

BEACHSIDE REDEVELOPMENT BOARD
MINUTES
Wednesday, August 8, 2018

The regular meeting of the Beachside Redevelopment Board was held Wednesday, August 8, 2018, at 6:00 p.m. in Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members Present

Mr. Dino P. Paspalakis, Chair
Mr. Mike Denis, Vice-Chair
Mr. Gilbert Myara
Mr. James Newman (Planning Board appointee)
Ms. Jennifer Nazak
Ms. Amy Pyle (arrived at 6:15 p.m.)
Ms. Marcia Tuggle

Board Members Absent

Mr. Dino M. Paspalakis

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Ms. Carly Meek, Assistant City Attorney
Ms. Becky Groom, Board Secretary

1. **Call to Order**

Dino P. Paspalakis called the meeting to order at 6:00 p.m.

2. **Roll Call**

Roll was taken with attendance as noted above.

3. **Approval of Minutes – May 9, 2018**

A motion was made by Ms. Tuggle, seconded by Mr. Myara, to approve the minutes of the May 9, 2018 meeting as presented. The motion carried (5-0).

Mr. Denis stated he would like to discuss the seawall repairs for the property at Harvey and Ocean Avenue.

Mr. Berger stated he would address that item during the Redevelopment Projects.

4. **Staff Reports**

There was no discussion on the Staff Reports.

5. **Wall Graphics – Lazy Gator Beach Shop at 1018 S. Atlantic Avenue**

Staff Presentation:

Mr. Berger stated this is Phase 2 of the graphics for the subject property. Mr. Berger stated the request was to apply additional wall graphics and a painted wall sign. Mr. Berger stated a mural was previously approved at the site and this request was to continue around the front of the building with additional graphics on the area facing Atlantic Avenue.

Mr. Berger stated the applicant was requesting to remove the existing sign and replace the area with graphics. Mr. Berger stated the request was to place the waves on the panels and to have the graphics go around the circular section of the building.

Mr. Paspalakis asked if there would be any lighting on the graphics.

Mr. Berger stated no.

Mr. Myara asked if the sign could be placed back on the building in the future or had the applicant met the permitted square footage of wall signage.

Mr. Berger said they had not exceeded the maximum square footage of wall signage.

Applicant's Presentation:

Tom Bifalco spoke representing the applicant. Mr. Bifalco stated he would paint the name of the business on the top curved area and the rest would be waves.

Mr. Berger stated when a similar request was presented in the downtown, the Board was asked to approve a painted sign with the permit being issued afterwards. Mr. Berger stated a sign could be painted on a building in any other part of the city but not in Redevelopment areas. Mr. Berger stated if the Board had no problem with the painted sign, Mr. Bifalco could proceed to get a Sign Permit. Mr. Berger stated square footage would be measured for signage and the painted sign would be counted as a wall sign.

Mr. Myara asked if removing the existing neon sign which did not work and replacing it with a painted sign was within the permitted square footage for signage.

Mr. Berger stated the murals were not counted as part of the square footage limitations.

Ms. Tuggle asked if this was something the Board had approved in the past.

Mr. Berger stated painting of a sign on a building was not something that had been approved by the Beachside Redevelopment Board but it had been approved in the downtown.

Ms. Pyle arrived for the meeting at 6:15 p.m.

Mr. Newman asked if the request was to approve the sign and mural together.

Mr. Berger stated the approval should be for the mural as well as the painting of the sign.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Myara, seconded by Ms. Tuggle, to approve the sign and mural for 1018 S. Atlantic Avenue, in accordance with the Staff Report as presented. The motion carried (6-0).

6. **Redevelopment Projects Update**

Mr. Berger presented the report which was included as part of the packet.

Mr. Berger talked about the seawall at 101 S. Ocean Avenue. Mr. Berger stated the subject was discussed at the Planning Board meeting and that Board shared the same concerns as were raised by the Beachside Redevelopment Board. Mr. Berger stated the Planning Board asked for an update on the repairs at their August 23, 2018 meeting. Mr. Berger stated the property owner's attorney was in attendance at the Planning Board meeting and said they would take care of the repairs; however, what was in place was temporary and the wall was not repaired. Mr. Berger stated the item that was originally requested by the property owner has been delayed but had not been withdrawn; and Joe Hopkins, who was the representative for the property owner, said the project was on hold.

