

M I N U T E S
ORMOND BEACH PLANNING BOARD
Regular Meeting

December 8, 2016

7:00 PM

City Commission Chambers

22 South Beach Street
Ormond Beach, FL 32174

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COMMISSION MEETINGS OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

I. ROLL CALL

Members Present

Patricia Behnke
Harold Briley, Vice Chair
Lewis Heaster
Al Jorczak
Rita Press
Lori Tolland
Doug Thomas, Chair

Staff Present

Ric Goss, Planning Director
Steven Spraker, Senior Planner
Randy Hayes, City Attorney
Melanie Nagel, Recording Technician

II. INVOCATION

Chairman Thomas led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING BOARD AFTER 10:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 10:00 PM MAY BE CONTINUED TO THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

V. MINUTES

October 13, 2016

Mr. Heaster moved to approve the October 13, 2016 Minutes as presented. Mr. Briley seconded the motion. Hearing no objections, the minutes were unanimously approved.

VI. PLANNING DIRECTOR'S REPORT

Mr. Ric Goss, Planning Director, stated that this past month the City Commission approved the Bike Plan. As a result of the bike plan, there is funding for the Forest Creek Trail in 2017, and we have a feasibility study funded for the Thompson Creek Trail from Division to Wilmette. The Greenway Trail is under a feasibility study funded by DOT as part of the Sun Trail. The bike trail from Inglesa down to Sanchez, will have funding from DOT in 2018-2019, and there should be actual choosing of the corridor and design approval.

VII. PUBLIC HEARINGS

A. RZ 2017-008: 100 N Halifax Drive, Amendment to Official Zoning Map

Mr. Steven Spraker, Senior Planner, City of Ormond Beach, stated that this is a request for a Zoning Map Amendment to go from an R-2 Zoning District to the R-5 Zoning District. Previously the Planning Board reviewed a Land Use Amendment for the subject property to go from "Public Institutional" to "Medium Density Residential". Mr. Spraker reviewed the steps that the project needs to go through. The first step was the Land Use Amendment. The next step is the Zoning, to take it from R-2, Single Family Low Density to R-5, Multifamily Medium Density. Eventually the project will likely go to a Planned Residential Development (PRD), but in order to do that, they can't go straight from R-2 to the PRD, because there is a five acre minimum, and this site is about 1.5 acres. So an interim step has to be done to go from R-2 to R-5, and then there would be two options; to either develop under the R-5 zoning district, or to go to a PRD. Either scenario would require a neighborhood meeting.

Mr. Spraker explained the location, orientation, and characteristics of the subject property and presented the Staff Report. Mr. Spraker stated staff is recommending approval.

Mr. Heaster asked that when we changed the property to "Medium Density Residential" a couple of months ago, had there been a site plan, or rendering of the building, showing how many units there will be? Mr. Spraker stated that when they had a neighborhood meeting, there had been a concept plan. He will let the applicant address how many units they are seeking.

Mr. Ed Schwarz, owner of 100 N. Halifax, stated that he is excited about the project. They have a conceptual site plan for 10 townhouse units, which are still in the preliminary planning stage. There seems to be a lot of excitement in the neighborhood about it, and it should be a great project for the area. It is conducive to the adjoining properties, and the density is reasonable.

Ms. Behnke asked if there has been any negative feedback from anyone in the 600' radius. Mr. Schwarz stated that when they had the last meeting, it needed to go to people within 300' and at that meeting there wasn't any pushback from anyone in attendance. Most of them were curious about what was being planned.

Ms. Press stated that previously Mr. Schwarz had stated that this would be a great location for people who use Oceanside Country Club. Mr. Schwarz stated that this would be a great location for members who could just go across the street in a golf cart. The primary target market are people who presently live in large single family homes in that vicinity and are looking to downsize and not have to take care of a yard.

Ms. Tolland stated that she did attend the neighborhood meeting with Mr. Schwarz, and she wanted to compliment him on the meeting itself. Mr. Schwarz handled it very well and had a nice turnout of people from the area, and everybody appeared to be curious and excited about the project. The biggest concern was how it would affect the properties on Orchard Street, since the houses would back right up to it. Ms. Tolland understands that there will be a nice buffer between the properties, and it shouldn't affect these people at all.

Mr. Briley made a motion to approve RZ 2017-008: 100 N Halifax Drive, Amendment to Official Zoning Map. Mr. Heaster seconded the motion. Vote was called, and the motion unanimously approved (7-0).

B. LDC 2017-013: Land Development Code Amendment, New Britain Avenue height amendment

Mr. Steven Spraker, Senior Planner, City of Ormond Beach, stated that this is a Land Development Code specifically to an overlay district, which is Section 2-70 of the city's Land Development Code (LDC). The goal of the amendment is to delete the 2-story height requirement for properties along the north side of New Britain Avenue, between N Beach and N Ridgewood, abutting the Lincoln Avenue historic district. The LDC has written proposals for additional landscape buffering and setback standards if a building height were to exceed two stories on the north side of New Britain.

Mr. Spraker summarized the Staff Report. There is no specific project development, but all of the standards are contained in the LDC. This section is part of the Downtown Overlay District and there is a special district that governs how the downtown area is to be developed. There is a master Land Development Code, and then within this overlay district there are specific regulations. Mr. Spraker reviewed some of the history of legislation that affected the downtown area, and then reviewed the location, orientation, characteristics, and capital projects around the area of the subject properties.

Mr. Spraker explained the six parts of the Land Development Code. The first part amends Section C-4 of Section 2-70, which states that any increase in building height, the setback has to increase to be the same as the building height. If the building were 40' in height, then the minimum setback would have to increase to 40'. The current setback is 0 – 5% of the lot depth.

Mr. Spraker stated that the second part is about a regulation that governs the use of the downtown area within the River District, and the amendment would allow buildings on the north side of New Britain from 2-5 stories, and would also allow mixed use. The third aspect is that any development would require a landscape buffer and a masonry screen wall 6' in height, if the building were to exceed 2 stories in height.

Mr. Spraker continued that the fourth part is the same as the first one, concerning the rear yard setback requirements, but one is within the digital format and the other is for the text format. The fifth part of the proposed amendment removes the section stating that redevelopment along the portion of New Britain adjacent to the Lincoln Historic District shall not exceed 2 stories. Mr. Spraker stated that the last part of the amendment is an exhibit, and the graphic shows how site development would be required, it shows the building at the edge of the property line, the increased setback, landscaping and wall, with parking between the landscaping and building.

Mr. Spraker stated that City Staff has received six correspondences regarding the application. Two of them were included in the packet, and the other four were received after the packets were mailed, but were forwarded by email to Board members, and copies were given out at this meeting.

Mr. Spraker stated that Staff has provided a case against the amendment, and a case for the amendment. This is an application where someone can easily argue either side. The points against the amendment include that the existing regulations limiting building heights was designed to protect the historic homes along Lincoln Avenue, why amend the LDC when there is no imminent project, new structures would alter the historic character of the neighborhood, traffic will increase on surrounding streets, and the additional height on New Britain would negatively impact existing historic homes along Lincoln Avenue.

Mr. Spraker stated that the points for the amendment include that the 2010 form based code reduced existing heights along New Britain Avenue to be lower than what is allowed under the B-1 and lower than surrounding residential zoning of 30', the additional allowable height would require additional setbacks, landscape buffers and a wall, regulations need to be in place for future development due to time to assemble land and obtain financing, and the height alone does not make projects incompatible with surrounding uses.

Mr. Spraker stated that within the Staff Report there are four options being presented to the Planning Board. Option 1 is approval of the LDC amendment as proposed. Option 2 is denial of the LDC amendment. Option 3 is approval of a height limit less than 5 stories. Option 4 would allow a certain height as a staff approval, either 2 or 3 stories, and require any additional building height to be allowed as a public hearing. The Staff Report recommends approval of the project.

Mr. Heaster asked if any of the building footprints have actually been laid out on the land affected by this amendment. Mr. Spraker stated that what was shown is just an example, but it shows the area for the off-street parking and storm water, and then shows the building up to the Right of Way. There is no site plan or development plan at this time. The depths of the lots range from 200' – 215'. Mr.

Heaster stated that he is trying to visualize what the depth would be from the back of the buildings to the neighbors on the south side of Lincoln. Mr. Spraker explained that a typical 2-way traffic area is 64' plus 5-10' to the building, plus another 10'-15' would be around 80' from the rear of the building to the rear lot line.

Mr. Glenn Storch, attorney for the applicant, stated that he is excited about what is happening in downtown Ormond Beach, and is surprised by the potential vibrancy that there is for the downtown. There really is no basis for residential use on New Britain because this is a spill-over area for commercial use. This is a first step of a plan for the future, and encouraging investment in this area and the downtown.

Development in downtown Ormond Beach has to go to the north or the south. Since City Hall is on the south side, the potential to develop has to be on the north side. The homes on New Britain need to be re-vitalized, the whole area needs to be re-vitalized, and in such a way that it has no impact on the historic district as well.

