

Agenda Item 9 (Quasi-Judicial Hearing)
Rezoning to Planned Development-General
DEV2018-008
Framework PD

STAFF REPORT

DATE: May 7, 2018
TO: Planning Board Members
FROM: Hannah Ward, Planner

PROJECT REQUEST

A request by Robert A. Merrell III, Esquire, Cobb Cole, on behalf of Consolidated-Tomoka Land Co. (property owner) and Framework Group, LLC (contract purchaser) to rezone 50.35 +/- acres of land from Planned Development-General (PD-G) and Volusia County (VC) to Planned Development-General (PD-G) to allow for the development of a multifamily complex and associated site improvements, with the possibility of additional office, medical, and commercial uses.

PROJECT LOCATION

The subject property is located directly across from the Florida Hospital Memorial Medical Center, on the East side of Williamson Boulevard, South of Hand Avenue, and North of Strickland Range Road.



Aerial View of the Property

The current zoning on the property is split between Planned Development-General (PD-G) and Volusia County (VC) zoning. The current Future Land Use (FLU) designation on the property is split between Office Transition & Retail. The surrounding zoning and land use classifications are illustrated in the table below and the accompanying map series.

Table 1: Land Use and Zoning

	Existing Uses	Future Land Use Designation	Existing Zoning Classification
Site	Vacant Undeveloped	Office Transition & Retail	Planned Development-General (PD-G) & Volusia County (VC)
North	Vacant Undeveloped	Retail	Volusia County (VC)
South	David C. Hinson Middle School	Level 1 Residential	Volusia County (VC) & Single-Family Residential-5 (SFR-5)
East	Aberdeen at Ormond Beach (Manufactured Home Community)	City of Ormond Beach	City of Ormond Beach
West	Florida Hospital Memorial Medical Center	Mixed Use	Planned Development-General (PD-G)

PROJECT DESCRIPTION

The property subject to the Planned Development (PD) rezoning request is currently vacant and undeveloped. A portion of the property is currently within a Planned Development-General (PD-G) zoning district, as shown in the attached map series. The development rights associated with the Williamson North Professional Center Planned Commercial District (PCD) Agreement that applies to this portion of the property have expired. The applicant is now proposing to rezone the entire property shown above and in the attached map series to a Planned Development (PD) to allow for the development of a multifamily complex with approximately 260 apartments and associated site improvements, with the possibility of additional office, medical, and commercial uses.

The applicant has submitted a site plan application for the development of the multifamily complex; it is currently under review by City Staff. The site plan cannot be approved until the rezoning is approved by the City Commission.

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

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 the following:

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 Future Land Use (FLU) designation on the subject property is split between Office Transition, which is intended to primarily support offices, public schools, and multifamily uses, and Retail, which is intended to primarily support retail establishments. Based on this information, the proposed multifamily complex and potential medical, office, and commercial uses are compatible with the current Office Transition and Retail FLU designations on the property.

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

The development standards for a PD District must comply with Article 6: Development Standards and Article 7: Subdivision Standards in the Land Development Code (LDC) or any modifications of those standards established in the PD Plan (*Attachment A*) and the PD Agreement. The applicant has requested two modifications to these standards, as detailed below, in order to accommodate the proposed multifamily development. If the requested modifications are granted, approval of the proposed PD agreement will not be in conflict with the LDC.

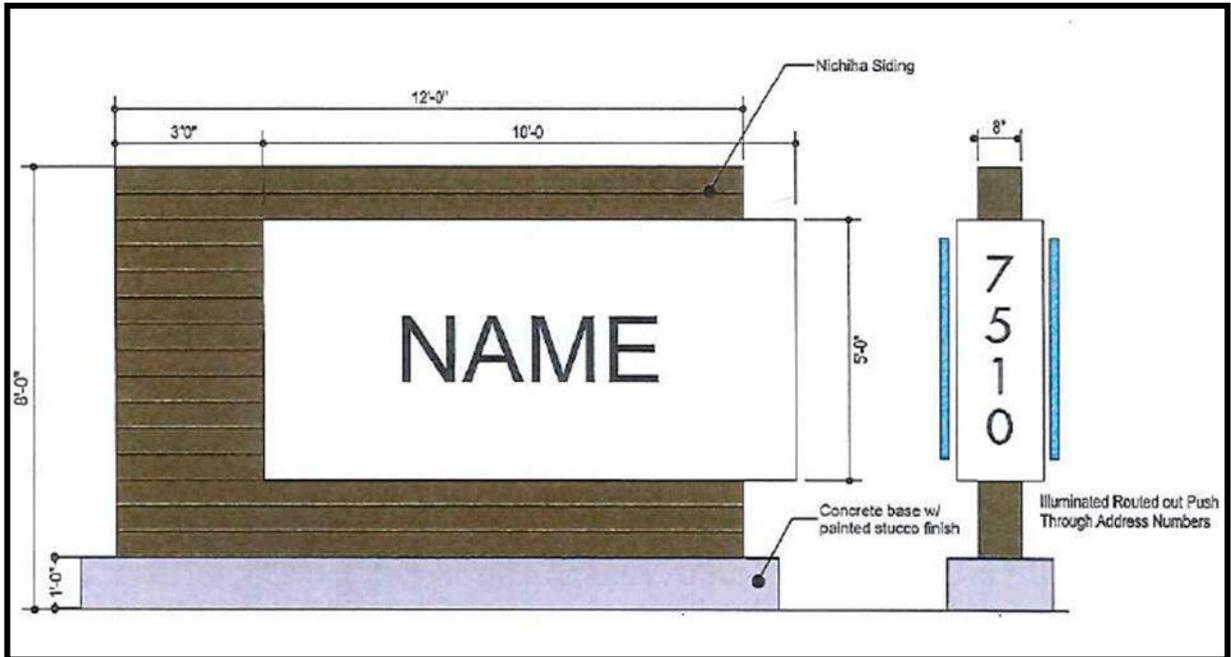
Parking

The applicant has proposed to reduce the required number of parking spaces from two spaces/dwelling unit to 1.75 spaces/dwelling unit in accordance with Section 6.2.C.3 of the Land Development Code (LDC), which allows an applicant to establish the minimum off-street parking space requirement based on a parking demand study or other acceptable source of

parking demand data that includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location.

