



**CITY OF NEW SMYRNA BEACH
SPECIAL JOINT MEETING OF THE CITY COMMISSION AND
COMMUNITY REDEVELOPMENT AGENCY (CRA)
AGENDA**

WEDNESDAY, JANUARY 18, 2012 – 4:00 P.M. – 6:00 P.M.

**CITY COMMISSION CHAMBER, CITY HALL,
210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA**

- A. CALL TO ORDER:
- B. ROLL CALL:
- C. DISCUSSION/REQUESTED DIRECTION ITEMS AS OUTLINED BELOW:
 - 1. CRA Opportunity Sites:
 - 2. Draft Rental Assistance Program Guidelines:
 - 3. Future CRA Considerations:
- D. OTHER BUSINESS
- E. PUBLIC COMMENT/ADJOURNMENT (As this is a special joint meeting, comments from the public will be taken at the discretion of the City Commission/CRA and pertain to only those agenda items considered above. NOTE: In accordance with Resolution No. 43-10, a three-minute limitation will be imposed unless otherwise granted by the City Commission/CRA.)

NOTE: Due to the scheduled Economic Development Advisory Board meeting, the special joint meeting must end by 6:00 p.m.

Pursuant to *Florida Statutes 286.0150*, if an individual decides to appeal any decision made by the City Commission and/or the Community Redevelopment Agency with respect to any matter considered at this workshop, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 424-2112, prior to the meeting.

**City of New Smyrna Beach
Community Redevelopment Agency Grant Information**

The CRA encompasses the Canal St, North Causeway, Flagler Ave, South Atlantic Ave, Third Avenue, and the Historic Westside. The CRA has a number of grant programs for eligible businesses and residences within the CRA area, including:

- **Large Grant Program**

Summary Program Description: Provides up to \$50,000 in CRA grant funds for commercial projects that are hospitality or retail; and residential infill projects in the Historic Westside, on a 50/50 matching, reimbursement basis.

- **Opportunity Site Grant Program**

Provides CRA grant funds in excess of \$50,000 for commercial projects in pre-designated sites through a process of conceptual project review and approval of a negotiated development agreement by the CRA and City Commission. Funds are provided on a 50/50 matching, reimbursement basis. Program requirements apply.

- **Small-Scale Improvement Grant Program**

Provides CRA grant funds up to \$2,500 for exterior and site improvements for both commercial and residential properties, with no matching funds required. Program requirements apply.

- **Independent Rental Move-In Assistance Program**

The property owner must agree to a 25% reduction in the monthly rent payment. CRA funds are used to subsidize the rent at an amount equal to 25% - not to exceed \$5,000 or 18 months, and the tenant pays 50% of the rent amount. Program requirements apply.

- **Combined Grant Program**

This program combines three previously separate grant programs and Impact Fee Grants and provides CRA funds up to \$20,000 per project on a 50/50 matching, reimbursement basis for exterior and code-related interior improvements. Impact fee payments are also eligible expenses and those payments do not require a match.

- **Grants and Aids Program**

This program provides CRA grant funding for marketing and other approved expenses for events. (Events are a key recommendation in the CRA Master Plan Update). The program was revised to allow for a single event to be funded for the first grant application at any time during the fiscal year, but in subsequent years an application is due June 1.

- **Residential Improvement Grants**

This program provides CRA grant funding of up to \$5,000 on a 50/50 matching, reimbursement for exterior improvements to residential structure.

A Sampling of New Smyrna Beach CRA Projects
Last Quarter 2010 - Present

1. Historic Westside
 - a. W Canal Streetscape: Complete
 - b. Myrtle Ave Streetscape: Under Construction
 - c. Washington: Barbershop building (Application in process), Shuey tenant residence (Under Construction)
 - d. Mary: Streetscape: Complete, possible business incubator site at 414 Mary Ave

2. Canal St area
 - a. W Canal and Myrtle coffee shop: CRA façade grant, complete
 - b. Majestic Gas Station: CRA façade grant, under construction
 - c. Badcock building: First of 2 part application process on January 11 CRA agenda
 - d. So. Orange parking lot and streetscape: Construction complete
 - e. Panheads Restaurant: CRA façade grant (building was vacant)
 - f. First Friends Day Care: CRA façade grant (building was vacant)
 - g. Rosedale buildings (one is Weatherflow location): CRA façade grants, completed (buildings were vacant)
 - h. 308 N. Orange: Façade grant application in process
 - i. Thai Mango Restaurant: Matching revitalization grant, construction complete
 - j. Pennysaver: Opportunity Site Grant approved, under construction
 - k. Façade to the East of Pennysaver: completed
 - l. Jason's Corner: Façade grant approved
 - m. Chamber Bldg: Phase I construction approved; Phase II design in process
 - n. Vogue Cleaners: Façade grant construction completed
 - o. Fender Mender: Façade grant approved
 - p. Riverside Park project: Under construction
 - q. DolphinView Restaurant: Under construction

