

**REGULAR MEETING
LOCAL PLANNING AGENCY (PLDRC)
CITY COMMISSION CHAMBERS
January 25, 2010
7:00 P.M.**

MINUTES

CALL TO ORDER: Chairperson Woods

Chairman Woods called the January 25, 2010 Regular Meeting of the PLDRC to order at 7:00 p.m. Members present were Comm. Gary Adams, Comm. Tony Troy, Comm. Mike O'Laughlin, Comm. Ed Blackman and Comm. Ann Nehrig. Also present was City Admin. Don Findell.

APPROVAL OF MINUTES: Minutes of Regular Meeting: October 12, 2009

MOTION by Comm. Adams to approve the minutes of the Planning & Land Development Regulation Commission Regular Meeting of October 12, 2009 as presented. **SECOND** by Comm. Nehrig. **Motion** carried unanimously.

PRESENTATIONS: None at this time

COMMISSION CONSIDERATION:

A) Consideration of Election of Officers for the Planning & Land Development Regulation Commission with a term(s) expiration date of September 30, 2010.

Comm. Blackman announced that effective February 1st he would be resigning from the board. I enjoyed being with all of you and wish you well.

Chairman Woods stated he had fulfilled the maximum terms as Chairman of the PLDRC and, therefore, could not be reelected for that position.

Nomination by Comm. Troy to appoint Comm. Adams as Chairman. Comm. Adams declined the position. Nomination by Comm. Troy to appoint Comm. O'Laughlin as Chairman. Comm. O'Laughlin declined indicating he would be resigning from the board at the end of his term.

Nomination by Comm. Adams to appoint Comm. Nehrig as Chairman. Comm. Nehrig declined the position. Nomination by Comm. Nehrig to appoint Comm. Troy for Chair position. Comm. Troy accepted the nomination. **MOTION** by Comm. Adams to appoint Comm. Troy as Chairman to the PLDRC. **SECOND** by Comm. Nehrig. **Motion** carried unanimously.

Nomination by Comm. Nehrig to appoint Comm. Adams as Vice-Chairman. Comm. Adams declined the position. Nomination by Comm. Blackman to appoint Comm. Negrig as Vice-Chairman. Comm. Nehrig declined the nomination as Vice-Chairman and accepted the nomination as Secretary, nominating Comm. Woods as Vice-Chairman. **MOTION** by Comm. Adams to appoint Comm. Woods as Vice-Chairman. **Motion** carried unanimously. **MOTION** by Comm. Adams to appoint Comm. Nehrig as Secretary. **Motion** carried unanimously.

Comm. Woods handed the gavel to Comm. Troy to preside over the remainder of the meeting.

PUBLIC HEARINGS:

None at the time

COMMISSION DISCUSSION:

A) Continuation of discussion regarding Sidewalk Construction.

Admin. Findell approached the podium for presentation of the sidewalk analysis and to provide overhead projection of maps and material for the benefit of the PLDRC and audience members.

Note: Comm. Roxanne Reid arrived and joined the meeting; 7:15 p.m.

At the previous meeting we discussed the potential for construction of sidewalks this fiscal year using \$23,000 of impact fee funds. We talked about a lot of different sidewalks, but at the end of the meeting we focused on the following list, on which I included an analysis of in your agenda packet: 1) Pleasant Street - Washington Avenue to Ohio Avenue- approximately 660' on the west side of Pleasant is Blake Park, east side is residences; sidewalk could be constructed on either side of the street, but there are, perhaps, less complications on the west side.

Comm. Woods: On that side of the street there is a lot of parking at this time. With a sidewalk there, how would you discourage parking?

Admin. Findell: You would discourage it by advising people they would be in violation of the code.

Admin. Findell: 2) Church Street – Joe Smith Lane to Main Street – approximately 980'. There is an existing sidewalk on the west side of the street. There are minor topographic issues for continuing sidewalk on the west side but it can be done with a minimal amount of aggravation. We would need to coordinate with DOT, as they own part of the r-o-w.

