

## Agenda Item 5 (Quasi-Judicial Hearing)

### Rezoning - Planned Development-General

DEV2017-149

Project Beta PD-G

## STAFF REPORT

**DATE:** March 13, 2018

**TO:** Planning Board Members

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

---

### PROJECT REQUEST

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Consolidated- Tomoka Land Co. and Indigo Development LLC, to rezone 47.03± acres of land located north of Dunn Avenue and east and west of Mason Avenue from Multifamily Residential 20 (MFR-20) and Planned Development-General (PD-G) to Planned Development-General (PD-G) for the development of various industrial and office uses.

### PROJECT LOCATION

The subject property is generally located north of Dunn Avenue and east & west of the Mason Avenue extension. The site is currently vacant and undeveloped. The property owner has also submitted a concurrent application to amend the land use designation for a portion of the property from Level 3 Residential to General Industrial. Zoning and Land Use designations are illustrated in the following table and are also shown in the accompanying maps.

**Table 1: Land Use and Zoning**

	Existing Uses	Future Land Use Designation	Existing Zoning Classification
<b>Site</b>	Vacant Undeveloped	General Industrial & Level 3 Residential	Multifamily Residential 20 (MFR-20) & Planned Development-General (PD-G)
<b>North</b>	Industrial/Warehouse Distribution	General Industrial	Planned Development-General (PD-G)
<b>South</b>	Multifamily (across Dunn Avenue)	Level 1 Residential & Level 3 Residential	Multifamily Residential 20 (MFR-20)
<b>East</b>	Multifamily & Industrial	General Industrial & Level 3 Residential	Multifamily Residential 20 (MFR-20) & Planned Development-General (PD-G)
<b>West</b>	Industrial/Warehouse Distribution (Trader Joe's)	General Industrial & Level 3 Residential	Planned Development-General (PD-G)

## **PROJECT DESCRIPTION**

The applicant is requesting to rezone this property to Planned Development-General for the purpose of providing ready sites for the development of various industrial and office uses. The full development is approximately 47± acres and includes proposed industrial uses in addition to office and storage uses to support the proposed permitted uses. Portions of the property have been identified as stormwater areas.

The applicant is required to submit site plan applications with each phase of development to demonstrate compliance with the LDC and the PD Agreement, in addition to meeting all concurrency requirements for the phased development.

### *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 currently has the comprehensive plan land use designations of General Industrial and Level 3 Residential, but the property owner has submitted a concurrent application to amend the Level 3 Residential portions of the subject property to the land use designation to General Industrial. General Industrial land uses are areas generally contain industrial, office and service related activities of a larger scale and serving regional and national markets. Floor area ratio within General Industrial land use designation cannot exceed .7 FAR. This designation can support the proposed uses on the site.

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

Development standards for a PD District must comply with the development standards of Article 6: Development Standards and Article 7: Subdivision Standards or any modifications of those standards established in the PD Plan (*Attachment A*) and PD Agreement. The applicant has proposed modifications to these standards listed below, which are detailed later in this report. Approval of the PD rezoning application with modifications would not be in conflict with any portions of the LDC.

1. Section 6.2.C (Minimum Number of Off-Street Parking Spaces) – Modification to allow a reduction in the number of parking spaces required for the proposed uses.
2. Section 6.4 (Clustering of Landscaping) – Modifications to minimum requirement for building, perimeter and parking lot landscaping to accommodate proposed industrial uses. Required landscape materials to be transferred to other locations within the PD District.
3. Section 4.9.D (Scenic Thoroughfare Landscape Buffer) – Modification to allow an average of 50 foot buffer width, to be reduced to not less than 25 feet.
4. Section 6.12.C (Building Design Standards) – Modification to building design standards for buildings visible from major City thoroughfares.
5. Section 6.8 (Fences, Walls and Hedges) – Modifications to maximum permitted height of fencing.
6. Section 6.10.K.3 (Industrial Sign Schedule) – Modifications to permitted signage in Industrial Zoning Districts.

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

The applicant has provided a Modification/Benefit letter that details public benefits and addresses the standard for a demonstrated community need (*Attachment B*).

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

The proposed use of the property is compatible with the surrounding land use designations. Section 6.12.C.4 of the LDC addresses site design and architectural standards for all new development on major City thoroughfares (Mason Avenue & Dunn Avenue). The applicant has proposed alternative building design standards identified in the PD Agreement and analyzed later in this report.

**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 vehicular driveway/access points are approved as part of this rezoning request.

Water, sewer, reclaim water infrastructure must be constructed to current City standards and consistent with this Agreement. Offsite extensions for water, sewer and reuse shall be provided as required. Offsite utility infrastructure to support the project will be determined at the time of site plan. The Utilities Department has provided the following conditions of approval for the PD Rezoning application:

1. The wastewater demands that were provided are greater than the design capacity of the lift station. Upgrades to the lift station and force main are required.
2. The design and upgrade of lift station 105, which includes upsizing of the 6" force main is a requirement of the planned development. Add language to Section 6B of the PD detailing this requirement.
3. Include language in the PD that limits flows of the development to the design of the future lift station. If any user exceeds the allotted design capacity, additional upgrades will be required at the cost of the developer.

Staff has reviewed the requested development for impacts to public facilities as part of the rezoning. Provided the above conditions are adhered to, staff offers no objection to the proposed uses or 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 subject property includes two zoning designations; Planned Development-General (PD-G), which included industrial uses, and Multifamily Residential 20 (MFR-20), which was intended to accommodate multifamily development. The current zoning of MFR-20 is not consistent with the proposed use and is not consistent with the General Industrial land use designation. The flexibility provided by the PD-G rezoning allows for greater development potential specific to the proposed uses.

## **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 development plan for the subject site. This includes identification of potential vehicle access points, development area, parking areas, stormwater locations and general site improvements (*Attachment A*).

#### **Landscaping**

Landscaping shall be provided consistent with the LDC unless otherwise provided by the PD Agreement. Clustering of typical landscape requirements shall be permitted so long as the net total landscape material as required herein is still met, including requirements related to interior parking lot and parking lot islands. Additionally, building perimeter landscape materials may be relocated to the perimeter of the Property so long as the total area does not materially decrease from the City Requirements. Coordination of landscaping shall be addressed at Site Plan; however, the following landscape buffers shall be required for the Property's overall periphery:

#### Minimum Perimeter Landscape Buffers:

- Dunn Avenue.: The total buffer shall achieve an average width of 50 feet but at no point shall the buffer be less than 25 feet. The buffer shall include the landscape material required for a full 50-foot buffer.
- Mason Avenue: The total buffer shall achieve an average width of 50 feet but at no point shall the buffer be less than 25 feet. The buffer shall include the landscape material required for a full 50 foot buffer.
- All other Perimeters: 10 ft.

