

MINUTES
REGULAR MEETING – PLANNING BOARD

November 17, 2011

Minutes for the Planning Board for The City of Daytona Beach, Florida, held on Thursday, November 17, 2011, at 6:00 p.m., in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board members Present were as follows:

Jeff Hurt
Tracey Remark
Bob Hoitsma
Janet LeSage
John McGuinness
Louis Moore
Kevin Fishback
Cathy Washington
Shirley Benjamin

Absent Members:

James Neal
Matthew Bohon

Staff members present:

Richard Walton, Planning Director
Dennis Mrozek, Senior Planner
Thomas Weitnauer, Principal Planner
Carrie Lathan, Assistant City Attorney
Charles Bryant, Redevelopment Project Manager
Rose Askew, Planning Technician

1. **Call to Order**

Louis Moore, Chair called the meeting to order at 6:00 pm.

2. **Roll Call**

Ms. Washington called the roll and noted members present as listed above.

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3. **Approval of the Minutes:** October 27, 2011

Board Motion

It was moved by Mrs. Remark to approve the October 27, 2011 Planning Board Meeting Minutes. Seconded by Mr. McGuinness.

Board Action

The motion was approved 9-to-0.

Continued Items:

4. **North Ridgewood Overlay Area**

a) **Rezoning: North Ridgewood Overlay Area, DEV2011-038**

A request by the Development and Administrative Services Department, Planning Division to establish a North Ridgewood Overlay Classification in a defined area generally located between Spruce, Aberdeen and Revere Streets, to the west, Mason Avenue to the north, Beach Street to the east and George W Engram Boulevard and Fairview Avenue to the south. *(Continued from the August 25, 2011 Planning Board Meeting)*

Ms. Washington asked if items 4a and 4b would be discussed individually.

Mr. Moore replied the presentation for items 4a and 4b would be together but the discussion and votes would be done separately.

Staff Presentation

Dennis Mrozek, Senior Planner stated his presentation would include both items 4a and 4b but the discussion and vote would be done separately. He stated this was the third time the Board had reviewed this request. The first time the Board reviewed this rezoning request was at the June 23, 2011 Planning Board Meeting. At that time staff did not have all of the data needed to draft a document everyone would be comfortable with. The item was continued to the August 25, 2011 meeting. At the August 25, 2011 meeting staff reported that all of the requested documents needed for the Board to make a recommendation still had not been received. The request was continued an additional 60 days to allow staff time to receive and review the additional area research data. He stated the rezoning request before the Board tonight was slightly modified but it was close to the request presented at the June 23rd Planning Board Meeting. He stated recent use changes in the redevelopment areas aroused concern that those uses may be relocated to the North Ridgewood Area as a result of the new restrictions. He stated August 2011 the City Commission adopted an ordinance amending the LDC, Article 2, Article 12, and Article 17, to modify specifically prohibited uses in redevelopment areas. The next step is the North Ridgewood Overlay Area (NROA) and then Citywide restrictions to certain uses. Mr. Mrozek stated the City of Holly Hill borders the area to the north, Ballough

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Road Redevelopment Area borders the area to the east, Downtown Redevelopment Area and part of the Midtown Redevelopment Area borders it to the south. The west area is bordered by a single-family district. He stated this request defines the regulations that will go into the NROA. Staff recommends approval of the rezoning request. The item is tentatively scheduled to be heard by the City Commission on January 4, 2012 (1st Reading - PH) and January 18, 2012 (2nd Hearing – PH). An affirmative vote of six is required by the Planning Board to recommend approval to the City Commission.

Citizen Comments

Michael Woods, Cobb Cole, 351 East New York Avenue, Suite 200, Deland spoke in favor of the request.

James Newman, 535 Mulberry Street, Daytona Beach, spoke in favor of the request.

Board Comments

No comments.

Board Motion

It was moved by Mrs. Remark to approve Rezoning, North Ridgewood Overlay Area, DEV2011-038. Seconded by Mr. McGuinness.