3. Flagler Ave area
 - a. Church lot parking lease
 - b. Hotel construction site: Under construction
 - c. Grant sites with construction completed: shuffleboard court, Atlantis Bistro, Clancy's, Island Collection
 - d. Esther St park site: Phase I under construction
 - e. Flagler Pavilion site: Under construction
 - f. Flagler dunes parking lot: developed with CRA grant and leased back for the value of the improvements

Staff Member Making Request Tony Otte
Meeting Date: January 18, 2012
Action Item Title: Discussion of Opportunity Site Program
Agenda Section: Consent _____ Public Hearing _____ Special Items <u> x </u>
<p>Summary Explanation and Background</p> <p>The Opportunity Site Program was approved by the City Commission on August 23, 2011 (please see attached copy). The program is called for in the CRA Master Plan Update, page 45, with a list of "Opportunity Sites" with the following notation:</p> <p>"There are numerous opportunity sites for redevelopment within the CRA. Strategic initiatives like incentives, partnerships and facilitation will be key to realizing their highest and best use." The plan does not include stated criteria for inclusion on the "opportunity site" list. The list of these sites is as follows:</p> <ul style="list-style-type: none"> • Administrative Office Building • Pennysaver • Winn Dixie Plaza • Badcock Building Site • West side residential infill sites • County Administration site • Brannon Center site, Flagler Avenue sites, Medical Area Parking Lot, Smith Street Utility site <p>Since the Opportunity Site Grant Program was approved by the City Commission, the program has had the following activity:</p> <ol style="list-style-type: none"> 1. Application for program funding for a named site, the "Pennysaver" building. The application was approved for \$400,000. 2. Application for 177 North Causeway site to be added to the Opportunity Site list: Approved by the City Commission to be added to the list. No application for funding has been submitted. 3. Application to add the Washington St barbershop building at Washington and Dimmick St to the list. Application approved by the CRA. City Commission consideration to add this site to the list is not yet scheduled. 4. Application for a site to be added to the Opportunity Site list: former theatre building, Canal and N. Orange Sts. Application denied by the CRA. 5. Application for a site to be added to the Opportunity Site list: Corner of Canal St. and S. Orange. Application approved by the CRA. City Commission consideration to add this site to the list is not yet scheduled.

Applications in process:

1. Application for renovation of the Badcock Building, a site named in the Opportunity Site list in the Master Plan; scheduled for the January 11, 2012 CRA meeting.
2. Application for a new building on Flagler Ave west of Pine St. "Flagler Ave infill" is a listed site in the Opportunity Site list in the Master Plan. This application is tentatively scheduled for the February 1, 2012 CRA meeting.
3. Application for a loan for the renovation of the building that houses the Athletic Club on Canal St. No scheduled date for this application.

There have been at least two areas of the program that have generated discussion:

- a. The relatively few criteria regarding the addition of sites to the Opportunity Site list; and
- b. The lack of a maximum funding amount.

Staff requests that the CRA discuss this item in preparation of the discussion that will take place at the joint CRA and City Commission meeting, which is scheduled for January 18.

The current fiscal year budget for the CRA includes the following appropriation for the Opportunity Site Program: line item 12-51502 583003 Development Assistance & Incentives, (excluding the appropriation for the Large Grant program and the Independent Rental Move-In Incentive Program); \$1,154,533. One grant has already been awarded in this category, for the Pennysaver Building, in the amount of \$400,000, leaving an unencumbered balance of \$754,533.

Staff recommends that the following specific program features be discussed:

1. Options for site identification. The difficulty in determining new Opportunity Sites stems from the lack of specific criteria. It has proven very difficult to assess the relative "prominence" of a site. Therefore, for the remainder of this fiscal year, one option would be to use the present list of Opportunity Sites, with criteria that funds only be used for the renovation of existing, vacant buildings on the list, with three exceptions:
 - a. In addition, two city owned sites should be considered for a separate program appropriation: The Administrative Office Building (AOB) Site, which is already on the list; and the former shuffleboard/skateboard site at 103 Faulkner (which is not on the list). and
 - b. Applications for infill housing in the Historic Westside.