Mr. Storch stated that the most important goal is walkability, and an area that encourages walking and bicycling. You do this by creating a walkable downtown, where people will want to walk around and stay to shop and eat. There needs to be a transition area that is attractive and a gateway to the area. Good planning is creating a good transition between the downtown and the higher density residential areas. Unfortunately, a few years ago when the allowable height was reduced, any potential for high density development was stopped.

Mr. Storch continued that one way to achieve some goals is to create flexible standards that encourage investment. You want to encourage people to spend money and invest in your community, and they will do that if they believe that they will be successful. They will not invest if they feel it is a huge risk and they will not be successful. There are several people in the downtown area right now who have taken a risk, and have rolled the dice, and have been successful. This needs to be built on, and downtown expansion needs to be encouraged.

Mr. Storch stated that mixed-use development is really good planning, if something can be done with a combination of shops and restaurants and residential. There needs to be sufficient separation and buffering, so that whatever is done in the downtown area does not impact the adjoining properties. The height of buildings seems to be the key to all of this. The 2-story height will not allow for the density, since there has been no new investment since this was changed in 2010.

Mr. Storch stated that the first steps have already been taken by putting in a parking lot in the historic district, there are storm water areas in the historic district, there is a proposal for a revitalization and reconstruction and widening of New Britain Avenue. These steps are absolutely critical. Proposed regulations would duplicate what is in the River District, which allows 2-5 stories, but a PBD is required to use the density. That means that any proposals would come back before the Board, the City Commission and the neighbors, to be sure that everything stays consistent.

Mr. Storch continued that the northerly setback issue is a great thing, because it encourages the minimum height necessary to get the investment and a plan, but at the same time allows for as much buffer as necessary. It also requires the

construction of a masonry wall along the buffer, as has been done in other areas that abut residential areas. In a PBD, the landscape area should be mature vegetation that would actually act as a screen.

Mr. Storch stated that one of the criteria would be that sufficient parking is provided, and that the traffic is dealt with. Another concern is the visual impact. Under the existing regulations, there is no requirement for a landscape buffer, and the buffer is 0-5%, or 0-10' and neighbors along Lincoln Street could have a building nearly in their back yard. Under the new regulation, if a 5-story building were put in, there would be a 60' setback, with a minimum of a 10' of landscape and vegetation, and a 6' buffer wall.

Mr. Storch continued that additional traffic in the neighborhood is another concern. New Britain is going to be part of the downtown traffic area. This is something that can be worked out with additional parking, people living right there so they can walk to the area, reducing the amount of traffic, and work on a sufficient and newly built provision.

Mr. Storch stated that he has been involved with bike paths in the area, working with the State, landowners, cities and counties, and will end up with about 64 miles of really great bike paths, that will also feed into other systems. This development is perfect for that and the sort of thing that is planned for the bike paths, and people accessing areas by bike.

Mr. Storch continued that another concern that was addressed in letters was that someone purchased the property with the 2-story height restrictions and should have known better. That is not true. The property owner started buying these properties prior to 2010, working with existing regulations, prior to it being reduced to 2 stories, with the idea that they would be able to develop taller buildings on this property. It was only after the 2010 regulations, when the height was reduced, that it created the problem. The result is that the investment has not been made because the height restrictions have prevented it.

Mr. Storch stated the concern that the development would not be consistent with the character of the area. First, this is not a development, but this is a proposal for a land development code change that is consistent with the River District and other areas that allow for 5-story uses. This is exactly what should be there, but more importantly when the project is done, it is made to be consistent with the commercial and historical area through the planned commercial development process.

Mr. Storch presented pictures of other areas such as Gainesville, Hyde Park and Winter Park, which are all upscale areas that have put commercial and multi-family development next to residential areas. By putting in a development, property values in the area will increase, because people will want to live in the area. When this project is done, it will be setting the stage for what will be the Ormond Beach style. Styles and colors will create a synergy to make other things happen.

Mr. Storch ended by stating that all that is being looked at tonight is whether this is good planning or not. The planners have done a good job by allowing 5-story buildings in other areas, but this is the crown jewel. This is the area that should be

developed, next to the commercial properties. If the Board wants to create a downtown area, this is the way to do it and the location to do it. It will encourage investment in and development of the commercial area, it will create a walkable community which reduces traffic and increases value, it will encourage the creation of a core downtown area, and yet will maintain the small town feel of Ormond Beach. Poverty does not save the environment. The developers are trying to encourage investment, and to encourage upscale investments in such a way that it is being planned better than other areas. That is what Ormond Beach deserves.

Ms. Behnke stated that Mr. Storch had talked about bringing in hotels and businesses, and she is wondering where he would put a hotel in the downtown. Mr. Storch stated that he doesn't know if they are, but he just wanted to show that it has been done in other areas. Ms. Behnke stated that it is just an example but something that isn't practical. Mr. Storch stated that it could be fascinating to watch what the area needs, and if you have an area that is really cool and wonderful to walk around in, you also might suddenly have the potential for a hotel. Ms. Behnke stated that people who own homes in that area would not want a hotel and people coming and going all the time. Ms. Behnke asked how deep the property was, and if it was possible to put two buildings side by side, as opposed to putting in one 5-story building. Mr. Storch stated that then the buffer would be taken out. And again, the question is what kind of downtown do you want. Do you want to encourage investment and encourage people to live here? He doesn't know if the village concept would attract businesses. And he also thought the idea was to create the buffer between the development and Lincoln Street homes, which there would only be with the taller buildings.

Ms. Dorian Burt, 203 Pine Cone Trail, stated that she wanted to give some background. In 2000 she was the executive director of Ormond Mainstreet, which is an organization that works on the redevelopment of downtown. While she was involved with this group, she convinced Bill Jones to purchase a piece of property. Then he fell in love with the downtown, and he has made Ormond Beach his hobby. He loves this place, as evidenced by what he has helped create. Ms. Burt explained that she had 10 days to get a conceptual drawing done up for this area. It is just that – conceptual. Normally a project like this will stagger the buildings. There will be alcoves and different façades, and a project like this would be done in phases. There would be interest that would blend the new, so it lives in harmony with the old.

Mr. Storch stated that it is so hard to get investment into a downtown area, and the fact that there is someone local who is willing to spend the money to actually do development and cares what it will look like, is so important. Typically on projects of this size, it is people from outside the area and their only goal is profit. Everything here is trying to be a class act and trying to do what is best for the area and the redevelopment of the downtown. This is the first step that allows for the investment to begin the process.

Ms. Behnke wanted to know how they would maintain the historic value of the homes in the area. Mr. Storch stated that most of the examples that he showed in his presentation had a historic look to them. The buildings look old, but are brand new. The trick to Ormond Beach is to do something that is consistent with the style of the Lincoln Avenue area. Ms. Behnke stated that it worries her when they are

dealing with a conceptual plan and there is no actual plan in place. Mr. Storch stated that in order to get the density to make this work, they have to come back to the Board and work together. This is one step in the process, but it doesn't allow them to do anything other than to look at the issues.

Chairman Thomas asked Mr. Spraker to explain the process again and the steps that the project would have to go through before any of this would become fruition. Mr. Spraker stated that the developer would have to do a site plan, which would be reviewed by city staff and a neighborhood meeting would be required. Depending on the option selected, they could need a Planned Business Development (PBD). But, it depends on the project. If the Board wants to be sure that it comes back to the Board and City Commission, then it should look at Option 4, which basically says the Board will approve a number of stories by right, which means they could do things at staff level with a neighborhood meeting, but anything over 2 or 3 stories would have to come back as a Planned Development before the Planning Board and City Commission.

Mr. Jorzak stated that it appeared to him when looking at the illustrations that were provided, that the Board was looking at 4-story buildings, as opposed to 5-story buildings. So, from the vertical height of 60' conceptually some of the aesthetics may not be truly representative of a 5-story structure. Mr. Storch stated that the pictures show 5-story buildings, but the idea is to design in such a way where it minimizes the look of height and fits in with the neighborhood.

Ms. Press doesn't understand why we state everything in stories, when a story could be 9' or 11', so a 5-story building could be 45' – 55'. It would be interesting to see what the height is that would be allowed. Mr. Storch stated that the amendment states 60' maximum. If you look at other areas, and you have varying heights, it could go much higher. But, due to this being an overlay district, there was a provision put in that the height could be no more than 60'.

Ms. Tolland asked that when the height restriction of 2 stories was put on in 2010, what was it before that. Mr. Spraker stated that it was a B-1 zoning district which allows 30' for multi-family and 40' for commercial. Ms. Tolland asked what happened that made it change to 2 stories. Mr. Spraker couldn't find any specific reference, but he thinks that the overall concern was protecting the value of the Lincoln Avenue historic district.

