

**DOWNTOWN/BALLOUGH ROAD
REDEVELOPMENT AREA BOARD
SPECIAL MEETING MINUTES
Tuesday, January 22, 2013**

A special meeting of the Downtown/Balough Road Redevelopment Area Board was held Tuesday, January 22, 2013, 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
Ms. Cathy Washington
Mr. Robert Johnson
Mr. Daniel Harshaw

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Mr. Jason Jeffries, Redevelopment Project Manager
Mr. Ben Gross, Assistant City Attorney
Ms. Jeanne Tolley, Redevelopment Technician
Ms. Becky Groom, Recording Secretary

1. **Call to Order**

Mr. Goodemote called the meeting to order at 12:05 p.m.

2. **Roll Call**

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

3. **DEV 2012-122, Site Plan, The Filling Station Restaurant, Continued**

Mr. Jeffries stated that the special meeting was at the request of the applicant for site plan approval and rather than waiting until the February meeting. The site plan and the conditional use request for alcohol beverage service can be approved at the special meeting. He stated the conditional use for outdoor table service had been continued at the January meeting until the Board's next regular meeting so due to notice requirements, action could not be taken on that conditional use until the February meeting.

Mr. Jeffries stated presented a revised site plan showing removal of the outdoor table service area in the rear and appeared to meet the site plan requirements. He stated that the applicant had provided a written menu.

Ms. Washington stated that at the last meeting there was a question regarding the project being close to adjacent properties and those individuals not having access to the apartments and she did not believe that was addressed.

Mr. Jeffries stated that the applicant had addressed everything that was a site plan issue. He stated that the issue raised was with the adjoining property, not the proposed project. Mr. Jeffries stated that the applicant could not be expected to provide access to the adjacent property.

Ms. Washington stated that the close proximity of the two properties was going to inhibit the individuals from having access to their apartment.

Mr. Jeffries stated that everything the applicant was doing was on their own property.

Mr. Rodney Crash, one of the owners, stated that the area where the proposed bathrooms will be was already fenced in. He stated there was an 8 foot vinyl privacy fence to block the apartments from the applicant's property and there was a block wall at the rear. He stated there was no access from the adjoining properties to the applicant's property since it was all fenced in.

Mr. Smith asked the applicant to discuss the menu and how the applicant planned to execute the menu.

Mr. Crash stated that the menu would be all Florida products, including Florida raised chickens, beef, and gator. He stated the menu will include soups, appetizers, and sandwiches during the day and steaks and gator ribs in the evening.

Mr. Smith asked what the proposed alcohol service will be.

Mr. Crash stated that he planned on serving only beer and Florida-made wines.

Mr. Smith asked if Mr. Crash was aware of the alcohol restrictions in Downtown.

Mr. Crash stated yes.

Mr. Smith asked about the applicant's plans for entertainment.

Mr. Crash stated there would be no outdoor entertainment. He stated the entertainment will be acoustic.

Mr. Goodemote stated that at the previous meeting, there was discussion about the size of the kitchen related to seating for 200. He asked what type of experience Mr. Crash had in the operation of a restaurant.

Mr. Crash stated that his family owned a sports bar in Dayton, Ohio, which he had managed and he had also been a bar manager at the American Legion so he had cooking and beverage service experience. Mr. Crash stated he would make sure the employees get their beverage service schooling completed.

Mr. Harshaw stated that the project appeared to be a "fair weather" restaurant. He asked if for alcohol service, the requirement was for the amount of food served or the number of tables available.

Mr. Gross stated that the Land Development Code was revised to read that 75% of the percentage of the customer service floor area must be devoted toward seating. He stated there were also limitations on entertainment.

Mr. Crash stated that he would be applying for a 49%-51% license so more food will be served than alcohol.

Mr. Smith asked if he would be applying for an SRX license.

Mr. Crash stated no.

Mr. John Eiffel Perras, 1620 S. Palmetto, South Daytona, stated that he was one of the designers of the project and the kitchen was designed to serve Southern cooking with three 40 quart fryers in the kitchen. He stated the kitchen would be set up for 3 people cooking and a prep person. He stated he had run 22 restaurants and the expertise among the 3 partners totaled about 122 years of kitchen experience.

Mr. Gross stated that when Mr. Harshaw asked about the number of seats and how the project was defined as a restaurant and not a bar, there was also a requirement for a full service kitchen so if equipment that was required was removed, the applicant would be out of compliance.

Ms. Edith Shelley, 313 S. Palmetto Avenue, Legacy Estate Planners, stated there was very limited parking on the street. She understood the applicant was not required to provide parking but there was limited parking for existing businesses. She asked that the Board consider some type of employee parking places in the City lot so that employees do not take up all of the spaces on the street in front of the existing businesses.

Mr. Smith stated that he had asked that the item be continued and felt his concerns had been addressed.

Board Action

Mr. Smith made a motion to approve DEV 2012-122, Site Plan, The Filling Station Restaurant. Mr. Robinson seconded the motion and it was approved unanimously (9-0).

Ms. Willie May Crawford, 311 S. Palmetto Avenue, stated that over the years due to zoning changes, her property had become landlocked. She stated she understood it was her problem and not the applicants. She stated the City had closed off trash collection and she was concerned about alcohol and noise. She stated there were upstairs apartments next to the proposed site and parking and a place for garbage were needed. She stated garbage collection would have to be at the front of the restaurant. She stated she was concerned about fire since the applicant proposed to serve a lot of fried foods. She stated she was also concerned about noise.

Mr. John Nicholson, 413 N. Grandview Avenue, stated that he had owned several restaurants and felt the restaurant would work. He stated there had been instances where applicants had said they would do one thing and then something else happened and he hoped that was not what would happen here. He stated it was a unique opportunity to have a brand name starting in Daytona Beach and spreading to other places.

Ms. Washington asked when the issues that had been brought up today, such as the parking, would be addressed.

Mr. Berger stated that it was on the record and noted there were issues with employee parking. He stated he would work with the owners and others in the area to address parking. He stated if businesses were successful Downtown, at some time in the future vertical parking would have to be addressed.

Mr. Goodemote stated that he hoped the applicant would talk with their employees about the parking and be cognizant of their neighbors. He said the garbage service was addressed on the plans. He stated that a fire suppression system must be included and the Fire Department would examine the plans regarding that requirement.

Mr. Crash stated that the building was designed so the bathrooms were in the back to help maintain noise. He stated there was an overhang area in the back that was enclosed which would help keep the sound from going to the rear of other properties. Mr. Crash stated that if there was a band in the building, it would be located in the front.

4. **Public Comments**

There were no public comments.

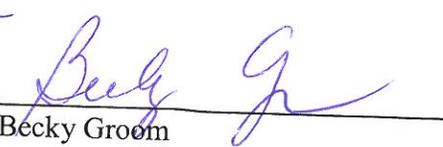
5. **Board Comments**

There were no Board comments.

6. **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 12:28 p.m.


Harold L. Goodemote, Chair


Becky Groom
Recording Secretary