Board Action

The motion was approved 9-to-0.

b) Land Development Code – Text Amendment: DEV2011-034

A request by the Development and Administrative Services Department, Planning Division to amend the Land Development Code (LDC), Article 2, Definitions, Article 4, Land Development Orders and Procedures, Article 16, Overlay Classifications and Regulations, and Article 17, Conditions and Requirements for Specific Uses, to establish regulations for the North Ridgewood Overlay Area (NROA) and to prohibit specific uses within the designated overlay area. *(Continued from the August 25, 2011 Planning Board Meeting)*

Staff Presentation

Dennis Mrozek, Senior Planner stated at the direction of the City Commission, staff researched ways to reduce current negative impacts to the North Ridgewood area and possible impacts that may result from changes to the redevelopment areas allowable uses. He stated Attachment C in the Board's packet has the proposed changes to the LDC. The purpose of the North Ridgewood Overlay is to provide a restriction of uses that may be located, or re-located to the area as a result of Redevelopment Area restrictions. The North Ridgewood area is a gateway to the City and currently does not project that image. This area has developed indications of economic regression. He stated at the previous meeting staff was missing some of the data and analysis. He stated that data and analysis has been received and the results are listed below.

DATA ANALYSIS

Population

- 34 Census Blocks located within the NRA
- Decrease in areas overall population by 20 people
 - 2000 Block Population – 1,589
 - 2010 Block Population – 1,569
- 1 block increased by 244 (from 3 to 247)
- Remaining 33 blocks population decreased by 17%
- Citywide population decreased by 5%

Property Values

Volusia County Property Appraiser Data (2003 – 2010)

- Citywide: 2003 - \$3.4 Billion
 - Peaked in 2008 - \$7.2 Billion, 53% increase
 - 2010 – \$5.5 Billion, 24% decrease off '08 peak
- NRA: 2003 - \$21.1 Million
 - Peaked in 2007 - \$41.8 Million, 50% increase
 - 2010 – \$24.4 Million, 42% decrease from peak

Proposed uses specifically prohibited

- Any accommodations except hotel, motel and historic bed & breakfasts
- Adult bookstores and theaters
- Blood banks
- Check cashing service
- Community residential homes and similar facilities
- Congregate meal facilities
- Flea markets
- Food pantries and Feeding programs
- Homeless services
- Homeless shelters
- Plasma center
- Recovery homes or treatment facilities
- Tattoo parlors
- Temporary labor hiring hall

Mr. Mrozek stated one of the areas researched was saturation of uses. The numbers were provided by United Way. The list is not a complete set of numbers, but it is a good apples-to-apples comparison for staff to use when comparing with other communities. The United Way list identified 12 social service uses in the NROA and staff performed a field study that identified three additional uses raising the number to 15. He stated staff's goal is to identify all of the social service uses in the area to have a more complete number. He stated one of the City Planners walked the entire North Ridgewood Area to identify the types of properties located there. Additionally, staff looked at homeownership in the area as well as citywide. He

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stated citywide there are just over 15,000 single-family units listed of which, 310 are located in the North Ridgewood Area. Citywide properties receiving homestead exemption is 9,500 (62%), of which 105 (34%) are in the NROA. The percentage of non-homesteaded properties citywide is 34% and 66% are located in the NROA, indicating a higher number of rental units perhaps not owner occupied. Mr. Mrozek stated the first time this request was presented to the Board; it included a list of uses that were very similar to what the City Commission approved for the redevelopment areas. Based on the additional information collected, staff is comfortable moving forward with something similar to what was approved in redevelopment areas and making all of the uses listed as prohibited uses. He stated one of the programs instituted in the redevelopment areas was grandfathering of legal non-conforming uses. One of the goals of the program would be to identify all of the different types of uses currently existing in the NROA. Applications were mailed to all of the facilities staff had record of and were able to acquire addresses for. Information was placed on the City's website to allow any business that utilized one of the particular types of uses the ability to notify the City of their legal non-conforming use status. Staff is recommending implementing an administrative program to identify existing social service agencies. The process would be as follows:

- Agencies would be required to notify the City of their location and specific use.
- The City will establish a timeframe to allow agencies to comply (90 days from date of adoption).
- Those that fail to identify may not be considered legal nonconforming uses and may not be grandfathered.
- Legal nonconforming uses have the opportunity to become conforming by meeting the requirements of the LDC and conditional use schedule.