Mr. Heaster asked if there was anywhere else in the River District from US 1 to Beach Street, other than Granada, that will allow 5 stories. Mr. Spraker stated that if it is zoned B-4, then it would be allowed. The area right behind the Sunoco gas station and Maria Bonita would allow 5 stories. Mr. Heaster is trying to understand the reasoning behind the history of the decision, since the surrounding area allows 5 stories. Mr. Spraker stated that the only answer he can give is that it was to protect the historic district.

Mr. Heaster then stated that the City has obviously made a focus on this area with the parking lot, the park, and the storm water retention. How long has this focus been in the works with the City, and how much does the City have invested in this. Mr. Spraker stated that it started with the 2007 Master Plan that provided a list of capital projects. Mr. Spraker does not have any figures in front of him. Mr.

Heaster stated that it is a substantial investment, and if the City has had this focus for almost 10 years now, with a goal of having multi-family downtown, why is it that the applicant is a private owner that doesn't encompass all this property that the Board may change tonight, why hasn't the City initiated this, since they have made quite an investment in the surrounding area. Mr. Spraker stated that the City doesn't amend the LDC lightly, and basically the regulations that are in place are valid and were put there for a valid purpose. The applicant, through their research and their holdings, has said this is an area that needs to be looked at. That is not a staff driven process. This is an applicant initiated amendment. Staff does the analysis and tries to present both sides, and then it is up to the Planning Board and City Commission to determine if the 2010 regulations were correct, or the applicant has brought up some good points, the Lincoln Avenue historic district can still be protected and the Land Development Code should be amended.

Ms. Behnke asked how much land will be lost by property owners when New Britain Avenue is widened. Mr. Spraker stated approximately 35'. If the property owner were to try and provide storm water individually, they would lose about 20% of their property. By doing the storm water as part of the streetscape, they gain the developability of the property. Instead of digging a hole that is 30' x 40', and losing that land, it will all be within the street.

Ms. Jarey Lee Cortwright, 18 Heather Lane, stated that she has lived in Ormond Beach since 2001, and she supports the applicant's request as presented in the Staff Report, to remove the existing 2-story height limitation along New Britain Avenue from N. Beach Street to N. Ridgewood Avenue, abutting the N. Lincoln Historic District. Ms. Cortwright supports the redevelopment of the downtown area of New Britain Avenue into a higher density, mixed-use, urban area that would be attractive to millennials seeking a more urban life style, as well as retirees who wish to remain in Ormond Beach, but who are no longer interested in maintaining single family suburban housing. The businesses along the downtown section of W. Granada are also dependent on higher density for profitability. Though this amendment represents a change from the housing currently along New Britain Avenue, it is her opinion that it represents a vision of a revitalized downtown that will increase tax revenues from higher density housing. It will also attract businesses providing services to residents of downtown Ormond Beach, as well as the others who visit Ormond Beach because it has a variety of businesses and housing, and looks alive as only a well-developed urban area can.

Ms. Ellen Needham, 48 Lincoln Avenue, stated that she and her husband have lived at this address for 20 years, and they do not support having 5 stories behind their home. It is sad that she is here again, protecting the historic district. They love the downtown area, the boardwalk, and she understands that you want to bring more life to the downtown area, and she supports Bill Jones and what he has done, but to put 5 stories on W. Granada where there are no 5-story buildings is excessive. She does not support it. The drawings shown tonight are lovely, but are not in character with the rest of the city, especially downtown. Ms. Needham believes that it will visually impact their property, and if there is a complete street of apartments behind their home, it will not raise the value of their home. She doesn't think that using The Heritage as an example of a taller building against a historic district is appropriate. What you are doing is setting a precedence, if the Board removes the 2-story maximum height limit. It is not known what will go in there, and that scares

her. She does not support 5 stories. Also, if anyone is interested, her husband put up a flag in their back yard that is 30' and if anyone wants to drive down Lincoln Avenue and take a look behind their home to see the 30' flag, please do. What this amendment is for is 60', which is twice the height of any of the homes on Lincoln Avenue. She does not support 5 stories.

Mr. Ron DeFilippo, 1081 Ocean Shore Blvd., stated that he is a resident of Gainesville, Florida and has a second home in Ormond Beach. He whole heartedly supports this. Ormond Beach needs an identity and Bill Jones has done a tremendous job, and he needs the key to the city for what he has done. Mr. DeFilippo would trust Mr. Jones for what he wants to do. He also respects the people who have historic homes in the historic area. There are ways to accommodate everybody. Ormond Beach is really struggling to create an identity compared to other smaller beach towns. This is the first time he sees something really positive going on. What Ed Schwartz is doing (100 N. Halifax Drive) is tremendous because it will put some density there for some housing, but it will be a little more expensive than what millennials can afford. Creating affordable housing will do a lot more for the community than is even realized. Being able to walk and commute in the neighborhood is tremendous. If Mr. DeFilippo had made investments in New Smyrna it would have doubled. In Flagler, it would have tripled. But, in Ormond Beach it has remained stagnant. The Board needs to recognize these things and what is going on around Florida, and how many people want to come to Ormond Beach and be part of it. There are older neighborhoods that need to be respected, but there are also new people that need to come here and enjoy it as much as we do. Being up higher also gives a person a better perspective of what's available here. There is great history here, and you are sitting on your hands a little bit on your development and where you're going, and where you need to be.

Mr. Jeff Boyle, 614 N. Halifax Dr. stated that this is a city that keeps its promises, as it did during the hurricane, to serve and protect us. The 2-story height limit on New Britain is a written promise, specific in the Comp Plan Code, and is a contract without condition. The purpose of it was clear, to protect Lincoln Avenue, the historic district, as testified by city staff here tonight, to protect the aesthetic profile and historic character of Lincoln. Staff recommends striking this language, and Mr. Boyle finds that breaking of a promise to be disappointing, as are some of their analogies to make their case. Quote: "No substantially adverse aesthetic impact to Lincoln Avenue." Mr. Boyle would submit that the impact would be substantial. We heard tonight, and at the July meeting, a threat that if it remains at 2 stories, there is going to be reduced setbacks there will be something a lot worse. Mr. Boyle is also a big fan of Bill Jones. He is a hero in this community. He has never seen anything that he has done, that did not work with two stories. This whole idea is out of character. Staff says that we have an urban lull and we have new market demands of the millennials, to break from this contract. When did the needs of the millennials outweigh the incumbent citizens on Lincoln Avenue? Certainly the Heritage and Orchard Lane is not about precedence for this case. Mr. Boyle is worried about spot zoning in the Comp Plan. He is worried when a property owner buys property that is restricted, comes to the City and gets the restriction lifted, and then sees the value rise exponentially. Legal, yes. Ethical, no. And the City should not be encouraging this process. Once the 2-story language is gone, Lincoln

Avenue has no protection. So, he is against anything other than 2 story. Everyone in the City has ownership of this area. He would ask the Board to recommend denial to the City Commission, keep the promise in the code, honor the contract, maintain the good word and integrity of this City and the faith and trust of the people that we placed in it. When you get the equation factored down, it comes down to a very simple principle. It's money against the principle of the City and the code.

Mr. Rob Wasserbeck, 48 Charles Terrace, stated that he will be impacted by this since he will see it from his back yard. He moved to Ormond Beach about six years ago and lived several years out on the ocean on A1A, and he moved to Charles Terrace about 2-1/2 years ago. When he looks at the whole proposal, he sees nothing but corporate greed, he sees underhanded deals, he sees that the land on Lincoln was owned by Bill Jones, and traded for a property on Granada Blvd. in which he is building a 2-story property. Code says he could build 5, so why isn't he building 5? Because it wouldn't fit in with his downtown that he owns. The drainage being put in is for New Britain Avenue, not Lincoln Avenue. The parking lot was built for overflow parking, because there isn't enough parking on New Britain. Mr. Wasserbeck has been down to the restaurants many times, in fact, he walks there from his house. Mr. Wasserbeck stated that Ormond Beach is a quaint little city, a city that he loves. He wouldn't live anywhere else in Florida. He has lived in many different cities, and he made home here six years ago. He makes a good living in this area, and he can say that the millennials will not be able to afford the proposed housing, because they don't make enough money. So, deals have been struck and have been in place for a long time. Two stories is what needs to be there. There's money to be made at 3 stories, money to be made at 4 stories, but a lot of money to be made at 5 stories. And that's why they are going for 5. This is all about corporate greed and underhanded deals that have made this possible in the first place.

