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

Chair Charles (Chas) Belote called the CRA meeting to order at 2:00 p.m.

**Answering to roll call:**

**Charles Belote  
James Kosmas  
Cynthia Lybrand  
Doug Hodson  
Chad Schilsky**

Also present were CRA Director Tony Otte; CRA Project Manager Michelle Martin; CRA Administrative Assistant Claudia Soulie and CRA Attorney Mark Hall. Commissioner Thomas Williams was (excused) absent and Vice Chair Steve Dennis arrived at 2:10 pm.

Mr. Belote asked for a moment of silence to commemorate the passing of Ruby Clark, a valued member of the Community.

**CONSENT AGENDA**

- A. Approval of Minutes – Regular Meeting October 6<sup>th</sup>, 2010
- B. Impact Fee Assistance Grant – 114 Flagler Ave.

**Mr. Hodson made the motion to approve the consent agenda, seconded by Ms. Lybrand. Motion carried on 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 Elliot, business owner at 421 Canal Street, asked the CRA to resubmit their comments to FDOT supporting the establishment of the intersection of US1 and Canal Street as a Gateway as indicated in the CRA Master Plan Update. Ms. Elliott referred to the March 3<sup>rd</sup>, 2010 CRA meeting, when representatives from FDOT were present to elaborate on their proposed improvements for this intersection and stated that public input was being gathered for the design.

Ms. Elliott stated that FDOT was open to suggestions for the design of the intersection and the use of directional signs, including digital signs. Ms. Elliot gave ideas for the use of the former Dunn Lumber site, which would make this area attractive and a possible revenue source for the CRA.

48 There being no further request, Mr. Belote closed the Public Participation portion of the  
49 meeting.

50

51 **OLD BUSINESS**

52

53 A. Discussion on W. Canal Street Streetscape Wrap-up

54

55 Ms. Martin, CRA Project Manager stated that the project was now substantially complete  
56 and that staff was working with the contractor on any outstanding “cosmetic” issues. Ms.  
57 Martin continued that once this “punch list” was completed, staff would schedule a  
58 ribbon cutting ceremony.

59

60 A brief discussion ensued about the number of on-street parking that remained; trimming  
61 or removing of a Magnolia tree just west of Chestnut, which was placed correctly, but  
62 appeared to impede the vision of motorists; enticing property owners to improve their  
63 properties and the light strength/durability of the new light poles used for the Streetscape.

64 Ms. Martin stated that the Utilities Commission was in the process of adopting the new  
65 lights used on the West Canal Streetscape project into their inventory, but that they would  
66 not maintain any lights that were on a metered circuit. Ms. Martin continued that future  
67 projects could be designed to meet the UC’s installation requirements, so that the lights  
68 could be maintained by the UC.

69 Ms. Martin informed the CRA that she had been gathering information to obtain quotes  
70 from companies for striping on East Canal Street. A brief discussion ensued about the  
71 timeframe for completion and Ms. Martin stated that she would prioritize this item to  
72 coincide with the West Canal Streetscape ribbon cutting.

73 The CRA Commissioner complimented Ms. Martin on her work and the final results with  
74 the West Canal Streetscape.

75

76 B. Discussion on the Curbing and Sidewalk on south side on Dunn Lumber Building

77

78 Ms. Martin stated that, based on a CRA Commissioner’s request, she had looked into  
79 replacing the sidewalk and curbing on the south side of the Dunn Lumber Bldg (along W.  
80 Canal Street). Ms. Martin stated that this section of W. Canal Street is an FDOT  
81 maintained roadway and gave a brief summary of her findings.

82

83 Ms. Martin continued that the FDOT recently completed an RRR (resurfacing,  
84 restoration, and rehabilitation) project on US1 and chose not to replace the sidewalk or  
85 curbing, as it would have been cost prohibitive: the top of the sidewalk is also the top of  
86 box culvert, and it is unknown if disturbing the curbing might have also been detrimental  
87 to the box culvert. Ms. Martin stated that staff will contact FDOT to explore cleaning the  
88 area, removing vegetation, and re-painting the curb.

