

**MIDTOWN REDEVELOPMENT AREA BOARD  
MINUTES  
Tuesday, May 14, 2013**

A meeting of the Midtown Redevelopment Area Board was held Tuesday, May 14, 2013, at 6:00 p.m. in the Commission Chambers, Daytona Beach City Hall, 301 S. Ridgewood Avenue, Daytona Beach, FL. The following people were present:

**Board Members**

Mr. Martin Tooley, Chair  
Ms. Patricia Heard  
Ms. Denise Cato  
Dr. Irma Browne Jamison  
Mr. Kenneth McGee  
Ms. Kenya Ford  
Ms. Margaret Symonette  
Mr. Wilburn Williams

**Board Members Absent**

Ms. Shirley Benjamin (excused)

**Staff Members Present**

Mr. Reed Berger, Redevelopment Director  
Mr. Charles Bryant, Redevelopment Project Manager  
Mr. Ben Gross, Assistant City Attorney  
Capt. L. Blanchette, Daytona Beach Police Department  
Ms. Becky Groom, Recording Secretary

**1. Call to Order**

Mr. Tooley called the meeting to order at 6:00 p.m.

**2. Roll Call**

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

**3. Invocation**

Pastor Mayhew from the New Light Family church gave the invocation.

**4. Pledge of Allegiance to the Flag**

Ms. Ford led the Pledge of Allegiance.

**5. Approval of Minutes for April 9, 2013**

Ms. Heard made a motion to approve the minutes of April 9, 2013, with any necessary corrections. Mr. Williams seconded the motion and it was approved unanimously (8-0).

Mr. Tooley stated Page 1 listed Ms. Ben Gross under Staff Members Present and asked that it be corrected to read Mr. Ben Gross.

**6. Staff Reports**

**Police Department**

Capt. Blanchette stated crime was at a 7% increase over last year and the rate of crime on the west side of the City was currently 11% over last year. He stated the rate of auto thefts was 32% over last year and the rate of shoplifting was 33% higher than last year. Capt. Blanchette stated he had been told the Wal Mart on Beville Road had lost \$4,000,000 in product since January 1 of this year due to retail theft. He stated the rate of aggravated assaults was up 45% and domestic violence had increased by 19%. Capt. Blanchette stated residential burglaries were down 20% and non-residential burglaries were down 10%. He stated armed robberies were up 17% but the rate of strong armed robberies was down so the total for robberies was down 6%. Capt. Blanchette stated the total calls for service were down 6% from last year.

Capt. Blanchette stated 6 police officers and one Sergeant will be hired to start on May 24, which will be paid for through grant funds, to work through the end of June. He stated the truancy program will run through the end of the school year and 5 to 7 truants were returned to their assigned school each day.

Capt. Blanchette stated he was asked to provide information on the Part 1 crimes as they related to female victims. He provided statistics for the time period of January 1, 2012, to May 1, 2012, compared to January 1, 2013, to May 1, 2013. Capt. Blanchette stated aggravated assaults were down 2%; homicides down 100%; armed robberies up 78%; strong armed robberies down 17%; sexual batteries increased by 107%; and auto thefts were down 8%. He stated when all statistics were considered, the rate for female victims was up 10% in the City.

Capt. Blanchette stated many females left their purses in plain view on the seats of their cars which prompted a burglary or car theft. He stated it would help the Department if women would place their purses in the trunk or take it with them so it was out of sight.

Mr. Williams asked why burglaries were down vs. Part 1 crimes.

Capt. Blanchette stated the Compstat report identified trends and times and officers can focus on the area where a problem was occurring.

Ms. Ford stated recently there had been reports of car break-ins in vehicles of faculty and staff at schools.

Capt. Blanchette stated officers frequently rode through school parking lots and officers were encouraged if they had reports to be completed to pull into a school parking lot to sit and write it in the parking lot so they were visible.

Dr. Jamison asked if the reported auto thefts were taken from homes or parking lots.

Capt. Blanchette stated the most cars were taken by juveniles and from homes and parking lots and many times juveniles are released the next day.

Dr. Jamison asked how many vehicles were stolen that were left unlocked.

Capt. Blanchette stated it was about 50/50 and many times keys were left in the cars.

