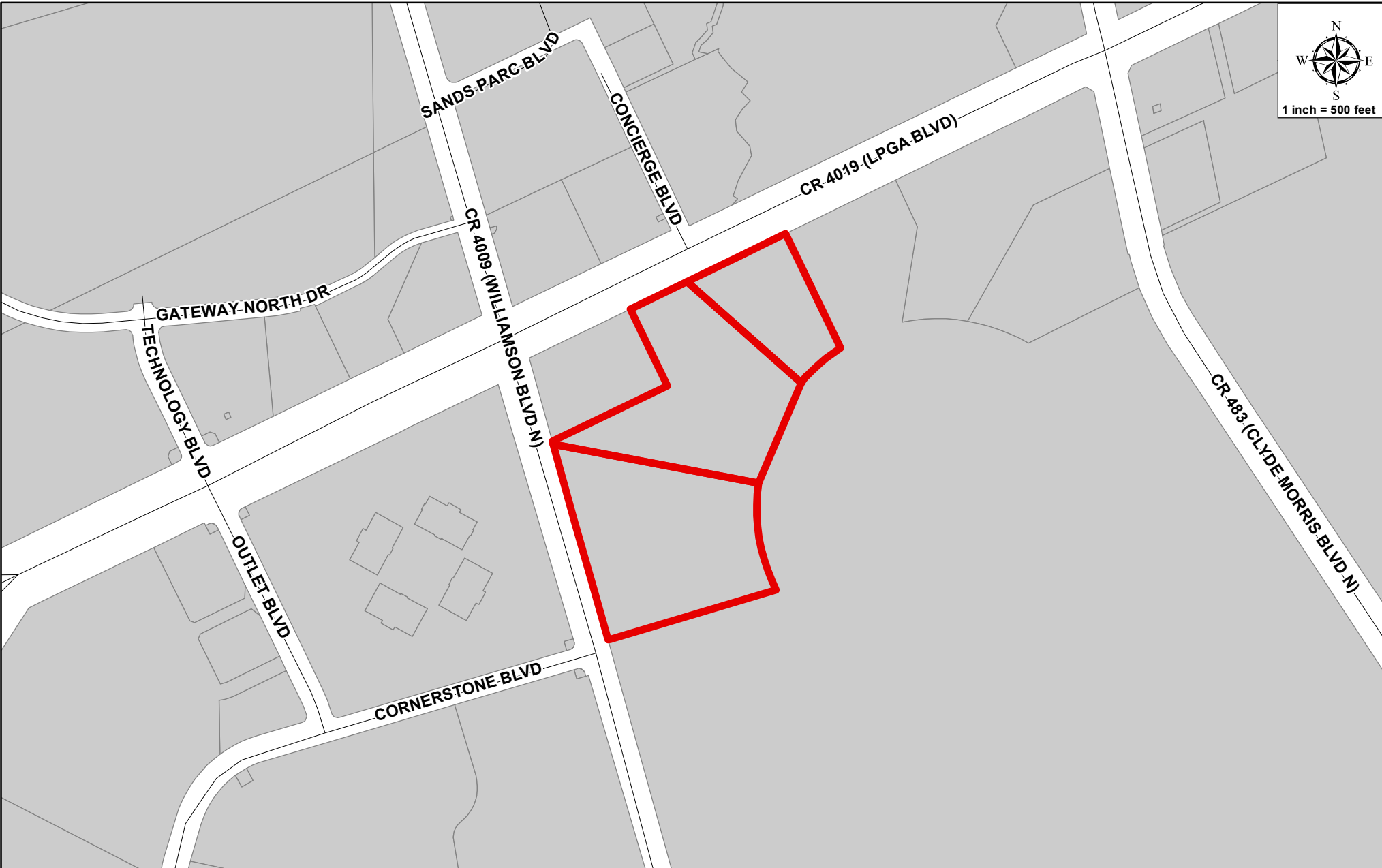
Staff concludes the application to rezone 21± acres of land located at Williamson Boulevard and LPGA Boulevard from General Industrial (M3) to Planned Development-General (PD-G), to allow for a mixed use development and associated site improvements be approved, conditioned on an acceptable traffic review resolving any outstanding concerns.

The item is tentatively scheduled to be heard by the City Commission for first reading on November 1, 2017 and for second reading on November 15 (public hearing).

A majority vote of the Planning Board members present and voting are required to recommend approval to the City Commission.



