

# Community Redevelopment Agency

210 Sams Avenue • New Smyrna Beach, Florida 32168 • 386-424-2265 • FAX 386-424-2270

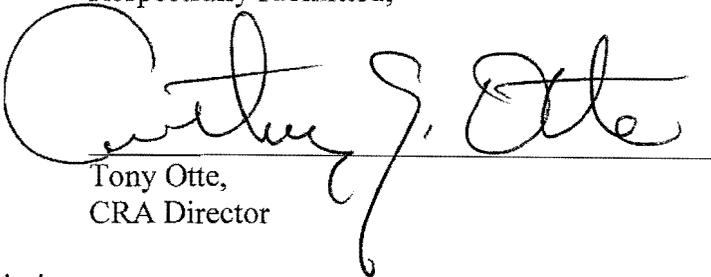
April 2, 2010

## MEMORANDUM

Linda DeBorde, Chair  
Steve Dennis, Vice Chair  
James Kosmas  
Doug Hodson  
Charles Belote  
Cynthia Lybrand  
Thomas Williams

May this serve as your official notification of the **REGULAR MEETING** of the Community Redevelopment Agency to be held on **Wednesday, April 7<sup>th</sup>, 2010 at 2:00 p.m.** The meeting will be held at the **City Commission Chamber, City Hall, 210 Sams Ave., New Smyrna Beach, FL 32168** to discuss the attached Agenda pursuant to Florida Statute 163 and Local Ordinance 23-85.

Respectfully submitted,



Tony Otte,  
CRA Director

cc: Mayor and City Commission  
City Manager  
City Attorney  
Volusia County  
Members of the Press  
Flagler Merchants Assoc.  
Canal Street Historic District  
Public Notice

Attachment

**REGULAR MEETING AGENDA  
COMMUNITY REDEVELOPMENT AGENCY  
WEDNESDAY, APRIL 7, 2010 AT 2:00 P.M.,  
CITY COMMISSION CHAMBERS, CITY HALL, 210 SAMS AVE.,  
NEW SMYRNA BEACH, FLORIDA**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. CONSENT AGENDA**

A. Approval of Minutes – Special Meeting February 17, 2010  
Regular Meeting March 3, 2010  
Special Meeting March 11, 2010

B. CRA Residential Grant Applications – 106 S. Myrtle Ave.  
108 S. Myrtle Ave.

**4. PUBLIC PARTICIPATION**

In accordance with the City Commission Resolution #11-89, a three-minute limitation will be imposed unless otherwise granted by the CRA Commissioners.

**5. PRESENTATION:**

A. New Smyrna Beach UCF Business Incubation Program

**6. OLD BUSINESS**

A. Discussion of Proposed Hotel Deal Points  
B. Change in the Standard Parking Lease

**7. NEW BUSINESS**

A. Form-based Codes Request for Proposal (RFP)  
B. Action Plan for Master Plan Update Implementation  
C. Discussion of New Business Incentives  
D. Call for Entries: 2010 Florida Redevelopment Association (FRA) Awards  
E. W. Canal Streetscape Change Order No. 1

**8. REPORTS AND COMMUNICATIONS**

A. Director's Report  
B. Commissioner Report  
C. Correspondence - Response letter from FDOT pertaining to the FEC/Amtrak Passenger Rail Service

**9. ADJOURNMENT**

Pursuant to Chapter 80-15 of the Florida Sessions Laws, if an individual decides to appeal any decision made with respect to any matter considered at a meeting or hearing, that individual will need to ensure that a verbatim record of the proceedings is made.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the Board Secretary listed below prior to the meeting:  
Claudia Soulie, CRA Administrative Assistant, City of New Smyrna Beach, 210 Sams Avenue, New Smyrna Beach, FL 32168, (386) 424-2265.

# ***CONSENT AGENDA***

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**MINUTES OF THE  
COMMUNITY REDEVELOPMENT AGENCY  
SPECIAL MEETING OF FEBRUARY 17, 2010  
CITY HALL COMMISSION CHAMBERS,  
210 SAMS AVE.  
NEW SMYRNA BEACH, FLORIDA**

8 Vice-Chair Steve Dennis called the CRA meeting to order at 2:00 p.m.

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**Answering to roll call:**

**Steve Dennis  
Doug Hodson  
Charles Belote  
Thomas Williams  
James Kosmas**

18 Also present were Tony Otte, Interim CRA Director; Michelle Martin, CRA Project  
19 Manager; Noeleen Foster, CRA Program Manager; Claudia Soulie, Administrative  
20 Specialist and Mark Hall, CRA Attorney. Chair Linda DeBorde and Commissioner  
21 Cynthia Lybrand were absent.  
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**PUBLIC PARTICIPATION**

In accordance with the City Commission Resolution #11-89, a three-minute limitation will be imposed unless otherwise granted by the CRA Commissioners.

29 Hearing no requests, Mr. Dennis closed the public participation portion of the meeting.  
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**OLD BUSINESS**

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35

A. Presentation: Southeast Volusia Chamber of Commerce Historic Restoration

36 Mr. Otte stated that Mr. Burt Bender with Bender & Associates, P.A. was the Architect  
37 on record for the Chamber of Commerce Building Historic Restoration project. Mr. Otte  
38 continued that Mr. Bender had compiled a Southeast Volusia Chamber of Commerce  
39 Building Restoration Summary, which staff had posted on the CRA's portion of the City  
40 website. The summary contained historic photographs and conceptual ideas for the  
41 restoration of the Chamber of Commerce Building. Mr. Bender thanked the CRA for  
42 their time and elaborated on the Chamber's general condition and his recommendations  
43 for a historical restoration.  
44

45 Mr. Otte stated that the project cost for Phase I (Exterior only) totaled \$574,200. A  
46 Volusia County ECHO grant would cover \$382,800 and the CRA provided matching

47 funds in the amount of 191,400. Mr. Otte elaborated on the construction priorities within  
48 Phase I.

49

50 Mr. Dennis commended Mr. Bender for his thorough research in order to come up with  
51 such a comprehensive report.

52

53 Mr. Kosmas inquired about the reimbursement process. A brief discussion ensued about  
54 reimbursable and non-reimbursable line items and a possible increase in the estimated  
55 budget as the project moved forward. Mr. Bender felt that the Chamber building was a  
56 very sound building.

57

58 Mr. Belote inquired when the original windows were taken out and Mr. Bender felt that  
59 some work was done in the 80's and estimated that those replacement windows were only  
60 about 20 years old. Mr. Bender commented on the pros and cons of demolishing and  
61 replacing versus restoring and preserving historic values.

62

63 Mr. Williams inquired about the building being referred to as the Chamber of Commerce  
64 building and cautioned that this might lead to a public misconception, as other  
65 organizations were using this building as well. Mr. Dennis stated that it was built as the  
66 Chamber of Commerce and felt that this was the only building still being used for what it  
67 was originally built for. Mr. Bender stated that the best use was usually the original use.

68

69 Mr. Otte stated that the Planning staff needed a recommendation from the CRA so they  
70 could move forward and present the summary report to the City Commission.

71

72 **Mr. Kosmas made the motion to accept the Southeast Volusia Chamber of**  
73 **Commerce Building Restoration Summary and authorize staff to move forward in**  
74 **making a presentation to the City Commission, seconded by Mr. Hodson. Motion**  
75 **carried on roll-call vote 5-0.**

76

77 B. Presentation: Riverside Park Improvement Plan

78

79 Mr. Kyle Fegley, City Engineer, stated that the City had a current contract with Quentin  
80 Hampton, one of the City's continuing engineering consultants to design/permit the  
81 replacement efforts for the bulkhead at Riverside Park

82

83 Mr. Fegley continued that this project originally only included improvements to the  
84 bulkhead and the lights, but as other City Departments were giving their input it slowly  
85 evolved to encompass the entire Riverside Park.

86

87 Mr. Fegley stated that staff had received a proposal from Quentin Hampton for \$10,700  
88 to create a Master Plan addressing overall improvements for Riverside Park and was  
89 asking the CRA for financial support.

90

91 Mr. Fegley also mentioned that staff was in the process of securing an additional proposal  
92 from Quentin Hampton for a potential phase consisting of relocating the proposed  
93 mooring fields from Riverside Park to Buena Vista Park and that staff would be back to

94 ask the CRA for financial support. A brief discussion ensued about the pros and cons of  
95 mooring fields, the process of obtaining the necessary permits from various agencies and  
96 the potential costs. Mr. Fegley continued that staff was researching all possible grant  
97 avenues that were available to the City.

98  
99 Mr. Kosmas stated that he wanted to see how the upcoming Redevelopment Plan update  
100 addressed Riverside Park and to give due diligence to the overall scope of the plan before  
101 he made a decision on this item.

102  
103 Mr. Williams would like to see advancements made on the bulkhead/light issue as this  
104 had been ongoing, but would agree with deferring any decision on the overall Park  
105 improvements until after the Redevelopment Plan update was complete.

106  
107 Ms. Foster gave a brief update on prior work and research CRA staff had done in  
108 conjunction with the Utilities Commission in regards to the lights at Riverside Park. Ms.  
109 Foster continued that a decision had been made to hold off on the light replacement in  
110 order to use the allocated funds as matching grant funds. Ms. Foster felt that a decision  
111 should be made soon, as these lights were in serious need of replacement.

112  
113 Mr. Kosmas questioned where the funds for implementation would come from.

114  
115 Mr. Fegley stated that this project could be implemented in phases over several years if  
116 necessary.

117  
118 **Mr. Belote made the motion to defer this item to the March 3<sup>rd</sup>, 2010 regular CRA**  
119 **meeting, seconded by Mr. Kosmas. Motion carried on roll-call vote 5-0.**

120  
121 Mr. Williams asked who had jurisdiction over Riverside Park. Mr. Dennis stated that this  
122 property was owned and controlled by the City.

123  
124 C. Demolition of the buildings on the Dunn Property – 533 Canal St.

125  
126 Mr. Otte stated that the intersection of US 1 and Canal Street was a key intersection,  
127 bringing visitors to the Canal Street shopping area from US 1 and SR 44. Mr. Otte  
128 continued that the CRA owned the property at the northwest corner of the intersection,  
129 formerly used as a lumber yard and still referred to as the Dunn property. The two  
130 buildings on the property were an eyesore and presented a poor vista for visitors. The  
131 code enforcement department had received a quote for the demolition of the building in  
132 the amount of \$10,463.00.

133  
134 Mr. Otte stated that this property had had a phase 1 and 2 environmental assessment and  
135 some contamination had been detected. It was thought that perhaps grant funds could be  
136 used to pay for the demolition of the buildings. Mr. Otte continued that he had discussed  
137 this matter with Margaret Olson of the federal EPA in Atlanta, and she verified that it  
138 may be possible to use grant funds for this purpose; however, those funds must be applied  
139 for which could be a lengthy process. Therefore, staff recommended using CRA funds to  
140 have the buildings demolished as quickly as possible.

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Mr. Belote inquired if this was still within the scope of what the City Commission had approved previously. Mr. Otte said yes.

A brief discussion ensued about removing or keeping the slab as contamination had been found underneath and Ms. Foster stated that the slab could be removed.

**Mr. Belote made the motion to move forward with the demolition, seconded by Mr. Hodson. Motion carried on roll-call vote 5-0.**

Mr. Williams and Mr. Belote commented on the conceptual plan from FDOT addressing proposed improvements to the intersection on US1 and Canal Street and asked that staff keep the CRA updated, as the FDOT plan would utilize a portion of the Dunn Lumber property.

D. Capital Improvements budget in the CRA Plan Update

Mr. Otte stated that he had researched the CRA's Capital Improvement Budget and commented on his findings as they related to current and outstanding projects. Mr. Otte continued that an approved budget had to be inserted into the upcoming Redevelopment Plan update for final approval by the City Commission. Mr. Dennis recognized the City's Finance Director Carol Rogers and Mr. Otte thanked Ms. Rogers for her assistance.

Mr. Kosmas questioned a discrepancy between the estimated capital project funds in the draft plan update and the figure that was derived by Mr. Otte. Mr. Otte stated that during his budget research he discovered some projects that were already in progress but were not listed in the draft plan update and he was informed that they were included in the current FY 2009/10 budget. Mr. Otte continued that he had added the current year budget to the project list, and that the cost for all projects totaled \$26,164.500 instead of the \$21,100.000 originally estimated.

Mr. Dennis stated that he was under the impression that the 3<sup>rd</sup> Ave. Gateway had been removed from the project list. Mr. Otte clarified that this project was not in the recommended funding list.

Mr. Dennis inquired if the City had received any grants pertaining to the purchase of the Esther Street property as the City had promised to return the CRA's matching funds if grants could be obtained. Staff will investigate. Mr. Kosmas felt that the CRA's funds were for improvements and not the purchase of the property. A discussion ensued about the CRA's financial involvement in this project.

Mr. Williams felt that the CRA had a lot of projects on the books and inquired about the steps to extend the life of the CRA as there clearly was a need for that. Mr. Otte stated that the County Counsel would be considering two (2) resolutions in that regard in the near future, which would enable the CRA to go on beyond its sunset date.

188 Mr. Kosmas felt that the top three (3) items on the project list were put there by a  
189 consensus during several meetings and suggested not making any changes to their  
190 position or estimated project cost. Mr. Otte stated that it was the CRA's prerogative to  
191 adjust/amend the budget as they saw fit.

192

193 Ms. Foster felt there were a lot of grants available and suggested hiring a qualified  
194 company to research and secure grants for the CRA.

195

196 The CRA agreed to take \$200,000 out of the Esther Street funds to replenish the Policy  
197 and Partnership budget.

198

199 **Mr. Hodson made the motion to approve the proposed budget update contingent**  
200 **upon \$200,000 being taken out of the Esther Street line item and transferred into**  
201 **the Policy and Partnership line item, seconded by Mr. Williams. Motion carried on**  
202 **roll-call vote 5-0.**

203

204 Mr. Dennis acknowledged Mr. Heist in the audience, who had signaled that he had a  
205 question. Mr. Heist asked if there were any plans to improve the bathrooms at the  
206 Chamber of Commerce Building. Mr. Dennis stated that the current phase only covered  
207 the exterior.

208

209 Mr. Kosmas asked for an update on the funding situation with the SEVHD. Mr. Hall,  
210 CRA Attorney stated that he did not have any updates yet, but anticipated new  
211 information by the March CRA meeting and stated that the Hospital had a regular Board  
212 meeting scheduled prior to the next CRA meeting. Mr. Kosmas inquired if the CRA  
213 could be notified of this Hospital Board meeting. Ms. Soulie noted this request.

214

215 Mr. Williams stated that he had had a conversation with a local business owner in regards  
216 to the proposed overlay district and was informed that there was positive feedback within  
217 the business community supporting this idea.

218

219 Mr. Belote stated that the City Commission had voted on the parking lot lease agreement  
220 for 411 Flagler Ave. at their February 9<sup>th</sup> 2010 meeting and inquired if that topic had  
221 previously been presented to the CRA. Mr. Otte mentioned that this agenda item had  
222 been before the CRA at their August 8, 2009 CRA meeting.

223

224 Mr. Dennis inquired if staff would be able to give the CRA an update on the parking  
225 lease agreement with Cormeth Methodist Church at the March meeting. Mr. Otte stated  
226 that this was a possibility.

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## 228 ADJOURNMENT

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230 A motion was made to adjourn; all agreed. Meeting adjourned at 3:35 pm.

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**MINUTES OF THE  
COMMUNITY REDEVELOPMENT AGENCY  
MEETING OF MARCH 3, 2010  
CITY HALL COMMISSION CHAMBERS,  
210 SAMS AVE.  
NEW SMYRNA BEACH, FLORIDA**

18 Vice-Chair Steve Dennis called the CRA meeting to order at 2:00 p.m.

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**Answering to roll call:**

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**Steve Dennis  
Cynthia Lybrand  
Doug Hodson  
Charles Belote  
Thomas Williams**

36 Also present were Tony Otte, Interim CRA Director; Noeleen Foster, CRA Program  
37 Manager; Claudia Soulie, Administrative Specialist and Mark Hall, CRA Attorney. CRA  
38 Chair Linda DeBorde, Commissioner James Kosmas and CRA Project Manager Michelle  
39 Martin were absent.

40 Mr. Dennis reminded the CRA Commissioners to speak directly into the microphones  
41 and asked everyone to silence their cell phones.

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**CONSENT AGENDA**

A. Approval of Minutes – February 3, 2010

Mr. Hodson made the motion to approve the February 3, 2010 minutes as written,  
seconded by Mr. Belote. The motion carried on a roll call vote 5 – 0.

**PUBLIC PARTICIPATION**

In accordance with the City Commission Resolution #11-89, a three-minute limitation will be  
imposed unless otherwise granted by the CRA Commissioners

Flare Elliott, 421 Canal Street thanked the CRA for their support of the FEC/Amtrak  
project and named other various agencies that had also submitted letters of support.

Ms. Elliott continued that they had received a positive response in regards to the Images  
Festival for the Arts having extended its boundaries along Canal Street. She wanted to  
make the CRA aware that the event committee had also received resistance from some  
businesses on Canal Street and those boundaries may be retracted at the next Images  
event. Ms. Elliott stated that it was proposed to have meetings to address this issue and

48 that a volunteer group was only able to achieve so much. Ms. Elliot felt it would be  
49 helpful to be able to call on the CRA for their assistance. Mr. Dennis stated that the CRA  
50 would be glad to assist.

51  
52 Hearing no further requests, Mr. Dennis closed the public participation portion of the  
53 meeting.

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56 **OLD BUSINESS**

57 A. Arts District Industry Overlay – Update

58  
59 Ms. Gail Henrikson, Chief Planner stated that she had incorporated all the comments/  
60 suggestions that she had received from the CRA Commissioners at their February 3, 2010  
61 meeting as well as the comments/suggestions from the Planning & Zoning Board and the  
62 Historic Preservation Commission into draft regulations and potential district maps. Ms.  
63 Henrikson continued that overall, the members of all three (3) boards were receptive to  
64 the general idea of creating an Arts District and it was the consensus that a proposed  
65 district should be walkable and compact. Ms. Henrikson stated that the highly successful  
66 Village of the Arts in Bradenton was used as an example.

67  
68 Ms. Henrikson asked the CRA for input on creating more than one district, where should  
69 the boundaries be, what kind of businesses would be allowed to open in this district,  
70 signage, parking and hours of operation.

71  
72 Mr. Belote felt that Coffee shops and bakeries might be a little too intensive for a  
73 residential setting.

74  
75 Mr. Williams felt that the area of Washington Street, Rush Street and Orange Ave. would  
76 be conducive to an overlay district, as this area may already be zoned for mixed use.  
77 Also, Mr. Williams commented on a vacant lot behind Images Today and felt that this  
78 could be turned into a parking lot which would further increase the walkability of the  
79 area.

80  
81 Ms. Lybrand felt that there was adequate parking available in the area of Magnolia Street,  
82 Dowling and Rush Street which could minimize the impact of an overlay district. Ms.  
83 Lybrand stressed the need for signage.

84  
85 Ms. Foster made the suggestion to have both sides of the street included in the overlay  
86 district as this had been an issue with the CRA district boundaries.

87  
88 Mr. Hodson stated that he would like to consider more than one overlay district once all  
89 the regulations have been implemented.

90  
91 Ms. Henrikson thanked the CRA for their continued suggestions.

92  
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94

95 B. Review of FDOT Draft Conceptual Plan – US1/Canal Street intersection

96  
97 Mr. Otte stated that FDOT staff in Deland had met with City and CRA staff on several  
98 occasions to discuss a conceptual plan for improvements at the intersection of US 1 and  
99 Canal Street. Improvements at this intersection were part of an overall FDOT effort to  
100 increase capacity on US 1 and Canal Street. Mr. Otte continued that at this point, FDOT  
101 staff was preparing to go forward with getting bids from engineering firms to design the  
102 intersection improvements. CRA staff requested that FDOT make a presentation on the  
103 conceptual plan before the design process began.

104  
105 Mr. Amir Asgarinik, District Transportation Systems Manager, John Fowler and  
106 Christopher Cairns, all with the Florida Department of Transportation were present to  
107 speak on the proposed improvements for the intersection of US1 and Canal Street, which  
108 would add extra turning lanes to US 1 thus enlarging the intersection. The representatives  
109 continued that the draft conceptual plan addressed drainage issues and also called for  
110 several on-street parking spaces to be eliminated. Mr. Asgarinik stated that FDOT had  
111 secured funding for the design and gave a timeline by when design was going to begin,  
112 but funds for construction had not been addressed.

113  
114 Mr. Otte inquired about Oak trees that may have to be removed during construction to  
115 accommodate FDOT's draft concept and asked if they could be replaced with Palm trees  
116 that matched the landscaping further east on Canal Street as part of a project. Mr. Fowler  
117 felt that this could be arranged through a joint participation agreement with the City and  
118 FDOT. Mr. Asgarinik stated that FDOT would indicate this request in their scope of work  
119 and when the time came they would forward the funding request application to the City,  
120 however, the application needed to be approved in order for FDOT to incur these costs.

121  
122 A brief discussion ensued about the need for possible easements from the FEC, the  
123 purpose of the proposed dual turn lanes and interconnecting the traffic signals to the north  
124 and south of US1 and Canal Street to avoid potential grid lock.

125  
126 Mr. Williams felt that this draft conceptual plan would definitely satisfy FDOT's goal of  
127 moving traffic smoother and faster through this intersection, but he cautioned that this  
128 was not in line with the CRA's goal of improving the walkable connectivity between east  
129 and west Canal Street. Mr. Williams asked that FDOT work with CRA/City staff to  
130 come up with the best compromise that would satisfy everyone's purpose.