Dr. Jamison stated a campaign could be developed through the churches by placing notices in the church bulletins encouraging people to lock their vehicles and not leave items in visible sight.

Capt. Blanchette stated it would help immensely.

Ms. Cato asked how many car lot thefts had occurred.

Capt. Blanchette stated he knew of three that occurred and letters had been sent to the car lot owners identifying the problem. He stated the thefts had occurred during business hours.

Ms. Cato stated that a few gas stations had signs stating if a theft of a vehicle occurred at a business the business owner was not responsible for the loss. She asked if the City would talk to rental property managers to inform them of Police Department's concerns.

Capt. Blanchette stated the Department had a great rapport with a lot of the apartment complexes within the City and there was an email list where information was provided to the managers of the complexes.

Ms. Cato asked if a notice could be placed in the water bills advising citizens of the concerns about auto thefts and what can be done to prevent them.

Ms. Cato stated there had been a cut in funding for Leisure Services and the summer programs so not all of the centers would be open. She stated the two centers that will be open will not serve the need for Midtown. She stated she was concerned about children who may want to leave Midtown to go to another part of town and may fear being stopped by police officers.

Capt. Blanchette stated there must be trust in the officers that work for the Department. He stated if they stopped someone there would be a reason. He stated the Department had a good rate of stopping the right people.

Capt. Blanchette stated the Department was in the process of applying for a grant to fund 9 additional officers which would place one officer at each City facility.

Ms. Cato asked if the officers would be in place for this summer.

Capt. Blanchette stated they would have to go through the hiring process and he was not sure of the exact date of the awarding of the grant but the grant was for a three-year period.

Commissioner Paula Reed stated the City Commission approved the Boys and Girls Club to be housed at the Dickerson Center. Their program will serve all students between the ages of 6 and 18 and will serve breakfast, lunch, and an afternoon snack. They will be open 5 days a week starting in June. Midtown, Dickerson Center, and Schnedly centers will be open.

### **Code Enforcement**

Ms. Heard asked if the apartments on Magnolia Avenue were only to be painted.

Mr. Bryant stated they had been painted.

Ms. Heard asked if that was the only building in that area.

Mr. Bryant stated he did not know since the report was provided by Code Enforcement.

Ms. Heard stated they really needed to clean up Martin Luther King Boulevard. She asked about the colors of the building at 559 Mary McLeod Bethune Blvd.

Mr. Bryant stated the colors are to be pastel. The owner had been cited by Code Enforcement and the building will be repainted.

Ms. Cato asked what the process was for a structure that may cost too much to bring it up to code, so it remained vacant, and then demolished.

Mr. Bryant stated the Building Official determined if it was an unsafe structure and then recommended demolition.

Ms. Cato asked if the property owner had to pay for the demolition.

Mr. Bryant stated yes and if the cost was not paid, a lien will be placed on the property for the cost of the demolition.

Mr. Gross stated the lien placed by the City would be behind any lien for delinquent taxes and any outstanding mortgage. He stated the City did not have the ability to foreclose on a property where it had placed a lien.

Ms. Cato stated there was a high rate of abandoned properties in the City and asked what the purchase rate was where the City purchased abandoned properties.

Mr. Bryant stated most people did not want to bid on properties where the City had placed a lien.

Ms. Cato asked if homes will be built on the abandoned property and if the City will offer the program for first time home buyers. She asked what the City would do with properties acquired in Midtown.

Mr. McGee stated that Mr. Ivey had a new project approved based on the new setbacks and priorities of the Master Plan that would address the smaller lots.

Mr. Berger stated there had to be a demand for people to want to buy the houses. He stated services must be close by in order to attract interest to the area. He stated in 2007 the City purchased a lot of property but there were no plans for use of the property. He stated the property needed to be returned to the tax rolls and the City should not be developing the properties. He stated the City did not have the finances available to buy additional property. Mr. Berger stated there were several properties that need to be demolished.

Mr. McGee asked when the code will be completed that will address what had been talked about.

Mr. Berger stated currently staff was going through the LDC rewrite and some of the information would be incorporated into the re-write. He stated it would take several months to go through the Comprehensive Plan process. He stated he would provide information on the time frame at the May 23 Midtown workshop.

