

**MINUTES
ORMOND BEACH CITY COMMISSION
HELD AT CITY HALL COMMISSION CHAMBERS**

January 17, 2017

7:00 p.m.

Commission Chambers

Present were: Mayor Bill Partington, Commissioners Dwight Selby, Troy Kent, Rick Boehm, and Rob Littleton, City Manager Joyce Shanahan, Assistant City Manager and Public Works Director Ted MacLeod, City Attorney Randy Hayes, and City Clerk Scott McKee.

A G E N D A

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS AND PROCLAMATIONS

A. HOmE for the HOlidays Parade Award Winners

B. Girls on the Run – Osceola Elementary and Pathways Elementary

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – January 3, 2017

7. CONSENT AGENDA

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

A. **RESOLUTION NO. 2017-24** : A RESOLUTION ACCEPTING A PROPOSAL FROM HALL CONSTRUCTION CO., INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE REPAIR OF THE SALLY PORT AT THE POLICE DEPARTMENT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: John Noble, City Engineer (386-676-3269)

B. **RESOLUTION NO. 2017-31** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO ECONOMIC DEVELOPMENT GROWTH ASSISTANCE AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND AMERITECH DIE & MOLD SOUTH, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)

C. **RESOLUTION NO. 2017-32** : A RESOLUTION RATIFYING AND AFFIRMING THE EXECUTION OF A CORRECTIVE QUITCLAIM DEED RELEASING THE SOUTHERLY TEN (10.0') FOOT UTILITY EASEMENT EXECUTED AND ACCEPTING A QUITCLAIM DEED PROVIDING A NORTHERLY TEN FOOT (10.0') UTILITY EASEMENT ON PROPERTY LOCATED AT 6 PRAIRIEVIEW LANE; SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Randal Hayes, City Attorney (386-676-3217)

- D. **RESOLUTION NO. 2017-33** : A RESOLUTION AUTHORIZING THE EXECUTION OF A LETTER OF AGREEMENT AND CONTRACT FOR HIGH VISIBILITY ENFORCEMENT FOR THE PEDESTRIAN AND BICYCLE SAFETY ENFORCEMENT CAMPAIGN BETWEEN THE CITY OF ORMOND BEACH AND THE UNIVERSITY OF SOUTH FLORIDA BOARD OF TRUSTEES FOR THE UNIVERSITY OF SOUTH FLORIDA'S CENTER FOR URBAN TRANSPORTATION RESEARCH; AND SETTING FORTH AN EFFECTIVE DATE

Staff Contact: Loretta Moisiso, Grants Coordinator/PIO (386-676-3315)

- E. **RESOLUTION NO. 2017-34** : A RESOLUTION AMENDING THE DATES AND TIMES FOR THE HOLDING OF REGULAR MEETINGS OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, FOR THE MONTHS OF MARCH, APRIL AND JUNE, 2017; PROVIDING FOR EXCEPTIONS THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340)

- F. **RESOLUTION NO. 2017-35** : A RESOLUTION APPROVING A SETTLEMENT OF A PERSONAL INJURY CLAIM FILED BY JOSEPH MICHAEL RAUSEO; AUTHORIZING THE EXECUTION OF ALL PAPERS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Randal Hayes, City Attorney (386-676-3217)

- G. **Auto-Renewal Golden Eagle Associates, Inc.**

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

Disposition: Approve as recommended in the City Manager memorandum dated January 17, 2017.

- H. **Bid Specifications for South Peninsula Reclaimed Water Expansion Project, Bid Number 2017-08**

Staff Contact: John Noble, City Engineer (386-676-3269)

Disposition: Approve as recommended in the City Manager memorandum dated January 17, 2017.

- I. **Continuing Contract Consultants**

Staff Contact: John Noble, City Engineer (386-676-3269)

Disposition: Approve as recommended in the City Manager memorandum dated January 17, 2017.

- J. **RFQ 2017-15 Airport Environmental Assessment**

Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)

Disposition: Approve as recommended in the City Manager memorandum dated January 17, 2017.

8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2016-45** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 1.48± ACRES LOCATED EAST OF 100 NORTH HALIFAX DRIVE, VOLUSIA COUNTY PROPERTY APPRAISER PARCEL NUMBER 4214-08-00-0340 FROM "PUBLIC/INSTITUTIONAL" (PI) TO "MEDIUM DENSITY RESIDENTIAL (MDR); PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- B. **ORDINANCE NO. 2017-01** : AN ORDINANCE APPROVING THE FINAL PLAT FOR "CHELSEA PLACE PHASE-III" SUBDIVISION A PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- C. **ORDINANCE NO. 2017-02** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS 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 HISTORIC LINCOLN AVENUE OVERLAY DISTRICT AND ESTABLISH CERTAIN SETBACK AND LANDSCAPE STANDARDS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- D. **ORDINANCE NO. 2017-03** : AN ORDINANCE ADOPTING CERTAIN UPDATED SCHEDULES TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; PROVIDING WHEN SUCH UPDATES SHALL TAKE EFFECT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

9. **FIRST READING OF ORDINANCES**

- A. **ORDINANCE NO. 2017-04** : AN ORDINANCE EXTENDING TEMPORARY EMERGENCY ADMINISTRATIVE PROCEDURES TO PROVIDE FOR THE CONTINUED EXPEDITIOUS AND COORDINATED MANAGEMENT OF BUILDING PERMIT APPLICATIONS AND FEES; WAIVING SPECIFIC PERMITS AND FEES ISSUED FOR THE REMOVAL OF CERTAIN TREES; ESTABLISHING A METHOD OF ENFORCEMENT OF THE FLORIDA BUILDING CODE SUCH THAT ON-SITE PERMITS MAY BE ISSUED BY APPROPRIATE CITY STAFF FOR REPAIR OF DAMAGE CAUSED BY HURRICANE MATTHEW; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, AND SETTING FORTH AN EFFECTIVE DATE. **(FIRST AND FINAL READING)**

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- B. **ORDINANCE NO. 2017-05** : AN ORDINANCE AMENDING SECTION 2-221, LEISURE SERVICES ADVISORY BOARD, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES, BY CHANGING THE BOARD MEMBERSHIP FROM TWELVE TO THIRTEEN MEMBERS; REPLACING THE SENIOR CENTER WITH ORMOND BEACH FRIENDS OF RECREATION, INC.; PROVIDING TERMS AND CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340)

10. **REPORTS, SUGGESTIONS, REQUESTS**

11. **ADJOURNMENT**

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:00 p.m.

Item #2 – Invocation

Pastor Joseph Jim, Riverview United Methodist Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4A – HOMe for the HOLIDAYS Parade Award Winners

Mr. Brian Daly, Chairman of the HOMe for the HOLIDAYS Parade, stated that over 2,500 people participated in the parade with 101 entries and 50 floats. He thanked the parade's sponsors – Ritchey Automotive, Realty Pros, AmeriGas, The Highlander Corporation, Mainstreet Community Bank, Orlando and Sons Repair Center, Ormond Beach Chamber of Commerce, Ormond Beach Dermatology, Ormond Beach Observer, Ormond Pediatrics, RiverGrille, S.R. Perrott, Saboungi Construction, The Casements Guild, Tomoka Eye Associates, Zev Cohen and Associates, VyStar Credit Union, Florida Hospital, and Hometown News. He thanked the committee volunteers – Brian Nave, Sandy Dudley, Janie Ray, Chris Massebeau, Megan Daly, Nicole Lennest, and Travis Sargent. He noted that the parade could not be put on without the help of the city's Leisure Services Department staff, including Leisure Services Director Robert Carolin, Assistant Leisure Services Director Stefan Sibley, Community Events Coordinator Sonja Johnson, and Cultural Center Coordinator Siobhan Daly. He also thanked the PACE Center for Girls for helping decorate Santa's float. He thanked the parade's judges and Ormond Beach Main Street for the tree lighting and music presentation. He thanked the city's streets, public works, fire, and police departments, noting that the police had the hardest job of the evening.

Mr. Daly announced the winners of the parade awards as follows:

Walker Division:

Third Place – Church of the Holy Child
Second Place – The Beach Bucket
First Place – Pathways Elementary Patriots

Vehicle Division:

Third Place – Daytona Pro-Kart Team
Second Place – Reunion Bank
First Place – Mid-Florida Jeep Club

Float Division:

Third Place – Holly Hill School
Second Place – Skate and Shake
First Place – Tomoka Elementary PTA

Mr. Daly stated that Best of Show was awarded to Arrow Towing. He noted that Arrow Towing had won the Presidents' Cup the prior year.

Ms. Debbie Cotton, President of the Ormond Beach Chamber of Commerce, presented the President's Cup Award for Best Float to Cunningham Oil and Heating.

Item #4B – Girls on the Run – Osceola Elementary and Pathways Elementary

Mayor Partington stated that Girls on the Run was a life-changing program for third- to eighth-grade girls founded in 1996. He explained that their mission was "*to inspire girls to be joyful, healthy and confident using a fun experience-based curriculum which creatively integrates running.*" He further explained that Girls on the Run was a 12-week after school program that helped girls develop and improve competence, feel confident in who they are, and develop strength of character. He noted that Girls on the Run helped girls respond to others and themselves with caring and compassion, by creating positive connections with peers and adults, and making a meaningful contribution to their community and society. He stated that the Girls on the Run program used exercise, positive reinforcement, and encouraging role models to help the girls discover the confidence they needed in the critical pre-teen years and beyond.

Mayor Partington stated that Girls on the Run of Volusia County was in its eleventh season and had served over 3,400 girls. He noted that on December 10, 2016, the Girls on the Run from Osceola Elementary and Pathways Elementary showed great enthusiasm and exhibited exceptional sportsmanship in the 5k (3.1 miles) run held at Father Lopez Catholic High School. He explained that under the direction of Coaches Heather Smyth, Kim Fischer, Morgan Belfer, Christy Cleckler and Meredith Gilbert at Osceola Elementary, the Girls on the Run team consisted of Olivia Ares, Nia Barrows, Jillian Heller, Ava Henderson, Jordan Hequet, Izabel Holmes, McKenzie Manhart, Denaye Mitchell, Kendall Olsen, Elizabeth Schoffler, Ava Warren, Grace Warren, Madison Webb, Alivea Romain and Margueritte Pittochi. He stated that under the direction of Coach Melodie Grunder and Coach Joan Wheeler, who have been the coaches at Pathways Elementary since 2005, the Girls on the Run team consisted of Jordan Adair, Sabrina Barros, Sierra Culliver, Bella DeJulio, Cadence Haley, Heather Hall, Andie Litz, Mia Nilson, Landrie Pannone, Catherine Queen, Celeste Sutphin, Serenity Sutphin, and Kylie Watson.

Mayor Partington proclaimed January 17, 2017, to recognize the Girls on the Run at Osceola Elementary and Pathways Elementary School in the City of Ormond Beach and urged all residents to join him in paying tribute to the Girls on the Run of Volusia County as outstanding representatives of the youth of the City of Ormond Beach. He presented the girls with certificates and each school with a proclamation.

Speaking before the City Commission

Mayor Partington noted the large audience in the Commission Chambers this evening. He asked anyone who wished to speak on any item to please complete a request to speak card, located near the front of the Commission Chambers, and return it to the Recording Secretary prior to the beginning of that item. He explained that in the Commission's rules of procedure it required all cards to be completed prior to the consideration of the item. He noted that there had been occasions before where audience members decided in the middle of a hearing on an item that they wished to speak on, but then it was too late for them to request to do so. He explained that they wanted to make sure that everyone was heard, and he encouraged those that wished to speak to complete and turn in a card prior to the item they wished to speak on. He noted that those with completed cards were always welcome to wave in support or opposition when their name was called to speak if they had heard enough and decided that they did not have anything else to add. He stated that it was better to have a card and not need it, than to need a card and not have it.

Mayor Partington noted that several members of the audience had left after the presentations. He requested those remaining standing in the Commission Chambers to fill in the empty seats, noting that there were enough seats available for everyone to be able to have a seat. He noted that the fire code did not allow for individuals to be standing in the aisle-ways.

Item #5 – Audience Remarks

Mr. Jim Schultz, 117 Harvard Drive, stated that a speaker recently at Embry Riddle Aeronautical University spoke about Eisenhower and his transition of power. He noted that one of his main concerns had been the military industrial complex. He stated that he was also concerned about academia. He stated that the concern was that the agencies that dictated policy and rewrote law would be overwhelmed by the industries that they were regulating because they would have their own people appointed to them, and thus effectively be regulating themselves. He stated that when the Inspector Generals reviewed these different agencies, such as the FDA and CDC, they found that was taking place and made a list of recommendations. He noted that those problems continued to exist. He stated that the current administration was getting ready to institute a vaccine safety committee.

Mr. Schultz noted that vaccine safety had been strange. He stated that in 1986 all doctors and pharmaceuticals were granted freedom from liability. He noted that the federal government paid for a vaccine injury compensation program operated through a Special Master, which did not have the same rules of discovery that would normally protect people. He stated that the candidate for that spot currently was Robert Kennedy, Jr., noting the notoriety of the Kennedy Family. He stated that Mr. Kennedy was an attorney for Morgan & Morgan in environmental litigation. He noted that he wanted to bring this to people's attention. He stated that Senate Bill 277 in California had pretty much taken away a parental right to make decisions on the medical issue of vaccinations, excluding religious and personal beliefs.

Mayor Partington noted that Mr. Skip Keating, Knights of Columbus, was the next speaker. He explained that he had told Mr. Keating that he and Commissioner Littleton would take a picture with him. Mayor Partington and Commissioner Littleton took a picture with representatives from the Knights of Columbus.

Mr. Skip Keating, Knights of Columbus, Prince of Peace Church, announced their Children with Disabilities Drive. He stated that they took care of children in Ormond Beach elementary schools. He noted that they provided funds for disabled children in five different schools the previous year. He stated that they would be at the grocery stores in town for the next month or so soliciting donations. He asked for help supporting the children.

Item #6A – Approval of Minutes

Mayor Partington advised that the minutes of the January 3, 2017, regular meeting had been sent to the Commission for review and were posted on the city's website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

Item #7 – Consent Agenda

Mayor Partington advised that the actions proposed for the items on the Consent Agenda were so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any items separately.

Mayor Partington announced that staff needed to remove item 7D from the agenda.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of the Consent Agenda, absent item 7D.

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Comments on Consent Agenda Items

Mayor Partington noted that no member of the Commission wished to make any comments on any Consent Agenda items.