131  
132 Mr. Dennis inquired about the possibility of a pedestrian walkover to connect east and  
133 west Canal Street. Ms. Lybrand mentioned that school children were also crossing US1 at  
134 that intersection.

135  
136 Mr. Chad Lingenfelter, Chief Planner, commented that pedestrians, bicycles and cars  
137 were using this intersection and that City staff will be working with FDOT to make  
138 accommodations for all modes of transportation. Mr. Lingenfelter thanked the FDOT  
139 representatives for seeking input that early in the design stage. The CRA agreed and also  
140 thanked FDOT for being available to make this presentation and listening to all the  
141 suggestions.

142 Mr. Williams commented on current stormwater improvements for Orange Ave. and  
143 suggested researching how this may affect proposed stormwater improvements for US1  
144 and Canal Street. Also, Mr. Williams asked to have the two (2) Votran bus stops taken  
145 into consideration. Mr. Fowler noted the suggestions and stated that he had tried to  
146 contact Votran for the current criteria for evaluating bus stops to determine the need for a  
147 “bus pull-off” versus stopping in the driving lane.

148  
149 Ms. Foster commented on the fact that this draft conceptual plan required a large portion  
150 of the CRA owned Dunn Lumber property for implementation and cautioned that this  
151 may limit its redevelopment options.

152  
153 Ms. Flare Elliott asked if a copy of the FDOT draft conceptual plan could be made  
154 available at City Hall for public review and if a special section of the City’s website  
155 could be dedicated to this project. Also, Ms. Elliott stated that she was under the  
156 impression that a motion was made at the last CRA meeting to include Pete Sechler with  
157 AECOM in the negotiations. Mr. Otte stated that Mr. Sechler had submitted documents  
158 pertaining to this project and that they were included in this agenda package. Mr. Otte  
159 continued that another scope of work was necessary should Mr. Sechler be asked to do  
160 additional work on this topic. A brief discussion ensued that the motion that was passed  
161 to include Pete Sechler pertained to negotiations for the proposed Hotel on Flagler. Staff  
162 will check into Ms. Elliott’s request. Ms. Elliott felt that the public should be made more  
163 aware of the FDOT project.

164  
165 Mr. Asgarinik stated that he would supply staff with an updated draft conceptual plan for  
166 posting on the website.

167  
168 Mr. Otte commended the FDOT on their willingness to communicate with City and CRA  
169 staff.

170  
171 Mr. Dennis inquired if staff needed any action from the CRA on this agenda item. Mr.  
172 Otte stated that this was only an informational item to receive the CRA’s input.

173  
174 Mr. Otte asked Mr. Lingenfelter to comment on the possibilities of obtaining stimulus  
175 money for “shovel ready” projects. Mr. Lingenfelter stated that staff was working  
176 diligently on securing stimulus funding for a few City projects and commented on the  
177 ones within the CRA district and on how staff was planning to obtain these grants.

178  
179 Mr. Dennis recognized City Commissioners Riker, Hathaway and Grasty, Volusia  
180 Councilman Hayman, Volusia County Economic Development Director Phil Ehlinger  
181 and Mayor Barringer.

182  
183 C. CRA Commercial Impact Fee Assistance Program – Proposed Amendment

184  
185 Ms. Foster stated that the CRA adopted a Commercial Impact Fee Assistance Program in  
186 December 2009 in order to encourage revitalization and enhancement of commercial  
187 buildings and mixed-use opportunities by stimulating investment in the CRA District.

188

189 Ms. Foster continued that upon further review of the guidelines staff recommended the  
190 CRA consider adopting these program modifications.

191

192 1. Tighten up the application time frame to within 30 days of submitting a permit  
193 application or business tax receipt application.

194 2. Occasionally permits are not picked up. In order to avoid paying impact fees for  
195 permits or business licenses that are never paid for, funds should be eligible for  
196 disbursement only when the permit or business license is paid minus the impact  
197 fees.

198 3. Allow payment directly to the City Building Department or a reimbursement upon  
199 submittal of proof of payment of non-impact fees.

200 4. Allow for minor application irregularities if the CRA considers it to be in the  
201 program's best interest to do so.

202

203 **Mr. Hodson made the motion to approve the proposed amendment to the**  
204 **Commercial Impact Fee Assistance Program as noted, seconded by Mr. Williams.**  
205 **Motion carried on roll-call vote 5-0.**

206

207

208 D. W. Canal Streetscape and Drainage Improvements Project – Change Order #2  
209 (Items 2C, 2D, 2F, 2P-MY, and 2P-L)

210

211 Mr. Otte stated that CRA/City staff had met with the Utilities Commission (UC),  
212 Thadcon and the Design Engineer to review the chain of events that resulted in changes  
213 to the original scope of work and how to divide the financial responsibilities of change  
214 order #2 among these groups. Mr. Otte continued that the City had authorized Thadcon to  
215 implement the requested changes, which were completed at the end of 2009; however,  
216 the contractor had not yet received reimbursement. Mr. Otte stated that the discussions  
217 were still ongoing and that this Change order #2 request had been placed on the City  
218 Commission Agenda for their March 9<sup>th</sup>, 2010 meeting, but felt that the Thadcon needed  
219 to be reimbursed immediately.

220

221 Mr. Otte continued that he had received a letter from the UC agreeing to pay \$87,835.41  
222 pertaining to conflict structures yet declining assistance with the other requests for  
223 financial assistance discussed during previous meetings.

224

225 **Mr. Hodson made the motion to approve Change Order #2, seconded by Mr. Belote.**  
226 **Motion carried on roll-call vote 5-0.**

227

228 Once the project will be completed Mr. Williams would like to see a comparison between  
229 the original budget figures for the West Canal Streetscape improvements versus the final  
230 costs. Mr. Otte compared this streetscape project to remodeling an older house versus  
231 building a new one, since you never knew what you might find behind the next wall.

232 Ms. Lybrand inquired about the budget figure for the streetlight poles (item # 2Q) not  
233 being included in change order #2 that was before the CRA today. Mr. Otte stated that the  
234 streetlight pole figure of \$79,907.99 was included in change order #2 that was before the

235 CRA at their January 13, 2010 meeting. Mr. Otte stated that he would have Ms. Martin  
236 clarify this, as she was not able to be present at today's meeting.

237

238 A discussion ensued about which entity made the decision that the electrical services  
239 needed to be moved to the back lot lines and undergrounded. Mr. Otte stated that this was  
240 still being resolved. Mr. Dennis stated that he remembered this being a UC requirement.  
241 Ms. Lybrand felt that this needed to be sorted out before work on the rear undergrounding  
242 on the north side of Canal Street would begin.

243

244 Mayor Barringer stated that he had spoken with Thadcon and agreed that it was  
245 imperative that they receive reimbursement for the work they did. Mayor Barringer  
246 continued that he was told that Thadcon had information to substantiate that the UC gave  
247 the directive for undergrounding of overhead utilities.

248

249 Mr. Resheidat, Assistant City Manager/Public Works Director, felt it was important to  
250 meet with the project Electrical Engineer Paul Estes for further verification and to  
251 reimburse the contractor in the interim.

252

253

254 **NEW BUSINESS**

255

256 A. Impact Fee Assistance Program Application – 113 S. Orange Ave

257

258 Ms. Foster stated that the CRA had received an application from 113 S. Orange Street for  
259 Impact Fee assistance in the amount of \$3,762.41. The CRA approved a Property  
260 Improvement Grant for this property at their February 2010 meeting in the amount of  
261 \$2,847.50. Ms. Foster continued that staff recommended approval of this application and  
262 that the CRA authorize reimbursement upon satisfaction of program criteria.

263

264 **Mr. Hodson made the motion to approve the Impact Fee Assistance Application for**  
265 **113 S. Orange in the amount of \$3,762.41, seconded by Ms. Lybrand. Motion**  
266 **carried on roll-call vote 5-0.**

267

268

269 B. New Smyrna Beach UCF Business Incubation Program

270

271 Ms. Foster stated that on the surface, business incubators were a deceptively simple  
272 concept and that they were put together to help an entrepreneur start a successful business  
273 without the worry of setting up an office, hiring staff, getting a phone and internet, or  
274 even buying furniture. Ms. Foster continued that the incubator offered an intensive  
275 counseling service, series of seminars and access to an expert advisory board of  
276 experienced business people.

277

278 Ms. Foster recommended that the CRA authorize staff to explore a CRA / UCF Business  
279 Incubation Program partnership for New Smyrna Beach with incubator location(s) to be  
280 determined.

281 Mr. Hodson made the motion to authorize staff to move forward in exploring a  
282 CRA/UCF Business Incubation Program partnership, seconded by Mr. Williams.  
283 Motion carried on roll-call vote 5-0.

284  
285

286 **REPORTS AND COMMUNICATIONS**

287

288 A. Director's Report

289

290 Mr. Otte stated that the CRA capital budget was part of the Community Redevelopment  
291 Plan update and that he had discovered the need for additional funds for the West Canal  
292 Streetscape budget. Mr. Otte continued that Finance staff had also tasked City/CRA staff  
293 to provide information on each respective budget by March 15, 2010 for inclusion in the  
294 FY 2010/11 City budget. Mr. Otte suggested holding a special CRA meeting before  
295 March 15<sup>th</sup> to address these items and finalize the budget. The CRA agreed on March 11,  
296 2010 at 2:00 pm.

297

298 Mr. Otte reported on the proposed Amendment 4 and stated that, should it get approved,  
299 it would only affect projects that were presented after its inception and Mr. Otte  
300 anticipated a rush of projects looking to be approved prior to November 2010.

301

302 Mr. Otte continued that the CRA had inquired about the City reimbursing the CRA for  
303 funds contributed to the Esther Street property. Mr. Otte stated that per the Finance  
304 Director the City did not receive the anticipated grant funding, thus no reimbursement  
305 would be made to the CRA.

306

307 Mr. Otte deferred his final topic on County Resolutions regarding CRA's to Mark Hall to  
308 address during this CRA Attorney Report.

309

310

311 B. CRA Attorney Report

312

313 Mr. Hall thanked Volusia Councilman Hayman and Volusia County Economic  
314 Director Ehlinger for attending and continued that the Volusia County Council had  
315 recently adopted Resolution Nos. 2010-18, 2010-19 and 2010-20. Mr. Hall commented  
316 on some reporting requirements included in these resolutions and stated that the CRA  
317 was already complying with those requirements. Mr. Hall continued that copies of the  
318 adopted resolutions would be forwarded to the CRA. Mr. Hall elaborated that Volusia  
319 County now required to be notified of any changes in the CRA's budget as well as being  
320 recognized in print and electronic media as a contributor for CRA projects.

321

322 Councilman Hayman stated that it was discovered that most of the Communities did not  
323 realize that Volusia County contributed millions of tax dollars yearly to various CRA's to  
324 fund improvements in their respective Communities. Mr. Hayman continued that it was  
325 decided to recognize all the contributing agencies as was done for federal projects. Mr.  
326 Hayman also stated that Volusia County was not interested in approving or disapproving

327 CRA budgets and budget changes, but rather they wanted to be assured that their  
328 contributions were being used for the Capital projects those funds were being directed  
329 towards. Mr. Hayman continued that Volusia County would now specify what percentage  
330 of their contribution needed to go to which new CRA project. Mr. Hayman stated that the  
331 Public having access to budget information on each CRA's website was a great tool.

332  
333 A brief discussion ensued about extending the life of the CRA past its sunset of 2015.

334  
335 Mr. Hayman commented on an earlier discussion pertaining to Change order #2 for West  
336 Canal Streetscape in regards to a disagreement between the City and the UC of who  
337 authorized a certain type of work and stated that it was imperative to have a unified  
338 system and planning process. Mr. Hayman felt that businesses wanted to come to New  
339 Smyrna Beach, but were concerned about "getting it passed" the UC.

340  
341 In closing Mr. Hayman stated that one of the entry points for the CRA's and Volusia  
342 County to start partnering could be through Economic Development.

343  
344 Mr. Hall commented that the CRA had authorized him at their February 3, 2010  
345 meeting to sent formal notice to the Southeast Volusia Hospital District's Attorney  
346 demanding payment of their required 2009 contributions to the CRA District. Mr. Hall  
347 continued that no payment had been received as of yet and in order to move forward, the  
348 City had to initiate conflict resolution procedures. Mr. Hall stated that he and the City  
349 Attorney had put together a draft resolution to be considered by the City Commission on  
350 their March 9, 2010 meeting to attempt to resolve this matter before going to Court. Mr.  
351 Hall asked that the CRA assent that this draft resolution be forwarded to the City  
352 Commission for adoption.

353  
354 **Mr. Hodson made the motion to assent that this draft resolution be forwarded to the**  
355 **City Commission for adoption, seconded by Mr. Belote. Motion carried on roll-call**  
356 **vote 5-0.**

357  
358 Mr. Williams inquired if there was consideration of reducing the amount of the SEVHD's  
359 contribution. Mr. Hall stated that the Florida Governmental Resolution Act provided for  
360 the necessary steps to proceed and said that the SEVHD was duty-bound to pay and the  
361 CRA was duty-bound to require payment.

362  
363 Mayor Barringer stated that the CRA may need to be prepared to have to adjust their  
364 budget to not include the contributions from the SEVHD and felt that this was a serious  
365 matter.

366  
367 Ms. Lybrand would like to see an amicable working relationship between the City and  
368 the Hospital District and she commented on benefits that the City was already offering  
369 the Hospital. Mr. Hall stated that SEVHD may be the only district that was actually in a  
370 CRA District.

371  
372 Mr. Belote felt that there was public misconception about the SEVHD's Tax Increment  
373 Financing (TIF) contributions because they were in the CRA District.

374 C. Commissioner Report

375  
376 Mr. Dennis suggested that each CRA Commissioner correspond with Mr. Otte about their  
377 thought of how the CRA properties on Florida Ave should be conveyed to the Developer  
378 of the proposed Hotel on Flagler Ave. Mr. Dennis continued that the PUD and Rezoning  
379 agreements had been passed by the City Commission with a 180 day timeline and Mr.  
380 Dennis suggested having Mr. Otte and Mr. Hall negotiate the key issues on behalf of the  
381 CRA.

382  
383 Mr. Williams inquired if the Developer had stated what they would offer. Mr. Hall  
384 commented that meetings had been held with the Developer and their attorney about  
385 property values and he felt that a suitable price offer could be presented to the CRA at  
386 their regular CRA meeting. Mr. Hall continued that parking arrangements were still being  
387 discussed.

388  
389 Mr. Belote asked to have the methodology listed by which the final price was derived.  
390 Mr. Dennis reiterated that all questions and comments pertaining to the Flagler Hotel  
391 needed to be directed to Mr. Hall or Mr. Otte.

392  
393 D. Correspondence

- 394  
395 1. Images – A festival of the Arts  
396 2. Amtrak Passenger Service Letters of Support  
397

398  
399 Mr. Dennis commented on the correspondence including in the agenda package.

400  
401 Mr. Otte stated that he had received a list from AECOM (fka Glatting Jackson) listing the  
402 cities where all of their program recommendations were currently in operation and he  
403 would have that available upon request.

404  
405 Mr. Dennis recognized Ann Brady from the Atlantic Center from the Arts.

406  
407  
408 **ADJOURNMENT**

409  
410 **A motion was made to adjourn; all agreed. Meeting adjourned at 3:52 pm.**

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16

**MINUTES OF THE  
COMMUNITY REDEVELOPMENT AGENCY  
SPECIAL MEETING OF MARCH 11, 2010  
CITY HALL COMMISSION CHAMBERS,  
210 SAMS AVE.  
NEW SMYRNA BEACH, FLORIDA**

17 Vice-Chair Steve Dennis called the CRA meeting to order at 2:00 p.m.

18  
19  
20  
21  
22  
23  
24

**Answering to roll call:**

25  
26  
27  
28  
29  
30  
31  
32  
33

**Steve Dennis  
Doug Hodson  
Thomas Williams  
James Kosmas**

34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

Also present were Tony Otte, CRA Director; Claudia Soulie, Administrative Specialist and Mark Hall, CRA Attorney. Chair Linda DeBorde, Commissioners Cynthia Lybrand and Charles Belote as well as CRA Project Manager Michelle Martin and CRA Program Manager Noeleen Foster were absent.

45  
46  
47

Mr. Dennis announced that former Interim CRA Director Tony Otte had accepted the position of CRA Director. A round of applause ensued.

**PUBLIC PARTICIPATION**

In accordance with the City Commission Resolution #11-89, a three-minute limitation will be imposed unless otherwise granted by the CRA Commissioners.

Hearing no requests, Mr. Dennis closed the public participation portion of the meeting.

**OLD BUSINESS**

A. Riverside Park Improvement Plan – Scope of work

Mr. Otte stated that the Riverside Park project was included in the list of fundable projects in the Community Redevelopment Plan update and that, in addition to the reconstruction of the seawall and floating docks, City staff wished to have a plan developed for improvements to the entire park area. Mr. Otte continued that funds were allocated in the capital budget. Mr. Otte stated that City staff was in the process of trying to obtain possible grants and was asking the CRA fund a Scope of Services and Fee Estimate for a Riverside Park Master Plan from Quentin L. Hampton (QLH) in the amount of \$10,700.

Mr. Hodson made the motion to approve the Scope of Services and Fee Estimate for a Riverside Park Master Plan from Quentin L. Hampton in the amount of \$10,700, seconded by Mr. Williams. Motion carried on roll-call vote 4-0.

48 Mr. Williams inquired if there were any indications of what the plans were for Riverside  
49 Park. Mr. Dennis felt that QLH was going to come up with a design and Mr. Otte agreed  
50 with that statement.

51

52 B. Capital Improvements budget in the CRA Plan Update

53

54 Mr. Otte stated that the CRA approved the capital improvements budget to be included in  
55 the CRA plan update at their special meeting on February 17, 2010 and that it was later  
56 discovered that the amount of funding allocated for the West Canal Streetscape project  
57 did not account for all of the change order amounts. Mr. Otte continued that in addition,  
58 some funding that was taken from the operating budget needed to be restored to cover  
59 costs that were unanticipated when the budget was approved last September.

60

61 Mr. Otte stated that the focus was on adjusting the capital budget to be included in the  
62 CRA plan update and sending this package to the City Manager's office no later than  
63 March 25 for inclusion on the April 13 City Commission agenda.

64

65 Mr. Otte handed out a revised Capital budget (see attached) to replace the sheet included  
66 in the CRA agenda package and commented that:

67

- 68 • \$400,000 had to be added to the West Canal Streetscape Project to cover change  
69 orders.
- 70 • The cost of the Julia and Faulkner Street parking lot had been reduced to \$5,000  
71 for striping and car stops.
- 72 • \$200,000 had been added to the Development Assistance and Incentives Program.
- 73 • At this time it was not anticipated that funds for the Cormeth Parking  
74 improvements would be needed, so funding had been eliminated.
- 75 • Funding for Washington Street, Esther Street Park and Wayfinding/signage had  
76 been reduced
- 77 • Funding for the Dunn Property Demolition and Landscaping on both the  
78 northwest and southwest corners had been added in the amount of \$65,000.
- 79 • The attached budget sheet had \$200,000 yet to be assigned.

80

81 Mr. Dennis inquired if any of those changes involved the Utilities Commission (UC). Mr.  
82 Otte stated that after a recent meeting the UC agreed to pay a portion of a change order  
83 for the West Canal Streetscape, however, meetings were still ongoing in regards to other  
84 amounts in question.

85

86 **Mr. Hodson made the motion to approve the proposed capital budget for inclusion**  
87 **in the Community Redevelopment Plan update as presented, seconded by Mr.**  
88 **Williams. Motion carried on roll-call vote 4-0.**

89

90 Mr. Otte stated that this budget was based on the receipt of the required contribution from  
91 the SEVHD and cautioned that these figures might be subject to change depending on the  
92 outcome of the recent proceedings with the SEVHD.

93

94 Mr. Hall stated that the City Commission had approved the conflict resolution; the  
95 dispute resolution process was moving forward and a joint meeting between the City  
96 Commission and the SEVHD was being sought.

97

98 Mr. Williams suggested having Volusia County pay the SEVHD's TIF directly to the  
99 CRA for the future payments. Mr. Hall stated he would make a note of this. Mr. Dennis  
100 commented that the SEVHD was its own taxing district.

101

102 Mr. Kosmas inquired if the SEVHD was required to make further payments during this  
103 whole process. Mr. Hall felt that the answer would be "no" and commented on the non-  
104 payment penalty still accruing but that he would check with the litigation council to  
105 confirm.

106

107 C. Proposed Flagler Ave Hotel - Update

108

109 Mr. Otte stated that he and Mr. Hall had had very informative and productive conferences  
110 with the Hotel Developer and his attorney. Mr. Otte continued that CRA staff had  
111 scheduled a phone conference with the Developer and Robert Charles Lesser and  
112 Company (RCLCO), who was retained by the CRA to assist in providing an  
113 economic/financial analyses of the proposed financial plan/team related to the hotel  
114 development.

115

116 Mr. Otte continued that he had authorized Heffington and Associates to update their  
117 previous review appraisal of the lots on Florida Ave. to reflect a more accurate fair  
118 market value.

119

120 Mr. Dennis recognized Commissioner Hathaway, City Manager Brangaccio and various  
121 City Staff and Ms. Hercheck from Bert Fish Medical Center.

