

**MIDTOWN REDEVELOPMENT  
AREA BOARD MINUTES**

**April 12, 2011**

There was a meeting of the Midtown Redevelopment Area Board held Tuesday, April 12, 2011 at 6:00 p.m. in the City Hall Commission Chambers at 301 South Ridgewood Avenue, Daytona Beach, Florida:

**Board Members**

Ms. Johnnie Ponder (Chair)  
Ms. Shirley Benjamin  
Mr. Hemis Ivey (Vice-Chair)  
Ms. Patricia Heard  
Mr. Ken McGee  
Ms. Denise McMillon

**Staff Members Present**

Mr. Reed Berger, Redevelopment Director  
Ms. Ben Gross, Assistant City Attorney  
Mr. Charles Bryant, Project Manager  
Mr. Rich Walton, Planning Director  
Mr. Tom Weitnauer, Principal Planner  
Captain Craig Capri, Police Department  
Ms. Shannon Ponitz, Utility Engineer Manager  
Ofc. Denzil Sykes, Code Enforcement  
Ofc. Eddie Lopez, Code Enforcement  
Ms. Cathleen Olson, Recording Secretary

**1. Call to Order**

Ms. Ponder called the meeting to order at 6:12 pm.

**2. Roll Call**

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

**3. Approval of Minutes: March 8, 2011**

Mr. Ivey made a motion to approve the minutes of March 8, 2011. Ms. Heard seconded the motion and it was approved unanimously (6-0).

4. **Staff Report**

(a) Police Department Report

Ms. Ponder noted that the Police Department had been invited to the meeting so that the Board could offer a commendation for their work during Bike Week. She expressed her appreciation for a positive working relationship with the Police Department.

Ms. Heard expressed her respect for the Police Department and the effort they had put forth.

Ms. McMillon asked if it would be possible to have streets blocked off for motorcycles in the future during Bike Week.

Chief Chitwood stated that streets were no longer being blocked off for motorcycles per a City Commission decision.

Mr. Ivey reiterated the Board's appreciation of the Police Department's work.

Cpt. Capri outlined the crime statistics for the past month, noting an overall decrease of 16% in part-one crime in the district, and highlighted a recent narcotics bust. He stated that lighting and parking issues were current priorities.

Mr. Bryant expressed concerns regarding the car wash on Martin Luther King, Jr. Boulevard and Orange Avenue.

Cpt. Capri stated that the Police Department was aware of the problems and were working with Code Enforcement to address the issues.

Ms. Benjamin noted ongoing activity on Haynes Street.

Cpt. Capri acknowledged the issue and stated that the Police Department was checking the area daily for activity.

Ms. Heard noted the need to keep the curbs painted on Orange Avenue and Martin Luther King, Jr. Boulevard.

Ms. McMillon noted resident complaints regarding the traffic light cameras and asked for more information.

Chief Chitwood stated that cameras were currently located at the four busiest local intersections, but that the traffic camera program would be expanding throughout the City. He stated that there were problems with permitting and offering to provide the relevant traffic studies. He also noted that the Police

Department would be taking over PAL from Leisure Services and invited the Board to participate.

(b) Code Enforcement

Ofc. Sykes introduced Ofc. Eddie Lopez, who would be taking over Code Enforcement, for Midtown. He outlined the success of the St. John's County system to reduce unwanted messaging signs. He stated they had a decrease in sign-related complaints by 97% in St. John's County and Code Enforcement would be trying to implement the system in Volusia County. He also updated the Board on the Black Heritage Trail and the Daytona Proud project. He stated that Daytona Proud was currently in operation on the Beachside and would be moving to the Mainland in the future.

Mr. Ivey asked who had initiated the Daytona Proud project.

Mr. Berger stated that the Daytona Proud project was an administrative project in collaboration with Code Enforcement and the Police Department, as a way to address problems in the City block by block. He stated that many properties had extensive interior problems and he emphasized the need to ensure that minimum safety standards were being met.