Item #8 – Public Hearings

Mayor Partington opened the public hearings.

Item #8A – 1268 West Granada Blvd. Annexation

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-45
AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 1.48± ACRES LOCATED EAST OF 100 NORTH HALIFAX DRIVE, VOLUSIA COUNTY PROPERTY APPRAISER PARCEL NUMBER 4214-08-00-0340 FROM "PUBLIC/INSTITUTIONAL" (PI) TO "MEDIUM DENSITY RESIDENTIAL (MDR); PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Ordinance No. 2016-45, on second reading, as read by title only.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes

Carried.	Commissioner Selby	Yes
	Mayor Partington	Yes

Item #8B – Chelsea Place, Phase III Final Plat

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-01
 AN ORDINANCE APPROVING THE FINAL PLAT FOR “CHELSEA PLACE
 PHASE-III” SUBDIVISION A PLANNED RESIDENTIAL DEVELOPMENT;
 ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL;
 AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, stated that Chelsea Place was annexed from the county into the city. He noted that Phase I and Phase II were developed in the county. He stated that Phase III was in the City of Ormond Beach and had a preliminary plat approved by the City Commission. He noted that this is the final plat, which was consistent with the preliminary plat that was approved and also with the development plan that had been approved by the county. He stated that staff recommended approval of the final plat.

Commissioner Boehm moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2017-01, on first reading, as read by title only.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Mayor Partington	Yes
Carried.		

Item #8C – New Britain Avenue Height Amendment, LDC Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-02
 AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL
 REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS 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
 HISTORIC LINCOLN AVENUE OVERLAY DISTRICT AND ESTABLISH
 CERTAIN SETBACK AND LANDSCAPE STANDARDS; REPEALING ALL
 INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR
 SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this was a text amendment filed by Mr. Glenn Storch, as attorney for the applicant, Highlander Corporation. He stated that the filed amendment requested that the two-story limitation on New Britain Avenue between Beach Street and Ridgewood Avenue be amended from two-story to three to five stories. He noted that they also provided an amendment with regard to setbacks, providing that setbacks would be equivalent to the height of the buildings above two-stories. He stated that they also proffered a wall, along with a ten-foot landscape buffer, and some graphics depicting what they desired to do.

Mr. Goss stated that the city had done their investigative work for the form-based code in 2009, as there was no stormwater master plan as it was an unfunded project within the downtown plan. He noted that there was no parking then and that there was no streetscape. He stated that there really was not any regulating plan or idea of how they could shift the focus from State Road 40 (SR40) to the side streets in order to foster a walkable community. He explained that the downtown plan had suggested that they do a form-based code, and that was the genus for it. He explained that based upon what they knew about stormwater, it took up about 25 to 30 percent of a land area, particularly for every lot. He noted that they were very conservative and cognizant of the height limitations based upon the 2006 referendum and the historic district.

Mr. Goss stated that the stormwater plan had since been funded and no one needed to provide stormwater on sight anymore as it would be provided for them. He noted that a streetscape plan for New Britain Avenue was provided so that New Britain Avenue could

take advantage of that regulating plan showing a walkable community along New Britain Avenue. He noted that parking improvements had already been made, as well. He stated that things had changed since 2007.

Mr. Goss stated that when the proposed amendments went to the Planning Board for a public hearing, there were many members of the public in attendance. He noted that someone spoke in favor of the amendment while others spoke against it. He stated that the Planning Board considered everything in their deliberations and recommended one change. He explained that the Planning Board recommended that up to three-stories be able to be administratively approved by city staff, but four or five stories would need to be approved via a Planned Business Development (PBD) process. He explained that no one would spend all of the money for site plans and architecture to get into a PBD unless they knew they needed four or five stories for their project, which took a lot of investment upfront.

Mr. Goss explained that what was before the Commission for approval this evening was only a text amendment, noting that there was no specific project being considered. He stated that staff thought that this amendment, given what had been done in the downtown so far, was consistent with and furthered the downtown plan and form-based code. He stated that staff picked up the Planning Board's recommendation, as did the applicant, that three-stories could be administratively approved, but four or five stories would require a PBD process. He stated that staff recommended approval based on the Planning Board's recommendation.

Mr. Glenn Storch, Attorney for the applicant, stated that this plan had been long in coming and had the potential to be something really special for the area. He stated that he wanted to review a little history. He explained that this particular area was part of a Community Redevelopment Area (CRA) and was designated a blighted area. He noted that the focus of the area was around Granada Boulevard. He stated that the CRA was established to address the blight in the area. He stated that in 2002 the Lincoln Avenue Historic District was created and in 2007 the overall master plan to review downtown issues was created. He noted that in 2010 the two-story limitation was put into place. He explained that the regulation was a two-story minimum as well as a two-story maximum. He noted that it basically required a wall. He stated that in 2015, as a result of the city's successful efforts to try and encourage additional growth in the area, they added stormwater provisions, parking provisions, streetscaping, and retail and restaurant uses. He noted that, as Mr. Goss had mentioned, things had changed drastically in the last ten years.

Mr. Storch displayed examples of the blight in the area and noted that nothing had changed on New Britain Avenue in the last ten years. He noted that the only change may be that there was more traffic in the area because of the restaurants that were successful on Granada Boulevard. He stated that the problem with redeveloping New Britain Avenue was twofold. He explained that the whole area was divided into tiny lots, noting that there were about 17 different owners all along the area. He further explained that a small lot could not be redeveloped into anything besides what was already on it because they had nonconforming uses which were not consistent with the Comprehensive Plan or zoning, which was another reason that no one wanted to invest in them. He explained that there was a catch-22 of not being able to invest in what was there and also not being able to develop anything because of the fragmentation. He noted that the city's master plan had actually suggested that the city purchase all of these lots and aggregate them to try and create some terms for investment.

Mr. Storch stated that the other problem with redevelopment on New Britain Avenue was the height cap. He noted that although the rest of the river district had a two to five story cap, New Britain had a two-story height restriction while still keeping the requirement of a minimum of two-story. He stated that left no ability to do anything creative, no articulation of heights, and no encouragement of investment, which left no way to provide the density desired in the area in order to encourage people to actually live there and create a walkable city. He stated that this to him was an example of the law of unintended consequences. He explained that by putting the height limit in place, the city hurt New Britain Avenue. He noted that nothing had been done in the area in the last ten years. He stated that it also did nothing to help Lincoln Avenue, as nothing had been done there in the last ten years either, besides the parking and stormwater areas created by the city. He noted that the stormwater and parking improvements were made to encourage development on New Britain Avenue, as was the streetscape that was beginning.

Mr. Storch stated that all of the owners along the south side of New Britain Avenue were providing 35 feet to help the city with the streetscaping. He noted that those owners, who he represented, had done everything they could to encourage what the city's plan calls for. He stated that one of those individuals was Mr. Bill Jones. He noted that Mr. Jones had led the charge. He explained that he was fortunate enough to be able to select the clients he wanted to work with, and he stated that he felt honored that Mr. Jones had asked him to work on this. He noted that Mr. Jones had been working on an idea for 25 years. He stated that Mr. Jones bought his first piece in this area in 1992. He explained that Mr. Jones' concept was to take what was there at the time, which was downtrodden, deteriorating, and empty storefronts, and turn them into something better and by restoring them. He stated that all of the buildings that Mr. Jones had bought and remodeled had been spectacular successes for Ormond Beach. He noted that Mr. Jones had earned the trust of the city and had actually been given a key to the city.

Mr. Storch stated that Mr. Jones had begun buying up properties to reduce the fragmentation of parcels on New Britain Avenue, which had to be done in order to do anything within the area. He explained that Mr. Jones looked at the problems with fragmentation and the height restrictions. He further stated that rather than make a concrete canyon, as the current code called for, they were requesting that New Britain Avenue be made consistent with the rest of the river district, which allowed for mixed use and two to five stories. He noted that this would also allow for a safer downtown as the downtown could be focused on New Britain Avenue as opposed to focused on Granada Boulevard, which was a four-lane highway. He stated that a lot of traffic went through Granada Boulevard on the way to the beach. He noted that it was difficult to focus the downtown on that and noted that it could be focused on a walkable street on New Britain Avenue. He stated that it would allow for mixed use and flexibility of design, and would encourage investments.

Mr. Storch reiterated that the river district, of which this area was a part, had a minimum height of two stories. He noted that an ideal height was three stories and encouraged multi-family development. He stated that multi-family development on New Britain Avenue was allowing for ten units per acre, or 15 through a Planned Unit Development (PUD). He explained that the problem was that they could not get anywhere close to that density with a two-story building. He noted that they could not do mixed use or storefronts or anything, which was why he thought the area had been undeveloped for the past ten years or more.

Mr. Storch stated that staff had initially recommended approval of their request to change the height but had also provided options to the Planning Board when doing so. He noted that one of those options was to have a certain height be allowed by staff approval but then require a public hearing and PBD process for any additional height. He stated that there were some opposed to any amendments to the code, but also those that had expressed a desire to work together on proposed projects. He noted that he believed that a PBD would accomplish that purpose by allowing input before the project came to the City Commission for approval. He stated that other concerns were raised including privacy, traffic, and parking. He noted that those issues would be addressed in a PBD when they would not be addressed otherwise.

Mr. Storch stated that one thing that bothered him was that several folks attacked Mr. Jones in their remarks by characterizing him as a greedy developer. He noted that was the last thing he would ever say about Mr. Jones. He explained that this was not an investment that Mr. Jones had made for the purpose of short-term gains. He noted that he had made his investments in the downtown for the pure love of the city. He stated that Mr. Jones had been fortunate to make his money elsewhere and that he really wanted to create a legacy for himself, his family, and the city. He noted that he took offense at that characterization of Mr. Jones, and he hoped that the city would as well.

Mr. Storch stated that the Planning Board recognized the need to increase the height to encourage investment. He explained that the Planning Board understood the public's concerns and their desire to review and comment on any potential projects. He noted that the Planning Board came to a compromise, which he thought was fair, which was to permit the height up to three stories and have the potential to go higher be determined by a PBD. He stated that recommendation passed unanimously. He noted that he did not need to tell the Commission that their Planning Board was one of the best and most experienced Planning Boards in the community, as he knew that the Commission took their recommendations seriously. He explained that when he received a recommendation for a unanimous approval from them he took it seriously. He stated that he took it so seriously that he also stipulated for that compromise. He noted that he

pledged to work together with the community to address all of their concerns during the PBD process.

Mr. Storch stated that he believed that compromise had solved the issue but noted that some opponents of the amendment still misunderstood. He noted that there was an article in the newspaper about the issue and stated that it had two things contained within it that he had concerns about. He explained that it had stated that their aim was to build an 85-foot tall building, which he noted was ridiculous. He explained that he believed the city's height cap for the city was 75 feet. He stated that if the project was maxed out at five stories, it would not even begin to be close to that height. He stated that he wanted to raise this issue as that statement was wrong.

Mr. Storch explained that the other concern he had was that the newspaper article had stated that the property abutted a parcel owned by an opponent of the project in which a forthcoming five-story building would be built. He noted that this was one of the major problems at this point; explaining that many thought this amendment was for a specific project when no specific project was yet being considered. He explained that the amendment would be the beginning of working together for parameters towards an eventual potential project. He stated that this was not a project at this point, just a process. He reiterated that a PBD allowed everyone to work together to see how a future project might fit with the downtown and the neighbors. He stated that Highland Corporation, Mr. Jones, and their companies owned practically everything along Granada Boulevard at this point. He asked why they would ever do anything to destroy the value of their existing properties. He stated that they would do the same thing that they had done in their past projects, which was to be thoughtful in design and work together with the community, and that would be what would happen here.

Mr. Storch stated that the PBD was a contract between the landowner and the city as to exactly what would be built, the landscaping, the buffers, and every other detail. He noted that if that contract was approved, that was the only thing that they would be allowed to build. He stated that was how the residents and landowners could sleep at night. He explained that it would provide a look at the placement of buildings, different building heights, where the windows were located and privacy for the adjoining properties could be ensured, how buffers would be put in, how the walkable downtown could be created to fit with the design and vision for New Britain, and how to reduce traffic impact. He noted that a PBD would require a traffic study. He stated that it would look at the issues in the area and how to resolve them, as well as how to ensure sufficient parking. He noted that he had heard many people say that they loved the restaurants in that area but could not find parking to go to them. He stated that they would look at that during this process as they were looking at an overall vision for a new downtown.

Mr. Storch noted that it also addressed things like architecture. He stated that you could see the historic nature of Mr. Jones' buildings. He noted that he appreciated history, especially Florida history, and opined that if anyone could pull it off, it would be Mr. Jones. He explained that Mr. Jones could do it in such a way that it looked like the buildings had been there for 100 years. He stated that the buildings would look like a part of Granada Boulevard and fit with the Lincoln Avenue Historic District. He noted that was what would happen with a PBD and with someone like Mr. Jones, who understood this and was willing to spend the money to make it happen. He stated that this was far better than the existing zoning which required two stories, no more or no less. He stated that it was a one-to-one floor area ratio (FAR), which meant that if he had an acre of land he could put an acre of building on there. He stated that it had a setback buffer next to Lincoln Avenue right now of zero to five percent. He noted that it meant it could presently be right on the property line or at five percent. He stated that did not make any sense when trying to design something and did not provide for any flexibility. He noted that this amendment would provide the flexibility to create something that was good for Lincoln Avenue, as well as the community as a whole.

Mr. Storch reiterated that no decision was being made this evening on any project. He explained that the decision tonight was just regarding an amendment to allow some flexibility for them to start working on a potential project. He stated that he thought that this was an opportunity to dream and a chance for them to work together to accomplish that dream. He noted that Mr. Jones was a visionary. He asked Mayor Partington if he may reserve a few moments after the audience comments to address some of them, if necessary. He stated that Mr. Jones may wish to speak to them directly at that time, as well.

Mr. Philip Fleuchaus, 200 S. Beach Street, noted that he may be one of the oldest living citizens in the City of Ormond Beach, noting that he had lived in the city since 1960. He stated that he had seen changes slowly happen in Ormond Beach. He explained that since Mr. Jones had almost redesigned Granada Boulevard under the Commission's leadership, Ormond Beach had become a beautiful downtown area. He stated that what Mr. Jones planned to do on New Britain Avenue would certainly improve the overall nature of it and not in any way destroy the historic nature of the town. He stated that it would be a great step forward and improve the area. He noted that he lived close by but was not worried about the traffic as he received a lot of it on Beach Street. He stated that he was completely in support of it because of the examples of how Mr. Jones had singlehandedly improved the city. He noted that he believed that Mr. Jones would follow suit with any project on New Britain Avenue.

