

**DOWNTOWN/BALLOUGH ROAD
REDEVELOPMENT AREA BOARD
MINUTES**

June 7, 2011

There was a meeting of the Downtown/Balough Road Redevelopment Area Board held Tuesday, June 7, 2011 at 12:00 p.m. in the City Hall Commission Chambers, 301 South Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members

Mr. Al Smith, Chair
Mr. Bob Abraham
Mr. Dan Harshaw
Mr. Bob Johnson
Mr. Steve Koenig
Mr. Larry Robinson
Ms. Cathy Washington
Mr. Scott Weidman

Board Members Absent

Mr. Harold Goodemote

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Mr. Jason Jeffries, Project Manager
Ms. Carrie Lathan, Assistant City Attorney
Mr. Dennis Mrozek, Planner
Off. Daniel Garcia, Code Enforcement
Mr. Jim Chisholm, City Manager
Ms. Jeanne Tolley, Redevelopment Technician
Ms. Cathleen Olson, Recording Secretary

1. Call to Order

Mr. Smith called the meeting to order at 12:05 pm.

2. Roll Call

Ms. Olson called the roll and noted members present as stated above.

3. **Approval of the minutes: May 3, 2011**

4.

Mr. Robinson noted that he had not been present at the May meeting, as indicated in the minutes, but rather Mr. Stan Hoelle has attended as alternate.

Board Action

Mr. Koenig made a motion to approve the minutes of the May 3, 2011 meeting. Ms. Washington seconded the motion and it was approved unanimously (8-0).

5. **Staff Report**

a. Code Enforcement

Off. Garcia presented a summary of Code Enforcement cases Downtown, highlighting citations on two parcels on Balough Road and Lexington Avenue, as well as citations on some Beach Street properties on which Code was awaiting owner contact. He stated that Code was still performing the Downtown/Beach Street business checks, noting that the Harley-Davidson building had been closed for remodeling; the Cadillac/Buick dealer at 300 S. Beach Street had been opened and closed periodically; and the Walgreens had been cited for overgrowth in an attempt to address problems with transients on the property. He also outlined progress with the Daytona Proud project, noting that over 50 cases had been opened thus far, as well as re-inspections in the coming weeks.

Mr. Smith asked what could be done to address the deteriorating car lots.

Mr. Berger stated the necessity of working with the owners of the properties.

Ofc. Garcia stated that Code was also working on properties on San Juan Avenue, noting that new complaints had arisen recently.

b. Police Department

Mr. Jeffries noted that Police Department reports would be quarterly in the future, so the next report would be at the July meeting.

5. **Discussion: Social Service Regulations**

Mr. Jeffries stated the need for a recommendation from the Downtown Board to the Planning Board regarding the prohibited uses in Redevelopment Areas. He summarized the discussions from all Redevelopment Boards, outlining the memo from Mr. Rich Walton, detailing the requested list of prohibited uses including check cashing services, homeless services, outdoor storage, pawn shops, used

clothing sales, and used furniture sales, and provided definitions of check cashing services, convenience stores, and homeless services.

Mr. Koenig asked for clarification of Attachment 1 and if the Downtown/Balough Road Board was the first Board to vote on the item.

Mr. Jeffries stated that the memo included only the original draft outlining Board approvals, and the City Commission decision to postpone their decision in lieu of task force review, while a new ordinance had been drafted based on the task force had been developed. He stated that the Downtown Board was the first Board to act on that ordinance. He outlined the results of the May discussions of Redevelopment Boards, reiterating the list of uses requested to be prohibited in all areas.

Mr. Weidman expressed concern with prohibiting used clothing stores, noting that it would prohibit high-end boutiques as well.

Mr. Jeffries stated that it was difficult to distinguish between high-end used-clothing boutiques from thrift stores, noting that antique sales were permissible.

Mr. Harshaw asked if the furniture store on Bay Street would be allowed.

Mr. Jeffries stated that the store would be grandfathered in, but would not be allowed in the future.

Mr. Smith asked for clarification regarding the changes from the previous month.