122

123

124

125 **1. NEW BUSINESS**

126

127 A. Items due to Finance Department for FY 2010/11 Budget

128

129 Mr. Otte stated that there were several items that needed to be delivered to the Finance  
130 Department in order to develop the draft budget for the next fiscal year, which will begin  
131 on October 1, 2010. Mr. Otte continued that staff requested that the CRA choose a  
132 Mission Statement and comment on the list of FY 2010 Accomplishments, Goals and  
133 Objectives and Management Discussion so those documents could be forwarded to the  
134 Finance Department.

135

136 *1. To enhance the economic potential of the New Smyrna Beach Community*  
137 *Redevelopment Area through strategic and timely public investments that*  
138 *advances the competitiveness and attractiveness of the area for the business*  
139 *community, visitors and residents of the City."*

140

141           2. *To maintain and enhance the Retail and Service Centers that are the Character*  
142           *amenity for the Entire City and Surrounding Region. To identify and Implement*  
143           *Public Investments or Policy that will induce quality private investment response*  
144           *in order to reach the desired character and economic potential of the area.*  
145

146 Mr. Hodson suggested Mission Statement number 2 as he felt it was more explicit about  
147 the CRA's goals and all agreed.  
148

149 Mr. Kosmas inquired when the final version of the Community Redevelopment Plan  
150 update would be adopted. Mr. Otte stated that he was planning on having it before the  
151 City Commission at their April 13, 2010 agenda.  
152

153 Mr. Dennis wanted to be sure that representatives from Volusia County and the SEVHD  
154 were notified of any and all CRA meetings. Mr. Otte stated that they were on the list of  
155 agenda recipients.  
156

157 Mr. Dennis inquired if there were any additional comments from the CRA  
158 Commissioners. There being none he submitted the documents to be included in the FY  
159 2010/11 budget.  
160

161 Mr. Dennis asked for an update on CRA Chair Linda DeBorde's condition. Mr. Otte  
162 stated that he had visited her recently and that he felt she was making tremendous  
163 progress.  
164

165 Mr. Kosmas stated that he wanted the CRA to put an emphasis on form-based codes and  
166 to be prepared with broad incentive programs once developers came to the area. Mr.  
167 Kosmas felt that the Badcock building would be greatly suited to house a business  
168 incubation center.  
169

170 Mr. Williams stated that the CRA had authorized staff at the last meeting to explore a  
171 CRA / UCF Business Incubation Program partnership for New Smyrna Beach with  
172 incubator location(s) to be determined. Mr. Otte informed the CRA that representatives  
173 from the UCF Business Incubation Program might be available to make a presentation at  
174 the April 7, 2010 CRA meeting. Mr. Otte continued that he had been in touch with the  
175 Attorney for the Badcock building to remind him of their written commitment to keep the  
176 building clean.  
177

178 Mr. Otte commented that the Chief Building Official was putting together a three-part  
179 ordinance that would speed up the time in which "violators" had to comply with code  
180 enforcement regulations to bring their properties up to the City's requirements. Mr. Otte  
181 stated that focus was put on several properties within the City and the CRA district.  
182

183 Mr. Otte continued that he had been working with City staff in regards to the form-based  
184 codes and that a Request for Proposal was being developed.  
185

186 Mr. Kosmas felt that a pro-active City Commission was in place and he offered his time  
187 and expertise to CRA staff to act as a liaison pertaining to the form-based codes.

188 Mr. Kosmas also commented on the Internet Café business on Canal Street that had  
189 sheets hanging in the windows and felt that this was not representative of what the CRA  
190 was trying to accomplish for Canal Street.

191  
192 Mr. Williams stated that the CRA had received an extensive list from Pete Sechler about  
193 available grants and Mr. Williams would like to see staff or an outside consultant check  
194 into securing those grants.

195  
196 Mr. Williams would also like to see some form of draft contract at the next CRA meeting  
197 between the CRA and the Hotel Developer pertaining to the conveyance of the Florida  
198 Ave. properties. Mr. Kosmas added that he felt strongly about using those properties as  
199 an incentive if this was within the perimeter of the enabling legislation, as the Hotel's  
200 local economic stimulus and its impact on the ad valorem tax base would overshadow  
201 any financial gain the CRA could achieve from selling those properties.

202  
203 Mr. Hall stated that the review appraisal was being updated and RCLCO was brought on  
204 board so that the CRA would be informed and feel confident in coming up with an  
205 informed decision.

206  
207 Mr. Dennis felt that Mr. Hall and Mr. Otte will serve the CRA well. Mr. Williams offered  
208 his services pertaining to the proposed hotel.

209  
210 Mr. Otte gave an update that staff was working diligently on getting the Dunn Lumber  
211 property out to bid for demolition and continued that this was an intricate venture due to  
212 the perceived contamination.

213  
214 Hearing no further comments, Mr. Dennis entertained a motion to adjourn.

215  
216 **ADJOURNMENT**

217  
218 Mr. Williams made a motion to adjourn; all agreed. Meeting adjourned at 2:35 pm.

	fy 09-10	CRA Approved 2/17/2010	Proposed 3/11/2010	Change
<b>Available for capital projects</b>	<b>10,813,644</b>	<b>13,903,562</b>	<b>13,903,562</b>	
capital projects				
West Canal Streetscape	600,000	600,000	1,000,000	400,000
Mary Ave Streetscape	1,900,000	1,600,000	1,600,000	-
South Orange Ave Streetscape	1,200,000	1,200,000	1,200,000	-
Julia and Faulkner parking lot	60,000	50,000	5,000	(45,000)
flagler dunes parking lot	58,000	58,000	58,000	-
chamber restoration project	200,000	200,000	200,000	-
development assistance and incentives	2,500,000	1,495,562	1,695,562	200,000
policy and partnership funding	750,000	200,000	200,000	-
marketing and promotion funding	750,000	500,000	500,000	-
flagler ave boardwalk and park	2,000,000	2,000,000	2,000,000	-
wayfinding and signage	500,000	500,000	300,000	(200,000)
cormeth parking	200,000	200,000	-	(200,000)
Washington street business district	300,000	300,000	300,000	-
Washington street improvements	2,000,000	1,500,000	1,000,000	(500,000)
north Atlantic avenue improvements	150,000		-	-
Esther street park and parking lot	1,200,000	1,000,000	935,000	(65,000)
medical services district improvements	1,000,000	1,000,000	1,000,000	-
flagler avenue and nearby streets parking	1,000,000			-
north causeway improvements	700,000			-
gateway landscaping and beautification *	250,000		65,000	65,000
sr44 crossing treatments	750,000			-
medical district parking	1,000,000			-
riverside park seawall and lighting	1,400,000	1,000,000	1,000,000	-
streetscape canal neighborhoods	1,000,000			-
canal street parking	1,500,000			-
myrtle ave infrastructure project	500,000	500,000	500,000	
sr44 and west canal street gateway	500,000			-
transit subsidy	100,000			-
marina boardwalk expansion	200,000			-
3rd avenue streetscape	500,000			-
water taxi subsidy	100,000			-
3rd ave gateway	500,000			-
mainland splash park	100,000			-
myrtle avenue traffic calming	150,000			-
canal street underground	500,000			-
Julia street parking	0			-
Segways	16,000			-
CRA Parking	0	0	51,400	51,400
Public Art	12,500		13,600	13,600
Contingency			200,000	200,000
Funds reallocated to operating budget			80,000	80,000
<b>TOTAL</b>	<b>26,146,500</b>	<b>13,903,562</b>	<b>13,903,562</b>	<b>-</b>
* Dunn demolition & landscaping				

**CITY OF NEW SMYRNA BEACH  
AGENDA MEMORANDUM  
COMMUNITY REDEVELOPMENT AGENCY**

SUBJECT: 106 S. Myrtle Avenue – Residential Grant Application

AUTHORIZED BY: Tony Otte CONTACT: Noeleen Foster

AGENDA DATE: 4/7/10 REGULAR  CONSENT

**MOTION/RECOMMENDATION:**

Approve the CRA Residential Grant Application for 106 S. Myrtle Avenue in the amount of \$5,000.

NOTE: There is an existing eligibility issue with this application. If this issue is not cleared by noon on Wednesday, April 7, CRA staff will pull this item from the agenda.

---

**BACKGROUND:**

The CRA Residential Grant Application for 106 S. Myrtle Avenue project includes:

1. New tin roof
2. Construct wrap-around porch to provide deck for second-story unit and shaded entry for the lower unit.
3. Paint entire structure
4. Replace window on the SE corner of the upper unit with French door to match door on the lower unit

**FISCAL IMPACT:**

The Property Improvement Grant Fund currently has \$22,959 available. If this grant application in the amount of \$5,000 is approved by the CRA Board there would be \$17,959 remaining in the fund.

# RESIDENTIAL PROPERTY IMPROVEMENT GRANT APPLICATION

Applicant / Property Owner: M. RANDOLPH & SHARON (SHERI) MCHENRY

Applicant/Owner Mailing Address: 1320 S. RIVERSIDE DRIVE

Telephone Number (Business/Home): 386-402-8159, 714-334-9917 (cell)

Social Security Number or Federal I.D. Number: 49044-8804<sup>(R)</sup>, 539-40-2282<sup>(S)</sup>

Property Address (property for grant): 106 S. Myrtle

Description of Project: (see attached)

Estimated Construction Time and Completion Date: 8 weeks

Project includes the following improvements by price: (see attached)

- 1) replace roof with old style Florida, metal roof \$5,000
- 2) construct wrap around porch \$5,000 + \$1,000 paint, seal  
trim
- 3) \$500 engineering - architectural fees  
(Continue on another sheet if necessary)

Check List:

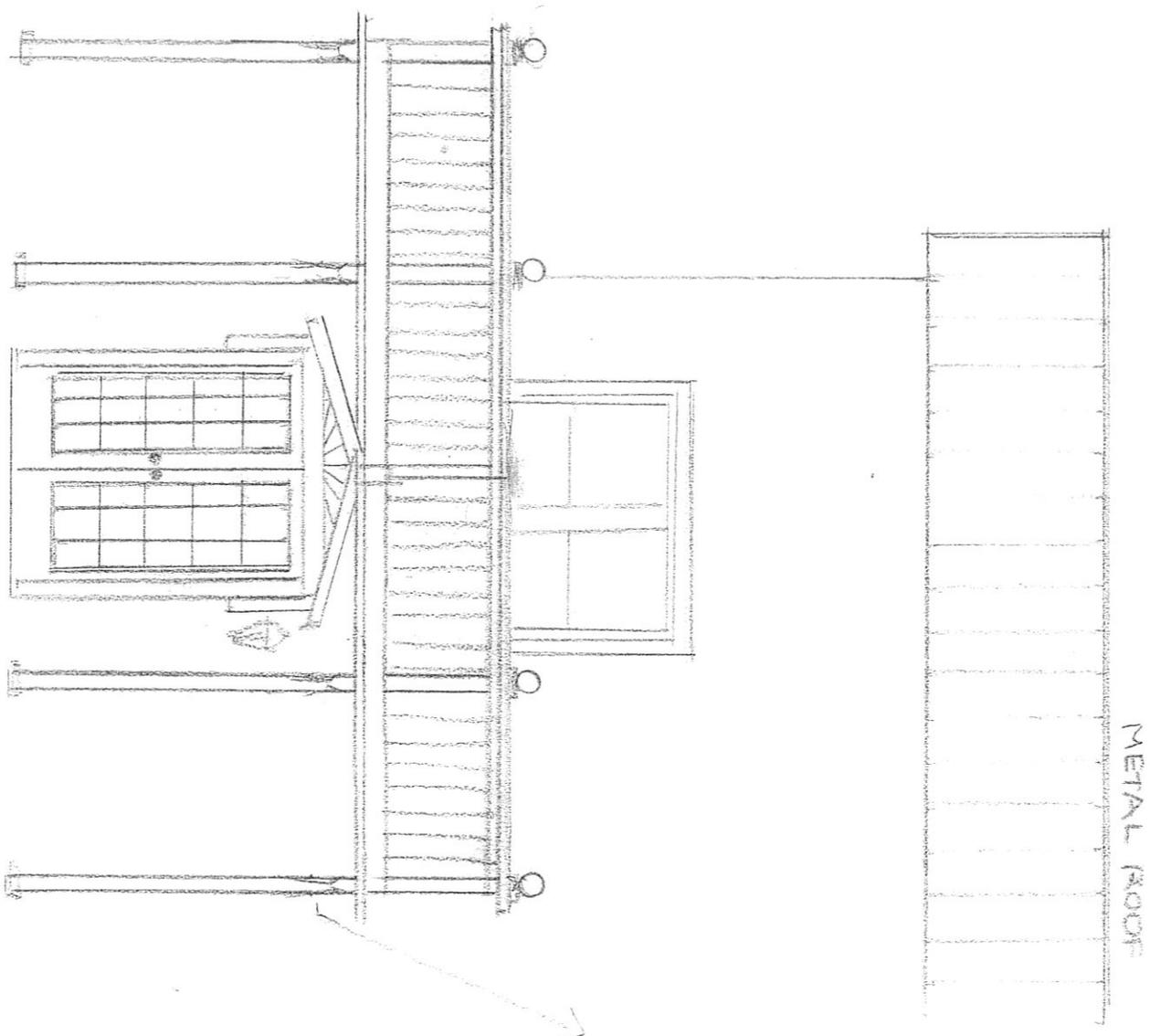
- Completed application form
- Two estimates for materials and/or professional labor
- Applicant does not owe the City any money
- Photographs of the existing building (all sides to be improved)

I have read and fully understand the Residential Grant Application and agree to comply with the requirements of the grant and provisions of Chapter 50 of the City Code.

Applicant Signature: Shari McHenry Date: Mar. 30, 2010

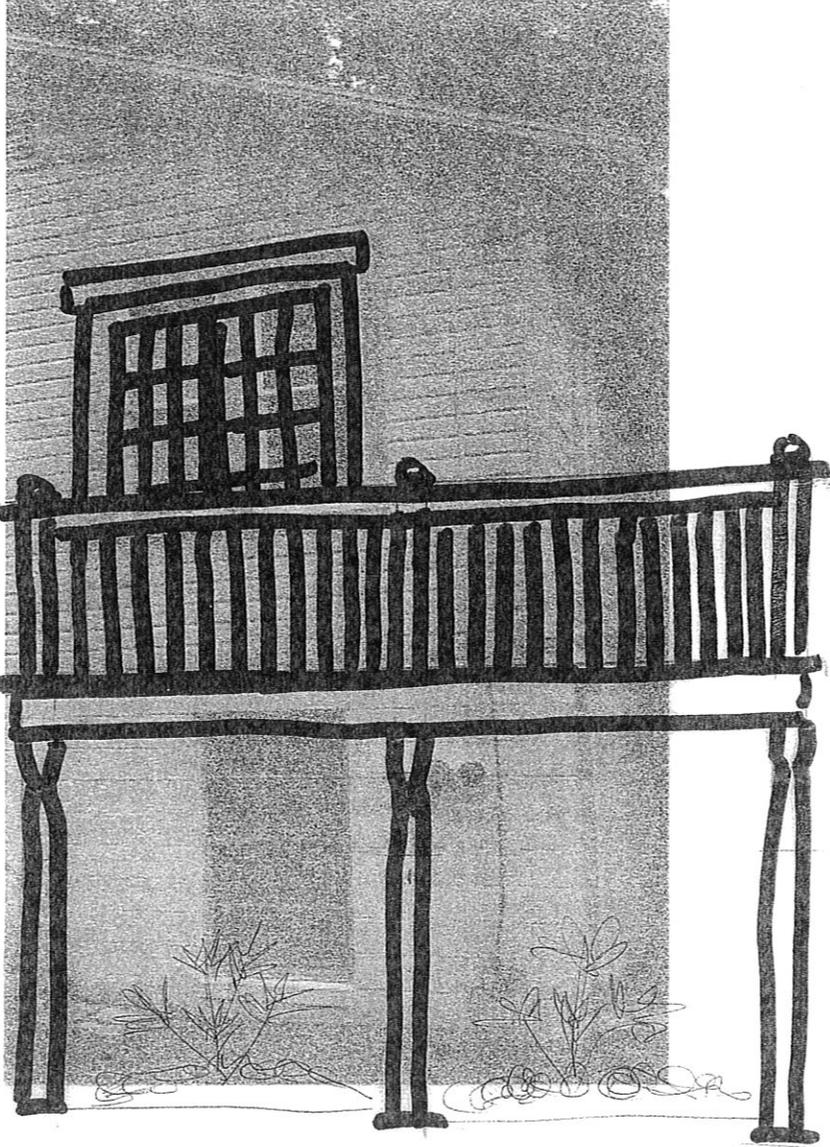
Application Received By: Sharon Foster Date: 3-30-10

CHARLIMINZAR WATERCH

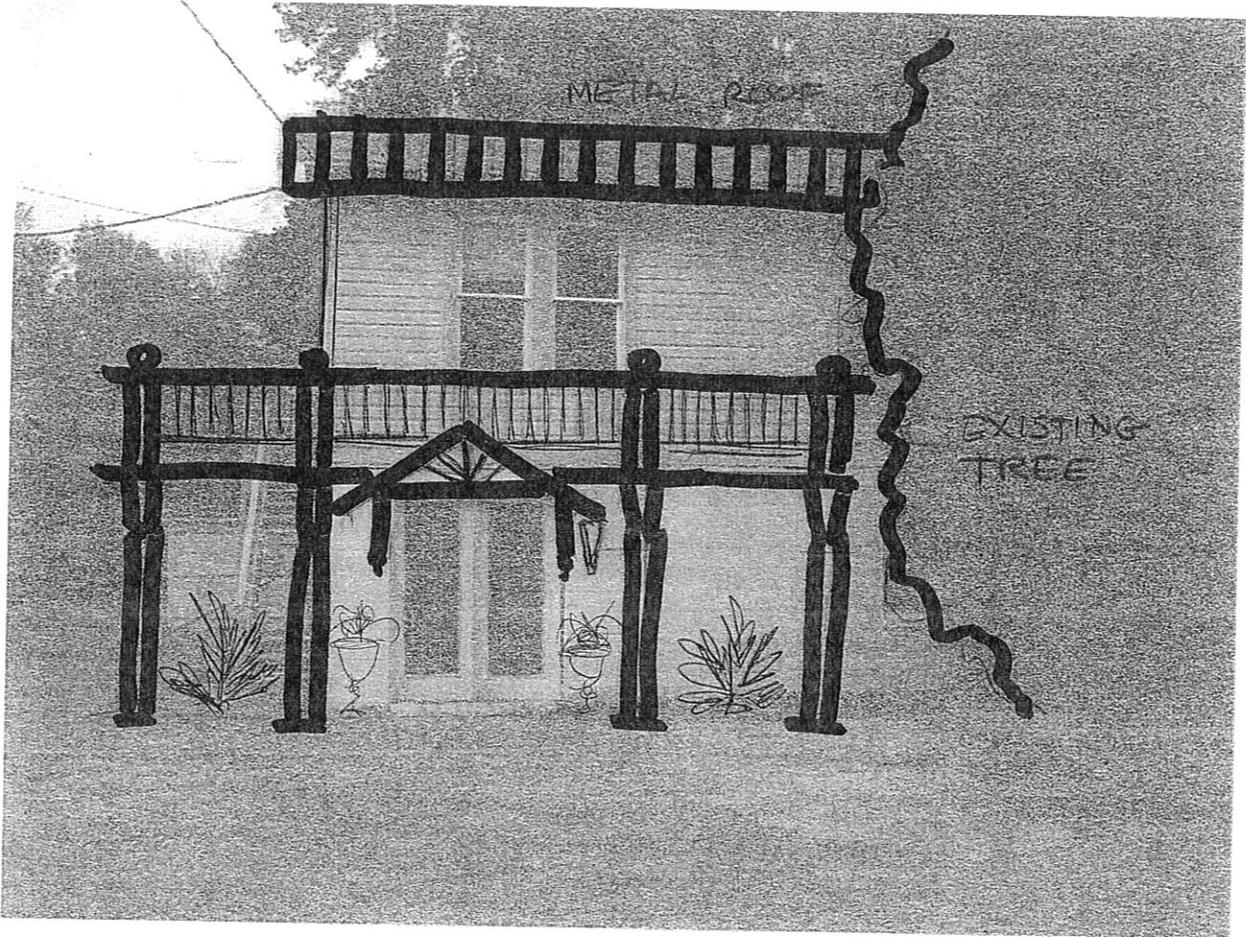


NOTCHED  
POST DETAIL

SIDE PORCH & FRENCH DOORS



CONTACT: RANDY & SHERI MCHENRY  
(714)-334-9917 mchenry1037@yahoo.com



**106 Myrtle St. - Scope of work:**

1. Replace composition roof with old-style tin roof

Estimated cost: \$5,000

2. Construct wrap-around porch to provide deck for second-story unit and more gracious, shaded entry for lower unit and create more pleasing, unifying lines over-all, to the boxy, misaligned structure. (Added benefit will be reduced energy bills for tenants, in hot months, since door and windows will be shielded from direct sunlight)

3. Paint newly constructed porch to compliment the pastel tropical, palette of the existing structure and, the craftsman-style home immediately to the South, at 108 Myrtle, for which we are also requesting a residential grant in conjunction with this one.