The City Commission would have to make a determination for the site recently approved by the CRA (Canal and N. Orange).

2. In regards to funding, a cap (ie, maximum funding amount) could be established so that applicants are made aware of the amount of grant funds available. This cap could be arranged on a sliding scale based on several criteria:
 - a. If the site is specifically named in the plan (eg Administrative Office Building, Pennysaver, Winn Dixie Plaza, Badcock, County Administration site, Brannon Center site, Medial Area Parking Lot, Smith Street Utility site), it would be eligible for the maximum amount of grant funds available. Suggested Cap: \$475,000;
 - b. If the site is not specifically named but fits a site description included in the plan (West side residential infill sites, Flagler Avenue sites), it would be eligible for a lesser amount of grant funds. Suggested Cap: \$200,000.
 - c. It should be noted that if the Badcock Building application is funded, there would be about \$280,000 left in this line item, or enough for probably one more grant award this fiscal year.

Staff requests discussion on these items. Prior to the meeting staff will contact the planners as AECOM to seek information in their selection criteria for "Opportunity Sites".

Recommended Action/Motion:

Staff requests discussion on this item.

Funding Analysis: Budgeted x If not budgeted, recommend funding account:

The current fiscal year budget for the CRA includes the following appropriation for the Opportunity Site Program; line item 12-51502 583003 Development Assistance & Incentives, (excluding the appropriation for the Large Grant program and the Independent Rental Move-In Incentive Program); \$1,154,533. One grant has already been awarded in this category, for the Pennysaver Building, in the amount of \$400,000, leaving an unencumbered balance of \$754,533.

Exhibits Attached:

1. Opportunity Site Program guidelines
2. Page 45 of the CRA Master Plan Update listing Opportunity Sites

Reviewed By:	Name	Signature
CRA Director	Tony Otte	

Commission Action



CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY

GRANT PROGRAM
FOR:

A. LARGE GRANTS (\$50,000)
(PAGE 1 - 17)

AND

B. OPPORTUNITY SITES
(PAGE 18 - 23)



GUIDELINES AND APPLICATION

Further information and assistance may be obtained by contacting:

The CRA Office
Phone: 386-424-2266

B. OPPORTUNITY SITE GRANTS

Introduction

The Opportunity Site Program provides funds to incentivize redevelopment on sites that are identified as "Opportunity Sites" in the CRA Master Plan Update, and other sites that may be added, as described herein.

The CRA Master Plan Update contains a list of "Opportunity Sites", which are described as follows: "There are numerous opportunity sites for redevelopment within the CRA. Strategic initiatives like incentives, partnerships, and facilitation will be key to realizing their highest and best use. Opportunity Sites listed in the Master Plan Update are:

- Administrative Office Building
- Pennysaver Site
- Winn Dixie Plaza
- Badeock Building Site
- West side residential infill sites
- County Administration site
- Brannon Center site, Medical Area Parking Lot, Smith Street Utility site"

The specific sites eligible for this program include but are not limited to the sites listed above.

Criteria for Opportunity Sites

- a. Opportunity Sites include, but are not limited to, sites listed as "Opportunity Sites" on p. 45 of the CRA Master Plan Update. In order for sites to be added or deleted, they must be approved by the CRA and City Commission.
- b. High priority sites in the CRA for redevelopment
- c. The redevelopment of an opportunity site will encourage the redevelopment of surrounding properties, or support retail or residential uses
- d. An opportunity site is a prominent site, one that is generally well-known
- e. A project that will provide a maximum and positive impact to the adjacent area and the CRA district as a whole
- f. In the entire CRA area, there are relatively few opportunity sites
- g. Any other sites to be agreed upon by the CRA and the City Commission.

General Requirements

Application Review: The CRA and/or City Commission will, in their sole discretion, determine if an application will be a worthy, viable, and deserving use of CRA funds in meeting the goals and objectives of the CRA Master Plan Update.

Eligible Applicants: Property owners.

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Grant Funding Amount Available: The maximum amount of funding to be awarded is determined on a case by case basis. Each grant awarded under this program shall be part of a development agreement negotiated with the property owner or prospective buyer. It is anticipated that individual grant amounts will exceed \$50,000. The amount of a grant cannot exceed the budget allocation for this program.