89

90 Ms. Martin stated that she knew of a Company that offered a product (asphalt mat) that  
91 can be applied to an existing sidewalk, but would be most likely very expensive, and  
92 there were many designs, shapes and colors to choose from. Ms Martin requested that a  
93 task team be set up to review the options. Mr. Otte suggested appointing CRA

94 Commissioner Williams to work with CRA staff to look into the different options  
95 (asphalt mat, thin-set concrete, pavers) and bring this item back at the December CRA  
96 meeting.

97

98 A brief discussion ensued about various simple options of just touching up the curb and  
99 sidewalk to improve the appearance this area.

100

101 Chair Belote thanked Ms. Martin for her efforts.

102

103 C. Wayfinding Project – Progress Report

104

105 Mr. Otte stated that on Wednesday, October 27, 2010 the consultants for the Wayfinding  
106 Project, Glenn Herbert and Shaughnessy Hart held a public “kick-off” meeting and  
107 conducted a question and answer session.

108

109 Mr. Otte stated that the schedule for this project was ambitious, with a recommended  
110 design for a “hierarchy” of signs to be produced in January and that the consultants  
111 wished to review the project and schedule with the CRA and outline the decisions that  
112 would need input, including sign locations, sign content, sign size, and style.

113

114 Mr. Herbert stated that his current contract with the City included seven (7) tasks and that  
115 the design of signs for gateway and entrance features into the City was one of them. Mr.  
116 Herbert continued that his company could focus on the intersection of US1 and Canal  
117 Street as a priority and design the area in such a way that it would not be impacted by  
118 FDOT’s proposed future improvements for this intersection.

119

120 Mr. Herbert and Ms. Hart gave examples of the types of signage that could be used. The  
121 consultants also explained that the Florida Department of Transportation (FDOT) had  
122 new requirements that would be a major factor in the location and style of signs on state  
123 highways. Ms. Hart stated that they would need the City Commission to approve the  
124 overall hierarchy of the sign types as well as the proposed sign locations on FDOT roads  
125 and to include this as a letter in the packet to be submitted to FDOT.

126

127 Mr. Kosmas inquired if future land development had to tie into the design theme once  
128 adopted by the City Commission. The consultants agreed.

129

130 A brief discussion ensued about the timeline for project completion from design to  
131 installation. The consultants estimated completion by spring of 2011. Mr. Herbert asked  
132 the CRA to bring back their suggestions of the proposed sign styles to the December  
133 CRA meeting as this would assist them with staying on schedule.

134

135 Mr. Kosmas stated that there had been previous discussion about branding “the loop” and  
136 inquired if that could be looked into during the sign design phase. The consultants stated  
137 that, to create continuity, there would be a sign type developed for all path, trails,  
138 walkways and parks in New Smyrna Beach and placed on the sign hierarchy.

139

140 A brief discussion ensued about the corner on SR44 and Canal Street that is outside of the  
141 CRA district and if any directional signs would be placed there. Mr. Herbert stated that

142 this area was not part of the wayfinding and more of a gateway feature, but the design  
143 type of the wayfinding signs can be used to maintain consistency.

144  
145 Mr. Schilsky stated that it was very important to stay consistent with the sign structures.  
146 Ms. Hart informed that she had received a request to mark the bridges so that the signs  
147 were visible from the waterway.

148  
149 Mr. Dennis recommended holding a joint workshop with the CRA and City Commission  
150 in the spirit of saving time on the decision phase. All agreed and it was suggested to try to  
151 schedule the workshop to a date certain on the day of or after the December 8, 2010 CRA  
152 meeting.

153  
154 **Dolphin View Restaurant – Revised Program Request**

155  
156 Mr. Otte stated that the owner of the DolphinView Restaurant wished to present a new  
157 request to the CRA with the following elements:

- 158
- 159 1. A recent construction estimate for this project was \$75,000. The project involves  
160 renovating the storage area for use as an indoor dining area.
  - 161 2. New proposal: The CRA would grant \$50,000 for the project, or 66%. The business  
162 owner would contribute \$25,000 or 33%.
  - 163 3. In 2014 the business owner would pay back to the CRA \$6,250. In 2015 the business  
164 owner would pay back to the CRA \$6,250 for a two year total payment of \$12,500,  
165 which would effectively lower the CRA contribution to \$37,500 and increase the  
166 business owner's contribution to \$37,500.
  - 167 4. There was no collateral proposed for the two year payment.