Mr. Jeffries clarified the recommendations based on his memo and Mr. Walton's memo, adding prohibited uses, defining homeless services, and clarifying primary and secondary uses.

Mr. Smith asked for clarification of Mr. Walton's memo.

Mr. Jeffries clarified that the items in bold had been added to the memo while the struck items had been removed.

Mr. Harshaw expressed concern with removing massage parlors, noting that massage parlors could still be undesirable entities.

Ms. Lathan stated that illegal activities should not be addressed via the Land Development Code.

Mr. Robinson asked for clarification if only office or administration buildings would be allowed for Social Services.

Mr. Jeffries stated that offices would be allowed, as they were not viewed as detrimental to redevelopment.

Mr. Harshaw asked for clarification regarding outside storage, such as boats.

Mr. Jeffries stated that the outside storage clause was aimed more to businesses such as Planet Granite, noting that there were specific Code ordinances regarding boat storage in residential areas.

Mr. Smith asked how outside storage was related to Social Services, noting that there was industrial zoning in the area.

Mr. Jeffries emphasized that the recommendation could be changed at the Board's discretion.

Mr. Smith reiterated concern with prohibiting used clothes and furniture, emphasizing chic boutiques would be positive for the area.

Mr. Koenig reiterated Mr. Smith's concern with prohibiting used clothing and furniture stores. He also asked if the Streets Team would fall under homeless services.

Mr. Jeffries stated that the Streets Team was under contract for maintenance and would not be prohibited under homeless services.

Mr. Weidman asked if a distinction could be made between for-profit and non-profit businesses.

Ms. Lathan stated that no distinction could be made.

Mr. John Nicholson, 413 N. Grandview Avenue, emphasized the need to clarify outdoor storage and distinguish between things like patio furniture versus cars and boats, and reiterated that upscale used clothing stored would be positive. He also asked for clarification regarding prohibiting church charity work assistance.

Ms. Washington clarified that new business and/or church charity assistance would be prohibited.

Mr. Big John asked for clarification regarding page four of Mr. Walton's memo, regarding legal nonconforming uses existing permitted they have met and continued to meet LDC standards.

Mr. Jeffries stated that if the use was legally established at the time of the business established, the use would be permitted.

Ms. Lathan gave the example in Article XVII regarding blood banks and plasma centers.

Mr. Big John also asked for clarification regarding identifying existing Social Services.

Ms. Lathan stated that the intent was to require existing Social Services to identify themselves to the City within 30 to 90 days.

Mr. Mrozek noted that the proposed distance requirement had been removed for all Social Services, but remained for some uses.

Board Action

Mr. Koenig made a motion to recommend approval of prohibiting the Social Services uses as identified in Mr. Rich Walton's memo. Ms. Washington seconded the motion and it was approved unanimously (8-0).

Mr. Jeffries noted that only homeless services could be included as prohibited uses, without included used furniture and/or clothing stores.

Mr. Koenig asked if homeless services included individual assistance.

Mr. Jeffries stated that individual assistance services were included, emphasizing that the issue was preventing congregation and to avoid uses that did not compliment the retail district.

Board Action

Mr. Koenig made a motion to add homeless services to the list of prohibited uses with its definition. Mr. Robinson seconded the motion and it was approved unanimously (8-0).

Mr. Harshaw asked about the reactions of other Boards, specifically regarding check cashing.

Mr. Jeffries stated that check cashing was already prohibited Downtown so had not been included on the list of newly prohibited uses.

Mr. Weidman asked if pawn shops would remain permitted if they changed owners.

Mr. Jeffries stated that it would remain a permitted use, clarifying that the use was tied to the business and not the owner, and must be discontinued over three months before the use was disallowed.

Board Action

Ms. Washington made a motion to recommend applying the prohibited uses to both primary and secondary uses. Mr. Koenig seconded the motion and it was approved unanimously (8-0).