Mr. Mrozek stated the following primary and accessory uses would be found to be detrimental to the economic stability of the NROA. He stated at the last City Commission meeting on social services, it was discovered that several of the uses on the prohibited list would be an accessory use to a building. The LDC reads, if the use is an accessory to a permitted use, regardless to whether or not it was a legal non-conforming use, the use would become an illegal non-conforming use and the accessory use would have to go away. Based on this language, for redevelopment areas, staff separated out some of the uses that could be used as accessory uses and put them into a different category; still prohibiting them but adding language to protect the uses if they were an accessory use and allowing the uses to be grandfathered in. He stated the language does not allow new uses to come in, it takes the uses that are legal non-conforming, whether they are principal or accessory uses and allows them to continue as long as they meet the LDC requirements. He stated page two of the staff handout has the regulations that were adopted for the redevelopment areas. The list of uses are listed below:

- Community residential homes and similar facilities
- Congregate meal facilities
- Food pantries and Feeding programs
- Homeless services
- Homeless shelters
- Recovery homes or treatment facilities

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Mr. Mrozek stated if the uses were legal non-conforming accessory uses and the applicant had notified the City of their legal non-conforming status, they would be allowed to continue to exist.

Staff recommends approval of the amendment request. The item is tentatively scheduled to be heard by the City Commission for first reading on January 4, 2012 (Public Hearing), and second reading on January 18, 2012 (Public Hearing). An affirmative vote of six by the Planning Board shall be required to recommend approval to the City Commission.

Citizen Comments

Michael Woods, Cobb Cole, 351 East New York Avenue, Suite 200, Deland spoke in favor of the request.

Patricia Heard, 822 Vernon Street, Daytona Beach, spoke in favor of the request.

Board Comments

Mrs. Remark asked if the proposed list of uses meant they were prohibited across the board and cannot come in under a public use, special use, semi-public use or any other kind of use.

Ms. Lathan replied she believed they could apply through the public use permit process. She asked Mr. Mrozek if that was a part of the discussion when it was approved in redevelopment areas.

Mr. Mrozek replied if there was discussion, he did not believe it was resolved.

Mrs. Remark asked if there was a way to prohibit the uses through the public use permit process or did “not resolved” mean not between the Legal Department and Planning Department.

Ms. Lathan replied she did not remember the question coming up in any previous discussions. She asked Mr. Mrozek if he remembered.

Mr. Mrozek replied no.

Mrs. Remark stated she felt it might be a moot point to do this if the door would be left open for the uses to be allowed through other use processes. She stated she assumed prohibited meant prohibited; period. If it is not, she feels that should be taken into account when considering approval of this request.

Mr. Walton stated if that was the Board’s desire, it would be perfectly acceptable to make it part of the motion and staff would research what the legal approach would be to handle the condition.

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Mrs. Remark stated she feels this was very important and it would be a detriment to the area especially since the area is losing value while the rest of the City is peaking. She asked if a motion to approve the amendment could include the accessory use language and staff's proposed identification process.

Ms. Lathan stated she did not believe that language was part of the staff report so it would have to be included as part of the motion.

Mr. Moore asked why the discussion on accessory uses was discussed late.

Mr. Mrozek stated it came up late in the discussion for the redevelopment areas because staff started looking at some of the uses that would be prohibited and found there were some legal accessory uses that were operating. The way the LDC is written, is because they were in a principal use and were an accessory use, the determination was made to protect the legal accessory uses also. He stated this was the only avenue that could be used to accomplish this. He stated when he went back and re-reviewed the language; he determined that this would also be a great idea to save some of the legal accessory uses in the NROA.

Mr. Moore asked how many uses there were.

Mr. Mrozek replied there were five types of uses moved over in category b, that if used as a legal accessory use they would be allowed to continue. He stated it did not mean they would be allowed to come in as an accessory use; that would be prohibited. The regulation only applied to legal accessory uses that currently exist.

Mr. Walton stated additionally, the reason this discussion did not come up in the initial review of this request was because the regulations were scattered throughout the LDC.

