

**MIDTOWN REDEVELOPMENT AREA BOARD
MINUTES
Tuesday, December 11, 2012**

A meeting of the Midtown Redevelopment Area Board was held Tuesday, December 11, 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

Ms. Patricia Heard (arrived at 6:10 p.m.)
Ms. Margaret Symonette
Ms. Denise Cato
Dr. Irma Browne Jamison
Mr. Kenneth McGee
Mr. Wilburn Williams (arrived at 6:02 p.m.)
Mr. Hemis Ivey, Chair

Board Members Absent

Ms. Shirley Benjamin
Mr. Martin Tooley

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Mr. Charles Bryant, Redevelopment Project Manager
Ms. Ben Gross, Assistant City Attorney
Capt. Lance Blanchette, Police Department
Chief Michael Chitwood, Police Department
Ms. Becky Groom, Recording Secretary

1. Call to Order

Mr. Ivey called the meeting to order at 6:01 p.m.

2. Roll Call

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

Mr. Ivey asked that the record note that Ms. Benjamin had an excused absence.

3. Invocation

Ms. Symonette gave the invocation.

4. **Pledge of Allegiance to the Flag**

Dr. Jamison led the Pledge of Allegiance.

5. **Approval of Minutes for November 11, 2012**

Ms. Symonette noted that McLeod was misspelled on page 4. She also stated that the word "as" needed to be inserted in Item 9, Redevelopment Projects.

Board Action:

Dr. Jamison made a motion to approve the minutes of November 11, 2012, as corrected. Ms. Symonette seconded the motion and it was approved unanimously (6-0).

Mr. Williams arrived.

6. **Staff Report**

Police Department

Mr. Ivey thanked Chief Michael Chitwood for attending the meeting.

Capt. Lance Blanchette stated he was the Board's liaison with the Police Department and asked Board members if they had questions.

Ms. Cato asked about the van parked on Keech Street and Cedar Street where the busses entered Campbell Middle School. She stated it had a current tag but when routine traffic set-ups took place along Keech Street, the Police motorcycle units sat behind the van. She stated the van was parked in front of a residence, which she thought was 514 Keech Street.

Capt. Blanchette stated he would have patrol mark the unit that evening and take care of it the next day.

Ms. Cato stated she was concerned about the park at the middle school. She stated the gates were locked and the fence was wrought iron with points on it. She said students squeezed through the fence and she was afraid that someone may get hurt because they were using that area as a cut-through. She asked if the gates could be open so they could go out the side parking lot.

Capt. Blanchette stated he would make an inquiry with Leisure Services to see if the gate could be opened earlier.

Ms. Cato stated she had an inquiry from a citizen who wanted to know the requirement for the 10 MPH speed bumps in a residential area.

Mr. Ivey stated that was a Code issue and asked that Mr. Bryant be contacted regarding that item.

Capt. Blanchette stated the resident could also contact their City Commissioner for that zone to ask for assistance with that request.

Ms. Cato asked about the two recent homicides that occurred in Midtown.

Capt. Blanchette stated the Police had suspect information and they were narrowing it down in both cases.

Chief Chitwood stated the Keech Street incident was not a puzzle. He said the State Attorney had to make a ruling as to whether it was a Castle documented case. He stated there was a \$5,000 reward out for information on the Dell Street case. He said they had information but did not have anyone who would testify in court.

Ms. Heard arrived.

Ms. Cato asked if there was also a female that had deceased.

Chief Chitwood stated the individual's blood sugar was high which caused her death. He stated there were a number of rumors about the death but it was due to the woman's blood sugar.

Mr. Ivey stated there was speeding on the smaller streets and even though people did not like speed bumps something had to be done to control the driving speeds. He also said that something had to be done to knock some of the drug houses down and help clean up the community. Mr. Ivey stated he had been advocating to the CRA and City Commission to free up money for Midtown. He said in the event it was his last meeting, he would like to make sure that the list of priorities from the Midtown Board included funding of \$90,000 for the Police Department. He stated he would bring it up at the next City Commission meeting and let them know that the Board had discussed it.

Dr. Jamison asked if something would be presented in writing as to how the \$90,000 would be spent.

Mr. Ivey stated normally it was used to put more officers on the street and special details and detectives. He asked Chief Chitwood to address the item.

Chief Chitwood stated it would be tracked similar to how a Federal grant was documented in order to justify spending of the dollars. Documentation would be provided for the area where the officer and detail officer worked.

Mr. Ivey stated he met with Mr. Lopez from Code Enforcement about the drug house but had not heard back.