168  
169 Mr. Otte continued that:

- 170
- 171 1. If the CRA wished to fund this request, Staff recommended that a CRA-wide  
172 program be created. The program would recognize that restaurants were an attractive  
173 use in redevelopment areas by bringing patrons into the district during the day and  
174 into the evenings as well as on weekends.
  - 175 2. Staff would research the availability of models for this type of program in other  
176 CRAs and report on this research at the meeting.
  - 177 3. Since there was no collateral offered in the request, the program should not be  
178 considered as a loan program.
  - 179 4. The CRA could set aside \$100,000 and have an open competition for an established  
180 number of grant awards for a program as described above.

181  
182 Mr. George Richford, owner of the Dolphin View restaurant stated that his business was  
183 not just a restaurant, as they also offered access to the river and the ocean, and could be  
184 considered an anchor that brought people to Canal Street from all over Florida. Mr.  
185 Richford commented on all improvements to the restaurant done by him to date and  
186 stated that his restaurant was experiencing a hardship due to not having indoor seating.

187  
188 Ms. Lybrand inquired about the CRA funds in the Development Assistance and  
189 Incentives line item and asked why these funds couldn't be used for the purpose of

190 Business redevelopment. Mr. Otte stated that using these funds could be an option,  
191 however, a program needed to be established to provide guidelines.  
192

193 A brief discussion ensued about making a difference between restaurants just needing  
194 money to remodel versus the economic impact the remodeling would have on the CRA  
195 district as far as putting “feet on the street”.  
196

197 Mr. Hall, CRA attorney, felt that the best way for the CRA to grant any monies would be  
198 through an established program. Mr. Hall continued that the questions to be answered  
199 included: if a project was in the CRA district; if it is listed in the Master Plan update and  
200 being properly authorized. Mr. Hall also questioned if the Dolphin View was asking for a  
201 grant or a loan; and if it was a loan it would be without collateral. Mr. Hall cautioned the  
202 CRA to find out the City Commission’s intent before making any decision.  
203

204 Mr. Dennis was very disconcerted that the CRA had discussed this topic for the last three  
205 CRA meetings and no real program had been established yet. Mr. Dennis continued that  
206 there was money in a line item and that these types of projects were supported by the  
207 recent Community Redevelopment Plan update.  
208

209 Mr. Otte stated that he had had several meetings with Mr. Hall, Mr. Richford and the City  
210 Attorney and had brought forward several different proposals for the CRAs review.  
211

212 A brief discussion ensued about the need for developing a program that would encompass  
213 all larger projects that go beyond the \$10,000 threshold to speed up the approval process  
214 and for the CRA to be ready when a redevelopment opportunity presents itself.  
215

216 Mr. Otte duly noted the suggestions and stated that he was advised by the CRA and the  
217 City attorneys that he either needed to establish a program or publish a Request for  
218 Proposal, to make everybody aware of the availability of CRA funding.  
219

220 Ms. Lybrand inquired how other CRA’s were funding larger projects as she felt that the  
221 CRA had a blight problem on Canal Street. Mr. Otte stated that he had checked with  
222 several CRA’s and only a few programs were within the larger funding range.  
223

224 Mr. Kosmas felt that it was very important to retain existing businesses and continued  
225 that he still felt strongly about having all parties vested in this proposal. Mr. Kosmas  
226 would like to see more details, like architectural plans and empirical data on the actual  
227 number of people the restaurant actually brings to Canal Street. Mr. Kosmas would also  
228 like to get an idea of the impact that people going to a restaurant have on the area and  
229 suggested maybe contacting the Visitors Bureau.  
230

231 Mr. Belote felt that a program was needed to improve the chances of approval by the City  
232 Commission and that this would also speed up the process for the next applicant.  
233

234 Mr. Hodson inquired about a possible cost overrun, as the applicant had presented only a  
235 construction estimate. Mr. Richford stated that he had been able to reduce the original  
236 cost and that those figures already included a 10% buffer.  
237

238 Mr. Schilsky was in favor of creating a program that any restaurant in the CRA district  
239 would be able to take advantage of and to add additional details in the current Dolphin  
240 View proposal, specifically pertaining to a promissory note of some kind.