Ms. Julia Truilo, 307 John Anderson Dr, and she is here this evening representing Ormond Mainstreet, and they do support this application. Ormond Mainstreet supports it because the creation of an economically viable project that will bring more high quality living space to downtown is important. Cities that want to thrive need living spaces that have walkable access to downtown amenities. These places are popular with both millennials and retirees, and we are not talking about a project that will be out of the ground by next year. But, we need to look to what our city can and will become for the next generation. Both groups are looking for a life that requires less dependence on costs. Mixed use development is one way to bring this kind of living space into a standing downtown, with not a whole lot of room to stretch. The proposed increase in the size of New Britain itself, with its wider roadway, its parking and wider sidewalks and pedestrian amenities can balance the potential height of a project on New Britain. And the setbacks, and guarding of property lines and sight lines, can protect the neighbors on Lincoln. Most importantly this project, as has been discussed, will be sheperded by a developer who is known for the quality of his projects, for the care he takes with detail, for the respect he has for historic buildings. Not every building, not every restaurant on Granada Blvd is a re-creation. There are beautiful restoration projects that Bill Jones has spent many, many millions of dollars on. This kind of development will build on the progress that we've seen over the last decade. So many people who

come to speak to us at Mainstreet are surprised, gratified and excited by the changes. We need to keep going in that direction.

Mr. Norman Lane, 1314 Northside Drive, stated that he has been in Ormond Beach his entire life and we all want a better downtown. Mr. Jones has done a really fabulous job with what he's got, but we really have to spread out and get away from Granada. It is just too busy, and this use on New Britain is the way to go. However, putting 5-story buildings in that area are going to make a massive impact on the character of that neighborhood. New Britain is a small road, and even with the expansion, putting a 5-story building on both sides of it is going to be oppressive. Other small cities with nice downtowns mostly have 2 and 3 story buildings. Look at Deland. It's a great place. All of the really nice things that Mr. Storch and others have said about this development, will be equally true with a 3-story building, and with much less impact. The justification offered to change the height limit was that 5 stories are required to make it economically viable, but no evidence has been given for that. Mr. Lane personally doesn't think that 5-story buildings belong there. Putting a tin roof on a 5-story building is not going to change anything. Mr. Lane believes that Option 4, with a maximum of 2 stories, is the best one to consider at this point. That way changes can be evaluated based on real projects. It can be decided if there is an economic justification for this. Over time, ideas change, perspectives change, and he would hate to set in concrete something that people really don't understand.

Mr. Gray Kilpatrick, 97 Hilldale Ave, stated that his concerns are with the 5 story limit. He does feel that this will be too much. He is concerned that we don't know what is going to be there, or what is going to happen. He feels it is a much smarter idea to wait until there is a proposal and then evaluate it based on that proposal.

Mr. Jerry Valcik, 236 Ormwood Dr, stated that he is a "rewired" professional engineer, and his wife is a former educator, and they reside on the beachside. They are proud residents of the Ormond Beach community with its exceptional quality of life, and have lived here for over a decade. To them it was no surprise that the community was recently named the Best Place to Retire to in the Country, by the AARP. They are very pleased to see the progress being made in enhancing the main street area of the city. Mr. Valcik stated that he came here tonight, not aware of the Staff Report or having the benefit of seeing the project laid out the way it has been tonight. So, continuing with his prepared remarks, Mr. Valcik stated that from his perspective, and several of his friends, including Pat Sample, the president of the Ormond Beach Historical Society, they feel the New Britain area is conducive to development including townhomes. These homes would bring people into an area where there are now businesses, and could create more useful support of businesses in the area. Accordingly, it seems that 3 stories should be sufficient for this type of development. Parking could be accommodated on one level, even partially underground, thereby minimizing the need for external parking areas. We feel the parking issue has not been sufficiently addressed to this point. Four story structures abutting nearby residences do not appear to be necessary or a wise idea. The affected residents will feel like they are staring at a wall. Good planning is called for, and an element of landscape or openness to the environment, preservation of the historic structures in places will only add to the charm. All of these elements can only add to the dollar value of properties in the area. The developers and the public should be educated well. In conclusion, in terms of our

knowledge to this point, we feel that a requested 4-story height limitation is not necessary. A height limitation of 3 stories appears to be sufficient. Mr. Valcik wanted to know who the applicant is.

Mr. Storch stated that his client is the Highlander Corp. but there are also several owners along this area. The areas have been aggregated. When you are trying to deal with small parcels and lots, to do any kind of redevelopment, you have to aggregate, so he represents the persons who have aggregated, and the persons who own the properties.

Mr. Ralph Potter, 51 Lincoln Ave, sent in an email, but he wants to make one point tonight. In the time that Mr. Storch spoke, he talked about a vision, as though the vision of the Planning Board and of Ormond Beach are basically the same. He talked about everything being upscale. Mr. Potter stated that we are living in a vision of Ormond Beach right now. It's a miracle of mixed income housing. It's a wonderful place to live. Mr. Potter doesn't think that the downtown needs to be built up, and he likes New Britain just the way it is. It is a quiet, safe, fabulous place to live. We don't need a plan. We are living in our plan right now.

Ms. Betty Cartwright, 56 Lincoln Ave, stated that she has lived there for 38 years, and if anyone lives in an older home, you know it is an investment of blood, sweat and tears and a lot of money. Ms. Cartwright does love the neighborhood, but she is really concerned about 5 story buildings. That is just too tall and would loom over the rest of the neighborhood. Also, it would bring in a number of people with cars. Even though we might like to think that people are going to walk everywhere, and ride bicycles, we know that Americans like their cars. Cars are noisy. It just will be an awful lot of increase in population for that little area. Even though they are going to widen the street, Granada is still very congested. Ms. Cartwright would appreciate the Board thinking about that and she does want to preserve the historic district.

Ms. Margaret Hodge, 36 N Ridgewood, which is at the corner of New Britain, stated that she can appreciate the families that live on Lincoln. Her house would be directly facing the 5 story building, and the people on Lincoln would just be looking at the back of the building. She would like to have this developer have the opportunity to show them a 5-story rendition. They have to come back with something for this Board. They need to show something with 5 stories, and then skip a space, instead of going 3 stories all the way across. You've got more opportunities if you let the developer be able to do a 5-story or 4-story. Also, they try to put the air conditioning units on top of the buildings, and so the additional space needs to be there, but not necessarily for people to live. Ms. Hodge's house is probably 30' tall, and has a full basement, and you can stand in the attic. Her bedroom window would look out onto this beautiful property, because she knows they would do a great job. She sees trees because they are so big, so she doesn't even think she'll be able to see the buildings. So she is here today to say that she will be looking at it, and she thinks they need the opportunity to design it as they need to.

Ms. Patricia Sample, 1 John Anderson Dr, stated that she is president of the Ormond Beach Historical Society, and she just wants to state that at this time there is not a consensus among the members for this project.

Mr. Storch stated that it is always interesting to listen to comments from citizens, both those who support and those who oppose the concept. One of the comments that was consistent is that we want investment in the downtown and we want it on New Britain. The thing that concerns him is that all the developers are trying to do is get some flexibility to allow for investment and the design process to start. They are not suggesting that they are going to build anything until they come back to the Board, and work with you and the neighbors. This is the logical way that things should be designed. The City is already looking at the idea of re-doing New Britain. It's creating the parking and it's doing the storm water for the area. If there was a place that was designed for what they are talking about, this is it, for the downtown. This is where you are going to create your downtown, if you want to create one. This is a logical step. We all need to work together to resolve the issues.

Ms. Press stated that she likes what Mr. Storch said, and she is going to make a proposal. She has given this LDC amendment a great deal of thought, she has met with Ms. Burt and walked the property, she has met with Mr. Spraker with questions, and she has emailed the City attorney about CRA questions. She has also searched the internet to find other developments that are like ours. The ones that Mr. Storch showed examples of are not exactly like Ormond Beach. The Lofts in Daytona Beach, which are 2-story, with a store underneath, are what she envisions, and they are very charming.

Ms. Press continued that the consensus tonight seems to have two sore spots. It's not the development, because she would give Mr. Jones anything he wanted, generally speaking. He has a vision like no one else has. Not only a vision, but the financials to back that vision. However, we can't pass something just on this vision, because this will be for anyone who wants to build on New Britain. That is something to consider.

Ms. Press stated that most people agree that it would be wonderful to have housing downtown. The height is something that is troublesome. And the second thing is that there is no site plan. Ms. Press proposes that the developers are allowed 3 stories, and they are allowed as much as they need for any kind of architectural enhancements. You could make it 3 stories, but would be allowed to add to that to make it interesting. Also, she would want a PBD done, so that the Board could come back and look at the site. If you do 3 stories, there will be more room, because you won't have to give up as much room in the back for the setbacks. You will have a better project, because you can have more amenities to add to it, because you have more space. The size of the proposed project is out of scale, because on the south side there are the smaller restaurants, and it is in an area where there aren't any 5-story buildings.

Ms. Behnke agrees with Ms. Press completely. When she looked at the historic district, they live under an extremely restricted area. They do not have the ability to paint their house red, or tear it down and put up a big mansion. The homeowners have to maintain what they have. And they all do that with pride. Ms. Behnke saw a picture of a home with a 60' tree behind it, and when you saw the height of the tree next to the 2-story house, the difference was amazing. Ms. Behnke has nothing against business, and the downtown needs business, but she doesn't think the shops we have are a big draw, and she is wondering what kinds of businesses would go

into these stores. She would like to go with Option 4, changing the 2 stories to 3 stories, and then coming back with a plan that we can see, and can say yes we like it, or no we don't like it. Option 4 is the only one she could agree with.