Mr. Ivey emphasized the need to be careful of tenant rights.

Ms. McMillon asked for clarification as to the term "administrative".

Mr. Berger stated that the project involved the heads of relevant City departments.

Ms. Ponder asked why the Board had not been informed of the project.

Mr. Berger stated that the initial success of the program was still being evaluated, however, some success had been reported in the Main Street area.

Ms. Heard expressed concern with potential invasion of privacy issues, emphasizing the need to focus on problem properties.

Ofc. Sykes emphasized the need to ensure that safety standards were met in all properties.

Mr. Ivey asked for Ofc. Lopez's contact information.

Ofc. Lopez stated that he could be reached at (386) 457-9565.

Ms. Benjamin expressed ongoing concern regarding barbecue grills.

Ofc. Sykes acknowledged the issue and stated that Get It While It's Hot had joined with a local church, which Code Enforcement could not address.

Ms. Heard asked if businesses could erect tents and display merchandise.

Ofc. Sykes said that businesses were not permitted to display merchandise on a daily basis.

Ms. McMillon expressed concern with businesses remaining open late into the evenings and becoming gathering places.

Ofc. Sykes stated that Code Enforcement could not address those issues, but the Police Department was aware of the problem.

Ms. Ponder noted concerns with a tire shop on Martin Luther King, Jr. Boulevard.

Ofc. Sykes stated that Code Enforcement was aware of problems with the tire shop and was trying to address the issues via parking surfaces and unregistered vehicles.

(c) Zoning Report

Ms. Ponder stated that she had asked Ms. Colleen Miles to attend the Board meeting to provide a zoning report, and expressed concern that Ms. Miles was not in attendance.

**Public Works**

Mr. Jim Sloane introduced himself on behalf of Public Works and Engineering and updated the Board on roadway projects. He stated that the Orange Avenue project was approximately 60% complete, but that the City had been turned down for FDOT, Tiger, and Federal grants to offset the estimated \$20 million cost of the project.

Mr. Ivey expressed concern with applying short-term fixes to serious problems, as well as constant excuses to avoid improvements. He asked if the improvements could be bonded in lieu of grants and emphasized the need for more community input.

Mr. Berger stated that federal funds were being sought, as it was not currently feasible to finance the project with Midtown funds.

Mr. Ivey emphasized that Orange Avenue was a City road, not just a Midtown road, and recommended sending a letter to the CRA asking for the Orange Avenue improvements to be bonded.

Mr. Sloane stated that a \$9 million bond for resurfacing had just been done, but the funds for a \$20 million bond were not present, noting that it would take City Commission action to prioritize. He emphasized that the biggest problem was improving the subterranean infrastructure.

Ms. Ponder asked if the County could be involved, and recommended sending a letter voicing the Board's concerns.

Mr. Sloane stated that International Speedway Boulevard improvements were complete between Martin Luther King, Jr. Boulevard and Lincoln Street, with the area from Nova Road to US-1 next to be addressed. He also stated that Florida Power and Light had been contacted regarding lighting in Midtown. He stated and that the MLK streetscape enhancement master plan would be complete this summer, with the infrastructure design complete next year, and construction scheduled for completion by the spring of 2013.

Mr. Ivey emphasized the need to incorporate input from the Midtown community.

Mr. Sloane stated that he would provide sketches of the plans for the Orange Avenue improvements and incorporate community comments.

Mr. Ivey emphasized the need for the Midtown Master Plan, expressing concern with the necessity of being reactive instead of proactive.

Mr. Sloane presented a handout outlining Midtown street and sidewalk improvements that had either been completed and were scheduled for completion.

Mr. Ivey emphasized the need for minority contractors to be involved in Midtown improvements.

Ms. Benjamin asked for updates regarding speedbumps on Lincoln Street between Orange Avenue and Magnolia Avenue.

Mr. Sloane stated that he would look into the requested speedbumps, but noted that there were an enormous number of requests.

Ms. Heard asked about the first step in implementing new speedbumps.