241 Mr. Otte recommended holding a workshop within the next two (2) weeks, where he  
242 would lay out an array of options that had been presented and discussed to date. He  
243 suggested that the applicant be present.

244  
245 Mr. Kosmas asked that staff bring programs from various other CRAs. He would like to  
246 have low to no interest loans included in the proposal and suggested that other restaurant  
247 owners be notified of the workshop.

248  
249 Ms. Lybrand cautioned that this program not just be considered a restaurant program.  
250

251 The CRA agreed by consensus to hold a workshop (not to exceed 2 hours) within the next  
252 two (2) weeks.

253

#### 254 D. Flagler Boardwalk Recommendation to the City Commission

255

256 Mr. Otte stated that on Monday, November 1, 2010 a public meeting on the future of the  
257 Flagler Boardwalk structure was held. In preparation for the meeting, Quentin Hampton,  
258 the engineering firm working on the seawall project prepared cost estimates of the repairs  
259 needed for the structure as well as on-going maintenance costs. Mr. Otte continued that a  
260 cost estimate for demolishing of the structure was provided by DBI, a demolition firm  
261 under a two year contract with the City.

262

263 Mr. Otte informed the CRA that a ballot was handed out at the public meeting that asked  
264 for input on whether to repair and maintain or demolish and remove the Boardwalk  
265 structure. Mr. Otte continued that a third option was presented during that meeting, which  
266 called for modified repairs (remove only wooden shade structures on the north and south  
267 sides of the Boardwalk and keep the main structure). Mr. Otte asked the CRA to approve  
268 replacing the original ballot with the revised one.

269

270 Mr. Otte recommended that the CRA consider this item at the December 8, 2010 regular  
271 meeting and make a recommendation to be conveyed to the City Commission for action  
272 at their December 14, 2010 regular meeting.

273

274 Mr. Belote summarized the public meeting by stating that the consultant deemed the  
275 structure to be in good shape and that the issues were mostly with ornamental items. Mr.  
276 Belote continued that the consultant recommended eliminating decorative elements on  
277 the roof areas and replacing the metal roof with tiled roof, painting and sealing bolts for  
278 around \$150,000 or they could restore what was currently there with the same quality of  
279 materials for around \$150,000.

280

281 A brief discussion ensued about the cost for demolition and the various input by attendees  
282 of the public meeting.

283

284 Mr. Dennis was concerned about using tiles for the roof due to the possibility of them  
285 becoming projectiles during hurricanes. Mr. Belote inquired about using the 27<sup>th</sup> Ave.

286 Park structure's standing seam constructed roof that had less clips as an example for the  
287 Flagler Boardwalk.

288

289 Mr. Kosmas inquired if the redesign of the parking lot layout could be addressed, as he  
290 felt that the layout was not really enticing and he commented on a very appealing public  
291 area in Clearwater Beach. Mr. Belote stated that this was not included in this current  
292 scope, but was listed as an item in the recent Redevelopment Plan update. Mr. Kosmas  
293 would like staff to look into creating a grassed area on the north side of the parking lot  
294 with sunshades and benches in the interim.

295

296 Mr. Otte stated that the restroom and the parking lot elements were going to be addressed  
297 as separate items by the consultants and that he would check on the parking area proposal  
298 in a previous design created by Schweizer-Waldroff.