Ms. Tolland stated that she has a big sense of community, and she strongly supports smart growth and planned growth is very important. She sees that what Mr. Storch is presenting is more protective of our historic area than the way it is now. If we allow the 5-stories, there is that much more room for buffering, and that is way more attractive than a 0-10' rear yard setback. We can keep the small town charm, by creating a vibrant downtown area. The mixed use properties is the way to go. Ms. Tolland has been in Charlotte, Nashville and Richmond recently and all their downtown areas are going to the mixed use, regeneration of their downtowns. Ms. Tolland has 7 children and she would love for them to come back home and enjoy the downtown area. Right now when they come home, they go down to the Seabreeze area. We should give the developers the chance to create and be a little more flexible. Ms. Tolland is probably more naïve and trusting that Mr. Jones will create something beautiful like he has already, and that he will form consensus with the neighbors. He hasn't let us down thus far. Ms. Tolland thinks we should give the developers some flexibility, but we should hold them accountable to the historic district and to our small town charm.

Mr. Heaster stated that he has served on the Planning Board for four years, and he has never spent as much time on an item as he has this one the last couple of weeks. He also spoke with the applicant, with Mr. Spraker, Ms. Needham who lives on Lincoln, walked the area and drove by it many times. Mr. Heaster has lived here all his life, and we are on the cusp of some really great things in our downtown. There have been people making huge investments in the downtown, including himself, because he believes in it so much. Mr. Heaster lives near the downtown, because he likes being near the activities and likes the synergy of what is going on. The downtown is the heart of any city and community. Most of the testimonies from tonight show that most people are in support of developing the area, but they just have a concern about what is going to be in their backyard. We always have to continue to grow and change, and having a project like this, can attract so many more people, who may want to relocate to our area. With all that being said, Mr. Heaster does have an issue with how many stories it should be. From a developers side, you have to make the numbers work. He would support the downtown, the developer and the vision for downtown and having multi-family in the downtown area, but also taking into consideration the people who live in this neighborhood. He would like to see another option beside the 5-story – he isn't sure if that is 4 or 3 stories. But that is the direction he is going.

Mr. Jorczak stated that this board spent a lot of time several years ago, going over the codes and what other cities are doing. Mr. Goss spent a lot of time putting together a future vision for the City, where the Board hadn't looked at an entire concept before. The look was always to the future and where we are going to be 10, 15, 20 years from now. We've tried to set a pattern for where we should develop and what we should be looking for, and also changing opinions of how people want to live and what they want to do. Mayor Partington sent out some information to the board members, giving us additional data about what some of those changing opinions are and how they are being deployed, and it was appropriate to the discussion we are having tonight. Mr. Jorczak has been in Ormond Beach for 25

years, and has lived in many small towns and was privileged to see how those communities developed, and the kinds of things that they tried to do. They were a little more rural in their structure, but they were trying to cope with development that came, that they could not stop, especially around major arteries that ran through their communities. The general concept about how to make the downtown more livable and more usable for a broad section of your community is very appropriate. Mr. Jorczak has also walked New Britain from one end to the other, and the work that has been done to date to address a basic problem is well founded for the infrastructure that has to be done if we are going to do something to that area. The basic idea of using this type of mixed-use development which is in line with everything that has been done with the form based code, is appropriate for that area. Mr. Jorczak is concerned with the overall character of the community in terms of not only how the people who live here perceive it, but where it will be for our children and grandchildren, and people who come into town. We do need to visit the height issue with any kind of development that goes in there. Five stories just isn't in character with the community, and while it would give the developers a lot more flexibility economically, he is not sure that until we see something specific in a planned development that we can attach numbers to, he has no qualms about something that can be done that is architecturally compatible with what we want to see here. An area of severe concern is presented when we start talking about height because it conveys a perception of crowdedness. Mr. Jorczak would much prefer that we start with a limit of 3 stories, and go from there as we see a concept plan.

Mr. Briley stated that we have looked at the downtown for a quite a long time, and being a life-long resident of this community, he is more excited about the downtown than he has ever been. Back in 1994-1995, when he started on the revitalization task force, and later served on Ormond Mainstreet, and we were told that if we had a blank canvas, what would we want to see, most stated that they would like to see some sort of mixed-use, commercial and residential. The problem is, what parcels are in the downtown area where you can do that. New Britain Avenue is that canvas, where you can do mixed-use, with transitions from commercial to residential. Mr. Briley doesn't think 2-story buildings will work for a couple of reason. To have commercial on the bottom and one store of residential above, will not be economically feasible. A market analysis would let the developer know that they have to have more than 2 stories, and maybe even more than three. As far as the height and the neighborhood behind it, he completely understands the concerns of the people in the historic district. Perhaps if there was increased vegetation and trees, or perhaps a wall that was 8-10 feet, it might give a little more buffer between the commercial use and residential houses. He appreciates the comments from the residents that have come out tonight, and from fellow board members.

Chairman Thomas stated that at the end of this month, it will be the end of his 26th year on the Planning Board. He has seen this many times before. He remembers during a discussion about Breakaway Trails, a lady got up to speak and she said that Breakaway Trails would absolutely destroy Ormond Beach because it would be so far out, and it would create urban sprawl, and it would surely be to the detriment of Ormond Beach. Chairman Thomas stated that he asked the woman how long she had lived in Ormond Beach and she had moved here 6 months before that. The people on Lincoln Avenue have lived there for quite a while and they have reason

for concern. But, based on everything that Chairman Thomas has experienced from Ormond Lakes to anything that has been done in this City since the mid to late '70's, there's always been anxiety, there's always been concern. But, as one gentleman here tonight stated, with all that stuff that has been done, and all the stuff that was going to doom us, we are the preferred retirement place. When Chairman Thomas first came to this city in 1973, he had no idea where downtown was. The mayor couldn't tell him. The commissioners couldn't tell him. We have finally started to identify ourselves with our downtown. We are becoming that great place. The one thing that Chairman Thomas has always believed in life is that when you stop growing, you start dying. We have the opportunity to create an identity for our town, where we are, and who we are. Chairman Thomas remembers when we built Walmart "way out there, and no one will go to it," and when we built the sports complex "way over there, and no one will go to it." When we built the sports complex, we had a conceptual plan. We didn't know exactly what we were going to do. But, we knew what we had to do. He has deep concern for the people on Lincoln Avenue, and when he drove that area the last couple of weeks, and he looked at the trees on the back side of the properties, there are tall, huge trees. He took the time to look into the skyscape to see what he could see. And there could be a 60' setback, and that is a lot.

Chairman Thomas stated that Mr. Boyle brought up broken promises. What about the broken promise that was made to the Highland Corporation in 2010? What about that broken promise, when he bought that property so that he could put a 4 or 5 story building on it? That's a broken promise. He doesn't believe that is spot zoning. Chairman Thomas' concern is that if a business person cannot build a structure, buy the property and invest that money, and can get their money back out of it, then regardless if we change this to a 3-story, there may never be anything done there. If there is never anything done there, then it goes back to a B-1 or B-4. In closing, Chairman Thomas stated to be careful what you ask for, because you may get B-4 or B-1 and then you won't have any say. Chairman Thomas understands the height restrictions that Ms. Press and others have, but, be careful.

Mr. Briley stated that even with the 5 story restriction, that any project that is submitted would be a PUD and would come back before the Board and the City Commission, and if they didn't feel it was in character, or aesthetically agreeable to the neighborhood, they could deny it based on different standards.

Ms. Behnke stated that she still likes Option 4 because we can say 3 stories, but if the developers can come back and show the Board something that is going to be aesthetic to the community that is 4 stories, then you have the ability to do it, and it isn't restricting them, and it helps to maintain the flavor of the community.

Mr. Heaster stated that the only thing about that is that we would have to go through this whole thing again.

Chairman Thomas stated that it is not only that, but how much do you think an investor is willing to risk if they do all this work and find out that a 3-story won't work, and they have all this time and money put into the project, and then they find out that they can't turn a buck. Be very careful what you do.

Ms. Press asked why Mr. Jones, who owns this property and has done such a magnificent job on the downtown, would allow something to be built that would destroy the value of what he has already built. Chairman Thomas stated that he wouldn't. Any business person in their right mind would not do that.

Ms. Press addressed Mr. Storch about the two main concerns; the height and the other being that we haven't seen a plan. Mr. Storch stated that what he is hearing is maybe 3, maybe 4, maybe 5 stories. But, what he really hears is that we want to work together. And the way to work together is to go with Option 4, but allow the flexibility to go up to 5 stories. Then, depending on the market, it could have articulated roof lines with some that are 3 stories, some that are 4, and some that are 5. That way you don't create a wall.