Mr. Ivey stated that in the past, the Midtown Board had helped to match grants received from the Federal government and felt it made a difference.

Ms. Cato asked about the cost for the mobile command unit to report to a site. She asked if the funding was in the budget or if it removed someone from duty to operate the unit.

Capt. Blanchette stated there was an individual assigned to the unit and the cost was for the individual manning the unit and the fuel to run it. He stated that unit would be the Police Department on scene and everything an officer needed to do could be done from that location.

Mr. Williams asked how many mobile command units the City had at its disposal.

Capt. Blanchette stated one and it had been out almost every night in the past two months.

Dr. Jamison stated she participated in a self defense class at the Police Department and asked if that program could be presented at the Dickerson Center.

Chief Chitwood asked that she let him know the date she wanted the officer to conduct the program and he would arrange to have someone there.

Dr. Jamison stated she wanted to schedule it for the second Wednesday in January between 11:00 a.m. and 2:00 p.m.

Capt. Blanchette stated he would contact the officer that coordinated the class and see if it could be scheduled.

Ms. Heard stated that she did not want urban campers in Midtown.

Chief Chitwood stated they were addressing the area behind Keech Street.

Ms. Heard stated there were panhandlers at Checkers at ISB and MLK and the Police were not doing anything about them but passed them by.

Capt. Blanchette stated he would address the issue.

Ms. Heard thanked the Chief for cleaning up this area.

Chief Chitwood asked what hospital Ms. Benjamin was in.

Mr. Ivey stated she was not in the hospital but was there with a family member.

Ms. Cato asked about the property at 836 Orange Avenue and stated the property owner filed a no trespass order with the City. There was an RV camper parked there that had electric running to an electric box and there were people living in the camper. She stated it was the Birch property and the no trespass signs had been taken down.

Capt. Blanchett stated the no trespass order had to be renewed every year and asked Ms. Cato if it was current.

Ms. Cato stated yes.

Chief Chitwood stated he would check the property.

Board Action:

Ms. Heard made a motion that the Midtown Board go on record that \$90,000 be transferred from the Midtown funds to the Police Department to be used as necessary. Mr. Williams seconded the motion and it was approved unanimously (7-0).

Mr. Ivey asked that Mr. Berger see that the motion was presented to the CRA and City Commission.

Mr. Berger stated he would present it to the City Manager.

Mr. Ivey asked that Chief Chitwood sing Happy Birthday to Ms. Heard, which he did.

Code Enforcement

Mr. Ivey asked that Board members contact Charles Bryant with any concerns they may have regarding Code Enforcement.

7. **Action Item: DEV2012-077, BCU Comprehensive Sign Plan**

Mr. Ivey noted that Ms. Symonette could discuss the items but could not vote on Items 7 and 8.

Ms. Symonette stated that she was an employ of Bethune Cookman University and would abstain from voting.

Mr. Ivey stated the request was for a comprehensive plan for signage. He stated the plan was needed and was very thorough. He stated it was basically the same plan that was presented for the Speedway and Halifax Hospital.

Mr. Rob Merrell, Cobb & Cole, stated the Speedway, Halifax Hospital, and Embry Riddle all have had similar plans approved and the LDC had contemplated the plans coming forward.

Mr. Ivey stated they had worked on the request for a couple of years. He stated it should be part of the master plan for BCU and should be inserted into the Master Plan.

Ms. Cato asked about pre-existing signs and asked if the poles would be imbedded with cement or if some were coming out and being replaced.

Mr. Merrell stated some would be completely new but it gave a long term plan for signage for the university.

Mr. Charles Cameron, Central Signs, stated that the plan was to get the signs uniform in appearance and to give the campus a uniform look. He stated some of the signs were donated by alumni and an attempt would be made to preserve the signs. The signs would be re-faced and would look brand new.

Ms. Cato asked if the directional signs would be wood or of some other material that could endure the heat.

Mr. Cameron stated the signs would be heavy gauge aluminum plate and none would be wood. The signs would have an acrylic auto finish.

Ms. Cato stated the City had a sign program that prohibited the LED signage in right of way due to distractions. She asked if the sign in front of the Performing Arts Center could be re-done.

Mr. Merrell stated the City had an ordinance amendment that allowed universities to have the LED signs. He stated the existing sign could be retrofitted. There would be limitations on the colors and how frequently the message can change. The sign will have type only and two colors. The university had volunteered to use this sign for public use during emergencies.

Mr. McGee asked if the signs will be on BCU property or in right of way.

Mr. Merrell stated all signs would be on BCU property.

