

**MIDTOWN REDEVELOPMENT BOARD
MINUTES OF THE
REGULAR MEETING
Tuesday, December 10, 2019**

The regular meeting of the Midtown Redevelopment Board was held Tuesday, December 10, 2019, at 6:00 p.m. in the City Commission Chambers, Daytona Beach City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members Present

Mr. Pierre Louis, Chair
Mr. Tony Barhoo (Planning Board appointee)
Mr. Alphonsa Bush
Ms. Terica Charles
Mr. Danny Fuqua

Board Members Absent

Ms. Kenya Ford
Ms. Tangela Hardy

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Mr. Charles Bryant, Redevelopment Project Manager
Mr. Ben Gross, Deputy City Attorney
Capt. Scott P. Goss, Daytona Beach Police Department
Ms. Sara Kirk, Neighborhood Services Inspector
Ms. Becky Groom, Board Secretary

1. Call to Order

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

2. Roll Call

The roll was called and attendance was noted as stated above.

3. Invocation

Mr. Bush gave the invocation.

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

Mr. Fuqua led the Pledge of Allegiance.

5. **Approval of Minutes for Meeting of November 12, 2019**

A motion was made by Mr. Bush, seconded by Ms. Charles, to approve the minutes of the Regular Meeting of November 12, 2019, as presented. The motion carried (4-0).

6. **Staff Reports**

Police Department

Jakara Young, Deputy Chief of Police, wished the Board a happy Holiday season.

Capt. Scott Goss stated the monthly report was included as part of the packet. Capt. Goss stated the Midtown area was affected by recent shootings and the crimes were not related. Capt. Goss stated the traffic situation on Dr. Martin Luther King Blvd. have been addressed and the street is more passable. Capt. Goss stated the police department will have a presence at the Senior Prom on December 13, 2019.

Mr. Barhoo asked if the holiday season will affect staffing.

Capt. Goss stated Tanger Outlets hires additional staffing as does Volusia Mall. Capt. Goss stated over 80% of the thefts are from unlocked vehicles.

Mr. Bush thanked the department for all they do.

Mr. Fuqua thanked the department for the work they do and for addressing issues brought to their attention by the Board. Mr. Fuqua asked if the Department has considered using lifts to observe an area for violations.

Capt. Goss stated the problem with lifts is that it would have to be staffed but he will look into it. Capt. Goss noted most areas are covered by video cameras which is very effective.

Capt. Goss stated there was a neighborhood association meeting in Midtown last night and the department is working to revitalize those meetings. Capt. Goss stated the meetings are the second Monday of every month at the Midtown Center.

Ms. Charles asked if there is an increase in suicides during the holiday season.

Capt. Goss stated the holiday season is a stressful time for many people and there is an increase in domestic situations and suicides during the holiday period.

Mr. Louis asked if there is a recruitment plan for the Midtown area.

Capt. Goss stated recruitment efforts are listed on the Facebook page and the department is represented at job fairs and other events throughout Central Florida.

Code Enforcement

Sara Kirk, Code Enforcement Inspector, presented the report which was included as part of the packet. Ms. Kirk stated during November, the Code Walk was in Midtown.

Ms. Charles stated peeling paint seems to be the most frequent violation. Ms. Charles asked if a time is allowed for owners to address concerns regarding yard maintenance and overgrown lots before fines accrue. Ms. Charles stated she provided a list of non-profit organizations to Mr. Bryant that are willing to work to address Code Enforcement violations. Ms. Charles stated she would like to see community involvement in these areas.

Ms. Kirk stated the height of overgrown lots is judged by visual appearance.

Mr. Fuqua stated Midtown does need to be cleaned up. Mr. Fuqua stated he does not know if the Board should direct Mr. Bryant to become involved with non-profit groups. Mr. Fuqua stated a non-profit could be working at an individual's home as requested by the city, and if there is an issue, there could be a problem for the city.