**7. Action Item: DEV2013-029, Johnson's Service Station**

Mr. Bryant stated the existing service station was located at the southeast corner of the intersection of South Martin Luther King Blvd. and Magnolia Avenue. He stated the applicant proposed to install an aluminum carport on the site to be used

for car wash services. Mr. Berger stated the Land Development Code, Article 5 (Subdivisions and Site Plans), Section 4.1, Site Plans, required a site plan for any new development on the site.

Mr. Bryant stated the request was presented to he and the Zoning Officer and neither would sign off on the request. He stated the applicant requested the item be presented to the Midtown Board for review.

Dr. Jamison asked if auto repair work was done on site and asked if the majority of the business was the car wash.

Mr. Tooley stated yes car repair service was done on site.

### **Applicant's Presentation**

Mr. Earl Johnson, Jr., 706 Branch Drive, Port Orange, Florida, stated when the business was originally granted the license, the business was a service station, gas station, and car wash. He stated as Mr. Johnson got older, his ability to do work diminished so the majority of the work was now the car wash. Mr. Johnson stated when his father retire, he is capable of doing mechanical work and the service station would continue even if he had to hire someone to do the mechanical work. He stated the business had operated at this location since 1988.

Mr. Johnson stated currently there was a tarp on the canopy and when the wind blew, the tarp got torn so aesthetically, it did not look good. He stated his request was to install an aluminum canopy which would look better and will help to shield the workers from the sun.

Mr. Williams asked how much wind the canopy would withstand.

Mr. Johnson stated he did not know but it would be affixed when installed.

Mr. McGee stated that was a Building Department issue and not something the Board will address.

Mr. Berger stated the Building Department will work with the applicant to make sure it met Code requirements during the building permit process.

Mr. Williams asked where traffic would enter the site.

Mr. Johnson stated traffic would enter off Magnolia Avenue.

Dr. Jamison asked why Mr. Johnson did not make the structure permanent.

Mr. Johnson stated he could not make it a permanent structure due to the cost and the return on the investment would not be made until there was sufficient business

to offset the expense. He stated his desire was to improve the aesthetics of the community.

Ms. Cato stated that she is concerned about safety of the structure during a storm and security after hours.

Mr. Johnson stated he did not block off the area so it can be used for parking by businesses close by. He stated he had not had problems with security.

Ms. Heard asked if the property to the south of the building belonged to him.

Mr. Johnson stated no, the unpaved area belonged to someone else.

Ms. Heard stated she was concerned about beautification and suggested shrubberies be placed on his property next to the unpaved area.

Ms. Heard asked if Mr. Johnson was aware of posters on telephone poles in the area and if he had ever asked his employees to remove the posters.

Mr. Johnson stated he did not know who put the signs up.

Ms. Cato stated there were signs placed on the poles advertising parties and the signs were not approved by the City.

Mr. Johnson stated he did not believe anyone from Johnson's Service Station was putting the signs up.

Mr. McGee asked why staff would not sign off on the request.

Mr. Bryant stated he thought the request was going a different direction from what the Midtown Plan was based on.

Dr. Jamison asked if the use was grandfathered in since it existed.

Ms. Symonette asked why the recommendation was to approve if it was denied by staff.

Mr. Johnson stated the Midtown Plan did not address his request for installing the canopy. He stated installing the canopy beautified the area and it might be an impetus for someone to do something with the lot next door.

Mr. McGee stated the business was not compatible with the use and aesthetics the Board had developed.

Mr. Johnson stated he was trying to improve the aesthetics of an existing business.

Mr. Tooley stated the Board's action would set precedence and noted there were other car washes in the neighborhood.

Dr. Jamison stated the car wash was not going away. She stated when she had taken her vehicle to the car wash she visited other nearby businesses. She stated the request was to enhance something that existed. She stated if the Board received a request for another car wash, by law they could not say no. She stated she felt the request was not something that was inconsistent with the Master Plan.

Mr. Williams stated they were not encouraging his business but just enhancing it. He stated the other car washes in the area could benefit by following his example by beautifying the area. Mr. Williams stated he did not want the Board to forget he was employing people.