Signage

The applicant has proposed to increase the maximum sign area for subdivision and multifamily complex signs, as provided in Section 6.10.J.11 of the Land Development Code (LDC) from a combined sign area of 32 square feet to a combined sign area of 79 square feet, as shown in the provided sign exhibit (*Attachment C*) and below.



Rendering of Proposed Monument Sign

Note: no modifications have been requested to the exterior color and design standards for properties located along a Major City Thoroughfare, as shown in the provided architectural elevations (*Attachment B*) or the required landscaping for properties located within the City’s Scenic Thoroughfare Overlay (STO) District.

iii. Addresses a demonstrated community need;

The applicant has provided a Modification/Benefit letter (*Attachment D*) that details the proposed public benefits to the project and addresses the standard for a demonstrated community need. The modification/benefit letter also explains the requested modification to the parking requirements in the LDC, as identified above, in exchange for the public benefits enumerated in the letter.

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

The proposed use on the property is compatible with the existing and proposed uses on surrounding lands.

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;

There is no indication that the proposed development will adversely affect 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 that approval of the rezoning does not constitute a Concurrency Certificate as required by the LDC. The applicant will be required to separately obtain a Concurrency Certificate and/or, where applicable, enter into a proportionate fair share agreement, prior to approval of a site plan for the proposed development.

A Traffic Impact Analysis (TIA) has been submitted to the City for review. Any proposed infrastructure improvements are required to be identified and agreed upon by the City prior to site plan approval. The Ultimate buildout conditions analyzed in the TIA submitted to date underestimate the potential impacts at the site access intersection for phase 1. The phase 2 does not represent the highest and best use of the available permitted land uses based on the PD agreement, including:

- Medical or dental clinic/office
- Medical or dental lab
- Nursing home facility
- Business services offices
- Professional services offices
- Other office facility

Staff has reviewed the requested development for impacts to public facilities as part of the rezoning and offers no objection to the proposed use and its associated development plan, with the following condition:

- If sizing the site driveway for ultimate buildout conditions, the length of the turn lanes should consider the potential uses that can be built in Phase 2. The City and County reserves the right to request future improvements at the site beyond what is shown on the Planned 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 have any indication that the proposed development will have an adverse impact on the natural environment.

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.

Currently, the zoning on the property is split between Planned Development-General (PD-G) and Volusia County (VC) zoning. The applicant proposes to revoke the existing Planned Development and rezone the entire property to the Framework Planned Development (PD).

Planned Development Zoning Districts Review Standards

Before approving a Planned Development (PD) zoning district classification, the City Commission shall find that the application for the PD zoning district, as well as the PD Plan/Agreement included as part of the application, shall comply with the following standards.

1. PD Plan/Agreement

The PD Plan/Agreement includes a development plan for the subject site (*Attachment A*). This includes identification of potential vehicle access points, development area, parking areas, common areas, site improvements and landscaping. The applicant has requested modifications to the LDC in conjunction with the proposed development plan for the property, as detailed earlier in this report and in the modification/benefit letter (*Attachment D*).

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.

3. Compatibility with Surrounding Areas

The proposed development plan meets the 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 (*see Attachment E*).

4. Development Phasing Plan

The applicant has proposed a completion schedule for the development in Section 11 of the PD Agreement, as follows:

B. Application shall be submitted for all construction permits for the development, or for the first phase of a phased development, within 3 years of the effective date of this Agreement. The filing on 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 7 years from the effective date of this Agreement.

C. Construction of phase one shall be substantially complete within 10 years of the effective date of this Agreement. Construction of any other phase must be substantially complete within 15 years of the initial effective date 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. The 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, and reclaim water infrastructure must be constructed to current City

standards and consistent with this agreement. Offsite extension of water, sewer, and reuse shall be provided as required. Offsite utility infrastructure to support the project will be determined during the Site Plan.

7. Uses

The PD agreement has proposed the following permitted uses on the subject property. All of the proposed uses are required to comply with the corresponding use-specific standards in Article 5: Use Standards of the LDC.

- *Duplex*
- *Duplex subdivision*
- *Multifamily complex*
- *Single-family detached dwelling*
- *Townhouse subdivision*
- *Assisted living facility*
- *Medical or dental clinic/office*
- *Medical or dental lab*
- *Nursing home facility*
- *Business services offices*
- *Professional services offices*
- *Other office facility*
- *Restaurant without drive-in or drive-through service¹*
- *Specialty eating or drinking establishment²*
- *Personal services establishment*

¹*This use shall be limited to no more than 40,000 square feet.*

²*This use shall be limited to no more than 40,000 square feet.*

8. Densities/Intensities

The applicant has proposed a maximum density of 20 dwelling units/acre and a maximum floor area ratio (FAR) of 2.25, consistent with the limits of the current Office Transition and Retail Future Land Use (FLU) designations on the property, both of which provide for a maximum density of 40 dwelling units/acre and a maximum floor area ratio (FAR) of 3.

9. Dimensional Standards

The following lot development criteria has been proposed in Section 3.D of the PD agreement, consistent with the requirements of the zoning districts in the LDC that allow gas stations:

- 1) *Maximum building height: 45 feet*
- 2) *Maximum individual building size: 100,000 SF*
- 3) *Minimum building setbacks: north 10 ft.; south 0 ft.; west 50 ft.; east 10 ft.*
- 4) *Maximum building coverage: 35%*
- 5) *Minimum open space: 20%*
- 6) *Maximum impervious surface area: 80%*
- 7) *Maximum density: 20 dwelling units/acre (du/ac)*
- 8) *Maximum floor area ratio (FAR): 2.25*
- 9) *Slopes within any dry retention pond(s) shall be 4:1 without a fence;*
- 10) *Dry retention pond(s) shall count towards open space requirements;*

11) Landscape requirements shall meet the 50 foot scenic setback criteria for Williamson Boulevard

10. Development Standards

All development in a PD district shall comply with the development standards in 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. The applicant has requested modifications to the requirements in the Land Development Code (LDC), as summarized below.

