

**MIDTOWN REDEVELOPMENT AREA BOARD
MINUTES
February 14, 2012**

A meeting of the Midtown Redevelopment Area Board was held Tuesday, February 14, 2012, at 6 PM in the City Hall Commission Chambers at 301 S. Ridgewood Avenue, Daytona Beach, FL. The following people were present:

Midtown Redevelopment Area Board

Mr. Hemis Ivey, Jr., Chairman
Ms. Patricia Heard, Vice Chairman
Ms. Denise McMillon (entered 6:07 PM)
Ms. Shirley Benjamin
Mr. Ken McGee (left at 8:32)
Mr. Martin Tooley
Dr. Irma Jamison
Mr. Wilborn Williams
Ms. Margaret Symonette

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Mr. Ben Gross, Assistant City Attorney
Mr. Charles Bryant, Project Manager
Mr. Hector Garcia, Code Enforcement Supervisor
Mr. Ron McLemore, Public Works Director

1. Call to Order

Mr. Ivey called the meeting to order at approximately 6:03 PM.

2. Roll Call

Ms. Williams called the roll and noted members present as stated above. Mr. Ivey recognized Ms. Symonette as a new member and welcomed her to the Board. He also requested that the Vice Chair be relocated at the dais to his immediate left. Seating for Ms. Heard and Ms. McMillon were swapped.

3. Invocation

Mr. Ivey gave the invocation.

4. Pledge of Allegiance to the Flag

Ms. Heard lead the Pledge of Allegiance.

5. Minutes of the January 10, 2012 meeting

Mr. Tooley made a motion to approve the January 10, 2012. Ms. Benjamin seconded the motion and it was approved unanimously (9-0).

Mr. Ivey then requested that the order of the agenda be amended, and that item 6B, the Public Works report be presented first.

6. Staff Reports

a) Code Enforcement Report (deferred, see page 8 of these minutes)

The Board provided the following addresses to the Code Enforcement Officer for action and follow-up:

- 102 Adams Street (looks like a garage)
- 224 S. Keech Street between Magnolia and Orange Avenue (carport caving in)
- 590 Martin Luther King (two mobile cleaning trucks)

Ms. McMillon asked about trespassing and security on various worksites and what was required to safeguard both the development and the community.

Officer Lopez stated that silt fencing was required around open construction but questions should be directed to the Building Official.

Mr. Ivey commended Code Enforcement on their crack down at convenience stores.

b) Public Works Department

Mr. McLemore distributed an aerial view of International Speedway Boulevard (ISB) Streetscape Phases. He explained it was part of the beautification project to be done in three phases with Phase I covering 3rd to Emmett Street; Phase II to encompass Nova Road; and Phase III from Emmett Street to U.S. 1. He also noted that Phase I was complete and he was hopeful that Phases II & III could be accomplished within one grant program. Mr. McLemore continued by discussing the major rework of the ISB and Nova Road intersection.

Mr. Ivey asked if a consultant was needed for the ISB and Nova Road traffic signals; and if it included streetscaping.

Mr. McLemore stated it had been engineered by the Florida Department of Transportation (FDOT) with initial work to begin within a year and that it would encompass the mast arm signals and “clean up” of the overhead wires, although he was unsure if it included any plant material. He stated it was a very tight intersection but that measures would be taken to make it more aesthetically pleasing.

Mr. Ivey stated his preference would be not to wait a year, and asked when the main corridors of the Midtown area to include Orange Ave., MLK, MM Bethune Blvd., and ISB would be a priority for the City in order to entice businesses into the community.

Mr. McLemore stated the work was not a matter of priority ranking but rather one of funding. He added the City was applying for all possible grants in order to best leverage the system, but that most were funded by the federal government with many municipalities competing for those dollars.

Mr. Ivey stated there was a lack of grant applications submitted on behalf of the Midtown area and asked how the area could compete for shovel-ready project funding without anyone advocating on its behalf. He added that he had and would talk with State and Federal legislators but that he needed real answers to support the funding requests.

Ms. McMillon asked about the approximate starting and ending points in terms of cost.

Mr. McLemore stated he would estimate a lengthy construction period due to the undergrounding of utilities; and assuming Phase II was approved, it might be a year. He stated that based on cost for Phase I ISB, he felt that number could be doubled or approximated at \$3.6 million. He stated that any delay into future years could drive costs up.