Match Requirement: This program requires a 50/50 match. For example, if a project is approved with eligible costs of \$200,000, at the conclusion of the project following a satisfactory inspection, the grantee will be reimbursed \$100,000.

Eligible Expenses: This program provides maximum flexibility in that CRA funds are granted as a part of a negotiated development agreement. The following are examples of how CRA grant funds under this program could be used:

- to renovate an existing building including structural repairs, heating/ventilation/air conditioning work, plumbing, and electrical work; site work, including parking lot and landscaping, signage, and impact fees.
- To build a new building, including site work
- To pay for any impact fee or permit fee
- to pay for the preparation of construction plans, but not conceptual plans
- to grant funding to reduce interest costs for a loan for the project

Ineligible Expenses:

- Any expenses related to the preparation of the grant application or materials in support of the grant application, including conceptual plans, studies, etc.

Coordination with other CRA grant programs and multiple awards:

- A property owner may receive grants under the Commercial Interior and Exterior Improvement, and Impact Fee Grant Program for costs related to the renovation of tenant spaces after receiving a grant under the Opportunity Site program.
- An Opportunity Grant can only be provided one time per site as defined in the negotiated development agreement.
- An Opportunity Site Program may not be combined with a Large Grant Program (\$50,000) award.

Progress Payments: Progress payments are permitted in the Opportunity Site program. The timing of payments and the procedure for approval shall be included in the negotiated development agreement.

Licenses/Permits: All design professionals and contractors must be properly licensed. The property owner must obtain any permits needed for the project prior to starting work.

Compliance with design guidelines: All projects must comply with any design guidelines for the area in which the project is located. There are design guidelines for buildings in the Canal Street, Flagler Avenue, North Causeway, and Third Avenue areas.

Conceptual Plans: The applicant shall supply, at his expense, conceptual plans for the project as prepared by a licensed and appropriate design professional. These conceptual plans shall become a part of the negotiated development agreement. Applicants shall ensure that all plans meet all requirements including but not limited to all city land development codes and building codes.

Cost Estimates: There must be three type-written cost estimates/quotes provided by the applicant from licensed contractors, on the contractor's company letterhead that includes the contractor's license number, for project work. If only one or two quotes can be obtained, the applicant must provide a good reason why the third quote could not be obtained. CRA staff will examine a work quote to determine if it is reasonable.

Verification: Each CRA grant applicant authorizes CRA staff to contact anyone to verify information provided regarding any aspect of the project including but not limited to quotes.

Prohibition against delinquencies: The property owner may not be delinquent to the City or County for any properties, including but not limited to ad valorem taxes, special assessments, etc.

Property must be in compliance with City Regulations: Property subject to grant awards must be in compliance with all City codes, including but not limited to code enforcement and zoning.

Project Re-evaluation: The applicant shall agree to meet with CRA staff at staff's request to resolve unforeseen circumstances that may arise in the administration of the application or grant. Likewise, CRA staff will meet with applicants and grant recipients upon request.

Application Procedures

Application Process: The application process for Opportunity Sites is a two step process:

1. **For public properties,** the first step is the preparation by staff and approval by CRA and City Commission of a Request for Proposal (RFP).
2. **For privately owned property,** the applicant meets with CRA staff and CRA attorney and reviews the proposed project. The application will include the following elements:
 - **A description of the property to include but not be limited to the following:**
 - a. A copy of the property record card from the property appraiser's website
 - b. An aerial of the property
 - c. The size of the property
 - d. The future land use designation and zoning for the property
 - e. A general description of the property
 - f. Existing utilities serving the property
 - h. A history of the property including previous uses
 - i. A narrative description of the proposed construction/renovation and the property/building
 - j. A narrative description of the proposed uses of the property/building
 - k. A conceptual plan for the current and proposed floor plan of the building, as well as the current and proposed elevations.

