

**MIDTOWN REDEVELOPMENT AREA BOARD
MINUTES
Tuesday, August 14, 2012**

A meeting of the Midtown Redevelopment Area Board was held Tuesday, August 14, 2012, at 6:00 p.m. in the Commission Chambers, Daytona Beach City Hall, 301 S. Ridgewood Avenue, Daytona Beach, FL. The following people were present:

Board Members

Mr. Hemis Ivey, Chair
Ms. Margaret Symonette
Mr. Ken McGee
Ms. Denise Cato
Mr. Martin Tooley (left @7:30pm)
Mr. Wilburn Williams (left @7:45pm)
Dr. Irma Browne Jamison
Ms. Shirley Benjamin

Board Members Absent

Ms. Patricia Heard

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Mr. Charles Bryant, Redevelopment Project Manager
Mr. Ben Gross, Assistant City Attorney
Ms. Becky Groom, Recording Secretary

1. Call to Order

Mr. Ivey called the meeting to order at 6:00 p.m.

2. Roll Call

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

3. Invocation

Mr. Tooley gave the invocation.

4. Pledge of Allegiance to the Flag

Dr. Jamison led the Pledge of Allegiance.

5. Approval of Minutes of July 10, 2012

Dr. Jamison made a motion to approve the minutes of July 10, 2012. Ms. Cato seconded the motion and it was approved unanimously (8-0).

6. Staff Report – Code Enforcement

Mr. Ivey introduced Commissioner Cassandra Reynolds who wanted to discuss an issue that arose during the Commission Meeting concerning the Town and Gown with Bethune-Cookman University.

Ms. Cassandra Reynolds, 421 Margie Lane, Daytona Beach, Florida, thanked the Board for the work they were doing on the Midtown Redevelopment Plan. Commissioner Reynolds stated that she had requested an insertion into the Midtown Plan and was before the Board as representative of the Community Redevelopment Agency. She noted that on page 22 of the Midtown Redevelopment Plan, the section highlighted in red at the bottom of the page addressed social problems and developing a partnership between the university and the community to address Town and Gown issues. She noted that most of the underprivileged were in the Midtown area as were most of the social service agencies. She stated the main reason she was asking for the Board's support of the insertion was because partnerships must be noted in the plan should there be an audit.

Ms. Symonette stated she thought was good for the City to work with BCU.

Mr. Williams agreed.

Dr. Jamison stated that she coordinated the Florida State Town and Gown project and obtained grant funding for that program. She stated that it was a Federal mandate that financial aid be used to assist students in the community and she coordinated that program.

Ms. Cato stated that she was glad to see it would be implemented; and she stated anything to bring the community and the outside agencies connected with the college together was a plus.

Mr. McGee said he thought it could be a good addition to the Midtown Redevelopment Program and he was in favor of it.

Mr. Ivey asked Mr. Berger if contact had been made with BCU.

Mr. Berger said BCU had been contacted through Betty Goodman's office.

Mr. Ivey thanked Commissioner Reynolds for briefing the Board on the item.

Mr. Ivey stated that he wanted to make sure the Town and Gown did not supercede the Master Plan. Mr. Ivey stated that Commissioner Reynolds had an outline of information regarding the Town and Gown and asked that the information be shared with the Board.

Board Action

Mr. Tooley made a motion that the Board accept the Town and Gown proposal of the City Commission as presented by Commissioner Reynolds. Dr. Jamison seconded the motion and it was approved unanimously (8-0).

Mr. Ivey asked if the Board members had questions regarding the Staff Report on Code Enforcement.

Ms. Benjamin stated that she would contact Mr. Bryant regarding the property she discussed with him on Martin Luther King Blvd.

Dr. Jamison asked who was responsible for the maintenance of property in the right of way.

Mr. Berger stated maintenance of the right of way was the responsibility of the adjacent property owner. He stated that the City was responsible for the maintenance of the sidewalk.

Mr. Williams stated there were cracks in the road and grass growing up through it on Martin Luther King Blvd.

Mr. Berger stated the City was responsible for maintenance of streets.

Mr. Ivey asked that Mr. Berger have the cracks on Martin Luther King Blvd. checked.

7. Action Item: DEV2012-074, 555 W. International Speedway

Mr. Bryant stated that the applicant's representative, Joseph Hopkins, presented the item to the Board at last month's meeting.

Mr. Ivey asked the Board members for questions and there were none. He stated that staff had answered the questions raised by the Board at last month's meeting.