Ms. McMillon asked what impact the project would have on the community in terms of jobs, adding she saw much of the work currently being done by state or county employees. She also discussed the infrastructure and asked if it would be upgraded as part of the project, adding the City continued to lay patch and make the surface areas look good but underneath it was old and aging and it was her preference for the infrastructure to last as long as the lighting and shrubbery.

Mr. McLemore briefly explained the mandate for bidding procedures which included a last and final bid to local contractors, but that the lowest, responsive and qualified bid would win the work. He then addressed the infrastructure, saying the project was designed to install underground electric, provide enhanced lighting and ADA compliance and to reconstruct the roadway; but that unless water/sewer utilities were damaged during the work, no upgrades were planned for the project.

Ms. Benjamin asked about the plans for Orange Avenue.

Mr. McLemore reported there was a plan for Orange Avenue and that it was both aggressive and designed with forethought; however it was a county road and money was the biggest obstacle.

Mr. McGee talked about the vision for Midtown and questioned the best method to coordinate design features with the state's plan. He pointed out that it was

“uncomfortable” to have to live with whatever Tallahassee had planned for the area recognizing their budget was tight also.

Mr. McLemore stated as with most State projects, the answer would be it was their road and they would do as they wished; although he added whenever possible the State would try to accommodate or incorporate the design and vision of the municipality. He explained the State set aside 15% of the project cost for streetscaping when there was sufficient right-of-way (ROW); but a lot of the time the City did not have enough room to do a job as nice as it could be done.

A brief discussion followed on monies budgeted and monies expended without consideration of the Midtown Board’s objectives and possibly there was a need to conduct more meetings in order to get the plan integrated before additional dollars were wasted on projects or plans outside the vision and theme.

Dr. Jamison felt one hand didn’t know what the other was doing and that in hearing of plans from the Midtown Board, the City, the County, and the State, she questioned if there was any indication of whether the various plans complemented or contradicted one another. She added there was apparently no local input into the State’s plan, but from experience knew they had a five-and ten year plan based on available funding. She asked if the City had a long-range plan.

Mr. McLemore stated yes, there was a long-range plan with Orange Avenue as the #1 priority. The City would be submitting their 4th Transportation Investment Generating Economic Recovery (TIGER) grant application but others had not been funded. He stated there was a back-up plan to see what the City could do on its own.

Mr. Ivey requested a copy of the design plans, and stated he would take it to the State and/or federal level for help.

Mr. Tooley asked why, if Orange Avenue was the priority, was work being done on ISB and about the budgeting cycle on the State level.

Mr. McLemore stated ISB was a State road and it was to the City’s benefit to take the money when it was available. He continued that the State operated on the same fiscal year as the City, and that the 5-year plan was continuously being updated as funds were available. He stated that the City also participated in the Metropolitan Planning Organization (MPO) process where bottom up planning took place.

On other matters, Mr. McLemore reported that:

- the Midtown Cultural & Educational Center would be soon be completed with an anticipated opening in the spring. He stated it was a beautiful building that everyone would be “very, very proud of”.

- regarding stormwater, the backflow preventor project on Nova Canal was underway and making progress; and changes to the overall stormwater plan would be going before the City Commission soon.
- Orange Avenue: if the TIGER 4 grant was not funded, there was a component that would happen relatively soon regardless of the bigger project which was to upgrade the mast arm signals along the road and was the #1 priority of FDOT for that type of funding.
- The City would work with FDOT to upgrade the sidewalks for ADA compliance.

Mr. Ivey asked that Mr. McLemore come back to the next meeting so that the public can address issues and reiterate their input into the planning phase for better coordination. He thanked Mr. McLemore for his time and report.

Dr. Jamison noted that trash receptacles seem to be missing or sparse in the Midtown area and suggested that several be added.

Mr. McLemore stated he would look into it.

7. **DEV 2012-005, SITE PLAN APPROVAL**

Mr. Bryant provided the project description of DEV 2012-005 and a brief overview saying the applicant was asking to reopen the car wash located at 127 S. Nova Road. He stated the business had been closed for more than three months, which required site plan review. He added the project met the guidelines set forth in the LDC and staff recommended approval of the request.

Mr. Steve Buswell, Parker Mynchenberg and Associates, Inc., stated his firm was the engineer and site architects on the original project and that there would be no changes to the site or business. He added the project had been submitted to the TRT, had received comments and responded to them and were now waiting the Board's approval to reopen.

Public Comments

Ms. Norma Bland, 1317 Imperial Drive, objected to the engineer's earlier use of the word "nevertheless" and cautioned him to be respectful to the Board and the community.