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1. A budget for the project, with supporting documents, including cost estimates from three licensed contractors
- If the applicant is a prospective buyer, there must be an executed contract to purchase in place with adequate time for the preparation of a negotiated developers agreement, and the availability of extensions in the contract to purchase.
- Information concerning the applicant, including but not limited to the following:
 - a. current name, address, email, telephone and fax number of the applicant
 - b. previous name (if any) and/or address of the applicant
 - c. if the applicant is a firm, current President or CEO; years in that position
 - d. number of permanent employees
 - e. how many years has the organization been in business? All under its present name?
 - f. If a corporation, submit a copy of current Certificate of Authorization from the State of Florida
 - g. If an individual or partnership, provide the date of organization, name and address of all partners, and state whether a general or limited partnership.
 - h. Name and address of current affiliated companies
 - i. Experience on similar projects
 - j. qualifications of key personnel on the project
 - k. provide 5 references for similar projects
 - l. Organizational Chart for the applicant
 - m. provide a statement that the firm is capable of meeting all insurance requirements. CRA staff will provide these separately (standard list used in public property RFPs)
 - n. legal proceedings: list all criminal proceedings, arbitration demands, lawsuits, administrative proceedings, or hearings in the last five years.
 - o. Submit a preliminary financing plan including a budget detailing total project cost and sources of revenue.
 - p. description of how the project will be financed and a letter from the lender to include the lender's understanding of the project, total cost, and the lender's relationship to the applicant.
 - q. A demonstration of the applicant's financial capability to develop the site, including a letter of reference from a bank that has an ongoing banking relationship with the applicant. This letter needs to note if the applicant has a line of credit and give an indication of the upper limit of this line of credit.
 - r. project revenue of the project with a brief description of price points for any residential units proposed.
 - s. a statement indicating the willingness of the applicant to have a third party financial consultant chosen and compensated by the City or CRA to review the financial information provided and render an opinion of the financial capability of the applicant to develop and complete the project.
 - t. has the applicant or any major shareholder ever had a bankruptcy petition in its name? Is the applicant

currently in default on any loan or financing agreement

and the name of the person making the claim, and the resolution.

u. what is the applicant's current bonding capability for a single project? Provide the name and address of the surety agent.

w. in the last five years has any surety company refused to bond the applicant?

v. Has performance or payment bond claims ever been made to a surety on any project where the applicant was the principal on the bond? If so, please describe the claim

x. a Level I environmental assessment

• **A narrative and vision statement of the project.**

a. a statement of the vision of the site and how it will relate to the surrounding area

b. a conceptual site plan, floor plan, and elevations

c. the development schedule

• **Submission of application to the CRA and forwarded to the City Commission**

2. If the application receives tentative approval, funds are encumbered for the project. To complete the project approval process:

• the CRA staff and CRA attorney negotiate a developers agreement for the project, encompassing but not limited to the items included in the application in step one.

• The developer's agreement is taken to the CRA and City Commission for final project approval.

THERE IS NO OBLIGATION ON THE PART OF THE CRA TO AWARD A GRANT TO AN APPLICANT WHO MAY MEET THE GUIDELINES. A COMPLETED APPLICATION ONLY PROVIDES THE OPPORTUNITY TO BE CONSIDERED.

01 Strengthen the Neighborhoods

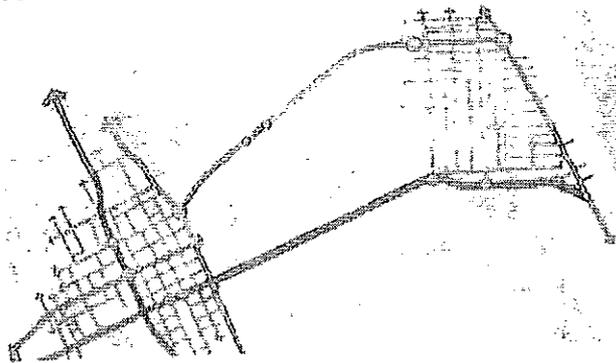
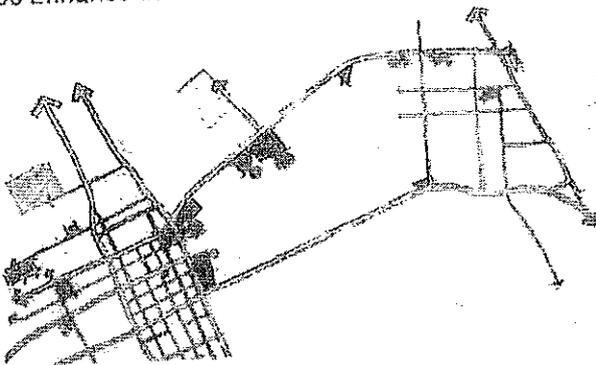
02 Enhance the Main Streets

03 Create a Healthcare District

04 Broaden the Tourism Market

05 Enhance the Green and Blue Infrastructure

06 Connect the Community



Opportunity Sites

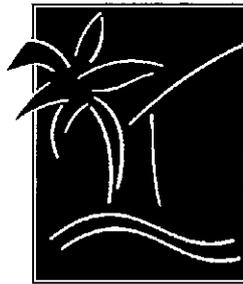
There are numerous opportunity sites for redevelopment within the CRA. Strategic initiatives like incentives, partnerships and facilitation will be key to realizing their highest and best use.