#### **Fencing**

The LDC restricts maximum height of fencing to six feet. The applicant proposes an increase in maximum fence height to nine feet, which would allow for adequate security for the proposed uses. Any fencing installed along the Mason or Dunn property perimeter will be required to be behind the required landscape buffer.

#### **Parking**

The number of off-street parking spaces required shall be calculated consistent with the end use of the building and sufficient to support the maximum number of employees and guests anticipated to be present at the site at any given time. Where the building area for the end use is proposed at less than 70% industrial, the parking shall be calculated consistent with the requirements of the LDC. However, where the building area for the end use is proposed at 70% or more industrial, the parking shall be calculated consistent with the needs of the industrial use, as permitted by the LDC, but no less than 0.5 spaces per 1,000 square feet of building area. Parking areas shall be generally consistent with *Attachment A*.

#### **Building Design Standards**

All buildings and accessory structures shall be consistent with a common architectural theme. The theme shall be established by harmoniously coordinating the general appearance of all buildings and

accessory structures, including but not limited to: exterior wall finishes or materials; roof styles, slopes, and materials; colors; and architectural details and ornamentation.

All structures shall complement one another and shall convey a sense of quality and permanence. False or real windows shall be provided on all elevations visible from public right of way in sufficient size and number to complement the proportions of the building.

Construction of buildings shall not be required to comply with the provisions of section 6.12.C. of the LDC as specifically modified to the following standards:

- Reveal/paint wall design patterns will be provided to break up long walls.
- Glazing or similar treatments will be provided at proportional spacing to be consistent with the wall design patterns.
- Roof wall lines will be staggered at various locations to provide interest.
- Any roof mounted equipment visible from the street shall be painted the same color as the exterior walls.
- Truck courts shall be screened to the greatest extent reasonably possible taking advantage of the main thoroughfare street frontage landscape buffers.

Signage

Signage for planned districts is provided for in the development agreement, in accordance with the nature of the uses and similarity of the uses to those permitted in other districts. The applicant has identified the Industrial Zoning District sign schedule as a base for the proposed signage for the PD, but with the following increase in signage:

*Each parcel shall be permitted signage equal to twice the amount generally permitted by the LDC for Industrial Districts.*

While staff agrees that allowing more signage than would normally be permitted in Industrial Districts may be appropriate because of the possible uses and PD location, allowing “...*signage equal to twice the amount generally permitted by the LDC for Industrial Districts*” could be excessive. Staff is recommending the following conditions of approval to the signage standards for the Project Beta PD:

Permitted = Currently Permitted in Industrial Districts  
 Staff = Staff Recommended Signage in PD Agreement

Sign Type	Max Number of Signs per Parcel		Total Maximum SF Sign Area per Parcel		Maximum Sign Height	
	Permitted	Staff	Permitted	Staff	Permitted	Staff
Ground Sign (Monument)	1	2	1 SF per 1 linear ft. of lot frontage, up to 120 SF	No Change	8 Feet	No Change
Wall	n/a	n/a	2 SF per 1 linear ft. of lot frontage, up to 200 SF	2 SF per 1 linear ft. of lot frontage, up to 300 SF	n/a	n/a
Roof (per M3)	n/a	n/a	2 SF per 1 linear ft. of lot frontage, up to 200 SF	No Change	n/a	n/a
Projecting (per M3)	1	1	1 SF per 2 linear ft. of lot frontage	No Change	n/a	n/a

## **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 comprehensive plan and the proposed land use designation.

## **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*).

## **4. Development Phasing Plan**

The applicant has proposed the following completion schedule for the proposed development:

Application shall be submitted for construction permits for the initial development of the Property within five (5) years of the approval of this Agreement by the City Commission. The filing of an appeal of the land development order by any person shall toll the time for permitting until final resolution of the appeal. If development is phased, application for construction permits for subsequent phases shall be submitted within ten (10) years from the date of initial approval.

Construction of initial development shall be substantially complete within eight (8) years of the approval of this Agreement. Construction of any subsequent phase shall be substantially complete within fifteen (15) years of the initial approval of this Agreement.

## **5. Conversion Schedule**

Not applicable.

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

Water and sewer service shall be provided by the City of Daytona Beach. All utilities shall be constructed underground. Owner or 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, reclaim water infrastructure must be constructed to current City standards and consistent with this Agreement. Upgrades to existing city pump station may be required and will be evaluated at site plan approval. Offsite extensions for water, sewer and reuse shall be provided as required and will be determined at the time of site plan.

## **7. Uses**

The PD Agreement identifies the following permitted uses for the subject property:

- Building, heating, plumbing or electrical contractor's storage yard
- Educational scientific, or industrial research and development
- Electric motor repair, machine shop, or tool repair shop
- General industrial services
- Heavy equipment sales, rental, or storage
- Leather-working or upholstery establishment
- Motion Picture studio
- Printing of other similar reproduction facility
- Repair or scientific or professional instruments

- Bakery
- Bottling plant
- Brewery, winery, or distillery
- Business services offices
- Cabinet or furniture manufacturing
- Contractor's office
- Craft distillery
- Fish hatchery
- Food processing (without slaughtering)
- Hydroponic garden facility
- Industrial Services
- Manufacturing, assembly, or fabrication, heavy
- Manufacturing, assembly, or fabrication, light
- Moving and storage facility
- Other office facility
- Professional services offices
- Showroom wholesale
- Truck or freight terminal
- Vegetable or fruit packing
- Warehouse, distribution
- Warehouse, storage

The following accessory uses are permitted on the Property, subject to LDC use specific standards for accessory uses:

- Business and Professional Services (offered in support of manufacturing and warehouse uses, limited to no more than 30% of total building square footage)
- Retail Sales (offered as accessory to manufacturing uses)
- Food Preparation, Cooking, Processing and Assembly
- Fleet fueling station and truck maintenance and support facility, including outside parking of tractor trailers
- Fuel/oil/bottled gas distribution
- Liquid or compressed natural gas or propane fueling facility for fleet use only

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

- Planned Development District maximum floor area ratio: 0.35

### **9. Dimensional Standards**

- Maximum building height – 50 feet
- Maximum building coverage – 45%
- Minimum building separation: 20 Feet
- Minimum open space – 20%
- Maximum impervious surface area – 80%
- Building Setbacks:
  - Side – 10 Feet
  - Front – 50 Feet
  - Rear – 10 Feet



## **10. Development Standards**

All development in a PD district shall comply with the development standards of Article 6: Development Standards, and Article 7: Subdivision Standards, or any modifications of those standards established in the PD Plan/Agreement as 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.

