

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

Tuesday, November 6, 2012

A meeting of the Downtown/Balough Road Redevelopment Area Board was held Tuesday, November 6, 2012, at 12:00 p.m. in the Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members

Mr. Harold Goodemote, Chair
Mr. Al Smith, Jr.
Ms. Tammy Kozinski
Mr. Robert Abraham
Mr. Larry Robinson
Mr. Scott Weidman
Mr. Daniel Harshaw

Board Members Absent

Ms. Cathy Washington
Mr. Robert Johnson

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Mr. Jason Jeffries, Redevelopment Project Manager
Ms. Carrie Lathan, Assistant City Attorney
Captain James Newcomb, Police Department
Mr. Paul McKitrick, Deputy City Manager (arrived 1:05 p.m.)
Ms. Becky Groom, Recording Secretary

1. Call to Order

Mr. Goodemote called the meeting to order at 12:10 p.m.

2. Roll Call

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

3. Approval of Minutes: October 2, 2012

Mr. Harshaw made a motion to approve the minutes of October 2, 2012. Mr. Smith seconded the motion and it was approved unanimously (7-0).

4. **DEV2012-114, Conditional Use, The White House**

Mr. Jeffries stated Anne M. Samaritano, owner of The White House Restaurant was requesting conditional use approval to provide alcohol beverage service in a restaurant, provide outdoor table service, and operate outdoor table services on a public sidewalk at 116 N. Beach Street. Mr. Jeffries stated that the request met the criteria for approval.

Mr. Smith asked what was planned for the rear of the property.

Mr. Jeffries stated that the owner was requesting outdoor table service which was noted in the site plan and was part of the conditional use.

Mr. Harshaw asked if the proposal included an open kitchen.

Mr. Jeffries stated that the kitchen was behind the bar area and the layout would be similar to the Brickyard Restaurant located on ISB.

Mr. Goodemote asked about the restaurant seating area and if the 75% requirement included the sidewalk café and if the outside service area was considered part of that.

Mr. Jeffries stated it would be included as part of the customer service area.

Mr. Goodemote stated that he would like to have the owners address the Board to reiterate their understanding of the 75% requirement and the food service requirement.

Applicant Presentation

Ms. Anne Samaritano, 415 Poinsettia, stated the business will be primarily a restaurant and possibly a piano bar. She stated that she anticipated closing the restaurant at 10:00 p.m. after the dinner hour. The restaurant will be themed as “tastes of the nation.”

Board Action:

Mr. Smith made a motion to approve DEV2012-114, Conditional Use, The White House. Mr. Abraham seconded the motion and it was approved unanimously (7-0).

5. **DEV2012-116, Conditional Use, La Tosca Café, 200 S. Beach Street**

Mr. Jeffries stated the request was for a conditional use to provide alcohol beverage service in a restaurant at 200 S. Beach Street, the former Sick Boys lounge property. He stated that more stringent restrictions were now in place for

nightclubs/bars in the Beach Street area. The current restrictions required the property have a restaurant use as a condition of approval. He stated the request met the criteria and staff recommended approval.

Applicant Presentation

Mr. Brian Fredley, 207 Fairview Avenue, representing MG Beach Street Investments, owners of the property stated he was approached by a tenant in August to locate a restaurant at the site but the tenant did not pursue the project. Mr. Fredley stated a follow-up meeting was held with the owner in August to pursue the project. He stated there was no further contact from the owner until 24 hours before the deadline for submittal of the application to the City when the owners contacted him asking for help in submitting an application to the City. Mr. Fredley stated the owner planned to operate the restaurant and did not intend to use the site as a nightclub. He noted that the owners were not in attendance at the meeting.

Mr. Goodemote stated that the Board would like reaffirmation from the owner that the requirements to maintain 75% seating and food service were understood.

Mr. Fredley stated the owners did understand the requirements. He stated that the owners were also aware that they would be required to install sprinklers and fire alarms in the building which will be a major investment. Mr. Fredley suggested that the Board request an affidavit from the owners regarding the food service requirements and suggested that periodic inspections be made on the site.