Dr. Jamison asked about the performing arts sign and said a changing sign on that street may be a problem.

Mr. Merrell stated the wording can change only every 30 seconds. It was not allowed to have moving pictures and was not intended to be a distraction.

Mr. Williams asked if the plan was to replace the current signs or add new signs on the campus.

Mr. Merrell stated it was a 30 to 50 year program for signs on the campus.

Ms. Heard asked why it took so long to develop the plan.

Mr. Merrell stated it was a detailed document and they had worked with staff to make sure the plan included plans for years to come.

Ms. Cathy Washington, 937 Lockhart Street, stated that the Planning Board talked about the height of the marquis sign and asked if it could be accepted at the current height.

Mr. Merrell stated it would be accepted at 22 feet.

Mr. Ivey recognized Zone 6 Commissioner Paula Reed had arrived.

Board Action

Ms. Cato made a motion to accept Action Item DEV2012-077, BCU Comprehensive Sign Plan as stated. Mr. Williams seconded the motion and it was approved unanimously (6-0) with Ms. Symonette abstaining from the vote.

8. Action Item: DEV2012-125, BCU Faculty Development Center Addition – Minor Site Plan

Mr. Ivey stated the plan was a minor site plan and an addition to the back of the Taylor Building. He stated no additional vegetation was required and stormwater would not be affected.

Ms. Cato asked if the property was the old President's home. She asked if a room was being added on the back and if the trees will be disturbed.

Mr. Bryant stated no trees would be disturbed.

Board Action:

Ms. Heard made a motion to accept Action Item DEV2012-125, BCU Faculty Development Center Addition, Minor Site Plan, as stated. Ms. Cato seconded the motion and it was approved (6-0) with Ms. Symonette abstaining from the vote

9. **Action Item: DEV2012-136, Franklin Street Site Plan (110 N. Franklin Street) – Minor Site Plan**

Mr. Bryant stated that the site was developed in 2010 and was brought into compliance at that time. The applicant was at the last Board meeting to inform the Board of his proposed plans. Mr. Bryant stated staff recommended approval of the request subject to outstanding TRT items being resolved..

Dr. Jamison asked if the building was an existing auto service building that is being upgraded.

Mr. Bryant stated yes.

Mr. Ivey stated the site would be more of a mechanic site but they would not be doing stereo work. He stated the applicant had made a significant investment.

Dr. Jamison asked if the reason it was being requested was because the site had been vacant and the applicant must re-apply.

Mr. Ivey stated yes.

Ms. Cato stated there was a noise issue with the previous business operator with it abutting a residential area. She asked if it would be strictly automotive.

Mr. Mark Dowst, 536 N. Halifax Avenue, Daytona Beach, representing the applicant, stated it was his understanding that it would be strictly mechanical work.

Ms. Cato asked what the proposed date of opening would be.

Mr. Dowst stated that he had started on improvements in the building and planned to open as soon as possible.

Mr. Pierre Lewis, 130 S. Franklin Street, asked if the business was strictly an auto repair shop with lifts.

Mr. Ivey stated yes but he did not think there were any lifts in the building.

Mr. Bryant stated the applicant was aware that he could not have outside storage so vehicles would be repaired then put inside the building.

Board Action:

Ms. Symonette made a motion to approve Action Item DEV2012-136, Franklin Street Site Plan (110 N. Franklin Street), Minor Site Plan. Ms. Heard seconded the motion and it was approved unanimously (7-0).

10. Action Item: DEV2012-13077, RNR Custom Wheels (955 W. ISB) – Minor Site Plan

Mr. Ivey stated the project was located next to the BP gas station and was once a radio repair shop. The proposal was for a custom tire and wheel shop.

Ms. Cato asked if there was currently a similar type of business on ISB.

Mr. Bryant stated yes.

Ms. Cato stated she was concerned about a business being so close to a similar type business.

Mr. Bryant stated that was competition and like McDonalds being across from Burger King.

Ms. Cato stated she was not against competition but there had been a high turnover at the property.

Mr. Bryant stated the last business was a paint shop and he preferred there be a business at the site as opposed to being vacant.

Dr. Jamison expressed concern about light vehicular service and stated she did not know what that meant. She asked if they would be selling and installing tires and wheels and no car repair.

Mr. Mark Dowst, 536 N. Halifax Avenue, representing the applicant, stated they might be installing accessories but would not be rebuilding engines only installing tires and wheels.

Mr. Gross stated light vehicular service was defined in the Land Development Code and the proposed use was a permitted use in the zoning district. He stated the code read that light vehicular was a facility providing fueling and servicing of self-propelled vehicles, such as gas service stations, fuel pump items, car wash operations, including retail sale of tires and other nominal automobile accessories. Heavy vehicular service was automobile repair.