4. Replace window on SE corner of upper unit with French door to match door on lower unit

Estimated cost for completing items #2,3,4: \$6,000 + \$500 engineering/architect fees

total \$11,500

**CITY OF NEW SMYRNA BEACH  
AGENDA MEMORANDUM  
COMMUNITY REDEVELOPMENT AGENCY**

SUBJECT: 108 S. Myrtle Avenue – Residential Grant Application

AUTHORIZED BY: Tony Otte CONTACT: Noeleen Foster

AGENDA DATE: 4/7/10 REGULAR  CONSENT

**MOTION/RECOMMENDATION:**

Approve the CRA Residential Grant Application for 108 S. Myrtle Avenue in the amount of \$2,250.

NOTE: There is an existing eligibility issue with this application. If this issue is not cleared by noon on Wednesday, April 7, CRA staff will pull this item from the agenda.

---

**BACKGROUND:**

The CRA Residential Grant Application for 108 S. Myrtle Avenue project is a separate structure and address from the 106 S. Myrtle Avenue project and therefore qualifies for a Residential Grant.

This project includes:

1. Paint entire structure
2. Repair crumbling cement trim
3. Replace glazing on the original windows
4. Restore window frames and decaying trim
5. Install shell in the driveway and parking area.

**FISCAL IMPACT:**

The Property Improvement Grant Fund currently has \$17,959 remaining if the 106 S. Myrtle Avenue Residential Grant Application is approved. If this grant application in the amount of \$2,250 is approved by the CRA Board there would be \$15,709 remaining in the fund.

# RESIDENTIAL PROPERTY IMPROVEMENT GRANT APPLICATION

Applicant / Property Owner: <sup>M. RANDOLPH</sup> (RANDY) & SHARON (SHERI) McHENRY

Applicant/Owner Mailing Address: 1320 S. RIVERSIDE DRIVE

Telephone Number (Business/Home): 386-402-8159, 714-334-9917 (cell)

Social Security Number or Federal I.D. Number: <sup>(R)</sup> 490-44-8804, <sup>(S)</sup> 539-40-2282

Property Address (property for grant): 108 S. MYRTLE

Description of Project: (see attached)

Estimated Construction Time and Completion Date: 6 weeks

Project includes the following improvements by price: (see attached)

- 1) paint - \$3,000
- 2) restoration of windows and trim - \$1,000  
<sup>(doors+)</sup>
- 3) shell (crushed) paver cover for driveway + parking \$500  
(Continue on another sheet if necessary)

### Check List:

- Completed application form
- Two estimates for materials and/or professional labor
- Applicant does not owe the City any money
- Photographs of the existing building (all sides to be improved)

I have read and fully understand the Residential Grant Application and agree to comply with the requirements of the grant and provisions of Chapter 50 of the City Code.

Applicant Signature: Shari McHenry Date: Mar. 30, 2010

Application Received By: William Forti Date: 3-30-10

CONTACT: RANDY & SHERI MCHENRY  
(714) 334-9917 mchenry1037@yahoo.com





**108 S. Myrtle St. – Scope of work:**

1. Repaint structure, trim and deck, repair crumbling cement trim on front porch and replace glazing compound on original windows, in the manner originally done on this style of window.
2. Restore window frames and restore/replace decaying trim, including underneath the eaves, where there is dry rot or termite damage, using materials of the same size, scale and design as the original (We have already tented and treated both structures to stop further insect damage)

Estimated cost for items #1, 2: \$4,000

Cover (weed-infested) dirt driveway/parking area with a deep layer of crushed shell.

Estimated cost for shell and labor: \$500

total \$4,500

# ***PRESENTATION***

**CITY OF NEW SMYRNA BEACH  
AGENDA MEMORANDUM  
COMMUNITY REDEVELOPMENT AGENCY**

SUBJECT: Presentation on University of Central Florida (UCF) Business Incubator Program

AUTHORIZED BY: Tony Otte CONTACT: Tony Otte

AGENDA DATE: April 7, 2010 REGULAR X CONSENT

MOTION/RECOMMENDATION:

No action requested at this time. UCF staff will make a presentation.

---

BACKGROUND:

As noted at an earlier meeting, UCF has a business incubator program that is currently in operation at seven sites, with several additional sites being planned. UCF staff will make a presentation. Please find attached a portion of the presentation.

FISCAL IMPACT:

None at this time. There will be costs to implement a business incubator.

OTHER OPTIONS:

None.

# The official UCFBIP Requirements (1)

## Eligibility Requirements

In order to be eligible for consideration, an Incubator client should:

1. Be a for-profit business in a high growth field
2. Have a product or service that can be commercialized within two years
3. Be in the early stages of business development
4. Demonstrate strong market for products or services
5. Offer potential for significant job creation in the Central Florida area
6. The company should plan to remain headquartered in Central Florida
7. The office of the President/CEO will be located in the incubator (unless virtual applicant)
8. Have a basic business plan or a written description of a business and a financial forecast;

100011, Knauss Hall, Markham Center, Suite 1001,  
Orlando, FL 32816



# The official UCFBIP Requirements (2)

9. Have a management team in place that can demonstrate an ability to handle both the technical and managerial aspects of the business and is willing to seek and accept assistance from the Incubation Program and its network of service providers.
10. Be well-suited as a business to benefit from UCFBIP services, the business incubator environment, and UCF's technical and business expertise.
11. Have the ability to pay the Incubator's monthly rental fee for the intended term of occupancy, or monthly service fee for virtual/off-site status.
12. Have potential for positive economic impact on the community through:
  - A technology, product or service deemed to have a high potential impact in the marketplace or community
  - Potential for rapid company growth and the associated creation of new high paying jobs
  - Positive impact on the tax base of local and state government
13. Agree to participate in the incubator's business assistance programs and to cooperate in achieving the incubation program's mission.
14. Willingness to attend at least six (6) incubation program educational seminars/workshops per year, chosen by the client from the monthly UCFBIP Client Calendar.



# Excellence in Entrepreneurship, EIE

- **21 hour course** about the realities of starting and growing a company
  - **7 modules of 3 hour sessions**
- Focus on the foundational issues
- Taught by volunteer practitioners, UCF Faculty & **Clients interacting**
- Offered in partnership with the UCF College of Business

UCFBIP's Incubation Process



UNIVERSITY OF CENTRAL FLORIDA  
BUSINESS INCUBATION PROGRAM



# EIE Class Content

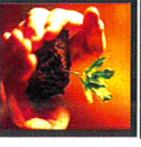
- Developing Successful Business Ideas
- Team Building
- Legal matters
- Marketing
- Funding and Financing
- Entrepreneurial Insights, Graduates tell their story
- Presentation directions
- PRESENTATIONS -> Receive Certificate



# Excellence in Entrepreneurship

## Why the client has to take the class

- Knowledge of business fundamentals
- Better understanding of the realities
- Better understanding of your strengths and weaknesses (business & personal)
- Interaction with instructors and each other
- Feedback on business concept and plan



# Excellence in Entrepreneurship

## What UCFBIP Management get out of it...

- Get to know the client and the business
- Learn how the client interact with others
- Better understanding of what help the client need
- Find out whether the client is **coachable**
- Listen to the client and learn more

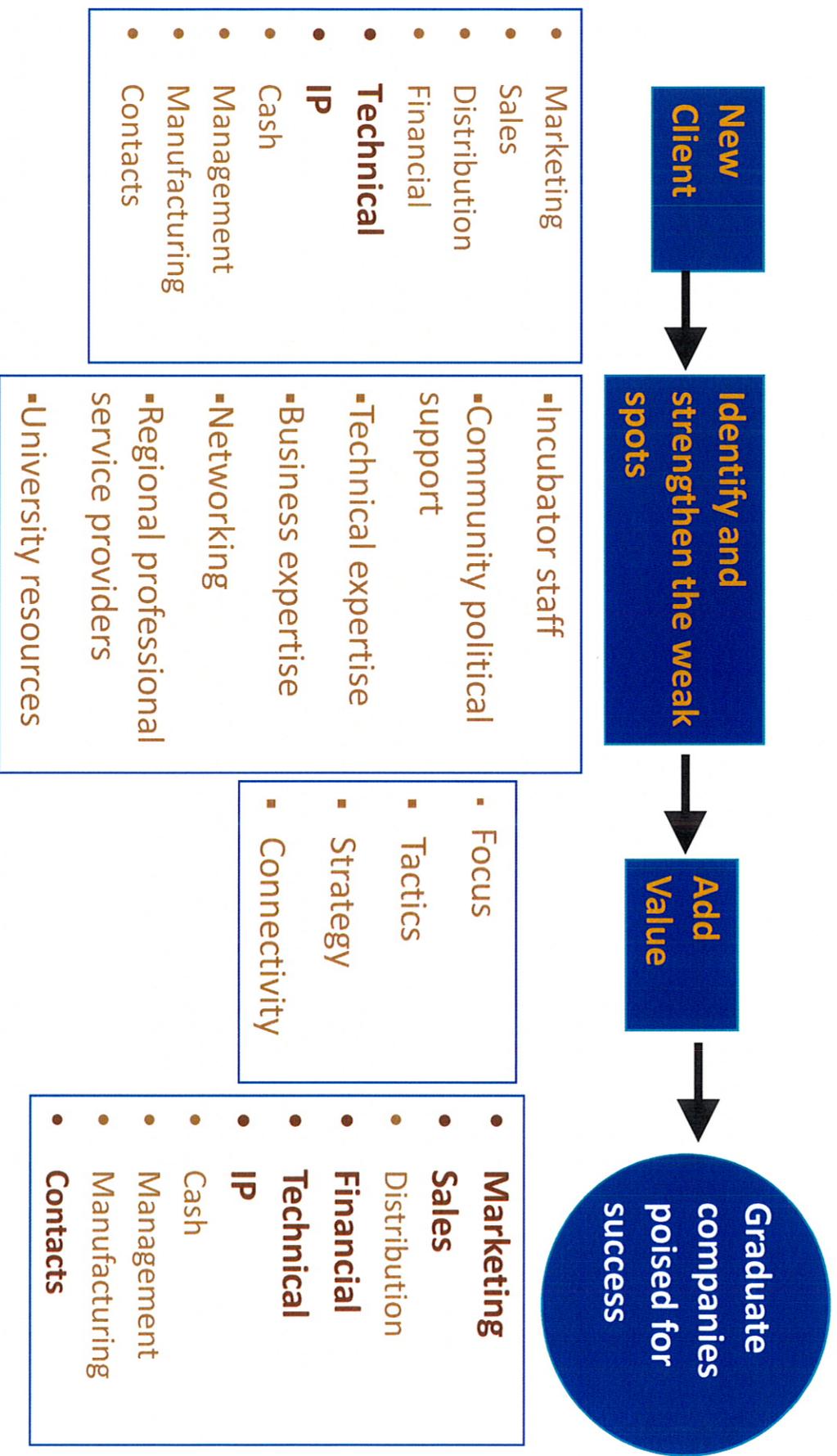
UCFBIP's Incubation Process



UNIVERSITY OF CENTRAL FLORIDA  
BUSINESS INCUBATION PROGRAM



# What does the UCFBIP do?



UCFBIP's Incubation Process



UNIVERSITY OF CENTRAL FLORIDA  
BUSINESS INCUBATION PROGRAM



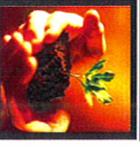
# Services UCFBIP Provide

- Flexible lease
- On-site business coaching and mentoring
- Entrepreneurship curriculum, seminars
- Access to community leaders and an exceptional advisory board
- Shared resources
  - Reception, conference rooms, business library, high speed internet access, work/break rooms, office equipment
- Networking, close proximity to UCF technology, expertise and the UCF Campus
- Access to interns and graduate student support

UCFBIP's Incubation Process



UNIVERSITY OF CENTRAL FLORIDA  
BUSINESS INCUBATION PROGRAM



# Services – from UCFBIP & Partners

- Business plan competitions
- Excellence in entrepreneurship certificate course
- Assist other business incubator programs
  - Sanford, Tampa, Melbourne, St Pete, Puerto Rico, Egypt, etc.
- Support for industry associations
  - AEA, Photonics Cluster, Florida Business Incubator Association
- Technology entrepreneurship workshops
- Seminars on various topics – prominent speakers

UCFBIP's Incubation Process



UNIVERSITY OF CENTRAL FLORIDA  
BUSINESS INCUBATION PROGRAM





## UNIVERSITY OF CENTRAL FLORIDA

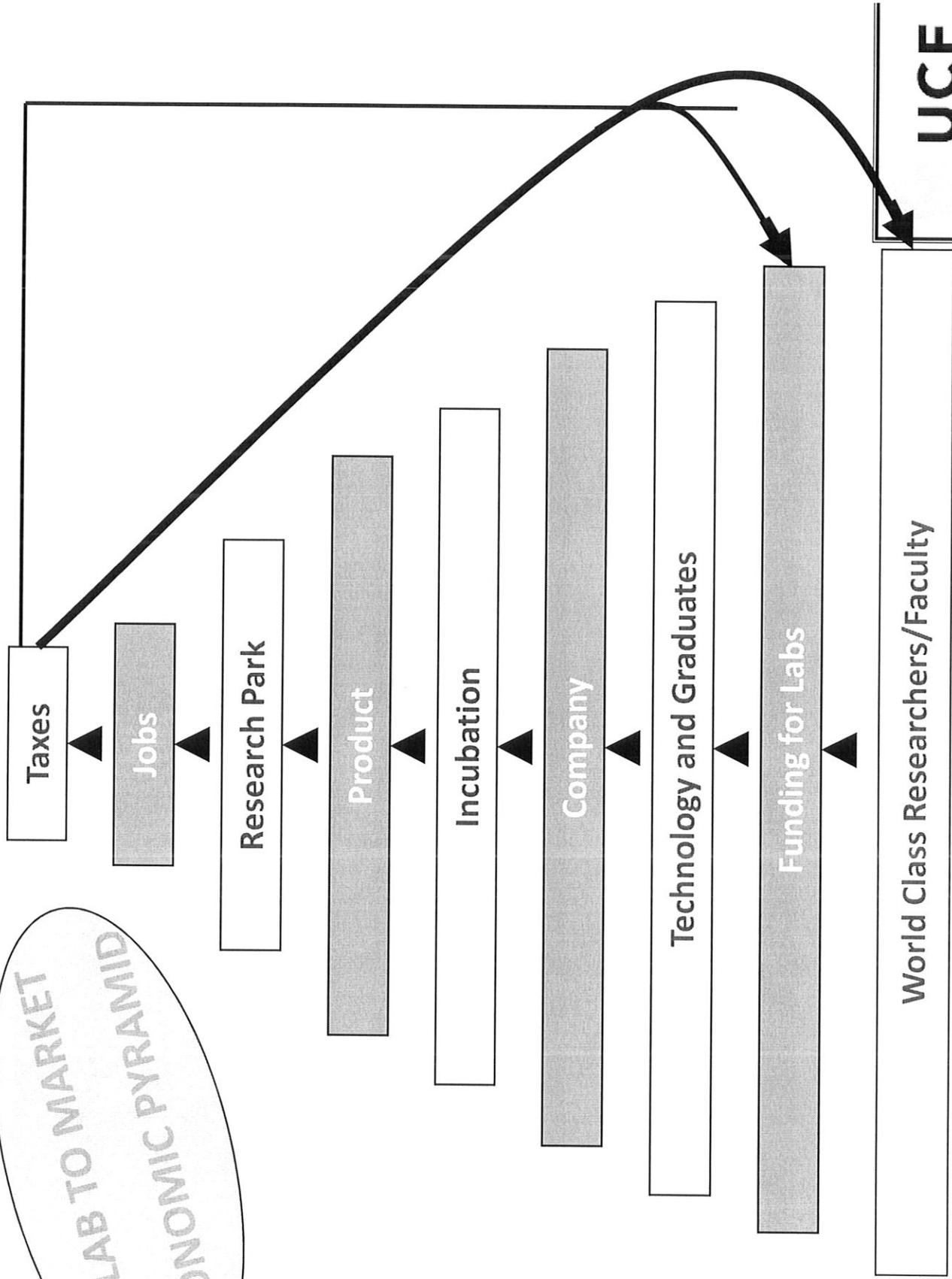
### BUSINESS INCUBATION PROGRAM

- **Program started end of 1999 – tech incubator**
- **In 2003 was by NBIA judged as in the top ten**
- **Awarded 2004 - Best Incubator by NBIA**
- **Has since stayed in the top 10**
- **Now 7 facilities – some mixed use**
- **Staff total: 12**
- **Has assisted more than 120 firms**
- **Has currently 70 clients**
- **Has 34 graduates**

**UCF**

Stands For Opportunity

US: LAB TO MARKET  
ECONOMIC PYRAMID



# A New Climate for Collaboration

- **Universities are “getting it”**
  - Florida Research Consortium
  - Tech transfer collaborations
  - Florida High Tech Corridor Council
  - UCF Goal: Be america’s leading partnership university
- **Becoming a part of regional economic development activities**
  - Establishing offices of economic development
  - Establishing business incubator (and other) programs
- **Building university research strengths in areas that are of importance to the region**
  - Assist with cluster development
  - Help recruit new assets (Scripps)
  - Funding for applied research
  - Helping universities politically
- **Are proactive**
  - Provide tools, economic indicators
  - Adding “grow your own” economic development strategies
  - Enlightened self interest starting to gain momentum

# **Big Picture Goals**

- Expand high impact industries
- Engage universities in the community
- Facilitate tech transfer, collaboration, and economic development in the technology sector
- Provide practitioner based business training, coaching, and mentoring support to:
  - technology start-ups
  - university spin-offs
  - existing companies, restarting
  - existing company with new project/product
  - SBIR / STTR start-ups
- It's all about Economic Development

# Partnerships are Key

- UCF and USF formed Florida High Tech Corridor Council
- Cities and counties in the region support economic development initiatives (grow, attract, and retain)
- Area professional service providers to supply business development support to startup, judge business plans, sponsor events
- Industry clusters and government that actively engage universities to:
  - Set research agendas
  - Steer faculty hires
  - Conduct joint research
  - Commercialize university intellectual property
- Working together to formulate and execute an overall economic development strategy for the region.



**UCF**

Stands For Opportunity

# ***OLD BUSINESS***

**CITY OF NEW SMYRNA BEACH  
AGENDA MEMORANDUM  
COMMUNITY REDEVELOPMENT AGENCY**

SUBJECT: Discussion of Hotel Deal Points

AUTHORIZED BY: Tony Otte CONTACT: Tony Otte

AGENDA DATE: April 7, 2010 REGULAR  CONSENT

MOTION/RECOMMENDATION:

No action requested – CRA staff requests review and discussion

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BACKGROUND:

CRA staff is in the process of preparing this information, which will be distributed on Tuesday before the meeting on Wednesday.

FISCAL IMPACT:

None at this time.

OTHER OPTIONS:

None identified.

**CITY OF NEW SMYRNA BEACH  
AGENDA MEMORANDUM  
COMMUNITY REDEVELOPMENT AGENCY**

SUBJECT: Change in the Standard Parking Lease

AUTHORIZED BY: Tony Otte CONTACT: Tony Otte

AGENDA DATE: April 7, 2010 REGULAR  CONSENT

MOTION/RECOMMENDATION:

Approval.

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BACKGROUND:

The City's Land Development Code specifies that off-site business parking that is approved for a use must be within 1,000 feet of the business.

There have been some parking leases that have been executed to date that specify a certain number of spaces to be leased in a specific lot. A more recent lease does not specify a specific lot.

For purposes of clarification, CRA staff recommends that all future leases specify that the leased spaces are contained in any CRA parking lots within 1,000 feet of the business. Staff will keep a spreadsheet to ensure that spaces are not over-leased.

Note: Staff is going to investigate several other topics regarding these leases, including the price of each space, and enforceability, and bring these items back to a future meeting.

FISCAL IMPACT:

None.

OTHER OPTIONS:

None identified.

LEASE AGREEMENT

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, by and between CITY OF NEW SMYRNA BEACH and the COMMUNITY REDEVELOPMENT AGENCY, CITY OF NEW SMYRNA BEACH, hereinafter collectively referred to as the "LANDLORD" and hereinafter referred to as the "TENANT".

WITNESSETH:

[ That the Landlord, for and in consideration of the covenants agreements and conditions herein contained on the part of the Tenant to be kept, done and performed, does hereby lease, let and demise unto the Tenant the real property located at \_\_\_\_\_ parking lot, New Smyrna Beach, Volusia County, Florida, more particularly described as: ↙

Three (3) parking spaces assigned by Landlord on a non-exclusive basis.

TO HAVE AND TO HOLD the same for the full term of \_\_\_\_\_ months commencing on \_\_\_\_\_ and ending on the \_\_\_\_\_

In consideration of said leasing and demising, as well as the terms, conditions, stipulations, covenants, promises and agreements hereinafter expressed, it is agreed by and between the parties hereto as follows:

- 1. RENT: As and for rent during the entire term of this Lease Agreement, Tenant shall pay to the Landlord the sum of ONE HUNDRED FIFTY (\$150.00) DOLLARS per year per parking space. Such payment shall be payable in advance.
- 2. TERM: This Lease shall begin on \_\_\_\_\_ shall continue for a term of \_\_\_\_\_ months from said date unless sooner terminated. Thereafter, the lease shall be annually renewable for a period of twelve (12) months beginning each year on October 1 and ending September 30. Tenant shall make an annual renewal of this agreement due at time of occupational license renewal.
- 3. CONDITIONS PRECEDENT TO TENANT'S OBLIGATION: The Tenant shall deliver the rent due Landlord upon fulfillment of the following conditions:
  - a. Approval of the contemplated transaction by the COMMUNITY REDEVELOPMENT AGENCY; and
  - b. Approval of the contemplated transaction by the NEW SMYRNA BEACH CITY COMMISSION.
- 4. RESPONSIBILITY AND USE: Tenant shall use the demised premises for parking facility, in order to meet the City's parking requirements.
- 5. TENANTS' WAIVER OF LIABILITY: Neither the Landlord nor any of its agents have made any representations or promises whatsoever with respect to the demised premises, except as expressed herein.