Mr. Ryck Hundredmark, 502 S. Beach Street, stated that when he moved to Ormond Beach, approximately 12 years prior, Granada Boulevard was totally different than it was presently. He explained that during that time, Granada Boulevard from Beach Street to US1 had changed dramatically. He noted that the changes had been positive and that the area had come alive. He stated that for the downtown district from Beach Street to US1 to grow and become even better, there must be development on either Tomoka Avenue or New Britain Avenue. He stated that the proposed ordinance would make New Britain Avenue, which was presently little more than an alley, into a viable street. He noted that it would be wider, have on-street parking, and no water retention issues. He stated that the proposed development would have property owners instead of renters and condominiums instead of rentals. He noted that there would be job creation, as small businesses would be opening in a mixed use development. He stated that the downtown would be better because of this development and he supported it.

Ms. Julia Truilo, Executive Director of Ormond Main Street, stated that Ormond Main Street worked on downtown redevelopment. She noted that she spoke to the Planning Board and wanted to reiterate Ormond Main Street's support for the proposal. She stated that it was an economically viable way to bring high quality living space to downtown, which was desperately needed. She stated that the current wisdom for downtowns in small and large towns was in order to thrive there needed to be living spaces that provided walkable access to downtown assets. She explained that these spaces were extremely popular throughout the country with two groups – millennials and retirees. She noted that they provided the option of reducing the dependence on automobiles, and increased the access to things like City Hall, the library, the river, parks, and the businesses in downtown. She stated that the proposed increase in the right-of-way on New Britain Avenue, which was part of the redevelopment plan, would balance any potential height of the new development. She noted that she also believed that it would deal with water retention issues that might arise from a denser development.

Ms. Truilo stated that residents in urban developments like this tended to pay a premium to live downtown and wanted their living spaces to be on the high-end side. She noted that she thought with Mr. Jones that would be what they would get. She stated that Mr. Jones was well known in the district, noting that several of his projects had been mentioned. She explained that Mr. Jones had respect for the history of the area. She stated that all of the buildings that he had renovated and reclaimed, such as Rose Villa, the Ormond Garage, and the Bushman Building, showed that he would not do damage to the historic aspect of the neighborhood. She urged the Commission to support this item.

Mayor Partington called for Mr. Skip Lowery, 202 Sagebrush Trail, to speak. He noted that Mr. Lowery was not present.

Mr. John Zak, 69 S. Atlantic Avenue, stated that if the city was really interested in making downtown viable and livable there needed to be a large grocery store or supermarket located in the downtown area. He noted that there was plenty of space to do that. He referenced Paris and New York, where supermarkets were placed in miniscule buildings. He noted that he did not oppose development but felt that five stories was a bit high. He explained that if people were going to live downtown there needed to be a place that they could walk to in order to buy groceries. He noted that if everyone living downtown had to drive to every place it would not help the traffic problem or make downtown safer or better. He suggested that if a supermarket was put into the downtown, then he felt the area would take off.

Mr. Tom Harvey, 82 Tomoka Avenue, noted that he did not plan to make a speech but just wanted to express that he did not support bringing in any more traffic which would be caused by this type of building. He stated that this afternoon there were masses of backed-up traffic everywhere and noted that it had been increasing over the years since he had lived there. He stated that he was totally against any more development.

Mr. Louis Lumaghi, 1 Cliffside Drive, stated that his concern was that a property owner could not plan on protection if the Commission could change the basic ground rules in the codes. He noted that he knew this was a great idea, but there was a right to private property in the United States.

Mr. Chobee Ebbets, 178 N. Beach Street, stated that he lived in the Dix House. He noted that he was pleased and proud that he and his wife lived in the home where Ormond Beach was created on April 22, 1880. He stated that it was an enormous investment for his family and located about two blocks from the area being discussed. He noted that Mr. Jones and his wife were dear friends of his and that Mr. Jones was one of his clients. He explained that he was not here for that reason and was there as a citizen. He stated that he had lived in Ormond Beach for 41 years and explained that the happiest days of his life with his family had been spent living on Beach Street, despite its traffic and issues, because they lived where they could walk to restaurants, the bridge, and to the library. He noted that he walked to the meeting this evening. He stated that the residents that lived in and around the city had that opportunity. He noted that another couple had built three-story buildings near his office in an inner city blighted part of Daytona Beach. He stated that the couple had a vision as Mr. Jones and his wife had a vision.

Mr. Ebbets addressed those that were afraid of this and noted that he was Mr. Jones' lawyer. He explained that he would not advise him to do and had not advised him to do 90 percent of what he had done. He further explained that was because Mr. Jones and his wife owned one of the most successful automotive and home theatre after-market companies in the United States. He noted that when he became Mr. Jones' lawyer, his company had 50 employees and now it had over 400 employees. He stated that Mr. Jones did not need to make another penny for the rest of his life. He noted that he could give Mr. Jones 1,000 better investments for the money that Mr. Jones had poured into downtown Ormond Beach. He stated that it was truly Mr. Jones' desire to see this community change, not for their benefit but for the benefit of their children and grandchildren. He noted that it was a blessing to have someone of Mr. Jones' ability willing to do what he has done for the community. He stated that he and his wife walk the streets regularly for health and exercise, including Lincoln Avenue and New Britain Avenue. He noted that having other people live and have homes there and be able to enjoy it was a good thing for the community. He stated that the traffic would still be there whether this was added or not. He noted that people were coming in droves as Ormond Beach was being recognized as one of the great places to live in the United States.

Ms. Victoria Jones, 25 Indian Trail, stated that she owned Frame of Mind, the frame shop located across the street from City Hall. She noted that she had owned it since 2008 and had been a resident of Ormond Beach since 1985. She stated that she had driven on Granada Boulevard her entire life for the last 31 years. She noted that she hated driving. She explained that she loved living in this town because it was a walkable, bike-able community, and was getting better. She stated that this new proposal would allow more people to live, eat, work, and play in the downtown area without really having to leave their own backyard. She noted that this would ultimately cycle money back into the storefronts, shops, and restaurants. She stated that the proposal sounded like just enough height to really view the Halifax River, Granada Bridge, and possibly even the beach. She noted that she would imagine that would attract a wealthier clientele to the area.

Ms. Jones stated that she was able to watch on the sidelines as Mr. Jones' daughter and noted that she felt honored to talk shop with him and converse about his ideas for the city. She noted that Mr. Jones lit up when he spoke about it and it was definitely something that was true to his heart. She explained that even if she could not see his vision she had no doubt that he would create something beautiful that told a story and had a soul. She noted that he really felt for architecture and his ideas came alive. She stated that she thought that it was safe to say, as evidenced with every project Mr. Jones had done, that he really cared about preserving the past. She stated that with him leading the way on this New Britain Avenue proposal, it would be nothing short of perfection. She noted that he had inspired her to really cherish Ormond Beach. She explained that deciding to stay in town and invest her life here was not an easy decision.

She noted that most of her friends moved away to bigger cities. She stated that Mr. Jones inspired her and because of him she felt totally invested in the area. She noted that what she had been able to accomplish with her shop set the tone for the area and she was excited to see what happened in Ormond Beach's future.

Ms. Zoe Hendrix, 458 S. Beach Street, stated that she came tonight to be further educated about the process. She stated that she was left with a lot of questions, but the biggest one was with regards to the density and the parking. She noted that she had lived in Ormond Beach since 1980. She stated that she had had a shop on Granada Boulevard but now she avoided driving on Granada Boulevard and was very adept at avoiding that road. She stated that she was pleased to learn that Mr. Jones' idea was not financially driven and asked Mr. Jones to stick to the height limitations of the Bushman Building. She noted that she saw the sun glinting off that area as she drove over the bridge and it made her happy. She stated that the limitation should be kept for the look of the community. She commended Mr. Jones' ability to duplicate historic looking structures. She stated that Mr. Jones was trying to duplicate structures that presently existed on Lincoln Avenue that would be vastly changed with people peeking into their backyards. She noted that she was glad to have heard what she heard this evening, but she would very much like for there not to be a change. She stated that things seemed to proceed like a runaway freight train.

Mr. William Jones, 12 Talaquah Boulevard, stated that he liked the grocery store idea presented earlier. He noted that he understood that there were a lot of concerns, including traffic. He stated that traffic was what it was and noted that he thought it would be nice to navigate the back streets, easily avoiding Granada Boulevard. He noted that people avoided Granada Boulevard now and probably would in the future as beachgoers came to the beach. He stated that he and his wife owned a yoga studio on Granada Boulevard and he had an office across the street. He noted that they had a global brand that they ran out of Ormond Beach and were excited about that. He stated that they had a head start here and did not need to be located in a larger city. He explained that his wife corrected him when he would say that they lived "near Daytona Beach" to people, because they lived in Ormond Beach.

Mr. Jones stated that his grandfather moved to the area in 1979 and found Ormond Beach, which would be his home for the rest of his life. He noted that his father helped see that vision through and it was taking a long time. He stated that things would still take a long time so he appreciated Mr. Storch noting that this was not about a set project but about some flexibility for creativity. He stated that his father did things right and took everyone's opinion into consideration. He noted that his father's dream was not to just build a big cement structure for everyone to stare at. He stated that his father's buildings could be appreciated and had history behind them. He noted that he planned on carrying his grandfather and his father's vision through, and also doing it for his son, who is three and a half years old. He stated that he loved it in Ormond Beach and planned to be here for the rest of his life and supported the city. He stated that he would appreciate the flexibility on this project.

Mr. Matt Hewitt, 194 Windward Circle, stated that he lived just north of the blight that Mr. Storch pointed out. He suggested that when this project was done perhaps they could come across the bridge and do something there. He noted that those who had spoken in support of the ordinance already had done a terrific job. He stated that he wanted to add some comments from an employer's standpoint. He stated that he worked for a local company that employed about 220 people in Daytona Beach manufacturing skin care products. He noted that the company also had a site in Charlotte, North Carolina, that employed approximately the same number of people. He referenced Mr. Storch saying that he could pick and choose his clients and explained that his company's employees could pick and choose where to live.

Mr. Hewitt noted that a young professional in their company was not choosing to live in Ormond Beach. He explained that he lived in Ormond Beach but had young children himself and wanted to redo a home. He explained that these young professionals wanted a livable place, as Ms. Truilo had mentioned. He stated that it was difficult to recruit to the site here and much easier to recruit to the site in Charlotte. He noted that livable places and residents were needed downtown. He stated that residents meant consumers and consumers meant more opportunities. He stated that he appreciated the developers and what they were doing. He noted that he did not know Mr. Jones, but he expressed his appreciation for what he was trying to do.

Mr. Steve Carduner, 110 Orchard Lane, stated that he owned a business on US1 and had lived in Ormond Beach for about 20 years. He noted that he thought that Mr. Jones

had done an amazing job on Granada Boulevard and totally revitalized the area. He stated that he and his wife recently bought a home in New Smyrna Beach as an investment because they liked their downtown area so much and the fact that you could walk between the different restaurants and shops located there. He noted that hopefully that would come to Ormond Beach and they could stay here and enjoy it.

Mr. G.G. Galloway, 1305 Oak Forest Drive, stated that he had lived in the area for 35 years. He noted that he was a fan of the Clemson University football team and joked that this meeting was becoming like a football game with Clemson fans on one side and fans of the University of Alabama, Clemson's national championship game opponent, on the other side. He stated that what everyone had in common was that they loved Ormond Beach. He noted that they all could live somewhere else and chose not to. He stated that a lot of young people had spoken that evening. He noted that he was 63 years old and in 35 years only one new building, that was not a government building, had been built between the bridge and US1. He stated that one could argue that Sunoco was built but noted that it had been an empty gas station for years prior. He noted that the only new building outside of City Hall was a bank building. He stated that there were not many people standing in line to redevelop the city's core area. He referenced the grocery store that had been mentioned and noted that Trader Joe's would not relocate in the former Food Lion building. He stated that it was time that they started bringing vision to the downtown.

Mr. Galloway noted that he had no dog in this hunt, noting that he believed that he had never sold a property to Mr. Jones. He stated that many times developers came to the area that did not care about their product. He noted that Mr. Jones was a proven developer who lived in Ormond Beach and paid taxes there. He encouraged those who opposed this to bring their own plan and put their money up. He explained that whether someone was for or against any potential proposal, he saw this as a property rights issue. He noted that it had been mentioned that the property rights were for two-stories. He stated that in 2010 the property rights had been taken away from those who had paid taxes for years and could have built up to 55 feet. He noted that it was a tough decision and he challenged the Commission to look at this as a property rights issue. He stated that everyone should remember that they were citizens for Ormond Beach.

Mr. Bradley Sargent, 240 Oak Drive, stated that his parents moved to Ormond Beach in 1984 and he was old enough to think that the Granada Bridge was too steep to go over. He noted that he came back to Ormond Beach from Winter Park wishing to live on the beachside. He noted that he moved into an old rundown home in a neighborhood that was huge right now. He stated that he lived in a small home that was maybe 1,850 square feet but they loved it. He noted that the other night he was able to walk from his home, over the bridge, to a couple of different places that had music and were really nice. He stated that he ran into a friend of his that grew up on Beach Street that now lived in Palo Alto and worked for Apple. He noted that his friend wished for Ormond Beach to be in his area. He noted that the office he worked at was in Ponte Vedra, near Jacksonville. He explained that when he drove home and turned off of US1 onto Granada Boulevard, he had to slow down and stop for people walking back and forth on Granada Boulevard. He noted that traffic was difficult and growth was inevitable. He stated that Ormond Beach was a great spot to live in. He thanked the City Commission for their consideration.