299

300 E. Discussion on publicizing the availability of CRA Grants

301

302 Mr. Otte stated that at the October 6, 2010 meeting the CRA asked for a discussion on  
303 publicizing the availability of grants. Mr. Otte continued that at present, the grants were  
304 listed in the CRA section of the City website and that staff had prepared a list of the  
305 following ideas for additional publication of the grant availability:

306

- 307 • A mail-out to businesses in the CRA area: City staff has provided the list of  
308 businesses in the city using the database for occupational license holders. There  
309 are 476 business entities on the list and staff would have to identify those within  
310 the CRA area.
- 311 • Newspaper ads – a display ad in the News Journal costs about \$100. A similar  
312 ad in the Observer costs \$80.
- 313 • Radio ads: a 30 second ad costs about \$18. CRA staff has been told it takes  
314 about 25 radio spots in a week to get coverage.
- 315 • Post on the City website in a new section on business development. It is  
316 anticipated that such a section will be discussed by the Economic Development  
317 Advisory Board.
- 318 • Send out e-mails to businesses. We do not currently have a database for this.
- 319 • Have information included with Utility Commission bills – please see the  
320 attached email.
- 321 • Insert a flyer with building permit and planning permit applications.
- 322 • Signs in the planning and building departments

323

324 Mr. Belote was in favor of doing a mail-out, creating a compilation of email addresses  
325 and posting the grants on the website.

326

327 Ms. Lybrand gave some suggestions of informing businesses through inserts in the  
328 Utilities Commission bill and asking them to submit their email address if they were  
329 interested in receiving further correspondence.

330

331 Mr. Kosmas recommended starting off with the publicizing ideas that can be done for  
332 free and suggested checking with the Chamber of Commerce to obtain (email) addresses.  
333 Mr. Kosmas felt staff should verify if the Chamber was sending out their Newsletter  
334 again and what the cost of advertising through this Newsletter would be.

335

336 Mr. Dennis added that staff could request to have a standing-order notice added to the  
337 Chamber's electronic Newsletter.

338 Mr. Belote inquired about creating a database of existing businesses within the CRA  
339 district. Mr. Dennis stated that staff could check with the Chamber, the Flagler and Canal  
340 Street associations to get a core group of email addresses.

341

342 The CRA agreed to have staff pursue all the listed ideas except for the Newspaper ads  
343 and the radio advertising.

344

345

346 **NEW BUSINESS**

347

348 A. Proposed Parking Zone Expansion request for Canal Street

349

350 Ms. Gail Henrikson, Planning Manager stated that at the October 6, 2010 CRA meeting,  
351 the possibility of expanding the existing Canal Street CRA Special Parking District was  
352 discussed. In the special Parking District the parking requirements are 50% of what is  
353 required outside the district.

354

355 Ms. Henrikson continued that Planning staff suggested expanding the Special Parking  
356 District to the entire Mainland CRA Parking District and that the Planning and Zoning  
357 Board was in favor of the expansion and recommended its approval.

358

359 Mr. Henrikson asked the CRA for their recommendation so that they may bring an  
360 amendment to the January Planning and Zoning Board.

361

362 Mr. Belote clarified if this change would encompass all Mixed Use (MU) Zoning within  
363 the CRA district and asked if the MU district of Canal Street west of the CRA district  
364 boundaries could be included. Ms. Henrikson confirmed that and stated that staff did not  
365 include B3 Zoning along US1 as this area had a different set of uses.

366

367 Mr. Kosmas asked why the CRA district by the Hospital was not included. Ms.  
368 Henrikson felt that it may not be advantageous to reduce the parking requirements in that  
369 area and stated that this area needed to be looked at a little more closely.

370

371 **Mr. Dennis made the motion to approve the proposed recommendation to expand**  
372 **the Special CRA Parking District; with the addition to include the Western**  
373 **Boundary along Canal Street (non-CRA area), seconded by Ms. Lybrand. Motion**  
374 **carried on roll-call vote 6 -0.**

375

376 B. Discussion whether or not to have a CRA meeting in December

377

378 Mr. Otte stated that it had been suggested not to hold a CRA meeting in December. Mr.  
379 Otte continued that staff was recommending that the December 8, 2010 meeting be held  
380 as regularly scheduled, as several Grant requests were anticipated to be submitted for  
381 December. Also, staff had received several emails from business owners urging that the  
382 meeting so that the positive momentum would not be interrupted.