Board Action:

Ms. Benjamin made a motion to approve Action Item DEV2012-074, 555 W. International Speedway. Ms. Cato second the motion and it was approved unanimously (8-0).

8. Action Item: Amendment to the Midtown Redevelopment Plan

Mr. Bryant presented an Amendment to the Midtown Redevelopment Plan with a memorandum from the Director dated August 7, 2012, outlining the changes.

Mr. Tooley stated that he was concerned about the ambiguity of the language on Page 19 that lists Capital Projects to be constructed by the CRA when funding was available and felt projects may be extended indefinitely due to lack of funding.

Mr. Berger stated that the recommendation was to remove the dates throughout the document. He stated that if the Board had recommendations on better wording, he would include the recommendations. He stated there was no set schedule for the projects.

Mr. Tooley asked if what Mr. Berger was saying was that he was not sure if the projects would be funded during the funding cycle.

Mr. Berger stated "yes".

Mr. Tooley stated that based on what was written in the document, they could wait indefinitely and say the funds were not available. He also stated that they could wait until after the deadline to submit a grant and then say funding was not available. He asked if the wording could be changed to read during the funding cycle and whatever funds were available during that funding cycle, they use them if they get them. If the funds were not obtained, a report would be made that they were not received. Mr. Tooley stated that if there was not a specific date, the project would not be funded.

Ms. Cato stated that looking at the wording in the report last month, it did not state when funding was available. It stated will be partially or completely funded and constructed by the CRA by 2015. The revised document had 2015 struck out and read "when funding is available."

Mr. Ivey stated that his concern was if a project was in the budget at one time, where were the funds now? He stated he felt the Board should have a more definitive schedule on the Capital Projects.

Ms. Benjamin asked about the Orange Avenue project. She stated she thought the project should start at the Nova Road end of Orange Avenue and work toward the bridge.

Mr. Ivey stated that based on the newspaper article that was distributed by staff, a definitive date could be included in the plan for the Orange Avenue project.

Mr. Ivey stated that in order for the plan to be passed, a definitive date would need to be included for funding of the projects.

Ms. Benjamin stated that by the time the City got around to doing projects in Midtown, there was no more funding.

Mr. Berger stated he would pass the Board's comments along to the City Commission.

Mr. Ivey asked Mr. Berger if he would like the Board to continue the item. He stated he would like to recommend that the changes be made, then come back with those changes included and the Board approve them.

Mr. Bryant asked if the Board could approve it based upon the changes being made.

Mr. Ivey stated that he wanted to make sure the Board's recommendations were included in the City Commission packet. He stated that was the reason Commissioner Reynolds attended the Board meeting because something had been presented to the Commission without the Board reviewing it. He stated he wanted to make sure the recommendations were correct.

Mr. Williams asked if the specific language could be stated and approved at that meeting.

Mr. Ivey stated that was what was being discussed and asked Mr. Tooley to state his recommendation for the record.

Mr. Tooley stated that he proposed the wording read that "the project be completely or partially funded and constructed by the CRA during each funding cycle."

Mr. Ivey stated that he thought it would be easier to state that the projects be funded by 2015.

Mr. Berger stated he thought the Board was saying that they liked it the way it was and to not change it and staff will pass that on as the recommendation.

Mr. Tooley stated that it would be easier if it read by 2015 because that would give the Board 3 years to get the funding.

Mr. Ivey stated that was what was in the recommendation last month.

Mr. McGee stated that he had a problem in terms of standards in which it was to be constructed. He stated the improvements would occur from the property line into the street. He stated that would result in a 3 foot wide sidewalk which did not conform to the intent of the Master Plan.

Mr. Ivey stated that if they locked in the Redevelopment Plan with the Master Plan, they should be moving along together, but they were getting mixed up. He stated that if the Master Plan and Redevelopment Plan were implemented at the same time, one will supercede the other. He stated the Master Plan should be the appendix. It should be the plan and the Redevelopment Plan should fit into the Master Plan. He would like that clarified and would like it discussed at the meeting Thursday evening. The Master Plan should be a stand-alone document and the Redevelopment Plan should fit it.

Mr. McGee stated that it should be amended to say that they should have substantial improvements with the intent of the Master Plan.

Mr. McGee stated that if he looked at the renderings prepared by Florida A & M and the way they had treated the public sidewalks and then looked at the reality of the public sidewalks in Midtown, there was no way to do that.

Mr. Ivey asked if what Mr. McGee was suggesting is that the Master Plan be a stand-alone document and the guidelines from the Redevelopment Plan be included in the Master Plan. He stated the Master Plan should be the driving document.