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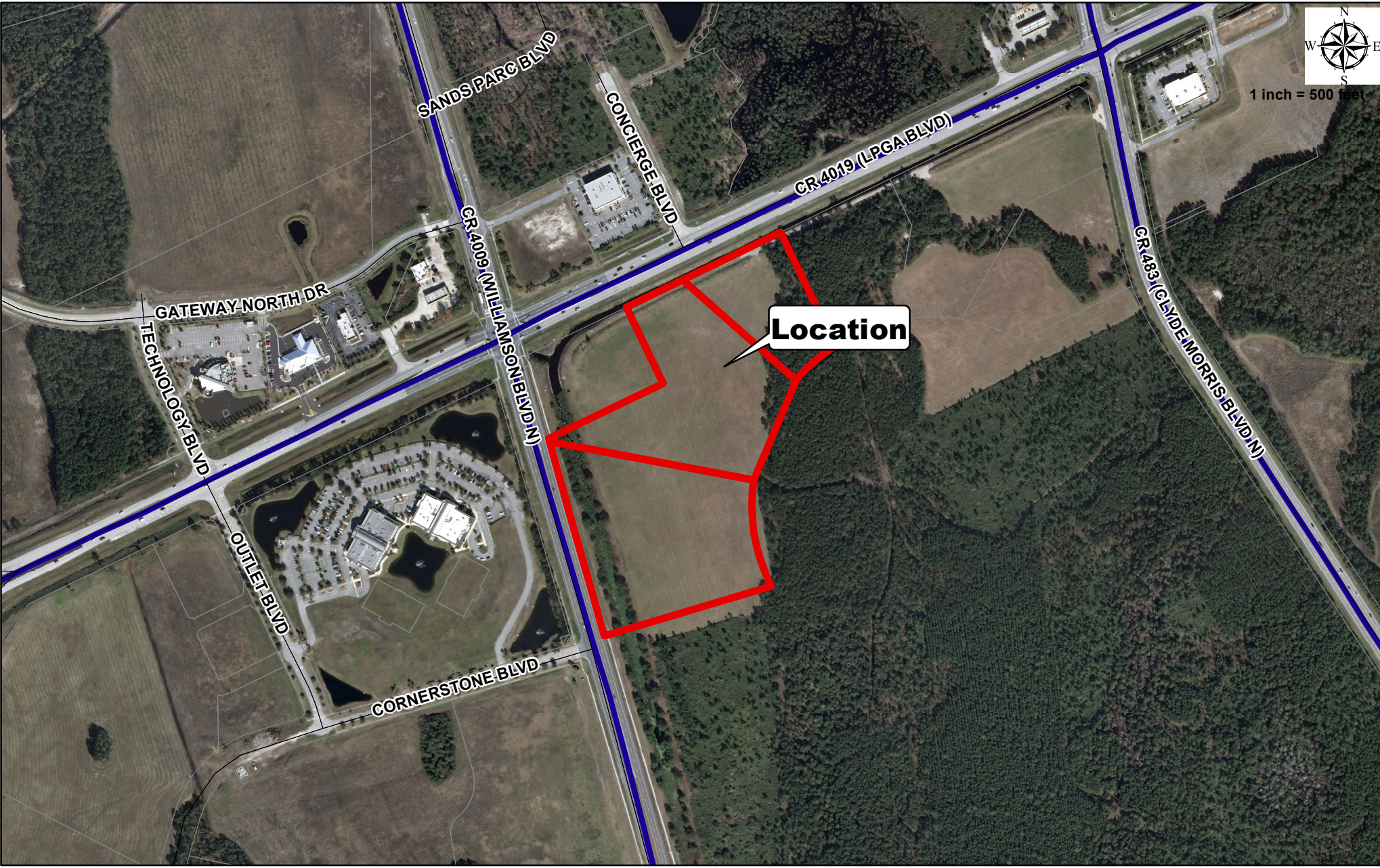


**DEV2017-072  
COMPREHENSIVE SIGN PLAN  
LOCATION MAP**

City of Daytona Beach Map disclaimer:  
 These maps were developed and produced by the City of Daytona Beach GIS. They are provided for reference only and are not intended to show map scale accuracy or all inclusive map features. As indicated, the accuracy of the map has not been verified and it should be used for informational purposes only. Any possible discrepancies should be brought to the attention of City Engineering and or Development Services.