Ms. Megan Corbett, 2380 Baja Trail, stated that she co-owned two new businesses in downtown Ormond Beach: Arts on Granada, a working artist studio and gallery, and Gold Leaf Coffee, a new coffee shop serving high quality coffee. She stated that studies documenting the changes that occur when streets and neighborhoods were improved were sharply lacking in current literature. She noted that an executive study entitled, "The Economic Benefits of Sustainable Streets," written by the New York City Department of Transportation, documented a six-year study on the changes that took place with the improvement of streets and neighborhoods in New York City. She noted that New York City Commissioner Janet Saidu Khan stated that *"attractive public space attracts more people and more activity, thus strengthening both communities, the businesses that serve them, and the city's economy as a whole."* She explained that to this end, encouraging local businesses was a major boost to the local economy. She stated that the American Independent Business Alliance stated in 2003 that *"a dollar spent at an independent business generated about three times as much benefit to the local economy as spending a dollar at a chain retailer."* She noted that locally owned businesses thrived in densely built walkable communities and were more likely to stock local products, which in turn supported other local businesses. She stated that for her businesses, this was very true. She noted that Gold Leaf Coffee used locally roasted

coffee beans from Ormond Beach's own Steel Oak Coffee, in addition to stocking various pastries from Cakery Creations. She stated that Arts on Granada hosted over 20 local artists and decreased financial barriers for entrance into the art world.

Ms. Corbett stated that according to the Real Estate Research Corps in 2002, "*real estate values over the next 25 years will rise the fastest in communities with a compact mix of residential and commercial districts in a pedestrian friendly environment.*" She stated that according to the Brookings Institute in 2011, "*homes in walkable urban neighborhoods have experienced less than half the average decline in price from the housing peak of the mid-2000s.*" She noted that west of the Granada Bridge had become so beautiful since she had moved to the city and stated that each new project that Mr. Jones had undertaken had been a successful addition to the community, both aesthetically and with regards to convenience to culture. She stated that she had heard many people her age remark how they used to feel stifled in Ormond Beach and could not wait to get away after high school. She noted that now younger people were being drawn back to the community by this renaissance-like phenomenon so much so that she had heard remarks that Ormond Beach was starting to make New Smyrna Beach jealous. She stated that helping to create an art community in Ormond Beach excited her as well as fueled her fire of dedication to the enrichment of the community.

Ms. Jay Cortright, 18 Heather Lane, stated that she had lived in Ormond Beach for 16 years and supported the applicant's mixed use residential and business development along New Britain Avenue from North Beach Street to North Ridgewood Avenue, abutting the Lincoln Avenue Historic District. She explained that the redevelopment of the downtown area of New Britain Avenue into a higher density mixed use urban area would be attractive to both millennials seeking a more urban lifestyle, as well as retirees who wished to downsize so that they could continue to live in Ormond Beach and age in place. She explained that these demographics were not interested in owning, maintaining, or living in single-family suburban housing. She stated that it was expected that higher downtown residential density would reduce car utilization and promote pedestrian traffic between those homes and businesses in the downtown area. She noted that, in turn, the businesses in the downtown would generally benefit from more customers gained from the higher residential density downtown.

Ms. Cortright stated that it appeared that this proposal would envision a revitalized downtown, one that would increase tax revenues from higher density housing and successful businesses. She noted that it would also attract non-residents who visited this part of Ormond Beach simply because it was a pedestrian friendly area with businesses that made for an inviting downtown and a place to gather for the amenities of city life. She noted that the applicant's proposed development presented a change from the current development along New Britain Avenue, but explained that it could also be seen as a return to the original use of this area, back in the early days of Ormond Beach, or New Britain, as its predecessor was known. She suggested that it be thought of as a kind of re-preservation of the city's first developed area, complete with residences and a variety of businesses all in support of each other, just like in the good old days.

Mr. Don Dewar, 15 Deerskin Lane, stated that he came to the meeting to decry the whole thing. He described apartment homes with back staircases and laundry flying. He noted that Mr. Storch's description did not sound like that though. He explained that after the presentation, which he felt was excellent, the only interest he still had in the project was with regards to the height. He stated that he thought that five stories would be ridiculous while three would be manageable. He asked what the density of the population that was envisioned there would be. He asked whether it would be townhouses or apartment buildings or condominiums. He noted that it was presently unclear. He stated that he thought that Mr. Jones had done a marvelous job with his previous projects, joking that the prices in his restaurants were a little much.

Mr. Jeff Boyle, 614 North Halifax Drive, stated that everyone agreed that Ormond Beach was special, and contained unique homes and buildings at each end of the bridge, along the river, and on Lincoln Avenue. He stated that the proposed amendment would diminish that character by allowing disproportionate overdevelopment. He noted that earlier this evening the Commission had approved a rezoning on North Halifax Drive, which was the street on which he lived. He stated that the rezoning was for townhouses that would replace a church on property backing up to a historic district a short walk away from downtown East Granada Boulevard. He noted that it was a nearly identical rezoning and yet no citizens objected to it because it was two stories. He stated that buffers did not work above two stories. He explained that was why the two-story limit was written into the code for New Britain Avenue and Lincoln Avenue. He stated that the

amendment raised serious questions regarding traffic, parking, building disproportion, and claims of downtown revitalization. He stated that it compromised the historic district and the development code. He noted that the most important question, and the only one the Commission would vote on this evening, was whether the city would honor the code or break their written promise.

Mr. Boyle stated that the Lincoln Avenue homeowners trusted the city in good faith agreement placing restrictions on their properties. He noted that they now faced a nightmare of buildings blocking their southern exposure, and apartment noise and dumpsters. He stated that the amendment was wrong at five stories, four stories, and three stories. He noted that an approval would set a dangerous precedent for future code amendments. He stated that a rezoning was normally routine, unless it disrupted the privacy and quiet enjoyment of single-family homes, or damaged the city's historic character and aesthetic profile. He noted that this proposed amendment did both of those things and broke the city's word. He stated that he had spent two minutes talking about ten separate issues, each which was reason enough for a "no" vote. He asked the Mayor and Commissioners to not sell the city's land code and to honor and keep the two-story limit and the city's good word. He asked them to keep the zoning promises made to Lincoln Avenue homeowners. He stated that he stood with the Lincoln Avenue residents.

Mr. Jonathan Needham, 48 Lincoln Avenue, stated that he had resided in his home for 20 years. He noted that he wished to speak about perspective. He had a companion display a poster board sized photograph from the second story of his home. He also had printed copies passed out to the Commission. He explained that this was their view for the last 20 years, noting that it was trees and vegetation. He stated that one of the main reasons that they bought their property was because of the size, beauty, and privacy of the backyard. He noted in the picture there was a 30-foot section of metal pipes that he erected by their rear property line with some balloons on a 30-foot string, thus representing 60 feet. He explained that provided an idea of his perspective as to where a roofline of a five-story, mixed-use building would be. He noted that this was just the view behind his 66-foot wide lot. He asked that they imagine that building skyline dominating the length of the New Britain Avenue city block from Beach Street to North Ridgewood Avenue.

Mr. Needham stated that this would substantially impact the residents of Lincoln Avenue's lifestyles and the enjoyment of their backyards and properties. He asked the Commission whether they would like this massive imposition upon their home or their backyard. He noted that "no" was the only answer. He stated that when the trees and shrubs were moved from the rear property line, for the proposed six foot wall, then their perspective would go from bad to worse. He noted that there was no planned vegetation buffer that would ever hide a five-story building. He stated that regardless of where he was in his house he would see the massive building and parking lot. He noted that the Lincoln Avenue residents would see car headlights flashing at night and hear the loud whines of the commercial HVAC systems. He stated that the Lincoln Avenue residents would also see security lights shining down from on high. He noted that at night they would see the residents of the lofts through hundreds of brightly lit windows and noted that the loft residents could look down and follow their lives in return. He stated that would be the view that every Lincoln Avenue resident would have until they relocated or died.

Mr. Needham stated that it would mean a loss of property values and a complete loss of privacy, as well as the property owners' common law legal rights to the private enjoyment of their property. He asked if those considering supporting the amendment would feel the same if it was in their backyard. He noted that he suspected not. He asked the Commission to please keep the code the way that it was specifically intended to be by the redevelopment committee, at two-stories, to protect the historic residences and the rights of its residents. He asked whether the Commission would want it behind their home and asked them to please vote "no."

Ms. Ellen Needham, 48 Lincoln Avenue, noted that she had no problem with Mr. Jones and with what he had done downtown. She stated that he had done a terrific job but noted that she felt that the growth and change needed to be responsible. She stated that many purchased their homes in Ormond Beach prior to any of the changes on Granada Boulevard and prior to anything that would occur on New Britain Avenue. She noted that Ormond Beach was beautiful and a great place to live because of its location to the ocean and the intracoastal. She stated that it was a great place to live, raise a family, and retire. She explained that the existing land code was changed in 2001 to protect the

Lincoln Avenue Historic District. She noted that they did that as a neighborhood and put very strict guidelines in place that had to be adhered to. She explained that they did that with the city's planning department and it went into the city's code. She noted that in 2010 the land code was changed to the two-story height limit on New Britain Avenue, noting that was done to protect the Lincoln Avenue Historic District.

Ms. Needham stated that approval of this amendment would give "carte blanche" to the developer to sell or build anything up to five-stories with mixed use without a plan. She noted that this was based on a maybe and there were no guarantees. She suggested that there be no approval without plan in place. She explained that she was not asking for special treatment and was just asking that the land code be maintained as it was. She noted that there were no five-story building on West Granada Boulevard or the side streets. She explained that this set a precedent for that to be abutting residential properties. She stated that she was told that it would be apartments but noted that there was no plan. She explained that to correct the Daytona Beach News-Journal article, the footprint of the rendering was 85 feet and the height was 60 feet. She noted that was an error on their part that they did not understand. She stated that catering to one developer and tenants over the residents of Ormond Beach was not right.

Ms. Needham noted that millennials and retirees were brought up. She asked where they would work and how would they afford these apartments. She asked what retirees would want to live behind restaurants and nightclubs. She stated that the historic districts in Ormond Beach needed to be protected. She noted that in 2012, Mayor Partington had appointed her to the Historic Landmark Preservation Board and asked her to be proactive. She stated that she was and she protected all properties in Ormond Beach. She stated that she hoped that he would do the same with his vote. She asked the Commission to protect the character of the downtown area and the historic properties in Ormond Beach.

Mr. Ed Kolaska, 32 Rio Pinar Trail, stated that he lived in The Trails and noted that some may wonder what he was doing there. He explained that his primary concern was the height limit. He noted that change was good as long as there was a need for it and it benefitted the majority of those that it affected. He explained that in his opinion in this particular situation, it only benefitted the intended developer. He stated that those that lived in the immediate area would be adversely affected, primarily with a drop in property value but also with negative effects stemming from reduced privacy, additional car traffic, and changing aesthetics in the neighborhood. He stated that any change from the two-story zoning would open a Pandora's Box for future change requests throughout the city. He noted that they all remembered the 2006 fiasco wherein a major developer requested a change in the 75-foot height limit. He stated that that developer and the proponents of the project had suggested that change would bolster the tax base. He noted that the opponents pleaded overcrowding and loss of aesthetics in the beachfront community. He stated that they should let Daytona Beach be Daytona Beach, noting that they liked Ormond Beach as it was.

Mr. Kolaska explained that one negative factor of a height increase was never addressed by anyone back in 2006. He stated that the increased traffic would have overwhelmed the Granada Bridge. He asked who would have paid for additional bridges and asked where they would have been built. He noted that he and his wife embarked on an eight-year journey, beginning in 1996, to find the perfect community to become their new hometown in Florida. He explained that they had both seen the negative impact of county commissioners selling out the residents of Dade County by changing low density zoning to high density zoning in the 1970s and 1980s. He stated that they referred to Ormond Beach as the jewel of Florida. He noted that Mr. Jones was to be commended on the improvements he had made to downtown Ormond Beach. He stated that there was considerable vacant land throughout Ormond Beach that could keep many developers busy for years to come without causing controversy. He stated that you could not build history or charm, and you did not know what you had until it was gone.

Mr. Carl Tutera, 357 Ocean Shore Boulevard, stated that there was so much traffic on Granada Boulevard that it took his wife 30 minutes to get from Interstate 95 to their home on Ocean Shore Boulevard. He noted that he went down Granada Boulevard on his way to Orlando every day and that he encountered enormous traffic. He stated that he never saw anyone walking. He asked where they would be walking to. He noted that everyone had a car and parked it in back of the restaurants and everywhere else. He stated that the traffic would be very heavy. He noted that he did not even know what the density would be. He stated that in order to make any money he would assume there

would be about 50 to 100 units. He explained that he thought that if the Commission passed this ordinance there would be further trouble down the road in that others would come in and ask for waivers or amendments to do the same thing. He noted that all of the sudden there could be five-stories everywhere with a lot of people and a lot of problems. He stated that he developed property in Orlando and knew that things did not sell as well as was stated on paper. He noted that a lot of nice sketches went into developing a plan like this. He explained what happened when the units did not sell as hoped for was that they then became rentals. He explained that the renters were not as interested in keeping the units up the way they should. He noted that all of these things played into development.

Mr. Tutera stated that the Commission had the obligation and opportunity to say "no." He noted that he did not know what was wrong with the downtown. He stated that he thought that it was great and asked why it needed to be improved with housing. He asked if it was for the people that owned businesses there, noting that he could see that argument. He stated that the code called for two-stories and suggested that the code needed to be lived by. He stated that when they started changing the code and changing the zoning they may get developers who want to put industrial uses on Granada Boulevard. He stated that it was very thoughtful for the Commission to take into consideration what goes beyond the day and the vote. He noted that this was not simply about this project or this development, but about the total picture of what would happen years into the future. He stated that he and his wife loved it in Ormond Beach. He noted that she had a brand new radio station on 107.1 called WZEA. He asked the Commission to be thoughtful in their deliberation.

Mr. Steve Sevigny, 1325 Oak Forest Drive, stated that when he and his wife moved to Ormond Beach 17 years prior, the downtown area was nothing. He noted that now it was a vibrant place. He stated that he was a physician and explained that up until about seven years ago, when he interviewed partners, he would lose them to Port Orange and Palm Coast. He noted that one of the last ones moved to Ormond Beach because there was a fun vibrant downtown. He explained that he did not know Mr. Jones at all but noted that he could see his proven track record of renovating the downtown with his own money. He stated that it would be really nice to allow for residents to be able to walk to dinner from their own homes.

Mr. Sevigny noted that he represented Granada Place, which was located at the edge of the blight center, which he had redeveloped. He stated that there were 12 small businesses located there and they were all excited by the thought of having some foot traffic generated by having people living in downtown. He noted that this was a huge advantage and economic driver for the downtown. He stated that adding a few townhomes, apartments, or condominiums to one street downtown would not dramatically change the traffic. He noted that if anything it could encourage more people to walk downtown. He stated that he and his partners wanted to speak in support of this project. He noted that Mr. Jones had a great track record and the reason the city looked so nice now was because of what he had done.