The Landlord shall not be liable to the Tenant for any damage or injury to the Tenant or his property by reason of any failure of the Landlord to keep the premises safe, and the Landlord shall not be liable for any injury done or occasioned by an Act of God or by the wind. Under no circumstances whatsoever shall the Landlord be liable to the Tenant for any damage or injury resulting from any act of negligence or omission of any other person, for any reason whatsoever. All personal property placed or moved onto the property shall be at the risk of Tenant or the

owner thereof, and Landlord shall not be liable to Tenant for any damages to said personal property unless caused by or due to negligence of Landlord, Landlord's Agents, or employees.

6. VISITATION BY LANDLORD: The Landlord, their agents, employees or servants, may at any time during the term hereof, enter in and upon and have free access to the demised premises for the purpose of examining the same, and to ascertain if the same are in a healthy, clean and sightly condition, and to otherwise make such alterations or repairs as the LANDLORD MAY SEE FIT TO MAKE.

7. QUIET ENJOYMENT: In the event Tenant pays the rent as provided herein, and otherwise performs all the covenants and conditions to be performed by the Tenant, the Tenant shall have peaceful and quiet enjoyment of the demised premises for the term hereof, subject, however, to the terms and conditions of this Lease Agreement.

8. TERMINATION: Upon the expiration or any other termination of the terms of this Lease, the Tenant shall forthwith and immediately quit and surrender to the Landlord the demised premises. However, the Tenant's obligation to observe or perform its covenants shall survive the expiration or any other termination of the term of this Lease.

In the event of litigation regarding this lease, the prevailing party shall be entitled to collect all costs expenses and attorney's fees associated therewith.

9. GENERAL COVENANTS: All promises, covenants, and agreements set forth herein shall be binding upon, apply, and inure to the benefit of the heirs, executors, assigns, or administrators, respectively of the Landlord and Tenant.

All rights and remedies provided for the benefit of the Landlord are cumulative, and the use of one remedy shall not be taken to exclude or waive the right of the Landlord to make use of another remedy.

The words "Landlord" and "Tenant", wherever and whenever used herein, though expressed in the singular number, shall describe and apply to all persons, one or more, male or female, trusts, partnerships, or corporation, as the case may be.

10. NOTICE: All notices required by the law and by this Lease to be given by one party to the other shall be in writing and the same shall be served by certified mail or by personal delivery to the addresses as set forth below:

LANDLORD:  
COMMUNITY REDEVELOPMENT AGENCY  
210 Sams Avenue  
New Smyrna Beach, FL 32168  
ATTENTION: Director  
And  
Mark Hall  
Community Redevelopment Agency Attorney  
415 Canal Street  
New Smyrna Beach, Florida 32168

TENANT:

and to

CITY OF NEW SMYRNA BEACH  
210 Sams Avenue  
New Smyrna Beach, FL 32168  
ATTENTION: City Attorney

11. CONDEMNATION: It is further understood and agreed that if at any time during the continuance of this lease the legal title to the demised land, or any portion thereof, be taken, appropriated, or condemned by reason or eminent domain, there shall be a division of the

proceeds of award in such condemnation proceedings based upon the respective interests of the parties, but no abatement of rent shall be made unless the premises are rendered untenable.

If the legal title to the entire premises be wholly taken by condemnation proceedings, this lease shall be automatically canceled.

12. ASSURANCE OF TITLE: The landlord covenants and warrants to be the rightful and lawful owner of the demised property, and has full right, power and authority to enter into this Lease Agreement.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on the day and year first above written.

Signed, sealed and delivered  
in the presence of:

(SEAL)

LANDLORD:

CITY OF NEW SMYRNA BEACH  
A Municipal Corporation

By: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Deputy City Clerk

CITY OF NEW SMYRNA BEACH  
COMMUNITY REDEVELOPMENT  
AGENCY

Director  
Community Redevelopment Agency

APPROVED AS TO FORM AND CORRECTNESS:

\_\_\_\_\_  
Attorney for  
Community Redevelopment Agency

AND  
TENANT:

\_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and in the County aforesaid to take acknowledgments, personally appeared James L. Vandergriff, Mayor of City of New Smyrna Beach, personally known to me be the person described in and who executed the foregoing instrument under the authority duly vested in him and he acknowledged before me that he executed the same for the uses and purposes expressed therein and that an oath was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this day of \_\_\_\_\_, 1997.

My commission expires:

Notary Signature

\_\_\_\_\_

Printed Notary Signature

STATE OF FLORIDA \_\_\_\_\_  
COUNTY OF VOLUSIA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and in the County aforesaid to take acknowledgments, personally appeared EDWIN A. BAETZMAN, Chairman of Community Redevelopment Agency, City of New Smyrna Beach, personally known to me be the person described in and who executed the foregoing instrument under the authority duly vested in him and he acknowledged before me that he executed the same for the uses and purposes expressed therein and that an oath was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this day of \_\_\_\_\_, 20

My commission expires:

Notary Signature

Printed Notary Signature

STATE OF FLORIDA  
COUNTY OF VOLUSIA

I HEREBY CERTIFY that on this day, before me, an officer duly, authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is /are personally known to me and who did (did not) take

an oath, and who executed the foregoing instrument and (s)he/they acknowledged before me that (s)he/they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid day of 20

Notary signature

My Commission Expires:

***NEW BUSINESS***

**CITY OF NEW SMYRNA BEACH  
AGENDA MEMORANDUM  
COMMUNITY REDEVELOPMENT AGENCY**

SUBJECT: RFP for Form Based Codes

AUTHORIZED BY: Tony Otte CONTACT: Tony Otte

AGENDA DATE: April 7, 2010 REGULAR  CONSENT

MOTION/RECOMMENDATION:

Approval.

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BACKGROUND:

One of the recommendations in the Plan Update is to implement a Form Based Code for the CRA. The Planning staff has prepared an RFP for this effort that is presented for review and approval.

FISCAL IMPACT:

None at this time. The selection of a planning firm will require the execution of a contract with funding requirements.

OTHER OPTIONS:

Modification of the RFP.

## **CITY OF NEW SMYRNA BEACH REQUEST FOR PROPOSALS (RFP) FOR CONSULTANTS TO PREPARE A FORM-BASED CODE**

The City of New Smyrna Beach Community Redevelopment Agency (CRA) is soliciting proposals from interested qualified parties to prepare a form-based code for portions of the Community Redevelopment Agency district.

The City of New Smyrna Beach, Florida, is a coastal community in eastern Volusia County, located south of Daytona Beach and north of Titusville. New Smyrna Beach has a population of 23,449. The character of the community is represented best by the city's slogan "Catch the Charm." The goal of the city is to maintain that charm while making necessary improvements to the various business districts.

The CRA district, which occupies 1 square mile (646 acres), was created in 1985 and a revision to the Redevelopment Plan was undertaken in 1995. The CRA is also completing another update to its Master Plan. One of the recommendations contained in the updated Master Plan, is that the City examine regulations in the downtown areas of the City, which were written over 25 years ago, and which are based on a suburban, rather than urban, development pattern.

The purpose of the form-based code is to address infill and redevelopment in the historic areas of the City. Over the past several decades, the City of New Smyrna Beach has experienced development that is at times inconsistent with surrounding existing development patterns, particularly in the traditional core areas of the City.

In addition to addressing the physical form of infill and redevelopment, the City is also looking to streamline its processes; provide additional flexibility for developers in the traditional core areas of the city and provide increased consistency and predictability for users and implementers of the code.

Further background information, such as the current or prior revisions of the Master Plan, CRA district boundaries, business and area studies, and completed CRA projects may be obtained by request through the CRA office at (386) 424-2265.

Experience in small to medium coastal cities along with comprehensive insight of the area is a preferred qualification. Based on the requirements put forth in this RFP, the CRA will select one or more respondents to prepare a more specific proposal pertinent to the description of required services defined.

## DESCRIPTION OF REQUIRED SERVICES:

**PRIMARY WORK PRODUCT:** This contract will result in a proposed form-based code, meant to supersede, either entirely or in part, the present zoning ordinance and other local land development regulations that apply to the traditional core areas of the Community Redevelopment District, as shown on the attached map. This code is to be consistent with the definitions and evaluation criteria established by the Form-Based Codes Institute (FBCI); see [www.formbasedcodes.org](http://www.formbasedcodes.org) for more details.

### 1. INITIAL REVIEW AND ANALYSIS

- a. **Interviews.** The Consultant will interview appropriate stakeholders involved with the project. These interviews will include groups and individuals including elected officials, nonprofit organization leaders, property owners, neighborhood representatives, local design professionals, developers, business organizations, and municipal staff.
- b. **Site Analysis.** The Consultant will become familiar with the physical details of the traditional core areas and the historic patterns of urbanism and architecture in the surrounding region.
- c. **Media coverage.** The Consultant will participate in a press conference with local officials and draft a press release to inform the local citizenry about the planning efforts to be undertaken.
- d. **Website.** The Consultant will provide information for the City of New Smyrna Beach's website. As officials deem appropriate, the Consultant will provide materials including text, photographs, maps, renderings, and other images for the web site. This material will describe the Consultant's credentials and help explain the project's process.

### 2. PUBLIC DESIGN PROCESS

- a. **Generate necessary background maps.** The City of New Smyrna Beach will provide all necessary base map information as needed by the Consultant. These documents will be used to produce the maps that will be used during the preparation of the form-based code.
- b. **Public Workshop and/or Design Charrette.** The Consultant will organize and lead design workshops or a full planning charrette to

engage the community, gather ideas and goals, and formulate implementation strategies. The Consultant will tailor the workshop or charrette to obtain maximum community input so as to produce the best possible master plan on which to base the new code. The charrette format will also take into consideration the findings of the initial site analysis, input from staff, and information obtained at previous meetings, workshops, and interviews. While the end result will be new land development regulations, the public process will include discussions of alternatives for street design, street connectivity, and town planning strategies that create vital town centers, corridors, and livable neighborhoods. At the conclusion of the workshop(s), the Consultant will present the work generated to-date. Plans, renderings, and initial coding ideas that reflect ideas articulated in the workshops will be publicly presented and further feedback solicited from the community. It is essential that local government officials attend this presentation along with citizens, stakeholders and technicians.

### 3. DRAFTING THE FORM-BASED CODE

- a. ***Design Parameters for the Form-Based Code.*** The new code will regulate development to ensure high-quality public spaces defined by a variety of building types and uses including housing, retail, and office space. The new code will incorporate a regulating plan, building form standards, street standards (plan and section), use regulations as needed, descriptive building or lot types, and other elements needed to implement the principles of functional and vital urbanism and practical management of growth. Sections of this document would typically include the following:
- Overview, including definitions, principles, and intent; and explanation of the regulations and process in clear user-friendly language.
  - Regulating Plan (a schematic representation of the master plan) illustrating the location of streets, blocks, public spaces (such as greens, squares, and parks), and other special features. Regulating plans may also include aspects of Building Form Standards such as “build-to-lines” or “required building lines” and building type or form designations.
  - Building Form Standards governing basic building form, placement, and fundamental urban elements to ensure that all buildings complement neighboring structures and the street. These standards should be based upon study of building types appropriate for the region, climate, and neighborhood vitality.

- Public Space/Street Standards defining design attributes and geometries that balance the needs of motorists, pedestrians, bicyclists, and transit riders while promoting a vital public realm. These standards should include design specifications for sidewalks, travel lane widths, parking, curb geometry, trees, and lighting.
  - Building and Lot Types establishing minimum lot width, depth and/or area requirements to ensure that proposed lot splits are consistent with surrounding development patterns.
  - Architectural Standards establishing minimum requirements for exterior materials, including quality of such materials; and establishment of acceptable architectural styles. These standards should be based upon the architectural styles currently found in the historical sections of the traditional core areas.
  - Landscaping Standards governing minimum landscaping requirements consistent with an urban environment. These standards should incorporate “right tree, right place” design principles and include planting lists that are based on native Florida plants and/or plants that are salt- and/or drought-tolerant.
  - Parking Standards establishing minimum parking requirements for infill or redevelopment sites in an urban setting. Such standards shall be based on the availability of existing on-street and/or public parking within the traditional core area.
- b. ***Integration of the Form-Based Code.*** The form-based code must be integrated into the City of New Smyrna Beach’s existing regulatory framework (zoning and land development regulations) in a manner that insures procedural consistency, meshes with state and local legal requirements, provides clarity as to applicability of existing regulations, and maximizes the effectiveness of the code. The consultant will work with City of New Smyrna Beach staff to prepare the required amendments. City of New Smyrna Beach staff will be responsible for presenting the amendments to the Planning and Zoning Board and City Commission.

#### 4. REFINING THE FORM-BASED CODE.

- a. ***Presentation of First Draft.*** The Consultant will present the first draft of the form-based code for the purpose of gathering comments. Copies of the first draft will need to be in hardcopy and digital form and posted on the City’s website. City staff will review and present the first draft to a special audience of neighborhood

residents or stakeholders, or before a joint gathering of municipal boards and committees, as determined by the City of New Smyrna Beach.

- b. **Presentation of the Second Draft.** After making revisions in response to comments on the first draft, the Consultant will present the second draft of the form based code at a meeting convened by the City of New Smyrna Beach.
- c. **Meetings with Stakeholders.** The Consultant will attend and participate in up to four (4) additional meetings with key stakeholders to explain the details of the new code and obtain further input and comments.

## 5. APPROVAL PROCESS

- a. **Public Hearing Presentations.** The consultant will make one (1) formal presentation to the Planning and Zoning Board and two (2) formal presentations, one each to the Community Redevelopment Agency Board and to the City Commission.
- b. **Additional Revisions.** The Consultant will be responsible for up to two rounds of revisions that may become necessary between presentations. City of New Smyrna Beach staff will be responsible for collecting comments, questions, and suggestions for these refinements from various sources and consolidating them into a series of action items for revision or responses.

## SUBMITTAL SUMMARY:

Interested parties are required to submit ten (10) copies of all materials indicating their qualifications, previous experience, key personnel, and references. These materials are due no later than **4:00 p.m., Friday, May 28, 2010** to:

**Claudia Soulie, CRA Administrative Specialist  
Community Redevelopment Agency  
201 Sams Avenue  
New Smyrna Beach, FL 32168**

Any and all questions should be directed to:

**Gail Henrikson, AICP, Planning Manager  
210 Sams Avenue  
New Smyrna Beach, FL 32168  
(386) 424-2134  
ghenrikson@cityofnsb.com**

The New Smyrna Beach Community Redevelopment Agency requires that any respondent desiring to be considered for this project submit a Letter of Interest that refers to the RFP and the following information organized as described below, including a Table of Contents, giving a clear identification of material by section and page number. There is no intent to limit the contents of the proposals submitted in response to this RFP. At a minimum, however, the proposals shall contain the following information to demonstrate Consultant's expertise and capability:

1. Project Manager or Lead Agent name and contact information.
2. A brief written description of the Consultant's approach to the project.
3. The expertise of the team assembled by Consultant to carry out the work including the key personnel to be assigned to this project, their roles in the project, their individual qualifications, a specific statement as to their individual experience in the preparation of a form based code in similar sized cities and in coastal cities, and their experience with form based codes in redevelopment areas in general. References shall also be provided for all jurisdictions cited for the experience required above.
4. A list of comparable projects undertaken by Consultant and/or team members.
5. A copy of at least one municipal form-based code previously created by the Consultant and adopted into law, and the amount paid by the municipality for that work and well as the original contracted cost and budgeted cost.
6. Standard billing rates for staff to be assigned
7. Proposed cost for this project.
8. Identification of the firm as a WBE or MBE, if applicable.

## **RECOMMENDED FORMAT FOR SUBMITTALS:**

1. **DESCRIPTION OF APPROACH:** Up to two pages describing the Consultant's typical approach to projects similar to this one, including the nature of the public process and intended extent of public involvement.
2. **TEAM EXPERTISE:** Brief description of general qualifications, the multi-disciplinary nature of the team assembled for this project, specific evidence of relevant experience creating form-based codes, and a listing of key personnel that would be available to work on this project.
3. **COMPARABLE PROJECTS:** Summary of form-based code projects in progress or completed by the personnel to be assigned to the project, with the following information for each code:
  - a. Reference name, with current contact information

- b. Current status of code (drafting in progress; drafting completed; adopted, etc.)
- c. Nature of public involvement in formulation of code
- d. Client type (clarifying role of private sector client, if any)
- e. Was the vision plan created as part of this process, or done separately?
- f. Size and scale of geographic area
- g. Type of development (Greenfield, infill/redevelopment, city-wide code, etc.)
- h. Type of code
  - i. Mandatory (i.e., integrated into existing code, or freestanding)
  - ii. Optional "parallel" code
  - iii. Floating-zone code

4. **SAMPLE CODE DOCUMENT:** Please include one or more sample code documents selected from the list of comparable projects. If this document is the code as originally proposed by Consultant, please also include the code as formally adopted by the municipality and a brief explanation of differences between the two. Photos of designed or built results of the code are encouraged but must be accompanied by a description of their specific relationship to the form-based coding process.

## EVALUATION OF SUBMITTALS:

The responses received by the deadline that contain all the required information specifically outlined in the previous section of this RFP will be reviewed by City Staff and/or other individuals, agencies and elected officials. This process will culminate with the identification of those considered to be the best qualified to partner with the CRA in drafting a form based code for portions of the CRA District.

The City of New Smyrna Beach and CRA reserve the right to reject any and all proposals and to select any firm that, in its sole judgment, is deemed to be the best qualified to perform the work required. No party will be compensated for this submittal or subsequent presentation interview.

Consultants responding to this RFP must demonstrate the following:

- Experience in preparing municipal form-based codes that regulate development and redevelopment in other communities.
- Experience in building community consensus to support innovative regulatory structures.
- Strong graphic skills.
- Strong skills in written and oral communication.
- Experience in identifying, evaluating, codifying, and explaining the essential qualities of community design and character.

- Experience in writing or implementing municipal land development regulations.

The City of New Smyrna Beach will evaluate all submittals to determine which Consultants have the experience and qualifications that are most suited for this project. The City of New Smyrna Beach may request personal interviews with the highest-ranked Consultants or may request one or more prospective Consultants to submit detailed proposals, which may include the following:

1. Detailed description of the methodology being proposed.
2. Work program detailing:
  - Tasks to be performed.
  - When each will be completed (timeline).
  - Tentative allocation of person days by task.
  - Schedule of work products.
3. Methods the Consultant proposes to use to manage the project and communicate with the City of New Smyrna Beach and the public as to project progress, reviews, and conduct of public meetings.
4. Identification of key personnel to be assigned to the project and their roles, with resumes of all key personnel.
5. Hourly rates (inclusive of overhead and profit) for personnel or personnel categories.
6. Data expected to be provided by the City of New Smyrna Beach.

**PRELIMINARY SCHEDULE**

This RFP is the initial step in the process of selecting one or more individuals or firms to draft a form based code for portions of the Community Redevelopment Agency District. The following is an outline of the steps and tentative schedule that will lead to the selection, negotiation and agreement approval between the party and the CRA.

April 28, 2010	Issue RFP
May 28, 2010	Deadline for receipt of response. Due by 4:00 p.m.

July 13, 2010	Interview with short-listed respondents
August 4, 2010	Staff recommendation to CRA Board
August 24, 2010	CRA recommendation to City Commission for approval.

The process and dates shown above may be modified with notice from the CRA to all parties being considered at the time of any said change of procedure or date. It is anticipated that a Notice to Proceed will be issued in mid October 2010.

### **MISCELLANEOUS PROVISIONS**

#### Signature by the Responsible Party

All responses must be signed with the individual's or firm's name and by a responsible employee authorized to transact business on behalf of the firm, partnership, or corporation. Obligations assumed by such signature must be fulfilled. No respondent may assign or transfer any legal or equitable interest in the proposal after the date and hour set for the receipt of responses.

#### City's Rights Reserved

The City/CRA reserves the right to accept or reject any or all responses in whole or in part; to waive any irregularities in any response; to accept the response(s) which, in the judgment of the City/CRA is (are) most advantageous to the City/CRA; and to re-advertise, if so desired.

#### Conflict of Interest

The respondent agrees that it presently has no interest, and shall acquire no interest, direct or indirect, that would conflict in any manner or degree with the services hereunder. The respondent further agrees that, in the performance of any subsequent agreement, no person having any such interest shall be employed.

#### Open Records

Documents submitted to the City/CRA, including the response to this RFP, contracts, and draft documents prepared through the course of the engagement, may be subject to the Open Records law of the State of Florida.

### Indemnification

The respondent agrees to protect, defend, indemnify, and hold harmless the City of New Smyrna Beach and CRA, its elected officials, agents, and employees from and against any and all liability, damages, claims, suits, liens, and judgments, of whatever nature, including claims for contribution and/or indemnification, for injuries to any person or persons, or damage to the property or other rights of any person or persons, caused by respondent's submittals. Respondent's obligation to protect, defend, indemnify, and hold harmless, as set forth hereinabove, shall include any matter arising out any actual or alleged infringement of any copyright, or service mark, or any actual or alleged unfair competition, disparagement of service, or other business tort of any type whatsoever, or any actual or alleged violation of professional regulation.