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1 inch = 500 feet

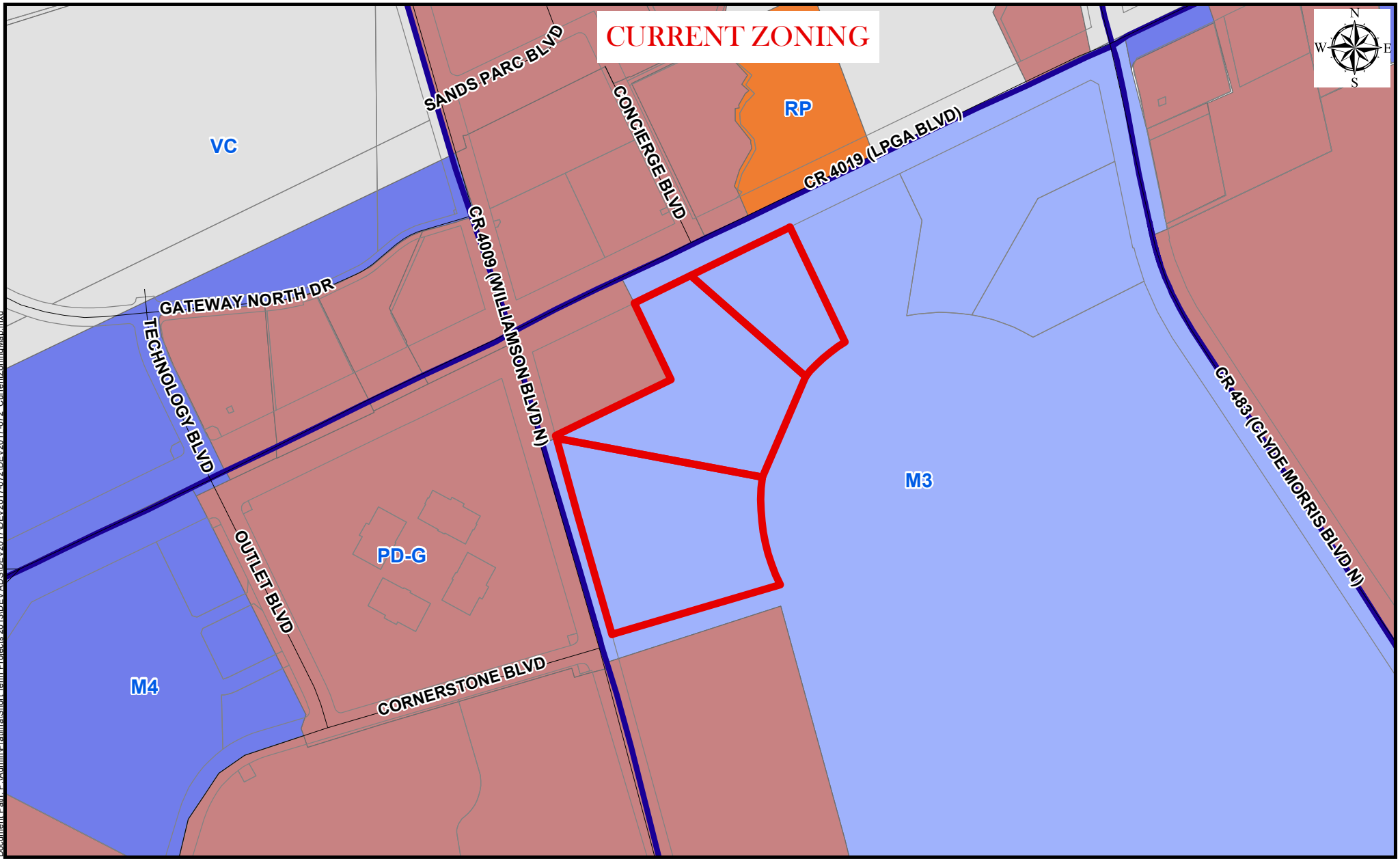


# DEV2017-072 COMPREHENSIVE SIGN PLAN AERIAL MAP

