

**MIDTOWN REDEVELOPMENT  
AREA BOARD MINUTES**

**July 12, 2011**

There was a meeting of the Midtown Redevelopment Area Board held Tuesday, July 12, 2011 at 6:00 p.m. in the City Hall Commission Chambers at 301 South Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

**Board Members**

Ms. Johnnie Ponder (Chair)  
Mr. Hemis Ivey (Vice-Chair)  
Ms. Patricia Heard  
Mr. Ken McGee  
Ms. Shirley Benjamin

**Board Members Absent**

Ms. Denise McMillon

**Staff Members Present**

Mr. Reed Berger, Redevelopment Director  
Mr. Jason Jeffries, Project Manager  
Ms. Carrie Lathan, Assistant City Attorney  
Mr. Charles Bryant, Project Manager  
Cpt. Craig Capri, Police Department  
Off. Eddie Lopez, Code Enforcement  
Mr. Dennis Mrozek, City Planner  
Ms. Cathleen Olson

**1. Call to Order**

Ms. Ponder called the meeting to order at 6:03 pm.

**2. Roll Call**

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

Ms. Ponder presented a Certificate of Appreciation to Ms. Linda McGee in recognition of her work and service towards Midtown and the Juneteenth celebration.

Ms. McGee thanked the Board for their support and service to Midtown.

3. **Approval of Minutes: June 14, 2011**

Ms. Benjamin made a motion to approve the minutes of June 14, 2011. Ms. Heard seconded the motion and it was approved unanimously (5-0).

4. **Staff Report**

**(a) Police Department**

Cpt. Capri outlined the criminal statistics from the Police Department, highlighting an overall decrease of 16% in total part-one crimes, with crime down in every major category except for aggravated assault and battery. He stated that the bicycle patrol was having a positive impact, and noted the effect of cleaner streets on criminal activity. He also stated that several major narcotics operations were underway, and that the Police Department was working with the timelines of larger federal agencies.

Ms. Benjamin asked for updates regarding issues on El Dorado Avenue and the corner of Haynes Street and Orange Avenue.

Cpt. Capri stated that numerous arrests had been made, but there was little legal recourse that could be undertaken if the property owner chose not to cooperate with the Police Department.

Mr. Ivey noted that there was constant traffic into a property on El Dorado, and expressed his appreciation regarding the work of the Police Department.

Cpt. Capri also noted that there had been 72 prostitution arrests over the prior three months, particularly on Martin Luther King, Jr. Boulevard.

Ms. Heard noted speeding problems, expressing concern about the intersection between Mason Avenue and Nova Road.

Cpt. Capri acknowledged issues with that intersection and stated that the Police Department was working to resolve issues with hot spots.

**(b) Code Enforcement**

Off. Lopez updated the Board on current Code cases, highlighting the presence of the mobile Police station on the vacant lot at Orange Avenue and Haynes Street. He stated that the vacant lot at Mary McLeod-Bethune Avenue and Fulton Street had been mowed. He also noted issues with a dilapidated home at 214 College Park that Code Enforcement was working to get demolished.

Ms. Ponder asked for updates regarding the Citgo Station on International Speedway Boulevard.

Off. Lopez stated that he had no updated information.

Ms. Heard asked for updates regarding the property behind Jay's Car Wash.

Off. Lopez stated that the yard had been mowed on the property and the vehicles had been removed from the yard.

Ms. Heard expressed concern about late-night or 24-hour car washes, such as on Orange Avenue and Keech Street and questioned their legality.

Off. Lopez stated that he would obtain further information and follow up with the Board.

Ms. Benjamin asked if the car wash on Orange Avenue and Martin Luther King, Jr. Boulevard had proper permits.

Off. Lopez stated that the owner of the business said that he had obtained proper permits and licensing, but he would check to make sure.

Ms. Ponder recommended that Off. Lopez take a Police Officer or another person when visiting the property.

Mr. Ivey stated that a representative from the Health Department was in attendance by request to provide a small briefing regarding cleaning up Redevelopment Areas and answer questions from the Board.

Ms. Suzanne Grubbs, Volusia County Health Department, stated that she was a health inspector focused on public health. She outlined a grant received through the Centers of Disease Control and the Florida Department of Health called PACE, Protocol for Assessing Community Excellence in Environmental Health, in order to determine environmental and public health issues in communities. She noted that past issues impacting public health have included lighting, sidewalks, crime, and housing issues, as well as less traditional public health issues such as unemployment and economic redevelopment. She stated that the PACE process helped enable the Health Department to collaborate with the community to establish long-term community-based health solutions. She outlined the boundaries of the program, from Mason Avenue to Shady Place, from Ridgewood Avenue to Nova Road, and additionally on the west side of Nova Road from Mason Avenue to International Speedway Boulevard up to White Street.

Mr. Ivey asked what issues had been identified by the steering committee.

Ms. Grubbs stated that the steering committee had focused on jobs, limiting "junk" businesses, and improving access to fruits, vegetables, and higher-quality groceries.

Mr. Bryant asked who had attended the meeting of the steering committee.

Ms. Grubbs stated that attendees included Cynthia Slater with the NAACP, Sam Ferguson from the Safari Lounge, Patrick from the Tropic Twilight, the Early Learning Coalition, Thrive by Five, Achieve, Bethune-Cookman University, and the Housing Authority.

Ms. Ponder asked if the program included anything for middle school-aged kids.

Ms. Grubbs stated that there was currently no youth activity component to the program.

Mr. McGee emphasized the importance of the relationship between clean streets and the health of a community.

Ms. Heard noted that Professor Hoffman from Florida A&M had spoken with the Health Department in the process of creating the Midtown Master Plan.

Ms. Ponder emphasized the importance of a working partnership with the Health Department.