3) Lakeview Avenue – Main Street to Barbe Street – approximately 1680'. The existing sidewalk on the west side of Lakeview extends from Main Street to about 80' south of Barbe. The sidewalk construction on the east side would encounter some potential topographic and vegetation issues.

4) Barbe Street – Lakeview Avenue to Orange Avenue – approximately 1320'. The sidewalk would most likely be constructed on north side of Barbe.

5) Orange Avenue – Barbe to Michigan Avenue – approximately 2200’ sidewalk could potentially be constructed on either east or west side of Orange from Lemon to Barbe, but there are very significant constraints that exist from Lemon to the beginning of the curve at Michigan/Orange Avenue intersection. That is another that would require staking the r-o-w before you could get a feel if you could utilize the north side of the road. The other side would have to be bridged by a boardwalk.

6) Michigan Avenue – Lakeview Avenue to Orange Avenue – approximately 1400’ of sidewalk could be constructed on either north or south side of Michigan from Lakeview to Pleasant. The sidewalk would most likely be constructed on the south side of Michigan from Pleasant to Orange because of the lake on the north side of Michigan.

7) Main Street – Lakeview Avenue to High Street – approximately 1320’. There is a sidewalk that exists on the north side of Main; sidewalk segments exist on the south side of Main in the area of the intersection of Lakeview and Main and Euclid/Main. Sidewalks could be constructed in the remaining areas on the south side of Main Street from Lakeview to High Street, although vegetation removal may be necessary to accommodate a sidewalk along a portion of the Asa Gray Park property.

8) Main Street – Summit Avenue to termination of existing sidewalk east of Church Street – approximately 1200’. Barring r-o-w issues, sidewalk could be easily constructed on south side of Main Street.

9) New York Avenue – Lakeview Avenue to Summit Avenue – is being constructed by the Volusia County as part of the CR 4139 Road Resurfacing Project.

We anticipated the cost of sidewalk construction in the neighborhood of \$25 a foot, so perhaps 1000’ is what the city would have money for. We will not know until we pick a segment. I offer that for your consideration, comments and questions.

Comm. Nehrig: So at \$25 per foot; out of all of this we are only able to have 1000’ of sidewalk; so what we are trying to do is decide which would be the most important area.

Admin. Findell: Yes, or to maximize your use of funds; or consider dividing it into a couple of small projects that may provide linkage to an existing sidewalk.

Comm. Adams: Are any of these areas major safety areas particularly for children on the way to school?

Admin. Findell: If I was looking at what would have impact in that regard it would be the section along Pleasant Street from Washington to Ohio simply because it is a well traveled route. But, we do not have a large number of children that are walking to school anymore according to the study that Ginger Hoke prepared for Volusia County schools.

Comm. Troy: There is a sidewalk that goes down King Street that ties into the school.

Lou Benton, Lake Helen approached the podium: My opinion is that on Main Street, I would not spend the money because the developers there got to put sidewalks in. That issue came up a

while ago. The most hazardous street would be on Michigan from Pleasant around the bend to Orange. I believe where the crossover pipe is; the sidewalk can go over the top of it. If you have 1000 ft. I think the cost will be less than \$25 a square foot. But, that is the most dangerous part in Lake Helen.

Comm. Woods: I think the Church Street project completed would be nice. Connected up to Main Street. The eastern section of Main is a high traffic area. It is all built out from Lakeview to High Street. Those would be high value projects and about the right length.

Comm. Troy: Are you talking about tearing out the existing sidewalk on Lakeview?

Admin. Findell: We are talking about putting a sidewalk on the south side. The North side is a County sidewalk. It is my goal to have Volusia County, at some point in time, replace the substandard sidewalk.

Comm. Nehrig: Around the south side of the lake, where Orange Avenue meets with Michigan Avenue; that can't be a regular concrete sidewalk can it?

Admin. Findell: A portion could but you have a swamp in there.

Comm. Nehrig: Is there a r-o-w on the north side? It is very narrow.