Mr. Berger stated that he understood what the Board was attempting to suggest. The State law and requirements were based on the Redevelopment Plan. He stated that the Vision, the Land Development Code and other documents would all be allies and an important part of the Redevelopment Plan. He recommended that that the Master Plan be part of that plan and he did not recommend that the Master Plan be taken out as a separate document.

Mr. McGee stated that drawings had been prepared for Public Works, and there was a set of plans bid ready and those plans did not match what the Board wanted to apply to the Midtown Area.

Mr. Berger suggested that Page 19 should read "where the projects are to be completed by the CRA by 2015 in accordance with the Master Plan, Appendix B or C.

Mr. Gross suggested stating that the projects would be in accordance with the Master Plan as attached and hereafter amended.

Mr. McGee asked if he purchased property on ISB, the Master Plan said the sidewalk was going to be 6 feet wide and wanted to know if he was buying the Master Plan.

Mr. Berger stated that would be a Public Works project and the development would have to be built in accordance with the Midtown Master Plan.

Mr. McGee stated that the Master Plan attempted to develop a pedestrian neighborhood. Most of the time you are dealing with a 3 foot sidewalk and sometimes no sidewalk.

Mr. Ivey stated that on Martin Luther King Blvd., there was room for larger sidewalks. If the plan said "if applicable" that would satisfy that.

Mr. McGee stated that the 6 items on page 19 beginning with ISB should be separated and it should be stated that those areas must meet the needs of the pedestrian community, and a pedestrian community was ideal for Midtown.

Mr. Gross stated that the Board could add to Page 19 after the phrase by 2015 in accordance with the Master Plan as attached to the Redevelopment Plan or as may be hereafter amended.

Mr. Ivey asked Mr. Berger to make sure that language was included in the recommendation.

Mr. Gross stated for clarification that the full sentence at the bottom of Page 19 should read, "The following is a list of capital projects to be completely or partially funded by the CRA by 2015 in accordance with the Master Plan attached or as hereafter amended."

Mr. Tooley asked Mr. Gross according to Florida Law, which document was recognized as the primary document.

Mr. Gross stated that the primary focus of the Redevelopment Plan was a guide to help a Redevelopment Agency make decisions, most importantly the expenditure of TIF dollars which were special tax dollars set aside for the redevelopment area. Improvements must be done in accordance with the Master Plan. The Redevelopment Plan says improvements must be made in accordance with the Master Plan.

Mr. Williams asked when the Board would be provided with copies of the Comp Plan.

Mr. Bryant stated that was a large print project and not ready.

Ms. Symonette stated they would have to buy property to make the sidewalks bigger and she felt it would be put off due to funding.

Mr. Berger stated that what was just discussed by the Board was not purchasing the property but putting provisions in place for setbacks.

Ms. Johnnie Ponder, 885 Mary Street, Daytona Beach, stated that she felt the Master Plan should be the document of choice and the Redevelopment Plan should be an appendix to the Master Plan.

Mr. John Nicholson, 413 N. Grandview Ave., spoke regarding sidewalk requirements and limited available space along Orange Avenue.

Mr. Ivey stated that he would meet with staff to make sure the Board's recommendations were included.

Board Action:

Mr. Tooley made a motion to approve the Midtown Redevelopment Plan Amendment conditioned upon including the wording as recommended by the Assistant City Attorney, which was stated as follows: On Page 19, the list of capital projects is to be completely or partially funded by the CRA by 2015 in accordance with the Master Plan attached or as hereafter amended. Ms. Benjamin seconded the motion and it was approved unanimously (8-0).

9. Discussion Item: Homeowner Assistance Program

Mr. Berger stated that staff was looking at developing a City-wide down payment assistance program. He stated it was an attempt by the City Commission to increase the homesteading numbers.

10. Board Priorities

Mr. Bryant stated that he had provided the Board with a list of priorities. He encouraged the Board to contact him with questions.

11. Redevelopment Project Updates

Mr. Bryant stated there is a meeting on Thursday at the Midtown Community Center for the community to review the Midtown Redevelopment Plan and Mr. Huffman would be in attendance.

Mr. Bryant stated a response had been received to the RFP for usage of the former Police Station on Orange Avenue. The City Manager would begin negotiations for the location of a law school at that site.

Mr. Bryant stated that he participated in the back pack giveaway at Derbyshire and the Dickinson Center. He stated the program was very successful and thanked Wal-Mart and Pepsi for their participation.

Mr. Bryant stated he is working on events for the Christmas holidays. Light Up Midtown will start on December 1 and there would be a parade on December 8.