Ms. Symonette stated the need for the 2" meter and tap; stating the engineer had clarified the installation to her.

Dr. Jamsion asked if the car wash would be opened under new management.

Mr. Buswell stated yes.

Ms. Heard commended the group for reopening and bringing business to a vacant property.

Ms. McMillon also commended the applicant for opening the business and stated the services were needed and she hoped it would provide a quality service. She asked if landscaping would be added.

Mr. Buswell stated that dead or missing plant material would be replaced in accordance with the original landscape plan.

Mr. McGee noted that the drains in the three self-wash bays needed to be cleaned.

Mr. Ivey asked about curb cuts on Nova Road and whether pavers would be installed.

Mr. Buswell stated the driveway and curb cuts were designed at the time of the original tap, utility connections and no new water taps were required.

Discussion followed on the date of the original plans (2002/2003) and the current plans.

Mr. Ivey stated he thought they should be reviewing updated (2012) plans. He asked about security, the electrical meters on the back side, lighting and hours of operation. He stated he was in favor of the car wash and enhancement of the area but he would like to have current information on which to base any decisions.

Mr. Berger stated plans before the Board for landscape, site plan and which were being recommended for approval, were the plans submitted to the TRT.

Mr. Gross clarified that the plans done in 2003 complied with the Code at that time and there had been no changes.

Mr. Bryant stated there had been no changes in the landscaping requirements and the only TRT comment which needed to be addressed concerned drainage.

Ms. McMillon talked about the list of prohibited uses in Midtown and believed that car washes were on that list which prompted a discussion on the Redevelopment Plan and non-conforming uses.

Mr. Gross explained if the City Commission adopted the Plan; it was just that – a plan – but, the Midtown Redevelopment Area Board must enforce the Land Development Code.

Mr. Ivey asked that the Board submit an amendment to the CRA Board to prohibit car washes within the Midtown Area. He also asked that each Board member provide a complete “wish list” of prohibited uses to Mr. Bryant, to request a moratorium of the compiled list and to include it on the next agenda.

Board Action

Mr. McGee made a motion to approve DEV-2012-005, Crystal Car Wash Minor Modification. Ms. Heard seconded the motion and it was approved (7-1_ with Ms. Benjamin casting the negative vote.

8. DEV 2011-093, CONCEPTUAL SITE PLAN

Mr. Bryant gave a brief overview and proposed timeline of project DEV-2011-093 adding it was the staff's recommendation for the Board to review the attached concept plan and provide comments to the applicant prior to the submittal of a Final Site Plan.

Mr. Mark Dowst, Mark Dowst & Associates, stated his firm was the project engineer, surveyor and landscape architects for the proposed Villages at Halifax to be located at 206 North Keech Street. He stated he had been involved in the project for awhile and originally it was planned as a rehabilitation project but funds could not be used as anticipated so the project would be all new construction and infrastructure. He stated there was a grant opportunity which had become available to the Housing Authority but with the stipulation the funds were utilized and spent prior to September, which put the project on a fast-track. Mr. Dowst stated they would design, permit and build the infrastructure with grant funds.

Mr. Dowst stated the property was a 4.11 acre site bounded by Keech and Caroline Streets, with a proposal for three 3-story buildings of 70 two and three bedroom units as well as a small leasing office, laundry facility and community center. He stated the stormwater retention pond also proposed on the site, although its exact size and location may be amended in order to optimize the design. Mr. Dowst also noted the artist's rendering was still conceptual but that each of the buildings was under the 35' height requirement. He stated a more detailed design would be completed prior to being presented to the Technical Review Team (TRT) and coming back to the Board for final approval.

(Mr. Williams left the meeting)

Dr. Jamison stated she thought the project looked like student housing as opposed to single-family housing and she did not get the sense it was family-friendly. She asked about playground amenities and the safety of children both on the grounds and around the parking lot area.

Mr. Dowst stated there was a need for housing but that he was trying to accomplish the allowable density target. He stated he would include a small, enclosed play area on the site.

Mr. Ivey also suggested a pool be added in order to make the project comparable with similar properties.

Ms. McMillon stated she had visited the site and was concerned by its accessibility and lack of deterrent from others entering the property and felt it was a safety concern. She asked about the size of the retention pond and the brick wall adjacent to the property. She asked about ingress/egress, the physical address, overhead wires, and visibility.