Admin. Findell: You have a 40' r-o-w but not any idea where it is until you survey.

Comm. Nehrig: Does concrete cost more than wood? We talked about the south bend; because of the wetland we were talking about wood. Do you know what the price of that would be?

Admin. Findell: Typically it will cost more to construct a wood boardwalk. Laying concrete typically is bulldozing, setting forms and pouring the concrete. In that area you have some engineering issues.

Comm. Nehrig: So many people walk around that area and traffic is not very considerate.

Inaudible audience member

Admin. Findell: Pointed out the swamp at Mike King's property on the overhead projected map. Once you get past that property you go up the hill and have dry land to traverse. Ron Martin has indicated he would dedicate the r-o-w for a sidewalk across his property in the area.

Comm. Troy: For me, the worst area is at the blind corner with all the shrubbery. If you could at least see what was coming... it is the shrubbery that blocks the view

Admin. Findell: What might be a good idea, rather than picking a sidewalk segment, you might want some preliminary survey work done. You can spend the money to do that. The point I am trying to make is this is impact fee money that has to be spent.

Comm. Troy: It makes sense to get a survey of that area.

Comm. Blackman: So, we would recommend to the Commission to have the survey done?

Admin. Findell: Yes, you could.

MOTION by Comm. Blackman to recommend to the City Commission a have a survey prepared of the section of Orange Avenue from Michigan Avenue/Pleasant Street to Lemon Street to determine the viability of constructing a sidewalk and determine the right-of-way.

SECOND by Comm. Nehrig.

Comm. Woods: What about limits on this project? How about from Lakeview to Lemon?

Comm. Blackman: Since you are gathering information probably from Lemon around to Pleasant and then we may need to narrow it down. That is the corner that is the most dangerous in town and everyone loves to take that walk.

Admin. Findell: That is a good approach because you are reasonably sure on Michigan that you have r-o-w available on one side of the road or the other, but once you cross Pleasant it is not so apparent.

Comm. Nehrig: Yes, if we do not do a survey then it is guess work.

Comm. Troy: Can they mark that with rods so if we need to go back in a year we can find them? There are fairly new reference points from the Costa property that was recently surveyed.

The consensus was yes.

Motion carried unanimously.

Admin. Findell: The one thing I did not mention is that New York Avenue was another road we considered. It was a project submitted for stimulus funding. That project is going to be done by Volusia County as part of the resurfacing of #4139.

There was a discussion regarding cost of the survey for the Orange Avenue area.

Comm. Woods: I guess as part of our recommendation is we want this sidewalk to be built?

Comm. Troy: Yes, we are recommending that, even if it is not a sidewalk and we get the right of way cleared and make a safe walking zone.

Admin. Findell: The way to look at it is the work that would be done would be preliminary to the construction of the sidewalk though there is no guarantee that you can construct it after you find out the cost.

Comm. Blackman: I think every area we have talked about is a prime location for a sidewalk. The unfortunate part is we can only do about 15% and of all the places that bend is dangerous and has been communicated to us of many occasions. If it is prohibitive then we can go back.

Comm. Adams This impact money is it just for sidewalks?

Admin. Findell: No the money we are talking about is road impact fee funds which can include road construction and sidewalk construction.

Comm. Adams: Is it feasible to use that money for speed bumps around that curve?

Admin. Findell: It is potentially feasible but it creates its own set of problems some of which is noise related.

Comm. Adams: My thinking is that it has been a longtime problem and for those of us that walk that, that anything we could do quickly to slow traffic down, would be appreciated.

Comm. Nehrig: I have always tried to request having a police car there and set up a speed trap. That is a good place for revenue for the city and it could slow people down. From Barbe to Lemon it is 25mph then 15mph about 100' before the curve all the way to Lakeview, I believe.

Admin. Findell: We have found no evidence that a speed study has ever been conducted to set that speed limit. It is not consistent with state statute and not enforceable in a court of law. State statute says your default speed limit is 30 mph and you can reduce that if you have a speed study, which is what we did on Lake Pearl Drive. So, the sign that is there is somewhat of a deterrent but the 25mph limit is not enforceable.

