



**PLANNING AND ZONING BOARD**  
**Council Chambers**  
**3048 S. Atlantic Avenue**  
**Daytona Beach Shores, Florida**  
**Monday, January 11, 2016**  
**8:30 a.m.**  
**AGENDA**

**CALL TO ORDER**

**AUDIENCE REMARKS:**

Time for citizens and members of the audience to be heard with regard to items not on the agenda. The audience will be given the opportunity to speak regarding agenda topics prior to each vote before the Planning and Zoning Board.

**APPROVAL OF MINUTES:** Minutes of Planning and Zoning Board Meeting of  
December 14, 2015

**PUBLIC HEARING:**

Site Plan Approval RSP12015031  
Aruba Condominium 3717 / 3721 S. Atlantic

**ACTION/DISCUSSION:**

**REMARKS OF STAFF**

**REMARKS OF BOARD MEMBERS**

**ADJOURNMENT**

**NOTICES:** Notice is hereby given to all interested parties that if any person should decide to appeal any decision made at the aforementioned meeting of the P&Z Board, such person will need a recording of the proceedings conducted at such meeting, and for such purpose he or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the City Clerk, City of Daytona Beach Shores, at least five working days prior to the meeting.

**MINUTES**  
**PLANNING AND ZONING BOARD**  
3048 S. Atlantic Avenue Daytona Beach Shores, Florida  
**December 14, 2015**

**Present:** Don Weidemiller, Harold Needham, Jim Lilly, Marianne Bachstein, Pat Carpenter, and Rose Ann Tornatore. Staff present: Stewart Cruz , City Planner and Fred Hiatt, Director of Community Services.

**AUDIENCE REMARKS:** None.

**APPROVAL OF MINUTES:** Minutes of Planning and Zoning Board Meeting of  
August 10, 2015

**Ms. Carpenter moved, seconded by Mr. Needham to approve the minutes of August 10, 2015. The motion passed unanimously by a voice vote.**

**PUBLIC HEARING:**

- 1) Comprehensive Plan Amendment CPA 12015040  
Atlantic Avenue Estates 3800 block of S. Atlantic Avenue

City Planner Stewart Cruz read from his staff report. He stated that due public notice had been given. He explained that a future meeting had the wrong time noted, but that is being addressed and corrected. The property is .7 acre and located on the west side of the street. It was recently annexed voluntarily from Volusia County. Florida Statutes, Chapter 171 states that the property must receive a city designation for the future land use map and rezoning. The applicant intends to build four duplexes and has applied for a designation of RMF-3, Multi-family Residential. Single family homes are to the south and west of the property. The Blue Surf condominium is across street and to the north are other duplexes. Staff felt it fits in the character of the neighborhood. There is no objection from staff and approval is recommended. Audience member Louise Spence spoke. She owns the property to the south and was concerned with the development. She asked that any development keep in with the style of the neighborhood which she believes is single family residential. Mr. Warner from ReMax spoke for the developer. He felt it would enhance the value of the area with Key West style duplexes. He explained the developer had successfully built duplexes in other areas.

**Mr. Needham moved, seconded by Ms. Bachstein to recommend approval of CPA 12015040 to the City Council. The motion passed unanimously by a roll call vote.**

- 2) Rezoning Application RZ12015041  
Atlantic Avenue Estates 3800 block of S. Atlantic Avenue

City Planner Stewart Cruz explained that the statutes for rezoning are almost identical to the comp plan amendment. The applicant has asked for rezoning from urban low intensity to multi-family residential. This is an allowed use for the area. It would allow the applicant to double the intensity and is compatible with property to the north. Due public notice has been met and staff recommended approval to the City Council. The Board Attorney reminded the

members that this is only approving the zoning. A site plan and other would come later.