Ms. Cato stated there was another car wash on Mary McLeod Bethune Boulevard with the type of canopy Mr. Johnson was requesting and they had not appeared before the Board for approval. She stated she was concerned others would follow without approval.

Mr. Gross stated the request required site plan approval and if the other businesses did not get approval, they were in violation of the code.

Ms. Heard stated she appreciated Mr. Johnson going through the process. She stated she had a problem with businesses that did not follow the rules and regulations.

### **Board Action**

Dr. Jamison made a motion to approve DEV2013-029, Johnson's Service Station. Ms. Heard seconded the motion and it was approved (7-1) with Mr. McGee casting the negative vote.

Mr. Bill Shanks, 850 Clyde Morris Blvd., expressed concerns about wastewater from the site. He stated the wastewater had gas and oil from the cars that would go into the drainage system and into the street.

Ms. Cato asked how the business could be in operation if it was not in compliance with the stormwater requirements.

Mr. Bryant stated the issue had been resolved through the wastewater department who had made them install the necessary drainage.

Mr. Williams expressed concerns about traffic access and suggested all traffic flow south.

Mr. McGee stated the Board had an objection regarding the convenience store which was eventually resolved.

8. **Action Item: Approval of Daytona Beach Midtown Strategic Plan for Commercial Development**

Mr. Bryant stated the item was presented to the Board at the April meeting and, if approved, will be presented to the CRA and City Commission for approval.

**Board Action**

Dr. Jamison made a motion to approve the Daytona Beach Midtown Strategic Plan for Commercial Development. Ms. Symonette seconded the motion and it was approved unanimously (8-0).

Mr. McGee stated one day the Board will be asked to review a project in one of the 5 mini-centers. He stated he had asked for months for someone from Planning to provide a large drawing that shows each of those 5 centers and the parcels involved.

Mr. Tooley stated that was what Mr. Berger was previously discussing. The City owned a number of parcels but they were not together to form any type of cohesiveness that would attract a business. He stated they had a Master Plan shell and must now deal with implementation of the plan.

Dr. Jamison asked if someone could develop, using existing maps, a map showing privately owned lots, City owned lots, and vacant property on Martin Luther King Boulevard and International Speedway Boulevard.

Mr. Tooley stated that was what Mr. McGee was requesting. He stated they needed to know what was available because currently there was no place for a hotel, even though the Master Plan called for one.

Ms. Cato stated that information had repeatedly been provided by staff. She stated staff had provided information on what Bethune Cookman owned, what the City owned, and what was in Midtown. She suggested Board members bring the previous month's packet to the next meeting since items were often brought up again.

9. **Redevelopment Project Updates**

Mr. Bryant asked Mr. McGee to send him an email outlining the specific information he was requesting and he would see that Mr. McGee was provided the information.

Mr. Bryant stated 507 Loomis Avenue had been inspected by EPA. He stated some gas and oil were found in the tanks but a report will be issued that there was no contamination at the site. Mr. Bryant stated the site had been secured and enclosed with a locked chain link fence.

Mr. Bryant stated the Old George's place had been renovated and will be used as a church with a grand opening at the end of the month.

Mr. Bryant stated new sidewalks were installed on Cedar Street.

Mr. Bryant stated a Midtown workshop had been scheduled for May 23 from 4:00 p.m. to 8:00 p.m. in Room 149B at City Hall with Mr. Gross discussing legal issues with the Board and providing training. He asked Board members to provide a list of projects they would like to see completed so the projects can be prioritized.

Mr. McGee stated the sidewalks look great.

Ms. Heard asked where sidewalks were scheduled to be installed.

Mr. Berger stated he would provide a list of scheduled streets at the workshop.

Ms. Cato asked if the members of the church will be parking on the grass.

Mr. Bryant stated they had concrete parking available.

Ms. Heard asked if it would be ok for the church members to park on the grass since there were only 5 spaces outlined on the concrete.

Mr. Bryant stated he would recount the number of spaces and see what was approved.

Mr. Tooley stated on May 31 at 7:00 p.m. there will be a community open house at the Fellowship Church of Praise.

Mr. Tooley stated Marion, Whitehall, and Division Streets had all been marked for sidewalks.