Mr. Sloane stated that the first step stemmed from a citizen's request, which then could lead to a traffic study. He stated that the most efficient method of beginning the process would be to email himself or Mr. Mike Marcum.

Ms. McMillon stated there needed to be better signage signifying school zones.

Mr. Sloane stated that the School Board was responsible for school zone signage, and that each sign cost \$95,000.

### **Stormwater**

Ms. Shannon Ponitz stated that the Madison Avenue desilting project was completed, and the North Street pond emergency pump was installed and ready for a large weather event, outlining the outfalls of the Nova canal.

Ms. McMillon asked about the purpose of the Mailey pond, and what would happen to the “bowl” in Midtown.

Ms. Ponitz stated that the “bowl” between Orange Avenue, Nova Road, Ridgewood Avenue and Beville Road, which had the most damage and flooding during the May weather event, was central to the biggest current Utilities project. The project involved three phases, the first of which entailed the addition of a large pond and large pump station and a new force main, at the cost of \$7 million for the first phase, \$34 million for the second phase, and \$35 million for the third phase.

Ms. McMillon expressed concern regarding plans for retention ponds in areas with many children.

Mr. Ivey concurred with the need to be aware of safety issues with retention ponds.

Ms. Ponitz stated that Utilities was required to comply with St. John’s water regulation, which required ponds, and that newer areas were all required to have ponds upon development.

Mr. Ivey emphasized the need to consider the “what-ifs” and asked about the science center pond.

Ms. Ponitz stated that the science center lay in wetlands, and it was impractical to build pipes and pumps to pump water out west fast enough.

Ms. McMillon questioned if the City would have addressed the issue had the May flooding event not occurred.

Ms. Cathy Washington, 937 Lockhart Street, questioned the need for another pond in the same area where one already existed and asked about the size of the pond anticipated on the school property.

Ms. Ponitz stated that the pond was estimated at 11 acres and would connect to the Mailey pond.

Mr. Ivey emphasized the need for community input, noting community concerns with the constructions of more ponds.

Ms. Heard stated the need for more discussion regarding retention ponds, noting that consultants were not familiar with the Midtown community.

Ms. Ponder asked how to ensure that consultants were aware of community concerns.

Ms. Ponitz stated that a workshop could be held with a consultant and Utilities directors.

Ms. Heard stated that the flooding problems should have been addressed after the flooding in the 1950s.

Ms. Ponder recommended having a meeting with the Board, Utilities, and FAMU to discuss issues.

Mr. Bryant noted a FAMU workshop on May 25.

Mr. McGee expressed concern with incorporating the Loomis Pond into local architectural plans.

### **Board Action**

Ms. McMillon made a motion to call a community information workshop to inform the residents of the current Utilities and Stormwater projects. Ms. Benjamin seconded the motion and it was approved unanimously (6-0).

## **5. DEV2011-012, COMPREHENSIVE PLAN AMENDMENT, TCEA**

Mr. Tom Weitnauer, Principal Planner, stated that Rich Walton, Planning Director, was out of town and unable to attend the meeting. He outlined transportation concurrency and presented the report prepared by Lassiter Transportation Group, stating that as cities prepared for development, it needed to be ensured that the roads were able to handle the development. He stated that in concurrency exception areas, usually for redevelopment purposes, prospective developers could be exempted from concurrency requirements. He stated that the Main Street and Downtown Redevelopment Areas were already in exception areas and that the proposed amendment was to extend the exception to include all five redevelopment areas. He stated that prospective developers would still be required to conduct transportation studies, but less detailed and at a lower cost for the developers.

Mr. Ivey asked if the proposed exception area would affect the trolley.

Mr. Berger stated that it would not directly affect the trolley service. He stated that the intent was to eliminate unnecessary costs and attract development.

Mr. McGee asked if there were traffic concurrency problems in Midtown.

Mr. Weitnauer outlined the levels of service provided in Mr. Lassiter's report detailing the standards adopted for City and County roads. He stated the standards ranged from service level A, indicating a free, unrestricted flow of traffic, to service level F, indicating that the level of traffic was not supportable by the roads.