**Mr. Needham moved, seconded by Ms. Carpenter to recommend approval of RZ12015041 to the City Council. The motion passed unanimously by a roll call vote.**

3) Special Exception Application SPEX12015043  
Acapulco Inn Overflow Parking

City Planner Stewart Cruz read from his staff report. The due public notice has been met. The request from the applicant is a special exception for overflow parking. There is a new owner for the Acapulco Inn. The additional parking is not required, but the owner would like it available. The property is .5 acre and is in walking distance to the hotel. Many hotels have the need for overflow parking. The property is currently a vacant lot. Mr. Cruz showed the conceptual plan to the board. All requirements for the lot have been met including landscaping. With parking not a permitted use in this area, it is an entitlement process. Mr. Needham was concerned as this was the third or fourth project for additional parking for hotels. Mr. Cruz responded that the standards have changed since these hotels were built. This lot will be used mainly for special events and heavy times.

Attorney Jim Morris spoke for the applicant. He explained that his client purchased the hotel and is currently remodeling it. They have the required parking spaces per the city's code. He also noted that in other areas of the city it's an allowed use. There are 31 parking spaces planned for the paved lot and the property is already fenced in. There will be no interference with neighboring property. The entrance will only be on S. Atlantic Avenue. Mr. Lilly asked for a timeframe and wants to make sure the parking lot wouldn't be leased out like the Drive-In Church. Attorney Morris felt that within the next 12 months it would be useable. The construction workers will use it while they remodel. He also noted it would be valets parking the cars there, not hotel guests.

There were no comments from the public either for or against the project.

**Mr. Needham moved, seconded by Ms. Bachstein to recommend approval of SPEX12015043 to the City Council. The motion passed unanimously by a roll call vote.**

**ACTION/DISCUSSION:** None.

**REMARKS OF STAFF:** None.

**REMARKS OF BOARD MEMBERS:** None.

**ADJOURNMENT:** The meeting ended at 9:06 am.

ATTEST:

CITY OF DAYTONA BEACH SHORES

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Cheri Schwab, City Clerk

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Rose Ann Tornatore, Chairman



**STAFF REPORT FOR THE  
PLANNING AND ZONING BOARD  
JANUARY 11, 2016**

<b>APPLICATION NO:</b>	RSP12015031
<b>PROJECT NAME:</b>	Aruba Condominium
<b>PROJECT LOCATION:</b>	3717 / 3721 South Atlantic Avenue
<b>PARCEL ID:</b>	6302-05-05-0080 / 6302-05-05-0110
<b>APPLICANT/OWNER:</b>	Greenpointe Communities, LLC / Pierre Joncas / Walter and Margaret Pupa
<b>PROJECT COORDINATOR:</b>	Jim Mack
<b>STAFF CONTACT:</b>	Stewart Cruz, City Planner
<b>REQUEST:</b>	<i>To recommend approval of site plan application, RSP12015031, which would allow the construction of an 84-unit Multifamily Residential Structure.</i>

**A. EXISTING ZONING AND LAND USE**

**Table 1** below provides a narrative description of the zoning district designation and current land use (i.e., existing development) for the subject and abutting properties.

**Table 1:** Zoning and Land Use Area Description

Location	Zoning	Current Land Use
Subject Property	T-RMF-1*	Royal Holiday Beach Motel / Rental Cottages
North	T-RMF-1	Beach Quarters Resort
South	T-RMF-1	Beach Club Condo Hotel COA
East	N/A	Atlantic Ocean
West	RMF-2**	A1A Daytona Beach Condos / Atlantic Shores Motel

**Notes:** \*T-RMF-1 = *Hotel/Motel-Residential Multifamily (High Density) District*; \*\* RMF-2 = *“Multifamily Residential (Medium Density)” District*.

As seen in **Table 1** above, the subject property has a zoning designation of T-RMF-1 District. Pursuant to Sec. 14-18 of the Daytona Beach Shores Land Development Code (LDC), multifamily residential uses are a permitted in the RMF-1 District. Further, the proposed multifamily residential zoning and land use are consistent with adjacent properties.