Mr. McGuinness stated he called Mr. Mrozek earlier today regarding the classification of Central Baptist Church as a social service use.

Mr. Mrozek replied in this case, it is an accessory use that is attached to the church and for all intended purposes; it was a legal accessory use. He stated this was a good example of an accessory use that would have to vacate the property in six months.

Mrs. Remark asked if Mr. McGuinness was talking about the Senior Assisted Living facility.

Mr. Mrozek replied the address of the property Mr. McGuinness was questioning was 142 Fairview Avenue.

Mrs. Remark stated yes, but the Manor was also part of the church.

Mr. McGuinness stated the manor is listed as a social service use. He asked if the same restriction requirements for accessory uses would apply in this instance.

Mr. Mrozek replied yes.

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Board Motion

It was moved by Mrs. Remark and seconded by Mr. McGuinness to approve Land Development Code – Text Amendment, North Ridgewood Overlay Area, DEV2011-034 with the following conditions:

- Inclusion of the language for the identification program, protection of legal accessory uses and staff’s research on prohibited uses being allowed through the public use, semi-public use, special use or any other use category.

Board Action

The motion was approved 9-to-0.

New Items:

Agenda Item No. 6 taken here.

5. **Discussion - Citywide - Large Scale Comprehensive Plan Amendment – Social Service Uses, DEV2011-091**

Discussion on proposed new Comprehensive Plan Objectives, Policies and supporting data providing the basis to guide future location decisions when Social Service uses are proposed throughout The City of Daytona Beach.

Staff Presentation

Thomas Weitnauer, Principal Planner gave a brief presentation that included the discussion item as written above. He stated at the direction of the City Commission staff reviewed citywide regulations that address social service uses and as a result have drafted a Comprehensive Plan goal, objective and policy. He stated over the past two years a study was performed that shows the City of Daytona Beach has a disproportionate share of social service uses. Amending the Comprehensive Plan to incorporate goals, objective and policies that address the disproportionate share of social service uses will encourage social service providers to locate in underserved areas in Volusia County, strengthen recently approved Land Development Code (LDC) amendments, strengthen future decision-making and limit additional uses based on need. He stated when there is a need, the public and semi-public use permitting process could be used to allow new uses. Mr. Weitnauer read the draft goal, objectives and policies and stated he believed one of the reasons the City Commission wanted staff to look at current requirements for citywide social service uses was to make sure they did not spread throughout the City. He stated it was similar to the draft amendments currently being processed for the North Ridgewood Area based on recent use changes in redevelopment areas. He stated the language presented tonight was the first draft and that staff was requesting feedback and recommendations from the Board. He stated it would take approximately two months for staff to put together a full Comprehensive Plan amendment packet for the Board to review.

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Board Comments

Mrs. Remark stated Policy 4.1.2 at the bottom of page one of the staff report listed United Way was the only resource for identifying social service providers within the City. She asked if United Way was the only resource we had to determine what social services uses were being offered in the City and if United Way was named in the policy was the City limited to using data provided by United Way.

Mr. Walton replied Mrs. Remark made a very good point and staff could revise the language to read something like, "The City shall annually obtain a list of existing social service providers including but not limited to United Way ..."

Mr. Moore asked Mr. Walton what the process would be once a complete list was generated.

Mr. Walton replied currently the only criteria in the LDC for public and semi-public use permits is need. He stated when Catholic Charities made their request for a semi-public use permit; there was a lengthy discussion on what was considered to be need. The new process will take a look at the County as a whole to make the determination whether or not there is a need within The City of Daytona Beach for additional social service uses.

Mr. Hoitsma stated he does not believe it has ever been the goal of the City nor the Planning Board not to supply social services within the community. He believes the problem is with the disproportionateness throughout the County that has been the problem.

Mrs. Remark asked if this would also apply to social service uses within churches or would it only apply to stand alone social service uses.

Mr. Walton replied it would only apply to a semi-public use application.

Mrs. Remark asked why.

Mr. Walton replied most often social service use requests come in through the semi-public use request process.

Mr. Moore asked staff they there had been enough discussion to get a feeling of what the Board would like brought back.

