

Agenda Item 6 (Legislative Hearing)

Land Development Code Text Amendment

DEV2017-101

Amend Article 6

STAFF REPORT

DATE: September 19, 2017

TO: Planning Board Members

FROM: Reed Berger, AICP, Redevelopment Director

AMENDMENT REQUEST

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of Daytona JV LLC, to amend Section 6.10.O.1. to allow a Comprehensive Sign Plan in a Tourist Accommodations (T-1) or Planned Development-Redevelopment (PD-RD) zoning district located on the east side of Atlantic Avenue, south of International Speedway Boulevard on sites consisting of at least 6 acres.

AMENDMENT BACKGROUND

The Landshark Bar & Grill and Cocina 214 restaurants are now under construction at the Longboard property located at 415 S. Atlantic Avenue. The approved Planned Development agreement for this large parcel currently allows signage that complies with the T-1 zoning district and also anticipated the need for a Master Sign Plan. The applicant has determined that the signage required for the restaurants will exceed the T-1 zoning district sign regulations and therefore requires approval of a Comprehensive Sign Plan (CSP).

The applicant has submitted an application for a CSP (DEV2017-096) which was recommended for approval by the Beachside Redevelopment Board by a vote of (6-0) at their September 18, 2017 meeting.

Prior to City Commission approval of a CSP for the Longboard property the applicant will need approval of the following text amendment to Section 6.10.O of the Land Development Code that allows this large parcel to qualify for use of a CSP.

AMENDMENT DESCRIPTION

Section 6.10.O, of the Land Development Code, *Comprehensive Sign Plan*, is amended to read as follows (addition indicated by underlined bold text):

O. Comprehensive Sign Plans.

1. A comprehensive sign plan (CSP) may be approved for a development that:
 - a. Is located in a MS district; or
 - b. Consists of at least 35 contiguous acres, is located in an HM district, and contains a mix of uses, including parking garage, emergency room, medical office, and other hospital uses; or
 - c. Consists of at least 35 contiguous acres and contains a college or university; or
 - d. Is a retail center located along International Speedway Boulevard on sites exceeding 35 acres or located along the west side of Atlantic Avenue (A1A) on sites exceeding 25 acres; or
 - e. Is located in a T-1 or PD-RD district and is located on the east side of Atlantic Avenue (A1A) south of International Speedway Boulevard, on a site consisting of at least 6 acres.**
2. For purposes of paragraph 1 above, property is contiguous where it is separated only by a public road.
3. The CSP shall:
 - a. Identify all existing and proposed signs by general location and size; and
 - b. Be consistent with the comprehensive plan; and
 - c. Comply with the intent and purpose of Section 6.10. Signage and, if applicable, Section 4.6.B., Hospital/Medical (HM), or Section 4.6.C., Major Sports (MS).
4. To the extent the CSP includes standards different from those in this Code, the CSP shall control development of signs on the property subject to the CSP. To the extent the CSP does not address a particular subject, this Code shall control.
5. CSPs shall be subject to review and recommendation by the Planning Board and approval by resolutions of the City Commission at a public hearing. CSPs applying to a development within a Redevelopment Area shall be submitted for review and recommendation by the Redevelopment Board for that area prior to Planning Board or City Commission.
- 6. To the extent the CSP applies to a PD-RD district, the CSP shall reference the recorded Planned District Agreement by Book and Page and be recorded by the applicant in the Volusia County Public Records.**

Text Amendment Review Standards

The purpose of Section 3.4.B. is to provide a uniform means for amending the text of this Code whenever the public necessity, convenience, general welfare, comprehensive plan, or appropriate land use practices justify or require doing so.

The advisability of amending the text of this Code is a matter committed to the legislative discretion of the City Commission and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the City Commission shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

a. Is consistent with the comprehensive plan;

The proposed text amendment is consistent with the comprehensive plan.

b. Is in conflict with any provision of this Code or the Code of Ordinances;

The proposed text amendment would not conflict with any provision of the Land Development Code and Code of Ordinances.

c. Is required by changed conditions;

The proposed text amendment is necessary to allow a comprehensive sign plan for the recently approved Longboard Planned Development – Redevelopment agreement that anticipated the need for a Master Signage Plan, and to permit the current signage needs for two destination restaurants now under construction.

d. Addresses a demonstrated community need;

The proposed text amendment will allow two destination restaurants now under construction to display signage consistent with their corporate brand used for other restaurants. These restaurants and future development on this property and other large parcels to be developed along the beachfront in the future will provide more things to do for residents and tourists along the beach and provide tax revenues that will help fund public improvements in the South Atlantic Redevelopment Area.

e. Is consistent with the purpose and intent of the zoning districts in this Code, or would improve compatibility among uses and would ensure efficient development within the city;

A CSP for mixed uses that are part of Planned Developments located on large parcels along the oceanfront would improve compatibility among uses and would ensure efficient development within this area of the city.

f. Would result in a logical and orderly development pattern; and

The proposed text amendment will create a logical and orderly development pattern by providing a comprehensive set of regulations for the type, size, and placement of signs.

g. Would 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.

Staff has reviewed the proposed Land Development Code text amendment request and determined the request would not have adverse impacts on the natural environment.

RECOMMENDATION

Based on staff analysis and review of the above standards, approval of the requested text amendment is recommended. The item is tentatively scheduled to be heard by the City Commission on October 18, 2017. A majority vote of the Planning Board members present and voting is required for recommendation of approval to the City Commission.