Comm. Adams: Is there any legal basis that would prevent us putting speed bumps there?

Admin. Findell: Not that I am aware of.

MOTION by Comm. Adams to recommend to the City Commission to construct speed bumps on the curve of Orange Avenue (location as noted in discussion) for safety reasons.

Mr. Benton: That would make the curve more hazardous.

Comm. Adams: Then I would recommend to the City Commission to put the speed bumps before, but not in the curve of the road.

Comm. Reid: Do we not want to wait until after the survey is done to determine where to put the speed bumps if we determine that is what is needed?

Admin. Findell: The survey will define where the limits of the right of way happen to be; even with the location of speed bumps you would want to do a speed study, as well.

Comm. Woods: There is a whole science behind traffic calming and speed bumps are a small part of that. Speed bumps tend to penalize the entire population of a city. Traffic calming can be canopy trees, how you stripe the road, the presence of sidewalks and then enforcement and education are tools to use. Speed bumps usually signal a community has a problem they can't fix and I would be hesitant to use them as there are other techniques to use.

Motion died for lack of a second.

Comm. Nehrig: How will this be presented to the City Commission?

Admin. Findell: It will be an agenda item related to this issue with the recommendation from the PLDRC.

Comm. Nehrig: I was wondering if Chairman Troy would need to do a presentation on behalf of the PLDRC.

Comm. Troy: I am sure Admin. Findell is pretty eloquent but I would be happy to be there if needed.

STAFF COMMENTS/CHAIRPERSON AND MEMBER COMMENTS:

Admin. Findell: I received an email from Matt Grable, who is representing the Bob Williams estate, who advises me he is working on the consent to platting documents from the representative of the estate.

The representatives from the Ivy Hawn Charter School were in the other day regarding their concept plans for moving traffic through that property. What they are proposing to do at this point is to provide ingress/egress from Lakeview Avenue and from Pleasant Street with a 5% grade ramp. The queing inside the property would be the full extent of the parking lot and that will allow maximum use of that area. The site plan will go to the City Engineer for comments. They are also beginning to initiate construction on the interior of the building.

Comm. Woods: Admin. Findell, they are gearing up for a third round stimulus do we have any projects to submit?

Admin. Findell: We are submitting for forestry management grant. I am doing some work on energy efficiency and conservation.

Comm. Woods: Our Main street sidewalk might be a viable project.

Admin. Findell: The problem that Main Street is County road and the County would have to do the engineering specs. I am trying to get them to accommodate the Lakeview sidewalks but I do not know if they will have time to do what is necessary to have it approved. It is ranked for approval, but it is up to the County to do the engineering and survey necessary to certify it. They have a lot of projects county wide.

Comm. Woods: The old building on Lemon Avenue is really falling down. Is there any support to keep it from falling?

Admin. Findell: The City actually had some interest in that at one point about moving the building, but the idea did not receive a good response at the time because of the condition of the building.

Comm. Troy: Our new member is Roxanne Reid and I would like to welcome her to the board.

PUBLIC COMMENTS:

Mr. Benton: A while back the issue came up about the nonconforming building lots,

approximately 21 in town. Don wrote up an ordinance but the word subdivision was put into it and that is why it was rejected by the City Commission. I would like you to go back into that document and take out the word subdivision. We have nonconforming building lots and 1750 sq. ft. is too large and I would like to see about 1200 sq. ft for nonconforming lots that are not attached to any other lot. The city is shooting itself in the foot because nobody wants to put a 1750 on it and we do not get any tax on it. I think you should go over the ordinance and take the word subdivision out and reduce the square footage to 1200 sq. ft. We only have approximately 21 nonconforming building lots. I really think you should look back into it.

ADJOURNMENT

Chairman Troy adjourned the January 25, 2010 Regular Meeting of the PLDRC at 8:20 pm.

Respectfully submitted,

Wendie M. Levings, Recording Secretary