

MINUTES
PLANNING & ZONING BOARD MEETING
May 8, 2023
3000 Bellemead Drive Daytona Beach Shores, FL 32118

1. OPENING REMARKS

Present: Member Guy Desai, Member Rick Delange, Member James Lilly, Member Chuck Horion. **Member Excused:** Jeni Groot-Begnaud. **Member Absent:** Rose Ann Tornatore.
Staff: City Clerk Cheri Schwab, City Attorney Paul Waters, Community Services Director Stewart Cruz and City Planner Noel Eaton.

2. MINUTES

A. Planning & Zoning Minutes April 10, 2023

MEMBER CHUCK HORION moved, seconded by MEMBER JAMES LILLY to Approve the Planning & Zoning Minutes of April 10, 2023.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4 No = 0).

Yes: Member Rick Delange, Member Chuck Horion, Member James Lilly, Member Guy Desai

3. QUASI-JUDICIAL HEARING

A. Ordinance 2023-03: Tour Service Conditional Use and Live/Work Facilities.

City Planner Noel Eaton began by stating that the agenda item was not a quasi-judicial item. Board Attorney Paul Waters read the ordinance by title. Ms. Eaton gave a brief review of the proposed amendments that were included in the ordinance. The items included: the definition of tour service, establishing tour service as a conditional use, permit a tour service as a conditional use in the GCRD district, permit a tour service to be approved by the City Manager, create a review and operational criteria for tour services, amend the live/work facility requirements to allow daily operators to occupy the residential component, and finally to amend the live/work facility to require a minimum of seven hundred (700) square feet of residential space. At the April 11th City Commission meeting, they requested staff bring back an ordinance to address the creation of a tour service. They also had a few requirements that included; a restaurant operating on the property with the tour service, additional landscaping requirements, tour vehicles must be parked in the rear of the building, and proof of employment needed to live in the residential apartment. The City Planner provided statistics on the number of properties that could benefit from the proposed amendments. All due public notice had been met and staff recommended approval. Board members asked a few follow-up questions regarding the living/work conditions.

Devon and Danielle Eskra, property owners of 2120 S. Atlantic Avenue, spoke regarding how the potential amendments would benefit their new business. They wish to open a restaurant but it seems there may be a delay with the contractor. They hope to get the tour

service open first and the restaurant will follow 8-9 months later. They are willing to provide a monthly update as commission requests. Both Community Services Director Stewart Cruz and Board Attorney Waters reminded the board that they could recommend approval with a condition on the restaurant opening at a later time. It was also mentioned to keep the motion generic and not specify any one property or business.

MEMBER JAMES LILLY moved, seconded by MEMBER CHUCK HORION to recommend approval to the City Commission of Ordinance 2023-03 with the condition that the restaurant is operating within nine months.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4 No = 0).

Yes: Member Rick DeLange, Member Chuck Horion, Member James Lilly, Member Guy Desai

4. ACTION ITEMS

5. OTHER

6. BOARD COMMENTS

7. ADJOURNMENT

The meeting ended at 8:59 am.

Cheri Schwab, Recording Secretary

Rick DeLange, Chairman