Mr. Bryant stated the ground breaking for the Halifax Village Phase 2 was held on July 26.

Mr. Bryant provided the Board with a copy of the News Journal article regarding Orange Avenue repairs.

Mr. Bryant informed the Board that the home at 825 George Ingram had been demolished.

11a Discussion Item: DEV2012-041, BCU Larry R. Handfield Athletic Center Training Practice Field

Mr. Parker Mynchenberg, 1729 Ridgewood Avenue, spoke on behalf of the applicant, Bethune-Cookman University. He stated that the Public Hearing for the item would be held next month but asked to appear before the Board to address any issues the Board may have prior to the Public Hearing. He provided the Board with copies of his presentation materials.

Ms. Cato asked about increased traffic in the neighborhood, lighting, buffers, and borders for adjacent property owners.

Mr. Mynchenberg stated those questions would all be addressed in his presentation.

Mr. McGee stated that he thought noise would be a problem.

Mr. Mynchenberg stated the athletic center was almost complete and his staff had been doing the final inspections for the site work. Next month, he would be appearing before the Board to make a presentation for a synthetic football/training field behind the project. He stated 4 neighborhood meetings had been held and changes had been made based on suggestions from those meetings. Parking would be on the east side of the site off Jesse Street. Mr. Mynchenberg stated there was a building currently located on the proposed parking site and that

building would be demolished when the athletic center received a Certificate of Occupancy.

Mr. Mynchenberg stated that if the practice field is approved next month, the parking would be relocated to the east side on Jesse Street. He stated that when the project was first discussed about two years ago, there was concern about people crossing ISB at mid-block. Pedestrian crossings are located at the intersections with buttons for pedestrians to push to stop traffic. He stated that pedestrians crossing at mid-block would need to be addressed by Police.

Mr. McGee asked what was located on the gray area in the upper left hand corner of the proposed plan.

Mr. Mynchenberg stated that that was an existing parking lot for an existing apartment building.

Ms. Benjamin asked about the uses for the multi-purpose field.

Mr. Mynchenberg stated that when BCU played other teams, those teams may have synthetic fields. The field would give BCU players an opportunity to practice on the synthetic field and the field would be striped for use for other sports, such as Women's Lacrosse and soccer.

Ms. Benjamin asked if the band would use the field.

Mr. Mynchenberg stated the band would be prohibited from using the field.

Mr. McGee asked where the spectators would be for the practice field.

Mr. Mynchenberg stated it was a practice field and not a stadium. There were tables and chairs on the second floor of the new building which could be used as a viewing area, but no bleachers were planned for this site.

Ms. Benjamin stated people would want to view the practice sessions which would result in the neighborhood being congested.

Mr. Mynchenberg addressed the lighting, noise, and buffering. The landscape plans showed oak trees at 30 foot centers around the perimeter of the property with a continuous hedge along the road frontages, such as Jesse Street. On the property lines that abut the residential area, there would be a screening wall. Other frontages would have the standard BCU wrought iron fence with brick pillars. Mr. Mynchenberg stated the landscaping would help with screening and noise abatement. He stated that hours of operation would be the main item that would help in addressing the lighting and noise issues. He stated that when the presentation was made to the Board at next month's meeting, standards would be presented regarding hours of operation.

Mr. McGee asked for a written narrative with respect to addressing lighting, noise, and congestion concerns.

Mr. Mynchenberg stated those answers would be provided at next month's meeting.

Mr. McGee stated that he would like a written document so it could be presented to an acoustical engineer.

Mr. Mynchenberg stated it was a practice field. He stated there were decibels in the City Code regarding noise and the activities would not reach that level. He stated noise concerns should be addressed through hours of operation.

Mr. McGee stated that BCU was an asset to the community; however, he would like some assurance that a bad situation was not being created for the neighbors.

Mr. Mynchenberg stated that he met with neighbors and adjoining property owners would be notified of next month's meeting.

Mr. Mynchenberg stated the screening wall would be next to the residential area on the southern end.

Mr. Tooley left the meeting.

Mr. McGee asked the height of the hedge.

Mr. Mynchenberg stated at planting it would be 3 feet but would grow to 5 or 6 feet.

Mr. Mynchenberg stated that when he met with the property owner immediately to the south, they expressed concern about drainage on the rear of his property and asked if the screening wall will prohibit drainage. He stated an inlet and perforated pipe would be installed and connect to the City system to assure there would be no water build up in the resident's back yard.

Mr. Mynchenberg stated the screening wall elevation would be 6 feet high with columns, trees with 30 foot centers, stuccoed, and smaller understory trees between the large trees which would provide screening and noise abatement.