Mr. Walton replied yes. The last round of State regulations changed the regulations that limited cities to two Large Scale Comprehensive Plan Amendment cycles per year. Even with the changes the process is approximately the same length of time and advertising is very expensive. He stated as a cost saving mechanism, staff will bundle amendment request together and continue to process two amendments per year.

6. **Land Development Code Text Amendment - Prohibition of Convenience Stores in Midtown Redevelopment Area, DEV2011-094**

A request by the Development and Administrative Services Department, Redevelopment Division to amend the Land Development Code (LDC), Article 12, (Redevelopment Areas and Districts) to prohibit convenience stores in the Midtown Redevelopment Area.

Staff Presentation

Charles Bryant, Redevelopment Project Manager gave a brief PowerPoint presentation that included the request as written above and stated Article 12, Section 2.2 (b)(2) of the LDC reads, *“Specific prohibitions within individual redevelopment areas. In addition to the uses listed above, there are certain uses which are in conflict with the redevelopment goals for certain areas. The following uses shall be prohibited in the areas specified, regardless of whether such uses are generally or customarily included in a general use categorized as permitted or conditional use within the applicable zoning district use schedule:*

- (2) *Midtown Redevelopment Area prohibited uses:
Convenience stores with light vehicular service”*

Mr. Bryant stated the Midtown Redevelopment Area Board recommended striking the language *“with light vehicular service.”* Striking this language will make convenience stores prohibited in the Midtown Redevelopment Area. He stated the LDC’s current definition for convenience store is, *“A retail sales and service store with less than 5,000 square feet of floor area that primarily sells grocery or deli items and miscellaneous day-to-day goods.”* He went through the list of convenience stores currently in the Midtown Redevelopment Area by street and the LDC requirements for text amendments. Mr. Bryant stated staff was recommending approval of the Midtown Redevelopment Area Board’s recommendation to remove the language *“with light vehicular service”* from the prohibited list.

Mrs. Remark asked Mr. Bryant if he had been able to get a key or legend to assist in understanding the list included in the Board’s packet for calls received the Police Department had received.

Mr. Bryant replied no and that he requested a key from the Police Department, but had not received a response. He stated he did receive a copy of all properties within the City that have been placed on no truss passing. Some of those properties were included on the list the Board received.

Mrs. Remark stated three of the properties on the list appear to have a very large number of calls to the Police Department. She asked Mr. Bryant if he knew whether or not the property owners had been taken to the Nuisance Abatement Board.

Mr. Bryant replied he did not know.

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Citizen Comments

Denise McMillon, 929 Loomis Avenue, Daytona Beach spoke in favor of the request.
Norma Bland, 1317 Imperial Drive, Daytona Beach spoke in favor of the request.

Patricia Heard, 822 Vernon Street, Daytona Beach spoke in favor of the request.

John Nicholson, 413 North Grandview Avenue, Daytona Beach spoke in opposition of the request.

Hemis Ivey, 314 South Franklin Street, Daytona Beach spoke in favor of the request.

Board Comments

Mr. Fishback asked if this would affect 719.

Mr. Walton replied no.

Ms. Washington stated she attended the Midtown Redevelopment Area Board meetings and workshops where presentations were given on possible options to change the view of the Midtown Redevelopment Area. She stated personally, living in the area she felt it was being treated as a dumping ground for the City; what no other area wanted, got approved for the Midtown area. She stated she feels approving any additional convenience stores would go against what the Midtown Redevelopment Area Board had attempted to do over the past two years and would be a failure for the area. She stated she was in favor of not allowing any additional convenience stores in the Midtown Redevelopment Area.