Mr. Goodemote stated he thought Code Enforcement would need to put restrictions on the applicant as far as inspections, not the Redevelopment Board.

Mr. Harshaw asked Mr. Fredley about the number of bars and stages as well as pool tables that were noted on the plans and questioned the site being a dining environment.

Mr. Fredley stated the owners did not instruct him to remove the stage and bar areas. He stated he did not believe the owners had the concept defined and their goal was to submit the request for the conditional use.

Ms. Kozinski expressed concerns about the manner in which the application had been submitted. She asked who would be running the business.

Mr. Fredley stated the owners would be operating the business.

Mr. Weidman asked about the curtains separating the areas that were noted on the plans.

Mr. Fredley stated they were walk-thru curtains that are shear and intended to break up the space.

Mr. Smith stated he could not support the request as presented. He expressed concerns that the owners were not in attendance regarding the request. He also expressed concerns about problems at this location in the past.

Mr. Weidman asked what would happen if the owners applied for the conditional use then opened the business and operated it differently than what was approved.

Ms. Lathan stated that Code Enforcement would have to cite the property owner and if there was a persistent problem, then the City could go to court to seek an injunction.

Ms. Kozinski stated that Code Enforcement was not out at midnight or 1:00 a.m. to address the problems.

Mr. Jeffries stated that previous businesses located at this site did not have the specific criteria currently in effect.

Capt. Newcomb addressed the Board and stated that he had talked with the owner and informed her that the City will not tolerate what had happened in the past. He stated police would respond to concerns in the evening if the business was not operating under the guidelines as approved.

Board Action:

Mr. Abraham made a motion to table the request until the December meeting so the Board would have an opportunity to hear from the owner. Ms. Kozinski seconded the motion and it was approved unanimously (7-0).

Mr. Weidman asked if the property would be open during the holidays.

Mr. Fredley stated they would have to obtain a special permit in order to be open during the holidays.

Mr. Jeffries asked if the Board had questions of Capt. Newcomb regarding policing of Downtown.

Mr. Smith asked if there had been an increase in crime on ISB.

Capt. Newcomb stated that crime had decreased by 12% in District 2.

Mr. Smith asked if the dog park had helped as far as problems on Manatee Island.

Capt. Newman stated yes because there was more activity on the island.

Mr. Smith asked if the church has been identified from Ormond Beach that dropped off the homeless at City Island on Sunday afternoons.

Capt. Newman stated he had been in contact with the church and they pick up the homeless, take them to church and provide food and clothing and then drop them back at City Island.

Ms. Kozinski asked why they were not dropped in Ormond Beach.

Big John stated that Calvary Christian Church had been doing it for years.

Mr. Harshaw stated that he had concerns about an incident at his store regarding someone being approached and no one from the Police Department responded.

Capt. Newcomb stated the individual was arrested later in the day shortly after Mr. Harshaw had called.

Mr. Harshaw stated that when no one followed up with him from the Police Department, it appeared that nothing was done.

Capt. Newcomb encouraged the Board members to call for service so incidents can be tracked. He said that he was working with Halifax Urban Ministries offering a program to provide bus tickets to anywhere in the United States for the homeless but no one had accepted the offer.

Mr. Harshaw asked if the City was considering installing cameras in the parking lots.

Capt. Newcomb stated there were cameras at the intersection of ISB and Beach Street.

Mr. Berger stated the parking lots in the rear of the properties would be evaluated to determine if additional cameras were needed. He stated lighting in the area will help address some of the issues. Mr. Berger stated that the law the City had in place regarding sleeping on the benches had been overturned.

Mr. Harshaw stated that other cities have restrictions in place regarding the homeless.

Capt. Newcomb stated that Palm Beach had a hotel set up as a residential homeless site.

Mr. Weidman asked about panhandlers in Downtown.

Capt. Newcomb stated that the officer must see panhandling in order to enforce the ordinance.