Parking

The applicant has requested to reduce the required number of parking spaces for household living uses from two spaces/dwelling unit to 1.75 spaces/dwelling unit in accordance with Section 6.2.C.3 of the Land Development Code (LDC), which allows an applicant to establish the minimum off-street parking space requirement based on a parking demand study or other acceptable source of parking demand data that includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location.

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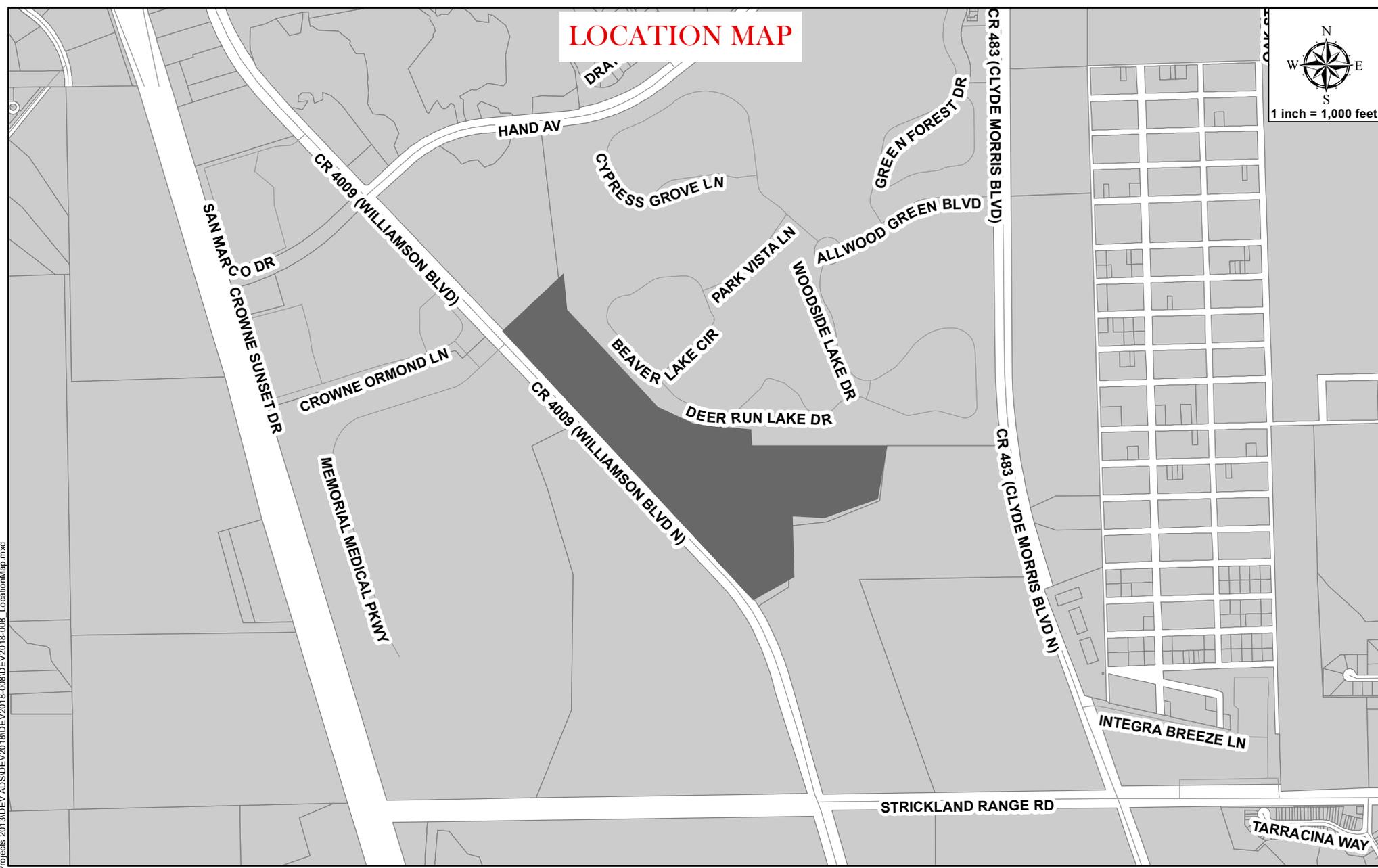
RECOMMENDATION

Provided all requested LDC modifications are approved, Staff recommends approval of the Framework Planned Development (PD) to rezone 50.35 +/- acres of property from Planned Development-General (PD-G) and Volusia County (VC) to Planned Development-General (PD-G) to allow for the development of a multifamily complex with associated site improvements, with the possibility of additional medical, office, and commercial uses.

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

The item is tentatively scheduled to be heard by the City Commission for first reading on July 11, 2018, and for second reading on August 1, 2018 (public hearing).