### Ownership

All documents and materials prepared pursuant to this RFP are the property of the City/CRA of New Smyrna Beach. The City/CRA shall have the unrestricted authority to publish, disclose, distribute, and otherwise use, in whole or in part, any reports, data, or other materials prepared under this process.

### Verbal Agreement

No verbal agreement or conversation with an elected official or appointed official, agent or employee of the City/CRA, either before, during, or after the submittal of the response shall affect or modify any of the terms or obligation herein contained, nor shall such verbal agreement or conversation entitle the respondent to any compensation or consideration whatsoever under the terms of this RFP.

### Changes

The City/CRA may, from time to time, request changes in the RFP issued to the respondent to be performed hereunder. Such changes shall be incorporated in written amendments to this RFP.

CITY OF NEW SMYRNA BEACH  
REQUEST FOR PROPOSALS (RFP)  
FOR CONSULTANTS TO PREPARE A FORM-BASED CODE



*MEMORANDUM*

**DATE:** October 20, 2009  
**TO:** Kevin Fall, CRA Director  
**FROM:** Tara Salmieri  
**RE:** New Smyrna Beach CRA Master Plan – Overall Assessment of the City’s Zoning Ordinance within the CRA  
GJ Project# 21267.00

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This memo highlights some issues with the current zoning ordinances located within the CRA. Overall the zoning districts within the CRA are not sufficiently regulated for the built environment. The following “major” categories should be reviewed and evaluated as impediments to redevelopment. Most cities have been faced with “fitting in” to the current regulatory structure of what has been adopted throughout time, with little to no reference of their current “built” environment.

Uses

Townhomes are difficult in general to build in the city. They are a permitted building type in some zoning categories; however the minimum lot width of 100 feet might prohibit single ownership unless the city allows townhomes to be platted differently than the zoning district.

Setbacks

The Mixed Use District created for the Central Business District can have some problems with implementing the regulations. There are a variety of different yard sizes (setbacks) depending on the street you are located on, this should be mapped. The streets affected are : Canal, Flagler, Washington and “other”. Setback averaging range of front setbacks makes this form of regulating a challenge for applicants and site reviewers.

CBD, Minimum Lot Sizes, are sufficient unless there are lots less than 50 feet wide, then this will need to change (review parcel size)

Impervious Areas by lot

They regulate lot coverage by both impervious lot coverage and building coverage

Impervious Lot Area’s are all at 60%, however the maximum building coverage is 40%, this is too low especially in the Residential Medium areas. Urban areas should permit 80-85% for building areas.

Mixed Use district is the only district this standard is ok (there is no requirement in the CBD)

Other commercial districts are held to a height, building coverage ratio, the higher the building the smaller the footprint permitted per parcel. One story buildings are only permitted 35% site coverage, the highest building (9feet) is permitted only 15% building coverage, leads to question, what then is permitted on site?

#### Minimum Floor Area

Minimum floor areas are too restrictive, should just rely on lot size, minimum and maximum. This is an old Euclidean measure that is not needed.

#### Landscape Standards

The buffer requirements are suburban, suggest urban standards where appropriate, require sometimes a 20' all perimeter buffer, this should not be done in the "urban" area

#### Corridor Overlay (find out the limits if this in the CRA)

This overlay will make redevelopment along any corridor a challenge:

Minimum lot width is 300 feet, may be reduced to 150 feet if there is another access point other than the arterial it is fronting is provided or exists

Minimum front setback is 65 feet, rear yard is 25feet....what is the average width/depth of parcels? Can a building even be constructed on this?

Landscape standards, requiring 30percent of a site to be landscaped on a corridor will be challenging

### **INTEGRATING FORM BASED CODE INITIATIVES IN THE MASTER PLAN**

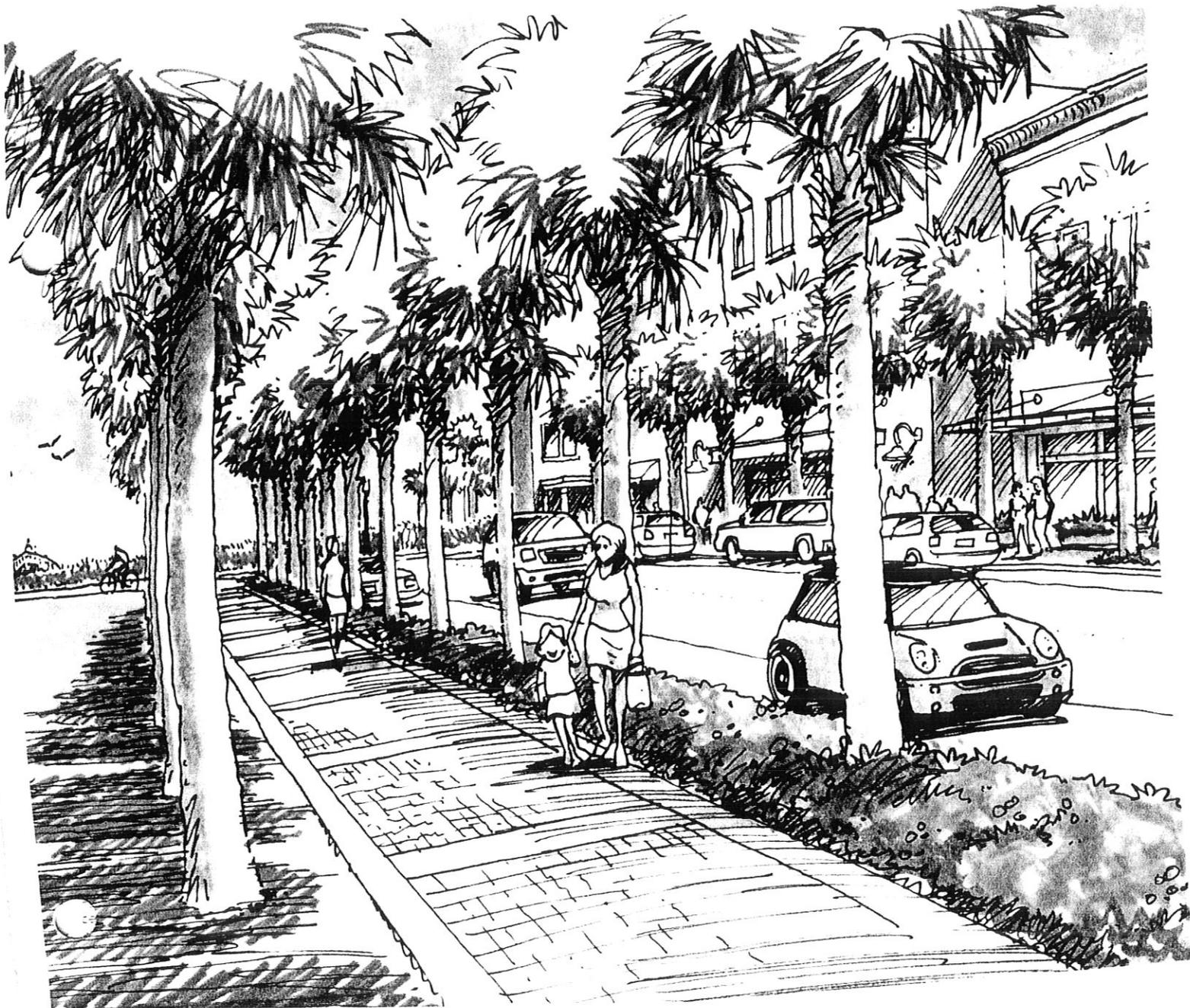
The current regulatory framework for the city ignores the actual built environment of the City. This is not uncommon, many cities are faced with this because the regulations were predominately put in place after the existing fabric of the community was designed and built.

Shortcomings of the Current Code	Advantages of a Form-Based Code
<ul style="list-style-type: none"> <li>• Can result in less-than-optimal development patterns.</li> <li>• Can result in development that does not fit the character of the surrounding area.</li> <li>• Forced separation of land uses can result in an inefficient, sprawling pattern of development.</li> <li>• Provides no assurance of good design.</li> <li>• Proscriptive rules tell the developer what he can't do.</li> <li>• Lack of design standards leads to overreliance on customized Planned Unit Development districts and "over-negotiation" of site plans".</li> <li>• Lots of written rules make the code difficult to understand and administer.</li> </ul>	<ul style="list-style-type: none"> <li>• Design standards require functional street, block and open space patterns.</li> <li>• Design standards are keyed to Design Districts-- areas having similar urban or suburban form.</li> <li>• More mixed use is allowed and more connections are created between uses.</li> <li>• Design standards that include building typologies to address critical elements such as proper building orientation, parking location, and basic architectural treatment.</li> <li>• Prescriptive rules tell the developer what he must do.</li> <li>• Better "by right" standards reduce the need for the costly, time-consuming, unpredictable PUD process.</li> <li>• More illustrations and tables make the code more user-friendly.</li> </ul>

**NEXT STEPS**

At a minimum, the city should include the zoning ordinance changes needed to ensure the vision plan for downtown. Without changes to the current ordinances as identified in this memo, there will be challenges in implementing the vision for the city.

# Building Communities through Form-Based Code



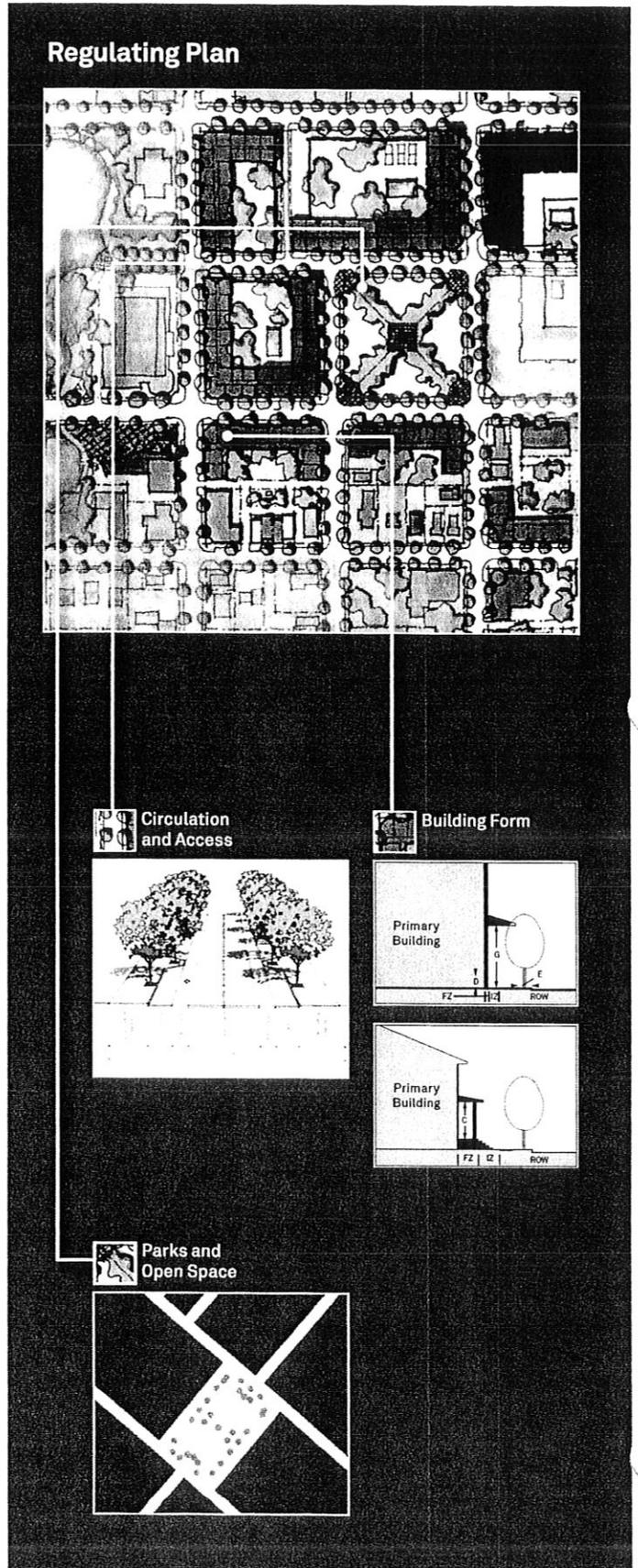
# Form-Based Code Builds Communities

Form-based code is an evolved approach to land-development regulation that goes beyond addressing the uses of single parcels of land, or the form of individual buildings, to ensure that a community's unique character is protected and enhanced, and that the community vision is achieved. By linking the forms and functions of a town's buildings, streets, and parks and open spaces, form-based code helps municipalities build vibrant communities with a strong sense of place.

## Community Vision Drives the Code

Developing effective form-based code begins with an evaluation of existing conditions and community context. We analyze how streets are functioning, whether buildings interact well with the streets and sidewalks, if the public realm reflects the community's character, which parks are under-utilized, whether the area needs more open space, and other land-development issues specific to each municipality.

With an understanding of the context, we then help cultivate the community vision. Public engagement tools - including stakeholder meetings, public workshops, developer forums, design charrettes, surveys, and interviews with residents and community leaders – help paint a picture of how the community wants to grow and what characteristics and assets make it unique. This community vision becomes the framework for a "regulating plan," which includes three key elements: building form, circulation and access, and parks and public spaces.



## Establishing the Building Form

A fundamental principle of form-based code is permitting many types of building forms within a context of a built or planned area. It is important to ensure the form is compatible with the community. Thus, form-based code sets parameters that respond to the community vision, such as determining the various building envelopes best suited for the context, how the building should address the street, and the variety of building types that can integrate with the surrounding context.

**Lot Requirements and Building Envelope**

Lot requirements and building envelope provide a range by building type. Standards will include lot size, how to measure setbacks, lot width, depth and coverage. Building types are scaled to the existing area to avoid the "overbuilt" scenario that can overwhelm a community's character and scale.

**Accessory Structure Envelope**

A variety of accessory structures may be permitted, depending on the building type. Standards that address the acceptable setbacks and maximum sizes are provided.

**Building Height**

Depending on the context, building heights can be regulated by setting the minimum height that should address a street in an urban area, as well as a maximum height that is appropriate for its community context.

**Parking Location**

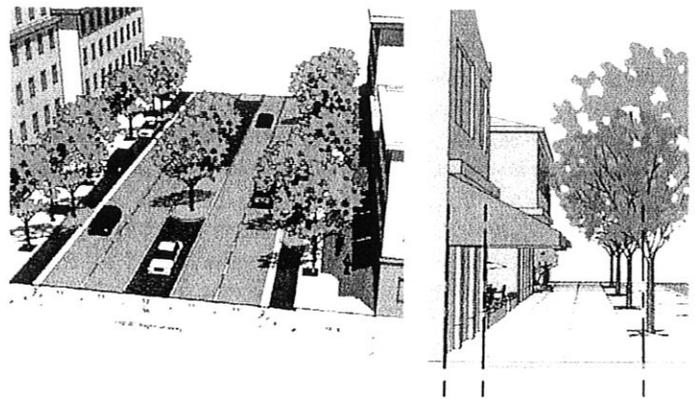
Appropriately located parking helps to create a walkable, vibrant downtown.

**Private Frontages**

Private frontage is the area between a building facade and the property line. Regulating private frontages helps ensure appropriate interaction between the building and the street, while maintaining appropriate proportions for that building type.

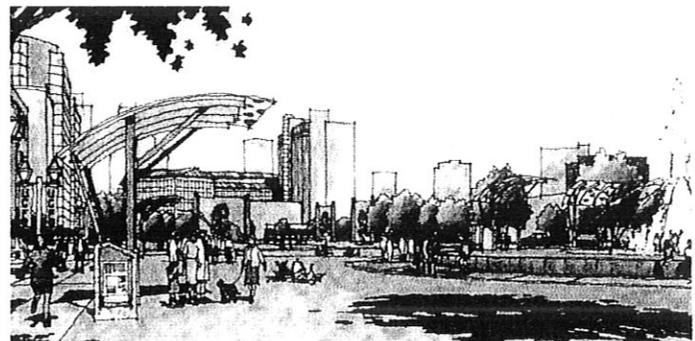
## Creating the Circulation and Access Framework

The treatment of existing streets and the creation of new streets are equally important. To understand the context of an area, we examine the "bone" structure of the community, its streets. New streets should be multi-modal and accommodate all users. Street types should include descriptions of target speed, travel ways, lane widths, median types, and the total right-of-way needed. Public frontages, most commonly in the form of sidewalks where the public realm interfaces with the private realm, are important aspects of form-based code.



## Regulating Parks and Public Space

Whether an area is welcoming a new, large-scale development or an infill project, parks and public space should balance the existing character context of the area with the new development character. Space should be evaluated when a significant size and scale of development occurs within the community. These spaces can range from outdoor seating, to an interactive fountain, to a quiet place for reflection. Multiple opportunities for both planned and unplanned interactions are a key element for public spaces. Park types define the type of space needed, example facilities and the best location for each type within the context of the area.



## Built Areas and 'Greenfields' Benefit

Form-based code can benefit both 'greenfield' areas and built areas, such as downtowns and urban cores, as well as areas in transition, such as aging suburban corridors. In fact, we have helped municipalities develop form-based code that addresses the existing conditions, context and desires of a range of urban, suburban and rural areas, including:

- Infill environments that are facing redevelopment challenges, which require an understanding of the current policies and vision for the community, to identify areas that need change, or areas that are working well.
- Areas transforming from suburban to urban or positioning for the next generation of suburban development.
- Greenfield sites that, due to their absence of existing development, allow many types of buildings, streets and park space to be planned as one large development. Special consideration is given to the surrounding context and how to integrate new development with the existing character.

Throughout the process, it is important to identify what already is working in the current code and incorporate those elements into the new code. The goal is to develop a new code that protects and enhances the community's most desirable places and qualities, while ensuring that new development and redevelopment complement the character of the community.

## Sample Code Documents

City of Eustis, Florida

[http://www.eustis.org/govt/LDRs/land\\_development\\_regulations.htm](http://www.eustis.org/govt/LDRs/land_development_regulations.htm)

Chapter 110 & 115

City of Jacksonville Beach, Florida

<http://www.municode.com/Resources/gateway.asp?pid=11041&sid=9>

Chapter 34, Section 34-345, Central Business District

City of Sanford, Florida

<http://www.municode.com/resources/gateway.asp?pid=19985&sid=9>

Schedule U, Overlay Districts Section 3.0 Downtown/Riverfront/Midtown Overlay Districts

Sarasota County, Florida

[http://library7.municode.com:80/default-test/template.htm?view=browse&doc\\_action=setdoc&doc\\_keytype=tocid&doc\\_key=306231320ec21f4ab87d0a77694701e&infobase=11511](http://library7.municode.com:80/default-test/template.htm?view=browse&doc_action=setdoc&doc_keytype=tocid&doc_key=306231320ec21f4ab87d0a77694701e&infobase=11511)

Part I, Article II

### For more information, contact:

Tara Salmieri, AICP, FBCI

Tara.Salmieri@aecom.com / 407 843 6552 tel

## Communicating Ideas

Compelling, simple and clear graphics help communicate ideas throughout the process of cultivating the community vision and developing the new code.

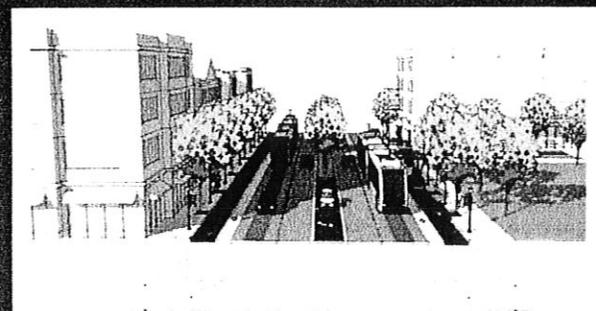
Photo visualizations, 3D modeling and illustrative sketches, such as those below, help the public, stakeholders, staff and elected officials understand the possible results of various standards being considered for the form-based code.



An existing street



A photo-visualization of the same street as above, with various form-based code standards applied



3D modeling helps both technical and lay audiences understand the future character of a place under various scenarios

**CITY OF NEW SMYRNA BEACH  
AGENDA MEMORANDUM  
COMMUNITY REDEVELOPMENT AGENCY**

SUBJECT:     Action Plan for Master Plan Update Implementation    

AUTHORIZED BY:     Tony Otte    

CONTACT: Tony Otte

AGENDA DATE: April 7, 2010                     

REGULAR X

CONSENT

MOTION/RECOMMENDATION:

Approve a list of initial actions to move forward with the Implementation of the Master Plan Update.