**B. COMPREHENSIVE PLAN UPDATE 2020**

According to the City’s Adopted Comprehensive Plan (2020) Future Land Use Map, the future land use (FLU) classification of the subject property is *High Intensity*. Comprehensive Plan **Policy 1-1.1.2(1)e**, **Policy 1-1.1.2(2)** and **Policy 1-1.4.3** regarding the *High Intensity* FLU

permits multifamily residential uses with a density between 35.1 and 60 units per gross acre. In addition, **Objective 1-1.4** of the plan states that land uses that are inconsistent with the character and overall Future Land Use Plan of the City shall be discouraged and shall take the form of not allowing any objectionable uses (industrial, warehousing, etc.). Considering the aforementioned and considering the proposed development would have a multifamily residential density of 58 units per acre, the proposed site plan is consistent with the City's Adopted Comprehensive Plan (2020) and existing FLU classification.

### **C. REVIEW AND COMMENTS**

#### **PLANNING** – Stewart Cruz, City Planner

The development site is located at 3717 and 3721 S. Atlantic Avenue (**Exhibit A**). The site has a combined area of 1.453 acres and a street frontage of 225 feet. The site currently houses the Royal Holiday Beach Motel and rental cottages on 3717 and 3721 S. Atlantic Avenue, respectively. The former was constructed in 1976 while the latter in 1951. Together there are a total of 37 rental units on site.

The proposed Aruba Condominium site plan proposes the construction of a 12-story (109.7 feet) high multifamily residential structure on the development site in question. The structure would contain an underground parking garage, a lobby area, two courtyards, meeting room and other interior amenities (first floor) and 84 residential units (floors one through twelve). Exterior amenities include a pool, spa and landscaping. The gross floor area of the structure is 163,716 square feet.

The development plan shows vehicular access via two (2) driveway connections to S. Atlantic Avenue on the north side of the site. One driveway leads to an underground parking garage while the other provides access to surface parking and the main entryway to the building. The project also proposes handicap accessible pedestrian access from S. Atlantic Avenue to the site and the beach. One hundred and twenty-six (126) parking spaces are required and provided with 88 underground and 38 aboveground. According to the traffic analysis provided, peak hour vehicular trips generated should not exceed 54. These trips will not adversely impact the S. Atlantic Avenue transportation corridor, which is currently operating at an acceptable level of service. The landscape plan meets and in most cases exceeds the City's landscape design requirements. Pursuant to the recently adopted Ordinance 2015-05, the developer has opted to utilize the alternative landscaping Option 2 in lieu of providing landscaping on the garage deck. As such the proposed landscaping far exceeds the normal landscaping requirements of the City.

The architectural style of the building is contemporary in nature with a Key West focal point at the entry way. The proposed building colors have not been selected as yet but will reflect those found in (**Exhibit A2**) while conforming to the City's Mandatory Exterior Color Standards.

#### **COMMUNITY SERVICES** – Fred Hiatt, Director / Building Official

The Director has reviewed the site plan his comments have been addressed.

#### **PUBLIC WORKS** – Brian Edwards, Deputy Director / Facilities Superintendent

The Facilities Superintendent has reviewed the site plan, including the landscaping and irrigation plan, and his comments have been addressed.

PUBLIC SAFETY – Terry Griffiths, Commander / Fire Marshal

The Commander/Fire Marshal has reviewed the site plan and his comments are being addressed.

ENGINEERING – Burl Reardon, P.E. - Tetra Tech HAI

The City's engineering consultant has reviewed the site plan and his have been addressed.

BEAUTIFICATION ADVISORY BOARD

On December 17, 2015, the Daytona Beach Shores Beautification Advisory Board unanimously recommended approval of the landscape and irrigation plan associated with RSP12015031.

CITY COUNCIL

The Daytona Beach Shores City Council will have a public hearing on the subject site plan on January 26, 2016.