### **Proposed Modifications**

1. Section 6.2.C (Minimum Number of Off-Street Parking Spaces) – Modification to allow a reduction in the number of parking spaces required for the proposed uses.
2. Section 6.4 (Clustering of Landscaping) – Modifications to minimum requirement for building, perimeter and parking lot landscaping to accommodate proposed industrial uses. Required landscape materials to be transferred to other locations within the PD District.
3. Section 4.9.D (Scenic Thoroughfare Landscape Buffer) – Modification to allow an average of 50 foot buffer width, to be reduced to not less than 25 feet.
4. Section 6.12.C (Building Design Standards) – Modification to building design standards for buildings visible from major City thoroughfares.
5. Section 6.8 (Fences, Walls and Hedges) – Modifications to maximum permitted height of fencing.
6. Section 6.10.K.3 (Industrial Sign Schedule) – Modifications to permitted signage in Industrial Zoning Districts.

## **RECOMMENDATION**

Should all LDC modifications requested be approved, staff finds the project is consistent with the Comprehensive Plan and recommends approval with stated conditions of the application to rezone 47.03± acres of land located north of Dunn Avenue and east & west of Mason Avenue from Multifamily Residential 20 (MFR-20) and Planned Development-General (PD-G) to Planned Development-General (PD-G).

The item is tentatively scheduled to be heard by the City Commission for first reading on May 2, 2018. Second reading (public hearing) date is tentative based on outside agency review of the Land Use Amendment.

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

Document Path: P:\Admin\Pratima\Short Term Projects 2017\3\DEV AD\DEV2017\DEV2017-149\DEV2017-149\_LocationMap.mxd



**DEV2017-149  
REZONING  
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.



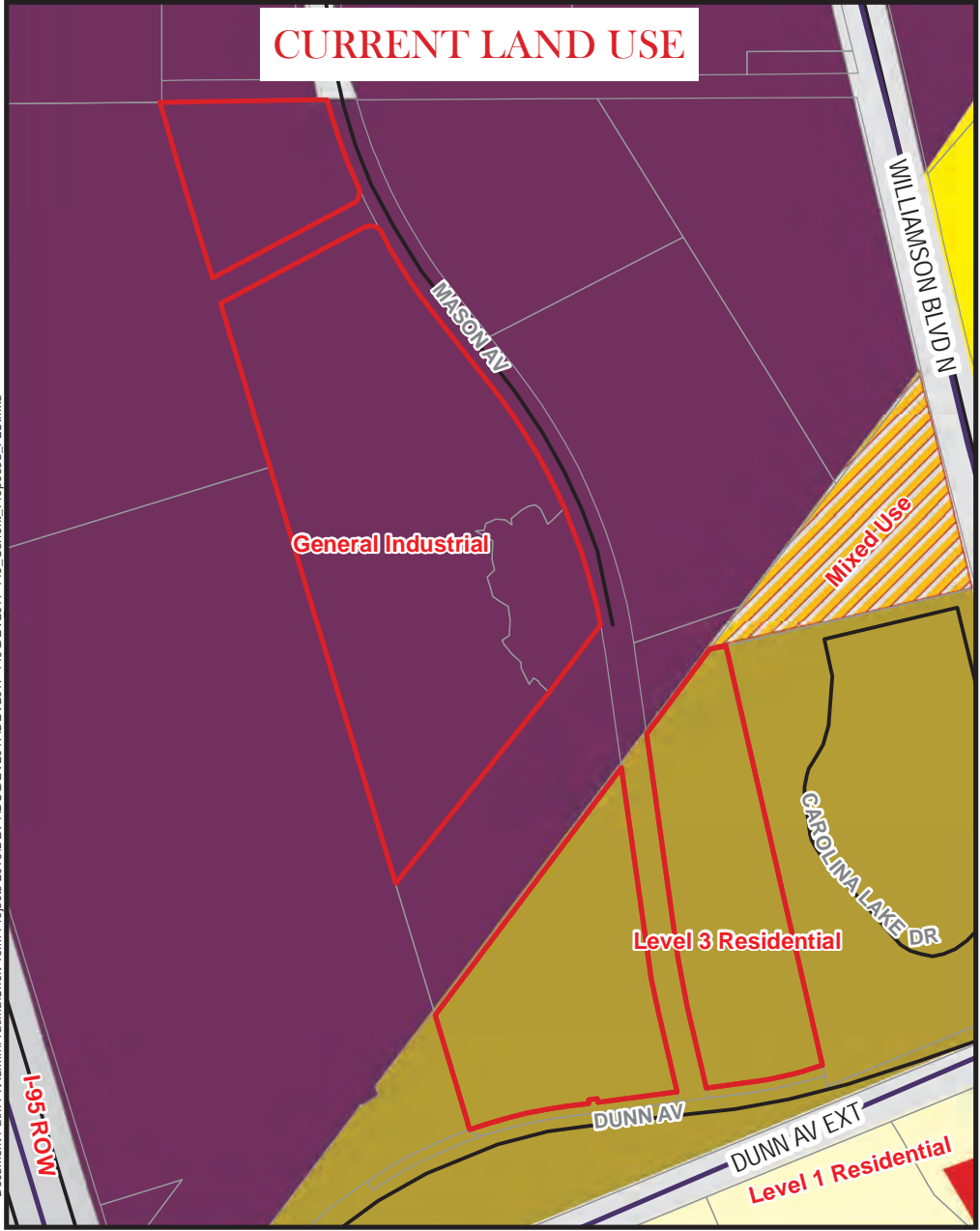
Document Path: P:\Admin\Pratima\Short Term Projects 2013\DEV ADS\DEV2017\DEV2017-149\DEV2017-149\_AerialMap.mxd