Mr. Dowst addressed each point saying the pond size may shift around and that the wall belonged to the shopping center. The Housing Authority liked to control access to their properties but that there was an emergency access off Caroline Street with the primary entrance fronting on Keech Street. He stated any lines actually feeding the buildings would be underground although there would still be overhead transmission lines in the area.

Discussion followed on various traffic patterns, the placement of the primary ingress/egress and visibility.

Mr. Ivey suggested the Board conduct a workshop to evaluate all of the comments presented.

Mr. Gross pointed out the conceptual review was a cursory review by the Board and the conceptual plan did not require approval. He added the applicant was required to allow the Board to review the concept before they proceeded with the site plan; but after that they could submit the site plan to the TRT and proceed according to the Land Development Code. He stated the Board could request the applicant make another presentation at which time they could evaluate the plan in accordance with the LDC regulations but a workshop could not be required prior to the site plan review.

Mr. Dowst added the comments presented were important but emphasized the tight timeframe involved. He stated the process did not have to stop after tonight with the bigger picture being to get the site plan permitted in order for the infrastructure to be sent out to bid.

Ms. McMillon asked if Mr. Dowst had reviewed the questions/comments as listed on page two of the staff report.

Mr. Dowst stated yes and did not see problems with any of them.

Ms. Heard asked about handicap accommodations and whether elevators were planned for the buildings.

Mr. Jorge Aguirre, Assistant Vice President of Picerne Development, answered there would be a certain number of units on the ground floor with handicap accessibility but that elevators were not a part of the design.

Mr. Ivey suggested that he and other Board member meet with staff and Mr. Dowst on the Boards desired revisions.

Mr. Gross cautioned the Board regarding the Sunshine Law. It was decided comments would be individually forwarded to Mr. Dowst through Mr. Bryant.

9. Redevelopment Project Updates

Mr. Bryant reported the Midtown Plan would go before the CRA and City Commission the following evening at 6 PM and he encouraged the Board's attendance.

Mr. Tooley stated he thought the address in the Project Update Report listed as 550 Sycamore Street should be 550 Shady Place. He stated the house faced Sycamore Street but address was officially listed as Shady Place.

Mr. Bryant will check the address.

10. Public Comments

Ms. Norma Bland, 1317 Imperial Drive, reported two addresses for Mr. Bryant to check on: City Island Recreation and 628 Division Street. She also commented on her concern for the City having to submit the fourth TIGER grant, over the number of rejections received and for the effectiveness of the City's grant writer. She stated for the salary paid, the grant writer was not doing an efficient job for the City.

11. Board Comments

Ms. McMillon discussed an article in the newspaper where the Midtown neighborhood was labeled a crime pump and one of highest poverty. She stated the reports sold papers and got the community talking, but it was also the reason the area could not attract investors, who similarly read the paper. She asked if the City took Midtown seriously when it came to funding and if the statistics were accurate. She felt accountability was key and everyone needed to make sure the elected officials were held accountable to all areas of the City.

Ms. Benjamin expressed concern that when questions were asked in the meetings, the Board did not always receive answers or feedback. She asked that Mr. Bryant add a heading of "Old Business" to each agenda.

Mr. Bryant stated that if the Board called or emailed him with specific questions, he would do his best to provide the answers and address any concerns.

Mr. Tooley recommended the Board may need to conduct a workshop.

Mr. Berger stated a workshop was being planned for March. He also suggested that parliamentarians be included in each City meeting.

Mr. Tooley then that wi-fi was going to be extended as far as Orange Avenue but questioned what it would take to continue on to Bellevue Avenue.

Mr. Ivey stated it would involve underground utilities that were currently being debated with Public Works.

Ms. Heard stated she would like to Code Enforcement to give their report and then be able to leave rather than waiting to the end of the meeting. She also wanted everyone to know the City Commission would be looking at a proposal to purchase the convenience store located at 719 Martin Luther King Boulevard.

Ms. Johnny Ponder, 885 Maley Street, stated she was concerned that Code Enforcement Officers were paid well to do a job and it seemed Mr. Bryant was doing their work. She felt Code Enforcement needed to make a day-to-day effort rather than just bursts or sweeps throughout the City.

Mr. Ivey agreed with Ms. Ponder's comments regarding Code Enforcement. He stated that with Bike Week coming up, everything needed to be cleaned up and looking as good as possible

12. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 8:57 PM.

Hemis N. Ivey, Jr., *Chairman*

D. Williams, *Recording Secretary*