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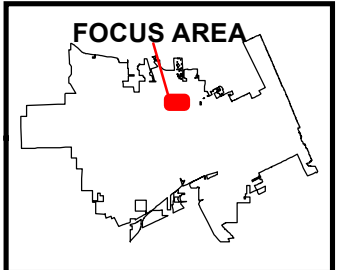
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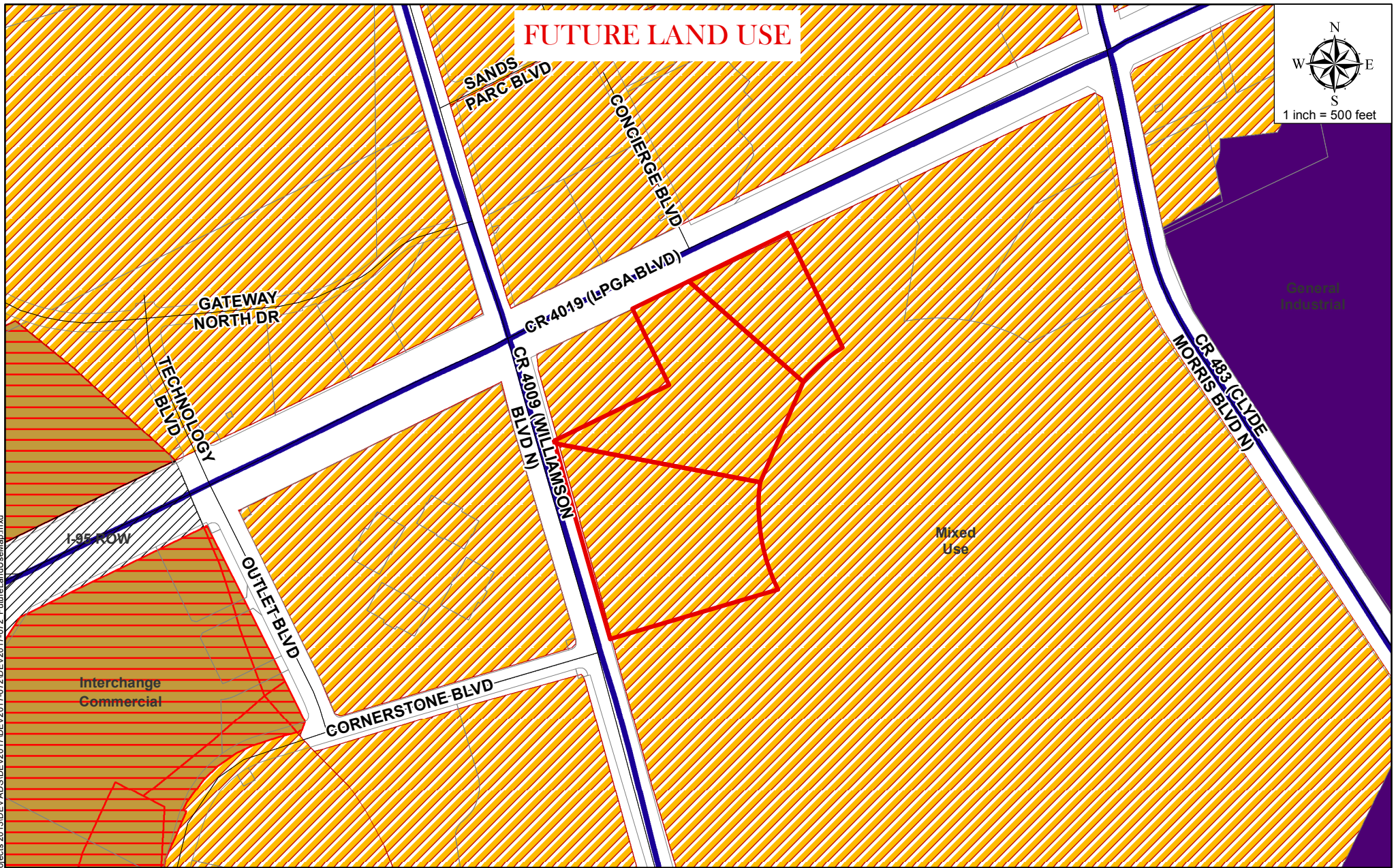
1 inch = 500 feet