Ms. Behnke asked if they could show what that is going to be. Mr. Storch stated that then they would have the option to design something with several different heights. He wants to come back, and he wants to be proud of what they are showing the Board. Option 4 would give that flexibility. Ms. Behnke stated that it would give both the Board and the developer options.

Mr. Heaster asked Mr. Spraker that even if the Board approves the 3, 4 or 5 stories, the developers have to come back before the Board for a PRD. Mr. Spraker stated that is not correct. The developer has certain uses and certain rights. This is one of the standards that builds the framework for future development. Their original proposal would allow for 5 stories, as a by-right use. Maybe they design the project, and they find out they need 12 units per acre, which would require the need for a planned development. Option 4 would amend the code to allow a 3-story building by right, not to exceed 5 stories with a planned development. The project would still have to do a neighborhood meeting, and there is still the ability by the Planning Director, if he feels there is conflict, to bump it up to a Special Exception. There has to be a neighborhood meeting no matter what.

Ms. Press asked Mr. Spraker to repeat what he had stated. Mr. Spraker stated that Option 4 would give them a 3-story by right, but not to exceed 5 stories with a Planned Development. So, Ms. Press reaffirmed that anyone could build 3 stories, without coming to the Board with a PBD. Mr. Spraker stated that they would still have to do a site plan, and still have to do a neighborhood meeting.

Chairman Thomas stated that he has no dog in this hunt, other than Ormond Beach, so if the Board goes for the 3 stories, then the developer doesn't have to put all the façades on it, and he could go with a straight across roof. Mr. Spraker explained that the LDC doesn't allow "ugly" buildings to be developed. There is a form-based code, with a 20 page design manual, that will not allow any developer to put up a building that does not meet design guidelines.

Ms. Press asked if they are held to 3 stories, then they won't have any options to make the building architecturally appealing. If he is allowed just 3 stories, then he cannot do anything that will hide air conditioning units.

Mr. Briley suggested that maybe there should be language in there, "not to exceed 60 feet." And maybe we shouldn't mention stories at all, maybe it should all be in

feet. Chairman Thomas asked if there could be a 40' limit, rather than 3 stories, with the option to go up to 60'.

Mr. Storch stated that it would give them the flexibility and encouragement to do exactly what they are trying to accomplish. As long as they have the options to look at these things, then anything to be able to increase the value of the surrounding area, so the architecture will be higher standards. For 4 or 5 stories, there would have to be a full scale PBD, with an explanation of everything.

Ms. Press stated that she just wants to come away with a clear idea of what is being proposed. She asked Mr. Storch if he could go up as far as 5 stories or 60'. Mr. Storch stated only if he goes for a PBD. His understanding is that he could do 3 stories as long as he meets the criteria and the architectural standards. But, if he wants the option to go higher, they have to come back to the Planning Board and go through the PBD process.

Mr. Briley clarified to Ms. Press that his suggestion was to put in 40' instead of 3 stories, and allow any additional feet, not to exceed 60', to require a public hearing.

Ms. Burt asked the Planning Director, Mr. Goss, if this was going to be stories or feet, because she has to know what they can build. Mr. Goss stated that when they went through the form-based code back in 2008/2009, and got it adopted in 2010, we wanted to stay away from dimensional standards, like zoning, that prevented the flexibility. That's why we went to stories, and didn't say 30' or 40'. Sometimes ceilings are 11' tall, and sometimes there are split levels, so we have gone to stories. That allows for the design flexibility with these new types of units. Mr. Goss stated that he would prefer that you stay away from feet, because really you're taking the flexibility away when you say no more than 40'. If you are concerned about the height, then it is really a 3-story building and allow them to design the building, and we have architectural standards in both the Land Development Code and the downtown design guidelines, which has double standards for the architecture.

Mr. Briley asked if Mr. Goss would be more comfortable with them stating 3-stories. Mr. Goss stated that it should be 3 stories by right, and the next 2 stories by PBD. Let the developers have the flexibility to do their design work. There is flexibility built into the form based code.

Chairman Thomas asked if the code is changed and it turned out that it was not feasible for anybody to be able to make it into a 3-story building, and they weren't allowed to go 4 or 5 stories, what would be the likelihood that it would be changed back to B-1 and B-4. Mr. Goss stated that it would stay 3 stories. What he thinks will happen, until someone does an analysis and looks at the land values and how much a unit will cost or rent, what the revenue is, basically it would be nice to know if it will work economically. If it doesn't work at 3 stories, they can run the numbers for 4 stories. Then when they come in for 4 stories, Planning will be asking them why 4 stories, why not 5. Show us why you need the 4th story.

Mr. Storch stated that this will give the flexibility to allow everyone to work together. This will get everyone to where they need to be.

Ms. Behnke wants to be fair to the people who live there, but she also wants to be fair to the developer. Everyone knows that you cannot feasibly do a 2-story building.

Ms. Behnke made a proposal to approve LDC 2017-103, Option 4, with 3 stories. Chairman Thomas asked if Ms. Behnke needed to add the ability to come back for 4 and 5 stories. Ms. Behnke stated that is already part of Option 4. Mr. Briley stated that she just wants to strike out 2 stories and change it to 3 stories, and the rest of it would read the same. Ms. Press asked if it has to say that it is going to be a PBD? Mr. Heaster asked City Attorney Hayes if he wanted to clear up the motion for everyone.

City Attorney Randy Hayes stated that if he understands everyone correctly, and he thinks everyone is on the same page, then the developer can go to 3-story and anything above that would come back to the Planning Board and the City Commission under a public hearing process. The question that hasn't been resolved is whether you want to say on the public hearing process that they are limited to no more than 5 stories, or if you want to leave it open ended. Mr. Storch stated that he would actually prefer a cap of 5 stories. Attorney Hayes stated that the motion would allow 3 stories by right, not to exceed 5 stories by a PBD.

Ms. Behnke made a motion to approve LDC 2017-103: Land Development Code Amendment – Option 4, changing 2 stories to 3 stories by right, not to exceed 5 stories by a PBD rezoning. Mr. Briley seconded the motion. Vote was called, and the motion unanimously approved (7-0).

Chairman Thomas asked the audience to remain for a few minutes, and he asked the board for approval to change the agenda. Chairman Thomas asked Ms. Press to stand up and he stated that Ms. Press has spent a lot of time on this Planning Board and she is one person who absolutely does her homework. Chairman Thomas stated that Ms. Press has done a great job on this Board. Chairman Thomas presented Ms. Press with a clock from the City that reads "*Presented to Rita Press for your dedicated service to the Ormond Beach Planning Board, December 1997–December 2016, Chairperson 2006–2007*". Chairman Thomas congratulated Ms. Press and told her to enjoy her time off.

Ms. Press stated that this truly is a surprise and she wants to thank everyone. In 19 years, her husband has come to every single meeting with her, except for three, and he also needs a round of applause.

C. MM 2016-107: 2016 Capital Improvements Element (CIE) Annual Update

Mr. Steven Spraker, Senior Planner, City of Ormond Beach, stated that this is a part of the City's Comprehensive Plan. Basically, we update the Capital Improvements Element to be consistent with our Capital Improvements Program, which are the projects that help us maintain our level of service.

Mr. Jorczak stated that on the 1st page, paragraph 3 at the bottom, it states "Finally, the statutory definition of "Financial feasibility" and the December deadline were removed by House Bill 7207." What was the Financial feasibility? Mr. Spraker stated that it basically said that the Comprehensive Plan had to contain projects that were financially feasible for that jurisdiction. You couldn't just put in roadway projects and say that these capital projects were going to be done, so therefore the

level of service has been met. Mr. Jorczak stated that the feasibility is something that would be determined by the City itself, or the applying agency.

Mr. Spraker stated that the state has taken the hands-off approach to the Comprehensive Plan, so everything now is filtered back to the local jurisdiction. Mr. Jorczak asked if whatever projects were put in there, the state would approve them automatically. Mr. Spraker doesn't believe that this is even required to go to the state. This is a matter of the City maintaining our Capital Improvements Element, to be consistent with the Capital Improvements Program. The CIP is part of the budget and is reviewed by numerous entities. This plan outlines how you are consistent with your levels of service. Mr. Jorczak stated that it is an adjustable plan. Mr. Spraker stated that is correct.

Mr. Jorczak stated that on page 3, in the 3rd paragraph, it states "reducing vehicle miles traveled to multimodal strategies will become increasingly important." Does this have to do with our problems on 40, and the fact that we are not meeting levels of service on existing roads? What is the general outline for where we expect to solve those problems? Mr. Goss stated that Ormond Beach is the only community in the state of Florida to go with a mobility fee, and this was before the state was even thinking about it, back in 2010. Ormond Beach was already going to the Department of Community Affairs to do this. And we did this because the mayor and everyone were tired of turning down development on Hwy 1 and SR 40, when they had the right Land Use and Zoning, but they couldn't build because of the level of service. So, the City went with the multimodal plan that basically puts an emphasis on transit, bicycling and sidewalks for walkability. What the City has done over the years is collected money to donate to Votran for service of transit, collected money to match the DOT grant for the bike trails, and trying to do more walkability.