Mr. Marvin Miller, 40 Riverside Drive, announced that he received an alert on his phone that the suspect who murdered a deputy in Central Florida has been captured. He wished the Commission a happy new year and welcomed Commissioners Selby and Littleton to the conflict in Ormond Beach. He noted that he had heard the good, bad, and ugly this evening. He stated that this was about change and explained that there had been no change on Granada Boulevard from A1A down to Bellair Plaza, as that proposed change had been turned down. He noted that was a blighted area and it embarrassed him when people came into Ormond Beach and saw 25 empty buildings. He explained that the only construction he had seen was for parking lots on both sides of A1A from the county. He noted that eliminated the tax base and future development. He stated that the two things that had opened up on A1A were a Goodwill shop and a Dollar Store. He noted that the Goodwill shop was already out of business. He explained that consolidated land was lost because the city said "no" and noted that the Ormond Memorial Hospital also had left town. He stated that all of that property by State Road 40 and Interstate 95 now belonged to Daytona Beach.

Mr. Miller stated that Mr. Jones was willing to put his money where his mouth was and help invest to make downtown a walkable area, which was desired. He noted that he had nothing personally invested in the project but explained that he cared a lot about Ormond Beach. He stated that he came to the city 46 years ago and noted that the city's growth had been stagnant for a long time. He noted that particularly Granada Boulevard on the beachside was stagnant. He stated that there should be some infill there. He

stated that these apartments would bring people, money, a tax base, and activity to the city. He stated that the condominiums worked. He recalled the crime in the area before the Ormond Heritage Condominiums went up. He noted that he heard back then also that the traffic would be horrible but nothing had been unusual, noting that he lived across the street from there. He stated that it had caused no burden but served as infill, noting that it utilized city water and utilities, which were in place. He encouraged the Commission to approve the amendment.

Ms. Betty Cartwright, 56 Lincoln Avenue, stated that she had lived in her home for 38 years. She noted that she was mostly concerned about the need for parking on New Britain Avenue. She explained that presently the Kona Tiki Bar at Grind Gastropub was very popular night spot. She stated that there was valet parking available and that the valets parked the cars in all of the yards of the homes along New Britain Avenue. She noted that she believed that the developer owned those homes. She stated that she was unsure where additional cars would be parked. She stated she had an issue with privacy. She stated that the new park on Lincoln Avenue was right next to her home. She noted that the park was beautiful but that almost of all the trees had to be removed from it in order to put in the stormwater retention pipes. She explained that during the last hurricane her home lost six trees and also suffered roof damage. She stated that there really was no privacy and privacy was important to her. She noted that when she was working in her backyard, people often spoke to her.

Mr. Michael Rodriguez, 67 Highland Avenue, stated that he had lived in Ormond Beach his whole life, for 38 years, and had previously lived in the downtown area on the corner of Beach Street and Lincoln Avenue. He stated that he currently lived two blocks from the proposed project. He noted that he had previously lived in an apartment on top of the Bushman Building and his sister had lived in the carriage house that was now the Tiki Bar. He stated that he and his family were very invested in the community and loved it. He explained that he had respect for those that opposed the amendment, as they had a different vision and different ideals. He stated that he thought that Mr. Jones had demonstrated his respect and commitment to Ormond Beach through his developments. He noted that Mr. Jones was a historian who had restored buildings such as Rose Villa and the Ormond Garage. He stated that he had no doubt that Mr. Jones would do this project the right way.

Mr. Rodriguez explained that he thought that the main difference between Ormond Beach's downtown area and Daytona Beach's Main Street downtown area was residential. He noted that there was a built-in residential area in regards to downtown Ormond Beach. He asked what the harm would be in bringing in more people. He noted that it would be a benefit to the businesses, the community, and the residents. He again referenced the traffic and noted that a traffic study would be part of what Mr. Jones intended to do. He noted that he was a resident of that area and a parent of two. He explained that you could not walk down Granada Boulevard as the traffic was going by too fast and the sidewalks were too small. He noted that it felt unsafe.

Mr. Rodriguez stated that the area for walk-ability would be in the backstreets, on Tomoka Avenue and New Britain Avenue. He noted that was where the focus needed to be--in that area with bigger buffers and larger sidewalks where people could feel safe to walk. He stated that the pedestrians would support the businesses and make the community better. He stated that he felt like a lot of citizens had a natural distrust of developers. He noted that smart development was needed and that distrust needed to dissipate. He stated that he believed that Mr. Jones had shown the way in which he developed preserved the community's integrity and heritage. He noted that this was the community's shot for development in that area and they should not waste it. He stated that he stood behind Mr. Jones and this project. He noted that he believed that most people they spoke to would stand behind Mr. Jones.

Mr. Ed Schwarz, 570 Memorial Circle, noted that he had resided in Ormond Beach for over 50 years and owned a business in town. He stated that he was a real estate professional and had seen the growth in Ormond Beach over the last 50 years. He noted that the growth had been stifled by the lack of developers taking over the West Granada Boulevard area. He stated that he thought adding a residential element to the development along West Granada Boulevard would only enhance the city and would make the town much more vibrant. He stated that he was in favor of the passage of this ordinance. He explained that he trusted that the Planning Board and Mr. Jones would put together a really nice development. He noted that he thought that it would be great for the city.

Mr. Kevin Wakefield, 77 Loyola Drive, stated that he owned two businesses directly across from the proposed development area. He noted that he had owned those businesses for about the past four years and had witnessed great growth and change along Granada Boulevard during that time. He stated that everyone would like to see Ormond Beach's downtown have an active walking area and main street like in New Smyrna Beach or Winter Park. He explained that given the speed of traffic and the size of sidewalks on Granada Boulevard, the area did not lend itself to that type of activity. He noted that by virtue of that, New Britain Avenue had already become a very busy area for foot and vehicle traffic. He stated that the traffic was already there and was most evident on a Thursday, Friday, or Saturday evening. He stated that he believed this change would expand the scope of downtown, complementing the current properties while offering opportunity for new commerce and residents alike.

Mr. Wakefield explained that he knew that some were fearful that new development would change the character of the downtown. He noted that he certainly did not want to see that happen and explained that he did not think that Mr. Jones or the Highlander Corporation wanted to see that happen either. He stated that they had consistently made aesthetics and history an important part of every one of their downtown developments to date. He noted that Rose Villa was a perfect example of that. He explained that Mr. Jones bought that very old building and could have easily torn it down and rebuilt it for a fraction of what it cost to renovate it. He further explained that Mr. Jones chose to renovate the building, not for profit, but for historical significance and to maintain the city's heritage. He noted that change was inevitable and growth would happen. He stated that he did not think that the city would find a more responsible developer than Mr. Jones. He expressed his support for the project.

Ms. Jennifer Wells, 98 North Beach Street, stated that she resided a block from the proposed project and had lived there since 1993. She noted that she felt that this project would equate to how many people could be stuffed into a Volkswagen Beetle. She stated that she presently had trouble getting out of her driveway on a daily basis, primarily in the morning when she was going to work and in the afternoon when school let out. She explained that her driveway was on North Beach Street. She stated that she did not understand support for a project with higher density. She asked where the higher density would be. She explained that she thought there would be too much density and congestion, as well as crime. She noted that the ambulance services would have issues, too. She explained that they already were occasionally blocked and had to use the side streets for access, including New Britain Avenue. She stated that she could not understand the parking issues either. She noted that there were also empty businesses. She explained that she bought a business at Wall Street Lofts. She noted that it was bought at a fire sale because it had been vacant for seven years. She stated that someone brought up those offices earlier and explained that it took years to fill them.

Ms. Wells stated that Mr. Jones' dream was not her dream. She explained that her dream was to live on their property privately and to be able to not deal with people. She stated that she loved what Mr. Jones had done so far and noted that she believed that he could do it successfully with two-stories. She noted that two speakers had referenced New Smyrna Beach. She stated that New Smyrna Beach had it all over Ormond Beach. She noted that New Smyrna Beach also only had two-stories. She asked them to think about that. She stated that New Smyrna Beach was very successful with two-stories and noted that she thought that Ormond Beach could be the same. She explained that she wasn't opposed to renovation but was opposed to the height increase and wanted to keep the code the way that it was.

Mr. Jerry Wells, 98 North Beach Street, noted that he was a lifelong Volusia County resident who had lived in Ormond Beach for over 40 years. He explained that he was not opposed to Mr. Jones or mad at him. He stated that he had a few drinks at Mr. Jones' bar and that he believed that Mr. Jones was in this for profit and doing quite well. He referenced it being mentioned earlier that Mr. Jones was not doing this for money. He stated that he opposed the height limit change. He stated that this was a historic area of Ormond Beach. He noted that he had been fortunate enough to know Ms. Alice Strickland, who wrote the history of Ormond Beach. He stated that when tourists went to Vermont they did not go to see condominiums and Wal-Marts but to see the historic charm of the area. He noted that he wanted to see that charm preserved in Ormond Beach. He stated that he would like to see Mr. Jones do something with a historic inclination within the two-story height limit. He expressed his desire for the Commission to stick to the code and preserve that limitation.

Mr. Wells explained that presently they did not know what would go in there as there was no plan and noted that the only request by the developer presently was for the height restriction to be lifted. He stated that they did not know the density. He suggested having a look at the actual zoning plans before lifting the limit. He referenced the discussions about walk-ability. He noted that each unit owner would bring two cars with them. He explained that they may walk on the weekends, but they would drive Monday through Friday to their jobs. He noted that while they were doing that he would be trying to drive around them to get where he needed to go. He explained that he would like to see the historic area be preserved, to see the limit sustained at two-stories, and to see Mr. Jones do something of a historic nature in that area within that limit.

Ms. Peggy Farmer, 1 John Anderson Drive, noted that she served on the Planning Board 24 years ago. She stated that they talked about enhancing New Britain Avenue even back then, not just in the last ten years. She noted that the Planning Director back then was Mr. O'Donnelly and asked if anyone remembered those days. She explained that he tried to get their attention that the downtown was a hub of the three streets and was doing everything he could to bring attention to New Britain Avenue and connect all of the parking lots for better parking. She noted that he also wanted to widen the road. She explained that she was very excited to read that perhaps they were getting closer to some actual progress there now after 24 years of waiting for the right project, planning, and economy. She noted that the wheels of progress were slow. She stated that she felt like the community was ready now for some flexible options in that area. She noted that a community that did not change or grow and was stagnant was not successful. She stated that she wanted to see a successful community.

Ms. Farmer noted that she read all of the minutes of the Planning Board and expressed how impressed she was with them. She explained that the Planning Board really took the issue seriously and spent a lot of time on it. She noted that they even walked the referenced area. She stated that the Planning Board was comprised of a cross-section of the community and noted that she felt that they really came up with a good compromise. She explained that the beauty of a PBD was that all of the concerns, including parking and widening the road, would be addressed within that process. She noted that she did not believe that they wanted to put five-story buildings everywhere. She stated that they wanted a staggered look with the buildings there. She noted that there were not many homes on the south part of Lincoln Avenue. She explained that there were only a few homes that were close to the back of this property line. She suggested that perhaps that was not where the five-story building would be placed. She noted that maybe that was where they entrusted someone like Mr. Jones. She stated that in reality having a strict two-story guideline did not fit with long-term plans in that area as it did not provide any flexibility.

Mr. Ralph Potter, 51 Lincoln Avenue, stated that he had lived in the city for about 20 years. He noted that he was opposed to making any changes to the height limits. He stated that probably everyone in the room had driven down Williamson Boulevard and saw the apartment buildings, which he believed were actually a part of Daytona Beach. He noted that was what four-stories looked like and that it was huge. He asked what it would look like to put a slab like that on New Britain Avenue. He stated that he had heard so many times how much Mr. Jones loved Ormond Beach and heard all the cute stories over and over again. He likened it to the speaking points handed out to politicians in Washington, D.C. He noted that everyone knew just what to say about Mr. Jones. He stated that Mr. Jones wanted five-stories if he could get them. He asked why Mr. Jones wanted five-stories instead of four-stories and answered that it was for the profit.

Mr. Potter stated that Mr. Jones had had 25 years to massage the egos of those in the city government and noted that he had obviously done a very good job of it. He stated that a lot of those that spoke this evening were relatives of Mr. Jones or business people. He noted that he respected their points of view and explained that the business owners of course wanted more consumers. He stated that traffic was a vital red button issue in this town. He explained that he was afraid that he would not be able to get out of his driveway on Lincoln Avenue. He noted that sometimes he could look down his street and know that he should not go west down to Beach Street because traffic was backed up. He stated that before the height limits were increased and anything was done to increase the population density, a rigorous traffic study with public involvement should be done.

Mr. J.R. Miller, Ormond Beach, stated that his family came to Ormond Beach in 1953 and his wife's family came in 1938. He joked that he was probably the only person in the room that had seen Commissioner Kent in a diaper. He stated that he supported the

redevelopment of the downtown, but he opposed the change in the height limits. He stated that 30 to 35-foot buildings would forever eliminate the privacy of the homes on Lincoln Avenue. He noted that five-stories was roughly equal to the height of the Granada Bridge. He asked what the maximum number of units was and how many total units were allowed on the total parcel in question. He stated that the drawing at the last meeting had roughly 60 units on the front side, noting that he would assume there would be an equal number on the backside, which would be 120 units in a building. He explained that if each unit had 1.5 cars that would be 180 cars per building. He asked how many buildings were proposed and about the total traffic capacity of Granada Boulevard was from US1 to the ocean. He noted that the Florida Department of Transportation would have the answer. He asked what the current traffic status was in relation to total capacity.

Mr. Miller stated that going to New Smyrna Beach's downtown on a weekend could show what the Granada corridor was headed for. He stated that residents either left, greatly curtailed their activities, or stayed home on weekends due to the traffic. He noted that it was nearly total gridlock for two days. He stated that the stated goal was to bring in people who wanted to live in residences downtown and walk to work and eat nearby. He noted that there were not many job opportunities close by. He asked if short-term rentals, subleases, and AirBnB would be the future in that development. He asked if that would be allowed by the city. He asked if the city would restrict short-term rentals. He stated that he brought that up because Volusia County had taken in \$4 million in taxes from AirBnB rentals in the past year, which was the fifteenth highest amount in Florida. He stated that at \$150 per night that equaled 26,667 nightly visits in Volusia County. He noted that he thought more than a few of them were in Ormond Beach.