Mrs. Remark stated she was in favor of continuing the request because she felt there were some problems with the information that was given to the Board and felt there were things that needed to be clarified. She stated in June 2011, the Board was given a list of prohibited uses. The list had 48 businesses on it. Included in the Board's packet for tonight's meeting were 10 addresses not included on the June 2011 list, three of which are being called convenience stores and Pierson's Grocery Store, which is more than 5,000 square feet and is therefore not a convenience store. She stated the list the Board received in June had 560 Dr. Mary McLeod Bethune Boulevard as a convenience store but is not included on the list tonight. Mrs. Remark stated she thinks there is a problem not knowing exactly what businesses would be affected and thinks there is a problem with some of the addresses on tonight's list being used to make the Midtown Redevelopment Area's case to prohibit convenience stores in the Midtown Redevelopment Area. She stated some of the addresses were carwashes and vehicular service stations and should not be included. She stated she was not saying there were not problems in the Midtown area but the list the Board received only had three properties with an abundance of police calls and she would like to know exactly what the calls were for. She stated the Police Chief and Captain Capri attended the Midtown Redevelopment Area Board meeting recently and stated the Police Department was not having problems with a lot of the properties on the list. Mrs. Remark referenced a report from the Volusia County Health Department and stated she feels staff should tweak the data a little bit more before this request is considered.

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She stated the grocery gap report addresses policy implications and gave major recommendations. The report includes 24 pages of references for initiatives to turn convenience stores into viable economic entities in redevelopment areas. She feels some of the recommendations should be included in the amendment request. She stated she does not want to see staff drop the ball on this and move something forward that does not match up with the proposed text amendment. She recommended the Board continue the request and have staff to work on tweaking the language for the amendment request. She stated continuing the request would keep it pending, which would not allow any additional convenience store applications to be approved.

Mr. Hurt stated he was not in favor of continuing the request. He stated the Midtown Board has hashed out this issue and they made it clear that they do not want any more convenience stores opening in the Midtown Area. He stated he felt it was the responsibility of the Midtown residents to stop supporting convenience stores that do not have fresh food and or produce. He stated the business owners react to demand and if there is no demand, there will not be a need for business.

Ms. Washington stated she agrees with Mr. Hurt and is not in favor of continuing the request. She stated the discussion had been drawn out as long as it should have been and asked Mr. Bryant if she was correct in understanding that the request was to stop additional convenience stores from opening in the Midtown Area; not to disband stores that were already there.

Mr. Bryant replied that was correct.

Ms. Washington stated the Midtown Board had belabored this problem a very long time and she felt it was time for a decision to be made.

Mrs. Remark asked Ms. Benjamin if the Board was saying Midtown would not allow gas stations because this request would prohibit gas stations that market themselves as convenience stores. She referenced the Citgo Gas Station on the corner of Dr. Martin Luther King Boulevard and International Speedway Boulevard that sells food.

Mrs. Benjamin stated that was correct.

Mrs. Remark stated the way the amendment request reads implies gas stations will no longer be allowed because they sell food. She stated national gas companies market themselves as gas stations and convenience stores and if this is approved tonight, it would prohibit them. She asked if that was part of the Midtown Board's discussion.

Ms. Benjamin replied the discussion strictly addressed convenience stores like the one on Orange Avenue and on Dr. Martin Luther King Boulevard but not the Citgo And BP Gas Stations.

Mrs. Remark stated this amendment will prohibit them.

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Ms. Benjamin stated there are only a few in the Midtown Redevelopment Area, but there are others in Zone 6.

There was discussion on where gas stations were located within the Midtown Redevelopment Area and Zone 6.

Mr. Hurt stated he felt if the problem arises and gas stations are prohibited, it would have to be addressed at that time and the applicant would be required to go through the permitting process, but for now to stop the spread of convenience stores, he feels this request should be approved. He stated if a national gas station chain decides to open in the Midtown Redevelopment Area they will have to go through the permitting process.

Mr. Hoitsma asked staff for the definition of a convenience store when the primary product being sold is gasoline.

Ms. Lathan replied in the LDC the definition for light vehicular service is *“facility providing fueling and minor service of self propelled vehicles.”* She stated she believes what is commonly seen is a combination of convenience stores with light vehicular service.

Mr. Hoitsma asked Ms. Lathan if she would call it a convenience store if most of the revenue was generated from the sale of gasoline.

Ms. Lathan replied it was previously listed as convenience store, with light vehicular service. At this point a gas station could open; it just would not be allowed to have a convenience store as a part of it.

Mrs. Remark stated a national gas company that markets itself with a convenience store could not open in the Midtown Redevelopment Area.