LOCATION MAP



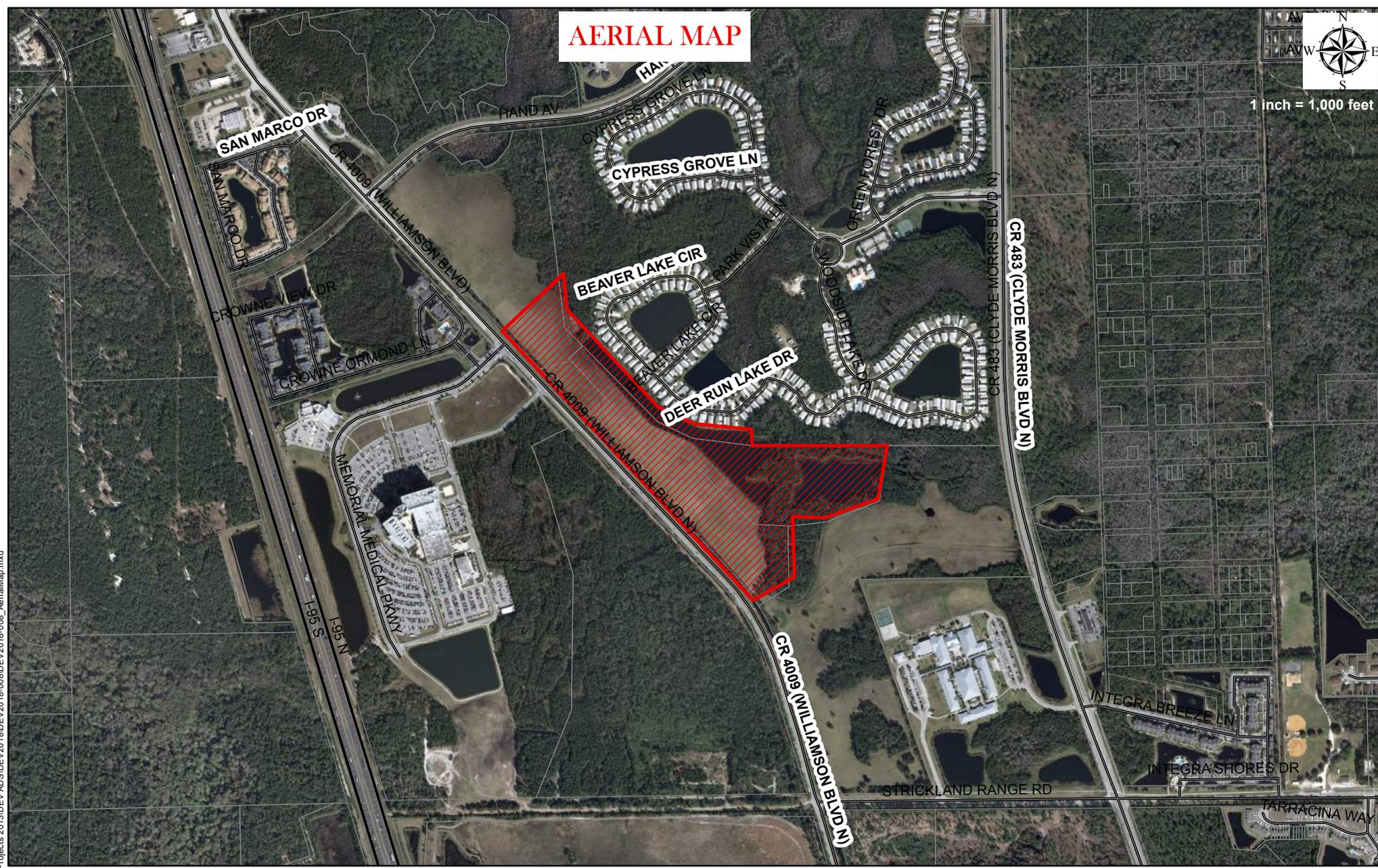
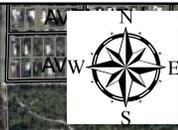
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DEV2018-008 - FRAMEWORK PD REZONING TO PLANNED DEVELOPMENT-GENERAL (PD-G) LOCATION MAP

The 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.

AERIAL MAP



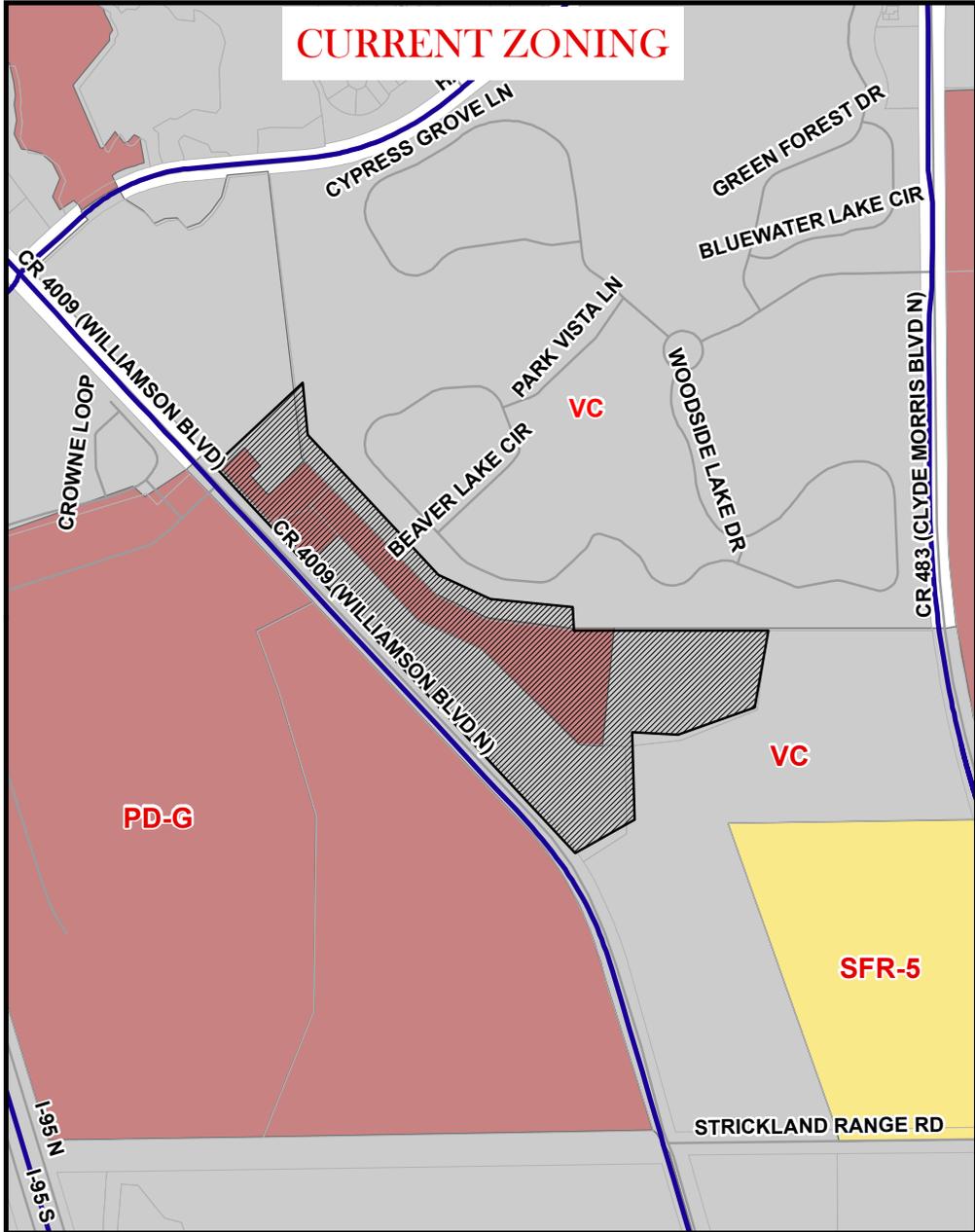
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DEV2018-008 - FRAMEWORK PD PLANNED DEVELOPMENT-GENERAL (PD-G) REZONING AERIAL MAP