**DEV2017-072**  
**COMPREHENSIVE SIGN PLAN**  
**ZONING MAP**



# FUTURE LAND USE



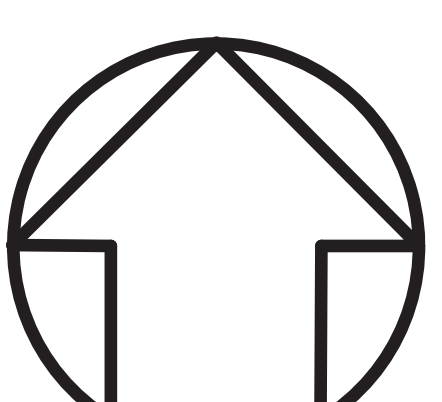
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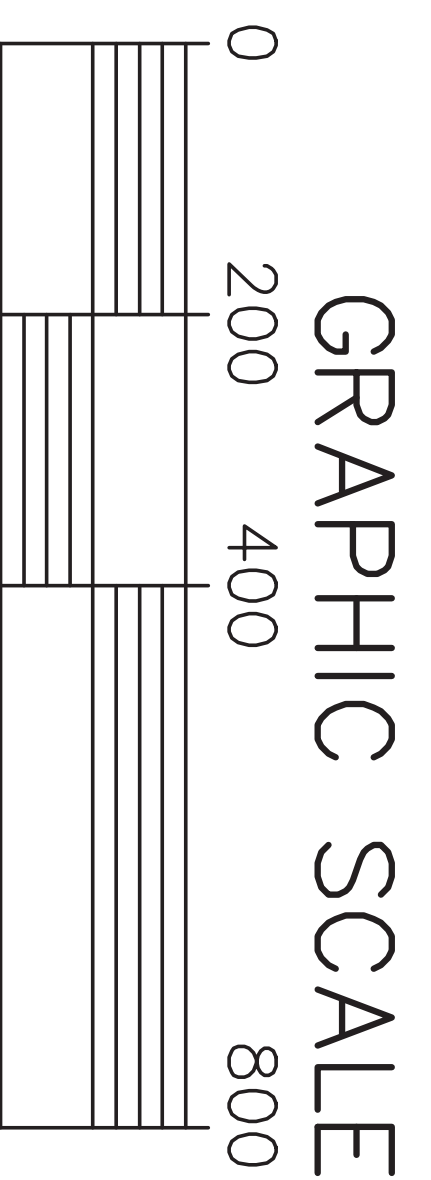
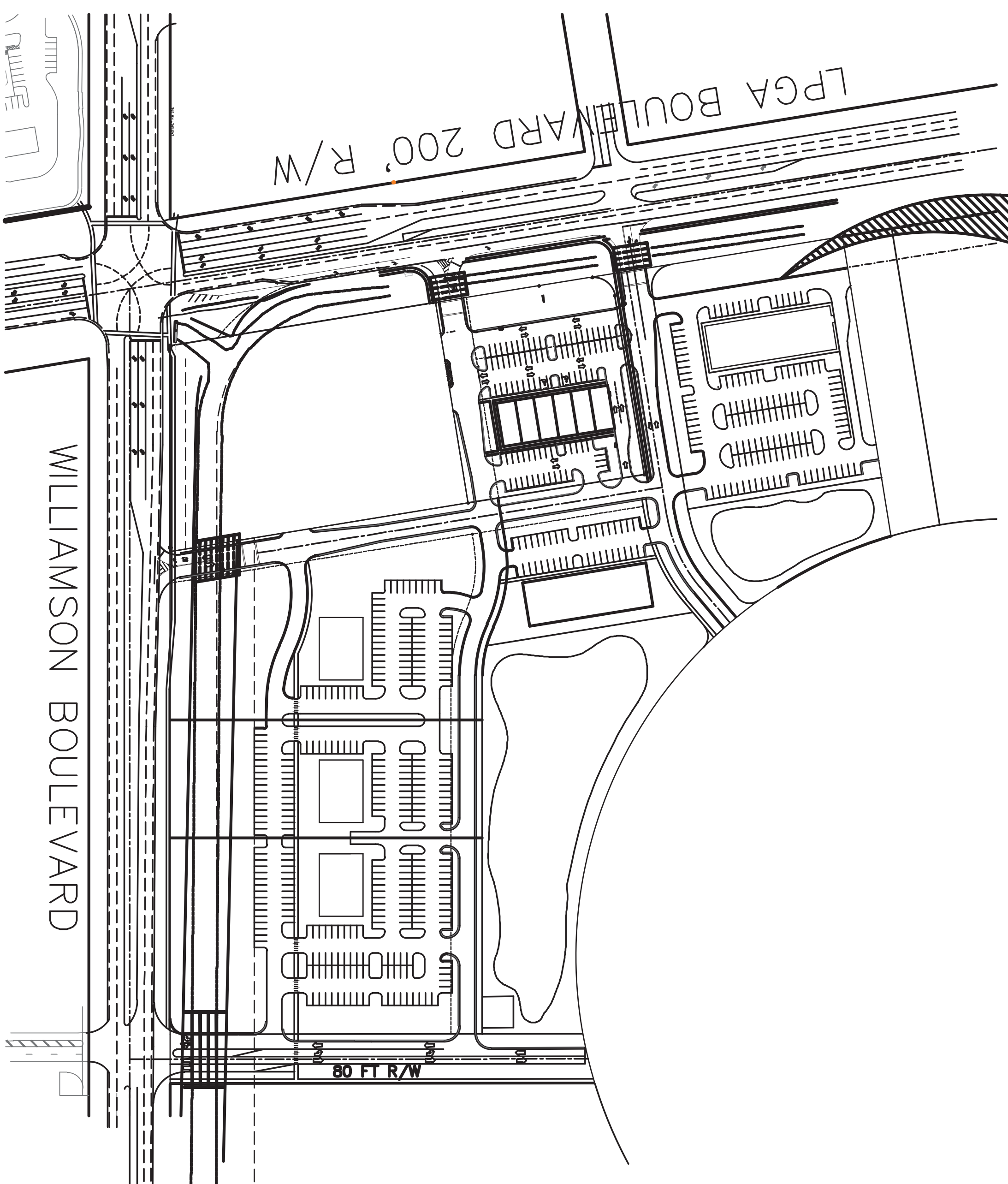
## DEV2017-072 COMPREHENSIVE SIGN PLAN FUTURE LAND USE MAP