Mr. Miller stated that when high density rentals were placed in close proximity to established residential neighborhoods the result was a degraded neighborhood. He stated that communities such as Anna Maria Island, a very exclusive community, were filing lawsuits against cities claiming the cities were violating Florida Statutes that said that government could not inordinately burden, or diminish in value, a property without compensation. He stated that trash, noise, traffic, and parking were all by-products of certain types and densities of rentals. He explained that this would create a vicious cycle which would destroy existing neighborhoods and cause owners to sell or rent their homes. He noted that values would go down and investors would move in and buy up properties to do exactly what was being done here. He asked the Commission to address the issues he raised before changing any status.

Ms. Margaret Hodge, 36 N. Ridgewood Avenue, stated that she lived on the corner of New Britain Avenue and Ridgewood Avenue. She noted that she had lived there for 16 years and watched all of the development that Mr. Jones had done. She stated that he had done beautiful work and had built confidence in the community. She noted that she appreciated the historic nature of Lincoln Avenue, noting that she lived in a home built in 1920 that she did a lot of work to restore and beautify. She explained that it used to be referred to as the haunted house of the neighborhood. She stated that when she looked out the front of her home she would be facing the proposed development. She stated that when she looked out of her second-story, which was higher than a normal two-story, she saw her trees. She noted that she believed that was the tree height buffer that was referenced that Mr. Jones would put in.

Ms. Hodge stated that she wanted to address the visibility. She noted that someone displayed a photo with a 30-foot pole at the end of their yard with another 30-foot marked above that to denote what their view would be at 60 feet. She explained that she did not think that the illustration took into account the distance at which the building would be placed from the back of their yard. She noted that there was a perspective that happened. She noted that a four-story building was just built in downtown Daytona Beach and if you stood at the east side of the three-story building located there and looked at the four-story building, it did not look as high because of perspective. She noted that the distance would affect the appearance. She stated that she went to work every day and dealt with the traffic on that street. She explained that she had to pull out and go left or right on New Britain Avenue because she did not want to go to Granada Boulevard. She stated that she wanted Mr. Jones to be able to build the way he did so well, with creativity and the understanding of the neighborhood. She stated she was requesting that the She stated that she had a vested interest, noting that it was not just those living in the Lincoln Avenue Historic District. She requested that the Commission support the amendment.

Ms. Laurie Dyer, 124 Arlington Way, waved in opposition and elected not to speak.

Mr. Jimmy Hull, 111 West Granada Boulevard, stated that he owned Hull's Seafood Market and Restaurant. He noted that his business had been at that location for over 35 years. He stated that he had seen a lot of changes in the historic downtown area. He explained that he felt that compromise and flexibility in planning and zoning would be required for a successful future downtown. He stated that he read the staff recommendations with regards to the proposed Land Development Code (LDC) amendment and supported changing the two-story limitation to three-stories by right and to giving the flexibility of a PBD process for four or five-stories. He stated that the city had a great developing partner in Mr. Jones and the Highlander Corporation. He noted that they had proven their ability to create beautiful and functional properties in the downtown. He stated that they deserved compromise and flexibility from the city and their neighbors.

Mr. Norman Lane, 1314 Northside Drive, noted that many had spoken previously about their love for Ormond Beach and about the benefits of mixed development on New Britain Avenue. He noted that he did not believe that the character of the city or the downtown was destroyed by including the beautiful buildings that Mr. Jones had put there. He noted that all of those buildings were one or two stories. He encouraged building but keeping the height low. He stated that he did not think that three to five stories were needed. He stated that some of the most beautiful downtowns in the world contained buildings that were only one, two, or maybe three, stories. He stated that if this amendment was accepted, he felt that going forward they should talk about height limits in terms of feet and not stories. He noted that if he was living on Lincoln Avenue he would care how tall the building would be and not how many stories it was. He stated that the limit should be nailed down in feet above a fixed and known position.

Mayor Partington called Mr. Charles Librizzi, 19 W. Yonge Street, up to speak. He noted that Mr. Librizzi did not respond and was not present.

Mr. Storch stated that he felt this issue boiled down to hope versus fear. He noted that they had heard the fear of what could potentially happen. He stated that he thought that the fears seemed exaggerated. He explained that those fears could be dealt with during the PBD process. He stated that the hope side saw that there was someone willing to be a partner and do something really special. He noted that a few speakers had encouraged just forging ahead with two-stories. He stated that he knew what would happen without that added flexibility, as nothing had happened for the past ten years and it would be the same going forward. He stated that if there would be no redevelopment in that area, then the potential for a new downtown would be dead, which was unacceptable. He explained that a PBD allowed for working together and resolving all of the stated fears. He stated that Mr. Jones needed to articulate his ideas to the Commission.

Mr. William Jones, Applicant, stated that he moved his company down to the area in 1986 and had lived in Ormond Beach for 30 years. He noted that he felt like a true Floridian. He stated that his father retired to the area in 1979 and fell in love with the city. He explained that every time that he and his family visited his father, they never wanted to leave. He stated that he moved his business to Holly Hill in 1986. He noted that it was a much smaller business then but explained that it had grown tremendously since that time with hard work and great employees. He stated that his father always loved the downtown Ormond Beach area and always told him that he was a little ashamed of the drive through that corridor because it was so run-down. He noted that before his death his father had encouraged him to do something in that area if he could. He stated that the first project he tried to do was Alexander's, which was now Frappes. He noted that he still owned the building and the restaurant rented from him. He stated that his father died in 1998, and he felt the same passion for the city that he did. He explained that he put his money where his mouth was.

Mr. Jones noted that, as Mr. Ebbets had said, any banker would tell him that he was out of his mind to make the investments that he did in downtown, as far as returns on investments went. He stated that there was no immediate return on investment in investing in the downtown. He noted that it was a long-term process. He explained that when people invested in stocks and bonds they did so hoping for immediate profits. He noted that the old fashioned way of running a business was to look at it long-term, many years down the line. He explained that Rose Villa was listing to port, joking that he did not think that the Titanic leaned over as much as it did. He further explained that the inside had termite problems and his contractor advised him that it would be a lot cheaper to knock the building down and reproduce it. He stated that he did not want to do that and noted that that building was built in 1901. He explained that there was a 45-star flag

that flew over that building, representing the 45 states of the union at that time. He noted that they re-wallpapered the building and brought it back to a period piece. He stated that it would take a lot of years to recoup the money put into that building. He noted that he was in business to make money and was not Santa Claus.

Mr. Jones stated that two-stories would be great but there was not a bank in the land that would fund a two-story limited return on investment projects. He explained that in order to get what he needed in that redevelopment area he needed flexibility. He further explained that he was not looking to build a five-story gigantic monolith made of concrete and stucco that ran from one end of the street to the other. He noted that he would like to build one structure at a time. He explained that he felt that different heights were needed for the aesthetic. He stated that towns that were only two-stories were sort of "blah" and did not have "zing" to them. He noted that he was not looking to build buildings high enough to peer into neighboring backyards or cast shadows across their pools. He explained that he was looking to stagger it and build representations of different time periods. He noted that he could build a Victorian building, an art deco building, and something from the 1940s or mid-century. He stated that he could make it look like they had always been there but had just been restored. He noted that he had managed to do that with the buildings that he had repurposed and replenished.

Mr. Jones explained that he did not consider himself a developer, though he knew he was one in the true sense of the word. He explained that he wanted to restore the town and build buildings that looked like they had always been there. He noted that he wanted to continue being proud of the city. He stated that he understood the neighbor's concerns. He explained that he did not want to hurt their feelings or endanger their property values or increase traffic. He noted that the traffic was already present and would continue to be. He stated that if they wanted to get rid of the traffic they would need to decrease the size of the bridge and encourage everyone to go to Daytona Beach. He noted that the bridge was there for a reason and helped increase traffic. He stated that a lot of people lived on the beachside and went to and from their homes each day. He noted that he did not know what number of condominiums he might add.

Mr. Jones stated that presently he was thinking of a concept and noted that he did not have certain planned drawings for it yet. He explained that he needed the ability and impetus to be able to do what he wanted to do so that he could provide drawings and plans for the city's approval. He noted that he would go back to the drawing board if his plans did not meet the city's muster. He stated that the two-story restriction would make the city a one-horse town. He noted that they might as well increase the speed on State Road 40 if they did that because no one would have any reason to slow down. He stated that he would give the Commission his word that once he submitted the projects they would be astounded. He stated that when he built them they would be amazed, and that people would come to the downtown.

Mr. Jones noted that his children lived in the city and he wanted them to stay here. He explained that he was fearful that his children were going to leave when they graduated. He stated that younger people were coming into the city and noted that there were older residents who wished to stay in the downtown. He stated that he wanted to make a walking downtown. He explained that he saw a plan 25 years prior that he believed was called "Ormond Walk," which was about New Britain Avenue and making alleyways, stores, and shops where people could walk from place to place. He noted that it was similar to downtown Deland and St. Augustine. He stated that the building he was presently working on was an old St. Augustine style building. He noted that he was a true believer in architecture and in doing things the right way, noting that he never took the cheap route. He thanked the Commission for their time and for what they had done for him throughout the years.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2017-02, on first reading, as read by title only.

Mayor Partington confirmed that the motion and second were to approve staff and the Planning Board's recommendation to allow up to three-stories with staff approval, and for four to five-stories to be approved subject to a PBD process.

Commissioner Kent noted that this area was in Zone 2, the district he represented. He stated that he believed that all of Mr. Jones' developments had been in Zone 2. He explained that he was brought into the City of Ormond Beach on March 31, 1975. He noted that he was born in Halifax Hospital in Daytona Beach and that his mother stayed in the hospital with him for a few days. He stated that the Granada Bridge changed in

1986. He noted that he remembered that because he played t-ball and his mother would make dinner earlier so that they could over to the ball fields. He stated that there was a traffic problem even back then, noting that he could remember being late while they were on that older Granada Bridge. He stated that his dear friend Andy Romano remembered the flat bridge that was there before the drawbridge. He explained that he brought all of that up for a reason which he would share in a few moments.

Commissioner Kent stated that he walked New Britain Avenue with his dear friends John and Sue Parkerson, who live on Beach Street near several of those who spoke that evening. He noted that he sat on their porch and they spent about four hours together sharing their ideas. He stated that he ended his afternoon with them looking out over the Halifax River and noting that if nothing ever changed they would still have a drawbridge. He noted how badly the Parkersons wanted to keep the Ormond Hotel. He recalled how decrepit it became and what a hazard it had become. He noted that the beautiful Ormond Heritage was in its place now. He expressed his sorrow that someone like Mr. Jones was not in Ormond Beach about ten years earlier than he had arrived. He explained that if someone like him was around back, then there might still be an Ormond Hotel. He stated that he and the Parkersons talked about a few what-ifs, noting that he did not particularly like to trade in what-ifs.

Commissioner Kent stated that from the notes he took that evening he estimated that 20 persons spoke in favor of the amendment, 13 persons spoke in opposition, and three were sort of in the middle of the road in their comments. He referenced the history of the height limit debates in Ormond Beach and explained that if anyone knew that history they knew where he stood in 2006, noting that it had been a lonely place. He noted that he believed it had been the right decision. He referenced Mr. Marvin Miller's earlier comments. He stated that Mr. Miller was right when he spoke about A1A and what it looked like. He noted that he believed some County Council members were listening and explained that he felt that part of the problem on A1A was no access to the beach. He stated that it might look differently if the county would open up the beach approaches, which the city relinquished in 1986, so that the city's residents could access the beach.

Commissioner Kent disclosed that he spoke with Mr. Storch on the telephone. He disclosed that he also met with the Needhams and others at his home. He noted that he had Coffee with Commissioner the first Monday of every month at his home at 4:30 p.m. and that he welcomed all to come to his home at 130 Magnolia Drive to hear their ideas about Ormond Beach. He stated that sometimes he had ten to 20 people and sometimes it was just he and Ms. Parkerson. He stated that part of his goal as a City Commissioner had been to have the downtown area of Ormond Beach and the beachside become more walkable and more livable. He noted that it was no secret as he had been saying so for years. He stated that he thought it was a sign of a healthy community. He noted that it was not that way presently but it was becoming more so that way. He stated that the best gym in Ormond Beach was the Granada Bridge, which was walkable. He noted that people loved it and thrived there. He explained that the city was working diligently now to create a dock at Cassen Park so that those with boats could come and dock there and visit Ormond Beach. He reiterated the goals of walk-ability and livability.

Commissioner Kent explained that he told the individuals that came to his home that he reserved the right to change his mind, but at this time he was not in favor of the two-story limit. He noted that he believed that there needed to be three-stories. He further explained that he also did not believe that there needed to be five-stories. He stated that he did not think that it should be only two stories and needed to be three, but he was unsure about four stories. He stated that you could judge how someone was going to treat you by how they had treated you in the past. He noted that he did not know Mr. Jones ten years ago and he did not know him well now, but he did know that Mr. Jones had done tremendous work in the community. He noted that Mr. Jones had received a key to the city, stating that while that may mean nothing to some, the city did not give its keys out very often.

Commissioner Kent explained that he had overheard Mr. Jones, noting that he believed that Mr. Jones did not know that he was listening or could hear him. He further explained that someone had asked Mr. Jones why he had invested what he had in the community; whereby Mr. Jones' response was that Ormond Beach had been a gift to his family and that this was his gift to Ormond Beach. He noted that he was sure that Mr. Jones probably recalled saying that while at Oceanside Country Club to receive that key. He stated that he was standing nearby and heard him say it, noting that it was not something that Mr. Jones said into a microphone. He noted that he appreciated that Mr. Jones felt that way about Ormond Beach. He stated that the city was fortunate to have

someone like him in the community. He noted that Mr. Jones had been a good partner to Ormond Beach and Ormond Beach had been a good partner to him.

Commissioner Kent stated that if he felt like Mr. Jones was a bad partner he would state it publicly and would express his opposition to this idea. He noted that he was not against the idea. He explained that this did not give Mr. Jones the ability to go ahead and build a five-story building. He further explained that it allowed Mr. Jones to build up to three-stories with staff approval. He noted that Mr. Jones could come back before the Commission with a PBD and the Commission could then decide if they were comfortable with four or five-stories or not, as that was what this amendment did. He explained that no specific project was being voted on. He noted that everything he had seen in the downtown community that Mr. Jones and his family had been involved in had been incredible. He stated that he was appreciative of what Mr. Jones had done.