# DEV2017-149 REZONING AERIAL MAP

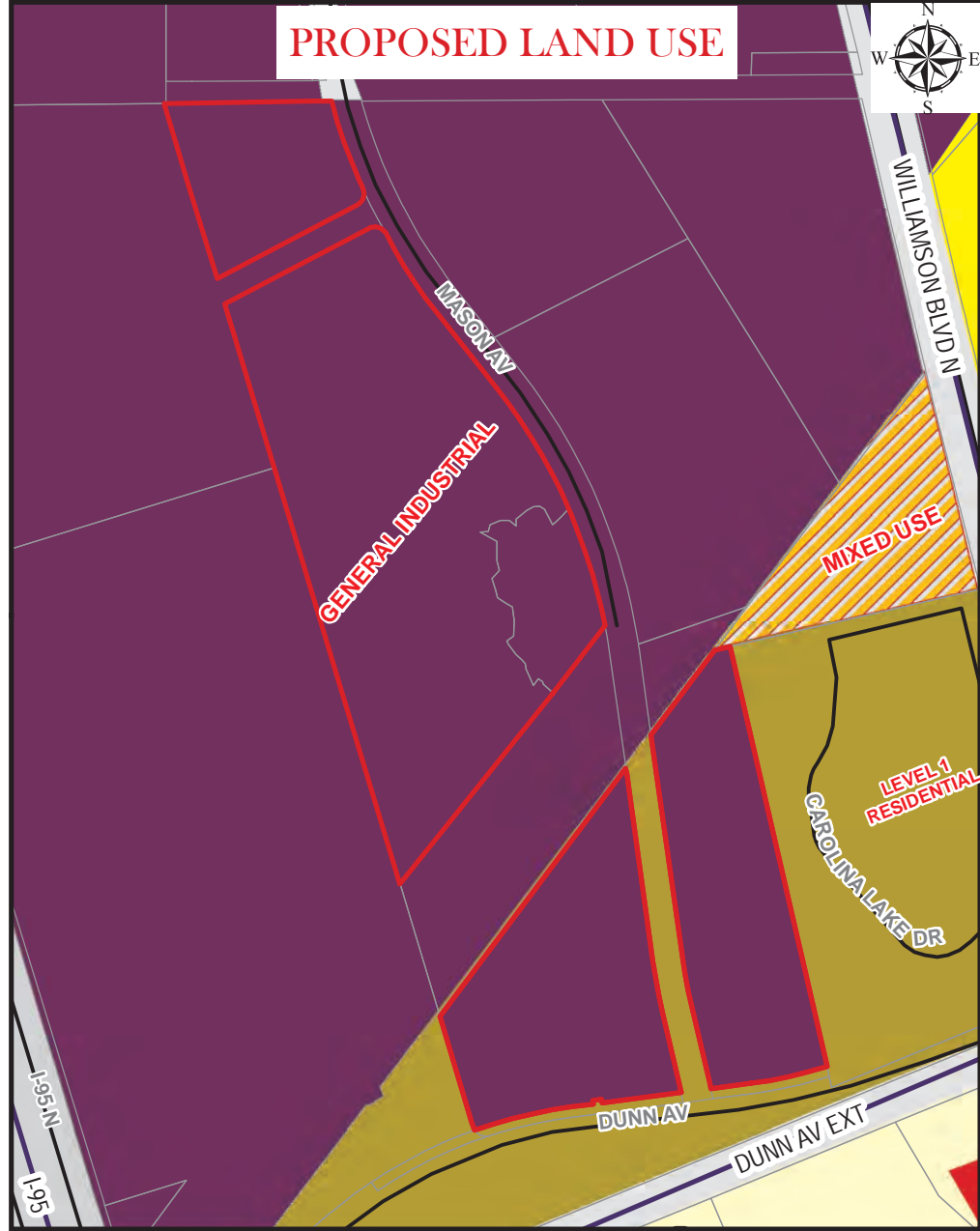
City of Daytona Beach Map disclaimer:  
These maps were developed and produced by the City of Daytona Beach GIS. They are provided for reference only and are not intended to show map scale accuracy or all inclusive map features. As indicated, the accuracy of the map has not been verified and it should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