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# SITE



SCALE: 1" = 400'

## PD PLAN WILLIAMSON CROSSINGS

**PARKER MYNCHENBERG  
& ASSOCIATES, INC.**  
PROFESSIONAL ENGINEERS \* LANDSCAPE ARCHITECTS  
1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117  
(386) 677-6891 FAX (386) 677-2114  
E-MAIL: info@parkermynchenberg.com  
CERTIFICATION OF AUTHORIZATION NUMBER: 00003910

# EXHIBIT "B"

## DEVELOPMENT STANDARDS

§ 6.10

- b. Window signs may be erected in any district without a permit except signs attached to or hung from windows of commercial buildings in redevelopment districts.

16. *Commercial Flags.*

- a. A commercial flag is a flag bearing any commercial advertising message, including commercial logos or graphics depicting products or services.
- b. Commercial uses may obtain a permit to display a maximum of two commercial flags, in addition to other permitted signs. Flags must be displayed from a permanent structure or flagpole. Flagpoles must meet wind load standards contained in the Building Code.

**K. District Sign Schedules.** In addition to signage permitted by other provisions of this section, the following types, numbers, and sizes of signs shall be permitted in the various zoning districts.

1. *Residential Districts.*

- a. One non-electric sign not exceeding three square feet in sign area is allowed without a permit pursuant to Section 3.4.Q.2.b.ii(a).
- b. A special use shall be permitted two ground or wall signs. Maximum sign area of each sign shall be 32 square feet. Ground signs shall not exceed six feet in height and shall be set back 25 feet from residential properties.

2. *Business Districts.*

Table 6.10.K.2.A: District Sign Schedule: Business Districts (BP, BR-1, BR-2, BA and OP)		
Regulations Per Sign Type		
Signs Permitted		Maximum Sign Area per Sign Type
Sign Type	Maximum Number of Signs per Use	
Awning		
Canopy		2 sf per 1 linear ft of lot frontage
Ground	1 with 25 - 200 ft of lot frontage	1 sf per 1 linear ft of lot frontage, up to 120 sf
	2 with >200 ft of lot frontage	
Projecting	1	1 sf per 2 linear ft of lot frontage, up to 60 sf
Roof	—	2 sf per 1 linear ft of lot frontage, up to 200 sf
Wall	—	2 sf per 1 linear ft of lot frontage, up to 200 sf
Regulations Per Parcel		
a. Maximum sign area per parcel: 2 sf per 1 linear ft of building frontage plus ground sign.		
b. Corner lots are permitted one sign permitted above for each 35 ft of building frontage up to a maximum of four signs on each street and a total of six signs per use, not exceeding maximum sign area per parcel.		
c. Interior lots are permitted two signs for the first 25 ft of building frontage plus one sign for each additional 25 ft of frontage or fraction thereof, up to a maximum of four signs on each street where access is allowed, not exceeding maximum sign area per parcel.		
NOTES: [ft = feet; sf = square feet]		

## § 6.10

## DAYTONA BEACH LAND DEVELOPMENT CODE

10. *Sandwich Board Signs.*
  - a. A sandwich board sign is a two-sided "A" frame sign displayed outside a business storefront.
  - b. Where permitted, sandwich board signs shall meet the following standards:
    - i. The sign structure shall be a maximum height of four feet above the sidewalk and a maximum width of three feet.
    - ii. The sign area and structure shall not exceed eight square feet per single side.
    - iii. A sandwich board sign is permitted for each ground floor storefront. The sign may be placed on the public sidewalk directly in front of the business storefront in accordance with Section 6.10.L, Signs On or Over Public Property.
    - iv. The sign frame shall be constructed of durable materials such as decorative metal, wrought iron, wood with treated edges, or durable plastic; shall have a professional, finished appearance; and shall be maintained in good condition. The sign may contain a chalk or white board area for daily changeable copy. The use of cardboard, plywood, paper, canvas or similar impermanent material for the sign frame is prohibited.
  - c. Denial of a Sign Permit for a sandwich board sign in a Redevelopment Area may be appealed to the applicable Redevelopment Board.
11. *Subdivision and Multifamily Complex Signs.* Subdivision or multifamily complex signs designed as permanent signage may be permitted in any district in accordance with the following standards:
  - a. Two wall or ground signs may be permitted for each subdivision or multifamily complex.
  - b. The combined sign area for each subdivision or multifamily complex shall not exceed 32 square feet—provided, however, that the Planning Board may approve an increase in combined sign area up to 64 square feet on finding that signage for the subdivision or multifamily complex is part of a landscaped entrance feature, and that the entrance feature is in keeping with the overall character of the area.
  - c. Subdivision signs shall be constructed of low maintenance materials, and a homeowners' association or entity shall exist or be created to assume all maintenance responsibilities.
12. *Temporary Signs.* Banner signs of cloth, paper, or fabric of any kind, or signs of other nonpermanent construction, may be erected for temporary periods as follows:
  - a. *In General.*
    - i. Temporary signs, whether one or the maximum size and number permitted, may not be displayed on any parcel for more than 100 days in any 12-month period.