Mr. Ivey asked if the zoning allowed them to sell cars.

Mr. Gross stated light vehicular service did not allow them to sell cars.

Mr. Ivey stated he wanted to be sure it did not turn into a car lot.

Mr. Dowst stated the company had multiple stores throughout the nation and their product was wheels and tires. He stated he did not see them wanting to expand to sell cars.

Mr. Gross stated it was a permitted use in the district but that was not what had been applied for.

Mr. Williams stated it was a duplication of a business a block away. He asked how it related to the future and the Midtown Redevelopment Plan.

Mr. Ivey stated the application was submitted and was not what they wanted on the corridor. He stated the Board would have to push the prohibited use list in Midtown because those types of businesses did not provide jobs.

Dr. Jamison stated at the current time, they could not prohibit anything.

Mr. Ivey stated the Commission would have to place a moratorium on those types of businesses coming into the district and that was the only way items could be prohibited that did not comply with the Master Plan. He asked Mr. Gross if that was correct.

Mr. Gross stated yes. The Commission would have to adopt a moratorium by ordinance.

Mr. Ivey stated that the business did not provide jobs and was not the type of business needed in the community but the application had been submitted.

Ms. Symonette asked if the Board could ask the Commission to put a moratorium in place.

Mr. Ivey stated yes they could do that as a Board. He stated he would ask Commissioner Reed to come up later in the meeting to discuss the item.

Mr. McGee stated that each of the items that the Board had approved on ISB had been auto for the past 2 to 3 years. He stated he was happy to have them even though they did not fit.

Mr. Dowst stated the business was a national chain and the building was on ISB and vacant and they should try to get rid of empty buildings. He stated there would be jobs associated with the site in retail and installers. He stated the Master Plan would continue to be refined over time but in the meantime the empty buildings needed to be filled.

Mr. Andrew Groove, RNR Wheels, Operations Manager, stated he would answer any questions the Board might have.

Ms. Cato asked how many jobs would be created with the business and if the employees would be local or from another site.

Mr. Groove stated it was a Florida based company and he would be hiring locally with 6 people to begin with. He hoped the business would grow to 12 full-time employees.

Mr. McGee agreed with Mr. Dowst.

Mr. Ivey stated that behind the building were some homeless so it would move that homeless group away from the area.

Mr. Groove stated there were 8 company locations and it would be the first in Daytona Beach.

Mr. Pierre Lewis, 130 S. Franklin Street, asked if it was the same business as rent a wheels that sells wheels and rims for \$2,000 and the owners pay \$200 per week and charge high interest. He asked if it was a rental place.

Mr. Grooves stated they did rental and retail but the rentals could be returned at any time. He stated they had a high ownership rate and did more tires than wheels.

Mr. Williams agreed that they need to fill vacant buildings but at what cost to the future plan.

Ms. Heard stated they were living in a time of competition. She stated the Board should get with the Commissioners to put a stop to putting automotive in the area that the Board did not want as part of the Master Plan. She stated it was up to the Board to stop it now with the Commissioners and let them know that the Board wanted to go forward with the Master Plan.

Dr. Jamison stated she was not concerned about it being a similar business. She stated the issue was that there were so many automobile related businesses in the area that did not provide jobs locally. She stated she did not want the applicant to feel that they did not want the business but the Board's vision of the community was to diversify. She stated the business did not fit into what they wanted the neighborhood to look like.

Mr. Ivey agreed with Dr. Jamison and stated it involved the perception to the community. He stated he was looking for businesses where they could take their families. He stated the purpose of the Master Plan was to give the community a vision.

Board Action

Ms. Cato made a motion to approve Action Item DEV2012-137, RNR Custom Wheels (955 W. ISB), Minor Site Plan, as presented. Ms. Heard second the motion and it was approved (6-1) with Mr. Ivey casting the negative vote.

11. **Redevelopment Project Updates**

Mr. Bryant stated the Health Fair was held on December 1 with four doctors participating and Wal-Mart offered free eye exams. He stated different screenings were offered from various organizations and rides were provided for the children. A tree lighting ceremony was held with a 25' tree donated by Wal-Mart. Area children made the decorations and decorated the tree and he thanked the committee members that helped him organize the events. He stated 5 banners were up that showed the sponsors of the event. He stated last Saturday was the first Light Up Midtown parade and there were 50 different entries, including 4 bands. He stated the next Saturday there would be a step show, and then a gospel fest on December 22.