Commissioner Kent explained that as a little boy he knew Granada Boulevard as a rough-looking place. He stated that his ten-year old son, Wyatt, knew Granada Boulevard as something completely different and would always know it that way. He noted that other generations beyond that would know Granada Boulevard, New Britain Avenue and other parts of the city very differently. He stated that he considered what would have happened if the Commission had told other speakers, such as Mr. Hull, that they could not have expanded their businesses, as he thought that would have been outrageous. He reiterated that he was not there yet with five-stories but noted that he was definitely in favor of three-stories and also to see what creative ideas Mr. Jones would bring forward, noting that it may change his mind.

Commissioner Boehm stated that they could go on and on about Mr. Jones and that he did not think that they would find anyone that would disagree with what had been said about him. He noted that no one that spoke this evening had identified themselves as part of the Ormond Beach Historical Society. He stated that he had with him an invitation to the Ormond Beach Historical Society's annual meeting at which Mr. Jones was being given the Community Partnership Award. He explained that the people who cared a great deal about the city's history and took the time to belong to the Ormond Beach Historical Society believed enough in Mr. Jones that they were singling him out to give him an award and did not come to this meeting to oppose anything that he was doing. He noted that those who cared about the history realized just what Mr. Jones had done and would do for the city's history.

Commissioner Boehm stated that he was the Commission's liaison to Ormond Main Street. He noted that he had served in that capacity for five years. He explained that Ormond Main Street was the organization of those people who had small businesses or significant interests in the area between US1 and Beach Street and over to A1A. He explained that for five years he had heard that organization focus on wanting a walkable downtown. He noted that they recognized and supported the need for more businesses and people living in the downtown. He stated that the Ormond Main Street Board had unanimously supported what Mr. Jones had done and what he was doing there this evening.

Commissioner Boehm noted that the city's Planning Board was unique. He explained that it was comprised of citizens who cared so much that they had literally dedicated their lives to being on the city's Planning Board. He stated that he read the exhaustive minutes from the city's Planning Board where they considered this project. He noted that Ms. Rita Press, who just retired after 19 years of service on the Planning Board and was in the audience, was not a developer and never was. He stated that she was not a multimillionaire either and noted that she was just someone who always cared a lot about Ormond Beach. He explained that when Mr. Storch went before the Planning Board he asked to have the river district's two to five-stories regulation applied to North Britain Avenue. He stated that Ms. Press suggested compromising it to three-stories with a PBD for anything four to five-stories. He explained that Ms. Pat Behnke, who had also been on the Planning Board for over 15 years, was not a developer, and lived in Bear Creek, seconded Ms. Press' motion and agreed with that compromise. He noted that Ms. Lori Tolland, another Planning Board member in the audience, was a nurse. He recognized Mr. Harold Briley, another Planning Board member in the audience, and stated that he had served on the board for over 15 years. He recognized Mr. Doug Thomas, the Planning Board chairman, who was in the audience and had served on the board for 26 years.

Commissioner Boehm explained that those individuals had overseen the development of Ormond Beach and had seen every kind of plan and request over decades. He noted

that those individuals had given their lives to caring about Ormond Beach. He stated that they voted 7-0 to support this amendment. He explained that he gave great credence to their opinions. He stated that the Commission was given credit for what they had done in Ormond Beach. He noted that many had expressed pride in living in Ormond Beach, in what the city looked like, and in how it had been developed by the City Commission. He noted that now there were questions as to whether the Commission could see what future development would be. He explained that they were questioning whether the City Commission would approve responsible development or would alter the character of Ormond Beach. He stated that they had not in the past and they would not in the future.

Commissioner Boehm stated that Mr. Goss saw what Ormond Beach needed when he came into the city. He explained that Mr. Goss developed the form-based code, noting that there were very strict restrictions as to what could be done and built in the city. He stated that the city's staff had always sought to protect the look and integrity of Ormond Beach. He explained that the city staff did not rubber stamp anything. He noted that to state that the Commission would ever rubber stamp a four or five-story building was wrong. He explained that this Commission cared about Ormond Beach. He noted that he served here because he loved this city and not because he made any money doing it. He explained that no member of the Commission spent the hours that they did serving because of the money. He reiterated that he served because he loved the city. He stated that he believed in what was being requested here. He stated that he believed in the amendment and that he believed in what Mr. Jones was doing. He noted that he was fully in support of what was being asked.

Commissioner Littleton stated that to him this came down to property rights and how it affected traffic and parking. He explained that Mr. Jones had the right to build what he wanted on his property so long as he protected the neighboring owners' property rights. He noted that the Needhams had the right to not have someone looking down into their swimming pool in their backyard. He stated that he knew what Mr. Jones had built was nice but explained that did not mean that he would be giving him special treatment. He explained that he would give anyone the same right to build what they wanted. He referenced the traffic issue and noted that he would assume that this would increase traffic. He stated that he did not know that it would slow down the traffic on Granada Boulevard any more than it already was. He noted that they were not putting another traffic light on Granada Boulevard. He stated that stopping this development would not be the way to solve Granada Boulevard's traffic problem. He noted that extending Hand Avenue or another bridge would address that.

Commissioner Littleton stated that parking was a known problem in the downtown area. He explained that there were many times that he had avoided going down there because he did not like to valet park. He noted that he would assume that Mr. Jones knew that there was a parking problem in the area. He stated that he could not imagine him building a development without providing proper parking. He noted that he spoke to a business owner downtown, in a building not owned by Mr. Jones, which only had seven parking spaces. He explained that this owner told him that he lost customers during dinnertime because of it. He noted that was money leaving his business. He reiterated that he could not imagine Mr. Jones not addressing the parking issue.

Commissioner Littleton stated that the city was already planning on redeveloping New Britain Avenue by adding on-street parking and such. He stated that anything that would be four or five-stories would come back before the Commission. He explained that when that happened he would make sure that the buffer to the Needhams and anyone else on Lincoln Avenue was taken care of and that their privacy was secured. He stated that he was in support of the amendment.

Commissioner Selby thanked all of the audience members for their participation and patience. He stated that he was a commercial real estate broker and explained that his company recently listed a property in that area that would be affected by the proposed change; therefore, after consultation with the City Attorney and the Florida Ethics Commission, it was determined that he would be unable to vote on this item. He noted that he was able to participate and wished to share some thoughts.

Commissioner Selby stated that one of the things that made Ormond Beach a fantastic place to live was the fact that people cared so much about this community. He noted that he began campaigning for his seat more than a year prior. He explained that during that time he visited almost every advisory board in Ormond Beach. He noted that every one of those boards, as Commissioner Boehm had mentioned about the Planning Board, was filled with people who loved the community. He noted that they were really the fabric

of this community and what made Ormond Beach. He stated that really put an additional responsibility on him as a Commissioner. He explained that he took this entire process and the input into it very seriously. He noted that he did not consider himself a politician. He explained that this was not about politics for him but about public service. He noted that he was here to serve the public. He explained that sometimes tough decisions had to be made. He noted that the Commission was elected to make tough decisions.

Commissioner Selby stated that he loved that so many people came together and shared how they felt. He noted that was more of the strands that would make the fabric of the city even better. He explained that he really thought that this would not end poorly for anyone and that in the long run everyone would feel really good about how this all turned out. He disclosed that he met with Mr. Storch and Ms. Dorian Burt to discuss the matter. He stated that he wanted to start out by revisiting the timeline and asked for forgiveness should he inadvertently get a date wrong. He stated that in 2002 the Lincoln Avenue Historic Overlay District was created. He noted that there was no impact outside of Lincoln Avenue when that area was created; explaining that it only impacted those properties on Lincoln Avenue directly between Beach Street and Ridgewood Avenue. He explained that the 2002 B-1 zoning allowed 40 feet for non-residential and up to 30 feet for residential. He noted that there was basically no rear setback, which meant that the building could be built directly on the property line.

Commissioner Selby stated that in 2010 the form-based code was adopted. He explained that the form-based code was less about a map and more about style and appearance and how things interplayed with each other. He noted that the form-based code was adopted in 2010 when the height restriction was put in place. He stated that the property owners on New Britain Avenue were impacted as they had rights that exceeded that height limitation prior to 2010. He explained that their property rights were diminished to protect adjoining properties. He noted that adjoining property owners received protections by diminishing the rights of their neighbors. He stated that in 2017 there was a request to compromise before them, noting the compromise that came from the Planning Board was three-stories by right, which essentially would restore what the property owners had a right to prior to the 2010 limitation, and four or five-stories only with a PBD. He explained that a PBD was a full public process with public hearings at the Planning Board and the City Commission. He noted that there was huge opportunity for input during that process. He stated that the developer also personally mentioned that he did not want to make any neighbors angry.

Commissioner Selby stated that a six-foot wall was also included in the compromise presented and noted that there was no requirement in the code to put such a wall in place. He stated that there was also no landscape buffer required but that was also included. He emphasized that it was important to note that the rear setback under this proposal would equal the height of the building. He explained that if a 30 foot building was built, the rear setback would have to be at least 30 feet from the property line. He noted that, as he mentioned earlier, previous conditions would have made it able to be placed right at the property line.

Commissioner Selby brought up the city's commitment to New Britain Avenue. He stated that the parking lot at 30 Lincoln Avenue, located behind a church and the Anderson Price Building, had 35 parking spaces. He noted that he was unsure how much the city spent on that parking lot but stated that it, and Yankee Trail which connected it to New Britain Avenue, were great additions and part of the city's commitment to New Britain Avenue. He stated that 64 Lincoln Avenue, the new park and the underground stormwater improvements, were part of a plan that had been in place for a long time. He noted that the New Britain Avenue plan really called for the property owners on New Britain Avenue to give the southern 35 feet of their property to the City of Ormond Beach in order to expand the right-of-way on New Britain Avenue so that it could become a 24-foot wide street with perpendicular parking to the street, a big sidewalk, and a landscaped area. He noted that would create what Granada Boulevard could not do, noting that Granada Boulevard did not have any parking on the street, had fast moving traffic, and very minimal sidewalks. He stated that would be a huge improvement to the area but required the property owners to give their land in a great compromise.

Commissioner Selby noted that there had been much conversation this evening about traffic. He stated that any project needed a traffic study. He explained that if a project was to negatively diminish traffic it would be dead in the water. He stated that in and of itself was already taken care of through development regulations. He noted that there was a very serious motorcycle and car accident at the corner of Beach Street and Granada Boulevard earlier today. He stated that he drove through there a little after 4:00

p.m. and saw it. He noted that the traffic was a mess because of it. He explained that Ormond Beach traffic tonight was certainly impacted by those conditions. He noted that he mentioned earlier rights versus protections. He stated that private property rights were a cornerstone of the United States. He explained that the ability to own, control, lease, sell, and develop private property was near and dear to his heart because of his profession, but also it was really one of the foundational characteristics of the country. He noted that care must be taken whenever that was diminished. He reiterated that there were rights versus protections to balance.

Commissioner Selby mentioned millennials. He explained that when he campaigned for his Commission seat he focused on three issues, two of which were jobs and housing. He noted that the city needed more good paying jobs. He stated that he researched Ormond Beach's demographics, whereby millennials were generally defined as 18 to 35 year olds. He stated that 16 percent of Ormond Beach's population was millennials. He noted that it did not sound too bad except that the state average was 23 percent and the national average was 32 percent. He explained that told him that Ormond Beach was exporting their single greatest asset—their educated young people. He noted that he had two children who were millennials himself and one lived in Orlando and one lived in Nashville. He explained that they lived where they did because of jobs. He noted that there were no career opportunities in the greater Daytona Beach area for these young people. He explained that as he explored this more and more he found that the companies that were hiring millennials, noting Mr. Hewitt had mentioned one earlier, found that millennials wanted a cool place to live and wanted to live downtown. He asked where they could do that in Ormond Beach. He explained that if the city cared about its future, and its single greatest asset, they better figure out how to provide a place for them to live, otherwise he did not know what their future would be.

Commissioner Selby stated that he also campaigned on housing options. He explained that the median age in Ormond Beach was 49 years old. He noted that the median age in the United States was 37 years old and the median age in Orlando was 32 years old. He stated that Ormond Beach was 32 percent older than the rest of the United States. He explained that in some ways that was fantastic as senior citizens provided stability and cared about their community. He noted that as they aged their housing needs changed. He explained that the truth was that Ormond Beach was almost exclusively single-family residential housing and had very little rental housing or assisted or independent living. He noted that someone mentioned earlier that seniors were also looking for downtown walkable housing options, and he stated that had been proven around the country. He stated that someone mentioned AirBnB earlier also. He explained that overnight short-term rentals were illegal in the City of Ormond Beach. He stated that the trend nationwide in downtowns was mixed use development.

Commissioner Selby explained that he honestly believed that five to ten years from now they would look back on this night and see great projects with great results. He noted that he believed that they would work through the challenges. He stated that even Lincoln Avenue would be dramatically improved. He explained that as more people went to downtown and walked through New Britain Avenue, they would look around the area and decide to build a historic-looking home or buy a home in the area to fix up. He stated that he believed that would raise property values throughout the historic district. He explained that he hoped that they could all leave here tonight not feeling like someone won or someone lost, but that the situation was a win-win for the community. He noted that he was sure there were some that would not feel that way, but he hoped that they would at least, at a minimum, feel like this was a fair compromise.

Commissioner Littleton noted that he also wished to disclose that he had met with Mr. Storch.

Mayor Partington stated that he would not belabor the issue. He stated that he would support the amendment to the LDC as unanimously recommended by the Planning Board. He stated that he thought that the Planning Board did a great job and noted that many of the board members were in attendance this evening. He explained that the Planning Board, which was comprised of citizens, listened to the residents and used their years of experience to come up with a workable compromise in order to provide a chance to breathe life into the downtown with a potentially great development. He noted that staff recommended approval of the amendment, and he hung his hat on staff's recommendation, as well. He explained that he was comfortable with Mr. Jones as a developer because he had been here long enough to see his record of successes in the downtown.

Mayor Partington addressed those that had spoken against the amendment and stated that they spoke eloquently and noted that he appreciated them sharing their thoughts. He stated that he spoke to a reporter on the phone yesterday as he left the Dr. Martin Luther King, Jr. Celebration, explaining that he told the reporter that the most important thing was that the city listened to what their residents had to say, heard their concerns, and created a good record of those for and against. He stated that he believed that had been accomplished this evening and noted that he was proud of the community for doing so. He explained that he did not want anyone to feel nervous or like they were not being listened to. He stated that the Commission did listen to them and had heard them.