**CURRENT LAND USE**



1 inch = 500 feet

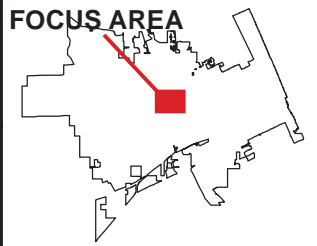
**PROPOSED LAND USE**



1 inch = 500 feet

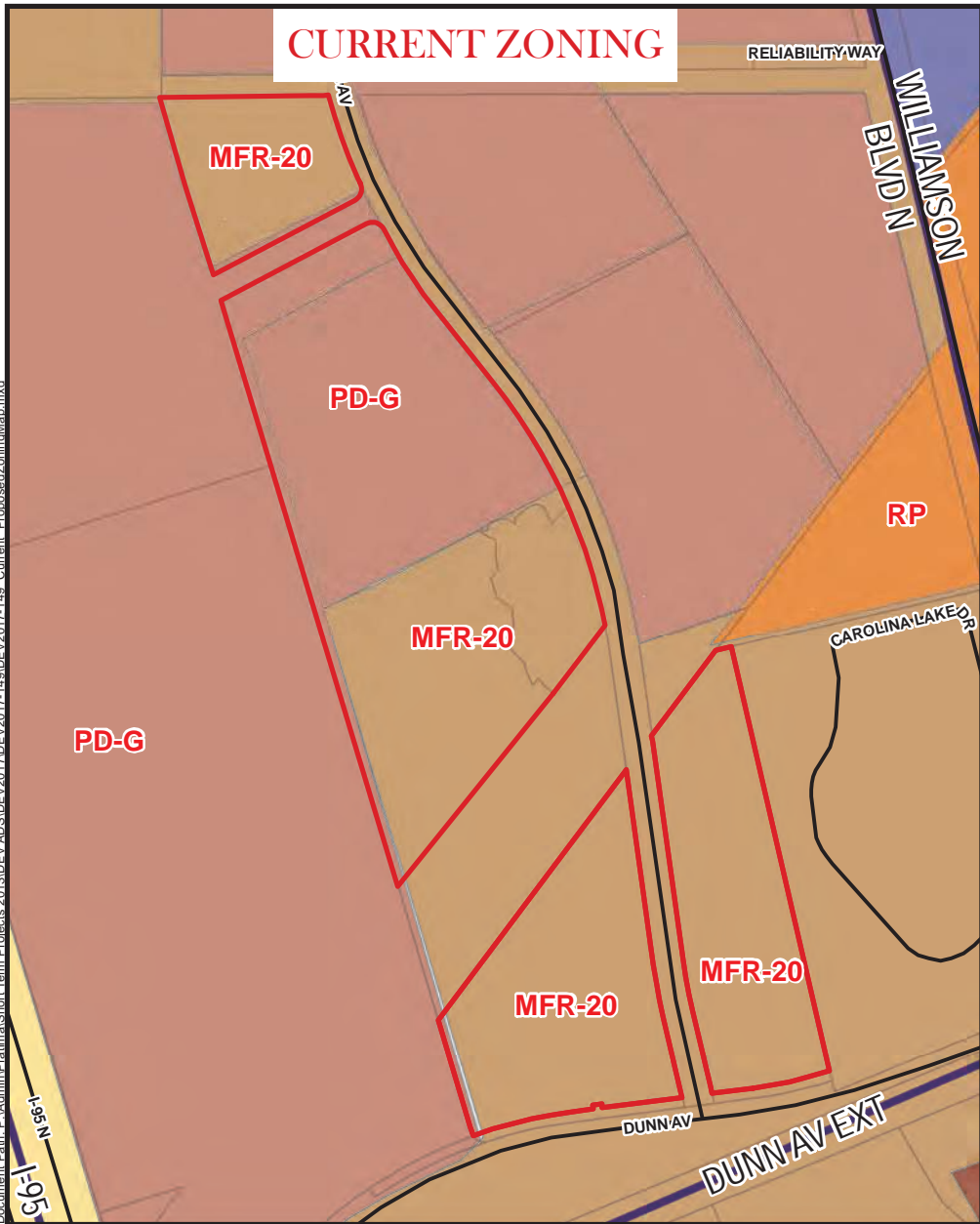


**DEV2017-149  
REZONING  
CURRENT AND PROPOSED FUTURE LAND USE**



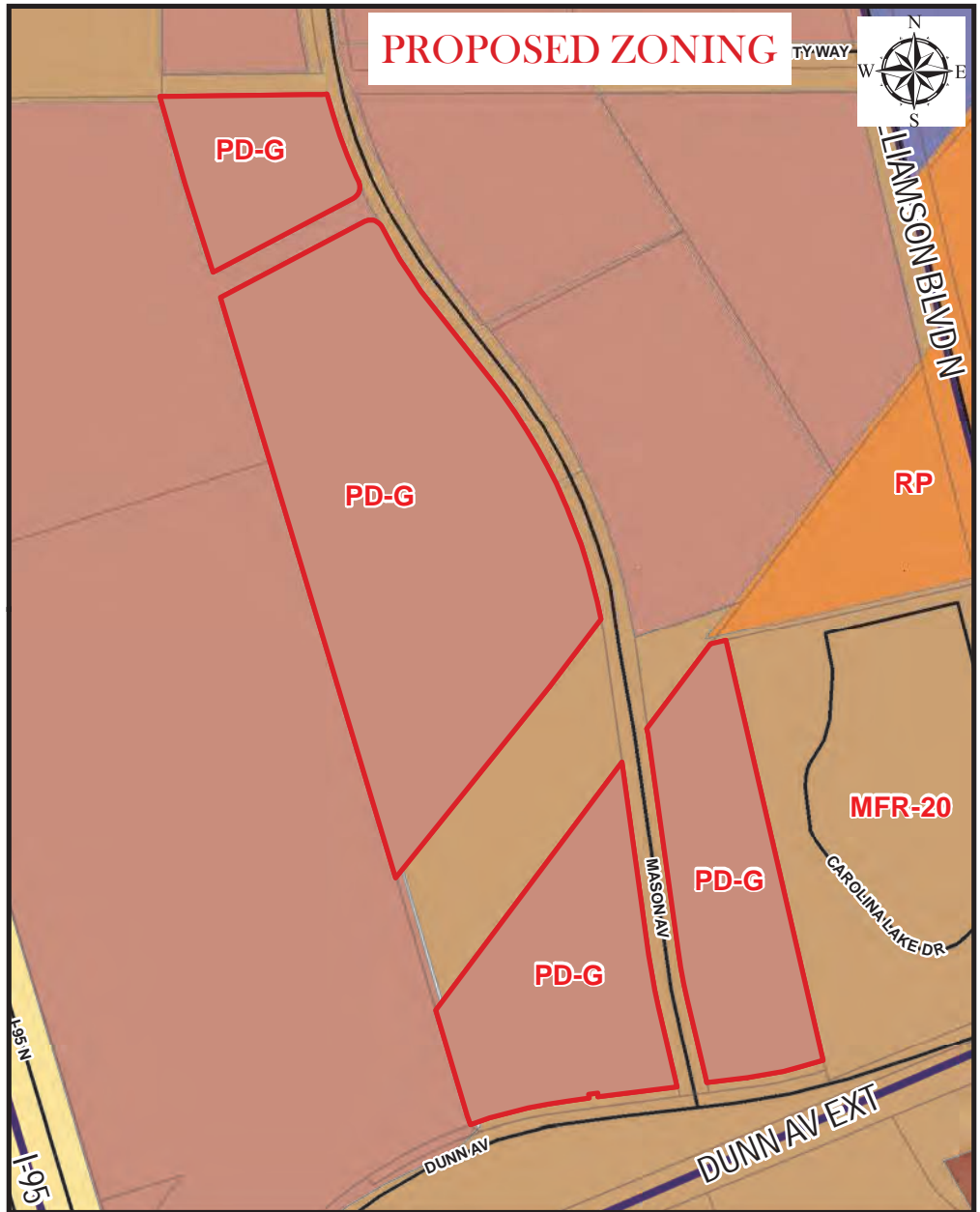
Document Path: P:\Admin\Prelim\Short\_Term\_Projects\_2013\DEV\_ADS\DEV2017\DEV2017-149\DEV2017-149\_Current\_Proposed\_FLU.mxd

