



# The CITY OF DAYTONA BEACH

— "THE WORLD'S MOST FAMOUS BEACH" —

## MEMORANDUM

DATE: December 12, 2018  
TO: James V. Chisholm, City Manager  
FROM: Reed Berger, Redevelopment Director  
SUBJECT: Avista - Rezoning, Planned Development-Redevelopment (DEV2018-064)

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A request by Glenn D. Storch, P.A. on behalf of Avista Properties VII, LLC, to rezone 2.176± acres of land located at 41 S. Ocean Avenue from Beachside Redevelopment-Hotel/Mixed Use (RDB-1) to Planned Development-Redevelopment (PD-RD) to allow the construction of a hotel with associated site improvements.

Subsequent to the Planning Board meeting on October 25, 2018, the applicant submitted a revised Waivers and Benefits letter (Attachment A).

### **Proposed Waivers:**

1. *Waiver from Article 6, Section 6.4, requirements for perimeter landscape strips*
2. *Waiver from Article 5.4.C.5, requirements for temporary construction-related structures and facilities to be placed on a property adjacent to the construction site*

At the October 10, 2018 Beachside Redevelopment Board meeting, the Board recommended approval 7-to-0. At the October 25, 2018 Planning Board meeting, the Board recommended approval 6-to-0. Staff supports the Board's recommendation to the City Commission.

The first reading will be heard before the City Commission on January 9, 2019 and the Public Hearing for adoption is tentatively scheduled for January 23, 2019.



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December 6, 2018

*Via Hand Delivery*

Mr. Dennis Mrozek  
Principal Planner  
City of Daytona Beach  
301 South Ridgewood Avenue, Room 240  
Daytona Beach, Florida 32114

**Re:    *Waivers and Benefits for the Avista Planned Development - Redevelopment***

Dear Dennis:

I am writing to set forth the waivers we are requesting from the City's Land Development Code (LDC) for the Avista Planned Development and also to detail benefits that the new development will bring to the property and the community. Pursuant to conversations with and a request from City staff, this letter also clarifies previous letters submitted to the City requesting LDC waivers, as well as Planning Board recommendations of approval for the below waivers.

**Waivers**

**1.     Waiver from Article 6, Section 6.4, LDC, requiring perimeter landscape strips.**

My client is requesting a waiver from Section 6.4 regarding perimeter landscape strips. The Avista PD-RD is a redevelopment project on a smaller beach side property. The hotel project will feature a series of planter boxes for shade trees and other landscaping, as shown on the PD Plan. Areas around the hotel building that would normally have dedicated landscape strips are better utilized for pedestrian access to the property and boardwalk, as well as interconnectivity to surrounding parcels and the City sidewalk system. The developer is still proposing to plant trees and other larger landscape plants in planters spread throughout these areas. The east and south sides of the property will be the most heavily landscaped, with over 19 planters for palm trees, shrubs and ground cover plantings on the east and 8 tree planters with palm trees and a continuous low hedge or groundcover on the south side of the property. The west side will have 5 tree planters, where numerous vehicular access driveways make more landscape planting difficult. The north side of the hotel does not have sufficient space for landscape plantings. Another possibility to mitigate the absence of landscape strips on the north side would be for the developer to pay for enhanced landscaping on the Breakers Park property that would be adjacent to the property line and act as a landscape buffer between the park and the PD property.

At the Planning Board hearing for the Avista PD, the Board considered and recommended approval of a general waiver for landscape buffers on the PD property as described in a prior Waivers and Benefits Letter. Based on conversations with City staff, the Planning Board recommendation of approval for said landscape buffer waiver applies to the above-described waiver request for perimeter landscape strips.



2. **Waiver from LDC Article 5, Section 5.4.C.5 requiring temporary construction-related structures and facilities to be placed on a property adjacent to the construction site.**

My client is requesting a waiver from Section 5.4.C.5 regarding temporary off-site construction-related facilities. Due to the constraints of the hotel site, there is insufficient room for all of the construction workers to park on the property. In addition, it may not be possible for all of the construction parking to be on a property directly adjacent to the hotel site, as required by Section 5.4.C.5. Temporary construction parking on an off-site property will have the beneficial effect of preventing the busy area surrounding the hotel construction site from being congested, as workers would be shuttled in groups between those locations.

At the Planning Board hearing for the Avista PD, I specifically discussed the need for a waiver for temporary construction-related structures to permit off-site construction parking, which therefore is incorporated into the Board's recommendation of approval for the Avista PD.

### **Benefits**

Currently, the PD property consists of an unsightly, undeveloped parcel and a shell parking lot that are badly in need of redevelopment. The Avista PD will redevelop this section of the beach with first-class accommodations in an area of the City that needs more hotel rooms and the economic development those rooms will bring. Such was the reason why the City selected this project during the RFP for the property. The PD incorporates a mix of uses that supports retail and restaurants in addition to hotel accommodations. The PD fits into and improves the surrounding sidewalk system to promote safe pedestrian movement in the area and enhances beach access for citizens via direct access to the boardwalk, which in turn increases economic impacts by making it easy to utilize the mix of uses that the PD features. The tree plantings surrounding the development will help blend the building into the surrounding landscape and give the PD a quality appearance. The result is an attractive, successful hotel with multiple other uses that should help realize the goal of creating additional redevelopment projects in the redevelopment district.

Considering all of the enhancements and benefits that the Avista PD will bring to an important part of the City, the requested waivers from the City's Land Development Code are justified and will help make the PD an even better project.

Kindest regards,



Glenn D. Storch

GDS/cdb