Mayor Partington noted that he was also comfortable because Mr. Jones was represented by an attorney who had a history of working on difficult projects. He explained that a lot of what Mr. Jones had done previously was really not that controversial. He stated that Mr. Storch had worked on some controversial projects in the city that ultimately came to well settled resolutions that furthered Ormond Beach as a city. He stated that he looked forward to seeing what Mr. Jones would bring to them. He noted that the vote on the amendment would be unanimous, with Commissioner Selby abstaining. He disclosed that he spoke to Ms. Dorian Burt a few weeks ago for about five minutes and noted that he also spoke to Mr. Storch today for less than ten minutes.

Call Vote:	Commissioner Littleton	Yes
	Commissioner Selby	Abstain
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
Carried.	Mayor Partington	Yes

Mayor Partington recessed the City Commission meeting at 10:03 p.m.

Mayor Partington reconvened the City Commission meeting at 10:07 p.m.

Item #8D – 2016 CIE Update

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-03
 AN ORDINANCE ADOPTING CERTAIN UPDATED SCHEDULES TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; PROVIDING WHEN SUCH UPDATES SHALL TAKE EFFECT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that each year his department monitored levels of service for all of the facilities and levels of service that they provided. He stated that at the end of each year they came up with capital projects that would upgrade or maintain the level of service that they saw decreasing over the previous year. He noted that they did this each year and that it was not a Comprehensive Plan amendment. He explained that they just took it through the process and sent a letter to the Department of Economic Opportunity so that they could register it. He noted that staff recommended approval.

Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Ordinance No. 2017-03, on first reading, as read by title only.

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Mayor Partington closed the public hearing without objection.

Item #9A – Extension of Permit Fee Waivers Related to Hurricane Matthew

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-04
 AN ORDINANCE EXTENDING TEMPORARY EMERGENCY ADMINISTRATIVE PROCEDURES TO PROVIDE FOR THE CONTINUED EXPEDITIOUS AND COORDINATED MANAGEMENT OF BUILDING

PERMIT APPLICATIONS AND FEES; WAIVING SPECIFIC PERMITS AND FEES ISSUED FOR THE REMOVAL OF CERTAIN TREES; ESTABLISHING A METHOD OF ENFORCEMENT OF THE FLORIDA BUILDING CODE SUCH THAT ON-SITE PERMITS MAY BE ISSUED BY APPROPRIATE CITY STAFF FOR REPAIR OF DAMAGE CAUSED BY HURRICANE MATTHEW; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that residents were still coming in to obtain permits for Hurricane Matthew damage-related improvements including docks, roofs, and fences. He explained that he was requesting another 60-day waiver which would be retroactive back to December 10, 2016, when the first waiver expired, another 30-day waiver which would be active until February and 30-day administrative approval in case at the end of the 60 days he still had to deal with these issues. He noted that a number of businesses had not gotten their signs fixed. He stated that they needed more time.

Commissioner Selby moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2017-04, on first reading, as read by title only.

Commissioner Selby stated that he met with Ms. Shanahan earlier that day. He explained that as he read through this over the weekend it had occurred to him that he had two claims out on commercial properties in Ormond Beach, and he was not even close to coming to any sort of resolution with them or having any sort of work done. He stated that he had mentioned to Ms. Shanahan that perhaps the city could get the word out to the business community after they felt that enough time had gone by, that they needed to make the city aware that they were in that situation so that this waiver did not have to be kept open-ended indefinitely.

Ms. Joyce Shanahan, City Manager, suggested that the city could work with the Ormond Beach Chamber of Commerce to do that and also through the city's Weekly Review newsletter.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #9B – Amendment to Section 2-221, Code of Ordinances, Leisure Services Advisory Board

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2017-05
AN ORDINANCE AMENDING SECTION 2-221, LEISURE SERVICES ADVISORY BOARD, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES, BY CHANGING THE BOARD MEMBERSHIP FROM TWELVE TO THIRTEEN MEMBERS; REPLACING THE SENIOR CENTER WITH ORMOND BEACH FRIENDS OF RECREATION, INC.; PROVIDING TERMS AND CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Selby, for approval of Ordinance No. 2017-05, on first reading, as read by title only.

Commissioner Boehm asked if the organizations would be contacted and asked to provide a nomination by a given date. He noted that the Commission had to approve the appointments but explained that the organizations had to actually make the appointments so that they could be brought before the Commission.

Mr. Randy Hayes, City Attorney, stated that the plan was to have the nominations ready for their review and approval upon the second reading of this ordinance.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #10 – Reports, Suggestions, Requests

New Britain Avenue Height Amendment

Ms. Shanahan stated that she thought it was remarkable how respectful the Ormond Beach community was and commended everyone for listening politely. She noted that the Commission took their comments under great deliberation and did a great job.

Upcoming Workshops

Ms. Shanahan stated that the February 7, 2017, litigation shade meeting was cancelled because the Commission held it today. She stated that on February 21, 2017, there would be a MacDonald House Update Workshop. She noted that she believed the update would be for 60% of the project and held after the stakeholders' meeting. She stated that on March 7, 2017, she would like to hold a Strategic Planning Workshop, in the same manner that she had done before with Ms. Marilyn Crotty. She noted that she would like to start that meeting at 3:30 p.m. or 4:00 p.m. and go until 7:00 p.m. She asked if the Commission's calendars permitted that.

Commissioner Kent stated that the earliest he could get there would be 4:15 p.m. or 4:30 p.m.

Ms. Shanahan stated that they could do 4:15 p.m. and noted that they would work through dinner. She stated that the Financial Trends Workshop would be held on March 20, 2017. She stated that on April 18, 2017, there would be a workshop about downtown murals, noting that Ormond Main Street had requested this item.

Arbor Day

Ms. Shanahan stated that the Arbor Day Ceremony would be on Friday, January 20, 2017, at the Nova Community Center.

Community Garden

Ms. Shanahan stated that the ribbon-cutting for the second community garden would be on February 4, 2017. She noted that the first community garden had been an overwhelming success.

Dog Park

Commissioner Selby asked Ms. Shanahan if she could provide a quick update on the dog park.

Ms. Shanahan stated that staff had met with the president of the YMCA and their attorney. She stated that she believed they were nearing the end. She explained that the issue that they had was finalizing the easement. She further explained that the city needed to ensure that they had access to the YMCA property to get across the easement. She noted that she was told that they could obtain an easement across the property.

Mr. Hayes stated that they received a form of an easement back which he would be reviewing. He explained that there were still some issues on encumbrances that they were looking through to make sure that the capital investment was free of any potential issues from lenders. He stated that he thought they were getting close to the end as Ms. Shanahan mentioned. He stated that they would finalize the easement and explained that since they were being asked to purchase an interest in land via an easement they must then obtain a city appraisal. He noted that the appraisal price would then become the purchase price. He explained that they were working through it and were closer. He noted that he believed they had a better understanding of some of the financial issues from their end and some of the concerns that they had been working around. He explained that the challenges that they had were in trying to find a way to bridge the parameters that they both work within, noting that some were easier than others. He stated that he could assure Commissioner Selby that they were all looking forward to putting this one behind them.

US1 Corridor Development

Commissioner Littleton stated that it was obvious that development on or near Granada Boulevard was controversial, to say the least. He suggested that one area that could be developed more was the US1 corridor, which was the gateway into Ormond Beach and Volusia County. He noted that the problem was that the city was at capacity for sewer and water lines up there, which could prevent the next S.R. Perrott from locating up there. He noted that he knew some of the other Commissioners had mentioned developing some interesting things up there. He stated that he would like to hear the Commission's thoughts in the future about that and noted that he may bring it up during the CIP process to see if somethings could be changed so that some things could be moved faster in order to be ready for any development in that area.

Mayor Partington suggested bringing the topic up at the March 7, 2017, Strategic Planning Workshop, as well.

Washington and New Britain Intersection

Commissioner Selby stated that he had one citizen comment that he wanted to share. He explained that a friend of his who was in an automobile accident in Ormond Beach, who had also contacted the City Manager, had been traveling west on New Britain Avenue at Washington Street, next to the American Legion and by the Ormond Beach Chamber of Commerce. He continued to explain that this friend stopped, looked to the right, looked to the left, pulled out into that intersection and was t-boned, noting that the accident was serious and did significant damage to his car. He stated that he was at fault and admitted that, but mentioned that when he went back and looked at the intersection he thought there was an excessive amount of vegetation and trees. He explained that he offered a couple of suggestions including a four-way stop and possibly trimming those trees. He noted that he knew that staff was already looking into it. He stated that he enjoyed that people felt free to bring items to him and that they could talk about it, look at it, and maybe make it better.

Closing Remarks

Commissioner Boehm noted that he was serving in his seventh year on the Commission and stated that he believed this to be the first time that Commissioner Kent passed on making a comment at the end of the meeting.

Native American Festival

Commissioner Boehm stated that January 27 – 29, 2017, the City of Ormond Beach was sponsoring the 28th annual Native American Festival at Rockefeller Gardens.

Community Garden

Commissioner Boehm stated that the second community garden would be opened in Central Park on February 4, 2017, at 10:00 a.m.

Ocean Air Art Prize

Commissioner Boehm stated that as the liaison to Ormond Main Street, who was trying to promote arts and the arts district, he wanted to note that the 2017 Ocean Air Art Prize would be going on January 14 – 22, 2017, visiting venues along Granada Boulevard between US1 and A1A. He stated that they were asking people to visit the art at various businesses and vote on it. He noted that you could also vote online.

Visit Florida Video

Commissioner Boehm noted that Ms. Truilo mentioned that the Visit Florida program, which was part of the Florida Department of Tourism, had asked eight main streets in Florida to participate in a video they would create to showcase main streets and cities. He stated that Ormond Beach was chosen as one of the eight main streets. He noted that it would be on the Visit Florida website and Visit Florida would be promoting it. He stated that he thought that staff should be made aware of the honor and the participation.

Commissioner Kent as Assistant Principal at OBMS

Commissioner Boehm stated that Commissioner Kent had been rescued from Spruce Creek High School and returned to his roots at Ormond Beach Middle School. He noted that Commissioner Kent would now be straightening out the children at OBMS, and he stated that he was happy for Commissioner Kent that his commute was shorter and that he had been rescued from Port Orange and made Assistant Principal at OBMS.

Starry Starry Night

Mayor Partington stated that anyone who thought there was not much to do in Ormond Beach had the wrong idea. He noted that he attended Starry Starry Night, which was a

January event in the city marking the anniversary of celebrating the offerings of The Casements, the Ormond Memorial Art Museum, and the Ormond Beach Historical Society. He stated that the art was fantastic and the music was great. He noted that there had been a jazz band in front of the art museum and a quintet playing inside The Casements.

Notre Dame Corral

Mayor Partington stated that he and his wife also went to the Prince of Peace Catholic Church which hosted the University of Notre Dame Chorale on their 2017 winter tour. He stated that he welcomed that group on behalf of the Commission and the city's residents. He noted that he was able to stay for most of the performance and stated that the group had beautiful voices.

Florida Humanities Speaker Series

Mayor Partington stated that he went to the Anderson Price Building for the Florida Humanities Speaker Series. He noted that the topic was the water wars between Florida, Georgia, and Alabama concerning the Apalachicola Bay, river, and the Flint River basin. He stated that it was a fascinating topic that he had been tracking in the newspapers. He noted that he thought maybe five people would attend but stated there were at least 60 people, if not more, packed into the Anderson Price Building.

Ormond Beach Historical Society

Mayor Partington stated that the Ormond Beach Historical Society did so many good things, including the bus tours and the Old Florida Plantation Tour. He noted that on March 4, 2017, they would be giving a tour of the Hillside Cemetery. He stated that on Friday, February 3, 2017, the Ormond Beach Historical Society would be having their annual meeting from 6:00 p.m. to 9:00 p.m.

PAC Anniversary

Mayor Partington stated that he attended the 25th anniversary theatrical celebration of the Ormond Beach Performing Arts Center (PAC). He noted that the great thing about the PAC was that the citizens of Ormond Beach had voted to tax themselves to pay for it back in 1987. He stated that it become a reality four years later. He noted that amazing talent, both young and old, had an opportunity to showcase themselves on a great stage. He stated that there was not a bad seat in the house. He encouraged everyone to check the PAC out and take advantage of the great shows there.

Dr. Martin Luther King, Jr. Celebration

Mayor Partington stated that he had the opportunity to attend the annual breakfast celebration celebrating the life of Dr. Martin Luther King, Jr. He noted that he had attended the event for the last 14 years and explained that it had moved from the multi-purpose room conference area, where about 60 people used to attend it, to the gymnasium where he counted 220 or more individuals. He stated that this was the best event yet, noting that the speakers, music, and dance performances were excellent. He stated that it was an uplifting experience that celebrated the life and the principles of Dr. King. He noted that the committee that put on the event presented the Commission with a plaque. He requested that Leisure Services Director Robert Carolin find an appropriate place for it to be displayed at the South Ormond Neighborhood Center so that more people could see it.

Ormond Beach Chamber of Commerce Meeting

Mayor Partington stated that the Ormond Beach Chamber of Commerce's annual meeting, with the swearing in of officers, would be held on Friday, January 20, 2017.

Ormond Beach Yacht Club

Mayor Partington stated that Saturday, January 21, 2017, would be the Ormond Beach Yacht Club's annual dinner.

Mayor's Health and Fitness Challenge

Mayor Partington stated that Saturday would also be the kick-off to the Mayor's Health and Fitness Challenge. He stated that he hoped that everyone had the opportunity to join him at 7:00 a.m. He noted that there would not be Donnie's Donuts there, but if they worked hard enough and walked an extra lap or two, they could stop by there afterwards. He explained that this year a youth activity component was added and stated they had created an invitation video featuring him and Commissioner Kent and their families. He displayed the video. He noted that it took six hours to film and was shot at five different locations with a crew of four people. He joked that the only complaint he had was that they rode bicycles around Rockefeller Gardens for about an hour and they only used four seconds of the video from that. He noted that the video was played at

each of the Ormond Beach elementary schools as well as Ormond Beach Middle School. He stated that flyers were also handed out.

Item #11 – Adjournment

The meeting was adjourned at 10:35 p.m.

APPROVED: February 7, 2017

BY:

Bill Partington, Mayor

ATTEST:

J. Scott McKee, City Clerk