# CURRENT ZONING



1 inch = 500 feet

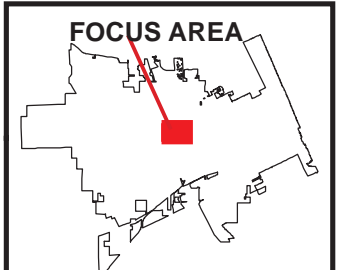
# PROPOSED ZONING



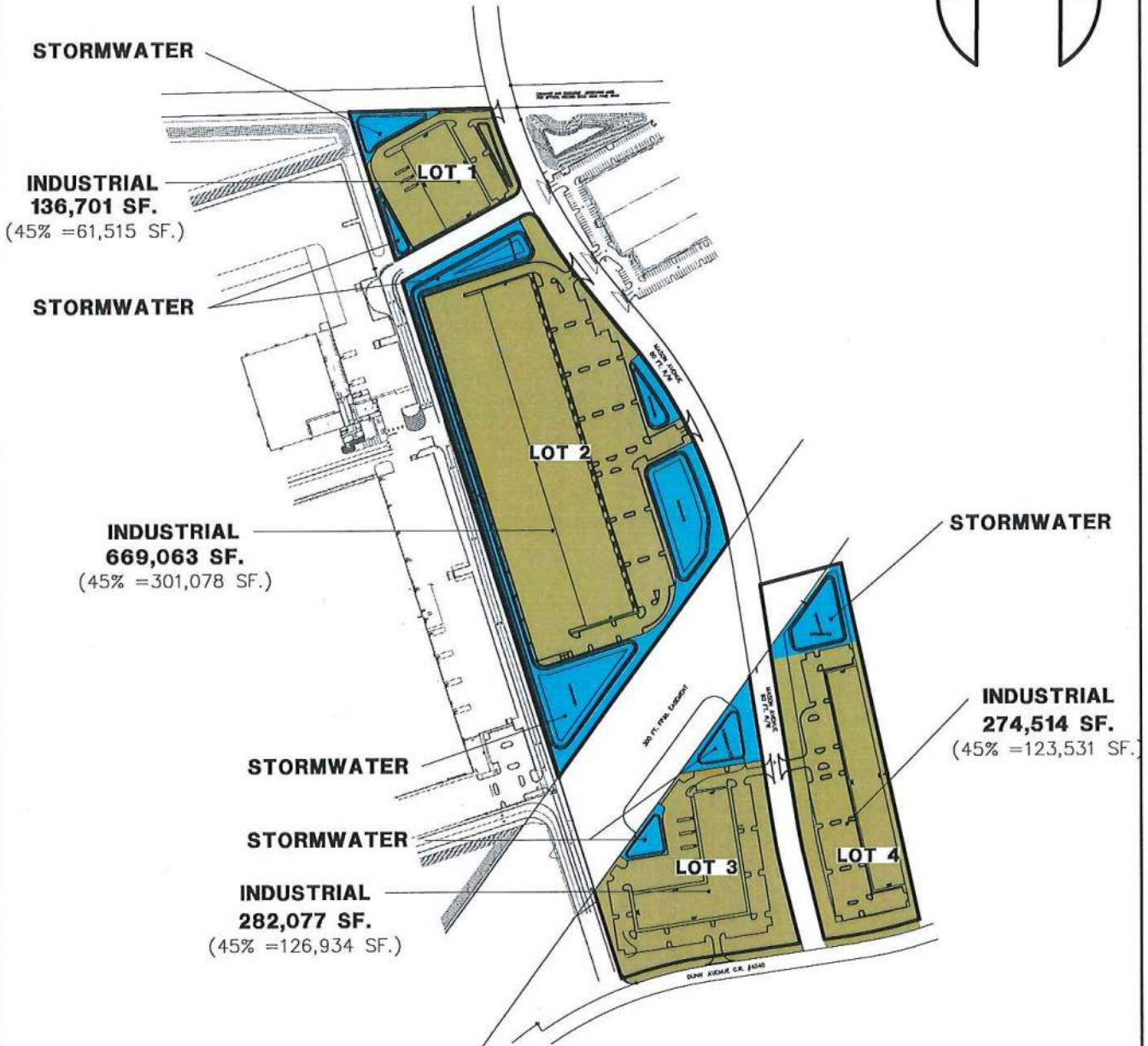
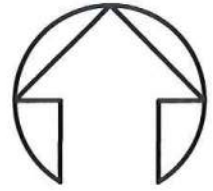
1 inch = 500 feet



**DEV2017-149  
REZONING  
CURRENT & PROPOSED ZONING MAP**



Document Path: P:\Admin\Pratima\Short Term Projects 2013\DEV ADS\DEV2017-149\DEV2017-149 Current - Proposed\ZoningMap.mxd



**BETA PD**

**PARKER MYNCHENBERG & ASSOCIATES, INC.**

PROFESSIONAL ENGINEERS \* LANDSCAPE ARCHITECTS  
 1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117  
 (386) 877-6891 FAX (386) 877-2114 E-MAIL: info@parkermynchenberg.com  
 CERTIFICATE OF AUTHORIZATION NUMBER 00003910

	STORMWATER = 10.22 AC.
	INDUSTRIAL = 31.96 AC.

**EXHIBIT "B"**

William M. Cobb  
(1881-1939)  
Thomas T. Cobb  
(1916-2004)  
W. Warren Cole, Jr.  
(1926-2008)  
Rhoda Bess Goodson  
(1950-2017)

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



Daytona Beach • DeLand

149 South Ridgewood Avenue, Suite 700  
Daytona Beach, Florida 32114  
(386) 255-8171  
CobbCole.com

Matthew S. Welch  
Michael J. Woods  
Michael O. Sznajstajler  
Pamela R. Masters  
Robert E. Doan  
Rachel I. Pringle  
Kelsie W. Willett  
Erica C. Johnson

OF COUNSEL  
Harold C. Hubka  
Larry D. Marsh  
Maja Sander Bowler  
William A. Parsons  
Peter R. J. Thompson\*

RETIRED  
Thomas S. Hart

\*Practice limited to federal  
immigration matters

February 15, 2018

**VIA HAND DELIVERY**

Mr. Dennis Mrozek  
Planning Director  
City of Daytona Beach  
301 S. Ridgewood Avenue  
Daytona Beach, FL, 32114

Re: Project Beta - Rezoning / Planned Development  
LDC Modifications and Public Benefits Letter  
DEV2017-149

Dear Dennis:

As you know, it is this Firm's pleasure to represent Consolidated-Tomoka Land Co. (the "Applicant") with respect to redevelopment of the property located north of Dunn Avenue and West of Mason Avenue, which is the subject of application DEV2017-149 (the "Property"). The Applicant intends to develop the property with the opportunity for industrial and office uses, including substantial site improvements and opportunities for job creation as described below. The Daytona Beach Land Development Code (LDC) requires PD rezoning applicants to provide a letter detailing any and all code waivers needed to construct their project, as well as the public benefits of the project which are proposed to compensate for the needed waivers.

We recognize the importance of the standards contained in the City's LDC and have made every commercially reasonable effort to bring forward a project consistent with the LDC. However, in this case the Project requires certain minor code waivers which are balanced against many significant public benefits.