Mr. Briley asked if when the City did the Hand Ave. extension from Nova Road to Williamson, was this supposed to be a relief road for Granada Blvd. Mr. Goss stated that was correct, but for it to operate the way it was supposed to, it needs to cross I-95, tie into Tymber Creek Road, which needs to be extended south to LPGA. None of the roads have been built. Mr. Briley stated that people are trying to get multiple stop signs along Hand Ave. to control the speed of traffic. Mr. Goss stated that stop signs cannot be used to slow traffic. You can use them to correct safety issues. Hand Ave. is a collector road, so that can't be done.

Chairman Thomas asked if the main reason that Hand Ave. isn't going across I-95 is because of wetland issues. Mr. Goss stated that there are huge environmental issues. Mr. Goss stated that he had previously sent a report to the Board with this information.

Mr. Heaster made a motion to approve MM 2016-107: 2016 Capital Improvements Element (CIE) Annual Update. Mr. Jorczak seconded the motion. Vote was called, and the motion unanimously approved (7-0).

VIII. OTHER BUSINESS

None.

IX. MEMBER COMMENTS

Mr. Heaster stated that he has enjoyed the last five years serving on the Planning Board and he looks forward to serving another two. It has always been a great honor to serve with Ms. Press. We don't always agree with each other, but he has always respected her thoughts and input. Ms. Press will be greatly missed and thank you for serving the community all these years.

Ms. Tolland stated that she was very excited to be able to serve on the Planning Board and is looking forward to another couple of years of serving. She will also dearly miss Ms. Press on the board. Ms. Tolland has looked up to Ms. Press and she is leaving huge shoes to fill. Ms. Tolland stated that Ms. Press is a fair and beautiful person.

Ms. Behnke stated that she has really enjoyed working with Ms. Press and she has always gotten a lot of advice from her. Even though they haven't always agreed on everything, she knows that they respect each other's opinions. Ms. Behnke also wanted to wish everyone Happy Holidays, Merry Christmas, Happy Hanukah, and a Happy New Year.

Mr. Jorczak stated that he would like to propose that the Planning Dept. have an area for a Hall of Fame Board, so that everyone that goes into the Planning office knows how well we respected Ms. Press' efforts here. And then, of course, there will be a spot reserved for Mr. Thomas since he has seniority. Mr. Jorczak has really enjoyed serving with Ms. Press and appreciates the amount of dedication she has put into the position. If every city had more individuals like Ms. Press, they would be very well served. Congratulations and come back and see us anytime.

Mr. Briley stated that this is his second stint on this Board, and Ms. Press has been on it both times he has served. While they didn't always see eye to eye on the issues, everyone on the board had a great respect for Ms. Press because she was always well-researched on the items, and she was always very fair. Ms. Press will be missed, but we know she will be back to meetings and addressing the board from the podium.

Chairman Thomas stated that Mr. Press probably went home many nights mad at him, because he and Ms. Press have had their differences. Chairman Thomas has as much respect and admiration for Ms. Press as a person and a Planning Board member as he has for anybody. Ms. Press has taught him and many Board members. Thank you for your service to this City and for your passion.

Ms. Press stated that she is speechless and is thankful for the kind words. She thinks tonight is an example of how this board works and how we reach consensus. We have different thoughts, but they all come together for the good. And the idea of having a timer for the speakers was an excellent idea.

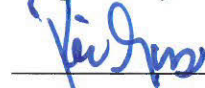
Ms. Press stated that this is a bittersweet time for her. Ever since she read Jane Jacobs' book "The Death and Life of Great American Cities" she has had an interest in Planning and Zoning. She feels privileged that she has had the opportunity to serve on the Planning Board for 19 years, and being involved in an area that has so much interest to her. She thanked everyone and stated that she has

enjoyed serving with all of you. Kudos to Chairman Thomas, and also to those who stepped in to chair the meetings when Mr. Thomas wasn't here. What you do for every person who comes to these meetings, you give them great respect, and as a Board to do that really says a great deal about the quality of our City. Ms. Press also thanked Mr. Goss, Mr. Spraker and Attorney Hayes for the information she has gotten from these three. Any time she needed to speak to them, they were always available. You will see her again at that podium, and hopefully there won't be too many controversies. Lastly, on behalf of Mr. Audience (Mr. Press) and herself she wished everyone a Merry Christmas, a Happy Holiday and wished everyone the best, good health and happiness in the New Year. It has been a pleasure and thank you for this evening.

X. ADJOURNMENT

The meeting was adjourned at 10:20 p.m.

Respectfully submitted,



Ric Goss, Planning Director

ATTEST:



Doug Thomas, Chair

Minutes transcribed by Melanie Nagel.

December 7, 2016

City of Ormond Beach

Land Development Code

This letter is in reference to a request from Glenn D. Storch, Esquire to amend Chapter 2-70, Downtown Overlay District of the Land Development Code to remove the existing 2 story height limitation. As a homeowner at 43 Highland Ave, Ormond Beach I strongly oppose of changing the current land development code. It is very important that we keep the appearance of the historic district to 2 story buildings and to change this to where someone could come in and build a 3 story structure or higher is not in the best interest of my neighborhood not to mention the appearance of the street.

Please consider opposing this request which is in the best interest of the historic district of Ormond Beach and preserve our wonderful downtown area.

Thanking you in advance for your consideration to deny any changing of the height restrictions on New Britain Avenue.

Sincerely,

Deborah & Michael Whitley

43 Highland Ave

Ormond Beach 32174

From: [Ralph Potter](#)
To: [Spraker, Steven](#); [Kornel, Laureen](#)
Subject: The Zoning Code Amendment Requested By Mr. G.D. Storch, Esq
Date: Sunday, December 04, 2016 2:17:27 PM

December 3, 2016

TO: Ormond Beach Planning Board, City Commissioners

From: Ralph Potter, 51 Lincoln Ave. Resident Since 1996

RE: The Zoning Code Amendment Requested By Mr. G.D. Storch, Esq

Dear Commissioner,

The purpose of this letter is to urge all of its readers, and especially the City Commissioners, to staunchly oppose allowing a four story, multi-family dwelling to be built on New Britain Avenue contrary to our present Zoning Code. I sincerely thank you in advance for your attention to my personal perspective on this issue.

In the course of a long life, I have lived in many cities and towns in America. In all of the places I have experienced, I do not believe I have ever known a local government that was not determinedly in favor of any new development proposal that came along. Invariably, there was the most reluctant regard paid to the assaults upon quality of life to be suffered by the residents who lived near the new commercial construction proposed. To this day, I do not understand why local governments so consistently behave in this manner. I confess that I am unwilling to devote my life to researching the subject. But I have thought about it.

- Is it the increase of the tax base? Certainly, if there is an increase in population density, there will be more tax revenue. But to what end? Smaller cities and towns usually, as far as I can see, have lower tax rates than the bigger ones. How does Daytona Beach compare with Ormond Beach in this regard? With all its businesses and population density, DB has significantly higher taxes than OB. Does DB have nicer facilities than OB? No. More development and more population density result in more expensive city governments and higher taxes.

- Is it because city government officials are business minded in contrast to the residential mindedness of the people whose neighborhoods are actually impacted by the new development? I cannot know that. My guess is that the type of people who take the trouble to become elected officials probably have a strong interest in conducting business affairs of some sort. If so, they would feel a natural affinity with, for example, property developers who also must be almost obsessive in trying to accomplish their business goals. However, if this shared view between local officials and developers, that furthering business goals is a very good thing, is truly the case, then I would think that the very same people, officials and developers, also do have Residential Quality of Life beliefs and feelings as well. They just don't bring them to work. I suggest that many of the people living on John Anderson Street and Riverview drive are determinedly business minded. But they would exert all their influence with their colleagues in government to prevent their having a four story multi-family dwelling built adjacent to their lots or in their neighborhoods. So, they can be residential minded as well when it suits them. And so, too, I believe, can the local elected officials and developers involved in the present four story condo proposal. Therefore, I do hereby ask that my local officials please, at this time, be residential minded. Respect me and my neighbors, who are now trying to protect our quality of life.

- Traffic. Any discussion of increasing the population of Ormond Beach should, I believe, firstly consider the data on traffic loads on our streets. Granada is essentially maxed out right now. Of course, it is solid cars and trucks for several hours each day. But more telling is that the traffic loads on LPGA, Hand, Wilmette, and many of our smaller streets, including Lincoln Ave., where I live, have seen sharp increases in traffic. Recently, I was talking with a neighbor from Highland Street and we both described the almost comical pulses of bumper to bumper cars going up our streets these days. Granada's capacity is only so elastic. Previously quiet, small residential streets will bear the ever-increasing burden whenever Granada becomes a log jam.