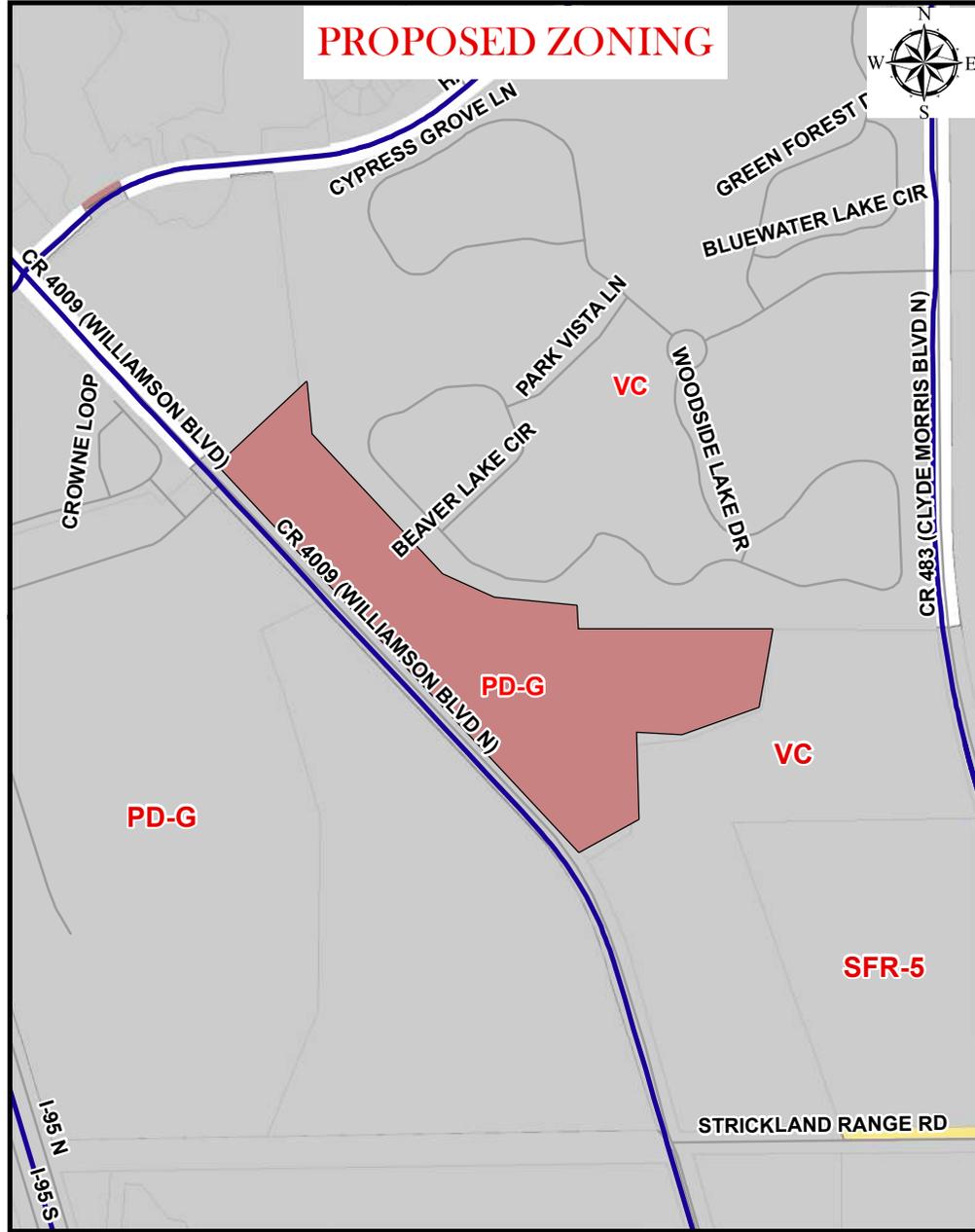
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CURRENT ZONING