Ms. Charles stated at the last Midtown meeting, Mr. Bryant requested the list of non-profit groups that would be willing to assist in addressing Code Enforcement violations.

Mr. Bush stated it would be helpful if the Board members could direct individuals to non-profits for assistance or to make them aware of grants that are available. Mr. Bush stated a resource book could be created and that item could be discussed at a workshop.

Mr. Barhoo stated he asked for a report on code violations throughout the city and has not received that information. Mr. Barhoo stated he feels many of the code violations are tedious and nit-picking. Mr. Barhoo asked

how long a code case is open before fees are accrued. Mr. Barhoo stated often individuals may be waiting for specific contractors to do the work that is needed; and based on the contractor's work schedule, it may be a while before an issue can be addressed.

Mr. Charles stated it creates a liability for the city to refer individuals to businesses who may address their code violations. Mr. Charles stated a pamphlet of information on vendors could not be prepared by staff since it may appear the city is making recommendations on vendors.

Ms. Kirk stated most times, fines do not accumulate unless there is no response from the property owner to the notices of violation.

Mr. Fuqua suggested a Citizens Task Force be put together with a volunteer list and code enforcement issues could be addressed through that group.

Mr. Louis stated representatives of the task force could attend the Code Enforcement meetings to know where their assistance could be used. Mr. Louis stated available grants are listed on the city's web page but suggested there should be mini-grants available for items that may only cost around \$500.

Capt. Scott Lee, Daytona Beach Police Department, stated he oversees Code Enforcement. Capt. Lee stated Code Enforcement cannot be the enforcement mechanism and the solution; however, the Code Enforcement Officers do try to work with individuals to resolve situations and do contact Mr. Bryant for assistance. Capt. Lee stated there appears to be a feeling that the Code Enforcement department works one zone over another and that is not the case. Capt. Lee stated he will address Mr. Barhoo's request and compile a listing from the Code Walks and will provide the statistics from that data. Capt. Lee stated most Code Enforcement violations are a result of complaints from the community. Capt. Lee stated 85% of the complaints are erroneous complaints or the violator quickly comes into compliance.

Mr. Louis suggested the creation of a Junior Code Enforcement Team to help address Code Enforcement concerns. Mr. Louis stated such a group could mow lawns or paint houses.

Mr. Barhoo stated he has been calling the city about a pothole and has had no response.

Capt. Lee stated he will look into Mr. Barhoo's concern about the pothole if Mr. Barhoo will provide him with the information.

Mr. Louis reviewed the By-Laws and functions of the Midtown Redevelopment Board as are outlined in the Land Development Code.

Ms. Charles asked if there is no other business being presented to the Board, could the Board meet to discuss the Midtown Master Plan.

Mr. Berger stated yes.

Ms. Charles stated she would like a commitment from the Board that if there is no other business, she would like to meet to discuss the Midtown Master Plan so the Board can work to redevelop Midtown.

Mr. Louis stated yes but the Board would have to work with staff so information can be prepared for the meeting.

Mr. Bryant stated he feels such a discussion would be best for a workshop.

Mr. Louis stated he has been on the Board two years, and the Board has not addressed the items outlined in the Midtown Redevelopment Plan.

Mr. Barhoo stated he feels the Board needs to be more focused on what it is doing and a workshop would be appropriate.

Mr. Fuqua stated he agrees that a workshop should be held.

7. Rezoning to Planned Development-Redevelopment (PD-RD) – AAA Fence, DEV2019-002

Staff Presentation:

Reed Berger, Redevelopment Director, presented the staff report which was included as part of the packet. Mr. Berger stated this is a request to rezone 3.54 acres of land located at 801 Orange Avenue from Redevelopment Midtown-Neighborhood Transition Mixed Use (RDM-5 and Single Family Residential-5 (SFR-5) to Planned Development-Redevelopment (PD-RD) to clarify the allowable uses on the property and provide for additional buffers adjacent to residential areas. Mr. Berger stated the original property for this business was located west of Lockhart and has expanded to the property on the east side of Lockhart.