**Public Benefits** It is the intent of the Owner to provide shovel ready sites for the development of various industrial and office uses by innovative and reliable industrial and office end users. The development of this Property as intended will be of great public benefit to both the City of Daytona Beach, and to Volusia County as a whole, by substantially increasing the number of jobs available, increasing the tax base, making use of an otherwise undeveloped property, and providing the opportunity to draw new businesses to the area or provide new opportunities for existing area businesses.

Mr. Dennis Mrozek  
February 15, 2018  
Page 2

---

Increased job opportunities will increase the ad valorem tax base, sales tax, and economic activity locally. This will, in turn, benefit the public by raising the standard of living for residents. This opportunity will be realized by providing the ability for new businesses to open and hire in a new market, or for existing businesses to grow and expand.

Additionally, it is a goal of the city to increase the presence of industry and manufacturing in the city. This development will provide the opportunity for end users to come to the City, or move to a new area of the city, and create the space they need to operate and succeed, providing the associated economic benefits to the residents, the City, and the County.

**Waivers** We have identified the need for waivers from the following LDC requirements:

**Off-Street Parking:** Off-Street Parking Space Standards generally require 1.5 spaces per 1,000 square feet, plus 3.5 spaces per 1,000 square feet of office or retail space (LDC Sec. 6.2(C)) - Due to some of the anticipated end uses intended for the property, and the associated limited demand for parking during the various employee shifts for those end users, the Applicant requests a reduction of the standard to a minimum of 0.5 parking spaces per 1,000 square feet of building area for any end user proposing 70% or more of the building area for industrial use.

The property is intended to be used by a combination of industrial and office operations. Industrial uses tend to be heavily automated and, in turn, require fewer employees for each of the various work shifts. Therefore, the need for parking for those uses is substantially reduced as compared to office, commercial, and retail uses. The largest capacity required by industrial locations is anticipated to occur between shifts when there is an overlap of employees coming and going from the property. The anticipated number of employees for any given shift and the associated shift transitions will be taken into consideration when calculating the amount of parking necessary for the intended development.

Additionally, these intended uses do not attract guests in the way that an office, commercial, or retail use might and while there may be a need for additional parking associated with meetings and other general business operations it will remain very limited. Parking calculations will also include sufficient capacity to support these types of guests. In the event that an end user proposes less than 70% of the building area for industrial use, that user shall comply with the requirements of the LDC.

**Landscaping:**

**Clustering:** Certain landscaping required by code within the parking areas, drive aisles and building perimeter of the site is not compatible with the use of the site for industrial buildings by tractor trailers. Accordingly, the landscaping will either be clustered or removed from these areas and relocated to the perimeter of the Property in order to provide better



Mr. Dennis Mrozek  
February 15, 2018  
Page 3

---

screening of the site from the view of the traveling public on adjacent roadways and to allow the movement necessary for proper functioning of the intended uses.

*Scenic Thoroughfare Landscape Buffer:* Development occurring on lots with frontage along Dunn Avenue and Mason Avenue are required to have a 50-foot landscape buffer (LDC, Table 4.9(D)(3)(A)) – Due to the configuration of lots and the anticipated building footprints that will be required by the types of end users proposed, the Applicant is requesting that the landscape buffers be calculated as an average that shall equal 50 feet. To meet the calculation, the landscape buffer may be reduced to not less than 25 feet and shall provide the same amount of landscape as would be required for a 50-foot buffer.

Architectural Standards: Article 6, Section 6.12(C)(4) sets forth the design standards applicable to all new development on land abutting a major city thoroughfare. Due to the end-uses intended for the Property some of the requirements are not compatible with the type of building needed to efficiently function. The Applicant is requesting a waiver to allow development of industrial buildings on the Property inconsistent with the requirements of this section as follows:

*Wall Articulation:* Sides of buildings which are 200 feet or more are required to have a projection or recess of at least three (3) feet no less than every 50 feet. (LDC 6.12(C)(4)(c)) – The Applicant is purposing a reveal/paint pattern to break up the massing of the long walls.

*Windows:* Walls are required to have windows that make up at least 15% of the wall. (LDC 6.12(C)(4)(e)) – The Applicant proposes to provide an appropriate amount of glazing, or an equivalent treatment, at spacing proportionate to the wall design pattern.

*Rooflines:* Roofs shall have multiple rooflines if the building is more than 30 feet wide. (LDC 6.12(C)(4)(c)) – The Applicant proposes staggering the rooflines at appropriate locations to add interest to the top of wall rooflines.

*Equipment Screening:* Dumpsters and mechanical equipment are required to be screened from public view and the screening design is required to be compatible with the building design. (LDC 6.12(C)(4)(j)). – The Applicant proposes that the landscape buffers along street frontage will be sufficient to screen dumpsters at docking locations. Should the tops of any roof mounted HVAC units, or similar equipment, be exposed, they will be painted the same color as the exterior wall of the building so as to blend in with the building.

*Truck Court Screening:* Loading docks and garage doors that are located along a major city thoroughfare are required to be screened using landscaping or architectural features. (LDC 6.12(C)(4)(n)) – The Applicant proposes that the landscaping along any major city thoroughfare will be sufficient to screen any loading docks or garage doors located along the same. However, due to the size of the buildings needed to support the intended end-uses, it is difficult to completely screen the associated truck courts.

Mr. Dennis Mrozek  
February 15, 2018  
Page 4

---

Perimeter Fencing: Article 6, Section 6.8(C)(4) sets forth the regulations applicable to constructing fences on property within the city. Due to the end-uses intended for the Property the height limitations will not be sufficient to provide adequate security. – The Applicant proposes that the height allowance for fences on the Property be increased to nine (9) feet around the entire building. Additionally, any fencing located along a major thoroughfare will be constructed behind the landscape buffer and will not be visible to passers-by from those roads.

Signage: Industrial districts are permitted one sign permitted within the district for each 25 feet of frontage, with a maximum of four (4) signs. (LDC, Table 6.10(K)(3)) – Due to the size of the parcels, the intended use of the parcels, the anticipated size of buildings, and the anticipated location of the buildings relative to the adjacent roadways, the signage allotted by the LDC will not be of appropriate size to adequately identify the businesses nor will it be of appropriate proportion to complement the anticipated buildings. The applicant is proposing a total sign area of twice the permitted square footage for each of the four (4) parcels.