Mr. Moore replied they could open but only as a stand-alone gas station.

Ms. Washington stated she feels that would be sufficient because the Midtown Area has enough convenience stores.

Mrs. Remark stated she was just curious if this was part of the Midtown Redevelopment Area Board’s discussion.

Ms. Washington stated she felt it needed to be made clear that the Midtown Redevelopment Area Board was attempting to do away with businesses that apply to be one thing but operate as something different. She stated if a national gas company decides to move into the Midtown Area, at this point it so farfetched, it would not happen. There has to be some major improvements in the area before that would happen. If it does happen it should be dealt with at that time. She stated a baby is not born walking and running and at this point the Midtown Area is crawling; this is needed for them to start walking.

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Mr. Fishback stated his experience has been that people do not usually think about buying gas in their neighborhood. He stated his experience has been that gas cost more in lower income communities and residents are better off driving outside of the neighborhood to purchase gas. He stated he feels as far as the convenience store issue goes, if people do not have transportation their only option is to walk to a convenience stores in their neighborhood. He stated a critical part of this discussion is that residents with no form of transportation have no option than to walk to the neighborhood convenience store and pay for overpriced goods. He stated he did not see why anyone would not be in favor of this request.

Board Motion

It was moved by Mrs. Remark to continue Land Development Code Text Amendment - Prohibition of Convenience Stores in Midtown Redevelopment Area, DEV2011-094 to the February 23, 2012 Planning Board Meeting.

The motion died due to lack of a second.

It was moved by Mr. Hurt to approve Land Development Code Text Amendment - Prohibition of Convenience Stores in Midtown Redevelopment Area, DEV2011-094. Seconded by Ms. Benjamin.

Board Action

The motion was approved 8-to-1.

7. Other Business

A. Downtown/Ballogh Road Redevelopment Area Board Report

Ms. Washington stated the Downtown/Ballogh Road Redevelopment Area Board met on Tuesday, November 1, 2011 at 12:00 PM in City Commission Chambers. She stated the Board received their monthly update from Code Enforcement and the Police Department; the Board unanimously approved the site plan for William Square located at the southeast corner of Palmetto Avenue and Magnolia Avenue.

Mrs. Remark asked if the developer was Jack White.

Ms. Washington replied Challis and White. She stated the request came before the Board at a previous meeting but the applicant revised the site plan. She stated if there were additional questions, Zone 1 City Commissioner Kelly White was present.

B. Midtown Redevelopment Area Board Report

No report.

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C. Main Street/South Atlantic Redevelopment Area Board Report

Mrs. Remark stated the Main Street/South Atlantic Redevelopment Area Board met on November 9, 2011 at 6:00 PM in City Commission Chambers. She stated the Board received their monthly update from Code Enforcement and Redevelopment Projects. She stated the Board had discussion on Article four of the Clarion LDC Re-write and also design guidelines. She stated Patricia Drago participated in a round table discussion on the status of the Historic Preservation Board's recommendation for guidelines in the Surfside Historic District; the sticking point appears to be whether or not to include Main Street. There were no action items on the agenda.

D. Public Comments

No citizen comments.

E. Staff Comments

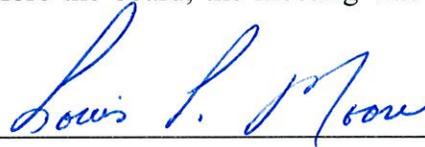
Mr. Walton stated the Transportation Planning Organization (TPO) has begun their US1 Corridor Study. He stated he attended two meetings with their consultant and that they are discussing scheduling a public meeting. He stated when he gets the date, time and location of the meeting he will notify Board members. He stated they were trying to make the study more of a land use study instead of just a traffic study but the funding was coming from a transportation group so he is not sure of the outcome.

F. Board Member Comments

Mr. Moore thanked Zone 1 Commissioner Kelly White for attending the meeting and wished everyone a Happy Thanksgiving.

Adjournment

There being no further actions to come before the board, the meeting was adjourned at 7:38 pm.



LOUIS MOORE
Chair

ATTEST:



CATHY WASHINGTON
Secretary