---

BACKGROUND:

The Master Plan Update has a large number of recommendations for action. It is important to identify priorities for immediate focus in order to facilitate achievement. CRA staff recommends the following list of initial actions to direct staff in the timely implementation of the Master Plan Update:

1. Capital Projects: Contract with engineering firms to immediately prepare plans for the 4 projects in the Capital Improvements Budget that are proposed for funding. When the engineering work is complete, these projects can then be submitted for future federal stimulus funds as they become available. If stimulus funds are received for a project, this will allow the use of CRA funds for projects in the budget for which CRA funds are not available. The budget indicates that there is over \$6,000,000 in unfunded projects in the budget. If federal funds are not received, the projects would be funded with CRA funds as they become available. The four projects to be engineered are:
  - a. Flagler Ave Boardwalk
  - b. Washington Street Improvements
  - c. Esther Street Park/Stormwater Project
  - d. Myrtle Ave Infrastructure Project

Note: In order to be “shovel ready”, a project must have the following:

- A Project scope statement
- 100% plans (no updates), Specifications, and Federal Guidelines and Requirements including the Federal checklist
- Bid documentations

- Right of Way certifications
  - All permits issued
  - The engineer's cost estimate
  - The project schedule
  - A safety memo
  - A letter stating when the project will be awarded to the Contractor and when construction will begin.
2. Wayfinding/Signage: The signage for motorists coming to the CRA needs improvement, as noted in the Master Plan Update. CRA staff believes that this is a key element in improving the business climate. The elements of a wayfinding system include:
- a. Developing of prioritized list of "attractions" that motorist want to find;
  - b. A determination of where the signs will be located, and what the signs will say at each location
  - c. For signs that are under the jurisdiction of FDOT, a review of FDOT regulations – and what they have allowed in practice – to negotiate what will be installed.
  - d. A determination of the design of the local (i.e., non-FDOT) signs. There are many examples of wayfinding signs that serve as examples. Please see the attachment. Local artists could assist in this effort.
3. Capital Projects
- a. Complete West Canal Street
  - b. Continue Orange St – this project is
  - c. Continue Mary Ave
  - d. Continue Dunn Lumber demolition and landscaping W Canal and US 1 intersection
  - e. Canal St and US 1 (FDOT project)
  - f. Explore feasibility of a project in the SR 44?Live Oak/Palmetto area
4. Maintenance of Streets and Street Furniture
- a. In the Canal and Flagler areas
  - b. Roundabouts on Atlantic
5. Recruitment
- a. Establishment of expanded business incentive programs
  - b. Flagler Ave Area
    - i. Hampton Inn on Flagler Ave
    - ii. Provision of additional parking on the east end of Flagler
  - c. Canal St Area
    - i. Badcock Building recruitment
    - ii. Incentivize the use of second floor spaces on canal by professional offices to free up retail spaces on the first floors
    - iii. Residential development
    - iv. Leasable property inventory to be displayed on website
    - v. More restaurants with bar service

- vi. Recruitment of key retailers
    - 1. Bank & ATM or ATM
    - 2. Bakery (Top of the Muffin closed last week)
    - 3. Coffee Shop
    - 4. Clothing stores
    - 5. Restaurants with bar service
    - 6. Electronic stores
    - 7. Book store
    - 8. Kitchen stores
    - 9. Post office branch
  - d. Explore feasibility of a business incubator project
  - e. Explore the feasibility of a hotel near the waterfront
  - f. Continue to explore the feasibility of a project with Bert Fish
  - g. Administrative Office Building site use\
6. Organizational Support and Collaboration
- a. Canal Street Historic District merchants group
  - b. Flagler Ave merchants group
  - c. Westside Community
7. Planning Activities
- a. Assist with the planning of the Arts Overlay District
  - b. Assist with the Form-based code revision of the Land Development Code
  - c. Plan for large parcels on the North Causeway
  - d. Plan for additional parking for Flagler Ave area
  - e. Planning for Bert Fish area and North Causeway Administrative office
  - f. Support for the Westside Neighborhood plan, now in process. This plan will drive future activities.
8. Marketing Activities
- a. Collaborate with New Smyrna Beach Area Visitors Bureau
  - b. Collaborate with media: newspapers, radio
  - c. Event signage
  - d. Explore feasibility of hiring a main st coordinator
  - e. Explore additional support for events (e.g., payment of insurance)
  - f. "Name the Loop" contest

FISCAL IMPACT:

All of the capital projects recommended above are included in the capital budget, which has been approved by the CRA and is being forwarded to the City Commission for approval. The cost of the Planning and Marketing activities are yet to be determined, and will be brought back separately and individually for approvals if they are not within the current budget.

OTHER OPTIONS:

Modify the list above and add new projects.

**CITY OF NEW SMYRNA BEACH  
AGENDA MEMORANDUM  
COMMUNITY REDEVELOPMENT AGENCY**

SUBJECT: Discussion of New Business Incentives

AUTHORIZED BY: Tony Otte CONTACT: Tony Otte

AGENDA DATE: April 7, 2010 REGULAR  CONSENT

MOTION/RECOMMENDATION:

No action requested – CRA staff requests review and discussion

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BACKGROUND:

Please find attached the listing of successful programs being implemented in other CRAs around the state. Staff wishes to have a discussion on what new programs can be established to implement the goals of the Plan Update. Staff then plans to bring descriptions for new programs to the May 5 meeting.

The current programs that the NSB CRA has available for commercial building improvements are limited to impact fee assistance, revitalization, and property improvements with maximum amounts available in the \$5,000 to \$10,000 range, to be matched dollar for dollar. From the attached list, it appears that some CRAs have programs with higher dollar limits in similar programs – such as Bartow’s 50% TIF rebates (p.5) or Fort Lauderdale’s programs for Sistrunk Blvd. It is anticipated that the revitalization of certain priority buildings (such as the Badcock building) will require a higher level of CRA participation as a part of a complex agreement involving the current owner/lessor, lessee/potential buyer, and the CRA.

The focus of this discussion will be: what programs do other CRAs currently have in place that are needed here to accomplish our re-development goals? To provide additional information, staff sent out a survey to the 476 businesses with current occupation licenses located within the CRA district and asked for suggestions on this topic. (Note: the survey also requested additional information. A copy of the survey is attached. A full report on survey results will be distributed prior to the May 5 meeting.)

FISCAL IMPACT:

None at this time.

OTHER OPTIONS:

None identified.

Attachment for Agenda Item 7. B. –  
Discussion of New Business Incentive

Exhibit I-1  
CRA INCENTIVES  
NEW SMRYNA BEACH CRA  
OCTOBER 2009

CRA	BUSINESS DEVELOPMENT	COMMERCIAL DEVELOPMENT/REDEVELOPMENT	COMMERCIAL IMPROVEMENTS	RESIDENTIAL DEVELOPMENT/REDEVELOPMENT
Boynton Beach CRA, Palm Beach County			Facade Grant provides up to \$15,000 for exterior improvements	Workforce Housing Program mixed-use, rent-lo-own, multifamily, and live-work projects worth more than \$1M in value may qualify (\$250K in Heart of Boynton); incentive not to exceed 50% of CRA TIF Revenue; no incentive shall exceed 75% of the project's previous year's TIF Revenue; workforce housing units must be sold to residents earning (50% to 120% for rentals/ 80% to 120% for-sale) of the County median income; % project workforce units must be the same % as market rate units
Bayfront CRA, Brevard County	<p><b>Business Recruitment Incentive</b> Program: intended to offset the costs of tenant improvements, permit fees, building renovation, new construction or brokerage commissions by offering 50 cents per SF with up to \$10,000 to new businesses and new construction. Businesses moving into existing building space must be totally new to the District. Businesses/property-owners expanding or constructing new square footage need not be new to the District. Maximum grant award per business lease or new construction is \$10,000 per property site.</p> <p><b>Targeted Business Incentive</b> Program awards funds to eligible businesses for the payment of impact, permitting, and licensing fees assessed, land and property improvement costs, and relocation costs-- incentive amount to be determined on a case-by-case basis</p>		Commercial/Industrial Beautification Grants fund up to 50% of costs of improvements (sings, parking, landscaping, demolition, etc.) not to exceed \$2,000 and \$5,000 total maximum per property. Bayfront "Restore" Commercial Facade Program intended to provide up to \$10,000 matching funds per storefront towards eligible Facade/sign improvements in the form of a 0%, 5-year deferred payment loan	



CRA	BUSINESS DEVELOPMENT	COMMERCIAL DEVELOPMENT/ REDEVELOPMENT	COMMERCIAL IMPROVEMENTS	RESIDENTIAL DEVELOPMENT/ REDEVELOPMENT
Bartow CRA, Polk County		Retail Assistance Program provides up to \$6,000 for purposes which appear to bring retail to core development district. Partial reimbursement for permitting fees on new construction and/or building renovation	Facade and Landscaping Grant provides up to 50% of project cost- up to \$10,000	Infill Housing Incentive Program covers equivalent of permitting fees at closing for homes purchases in "infill" areas; typically around \$5,000; will not be offered in 2010
Bradenton CRA, Manatee County	Credit against sales tax for job creation, Corporate Jobs Tax Credit; Sales tax refund for business machinery and equipment used in Enterprise Zone	Property Tax Credit	Facade Grant provides up to 50% of cost of the eligible Facade improvements with an amount of not to exceed \$5,000 for the primary Facade and \$2,500 for a second Facade	
Avon Park CRA, Highlands County			Facade Grant provides up to 50% of costs up to \$5,000 for the improvement of storefronts	
Fort Lauderdale CRA, Broward County		Funds for commercial and mixed-use projects on Sistrunk Blvd (must cost <\$5M); Grants and other assistance for tenant relocation, securing new tenants, or owners who wish to make their properties more desirable to lease	75% Facade Grant of up to \$10,000 total project cost; targeted areas max contribution increases to \$20,000 with 20% match from business; Development projects in Flagler Heights costing up to \$5M- up to 50% of the cost of streetscape construction with public right-of-way may be funded	Developers investing up to \$5M in for-sale, for-rent residential units; affordable housing components will be given preference
Boca Raton CRA, Palm Beach County				Homebuyer Assistance Program (through SHIP) provides purchase assistance to qualified first-time buyers, in the form of loans for down payments and/or closing costs, and rehabilitation expenses 0% interest second mortgages that are forgiven provided that the buyer remains in the home for 20 years
Cape Coral CRA, Lee County			Facade Grant provides existing business owners up to 50% of the cost of materials and professional contracted labor for completed exterior renovations in a three-year period not to exceed \$5,000 per storefront, with an overall maximum of \$10,000 per property that contains multiple storefronts. For businesses that improve both public entrances from public parking lots and their street address they would be eligible for a maximum of \$5,000 per improved entrance with a maximum of up to \$10,000 per business.	

CRA	BUSINESS DEVELOPMENT	COMMERCIAL DEVELOPMENT/ REDEVELOPMENT	COMMERCIAL IMPROVEMENTS	RESIDENTIAL DEVELOPMENT/ REDEVELOPMENT
Carrabelle CRA, Franklin County				
Carver Heights/ Montclair CRA, Lake County	<p><b>Corporate Income Tax Credits</b> to eligible high-impact sector businesses 5% of eligible capital costs of a new or expanding facility; <b>Qualified Industry Tax Refund Program</b> provides tax refunds to pre-approved applicants of up to \$5,000 per new job created; <b>Job Growth Investment Trust Fund</b>- \$2,500 per job created at annual median wage; Lake Technical Center Training Programs; <b>On the Job Training Program</b>- up to 40% of wages paid; <b>Qualified Defense Contractor Tax Refund Program</b>- up to \$5,000 per job created/saved in conversion of defense to civilian; Also qualifying are the acquisition of a new defense contract or the consolidation of a defense contract that results in at least a 25% increase in Florida employment or a minimum of 80 jobs; <b>Quick Response Training Program</b>: Annual corporate income tax credits to eligible high-impact sector businesses 5% of eligible capital costs of a new or expanding facility; <b>Sales Tax Exemption</b> on Aircraft Parts, Repair, and Maintenance, Sales Tax Exemption on Manufacturing Machinery and Equipment, Sales Tax Refund on Manufacturing or</p>	<p><b>Impact Fee Deferral Program</b>- defer Lake County Transportation Impact Fee based on jobs created, wages, etc; <b>Impact Fee Financing</b> (minimum fee \$20,000, financed over 5 years at prime rate)</p>		
Charlotte Harbor CRA, Charlotte County			<p><b>Sign Grant Program</b> pays up to 40% reimbursement to a maximum of \$8,000 for each code conforming sign installed</p>	
Chipley Redevelopment Agency, Washington County			<p>Facade Grants up to \$3,000, applicant must contribute at least 25% of requested amount</p>	
City of Brooksville CRA, Hernando County			<p><b>Commercial Property Improvement Matching Grant</b> provides matching grant up to \$5,000; Should an applicant provide a two-to-one or three-to-one dollar match, the applicant may elect to receive more in grant funds, not to exceed \$10,000</p>	

CRA	BUSINESS DEVELOPMENT	COMMERCIAL DEVELOPMENT/REDEVELOPMENT	COMMERCIAL IMPROVEMENTS	RESIDENTIAL DEVELOPMENT/REDEVELOPMENT
City of Casselberry CRA, Seminole County	Tie-in with Seminole County programs such as Capital Investment Tax Credit, Economic Development Transportation Fund, Enterprise Bonds, Florida One-Stop Career Centers, Incumbent Worker Training Program, Industrial Revenue Bonds, Permit Streamlining (per §403.973,F.S.), Qualified Target Industry Tax Refund, Quick Response Training Program, Road Fund Information, Small Business Administration Loans, and	Fast Track Development Review Committee for eligible projects, Fee Reduction: waiver or reduction of land development review fees, permitting fees, Parking Requirement Reduction; possible parking reduction of up to 20% less than code	Design Incentives will be made available on a 50%-50% matching basis and shall be awarded upon completion of the project, not to exceed \$10,000 for an "Undeveloped" Property and \$5,000 for a "Developed" property	
City of Coral Springs CRA, Broward County		Expedited permitting for significant projects	Facade Grant provides matching grant funds of 50% up to \$40,000; facades larger than 100 feet are eligible to receive an additional \$10,000 for improvements (funded by CDBG)	Expedited permitting for significant projects
Downtown Deland Tax Incremental District, Volusia County	Tax abatement on a case-by-case basis	Underutilized Building Grants designed to offer a one time enhancement (rehabilitation or demolition) to buildings which are presently underutilized; no more than \$30,000 in one year or \$60,000 over the entire life of the project; award shall not exceed 25% of total costs; priority consideration given to projects with at least a 50% match	Matching Facade Grants provide up to 50% of total project cost with no single grant exceeding \$2,500	
City of Eagle Lake CRA, Polk County			Facade Grant funds provides matching funds up to \$1,000 per commercial structure	
City of Holly Hill CRA, Volusia County			Commercial Property Improvement Program provides one-to-one dollar match up to \$5,000 on projects that address the entire Facade, including signage and other exterior issues that reflect the building as a whole; Commercial Landscape Improvement Program; provides 75% of the actual cost for any amount up to \$30 per lineal foot of all street frontages on all sides, but no less than \$3,000; applicant required to provide a 25% grant	
City of Inverness CRA, Citrus County		Reduced Transportation Impact Fees in the CBD	Facade Grant program for storefronts (\$37,500) Streetscape Enhancement Program (\$1,175,000)	
City of Lauderhill CRA, Broward County	Several types of employee training and economic incentive programs		Facade Grant provides matching funds up to \$5,000 for landscaping improvements in the public right of way; matching contribution can be used for landscaping, Facade improvements, painting, parking and signage.	Matching Facade grants to replace awnings
City of Marianna CRA, Jackson County				

CRA	BUSINESS DEVELOPMENT	COMMERCIAL DEVELOPMENT/REDEVELOPMENT	COMMERCIAL IMPROVEMENTS	RESIDENTIAL DEVELOPMENT/REDEVELOPMENT
City of Palmetto CRA, Manatee County		Subsidize some land purchases and refund property taxes over a certain period of time	Facade Grant provided not to exceed \$50,000 or 1/2 of the improvement cost	
City of Pensacola CRA, Escambia County		Fast track permitting	Retail Storefront Facade Improvement Program provides rebate in the form of a loan, forgivable over a five (5) year period; \$1 may be provided for every \$3 spent on the project for up to \$70,000	Fast track permitting
City of Port St. Lucie, St. Lucie County	Florida Target Industry Tax Refund Program; First \$5,000 of income are tax exempt, 5.5% corporate income tax for C-Corporations; Job Growth Investment Grant; provides up to \$3,000 per new job created; "BRE" Program; designed to survey the needs of each business in the areas of infrastructure, Small business administration grants and loans; loan pool for certain sized businesses to locate or expand through Community Reinvestment Act Contributions by local banks	Deferred Wastewater Impact Fees; One-stop permitting, expedited review, setback waivers, priority inspections. Parking reductions, Stormwater management adjustments/regulatory assistance; New Redevelopment Mixed Use zoning district, which allows a density up to 25 units per acre and heights up to 110 feet upon meeting certain Architectural and Site Design Guidelines.	Facade Grants and loans, Landscaping Grants and loans	One-stop permitting, expedited review, priority inspections
City of Rockledge CRA, Brevard County			\$10,000 matching Facade grant; Rehabilitation Loan Subsidy Program- Cash grant equivalent to buy down interest on a loan (Up to \$300,000)	
City of Sanford CRA, Seminole County			\$15,000 matching Facade grant, \$15,000 matching Landscaping Grant	
City of Sebastian CRA, Indian River County			Set aside \$500,000 to assist in development of affordable/workforce housing in Redevelopment Area	
City of Tallahassee CRA, Leon County			Historic Preservation Grant provides 10 year ad valorem tax exemption and federal preservation tax credit assistance to qualifying properties within the Ybor City Historic District	Storm Water Retention Waivers
City of Tampa CRA, Hillsborough County	High Impact Performance Grant; Capital Investment Tax, Enterprise zone, Foreign Trade zone	Transportation Impact Fee Waiver; Storm Water Retention Waivers, Parking Requirement Waiver	Facade Grants at 50% of cost (up to \$2,500 total cost)	
City of Trenton CRA, Gilchrist County			Sidewalk Cafe Furniture Grant; Program provides one-time grants of up to 75% of total cost, up to a maximum of \$2,500 per grant, for outdoor furniture, Cleveland Street District Facade Improvement Program provides up to \$3,000 of design assistance from local architects and up	
Clearwater CRA, Pinellas County	DDB Retail and Restaurant Recruitment Grant Program provides up to \$35,000 for retail tenants and \$50,000 for restaurant tenants to improve the interior appearance and utility of street level storefronts			

CRA	BUSINESS DEVELOPMENT	COMMERCIAL DEVELOPMENT/REDEVELOPMENT	COMMERCIAL IMPROVEMENTS	RESIDENTIAL DEVELOPMENT/REDEVELOPMENT
Cocoa CRA, Brevard County Collier County CRA, Collier County	Collier County Economic Stimulus Program; HUB Zone- provides advantages when competing for federal contracts. Immokalee Rural Enterprise Zone, Foreign Trade zone		<p>\$10,000 matching Facade grant</p> <p><b>Commercial Building Improvement Grant</b> provides partial reimbursement for exterior and interior improvements to commercial buildings; 50% matching funds for exterior improvements, not to exceed \$30,000; 50% matching funds for interior improvements, not to exceed \$20,000</p>	
Stuart CRA, Martin County			<p>Property Improvement Grant Program provides up to \$4,000 of public funds per building to match private funds to pay for the design and completion of Facade improvements</p>	
City of Fellsmere CRA, Indian River			<p>Facade Grant provides funds for exterior improvements not to exceed \$5,000 per project</p>	
South Daytona CRA, Volusia County			<p>Facade Grant will match an project costs with up to a maximum of 50 %, with the total grant award not to exceed \$5,000 for single storefronts and \$15,000 for multi-storefronts within 5 years</p>	
City of Temple Terrace CRA, Hillsborough County			<p><b>Commercial Improvement Grant Program</b> provides a grant for exterior improvements of 50% of a project totaling \$10,000 or less, or a maximum City grant of \$5,000 for projects greater than \$10,000</p>	
Crystal River Redevelopment Agency, Citrus County				
Davie CRA, Broward County	\$2,000 per job created (min 100 jobs paying 115% of County Average Salary); Qualified Target Industry Program- grants \$3,000 per job meeting same conditions		<p><b>Commercial Loan Subsidy Program</b>- first 5% interest on a loan for the first 5 years of loan; <b>Commercial Property Improvement Program</b>- grant of up to \$100,000 is made for improvements (based on 2/1 matching ratio)</p>	