6. Redevelopment Project Updates

Mr. Jeffries stated that Staff had received an initial draft from Clarion of Module 2 of the Land Development Code rewrite, which Staff was currently reviewing, noting that it would be on the agenda for Board review possibly at the July meeting but more likely in August, outlining uses and use standards, which would be critical for the future shaping of Downtown. He also noted that the International Speedway Boulevard Design Project had been approved by the CRA last month, with the current project scope between Ridgewood Avenue and South Atlantic Avenue, which would be critical for the Downtown block between Beach Street and Palmetto Avenue. He noted that Staff would be meeting with project consultants later in the week.

Mr. Berger emphasized that there would be public input and merchant involvement in the streetscaping design process.

Ms. Smith asked for updates regarding the Beach Street streetscaping.

Mr. Jeffries stated that Public Works was working on traffic calming alternatives. He also noted that in Old Daytona, the Live Oak traffic circle utilities had been completed, and the surface of the traffic circle had begun construction. He stated that the Downtown Public Market was in the works under the direction of Cheryl Kelley, with phase I task of reviewing site selection criteria nearly complete, and noted that once that phase was entirely complete, it would be presented to the Board, mostly likely in July.

Mr. Smith stated that he was favorably impressed with the methodical approach Ms. Kelley had applied to the project and in moving forward.

Mr. Jeffries also presented information from the Las Vegas Retail Conference, which he and Commissioner Edith Shelley had attended to promote Downtown Daytona Beach and the City as a whole, expressing concern that in the current economy, the types of retailers desired Downtown were not currently looking at major expansion. He noted however that he had met with several developers and

at length with a colleague of Mr. Bob Gibbs, emphasizing the need to identify an anchor store for the Downtown retail area. He also stated that the Downtown temporary plaza had been approved by the CRA, and the Downtown Partnership had kicked off fundraising and were nearly ready for phase I, focusing on the landscaping and hardscape features. He also noted as a reminder that there would be a meeting that evening at the City Rec Center regarding the Orange Avenue Bridge.

Mr. Berger also provided a brief update regarding the Bail Bonds sign that had come before the Board. He stated that Staff had negotiated a compromise with the applicant that Staff considered an improvement to the original design.

Mr. Harshaw asked for reasons as to why a compromise was necessary.

Mr. Berger stated that a compromise was necessary due to a lack of clear and explicit design standards.

7. Public Comments

Mr. John Nicholson, 413 N. Grandview Avenue, asked for a clarification on the ISB remodeling, questioning if the area between Ridgewood Avenue and Beach Street would match the Midtown area design or the Beachside design.

Mr. Jeffries emphasized that one consultant had been hired to address all three Redevelopment areas in order to maintain continuity while preserving the distinct characters of each district.

Mr. Berger stated that Staff was working with the Department of Transportation on a grant to address the area from Ridgewood Avenue to the railroad tracks, as well as between Ridgewood Avenue and river.

Mr. Chisholm emphasized the need for continuity on International Speedway Boulevard, and that the City would be working with adjoining property owners to ensure that result.

8. Board Comments

Ms. Washington emphasized that addressing the area between Ridgewood Avenue and the railroad tracks needed to be more of an issue of *when* than *if*.

Mr. Koenig expressed ongoing concern with revenues and expenses, noting that there had been questions at the last meeting regarding expenditures versus the budget and allocated versus spent funds. He emphasized the need to be aware of the current debt to assist in current and future decision-making.

Mr. Berger stated that he would address those concerns and present additional information at the next meeting.

Mr. Smith noted the need to be aware that it was not the role of the Board to deal with debt, but acknowledged that it was important to know.

Mr. Koenig concurred with Mr. Smith, emphasizing that the need to know was just to guide decisions and not to second-guess the financial departments of the City.

Mr. Harshaw asked for any further information regarding Amtrak.

Mr. Berger stated that to his knowledge, there was still interest from Amtrak, but he had no further information.

Mr. Chisholm noted that Amtrak was currently trying to fund the northern section, from Washington, D.C. extending north, but noted difficulties with ownership in the South.

Mr. Harshaw asked for updates regarding Daytona State College funding for the Mike Curb building.

Mr. Chisholm stated that the funding had not been approved by the State.

9. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 1:21 pm.

Mr. Al Smith, *Chairman*

Ms. Cathleen Olson, *Recording Secretary*