Mr. Bryant stated that the City Commission would be presenting plaques on December 19 to the individuals who had the best decorated business and residence.

Dr. Jamison stated that Ms. Cato would be singing at the December 22 gospel fest.

12. Public Comments

Commissioner Paula Reed, 861 Magnolia Avenue, addressed the Board and thanked them for their work. She stated she had met with the Chairman and discussed issues before the Board. She stated she would be meeting with Commissioner Reynolds, her predecessor, to seek leadership. She commended Mr. Bryant and his committee for their efforts organizing the Midtown events. She stated there was a prayer walk on Saturday on behalf of the 2 individuals that lost their lives. She stated a church on Segrave Avenue brought the families together.

Mr. Ivey welcomed Ms. Reed, new Zone 6 Commissioner and stated he looked for her assistance in moving the Master Plan forward. He expressed concern about the types of businesses locating in Midtown and hoped that when she talked with Commissioner Reynolds his concerns would be shared.

Ms. Cathy Washington, 937 Lockhart Street, spoke regarding the prohibited use list and stated it was put on the back burner. She stated until it was put into action, they would have similar issues and nothing but automotive businesses up and down ISB which was not what the Board wanted. She commended Mr. Bryant and his committee for the excellent events that were put together for Midtown.

Mr. Pierre Lewis, 130 S. Franklin Street, commended Mr. Bryant for the work he did on the events for Midtown and the Board for the work they were doing to improve Midtown. He asked if it was legal for a community or a CRA to say to someone who was developing in the area that they must find people from the area to work in their businesses.

Mr. Ivey stated that when someone was dealing with government, the government could put certain requirements in a government contract but as an individual business you could not tell the business who can or cannot be hired. He stated a lot of businesses would give the members of the community an opportunity if they were qualified.

Mr. Gross agreed with Mr. Ivey. He said what you can do as an economic development tool was very general and as an example, you can prefer industrial uses as opposed to retail because they offered better paying jobs. He stated the City had an economic development tax abatement program and the abatement was for businesses that brought in certain types of jobs. He stated the Land Development Code could be set up for certain types of uses.

Mr. Ivey stated that he would like Mr. Lewis to attend the next workshop with PMG. He stated that would be a good time to ask questions to determine what could be placed in the code.

Ms. Cato asked if the wireless situation was resolved.

Mr. Lewis stated nothing had been done.

Mr. Ivey stated he was working on it and he had requested a meeting with Paul McKitrick.

Mr. Lewis stated if internet was available, people could do job searches. Internet access was important to the community.

13. Board Comments

Mr. McGee stated they should start looking toward what they thought should be in those 5 sub-neighborhoods and begin to get a picture of the real estate. The configuration of properties needed to be determined for business centers and bus stops and common things that were needed within a 5 minute walking range.

Mr. Williams commended Mr. Bryant on the events he had coordinated and stated he had heard many positive comments. He stated that sometimes governments could offer incentives to employers.

Dr. Jamison informed the Board that her youngest son was graduating from UCF with a Masters Degree.

Ms. Cato stated it had been a very hard year. She commended Mr. Berger, Mr. Bryant and staff for the support they provided to the Board. She thanked Ms. Washington for the information she provided and Mr. Shanks for his assistance. She congratulated Ms. Reed on her election to the City Commission. She urged the Board to stand firm on what they would like in Midtown.

Ms. Symonette stated she had learned a lot being on the Board and looked forward to continuing. She stated she was very pleased with all the events held in Midtown.

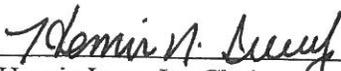
Ms. Heard stated light up Midtown was wonderful. She stated Custom Works on ISB would be setting up during Bike Week in March from 8:00 a.m. to 8:00 p.m. She stated the Chamber was considering extending Biketoberfest to 10 days.

Mr. Ivey thanked the Board for a good year. He stated the Board had been very supportive throughout the year and they had had great discussions and workshops. He thanked Mr. Bryant for his support of the Board. He stated he appreciated Mr. Berger allowing Mr. Bryant the time to coordinate the events. He stated the Master Plan was their future and was a great guide.

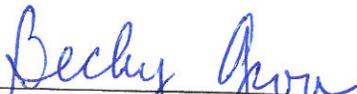
Mr. Ivey wished Mr. Gross, Mr. Bryant, and Ms. Heard a Happy Birthday. He presented a letter written by his daughter that she asked be shown on television.

14. **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 8:00 p.m.



Hemis Ivey, Jr., Chairman



Becky Groom, Recording Secretary