383

384 The CRA agreed by consensus to hold the meeting on December 8, 2010.

385

386 C. CRA Financial Report Review

387

388 Mr. Otte stated that the reports had inadvertently been mislabeled and corrected their  
389 headings.

390

391 Mr. Otte explained that the Orange Street Streetscape Capital Projects from 2010 had its  
392 funds returned to the CRA fund balance and would be re-established for the 2011 budget.

393

394 Mr. Otte informed the CRA that the Notice to Proceed for the Mary Ave. and Orange  
395 Street Streetscape projects would be issued on November 15, 2010.

396

397

398 **REPORTS AND COMMUNICATIONS**

399

400 A. Director's Report

401

402 Ms. Martin stated that the contractor had moved equipment onto the Dunn Lumber and  
403 the demolition had begun. Ms. Martin continued that following demolition, the FDEP  
404 would conduct remediation of the site through a grant awarded to the City and that these  
405 activities were scheduled to take several months or longer depending on the availability  
406 of the FDEP's contractor. Following remediation, Staff will schedule the landscaping  
407 work. Ms. Martin stated that there will be a 3ft drop-off on the north side of the sidewalk  
408 that staff did not foresee and that they were in touch with the City's Chief Building  
409 official on how to secure the area. Ms. Martin continued that the contractor was securing  
410 the area while they were on site and then staff would probably put up a temporary chain  
411 link fence. Mr. Kosmas inquired if plywood could be used and asked elementary students  
412 to paint murals. Ms. Martin will check with the City's Parks and Recreation Director.

413

414 Ms. Martin informed the CRA that staff had decided to postpone the Notice to Proceed  
415 for the Orange Street and Mary Ave. Streetscape projects from November 8<sup>th</sup> to  
416 November 15, 2010 due to an event scheduled for this area. Ms. Martin stated that the  
417 contractor was ok with that change.

418

419 Mr. Otte stated that he anticipated issuing a Request for Proposal (RFP) for the  
420 Administrative Office Site at 160 N. Causeway and he felt that this would be a likely site  
421 for someone to ask for CRA development assistance.

422

423 **Mr. Dennis made the motion to accept the Director's Report; seconded by Mr.**  
424 **Kosmas. Motion carried on roll-call vote 6 -0.**

425

426 B. CRA Attorney's Report

427

428 Mr. Hall stated that he had no new business to report on, but was available for any  
429 questions. The Commissioners had no questions.

430

431 C. Capital Projects Report

432 Mr. Belote stated that he had asked staff to separate the CRA Capital Projects from the  
433 City's Capital Projects to avoid any possible confusion of what projects belonged to  
434 whom.

435

436 D. Commissioner Report

437

438 Mr. Kosmas inquired about an update on the Flagler Hotel. Mr. Otte stated that he had  
439 spoken to the Developer who stated that they had applied for a recovery zone bond and  
440 this process was still ongoing and that they would try to provide a report in December.  
441 Mr. Hall stated that the final closing date was set as January 26, 2011. Mr. Kosmas asked  
442 if the DCA issues had been resolved. Mr. Hall felt that they had been resolved, but was  
443 not certain. He continued that the developer had applied for a significant amount of  
444 funding with the Volusia County Industrial Development Authority and might need to  
445 ask the CRA and City Commission for an extension to their contract or close by January  
446 26, 2011.

447

448 Mr. Kosmas asked about a recent City Commission topic about applying a hospitality  
449 overlay district to an oceanfront parcel for the purpose of constructing a hotel. Mr.  
450 Kosmas found it very disturbing that no motion was made to approve the agenda item, as  
451 the CRA's Redevelopment Plan update specifies that New Smyrna Beach could benefit  
452 from establishing several hotels and the Planning and Zoning Board had approved this  
453 item 5-1. Mr. Kosmas would like to find ways to encourage the City Commission to  
454 move forward with hotel development.

455

456 ADJOURNMENT

457

458 **A motion was made to adjourn; all agreed. Meeting adjourned at 4:15 pm.**