Ms. Pyle stated there was a code case that would be presented to the Code Enforcement Board regarding the seawall at the Code Enforcement Board meeting on August 9, 2018.

Mr. Myara stated this matter was a huge liability and there were still people sleeping in there.

Ms. Tuggle asked if the seawall was the responsibility of Volusia County or the City.

Mr. Paspalakis stated it was private property and it was the responsibility of the property owner.

Ms. Pyle stated the property owner had other lots in the City and one unimproved lot was used for parking for the Ocean Deck.

Mr. Berger stated parking on an unimproved surface was not permitted and he would let Code Enforcement know about the lot tomorrow.

Mr. Berger stated the Avista project across the street from this site would be a Marriott Courtyard. Mr. Berger stated there would be a public meeting on the project on August 14, 2018 at City Island. Mr. Berger stated there was a request by the property owner to Volusia County to vacate part of the right of way. Mr. Berger stated the applicant was redesigning the building and part of it would encroach into the right of way.

Mr. Myara asked if there had been a closing on the property between Avista LLC and the City of Daytona Beach. Mr. Myara asked how the property could be presented for rezoning if it was not in the Avista name.

Mr. Berger stated there was a Contract and the City Commission approved the sale. Mr. Berger stated he was not aware if the closing has taken place.

Ms. Tuggle asked if the plans were still to have a street at Harvey or would it be a walk-thru access to the beach.

Mr. Berger stated that was a determination that would be made between the applicant and Volusia County. Mr. Berger stated the last plan reviewed by City staff showed a wider sidewalk and walkway in the right of way and there would be a roadway on the other half of the right of way to the south which was owned by another property owner.

Mr. Berger stated Jimmy John's site plan was approved and was in the permitting process.

Mr. Berger stated a text amendment was approved for tattoo establishments and there were now four tattoo shops on the Beachside.

Mr. Berger stated there was a closing in June on the property on East International Speedway and discussions were taking place regarding demolition of buildings on those corners.

Mr. Paspalakis asked that since Volusia County would not be building a boardwalk, would property owners be able to improve their property in the 15 feet east of the building line along the beachside. Mr. Paspalakis asked if anything could be done to remove that language so people could build on that 15 feet of property.

Mr. Berger stated the language to not build east of the building line was in the Land Development Code. Mr. Berger stated this item was being discussed by staff and should be discussed with property owners on how to proceed with this matter.

Mr. Berger stated a neighborhood meeting would be held on August 22, 2018 at the Peabody to discuss the entire block at the west end of the Ocean Center which encompassed the area between Hollywood and Peninsula and Earl and Auditorium. Mr. Berger stated the existing zoning did not allow residential or single-family uses; and if a property owner wanted to make improvements to their properties, they were informed that they were a non-conforming use. Mr. Berger stated the rezoning would zone the property to Residential Professional which was what was in place for other adjacent properties.

Mr. Berger stated there were new businesses which had opened on Main Street, including Crafted Shell and Carol's Cat House.

7. **Public Comments**

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida asked if the parking lot at the northeast corner of A1A and Main Street was open and operational and up to City standards.

Mr. Berger stated a surface material and landscaping were in place and it was up to City standards.

Ms. Ruby stated the fence at the empty lot south of the Rumba needed painting.

Ms. Ruby stated the buildings along 610-616 Main Street had been repainted gray and asked who approved the color since it was not a "beachy" color.

Mr. Berger stated "beachy" colors were not a requirement but he would look at the site.

Ms. Ruby asked for an update on 14 S. Coates Street.

Mr. Myara stated he was the property owner and there was a permit for the trusses that had been ordered. Mr. Myara stated the intent was to restore the building.

