

Planning Board
Draft Minutes

The City of Daytona Beach

Planning Board Meeting
October 26, 2017

(Excerpts from the October 26, 2017 Planning Board Meeting)

4. **Rezoning to Planned Development-Redevelopment (PD-RD) – 246 S. Beach Street, DEV2017-084 (Quasi-Judicial Hearing)**

Staff Presentation:

Jason Jeffries, Redevelopment Project Manager, presented the staff report which is included as part of the packet. Mr. Jeffries stated the proposed project would be located in the South Beach Historic District. Mr. Jeffries stated a neighborhood meeting was held as part of the review process for the application; and the meeting was attended by residents, business owners, and elected officials. Mr. Jeffries stated the application was reviewed by the Historic Preservation Board at their meeting of September 19, 2017, and the Board determined that the request is consistent with historic preservation standards. Mr. Jeffries stated the Downtown Redevelopment Board reviewed the application at their October 3, 2017 meeting and did not find that this application is consistent with the Downtown Redevelopment Plan and did not recommend approval of the Planned Development.

Applicant's Presentation:

Colleen Miles, Land Development Resource Group, 140 S. Beach Street, Suite 400, Daytona Beach, Florida, spoke representing the applicant. Ms. Miles stated there is existing residential usage on the second floor of the building and the applicant has attempted to contact that tenant but has been unable to speak with the tenant. Ms. Miles stated the Downtown Redevelopment Board did not find that the application was not consistent with the Comprehensive Plan but did not like the use. Ms. Miles stated the use hours are restricted and the use will be limited to the second floor of the building. Ms. Miles stated the business will not have piercing associated with it and the tattoo work will be done predominantly by appointment. Ms. Miles stated only one operator will be on site. Ms. Miles stated letters of support from businesses currently located on Beach Street have been provided to the Board as part of the packet.

Mr. Newman asked if the application is for the unit or the entire building.

Ms. Miles stated the entire property will have to be rezoned but there is a restriction to limit the tattoo parlor to the second floor with hours of operation from 10:00 a.m. to 10:00 p.m.

James Rogers, 1025 S. Beach Street, No. 162, Daytona Beach, Florida, stated he will be the owner and operator of Red Sparrow Tattoos if he is permitted to open at this location. Mr. Rogers stated the studio will be a high-end, fully custom tattoo studio. Mr. Rogers stated the business will be predominantly appointment based due to the large number of people seeking his artwork. Mr. Rogers stated he believes his studio will be a valuable addition to the Beach Street area and will attract more people to the street. Mr. Rogers stated if he is permitted to open, he will operate the business with respect and dignity not only for his business but for the other businesses and residents located along Beach Street.

Mr. Servance asked Mr. Rogers if he has looked at other areas for locating his business.

Mr. Rogers said he has looked at other locations from New Smyrna Beach to Ormond Beach but the other locations have not worked out.

Ms. Washington asked about signage.

Ms. Miles stated the signage will not say tattoo. Ms. Miles stated there will be a sign on the front façade that reads Red Sparrow Studios and a sign will be on the side of the building that will be similar in size to the name plates of the Board members that are on the dais.

Public Comments:

Tim Minnis, 248 S. Beach Street, Daytona Beach, Florida, stated he is the owner of Davidson Brothers Fruit which is located next door to this site. Mr. Minnis stated he resides on the second floor of 248 S. Beach Street and his wall will abut the proposed business which will be open at night until 10:00 p.m. if approved. Mr. Minnis stated with the proposed Brown & Brown project planned for the downtown, he does not think this is the time to allow such a business on Beach Street. Mr. Minnis stated he is concerned about the image a tattoo parlor will have on Beach Street. Mr. Minnis stated he has spoken with the existing tenant who lives on the second floor of 246 S. Beach Street and that tenant leaves for work at 4:00 a.m. every day. Mr. Minnis stated there has been opposition to this application. Mr. Minnis stated if the proposed applicant is not successful, there will be another tattoo parlor located on the site if the zoning is changed. Mr. Minnis stated allowing a tattoo parlor at this site is contradictory to what has been the goal for Beach Street and does not feel this is the right direction for Beach Street.

Richard Detore, 153 Lewis Street, Daytona Beach, Florida spoke in favor of Mr. Rogers' application. Mr. Detore stated Mr. Rogers is booked for weeks in advance of appointments and is an icon in the tattoo industry who will bring money into the town.

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida stated the notion that Brown & Brown employees will be turned-off by a tattoo parlor being located next to their offices is not true. Ms. Ruby stated tattooing is very popular among young adults. Ms. Ruby stated the applicant is passionate about Beach Street which is what is needed. Ms. Ruby stated the tattoos are expensive and the business will have high-end clientele. Ms. Ruby stated she feels the business will be a good fit for this space. Ms. Ruby stated the sign along Beach Street will not say tattoo on it. Ms. Ruby stated if the existing resident has not attended a meeting or written a letter, maybe she doesn't care about the proposed use.

Sandy Murphy, 136 Park Avenue, Daytona Beach, Florida, stated she recently attended the Redevelopment Conference held in Daytona Beach; and it was discussed at the conference that if you want redevelopment, you have to go after the creative class and restaurants. Ms. Murphy stated tattoo artists are the creative class and perform high-end art work on bodies instead of on walls.

Belinda Haynes, 464 North Charles Street, Daytona Beach, Florida, stated she feels this project is needed on Beach Street and feels this business will set an example for young people in the city.

Board Comments:

Mr. Hurt stated tattooing is a form of art and he does not have a problem with the business being located on Beach Street.

Mr. Barhoo stated it will be positive since it will bring more money and business to the Beach Street area.

Mr. Servance stated he feels this business will be a good opportunity for Beach Street.

Mr. Newman stated he feels Mr. Rogers is a brilliant artist but does not feel this is the proper location for his business. Mr. Newman stated he voted for the tattoo parlor on Main Street because the surrounding community seemed to support it; but he does not see the same support for this location. Mr. Newman stated he received a packet of information regarding this application when he arrived at the meeting this evening and would prefer if there is additional information that an item be delayed in order to give the Board members an opportunity to review the material that has been provided to them. Mr. Newman stated he is concerned by the comments made by Mr. Minnis and the Board should be sensitive to those comments. Mr. Newman stated if the business was coming in next door to him, he would be upset about it. Mr. Newman stated he is not opposed to a tattoo parlor on Beach Street but this upstairs location may not be the appropriate place for it.

Mr. Neal stated there will not be large numbers of people at the business since it will be by appointment only and this business should not hinder the residential owners currently residing in this building.

Ms. Washington expressed concern with the traffic in and out of the building and the effect the traffic will have on the existing residents.

Board Motion:

A motion was made by Mr. Hurt, seconded by Mr. Servance, to approve Rezoning to Planned Development-Redevelopment (PD-RD) – 246 S. Beach Street, DEV2017-084, in accordance with the staff report as presented. The motion carried 4-2 (Mr. Newman and Ms. Washington voted no).