1 inch = 1,000 feet

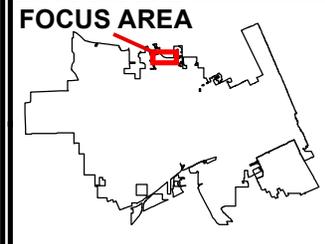
PROPOSED ZONING



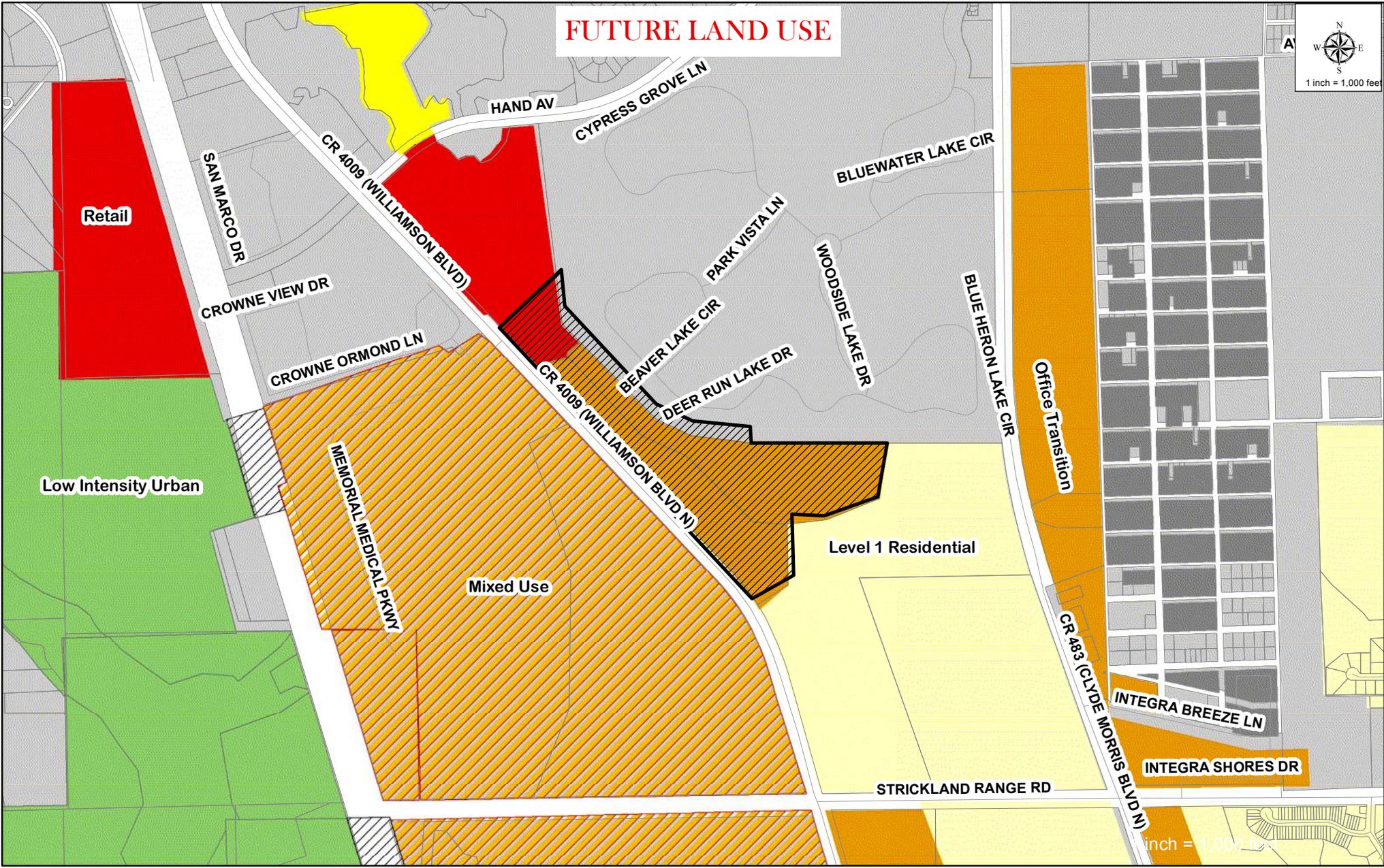
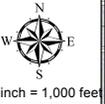
1 inch = 1,000 feet



DEV2018-008 - FRAMEWORK PD PLANNED DEVELOPMENT-GENERAL (PD-G) REZONING CURRENT AND PROPOSED ZONING MAP



FUTURE LAND USE

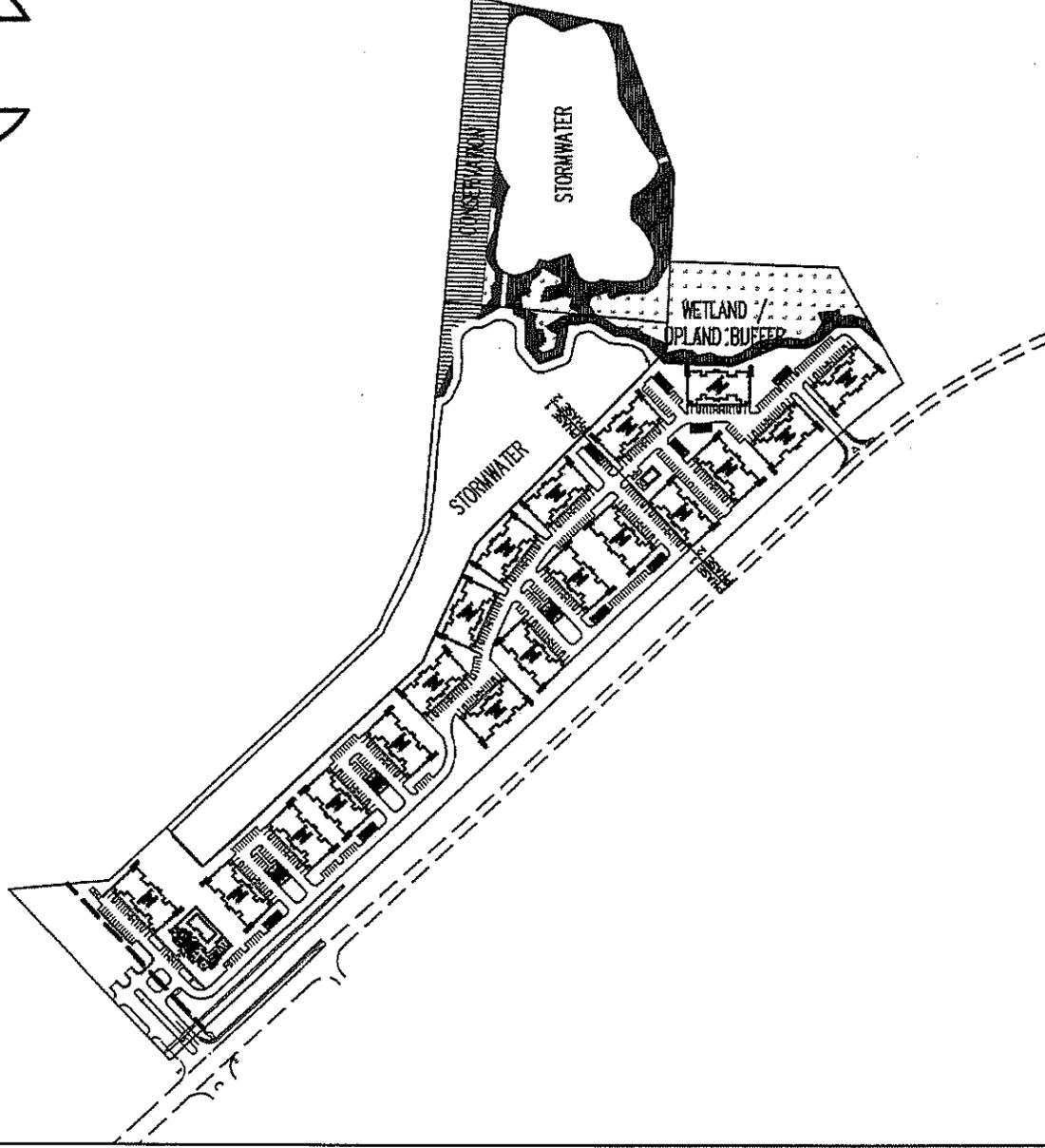
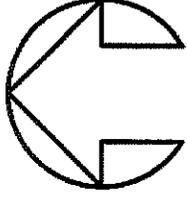