Dr. Jamison asked if the Juneteenth banquet was scheduled for the night of the regular Midtown board meeting.

Mr. Bryant stated the banquet will be on Thursday, June 13, and the festival will be on Saturday, June 15.

Ms. Symonette stated the Board needed to support people like Mr. Johnson who made a request for his business earlier in the meeting and who was trying to follow the rules and do things rights.

Mr. Williams stated he thought Mr. Shanks idea about the parks was a good one. He stated a neighborhood crime watch had been started for the area and encouraged the Board to get involved.

Mr. Williams stated there was a motorcycle shop at the corner of Keech Street and ISB and neighbors had complained to him about the noise from the motorcycles.

Mr. Williams stated he was pleased to see the sidewalks that had been installed.

Dr. Jamison stated she had asked if the Ministerial Alliance existed and thought it may be a source for getting information to the churches. She stated she would like to get email addresses for the church clerks and provide them information to be included in church bulletins and use that method for getting information out to the community, such as the crime information provided by Capt. Blanchette.

Mr. McGee stated he was interested in the 5 centers outlined in the Midtown Master Plan and the Board could be working toward an RFP. He stated he did not understand what the consultants were trying to relay. He stated no one knew the details of the locations. He stated he spoke with James in the Planning Department who had the lot plans and another map with the 5 centers and they could be easily overlaid, which was his request, but had not happened.

Ms. Ford thanked Mr. Bryant for the information he provided to the board. She stated she thought the park idea presented last month by Mr. Shanks was a good one. She stated small businesses in the area had to be supported since they did not have the means to expand quickly but they must comply with the rules.

Ms. Heard stated she was concerned that Johnson's Service Station acquired the aluminum carport without Board approval but encouraged him for trying to beautify the area. She stated she thought he was not doing his job by not removing the posters on the poles near his property. She stated she was concerned he lived in Port Orange so the money from Midtown went elsewhere.

Ms. Heard stated the old George's church had to get Board approval for renovations. She stated when she asked about the Mormon building, the answer she received was "You have to be careful." She stated on MLK there were churches within ½ block of each other and moved from one building to another. She stated the Board was to be the eyes of the community but no one listened.

Ms. Heard stated she would not be available for the workshop on May 23. Ms. Heard thanked Mr. Williams for expanding the neighborhood crime watch. She stated the meeting held yesterday was a community crime watch. She stated there had always been neighborhood watches in Midtown but they were now being expanded. Ms. Heard stated Commissioner Reed was quoted in the newspaper as stating that one of her goals was to get MLK paved. She stated paving of MLK was noted in the Midtown Master Plan. She stated if Commissioner Reed would have said she would like to have MLK paved by December, that would be a goal but paving of MLK was already stated in the plan.

Ms. Symonette stated the Board had received information asking for financial assistance for Juneteenth but it was not discussed.

Mr. Bryant stated \$2,500 had been transferred to the account to support the event.

Dr. Jamison asked if the Board will receive two tickets.

Mr. Bryant stated each Board member will receive one.

Mr. Bryant presented a drawing of the proposal for entrances to Midtown. He asked for the Board's input on the sketch.

Mr. Bryant stated he would not be in attendance for the June Board meeting.

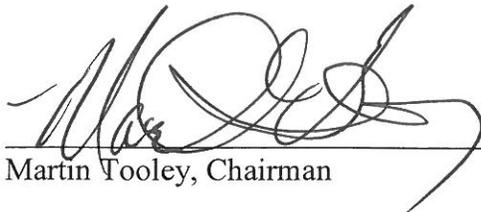
Mr. Tooley thanked the Board for addressing issues before them and not getting sidetracked.

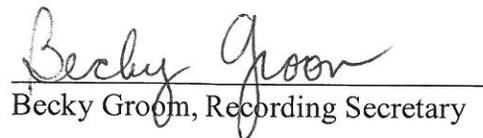
Mr. Tooley thanked the public for attending the meeting and for providing input. He thanked Mr. Lewis for his comments.

Mr. Tooley thanked the Board for attending the community neighborhood watch meeting. Mr. Tooley thanked staff for their support.

**12. Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 8:15 p.m.

  
Martin Tooley, Chairman

  
Becky Groom, Recording Secretary