CRA	BUSINESS DEVELOPMENT	COMMERCIAL DEVELOPMENT/ REDEVELOPMENT	COMMERCIAL IMPROVEMENTS	RESIDENTIAL DEVELOPMENT/ REDEVELOPMENT
Daytona Beach CRA, Volusia County			<p>Facade Grant provides eligible property owners reimbursement of one time for 50% of the cost of professional contracted labor for completed renovations. Each storefront address is eligible for a maximum grant of \$5,000, with an overall maximum of \$10,000 per property that contains multiple addresses</p>	<p><b>Affordable Housing:</b> Flomitch Woods, a 23-unit single-family affordable housing initiative (Consolidated Tomoka Land Development Company donated land to the city) Per the agreement with CTLD, 4 lots must be donated to Halifax Habitat for Humanity for construction of single-family homes through their program. Residual lots will be provided to qualified families through the City's Affordable Home Ownership Assistance Program (AHOAP) for first-time homeownership. Forte Macaulay, a development consultant provided assistance in completing the infrastructure improvements. Subsequently, the lots and up to \$40,000 in down payment and closing cost assistance will be made available to eligible first-time homebuyers</p>
Delray Beach CRA, Palm Beach County	<p><b>Business Incubation Services:</b> owners and residents of the CRA District are eligible to receive subsidized business incubator services at the Delray Beach-based TED Center (Center for Technology, Enterprise and Development), <b>Business Development Assistance Program</b> provides rent subsidies of up to one-third of the business's monthly rent or \$500 per month (whichever is less) for 12 months during the first 18 months of a multi-year lease with a maximum annual subsidy per business of \$6,000, offering an initial safety net to help insure long term success for the business</p>	<p><b>Site Assistance Program Grants</b> are provided to bolster business expansion and property upgrades by assisting with the costs of engineering and architectural plans, building renovations and exterior improvements. Site Assistance Grants are on a reimbursement basis. Funds for projects in the West Atlantic area are available for up to 40% of the total project cost, with a maximum grant of \$50,000. Funds for projects in other areas are available for up to 25% of the total project cost, with a maximum grant of \$25,000 per project.</p>	<p><b>Paint Up Program</b> provides business owner with up to 50% of the cost of an approved exterior pressure cleaning and paint project</p>	<p>Responsible for the Renaissance Program, which assisted more than 160 low and moderate income households to become homeowners through credit counseling, down payment subsidies and land acquisition. Contributed \$200,000 for the purchase of land for the redevelopment of the Delray Beach Housing Authority's Carver Estates project. Developed LaFrance Apartments, a 16-unit apartment project for low-income seniors. Driving force behind the Delray Beach Community Land Trust (CLT), contributing land, subsidies, construction financing, and operational funding so that the organization can provide long-term workforce and affordable housing.</p>
Diamond Square CRA, Brevard County	<p><b>Program Sponsorship</b> provides up to \$2,000 to eligible programs whose service areas are located within the Diamond Square Area of the City of Cocoa and whose program goals match one or more of the goals and objectives of the Agency</p>	<p><b>FRA Redevelopment Assistance Program</b>- provides 1-3 consultants to address downtown issues of concern</p>	<p>Facade Grants provide matching grants of up to \$10,000 per parcel</p>	
Flagler Beach CRA, Flagler County			<p><b>Redevelopment District Grants</b> provides approved projects a 50% rebate with a total maximum Grant of \$2,000 awarded to any one project. <b>Landscaping Grants</b> provides approved projects a 50% rebate with a total maximum Grant of \$2,000 awarded to any one landscaping project.</p>	



CRA	BUSINESS DEVELOPMENT	COMMERCIAL DEVELOPMENT/REDEVELOPMENT	COMMERCIAL IMPROVEMENTS	RESIDENTIAL DEVELOPMENT/REDEVELOPMENT
Fort Walton Beach CRA, Okaloosa County			<p><b>Matching Streetscape Grant Program</b> is a 50/50 matching grant program that provides grants of up to \$10,000 as an incentive for commercial property owners to provide approved landscaping, lighting, underground utilities, and other streetscape amenities in public rights-of-way</p>	
Bradenton DDA/ 14th Street CRA, Manatee County			<p>Facade Grant Program funds up to 50% of the actual cost with an amount of not-to-exceed \$5,000 for the primary Facade and \$2,500 for a second Facade for rehabilitation and preservation of significant commercial buildings</p>	
Hallandale Beach CRA, Broward County	<p><b>Business Enticement/Incentive Program</b> provided for businesses located or planning to locate within CRA area and existing businesses expanding and/or upgrading facilities; loan amount based on number of jobs created; monies to be used for land acquisition, permit fees, impact fees, parking and drainage installations, property upgrades, moving expenses</p>		<p><b>Commercial Loan Program</b> provides loans up to \$100,000 for parking/drainage, structural improvements, and general property maintenance; 15% of the loan amount will be waived for payback; monies beyond the waived amount will be repaid in full at 4% interest, over a period of 10 years</p>	X
Keystone Heights CRA, Clark County			<p>Business Facade Grant Program provides 80% of the total project funds, up to a maximum award of \$5,000</p>	

CRA	BUSINESS DEVELOPMENT	COMMERCIAL DEVELOPMENT/REDEVELOPMENT	COMMERCIAL IMPROVEMENTS	RESIDENTIAL DEVELOPMENT/REDEVELOPMENT
Kissimmee Redevelopment Agency, Osceola County		<p><b>Water and Sewer Impact Fee Assistance Program</b> provides 50% of impact fees paid by the assistance program at the front end of the project, with the remainder of the impact fees paid by the business owner over a 5 year period in annual interest free payments.</p>	<p><b>Matching Facades or Sign Grant</b> intended to restore, improve or create historic architectural features to facades of commercial buildings and provides up to \$1,500 for facades, storefronts, awnings and up to \$750 for signs; <b>Matching Facade Rehabilitation Grant</b> provides up to \$5,000 to perform general repairs on facades; <b>Matching Revitalization Grant</b> provides up to \$5,000 to encourage revitalization and preservation of commercial buildings</p>	<p><b>Residential Impact Fee Assistance Program</b> provides funding for 50% of all impact fees and remainder of the impact fees shall be paid by the property owner or developer over a 5 year period in annual interest free payments for development of infill residential construction within the CRA</p>
Mattland Downtown CRA, Orange County		Free AR consultation; Credit for some impact fees in return for contribution to parks trust fund/cultural partners/utilities installation; Expedited permitting	Property Improvement Grant Program provides up matching funds to pay for Facade improvements and/or landscaping upgrades for commercial properties, on a reimbursement basis	Expedited permitting
Margate CRA, Broward County			Tenant Improvement Grant recommends awards as funds are available for renovations and tenant build-out; grant paid directly to vendors as work is completed, or to the grantee on a reimbursement basis; Building Facade Rehabilitation Grant recommends awards as funds are available Wrap-Around Building Rehabilitation Program is a "match grant" program requiring a minimum of 25% match from the grantee to assist qualified commercial tenants and property owners with exterior improvements that are directly related to the opening of a business and no eligible to receive funds from other grant programs	
Miami CRA, Miami-Dade County	Economic Stimulus Small Business and Job Creation Grant Program provides up to \$5,000 in financial assistance for equipment, fixtures, interior renovations, insurance, security systems, and utilities to support small businesses in the CRA; Overtown Small Business Initiative			



6) Do you have any ideas that would help increase "traffic" to your business? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7) Do you have any office/retail space for rent/lease? . \_\_\_\_\_ Yes \_\_\_\_\_ No

7a) If yes, what are the terms? (Square footage, Rent/Lease amount, Amenities, dedicated Parking space, length of lease). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7b) Would you be interested in listing this space for lease on the CRA website? \_\_\_\_\_ Yes \_\_\_\_\_ No

8) Would you be interested in attending a Focus Group to discuss these and other issues? (The session should take about an hour of your time) \_\_\_\_\_ Yes \_\_\_\_\_ No

8a) If Yes, what time of day would be best for you?

\_\_\_\_\_ Early Morning \_\_\_\_\_ Mid-Morning  
\_\_\_\_\_ Lunch/noon time \_\_\_\_\_ Evenings

8b) Please contact me regarding the focus group:

Contact Name: \_\_\_\_\_ Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

9) Other Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When you finish this survey please:

- fax it back to the New Smyrna Beach CRA at (386) 409-4759; or
- email to [csoulie@cityofnsb.com](mailto:csoulie@cityofnsb.com); or
- deliver in person to the CRA office in the Connor Library Building, 201 Sams Ave in Old Fort Park, across from City Hall at 210 Sams Ave.

You are cordially invited to attend CRA meetings, held the first Wednesday of every month at 2 PM in the City Commission Chambers at City Hall, 210 Sams Ave. You may also listen to the CRA meetings live online by going to [www.cityofnsb.com](http://www.cityofnsb.com) then selecting *City Government; Boards, Commissions and Agencies; listen live online.*

Thank you again for your time and assistance. If you have any questions regarding this survey please call:

Claudia Soulie, City of New Smyrna Beach CRA (386) 424-2265

**CITY OF NEW SMYRNA BEACH  
AGENDA MEMORANDUM  
COMMUNITY REDEVELOPMENT AGENCY**

SUBJECT: Call for Entries: 2010 Florida Redevelopment Association (FRA) Awards

AUTHORIZED BY: Tony Otte CONTACT: Tony Otte

AGENDA DATE: April 7, 2010 REGULAR  CONSENT

MOTION/RECOMMENDATION:

Approval for authorization to submit the Plan Update for an award.

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BACKGROUND:

FRA's annual awards program has various categories for recognition, including planning. Staff recommends that entries be submitted for the following categories:

Planning: the Master Plan Update

Cultural Enhancement: The Flagler Ave. Art Walk

Creative Organizational Development and Funding: Property Improvement Grant Program

FISCAL IMPACT:

The fee for each entry is \$100 so the cost will be \$300. Funds are available in the Other Operating line item of the budget.

OTHER OPTIONS:

Apply in additional categories.

**CITY OF NEW SMYRNA BEACH  
COMMUNITY REDEVELOPMENT AGENCY  
AGENDA MEMORANDUM**

SUBJECT: W Canal Streetscape Temporary Parking Lot – Change Order No. 1

AUTHORIZED BY: Tony Otte *AWO* CONTACT: Michelle Martin *JM*

AGENDA DATE: 4/7/10 REGULAR  CONSENT

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**MOTION/RECOMMENDATION:**

Approval of Change Order No.1 for the W Canal Streetscape Project to move the location and increase the size of the Temporary Parking Lot.

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**BACKGROUND:**

The ThadCon Design Build Team was required by the RFP to design and construct a temporary parking lot at the City/CRA owned parcels at 111 and 115 Dimmick Street. However, these parcels were found to be too small to accommodate the designed shell parking lot with 11 parking spaces plus a retention pond of a size that would meet SJRWMD requirements. Therefore, the City directed the ThadCon Design Build Team to move the temporary parking lot to another parcel owned by the City/CRA at the southeast corner of Julia Street and Lewis Street, and increase the size to 22 parking spaces (thus doubling its size).

The ThadCon Design Build Team's budget for the original design and construction was \$20,000.00. However with the increase in size and incidental expenses associated with it, the ThadCon Design Build Team requested an additional \$41,379.50.

Attachment: Change Order No. 1.

# AGENDA ITEM SUMMARY

Attachment for Agenda Item 7. D. –  
W. Canal Street Change Order No. 1

Department Making Request: Community Redevelopment Agency		
Meeting Date: 1 <sup>st</sup> Reading: <u>4/27/10</u> 2 <sup>nd</sup> Reading: _____		
Action Item Title: W Canal Streetscape and Drainage Improvements Project – Change Order # 1		
Agenda Section:            Consent _____            Public Hearing _____            Special Items <u>  X  </u>		
Summary Explanation and Background:  The ThadCon Design Build Team was required by the RFP to design and construct a temporary parking lot at the City/CRA owned parcels at 111 and 115 Dimmick Street. However, these parcels were found to be too small to accommodate the designed shell parking lot with 11 parking spaces plus a retention pond of a size that would meet SJRWMD requirements. Therefore, the City directed the ThadCon Design Build Team to move the temporary parking lot to another parcel owned by the City/CRA at the southeast corner of Julia Street and Lewis Street, and increase the size to 22 parking spaces (thus doubling its size).  The ThadCon Design Build Team's budget for the original design and construction was \$20,000.00. However with the increase in size and incidental expenses associated with it, the ThadCon Design Build Team requested an additional \$41,379.50.		
Recommended Action/Motion: Approval of Change Order No.1 for the W Canal Streetscape Project to move the location and increase the size of the Temporary Parking Lot.		
Funding Analysis:    Budgeted <u>  X  </u> If not budgeted, recommended funding account: Transfer to be made from Contingency.		
Exhibits Attached: Attachments: Change Order # 1		
Reviewed By:	Name	Signature
Department Director:	Anthony Otte	
Finance Director	Carol Rogers	
City Manager	Pam Brangaccio	
City Attorney	Frank Gummey	
Commission Action:		



**COMMUNITY REDEVELOPMENT AGENCY**  
**CITY OF NEW SMYRNA BEACH**  
**210 SAMS AVENUE**  
**NEW SMYRNA BEACH, FLORIDA 32168**



CHANGE ORDER NO.: 1

DATE: March 31, 2010

PROJECT: West Canal Streetscape and Drainage Project  
FPN 410777-1-58-01 (Streetscape) and 411554-1-58-01  
(Drainage)

CONTRACTOR: Thad Construction, Inc.  
503 North Street  
Daytona Beach, FL 32114

You are hereby authorized to perform the additional work to the Temporary Parking Lot as specified below and with the attached back-up documentation:

**ADDITIONS:**

Bid Item No.	Description	QTY	Unit	Unit Price	Amount
3	Double the size of the parking lot from 11 spaces to 22 spaces	1	LS	\$20,000.00	\$20,000.00
3	Additional costs for doubling size of parking lot (i.e.; boundary survey, design survey, soil borings, drainage design)	1	LS	\$5,500.00	\$5,500.00
3	Additional items imposed by SJRWMD	1	LS	\$12,529.50	\$12,529.50
3	Irrigation System upgrade	1	LS	\$2,900.00	\$2,900.00
3	UCNSB fees for irrigation meter	1	LS	\$450.00	\$450.00
	<b>Change Order # 1 Total =</b>				<b>\$41,379.50</b>

CHANGE ORDER # 1  
West Canal Streetscape and Drainage Project  
FPN 410777-1-58-01 (Streetscape) and 411554-1-58-01 (Drainage)  
Page 2

Original Contract Amount \$2,327,177.00 + C.O. # 1 \$41,379.50  
**New Completed Contract Amount = \$2,368,556.50**

**City of New Smyrna Beach, Florida  
Recommended by:**

Accepted by: \_\_\_\_\_  
Thad R. Sizemore, Jr  
Managing Member

\_\_\_\_\_  
Tony Otte  
CRA Director

Date Accepted: \_\_\_\_\_

\_\_\_\_\_  
Pam Brangaccio  
City Manager

cc: Michelle Martin, CRA Project Manager  
Thea Philord, Deputy Finance Director



# City of New Smyrna Beach

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**CHANGE ORDER NO.:** 1

**DATE:** January 8, 2009

**PROJECT:** West Canal Streetscape and Drainage Project  
 FPN 410777-1-58-01 (Streetscape) and 411554-1-58-01  
 (Drainage)

**CONTRACTOR:** Thad Construction, Inc.  
 503 North Street  
 Daytona Beach, FL 32114

You are hereby authorized to perform the additional work to the Temporary Parking Lot as specified below and with the attached back-up documentation:

**ADDITIONS:**

Bid Item No.	Description	QTY	Unit	Unit Price	Amount
3	Double the size of the parking lot from 11 spaces to 22 spaces	1	LS	\$20,000.00	\$20,000.00
3	Additional costs for doubling size of parking lot (i.e.; boundary survey, design survey, soil borings, drainage design)	1	LS	\$5,500.00	\$5,500.00
3	Additional items imposed by SJRWMD	1	LS	\$12,529.50	\$12,529.50
3	Irrigation System upgrade	1	LS	\$2,900.00	\$2,900.00
3	UCNSB fees for irrigation meter	1	LS	\$450.00	\$450.00
	<b>Change Order # 1 Total =</b>				<b>\$41,379.50</b>

CHANGE ORDER # 1  
West Canal Streetscape and Drainage Project  
FPN 410777-1-58-01 (Streetscape) and 411554-1-58-01 (Drainage)  
Page 2

Original Contract Amount \$2,327,177.00 + C.O. # 1 \$41,379.50  
**New Completed Contract Amount = \$2,368,556.50**

**City of New Smyrna Beach, Florida  
Recommended by:**

Accepted by: \_\_\_\_\_  
Thad R. Sizemore, Jr  
Managing Member

\_\_\_\_\_  
Kevin Fall  
CRA Director

Date Accepted: \_\_\_\_\_

\_\_\_\_\_  
John Hagood  
City Manager

cc: Michelle Martin, CRA Project Manager  
Thea Philord, Deputy Finance Director

# ***REPORTS AND COMMUNICATIONS***

# CRA DIRECTOR'S REPORT

April 2, 2010

## Announcements

- April 5, 5:30 pm, Dr. Wendy Edwards, 109 N. Orange – Canal St Block Party
- April 8, 6pm, New police station – Citizens Academy
- April 20, 6 pm, UC DeBerry Room, Joint meeting of City Commission and UC
- May 3, 5:30 pm, Tipton's Florist, 1001 W. Canal St – Canal St. Block Party
- May 5, 6:15 pm, North Myrtle Beautification Meeting, discussion of easements

## Work Priorities

- Have the CRA Plan Update approved by the City Commission\*
  - This plan will be adopted by ordinance, requiring two readings. First reading was scheduled for the April 13 agenda but was moved to the April 27 agenda as additional work is needed to prepare the ordinance to specify that this is actually a plan update. The ordinance needs some specificity as to what is being kept in the existing plan, and what is being changed with the update. New scheduled dates for first and second readings are April 27 and May 11.
- Expedite completion of capital projects\*
  - Construction of the W Canal St project is on-going. Work on the south side of the street is nearly complete and is scheduled to move in two weeks to the north side of the street. Staff held a meeting on March 29 at the Babe James Center to discuss the project with residents. The project is scheduled for completion in August.
  - Staff submitted the Orange St. and Mary Ave construction plans for federal stimulus dollars. The projects were accepted and appear among the last projects in their category on the list. It is anticipated that additional stimulus dollars will be made available in the future.
  - Staff is currently seeking UC approval on these plans, as well as obtaining a "Memorandum of Understanding". These actions are intended to eliminate the chance for changes that require costly, unanticipated change orders during construction.
- Expedite the completion of negotiations for the Hampton Inn New Smyrna Beach parking\*
  - It is unlikely at this point that additional parking for the hotel will be needed. Regarding the property negotiations:
    - An updated review appraisal was ordered from Heffington and received.
    - A business viability study was ordered from RCLCO. This study will also give an opinion of residual value of the property using an income approach to value. The results of the study are due in three weeks.
    - CRA staff and attorney are continuing the preparation of the contract and anticipate completion this month.
- Coordination with hospital officials to discuss possible projects.\*
  - No action on this item.
- Coordination with County officials to discuss the CRA program.\*
  - The City staff is coordinating a meeting with County Councilmember Hayman.

- Coordination with Utilities Commission officials.
  - CRA has had several meetings with UC officials on lighting and is going to discuss the W Canal St project in an upcoming meeting.
- Dunn Property Demolition
  - The environmental engineer for this project will be Kimley Horn. They are expected to return the executed contract next week and will then do a scope of work for this project. We will finalize the bid solicitation and go out for demolition bids at that time.
- Wayfinding and FDOT signage:
  - City staff has agreed to assist with the planning for this project. (Please see agenda item.)
- Badcock Building
  - After many weeks of phone calls and e-mails, on April 1 CRA staff met on site with Wogan Badcock to discuss the building he owns at the corner of Canal and US 1. Staff also invited a business owner (copy machine & office equipment) who is looking to lease property with an option to buy in the Canal St area. The business owner wants to locate to a new space in the next 30-60 days, and would utilize only about 25% of the space. The business owner will arrange for another meeting soon.
- Recruitment Activities
  - CRA staff met with a web-hosting business owner and arranged and attended a meeting with a local bank that participates in the SBA loan guarantee program. Two locations on Canal Street were also shown.
- Parking study
  - Under separate cover staff will distribute the parking study that was received last June, for discussion at the May meeting.
- Grants
  - In addition to stimulus funds, staff will coordinate with city staff and check the materials provided in the Plan Update for the availability of grant funding for projects.
- Maintenance
  - Staff has initiated discussion with the Parks and Recreation Department pertaining to Maintenance, including pressure washing streetlight posts and garbage cans on East Canal St., and repairs to the Traffic circles on Atlantic Ave.

\*These items are City Manager priorities.

#### Tracking Report Items

CRA staff will report on/discuss these items that were mentioned at previous CRA meetings:

- Review of CRA commercial impact fee assistance regarding compliance with every consideration is required.
- Draft a letter to the City Commission re CRA concerns.
- Presentation of a comprehensive CRA incentive program.



## Florida Department of Transportation

CHARLIE CRIST  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

STEPHANIE C. KOPELOUSOS  
SECRETARY

March 12, 2010

Mr. Steve Dennis  
Vice-Chair  
Community Redevelopment Agency  
210 Sams Avenue  
New Smyrna Beach, FL 32168

**SUBJECT: FEC/Amtrak Passenger Rail Service**

Dear Mr. Dennis:

Thank you for your letter dated February 9, 2010 to Secretary Kopelousos regarding the proposed Amtrak/FEC passenger rail service. As you may know, on October 2, 2009 the Department submitted an application to the Federal Railroad Administration (FRA) under the American Recovery and Reinvestment Act (ARRA) intercity passenger rail program seeking funding to initiate Amtrak service on the Florida East Coast Railway (FEC) between Jacksonville and Miami. Unfortunately, the FRA determined that our application did not meet certain prerequisites and that the project was not sufficiently developed to receive funding under the ARRA.

In further discussions with FRA staff, they indicated their willingness to work with the Department to remedy the identified deficiencies and to help move this project forward. We are currently advancing aspects of the project work to put us in a better position to capture funding as it becomes available. This includes finalizing the Programmatic Environmental Assessment, performing survey and right of way mapping in the Northwood area, releasing project information to federal and state environmental resource agencies and local governments to identify important environmental issues, advancing the analysis of known environmental factors such as cultural and historic resources, and engaging the municipalities to select preferred station locations.

Mr. Steve Dennis  
March 12, 2010  
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The Department is committed to continuing the dialogue with the FRA, Amtrak, and the FEC and to seek other funding opportunities to further develop and implement this project. We are excited about the potential opportunities this project can bring to the State of Florida, and are working on moving it forward. If you have any questions or need further information, please let me know.

Sincerely,

  
(File) Stephanie C. Kopelousos  
Secretary

cc: Kevin Thibault, P.E., Interim Executive Director, Florida Rail Enterprise  
Nazih Haddad, P.E., Chief Operating Officer, Florida Rail Enterprise  
Noranne Downs, FDOT District V Secretary