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DEV2018-008 - FRAMEWORK PD PLANNED DEVELOPMENT-GENERAL (PD-G) REZONING FUTURE LAND USE (FLU) MAP

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PD PLAN

DAYTONA SHADE TREE APARTMENTS

**PARKER MYNCHENBERG
& ASSOCIATES, INC.**

PROFESSIONAL ENGINEERS * LANDSCAPE ARCHITECTS
1728 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
(386) 877-4861 FAX (386) 877-2114 E-MAIL: info@parkermychenberg.com
CERTIFICATE OF AUTHORIZATION NUMBER 00000610

EXHIBIT 'B'



CONCEPTUAL APARTMENT BUILDING ELEVATION



charbon + brock + associates

DAYTONA APARTMENTS





12801 Commodity Place
Tampa, Florida 33626
Phone: 800-804-4809
Fax: 813-745-2311
www.creativesigndesigns.com

PROJECT: Solstice Apartments

SITE ADDRESS
7510 Lake Street
Orlando, FL 32809

CRM / Quote:
17847-74584

Account Manager:
Project Manager / Project Leader
Dawn McGovern
Designer:
Date: 6/20/17
BY: JYM

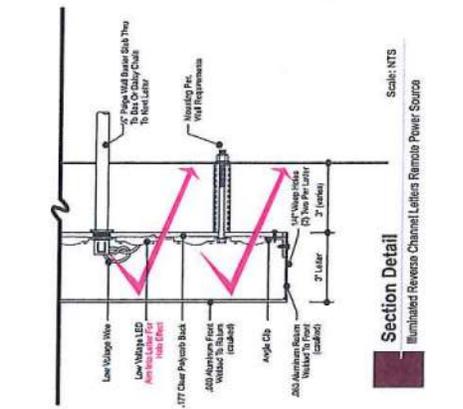
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01	7/13/17		Revised per Client Reviews - 05
02	10/3/17		Expanded back for all sign items - JK
03	10/3/17		Provided five color options for inside sign - BK
04	10/3/17		Provided five color options for sign frame - BK
05	10/3/17		Updated V&A and back sign options - BK
06	10/3/17		Changed general - BK

Approval:
 Approved
 Approved as noted
 Revise and resubmit
 Approved:
 Date:

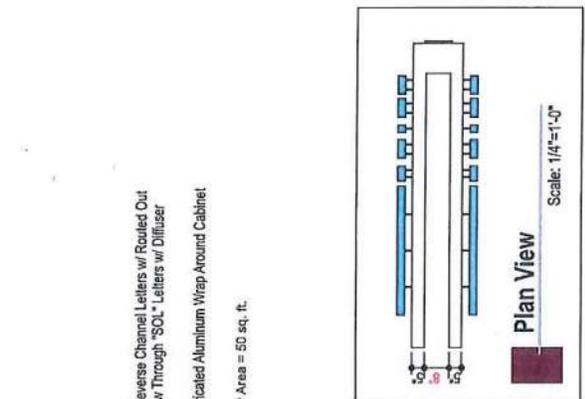
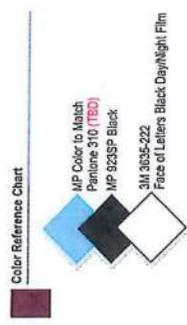
This drawing and all representations
Creative Sign Designs and may
be changed or used in any way
without written consent.

Sheet: **5** OF **56**

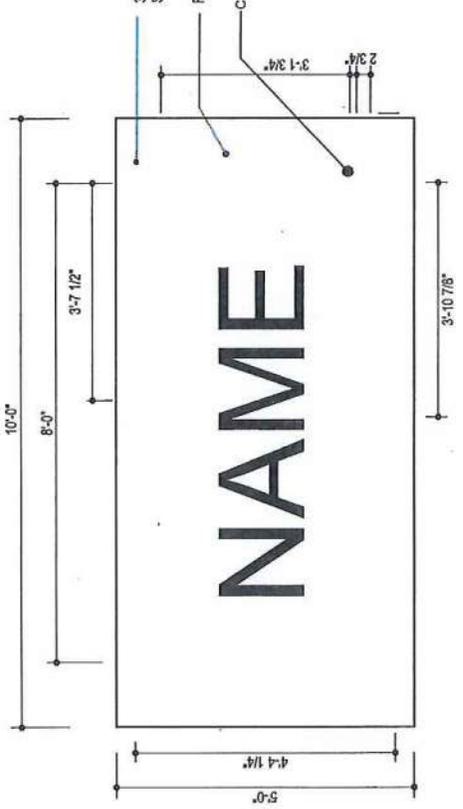
File Name:
17847 - 74584 - 51-2-17
JOINED IN PROJECTS\Solstice Apartments - Framework - 17847\14584 - Master