Daytona Beach • DeLand

# Memorandum

Post Office Box 2491  
Daytona Beach, Florida 32115-2491  
(386) 255-8171  
CobbCole.com

**To:** Dennis Mrozek, Planning Manager, City of Daytona Beach  
**From:** Deborah D. LaCroix, CLA  
**Date:** September 5, 2017  
**Client/Matter #:** Indigo Development LLC/Indigo Group, Ltd.  
Williamson Crossing Planned Development-General Rezoning  
DEV2017-072  
**Subject:** Neighborhood Meeting Summary – August 30, 2017

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A neighborhood meeting was held in the conference room of the Holiday Inn Daytona Beach LPGA, at 137 AutoMall Circle, Daytona Beach, FL on August 30, 2017 at 6:00 p.m.

Rob Merrell and Parker Mynchenberg, along with Matthew West and Debi LaCroix explained the rezoning request.

The meeting was attended by two interested neighbors who received invitations to the meeting. See attached Sign-In Sheet.

The neighbors shared their questions about proposed tenants. The neighbors were receptive to the development of the project property.

We look forward to this item being on scheduled for the September 28, 2017 Planning Board and the November 1 and 15, 2017 City Commission.

Thanks.

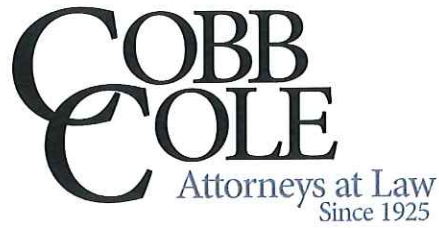
Deb.





William M. Cobb  
(1881-1939)  
Thomas T. Cobb  
(1916-2004)  
W. Warren Cole, Jr.  
(1926-2008)  
C. Allen Watts  
(1946-2015)

Harold C. Hubka  
Scott W. Cichon  
Robert A. Merrell III  
John P. Ferguson  
Thomas J. Leek  
Mark A. Watts  
Heather Bond Vargas  
Kelly Parsons Kwiatek  
Kathleen L. Crotty  
Andrea M. Kurak



Daytona Beach • DeLand

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Daytona Beach, Florida 32114  
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Michael J. Woods  
Michael O. Sznajstajler  
Melissa B. Murphy  
Pamela R. Masters  
Robert E. Doan  
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Kelsie W. Willett  
Erica C. Johnson

**OF COUNSEL**  
Thomas S. Hart  
Larry D. Marsh  
Maja Sander Bowler  
William A. Parsons

**RETIRED**  
Jay D. Bond, Jr.  
Rhoda Bess Goodson

August 18, 2017

### INVITATION TO NEIGHBORHOOD MEETING

Dear Neighbor:

The law firm of Cobb Cole has the pleasure of representing Indigo Group, Ltd. and Indigo Development LLC, the owners of 21+/- acres of property located at Williamson Boulevard and LPGA Boulevard, as shown on the attached map. The owners intend to rezone the property for mixed uses, including retail, restaurant and multifamily uses.

As future neighbors to the proposed rezoning, we would like to invite you to discuss the rezoning on **Wednesday, August 30, 2017 at 6:00 p.m.** in the meeting room of the Holiday Inn Daytona Beach LPGA, located at 137 AutoMall Circle, Daytona Beach, FL 32124

We look forward to seeing you at this meeting if you are interested in discussing this rezoning.