- Administrative Office Building
- Pennysaver Site
- Winn Dixie Plaza
- Badcock Building Site
- West side residential infill sites
- County Administration site
- Brannon Center site, Flagler Avenue sites, Medical Area Parking Lot, Smith Street Utility site



CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY

Rental Assistance for Cultural Arts Business Centers



GUIDELINES AND APPLICATION

Further information and assistance may be obtained by contacting:

The CRA office
Phone: 386-424-2266

Introduction

The New Smyrna Beach Community Redevelopment Agency (CRA) has a number of grant programs and incentives available for the purpose of eliminating blight, encouraging growth of the tax base, and maintaining a quality image and consistent unique character of the area.

The purpose of the Rental Assistance for Cultural Arts Business Centers Program is to provide funds on a matching basis, according to grant requirements, to legally registered non-profit groups to incentivize specific artistic activities that will “bring feet to the street” and assist in maintaining the City’s image as one of the best small art towns in America, as well as fill commercial spaces on Canal Street (East of Myrtle) or Flagler Ave that have been vacant for over one year.

The CRA will review and consider each application as measured by the goals, priorities, and objectives of the CRA Master Plan Update, and Florida Statutes Chapter 163. **Applications must be approved by the CRA prior to a lease being signed.**

Qualifying applications for this grant program are being considered for approval during the monthly CRA meetings, typically held the first Wednesday of each month. Applications must be submitted to CRA staff at least three (3) weeks prior to the meeting date at which the application will be considered.

Program Area

The Grant Program is available to applicants who wish to lease a commercial space as described herein that is located in the Canal St or Flagler Ave area that has been vacant for at least one year.

Program Objectives

This Grant Program is designed to achieve specific redevelopment objectives within the CRA District, such as:

- Stimulating reinvestment within the District by creating an atmosphere which will enhance new business growth, development and job opportunities.
- Filling vacant commercial spaces on Canal St and Flagler Ave.
- Enhancing the arts community in New Smyrna Beach, which is one of the City’s distinguishing features.
- Bringing customers to the Canal St and Flagler Ave areas to patronize nearby businesses.

GENERAL REQUIREMENTS

Application Review: The CRA will, in their sole discretion, determine if an application is a worthy, viable, and deserving use of CRA funds in meeting the goals and objectives of the CRA Master Plan Update and Florida Statutes Chapter 163.

Eligible Applicants: Legally, properly registered Not-for-profit organizations.

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Grant Funding Amount Available: The maximum amount of funding to be awarded is up to \$50,000 total per grant, for an initial one year period. Grantees are eligible for two additional one year grants on a sliding scale to be determined by the CRA and City Commission provided that the project meets the program measures herein. The award of an initial grant in no way guarantees that future awards will be made.

Match Requirement: This program requires a 50/50 match. For example, if a project is approved for \$50,000, the applicant must have \$50,000 in cash and encumbered to comply with the match requirement.

Eligible Expenses: This program provides funds for the payment of a lease for a commercial space as described herein.

Coordination with other CRA grant programs and multiple awards:

A leased space granted CRA funds under the The Rental Assistance for Cultural Arts Business Centers Program may not receive other CRA grants during the term of the lease.

Application Procedures and Requirements

1. The applicant must fill out the application form completely and submit it three weeks before the date of the CRA meeting.
2. The property owner may not be affiliated with the applicant. Affiliation is to be determined in the sole discretion of the CRA and City Commission.
3. **City Commission Approval:** If the grant amount exceeds \$25,000, the application must be approved by both the CRA and the City Commission.
4. Exhibits to the application to be provided by the applicant shall include:
 - a. A copy of the lease proposed to be executed for the project. This lease may not be signed prior to grant award.
 - b. A statement from the property owner certifying that the space to be leased has been vacant for at least one year, that the space is available for lease, and the property owner's intent to lease the property to the applicant for the intended use and price.. Documentation of property ownership (property record card from the property appraiser's office, etc) must be provided.
 - c. A copy of the incorporation papers for the applicant.
 - d. A floor plan of the commercial space to be leased indicating the number of individual artist spaces to be leased.
 - e. A copy of a business plan for the project including:
 - i. a one year project budget
 - ii. a 5 year project budget
 - iii. a cash flow statement
 - iv. a list of artist sub-leasees, including the type of art, the amount of their cash reservations received, and the amount of their annual lease payments
 - v. a list of all sources of funds and amounts received to date
 - vi. the timeline for the project, with detailed projections as to the execution of the lease, making the space ready for occupancy, move in, the opening.
 - vii. the marketing plan for the project, including the target customer market, the methods to be used to engage the target audience, the marketing timeline, the marketing budget and the source and availability of funding,

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and acknowledgement of the requirement to fully cooperate with the on-going marketing efforts for the NSB Waterfront Loop.