**D. STAFF RECOMMENDATION**

Staff recommends approval of the Aruba Site Plan RSP12015031 contingent upon the applicant addressing the Fire Commander/Fire Marshal comments and providing the following:

1. Volusia County Sea Turtle Lighting Acknowledgement Form (per Sec. 11-7, LDC)
2. Volusia County Public School Concurrency Certification (per Sec. 3-2.4, LDC)
3. Beach and Dune Assessment Report (per Sec. 4-3.2, LDC)

**EXHIBIT A**  
(Aerial View: 3717/3721S. Atlantic Avenue)



Source: Volusia County PALMS, 2015



**EXHIBIT A2**







**SITE DEVELOPMENT PLAN REVIEW**

Review Date: 01/04/16      Planning & Zoning Board Hearing Date: January 11, 2016

Name Of Project      Aruba Condominium  
 Address & Parcel #    3717 / 3721 South Atlantic Avenue, Daytona Beach Shores, FL  
                                   6302-05-05-0080 / 6302-05-05-0110  
 Owner:                    Pierre Joncas / Walter and Margaret Pupa  
 Applicant:              Greenpointe Communities, LLC  
 Project Coordinator: James Mack

	Status	Date
Statement of Ownership & Control	<u>OK</u>	<u>10/07/15</u>
Proposed Address: <u>3721 S. Atlantic Avenue</u>	<u>OK</u>	<u>10/07/15</u>
Zoning Classification: <u>T-RMF-1</u>	<u>OK</u>	<u>10/07/15</u>
FLU Classification: <u>High Intensity</u>	<u>OK</u>	<u>10/07/15</u>
Use – Existing: <u>Motel/Rental Units</u>		
Proposed: <u>Multifamily Residential</u>	<u>OK</u>	<u>10/07/15</u>
Lot Size and Area – <u>225' x 282' / varies or 1.45 acres</u>		
Min. Width <u>50 feet</u> , Shown <u>225 feet</u>	<u>OK</u>	<u>10/07/15</u>
Min. Sq. Ft. <u>60'984</u> , Shown <u>63'288</u>	<u>OK</u>	<u>10/07/15</u>
Density – Based on Usable Land		
Units Per Acre Allowed <u>60</u> , Shown <u>58</u>	<u>OK</u>	<u>10/07/15</u>
Max # Units <u>87</u> , # Units Shown <u>84</u>	<u>OK</u>	<u>10/07/15</u>
Building Setbacks – Direction		
Front: <u>East</u> Required <u>50 ft.</u> , Shown <u>50.45 ft.</u>	<u>OK</u>	<u>11/19/15</u>
Side: <u>North</u> Required <u>39.9 ft.</u> , Shown <u>56.76 ft.</u>	<u>OK</u>	<u>11/19/15</u>
Front: <u>West</u> Required <u>30 ft.</u> , Shown <u>113.75 ft.</u>	<u>OK</u>	<u>11/19/15</u>
Side: <u>South</u> Required <u>39.9 ft.</u> , Shown <u>25.45 ft.</u>	<u>OK (Sec. 14-18.4)</u>	<u>11/19/15</u>
Underground Garage Setbacks – Direction		
Front: <u>East</u> Required <u>50 ft.</u> , Shown <u>62 ft.</u>	<u>OK</u>	<u>11/19/15</u>
Side: <u>North</u> Required <u>10 ft.</u> , Shown <u>10.1 ft.</u>	<u>OK</u>	<u>11/19/15</u>
Front: <u>West</u> Required <u>15 ft.</u> , Shown <u>15.16 ft.</u>	<u>OK</u>	<u>11/19/15</u>
Side: <u>South</u> Required <u>10 ft.</u> , Shown <u>25.4 ft.</u>	<u>OK</u>	<u>11/19/15</u>
Lot Coverage – Max <u>35%</u> , Shown <u>21.6%</u>	<u>OK</u>	<u>11/19/15</u>
Green Area – Min <u>30%</u> , Shown <u>37%</u>	<u>OK</u>	<u>12/17/15</u>
Open Space (PUDs only) – Min <u>  </u> %, Shown <u>  </u> %	<u>NA</u>	<u>10/07/15</u>
Common Open Space (PUDs only)	<u>NA</u>	<u>10/07/15</u>