Sincerely,



**Robert A. Merrell III**

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

RAM:RIP/ddl

cc: Consolidated-Tomoka Land Co.  
Van Trust Real Estate, LLC  
Parker Mynchenberg & Associates



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:** February 19, 2018  
**Client/Matter #:** Project Beta  
Panned Development-General Rezoning and Large Scale Comprehensive  
Plan Amendment  
DEV2017-148 & 149  
**Subject:** Neighborhood Meeting Summary – February 15, 2018

---

A neighborhood meeting was held in the conference room of the Holiday Inn Daytona Beach LPGA, at 137 AutoMall Circle, Daytona Beach, FL on February 15, 2018 at 6:30 p.m.

Rob Merrell, Parker Mynchenberg, Matthew West, and Debi LaCroix were in attendance to explain the rezoning request. Lori and Harry Thompson, nearby neighbors, were in attendance. They are supportive of the project, and were only concerned regarding recent flooding they have experienced on their property. See attached Sign-In Sheet.

We look forward to this item being scheduled for the March 22, 2018 Planning Board and the May 2 and May 16, 2018 City Commission meetings.

Thanks.

Deb.

PROJECT BETA  
PLANNED DEVELOPMENT-GENERAL  
REZONING  
AND  
LARGE SCALE COMPREHENSIVE PLAN AMENDMENT

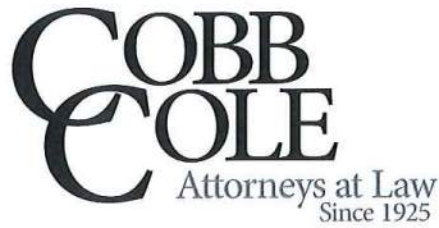
DEV2017-148 AND 149

NEIGHBORHOOD MEETING  
FEBRUARY 15, 2018 6:30 P.M.  
SIGN IN SHEET

<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE NUMBER</u>
MATTHEW WEST	LTG, INC.	386-257-2571
Debi Lacey Cobb Cole		386/323-9244
PARKER MUNCHBERG		677-6891
Rob Mervin Cobb Cole		386-323-9163
Lori + Harry Thompson		386-566-3914

William M. Cobb  
(1881-1939)  
Thomas T. Cobb  
(1916-2004)  
W. Warren Cole, Jr.  
(1926-2008)  
Rhoda Bess Goodson  
(1950-2017)

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

149 South Ridgewood Avenue, Suite 700  
Daytona Beach, Florida 32114  
(386) 255-8171  
CobbCole.com

Matthew S. Welch  
Michael J. Woods  
Michael O. Sznajstajler  
Pamela R. Masters  
Robert E. Doan  
Rachel I. Pringle  
Kelsie W. Willett  
Erica C. Johnson

OF COUNSEL  
Harold C. Hubka  
Larry D. Marsh  
Maja Sander Bowler  
William A. Parsons  
Peter R. J. Thompson\*

RETIRED  
Thomas S. Hart

\*Practice limited to federal  
immigration matters

February 5, 2018

**INVITATION TO NEIGHBORHOOD MEETING**

Dear Neighbor:

The law firm of Cobb Cole has the pleasure of representing Consolidated-Tomoka Land Co. and Indigo Development LLC, the owner of 47.03+/- acres of property located on the West and East sides of Mason Avenue, just North of Dunn Avenue, as shown on the attached map. The owner intends to amend the Future Land Use Map and rezone the property for industrial and office uses.

As future neighbors to the proposed future land use amendment and rezoning, we would like to invite you to discuss these items on **Thursday, February 15, 2018 at 6:30 p.m.** in the meeting room of the Holiday Inn Daytona Beach LPGA, located at 137 AutoMall Circle, Daytona Beach, FL 32124

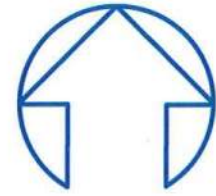
We look forward to seeing you at this meeting if you are interested in discussing this rezoning.

Sincerely,

**Robert A. Merrell III**

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

RAM:ddl  
Enclosures



AERIAL MAP

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
CERTIFICATE OF AUTHORIZATION NUMBER 00503919

EXHIBIT "D"

*Beta*

5210-00-00-0017  
Almic Daytona, LLC  
3655 Ohio Avenue  
St. Charles, IL 60174

5210-06-00-0010  
Daytona Beverages, LLC  
2275 Mason Avenue  
Daytona Beach, FL 32117

5215-18-00-0010  
Center Point Daytona, Ltd.  
P.O. Box 10193  
Daytona Beach, FL 32120-0193

5216-14-00-00-0020/0010  
Trader Joes East, Inc.  
800 S. Shamrock Avenue  
Monrovia, CA 90106

5215-00-00-0032  
Tiki Supreme, Inc.  
P.O. Box 55  
Valencia, PA 16059

5215-00-00-0068  
Clocktower Partners, LLC  
4590 Clyde Morris Blvd.  
Port Orange, FL 32129

5215-00-00-0090  
Carolina Club Associates, Ltd.  
2100 Hollywood Blvd.  
Hollywood, FL 33020

5215-00-00-0062/0077  
County of Volusia Road and Bridge Public Works  
123 W. Indiana Avenue  
DeLand, FL 32720

5215-00-00-0069/5215-00-00-006C/5215-00-00-006D  
County of Volusia  
123 W. Indiana Avenue  
DeLand, FL 32720

5215-00-00-0073  
Hope Lutheran Church of Daytona Beach FL, Inc.  
594 N. Williamson Blvd.  
Daytona Beach, FL 32114

5215-00-00-0131  
County of Volusia  
123 W. Indiana Avenue  
DeLand, FL 32720

5215-13-00-0010  
Indigo Dekalb TIC, LLC  
4706 18<sup>th</sup> Avenue  
Brooklyn, NY 11204

### NEIGHBORHOOD MEETING NOTICE

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON  
2/15/18 AT 6:30 PM TO INTRODUCE THE  
FOLLOWING APPLICATION FOR THIS PROPERTY:

PD-G Rezoning/LSCPA- DEV 2017-148 & 149

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

HOLIDAY INN-LPGA, 137 AUTUMN CIRCLE, D.B., FL

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 386/323-9263 FOR FURTHER INFORMATION.



## NEIGHBORHOOD MEETING NOTICE

A NEIGHBORHOOD MEETING HAS BEEN SCHEDULED ON  
2/15/18 AT 6:30 P.M. TO INTRODUCE THE  
FOLLOWING APPLICATION FOR THIS PROPERTY:

PD-G Rezoning/LSCPA - DEV 2017-148 + 149

THE MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

Holiday Inn-LPGA; 137 Antomall Circle; D.B., FL

INTERESTED PARTIES CAN CONTACT Cobb Cole

AT 386/323-9263 FOR FURTHER INFORMATION.