- f. The applicant shall submit verification that at least 75% of the artist spaces have been encumbered through reservations from artists with a signed letter of intent from each artist. Each letter of intent must indicate the name of the artist, their city of residence, the type of art they will be selling in the leased space, as well as the types of art endeavors that are permitted, and the timing and amount of lease payments, and the eviction procedures.
 - g. Verification from a bank that the applicant has the cash in its account to provide the matching amount for the grant.
 - h. A copy of the lease agreement to be used in sub-leasing spaces for the project. This lease agreement shall include what types of art endeavors are permitted, the timing and amount of lease payments, and eviction procedures.
 - i. Photographs of the building, both exterior and the interior space to be leased.
 - j. A brief history of the building, including uses for the past 20 years.
 - k. A description of where customers will park.
 - l. A statement from the Planning Director that the site complies with all city land use requirements for the intended use.
 - m. A statement from the Building Official that the building and site complies with all city building code requirements for the intended use.
 - n. A description of any improvements to the building or the site that are needed to implement the project, the cost of those improvements, the source of funding, and funding availability. The description shall include paint colors, carpet samples, etc.
 - o. A description of signage for the facility and that the signage has been deemed approvable by the City Planning Director and Building Official.
5. Applicants shall include specific performance measures in each application that they will report on for each month by the 10th day of the following month. This performance data shall at a minimum include:
- a. The number of customers or students attending the facility each day.
 - b. A sampling each month of where the customers or students are coming from, how they heard of the facility, if they have or plan to visit other locations nearby.
 - c. The number of spaces leased out, the names of the artists, and the type of art they are selling. This information will be measured against the standard of having at least 75% of the spaces leased at all times.
6. Applications under this Grant Program are considered for approval by the CRA at their monthly meeting, which is typically held on the first Wednesday of each month.
7. Potential applicants shall meet with CRA and City staff in a mandatory pre-application conference and on-site visit prior to submission of the application. Applicant is responsible for providing access to the interior of the building.
8. CRA staff shall review all applications to determine if they meet the program requirements. An applicant whose submission is incomplete shall be so informed by CRA staff.
9. The approved project must comply with the requirements of the City Code, and applicant must obtain all necessary permits.

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10. Applicants shall attend all City meetings in which their project is scheduled for discussion and be prepared to answer detailed questions concerning the project.
11. Upon CRA grant approval, applicant is required to place signage recognizing the project funding partners in a location at the subject property that is viewable to the general public. This signage is being furnished by the CRA and must be put up prior to project commencement and remain in place for thirty (30) days after final inspection of the completed project. Applicant agrees to return said signage to the CRA office.
12. Funding under this program shall be provided on a monthly basis as follows: the grantee shall bring a check made out to the property owner or property owner's assignee for their share of the lease payment in a timely manner to the CRA office, and upon inspection will be given the check for the CRA portion of the upcoming monthly lease payment. The grantee shall then provide a receipt from the property owner or the property owner's assignee stating that the lease has been paid in full to a date specified.
13. By applying for this grant and accepting the grant award, the applicant agrees not to alter the project without CRA approval.
14. Failure to comply with any of the grant requirements may subject the applicant to having the lease payments stopped and the applicant having to repay the grant. Such actions would not be unreasonably taken or without appropriate time for the grantee to cure the compliance failure.
15. Neither the applicant nor the property owner may be delinquent to the City or County for any properties, including but not limited to ad valorem taxes, special assessments, etc.
16. Property subject to grant awards must be in compliance with all City codes, including but not limited to code enforcement and zoning, and shall be maintain compliance during the grant period.
17. The applicant shall agree to meet with CRA staff at staff's request to resolve unforeseen circumstances that may arise in the administration of the application or grant. Likewise, CRA staff will meet with applicants and grant recipients upon request.
18. Each CRA grant applicant authorizes CRA staff to contact anyone to verify information provided regarding any aspect of the project.
19. The grant recipient shall submit upon request documents to verify that all project expenses (both grant related and other expenses) have been properly paid. reimbursement.
20. For any improvements to the property, all work must be done in compliance with applicable laws and regulations. The property owner must obtain any permits needed for the project prior to starting work. Any exterior work must comply with the appropriate design guidelines. There are design guidelines for buildings in the Canal Street, and Flagler Avenue areas.