Mr. Berger stated that traffic in Midtown was generally congested but was not at a failing level of service. He noted an ongoing study with the ISB Coalition to address plans to deal with future congestion.

Mr. Ivey expressed concern that key roads in Midtown were not included in aspects of the study.

Mr. McGee emphasized the need to avoid allowing levels of service to decline to levels of failure. He questioned if Midtown should be in an exception area.

Mr. Weitnauer emphasized the need to accommodate pedestrian and bicycles as well as visitors, noting that slower traffic could be beneficial in Redevelopment areas.

Mr. Ivey stated they needed to avoid future traffic problems.

Mr. Berger stated that according to the study, there would be no adverse effect on traffic levels by inclusion into the exception area. He stated that some congestion slowed traffic in business areas, which was good for business.

Mr. McGee noted the need to slow traffic on Orange Avenue and Mary McLeod-Bethune Boulevard.

Ms. Ponder asked if the Board would prefer to continue the item pending additional information or to vote on it.

Mr. McGee emphasized that being in an exception area did not prevent improving roads if warranted, but only excepted developers from performing traffic studies and road improvements if it not necessary. He stated that concurrency requirements could be prohibitively expensive for developers.

Ms. McMillon asked if the exception would have any impact on the Midtown Master Plan.

Mr. McGee stated that it would not impact the Midtown Master Plan.

Mr. Weitnauer emphasized that traffic improvement could still be required at the discretion of the Board and Staff.

Mr. Berger stated that the exception eliminated unnecessary money and time required from prospective developers.

**Board Action**

Mr. McGee made a motion to recommend approval of the proposed amendments to the Transportation Concurrency Exception Area. Mr. Ivey seconded the motion and it was approved unanimously (6-0).

**6. Midtown Master Plan Workshop**

Mr. Bryant outlined the information from the previous Midtown Master Plan workshop.

Mr. McGee asked about a conflict between a stormwater workshop and a Midtown Master Plan workshop in the coming month.

Ms. Ponder stated that the stormwater workshop was for the citizens, and should include Professor Hoffman.

Ms. McMillon emphasized the need for the workshop to focus on the residents and remain informational for Professor Hoffman.

**Board Action**

Ms. McMillon made a motion to invite Professor Hoffman to attend a community stormwater project meeting so that he might obtain relevant information to incorporate into the Master Plan, but under the condition that there would be no public discussion of the Midtown Master Plan. Ms. Benjamin seconded the motion and it was approved unanimously (6-0).

**7. Economic Incentives**

Mr. Berger stated that funds had been drained for economic development grants and that Staff was looking for transfers of funds, in all Redevelopment areas. He stated that there remained heavy demands for current Redevelopment incentives and noted the need to assess which incentives were working and which were not.

Mr. Ivey emphasized the need to be aware of differences between local communities.

Mr. Berger noted the importance of the considerable demand for the existing incentives.

Mr. Ivey asked if the same incentive funding was available throughout Redevelopment areas.

Mr. Berger stated that each Redevelopment area had different revenue streams.

Ms. Ponder stated the need to consider non-matching grants, emphasizing that all Redevelopment areas were different.

**8. Redevelopment Project Updates**

Mr. Bryant outlined possible demolitions at 132 N. Franklin Street and 351 Walnut Street, and completed demolitions at 208 Garden Street, 556 Wallace Street, and 551 Oak Street.

Ms. Benjamin asked about the property on Division Street and Orange Avenue.

Mr. Bryant stated that he was aware of problems on the property.

Ms. Ponder emphasized the need to try to rehabilitate properties where possible.

Mr. Berger stated that it was more efficient to have the private sector rehabilitate properties.

Mr. Bryant stated that many properties appeared to meet Code on the exterior but had severe interior problems, emphasizing the need to work closely with property owners. He also updated the Board on progress with the Bethune-Cookman University Athletic Facility.