Mr. Berger stated there are several issues at the site, including consistency with city plans; stacking of containers at the southeast corner of Lockhart and Orange and a dust free surface that is capable of handling the weight; maintaining existing uses; fencing of landscaping of perimeter; signage; and parking on the street.

Mr. Berger stated the proposed rezoning is consistent with City plans. Mr. Berger stated the property was rezoned from Business Warehouse (BW) and Business Automotive (BA) to Planned Development-Redevelopment, and not RDM-5 as is stated in the staff report. Mr. Berger read the proposed text amendment to the Land Development Code that would address the area where the containers are located. Mr. Berger read for the record the list of permitted uses as well as accessory uses. Mr. Berger stated landscaping modifications are proposed as part of this request as well as fencing and signage. Mr. Berger stated the applicant has requested a waiver for off-street parking where the vehicles back onto the street.

Applicant Presentation:

Jessica Gow, Cobb & Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Ms. Gow stated she worked with city staff to address the variance issues. Ms. Gow stated the increased fence height will provide a buffer as well as screening of the business operations.

Mr. Barhoo asked about traffic in and out and if the traffic from the business will tie up the streets. Mr. Barhoo asked if there were any concerns expressed at the neighborhood meeting. Mr. Barhoo stated he is pleased to see a local business grow and supports the request.

Ms. Gow stated no one attended the neighborhood meeting. Ms. Gow stated she worked with Public Works on the traffic issues and dust containment and so far there have been no traffic issues. Ms. Gow stated the area where vehicles back into the right of way will be enhanced and hopefully the overall property will be improved as a result of this process.

Mr. Fuqua stated he is in favor of the improvements and expansion but has a concern about the chain link fence. Mr. Fuqua stated when Orange Avenue was redone, chain link fences were removed and there was a lot of money spent to improve that area.

Ms. Gow stated as indicated on the plans submitted, the chain link fencing is restricted and a lot of vinyl fence will be used.

Lauren Adams, Landscape Architect, Zev Cohen & Associates, stated the chain link fence is limited to the ingress/egress access points. Ms. Adams stated the chain link fence is being used in those areas for visibility for people going in and out of the site as well as for visibility by Law Enforcement into the site.

Mr. Louis stated he had concerns about the chain link fence but appreciates the clarification. Mr. Louis expressed concern that his property is visible from AAA Fence but he was not notified of the neighborhood meeting.

Ms. Charles asked if the residents of the Housing Authority were notified of this action since they will be the ones affected by this. Ms. Charles stated she would have liked to have seen extra effort made to notify the residents of the Housing Authority about the meeting since many of them do not understand government and public notices.

Mr. Berger stated typically such information is passed along from the landlord to the tenant.

Ms. Gow stated the mailings are only sent to the property owners of record but the property is also posted with the information concerning the rezoning.

Mr. Fuqua stated he would like to see the applicant meet the same requirements as others along Orange Avenue and use a product other than chain link fence.

Mr. Louis stated he feels there should be a product used other than chain link fence.

Ms. Gow stated the types of fencing included in the plans are black chain link and vinyl but an option could be chain link fencing with slats inserted but the main type used on this project is vinyl.

Public Comments:

Sandy Murphy, 136 Park Avenue, Daytona Beach, Florida, stated this is a fence company request and they should have the ability to provide fencing other than chain link. Ms. Murphy stated she would encourage the board to request the applicant to use fencing that is consistent with what is in place in other areas of the neighborhood and use other options for securing the property. Ms. Murphy stated the fencing should be consistent with the requirements of the Redevelopment Area.

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida expressed concern that there are not links to the back-up material at the city's website for agenda items. Ms. Ruby stated allowing a fencing company to use chain link fence in a Redevelopment Area is short sighted.