Ms. Cato stated in prior presentations, the field was labeled as a community field, per the president of the university at that time. She asked that with the type of field being proposed now, it would be used only for BCU programs.

Mr. Mynchenberg stated that he met with the president of BCU and he indicated that when the University was not using the field, it would be available for the community.

Ms. Cato asked if it was used by the community, where could spectators sit if there were no bleachers.

Mr. Mynchenberg stated that sufficient parking was planned for the practice facility; however, there was not sufficient parking for a community special event.

Ms. Cato stated there was parking at the Civic Center.

Mr. Mynchenberg stated there was also parking at the nursing school.

Ms. Cato stated that she was concerned about members of the community who wanted to watch football practices and their access to the field.

Mr. Mynchenberg stated that individuals could bring lawn chairs to the field to watch the practices and would be similar to the fields at Ormond Beach where individuals must provide their own seating.

Ms. Cato stated she approved of the project but felt the seating issue should be addressed.

Mr. Ivey asked that Mr. Mynchenberg provide the Board members with his telephone number so they may contact him to discuss their concerns.

Mr. Mynchenberg stated his office number was 677-6891.

Mr. Mynchenberg stated that if it was the consensus of the Board that bleachers were needed, they would be provided.

Ms. Symonette stated that spectators attended games and take blankets and sit on the ground. She stated the school was trying to get along with the community.

Mr. Williams stated that he thought some accommodations should be made for seating.

Dr. Jamison stated that when she attended games, she took her own seating and she knew others would provide their own seating to attend practice sessions.

Mr. Ivey stated the project was presented to the Board in phases. The project had been started and was approved by the Board. He stated that he would like staff to see that the Board's recommendations were addressed and then process the approval through the system.

Ms. Benjamin stated that the practice field was not approved. The Board approved what had already been constructed, not the practice field.

Mr. Ivey stated the Board would not be voting on the item at that time and asked that the Board's concerns be addressed in the recommendations when it was presented next month.

Mr. Williams left the meeting.

12. Public Comments

Ms. Johnnie Ponder, 885 Mary Street, stated that the Board never approved the practice field. She stated that the Master Plan was very important for the community.

Mr. John Nicholson, 413 N. Grandview Ave., asked that larger trees be considered for the BCU practice field site and a feeding program be planned for the trees. He also talked about the importance of neighborhood schools in the community.

Mr. Nelson Hill, 624 Willie Drive, talked about the maintenance of South Street.

Mr. Ivey asked that Mr. Hill's concerns be forwarded to Public Works.

13. Board Comments

Ms. Cato stated there were new businesses open in Midtown that had not come before the Board. She stated there was a new t-shirt shop next to GI Jeff's with signs that had not been approved.

Ms. Cato asked about the process for getting a business license in a strip mall. She stated businesses were moving into strip malls and not obtaining licenses. When asked, business owners state the business license was the responsibility of the landlord.

Ms. Cato also expressed concern about the restaurant rental business behind Buck's. There was no access through the driveway and trash was strewn around and the inside of the business was not clean. She stated she had reported the business to Mr. Lopez but he had not responded to her.

Ms. Cato talked about high rents for businesses in Midtown and businesses finding lower rents in surrounding communities.

Ms. Cato stated there were four intersections in Midtown that flooded during the recent rains. She stated drainage concerns outside of Midtown had been addressed.

Ms. Cato commented about the down payment program and stated it would be difficult to obtain a mortgage when someone did not have a job. She stated there were no jobs in Midtown.

Ms. Benjamin commented about the shop behind Bucks. She also stated that she hoped the Orange Avenue project would be started at Nova Road.

Ms. Symonette stated that she believed there was a man sleeping in the park at Nova Road and George Ingram and asked staff to check into it.

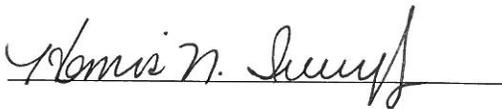
Mr. Ivey stated he would like to set a workshop to discuss the Master Plan and Redevelopment Plan with Mr. Huffman.

Mr. Ivey reminded the Board of the meeting on Thursday at 4:00 p.m. at the Midtown Center with Mr. Huffman.

14. Adjournment

Board Action:

Ms. Benjamin made a motion to adjourn the meeting. Ms. Symonette seconded the motion and it carried unanimously. The meeting adjourned at 8:02 PM.



Hemis Ivey, Jr., Chairman



Rebecca Groom, Recording Secretary