Ms. Heard asked for any updates regarding a student walkway from the Performing Arts Center.

Mr. Bryant stated that he had spoken to Pastor Goodin regarding the walkway, and it would be addressed with the school administration.

Ms. McMillon expressed concern for student safety in crossing International Speedway Boulevard to the Performing Arts Center.

Ms. Benjamin asked for updates regarding the “storefront church” on Martin Luther King, Jr. Blvd.

Mr. Bryant stated that Code Enforcement had allowed the property owner 60 days to relocate.

Ms. Benjamin asked for any updates regarding Birch Place.

Mr. Bryant stated that the property owner was being fined \$1,000 a day until the property was brought up to Code.

Ms. McMillon asked if shopping carts were allowed on gravel surfaces outside of grocery stores.

Mr. Bryant stated that shopping carts were not permitted on gravel surfaces.

Ms. McMillon expressed concern regarding the upkeep of the old Police Station.

**9. Public Comments**

Ms. Melanie Hannans, 316 Parkwood Street, introduced herself on behalf of the organization Women: Working On My Every Need, devoted to sexual assault awareness, and presented information on a walk-a-thon that would take place during sexual assault awareness month, on April 30 on the beach, and asked for community support. She emphasized the need to support victims of sexual assault, noting unacceptable backlogs of requests for support from victims.

Mr. Ivey asked about the prevalence of sexual assault in Midtown and Daytona Beach as a whole.

Ms. Hannans stated that sexual assault was a very important problem in Midtown, noting the Dickerson Center in particular, as well as ongoing problems with domestic abuse and standalone sexual assault crimes. She stated it was impossible to obtain accurate statistics due to underreporting of sexual crimes.

Ms. Ponder recommended consulting with Chief Chitwood about the issue.

Ms. Benjamin invited Ms. Hannans to speak to the AmVets Ladies Auxiliary Meeting the following Monday night.

Mr. Julio Onis expressed his appreciation of the Board's support for the Daytona Beach Juneteenth Celebration and asked the Board for its continuing support of \$3,000. He stated this year's event was projected to be even larger than the preceding year, with the banquet being held on June 14 and the festivities on June 18 at Cypress Park.

Mr. Ivey asked if Juneteenth could be incorporated into the Midtown budget in the future.

Mr. Berger stated that the funding for Juneteenth had been preemptively approved.

**Board Action**

Mr. Ivey made a motion to approve \$3,000 to fund the 2011 Juneteenth Festival. Ms. Heard seconded the motion and it was approved unanimously (6-0).

**10. Board Comments**

Ms. Benjamin asked who was responsible for compiling the agenda, and if Ms. Ponder had input on the agenda.

Ms. Ponder stated that Mr. Bryant and Mr. Berger wrote the agenda, but she had input.

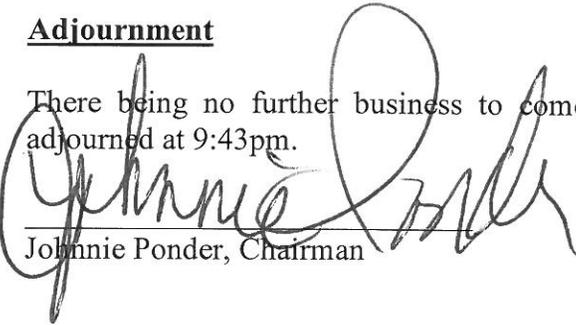
Ms. Benjamin stated the need to be aware of the length of the meetings.

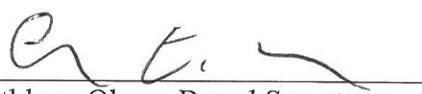
Ms. Ponder acknowledged the need to be aware of meeting length, but they also needed to allow community members to speak as needed.

Ms. Heard stated that the Board was representing the community and emphasized the need to be respectful to all citizens speaking at meetings.

**11. Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 9:43pm.

  
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Johnnie Ponder, Chairman

  
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Cathleen Olson, Board Secretary