A-1 DEV2012-127, Conditional Use, Zappi's Italian Garden

Mr. Jeffries stated that the request by Paul Zappitelli was for approval of a conditional use permit for alcohol beverage service in a restaurant and outdoor table service in the RDD-1 zoning district, at 128 S. Beach Street. He stated that Mr. Zappitelli received a grant from the CRA for renovations of the property.

Applicant Presentation

Mr. Paul Zappitelli, owner of the property, stated that he was excited about the project. He stated that he will reside on the property and planned to open the first week in December.

Ms. Kozinski stated that the paint job on the building was gorgeous.

Mr. Robinson stated that he was very impressed with the project and asked if the railing will be replaced.

Mr. Zappitelli stated that the railing was gone and would be replaced with the same railing as was put on the rear balconies.

Mr. Harshaw asked if the handicap facilities markings will be black and yellow.

Mr. Zappitelli stated no, he was looking for suggestions on colors. He stated he might possibly use the building trim colors.

Mr. Robinson asked where the lobby for the hotel would be.

Mr. Zappitelli stated the hotel registration would be handled through the hostess at the front desk. He stated that the hotel will also be used as a convention hall and rooms can be converted for meeting space.

Board Action:

Mr. Abraham made a motion to approve DEV2012-127, Conditional Use for Zappi's Italian Garden. Mr. Smith seconded the motion and it was approved unanimously (7-0).

6. Redevelopment Project Updates

Mr. Jeffries stated that the Riverfront campaign website had been launched and a meeting was scheduled for Wednesday morning. He encouraged the merchants to provide him information so the website can be kept up to date.

Mr. Jeffries addressed the co-op marketing and stated that the in-room concierge book had been published. The rack cards were in design and the News Journal gang page will be published November 8.

Mr. Jeffries stated that at their last meeting, the DDA approved funding for special events for 2013.

Ms. Kozinski stated that the Riverfront Market will be held on the second Saturday of every month.

Mr. Jeffries outlined events that will be held during the month of December in the Beach Street area.

Mr. Smith stated there would be a market place on Saturday as part of the film festival with food trucks from 1:00 p.m. to 6:00 p.m.

7. **Public Comments**

There were no public comments.

8. **Board Comments**

Mr. Weidman stated that he was impressed with the number of people using the dog park that live outside the area. He expressed concerns about the basin that was filled with dirty water for the dogs.

Mr. Berger stated that the basin had been installed for use by large dogs and will be reset in order to keep the dogs out of the water. He stated a kiosk will be installed for posting of announcements and notices regarding lost dogs.

Mr. Berger stated a sign will be installed to note the location of the dog park and the Josie Rogers house.

Mr. Goodemote asked that Mr. Jeffries provide him with an update on Ballough Road and ISB at the December meeting.

Ms. Kozinski asked about the location of garbage cans in the rear of the properties on Beach Street.

Mr. Jeffries said he will get that information from Public works.

Mr. Harshaw stated that at the City Commission meeting Rob Merrell stated that the marina will be starting by the end of the year.

Mr. McKitrick stated that he was hopeful the project will begin by the end of the year. He stated he understood they had State permits for the project.

Mr. Smith asked about the status of the wayfinding project.

Mr. McKitrick stated that the preliminary work had been completed and the first public meeting will be held after the holiday season.

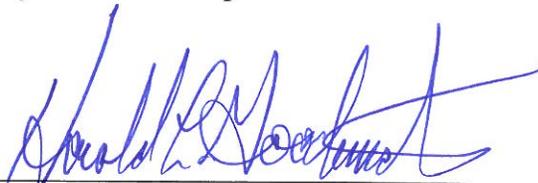
Mr. Berger stated he would like the public meeting held sooner.

Big John stated that six years ago he was told the wayfinding project would be started.

Mr. McKitrick stated he would pass on the concerns about the wayfinding project.

9. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 1:15 p.m.



Harold L. Goodemote, Chair



Becky Groom
Recording Secretary