Board Action:

A motion was made by Ms. Charles, seconded by Mr. Fuqua, to approve Rezoning to Planned Development-Redevelopment (PD-RD) – AAA Fence, DEV2019-002, in accordance with the staff report as presented, subject to the additional condition that the proposed chain link fencing be replaced with more attractive fencing. The motion carried (4-0).

8. **Project Updates**

Charles Bryant, Redevelopment Project Manager, presented the report which was included as part of the packet. Mr. Bryant stated the Senior Prom is planned for Friday night, December 13, 2019 and 450 tickets have been sold for the event. Mr. Bryant stated the Holly Jolly Christmas Parade is planned along Beach Street for Saturday, December 14, 2019.

Mr. Bush thanked Mr. Bryant for the work he does for the city.

Mr. Fuqua thanked Mr. Bryant for all he does.

Ms. Charles thanked Mr. Bryant for what he does and thanked the citizens in the audience for attending this evening's meeting.

Mr. Louis thanked Mr. Bryant for all he does.

9. **Public Comments**

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida, stated there is a plant growing from underneath 210 Dr. Martin Luther King and should be removed since it is obstructing the sidewalk. Ms. Ruby stated she looks forward to a workshop regarding the Midtown Master Plan. Ms. Ruby asked the source of funding for the Martin Luther King project.

Mr. Berger stated there are about 6 or 7 sources, including CRA money.

Dixie Morgese, 97 Treasure Lane, Ormond Beach, Florida stated she is the Executive Director of Healthy Start Coalition in Volusia-Flagler Coalition. Ms. Morgese stated there are programs through Volusia County that could assist individuals with home repairs. Ms. Morgese suggested citizens contact 2-1-1 for United Way to seek assistance when needed. Ms. Morgese stated anyone can walk into the center at the Health Department and apply for food stamps or other needed services.

Ronald Richardson, 201 S. Martin Luther King Blvd., Daytona Beach, Florida talked about the construction at the corner of Martin Luther King and Magnolia. Mr. Richardson stated he owns the car wash at the corner and dust from the construction is hurting his business. Mr. Richardson

stated the road is open but there is no signage to direct people to the area businesses.

Ronald Smith, 204 Dr. Martin Luther King Blvd., stated he owns a business at 204 Martin Luther King. Mr. Richardson stated on Main Street and on Beach Street, pavers were placed to the buildings along the streets and he feels pavers should be installed from the business area of Orange Avenue to International Speedway Blvd. Mr. Smith stated the same rules should apply for all areas and the entire city should be beautified, not just specific areas.

10. **Board Comments**

Ms. Charles stated Midtown does not receive as much tax dollars as other areas since Midtown has more churches and non-profits that do not pay taxes. Ms. Charles suggested some of the churches may want to sell some of their properties in order to put the property back on the tax rolls.

Mr. Fuqua thanked the residents for attending tonight's meeting. Mr. Fuqua stated he is in support of churches having a for-profit to help generate taxes for the city. Mr. Fuqua stated he would not support recommending that the churches sell their land in order to put the property back on the tax rolls.

Mr. Bush asked what determines the amount that is used in each zone for infrastructure repairs.

Mr. Berger stated he does not have any idea how money is allocated through a political zone. Mr. Berger stated the City Commission reviews a list of projects through the budget process and that is where priorities for funding are determined.

Mr. Barhoo stated he takes offense to church properties being sold. Mr. Barhoo stated he feels there should be limits to work being done or better signage to help businesses affected by construction.

Mr. Louis stated the city's website has information on budgeting for various projects. Mr. Louis stated the Martin Luther King project is identified and it clearly states the businesses will remain open and appropriate signage will be in place. Mr. Louis stated many business owners may not agree. Mr. Louis stated a meeting has been set with area businesses to discuss the Martin Luther King project for December 11, 2019 at 3:00 p.m. at Soul Food's Restaurant.

11. **Adjournment**

There being no further business, the meeting was adjourned.



Pierre Louis, Chair



Becky Groom, Board Secretary