Building Height (Building El. 129.90' - Road El. 20.20')		
Max <u>110 ft.</u> , Shown <u>109.7 ft.</u>	<u>OK</u>	<u>12/30/15</u>
Building Width – Max <u>146 ft.</u> , Shown <u>144 ft.</u>	<u>OK</u>	<u>11/19/15</u>
Breezeway – Min <u>30%</u> , Shown <u>36.5 %</u>	<u>OK</u>	<u>12/17/15</u>
Landscaping and Irrigation Plan	<u>OK</u>	<u>12/17/15</u>
Sidewalks Provided	<u>OK</u>	<u>10/07/15</u>
Balcony Overhangs	<u>OK</u>	<u>11/19/15</u>
Parking Spaces – Required <u>126</u> , Shown <u>126</u>	<u>OK</u>	<u>10/07/15</u>
Parking Stalls – meet minimum dimensions?	<u>OK</u>	<u>12/18/15</u>
Handicap Parking / ADA access	<u>OK</u>	<u>11/19/15</u>
Curb Cuts – Allowed <u>2</u> , Shown <u>2</u>	<u>OK</u>	<u>11/19/15</u>
Visual Obstructions (corner lots only)	<u>NA</u>	<u>10/07/15</u>
Profile of Garage Ramp with Degree of Slope Shown	<u>OK</u>	<u>10/07/15</u>
Off Street Loading Spaces – Required <u>2</u> , Shown <u>2</u>	<u>OK</u>	<u>12/30/15</u>
Off Street Dumpster Loading	<u>NA</u>	<u>10/07/16</u>
Elevations	<u>OK</u>	<u>11/19/15</u>
Color Standards Met	<u>OK</u>	<u>11/19/15</u>
Fences, Walls and Hedges	<u>OK</u>	<u>10/07/15</u>
Accessory Structures	<u>OK</u>	<u>10/07/15</u>
Location of Utilities	<u>OK</u>	<u>10/07/15</u>
Location of Proposed Signs	<u>OK</u>	<u>12/18/15</u>
Location of Easements	<u>NA</u>	<u>12/18/15</u>
Property Boundary Changes	<u>NA</u>	<u>10/07/15</u>
Joint Driveway/Cross Access Agreements	<u>NA</u>	<u>10/07/15</u>
Nonconformities formed on adjacent properties	<u>NA</u>	<u>10/07/15</u>
Sea Turtle Lighting Requirement Letter Received	<u>Pending</u>	
Location of Construction Parking for Duration of Project	<u>OK</u>	<u>12/18/15</u>
Utility Easement Identified on Plan	<u>OK</u>	<u>12/18/15</u>
Utility Easement Document Received	<u>OK</u>	
Requisite Permit Applications Received	<u>OK</u>	<u>11/19/15</u>
Reviewed and Approved by Fire Division	<u>Pending</u>	
Potable Water Availability Letter Received	<u>OK</u>	<u>12/30/15</u>
Sewer Treatment Capacity	<u>OK</u>	<u>10/07/15</u>
Sewer Availability Confirmed by Concurrency Manager	<u>OK</u>	<u>11/19/15</u>
Stormwater Maintenance Agreement Received	<u>OK</u>	<u>12/30/15</u>
Beach and Dune Assessment Report Received	<u>Pending</u>	
Stormwater Drawings Approved	<u>OK</u>	<u>12/22/15</u>
School Concurrency	<u>Pending</u>	
Transportation Impact Analysis/Study Submitted	<u>OK</u>	<u>11/19/15</u>
De Minimis Impacts Recorded	<u>OK</u>	<u>11/19/15</u>
Transportation Improvements Needed (PFShare)?	<u>NA</u>	<u>11/19/15</u>
Concurrency Certification Received	<u>Pending</u>	
Reviewed and Approved by Beautification Board	<u>OK</u>	<u>12/17/15</u>
Reviewed and Approved by Planning and Zoning Board	<u>Pending</u>	

REMARKS:

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SITE DEVELOPMENT PLAN REVIEWED BY:

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City Planner

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SITE DEVELOPMENT PLAN ACTION BY PLANNING & ZONING BOARD

Check One Only.

Denial: <input type="checkbox"/>
Approval: <input type="checkbox"/>
Approval with conditions: <input type="checkbox"/> _____
Other: <input type="checkbox"/>

\_\_\_\_\_  
Planning & Zoning Board Chairman

\_\_\_\_\_  
Date