John Nicholson, 413 N. Grandview, Daytona Beach, Florida stated the City needed to paint the fence next to the Sun Splash park. Mr. Nicholson stated the gravel and landscaping were not in place. Mr. Nicholson stated the public did not get to see the materials that were presented to the Board so he was unable to comment on what the Board was reviewing. Mr. Nicholson stated the Laundromat, Beach Photo, and Tombstone were denied participation by the City Commission in Biketoberfest. Mr. Nicholson stated the 3 businesses could appear before the Special Magistrate. Mr. Nicholson stated the seawall at Harvey would be discussed at the Code Enforcement Board meeting tomorrow; and the Beachside Redevelopment Board could bring the item up and then deny it since the applicant did not do what was expected. Mr. Nicholson asked why the public meeting for the Marriott on Ocean Avenue was being held outside of the Beachside Redevelopment Board's CRA area.

8. **Board Comments**

Mr. Newman asked if a developer paid for the property when they were asking for a vacation of a right of way.

Ms. Meek stated the property underneath the right of way was owned by the adjacent property owners up to the midway point; and when the property was vacated, it went to the adjacent property owners.

Ms. Pyle stated she was glad to see that Mr. Myara planned to preserve the building at S. Coates and provided him with a proposed project for the site which would include an open air market.

Ms. Pyle discussed the three buildings that were not approved for Biketoberfest on Main Street. Ms. Pyle stated it was staff's responsibility to oversee the buildings to make sure they met code and felt the buildings should have been monitored more closely and required to adhere to the standards.

Ms. Pyle stated the gas station on International Speedway looked horrible and the deteriorated features should be removed.

Ms. Nazak stated she would like to see more natural vegetation used on the beachside. Ms. Nazak stated she was excited to see that Mr. Myara's building on Coates would not be demolished. Ms. Nazak stated clear cutting a lot is not a solution to homeless camps and perhaps spiny plants could be installed to deter people from camping there.

Mr. Denis stated he was concerned that the Beachside Board approved an item and then the applicant did not correct the Harvey site as was directed by the Board.

Mr. Newman stated the Planning Board required the applicant to come back and provide a progress report and the Board would continue with that.

Ms. Tuggle stated she was disappointed with the action Volusia County took regarding the boardwalk. Ms. Tuggle stated if Volusia County was looking to support the City on Beachside Redevelopment, the boardwalk was something that would enhance all the properties. Ms. Tuggle stated the situation with the vendors on Main Street could have been handled differently. Ms. Tuggle stated she had talked with some of the full-time business owners along Main Street and some felt the lack of vendor space would impact their businesses. Ms. Tuggle stated she had talked with the new

owner of 128 S. Wild Olive and repairs had started on the site. Ms. Tuggle stated she had seen improvements on the Beachside and people were working hard to make changes.

Mr. Myara stated the proposal planned for 10 S. Coates was what was presented by Ms. Pyle. Mr. Myara stated it would take three months to receive the trusses but they would start pouring cement.

Mr. Myara stated there were 4 tattoo shops within two doors of each other on Beachside. Mr. Myara stated he felt there should be a limit on the space between tattoo shops.

Mr. Paspalakis asked if there could be a limit on the space between the sites.

Mr. Berger stated that was discussed and the Legal Department stated that restriction could be put in place.

Mr. Paspalakis stated he would have been in favor of an extended boardwalk as long as they didn't take people's property. Mr. Paspalakis asked what was being done about the homeless camp underneath the pier.

Mr. Berger stated the City's Police Department cannot go on the beach but there were discussions between the law enforcement agencies. Mr. Berger stated some of the homeless had been seen on Beach Street and the Police Department had implemented some community policing which had been very effective.

Ms. Tuggle stated Beach Patrol did remove dozens of people last week but during the night, there were only two patrol trucks on the beach and people could see the vehicle approaching with their lights on and then they ran to hide.

Mr. Paspalakis stated the concerts at the Bandshell had been very successful and there were 3,000 to 4,000 people in attendance last Saturday. Mr. Paspalakis stated the concerts would continue for several more weeks.

9. **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 7:35 p.m.



Dino P. Paspalakis, Chair



Becky Groom, Board Secretary