**5. DISCUSSION ITEM: PROHIBITED USE, LDC TEXT AMENDMENT**

Mr. Bryant outlined the list of prohibited uses requested by the Midtown Board at the previous meeting, including car washes, light and heavy vehicular service, and sales and rental of vehicles, and noted Staff recommended to clarification of convenience stores. He stated that the Planning Board had expressed concerns that the prohibition of the commercial uses needed additional research to justify their prohibition and recommended that Staff initiate a separate request if the Midtown Board wished to further pursue their prohibition, emphasizing that the Planning Board did not deny the request for prohibition but wanted more research and information.

Mr. Ivey stated that the Planning Board was not familiar with the needs of the Midtown community, emphasizing concerns with the number of convenience stores. He asked that Staff ensure all businesses in the Midtown area were legal with full permits and licensing.

Ms. Benjamin stated that it was her understanding that existing legal businesses would remain, while the Planning Board implied that the Midtown Board intended to shut down existing businesses. She also emphasized the need for representatives of Midtown to attend Planning Board meetings and other relevant meetings to ensure that the Board's comments were accurately relayed.

Ms. Heard asked where the list of recommended prohibited uses was from, and asked for clarification of the listing of her business as a convenience store.

Ms. Ponder asked why Mr. Bryant did not speak as a representative of the Midtown Board at other meetings.

Mr. Berger stated that Mr. Bryant could represent the Midtown Board at future meetings, including Planning Board meetings, and noted that the list of uses in Attachment A was put together to provide additional factual information to the Planning Board. He acknowledged issues involved with convenience stores in the Midtown area and emphasized the need to deal with the factors influencing those problems.

Mr. Ivey stated the need to make a distinction between reputable, recognizable grocery stores and less reputable convenience stores.

Mr. Berger stated the need to provide clearer information to the Planning Board outlining ways to address the problems in Midtown.

Mr. Ivey stated that the Midtown Board did want to continue pursuing the prohibited uses as recommended.

Ms. Heard stated the need to clarify convenience stores and her business should not be listed as a convenience store.

Ms. Lathan provided a legal definition of a convenience store as “a retail sales and service store of less than 5,000 square feet of floor area that primarily sells grocery or deli items and miscellaneous day-to-day goods.

Ms. Ponder reiterated concern that the Board’s opinions were not being accurately conveyed.

Mr. Ivey asked if the recommendations of the Midtown Board were on hold until the Midtown Master Plan was established by FAMU.

Mr. Berger stated that the only issue on hold pending the Master Plan was the site plan review thresholds which was unrelated to prohibited uses. He asked that the Midtown Board continue to give input and changes as the second module of the Clarion Land Development Code rewrite process neared completion.

Mr. Ivey stated that the Board consistently gave its feedback but emphasized he need for Clarion and the Planning Board to see what goes on in Midtown and be familiar with its unique needs.

Mr. Berger stated his understanding of the Board's recommendations, emphasizing the need to prohibit new convenience stores in the Midtown area and to ensure that existing businesses were fully legal.

Ms. Benjamin noted that a convenience store at 719 Wells was reopening after having been closed for over three months without coming before the Board. She asked for clarification as to how that was allowed.

Mr. Mrozek stated that the business owner had submitted an application and would be undergoing the site plan review process.

Mr. Ivey reiterated that the applicant had not come before the Board and emphasized concerns with an already-existing convenience store very nearby.

Ms. Ponder emphasized the Board's recommendation to prohibit new convenience stores from opening in the Midtown area.

Mr. Jeffries stated that Staff would work to create a record of the existing convenience stores in Midtown and emphasized the need for factual documentation supporting requested prohibited uses.

Ms. Benjamin reiterated concern with new convenience stores continuing to open.

Mr. Ivey emphasized the need to ensure that Board comments and conversation were accurately conveyed to the Planning Board.

Ms. Heard asked about the date of the next Planning Board meeting.

Mr. Berger stated that he would come back to the Midtown Board in August with clarified recommendations, which would then go to the Planning Board. He stated that he would get the Board's explicit approval of the verbiage detailing their recommendations.

Mr. Ivey stated the need to differentiate between national recognizable chains and less reputable "mom-and-pop" businesses.

Ms. Lathan stated that uses could not be prohibited based on ownership, but noted that businesses could be prohibited based on square footage.

Mr. McGee stated his approval of the language prohibiting convenience stores under 7,000 square feet.

Ms. Ponder emphasized the need to encourage businesses with a positive impact on the community.

Ms. Heard emphasized that only Midtown residents knew the needs of the community.

Mr. Berger stated that Staff would incorporate Board input and present revised information at the next Board meeting for approval.

**6. Midtown Master Plan Workshop**

Mr. Bryant stated that he was trying to establish the date of the next Midtown Master Plan workshop with Professor Hoffman from FAMU and would be in touch with the Board to confirm the date by the end of the week.

Mr. Ivey asked when the contract with FAMU would expire and if there was the possibility of extending it.

Mr. Berger stated that the contract with FAMU officially ended on October 11, and while there was no intent for official renewal, there was the possibility of bringing Professor Hoffman down for discussion on a voluntary basis.

Ms. Ponder noted that there were no other current capital projects and recommended looking into extending the contract.

Mr. Berger stated that he would review the options regarding future participation by FAMU and Professor Hoffman.

Ms. Ponder stated the need for an extended contract with Professor Hoffman, emphasizing the need for a strong foundation for the Midtown Master Plan, as well as educating the Planning Board regarding the unique needs of Midtown.

**7. Redevelopment Project Updates**

**8. Public Comments**

**9. Board Comments**

**10. Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 8:37pm.

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Johnnie Ponder, Chairman

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Cathleen Olson, Board Secretary