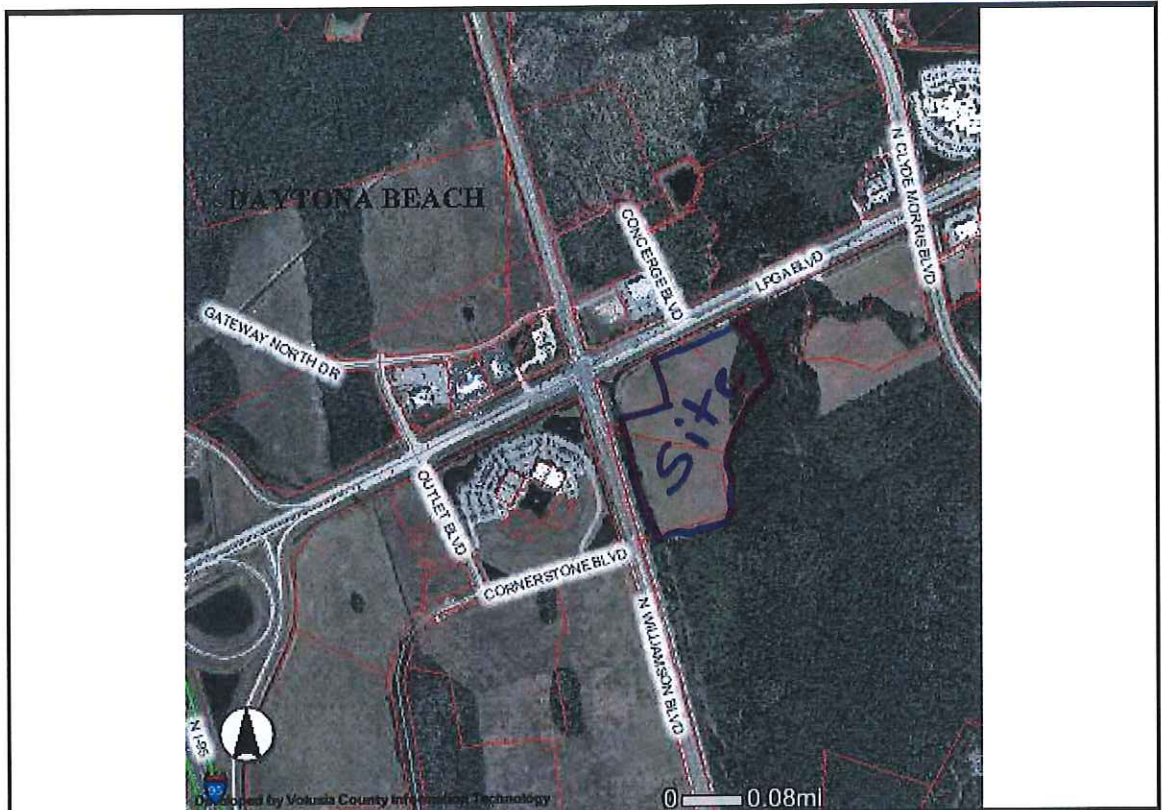
Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Merrell III', is written over a light blue horizontal line.

**Robert A. Merrell III**

Direct Dial (386) 323-9263  
Email Rob.Merrell@CobbCole.com  
Fax (386) 944-7955

RAM:ddl  
Enclosures



Volusia County Property Appraiser  
123 W. Indiana Ave.  
DeLand, Florida 32720  
[www.volusia.org/property/](http://www.volusia.org/property/)

- HIGHWAYS**
-  Interstate
  -  U.S. Highway
- PARCELS**
- 

5203-00-00-0015  
Afshari LPGA, LLC  
26 Amsden Road  
Ormond Beach, FL 32174

5203-00-00-0101  
RaceTrac Petroleum, Inc.  
P.O. Box 2437  
Smyrna, GA 30081

5210-00-00-0010  
Halifax Hospital Medical Center  
303 N. Clyde Morris Blvd.  
Daytona Beach, FL 32114



# NEIGHBORHOOD MEETING NOT

NEIGHBORHOOD MEETING HAS BEEN SCHEDULED  
10/30/17 AT 6:00 P.M. TO INTRODUCE

FOLLOWING APPLICATION FOR THIS PROPERTY:

Planned Development - General Rezoning

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Holiday Inn LPGA, 137 Automall Circle, DB, FL

INTERESTED PARTIES CAN CONTACT Cobb Cole  
AT 386/323-9263

FOR FURTHER INFORMATION.



# NEIGHBORHOOD MEETING NOTICE

NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON 8/30/17 AT 6:00 PM TO INTRODUCE THE FOLLOWING APPLICATION FOR THIS PROPERTY:

Planned Development - General Rezoning

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Holiday Inn LPGA, 137 AutoMall Circle, DB, FL

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 386/323-9263 FOR FURTHER INFORMATION.