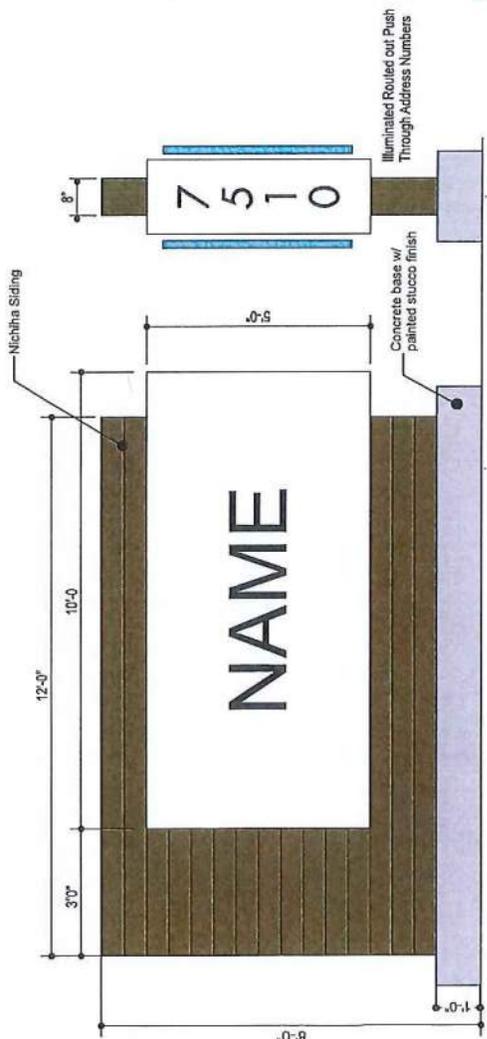
Section Detail
Illuminated Reverse Channel Letters Remote Power Source
Scale: NTS



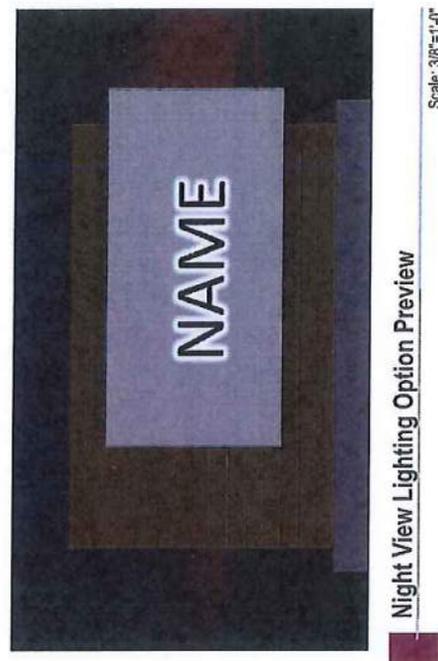
Plan View
Scale: 1/4\"=1'-0"



B Double Sided Primary Identity Ground Sign Scale: 1/2\"=1'-0"



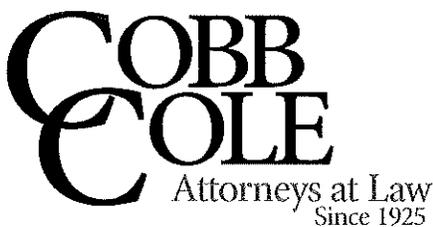
Proposed on Larger Monument Sign Scale: 3/8\"=1'-0"



Night View Lighting Option Preview
Scale: 3/8\"=1'-0"

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



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Kelsie W. Willett
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OF COUNSEL
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Larry D. Marsh
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William A. Parsons
Peter R. J. Thompson*

RETIRED
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*Practice limited to federal
immigration matters

March 29, 2018

VIA HAND DELIVERY

Mr. Dennis Mrozek
Planning Manager
City of Daytona Beach
301 S. Ridgewood Avenue, Room 240
Daytona Beach, FL 32114

Re: Framework Shade Tree Apartments - Rezoning/Planned Development -
DEV2018-008

Dear Dennis:

On behalf of our client, Framework Group, LLC (the "Applicant" and "Contract Purchaser") we have respectfully requested a rezoning to Planned Development (PD) for the property generally located on North Williamson Boulevard which is the subject of DEV2018-008 (the "Property"). The Property is currently undeveloped. The rezoning will allow multifamily residential development with the possibility of office, medical and commercial uses, as well as other substantial site improvements as detailed 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 balance for the needed waivers.

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

Public Benefit

The proposed development of this Property into residential and commercial or office uses will be of great public benefit to the City of Daytona Beach and to Volusia County. Residential redevelopment of the Property will expand the variety of housing choices for residents in the

Mr. Dennis Mrozek
March 29, 2018
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City, one of the City's goals. The proposed retail redevelopment will provide new jobs, will generate additional City and County tax revenues, and will make use of a currently underused property. It will increase the standard of living of the City's residents and will provide amenities that will improve their daily lives.

Additionally, the proposed development is consistent with existing development on the surrounding properties. The design of the project will be one that enhances Williamson Boulevard with lush landscaping and quality garden style apartments that embrace the character of Daytona Beach.

Waivers

Parking: Multifamily developments are required to provide two (2) parking spaces per dwelling unit. (LDC, Table 6.2.C.1.) – The Applicant has provided the parking study attached hereto and proposes that the number of required parking spaces for the multifamily use be reduced to 1.75 spaces per dwelling unit. Due to the nature of the proposed development and the experience of the Applicant with other projects across the state, the proposed parking will be more than sufficient to support the anticipated number of residents and guests. Support for this assertion is provided in the study attached hereto which identifies the number of parking spaces relative to the number of units in the specific development. Each development identified functions appropriately, and the Applicant has had no related issues, with the amount of parking identified.

Sincerely,



Robert A. Merrell III

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

RAM:RIP/ddl

Enclosures

cc: Framework Group, LLC
Consolidated-Tomoka Land Co.
Parker Mynchenberg & Associates, Inc.