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THERE IS NO OBLIGATION ON THE PART OF THE CRA TO AWARD A GRANT TO AN APPLICANT WHO MEETS THE GUIDELINES. A COMPLETED APPLICATION ONLY PROVIDES THE OPPORTUNITY TO BE CONSIDERED.



MEMORANDUM

DATE: August 28, 2010
TO: Kevin Fall, CRA Director
FROM: Pete Sechler, Joel West
RE: New Smyrna Beach CRA Master Plan – Promoting the Arts
GJ Project# 21267.00

The thriving arts community in New Smyrna Beach is one of the City's distinguishing features.

Goals

1. Enhance the arts community's visibility, and
2. Promote affordable, desirable living and working conditions for the "creative class"

How the New Smyrna Beach CRA can Promote and Accelerate the Stability and Success of the Arts Community

- ✓ **Promote and incentivize historic preservation and restoration**
- ✓ **Promote and incentivize mixed uses in the area**
- ✓ **Pursue actions that facilitate the creation or enhancement of the key features of successful arts towns**
- ✓ **Expand Atlantic Center for the Arts' mission/activities to include strong relationships with and co-programming with other art institutions**
- ✓ **Create an overlay zoning district with the purpose of concentrating arts, civic and cultural activities and development within a prescribed area of the city**

Key Features of Successful Arts Towns:

- Inspiration in the local natural environment
- Authenticity of place (historic areas, sense of community)
- Power in numbers
- Key venues: Prominent, charming locations and relational to one another
- Some sort of not-for-profit that regularly promotes events
- Urban space: large and small venues; quirkiness; restaurants & hotels; affordable studio space; affordable living space
- Creative, gritty, unprogrammed space + opportunities for upscale entertainment
- Nightlife
- Combining visual and performing arts
- Public transportation

Considerations for arts district or overlay designation

- Purpose

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- Geography
- Description of intended uses, including FAR
- Parking
- Height, setbacks, frontage
- Bonuses or incentives
- Exceptions

Specific examples of how communities are actively enhancing their arts scene

Miami Beach – Passive Approach. Left to Civic Organizations

- Miami Beach made a conscious effort to “embellish the community’s lifestyle by developing an arts infrastructure.” The City leveraged their ability to provide audience and location – the beach and associated open and civic spaces provide a great opportunity to show off art. These same locations are attractive to visitors, tourists and locals during their free time.
- The Wolfsonian museum in Miami Beach – hosts touring shows as well as its permanent collection
- The Bass Museum of Art in Miami Beach has extensive community outreach programs, including family days, art-storming events, lectures.

Somerville, Massachusetts – Active Approach. Arts overlay zoning

- The definition of artist live/work space as a building or any portion containing units of at least 750 square feet used for both residential and artist studio space. These households must include at least one artist certified by the city. Retail sales of art produced on site will not take place more than 12 hours per week
- The definition of an artist studio space as space used for the creation, production, rehearsal or teaching of any visual art or craft, "including but not limited to painting, drawing, graphic design, photography, video, film, sculpture, and pottery; of written works of fiction or nonfiction; or of any performing art, whether for live or recorded performance, including music, dance, and theater, and accessory sales of such art.
- Expanding the definition of an artists as a "visual artist, craftsman, musician or other performing artist, photographer or writer" and the office of an architect or landscape architect.
- Parking requirements will also be relaxed within the overlay district. For example, an applicant may make either a cash payment in lieu of providing the required parking, or a partial cash payment, according to the ordinance, although it didn't specify amounts. The minimum parking requirements may also be reduced if applicants submit a plan demonstrating that such reduction will not have adverse community impacts
- The detailed, 50-page ordinance also outlines design guidelines that encompass signage and awning design, locations of entrances, building materials, pedestrian access, parking design, and so on. The Planning Board will serve as the special permit granting authority for arts-related uses. Variances would be granted separately by the Zoning Board of Appeals.

District of Columbia Uptown Arts/Mixed Use (Arts) Overlay District – Active Approach. Arts overlay zoning

- See attached zoning document