- Is it political campaign contributions from the past present or future? Actually, one would have to be pretty

savvy to find out. It is in no way so simple as the presence or absence of a name on a list of donors. However, I believe that when interests do conflict, such as voting on proposals that effect the material interests of a donor, there is indisputably a conflict of interest. In our present case, a vote on whether to plant a four story, multi-family dwelling in a neighborhood of single family, one or two story homes and to do so contrary to the present Zoning Code, seems like an ideal candidate for conflicts of interest to arise. Close scrutiny is well deserved.

- Is development thought to be beautiful? I am reminded of the response, many years ago, at a U.S. Senate committee meeting regarding billboards, by one of the honchos of Howard Johnson's restaurants. She said, "Scenery gets boring, too." I think she believed what she said. Coming east on Granada Blvd., under the I-95 overpass, I sometimes think that the "scenery" of our development is indistinguishable from many of the wide urban roadways in Orlando. Similarly, the beautiful new hospital, the vast rental development, and new outlet mall that are seen while driving on Williamson can give this feeling, "Am I in Orlando or Ormond Beach?" My point is that urban and suburban developers, as a group, tend to bring a very uniform look to all their projects, giving rise to the well-worn cliché that wherever you go in America, it looks like you have arrived in the same place you left. Now, if you want to talk about central Ormond Beach, say east of Yonge street and extending off into the distance on either side of Granada, it positively does not look like Orlando and the quality of life in this large neighborhood, this town, is almost certainly superior to even the expensive cookie-cutter developments in Orlando. So our City Commissioners must make a choice. Because if you leave it to the developers, the peculiar and very precious quality of life we share in Ormond Beach will be lost, one proposal at a time. I think it is quite certain: Either our local government will protect our town from development that violates our present zoning code and that threatens the very essence of Ormond Beach, or this bit of geography will evolve steadily, and fairly quickly, into another non-descript somewhere that is everywhere and nowhere.

Sincerely,

Ralph Potter

Spraker, Steven

Subject: FW: Planning Board Meeting Comment December 8

From: Goss, Ric
Sent: Wednesday, December 07, 2016 2:06 PM
To: Spraker, Steven
Subject: FW: Planning Board Meeting Comment December 8

From: Norman Lane [<mailto:norman@rotomation.com>]
Sent: Wednesday, December 07, 2016 2:03 PM
To: Goss, Ric
Cc: Nagel, Melanie
Subject: Planning Board Meeting Comment December 8

Mr. Goss:

I would like to submit the following comments to be distributed to the Planning Board prior to the meeting.

Thank you

Planning Board:

I recently became aware of Mr. Storch's request to amend the LDC to increase the height limit of buildings on the north side of New Britain Avenue. I am very much in favor of encouraging multi-use development on that street. Granada is just too busy to ever become the kind of downtown that we would like it to be. However, I have some questions and reservations about the proposed change.

First, it says in a few places in this packet that there is no specific plan for development. The justification given for the change to the code is to make development economically feasible, yet no analysis to prove this is offered. I believe the staff's text says it all:

"The applicant's submittal states that the current regulations along New Britain Avenue make a mixed use development and luxury lofts infeasible, however there is no data and analysis to determine the feasibility of site development, ranging from two to five stories. Staff requested a market analysis to assist in review the request to eliminate the two story height limitation along New Britain Avenue. However, the applicant advised the project was not far enough along to provide a market analysis."

And:

"..but the application has not expressed why the amendment is needed at this time and why five stories of building are needed."

Why change the rules until we have seen that it is actually necessary and will be a benefit to our citizens?

Next, I question the reasoning to go to five stories. There are examples of wonderful downtowns nearby, including Deland and New Smyrna Beach, that are mostly two and three story buildings. Many of the most desirable cities in the world have few if any buildings of more than three stories. New Britain is a small street, and putting five story buildings on both sides, especially with the Form Based Code, will make it a "concrete canyon". Maybe we should be considering changing the current allowance back to two or three stories instead of extending the area where five stories are allowed.

Mr. Storch's letter to Steven Spraker says that *"My client's aim is to create a transitional district with gradual easing between the high traffic commercial south of New Britain Ave to residential as you go north. This project definitely captures the transitional nature of the area"*.

Actually, the original LDC amendment built in a transition, allowing 5 stories on the south side of New Britain but not on the north, transitioning to the residential Lincoln Historic District. The current request eliminates that transition.

And finally, Mr. Storch refers to a "project" and Mr. Cameron's letter refers to *"The conceptual plan elevation provided to me by WIVIIGECO is an excellent example..."*.

If there is no actual plan for development, then what are these referring to? I believe that LDC changes should be discussed in the context of concrete proposals.

I urge the Planning Board to reject the request to increase the height limit on the south side of New Britain Avenue. It could be considered at a later date when there is some concrete proposal for development is made.

Sincerely,

Norman Lane

1314 Northside Drive

Ormond Beach, FL 32174

Statement by Jerry A. Valcik at
The City of Ormond Beach Public Hearing at 7 pm 8 December 2016
Concerning Revision of the Ormond Beach Planning Code

I am Jerry Valcik, a “rewired professional engineer”. My wife Carole is a former educator. She and I reside on the beachside. We are proud residents of our Ormond Beach community with its exceptional quality of life dimension for well over a decade now. It is no surprise that our community was recently named the best place to retire to in the country by the American Association of Retired People.

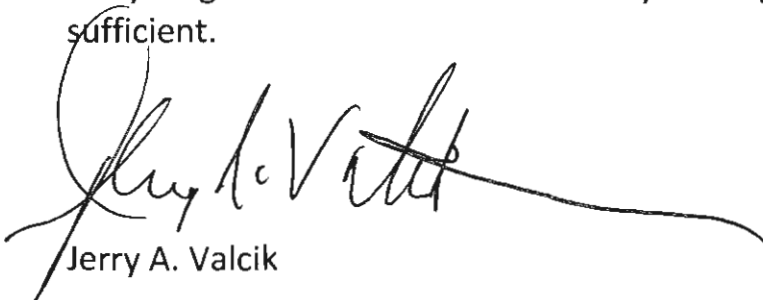
We are very pleased to see the progress being made in enhancing the Main Street area of our City.

From our perspective and that of several of our friends including Pat Sample, the President of the Ormond Beach Historical Society, we feel the New Britain Avenue area is conducive to development including town homes. These homes would bring people into an area where there are now businesses and could create more useful support businesses in the area. Accordingly, it seems three stories should be sufficient for this type of development. Parking could be accommodated on one level, or even partially underground, thereby minimizing the need for external parking areas.

Four-story structures abutting nearby residences do not appear to be necessary or a wise idea. The affected residents may very well get the feeling that they are “walled in”.

Good planning is called for. An element is inclusion of space for landscaping and openness to the environment. Preservation of historic structures and places will only add to the charm. All these elements can only add to the dollar value of properties in the area, if done well. The developers and the public should be educated accordingly.

In conclusion, in terms of our knowledge to this point, we feel the requested four-story height limitation is not necessary. A height limitation of three stories appears to be sufficient.



Jerry A. Valcik

December 8, 2016

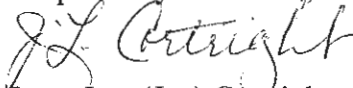
I support applicant's request as presented in Staff Report, City of Ormond Beach, Department of Planning, Number LDC 2017-013, dated December 1, 2016, to amend Chapter 2, District and General Regulations, Article VI, Overlay Districts, Section 2-70, Downtown Overlay District of the Land Development Code to remove the existing two (2) story height limitation along New Britain Avenue, from North Beach Street to North Ridgewood Avenue abutting the Lincoln Historic District and establish certain setback and landscape standards. Approval of this amendment would allow buildings up to a height of 5 stories, consistent with other height limitations within the River District of the Downtown Master Plan.

I support the redevelopment of the downtown area of New Britain Avenue into a higher density, mixed use urban area that would be attractive to, among others, millennials seeking a more urban lifestyle as well as to retirees who wish to remain in Ormond Beach but who are no longer interested in maintaining single-family suburban housing. The businesses along the Downtown section of West Granada are also dependent on higher density for profitability.

Though this amendment represents a change from the housing currently along New Britain Avenue, it is my opinion that it represents a vision of a revitalized downtown that will increase tax revenues from higher density housing. It will also attract businesses providing services to residents of downtown Ormond Beach as well as others who visit Ormond Beach because it has a variety of businesses and looks alive as only a well-developed urban area can.

and housing

Respectfully submitted,



Jarey Lee (Jay) Cortright

Mailing Address:

P.O. Box 730788

Ormond Beach, FL 32173

Residence Address:

18 Heather Lane

Ormond Beach, FL 32174