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**MINUTES OF THE
CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY
MEETING OF JANUARY 11, 2012
CITY COMMISSION CHAMBER, CITY HALL, 210 SAMS AVE.
NEW SMYRNA BEACH, FLORIDA**

CRA Chair James Kosmas called the CRA meeting to order at 2:00 p.m.

Answering to roll call:

**James Kosmas
James Peterson
John Kinney
Melissa Latty**

Also present were CRA Director Tony Otte; CRA Administrative and Program Specialist Claudia Soulie, and CRA Attorney Mark Hall. Commissioner Chad Schilsky was excused absent. Commissioner Doug Hodson had resigned effective 12/23/11.

CONSENT AGENDA

A. Approval of Minutes – Regular Meeting December 7, 2011

Mr. Kinney made a motion to approve the Minutes as written; seconded by Ms. Latty. Motion carried on roll-call vote 4-0.

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.

Mr. Ron Grutz, 4493 S. Atlantic Ave, stated that he and his partner just recently purchased 311 and 315 Live Oak and were planning on converting the property to an eclectic furniture store accompanied by a wine bar. Mr. Grutz asked to be able to meet with the CRA Commissioners individually to inform them of the plans, as they were going to apply for a grant to assist with the project.

**

Mr. David Swentor with Premiere Development in South Carolina was present to give an update on the progress of the Hotel construction on Flagler Ave. Mr. Swentor showed a brief slide show depicting the site plan and progress pictures. Mr. Swentor stated that the courtyard needed to be redesigned, as they had to remove a tree that the courtyard was built around due to a beetle infestation. Mr. Swentor continued that progress pictures would be available on their website, so the Public could stay informed.

A brief discussion ensued about this now being a private project, as the title closed in July 2011, but that the CRA and the buyer had agreed to economic incentives to be paid to the

48 buyer upon obtaining a Certificate of Occupancy. Also, for ease of obtaining information on
49 the project, the Public could contact the City Clerk to request a copy of records.

50 Further discussion ensued about when the infestation was noticed and the difficulty of
51 eradicating the beetles once they have infested trees.

52 **

53 Ms. Cherie Coccia, 1300 West Roberts, Orange City and property owner at 219 Florida Ave
54 asked that the CRA get a copy of the tree beetle report from the Developer and that she
55 would also like to see that report. She further stated that she wanted the record to reflect that,
56 in her opinion, there was no small comp plan amendment completed for this parcel as well as
57 there was no proof of the recording of the mortgage for the Capstone loan.

58 **

59 Hearing no further requests, Mr. Kosmas closed the Public Participation portion.

60

61 **PRESENTATION:**

62 None

63

64

65 **OLD BUSINESS**

66 A. Combined Grant – 407 Downing Street

67

68 Mr. Otte stated that on September 7, 2011 the applicant submitted an application proposing
69 to convert the first floor of the existing residential duplex building into a professional office
70 space. The second floor would remain as a residential space.

71

72 Mr. Otte continued that the CRA, during this meeting, denied the applicant's request for a
73 grant with the reasoning that part of the work had already started, however another
74 application could be considered under a new permit.

75

76 The applicant had now submitted a new application for work on the project and staff
77 recommended approval for the majority of the work, except the costs for the permits and
78 design assistance. While those costs are normally allowed as eligible expenses, staff felt that
79 there was no clear delineation of what portions of the costs pertain to the original or the
80 proposed new permit.

81

82 The application has received the necessary points to qualify for consideration and staff
83 recommended approval of the revised cost estimate in the amount of \$19,090 (CRA
84 reimbursement amount of \$9,545).

85

86 Mr. Reed Hadley, representative for the applicant, was present and gave a brief explanation
87 of the cost for the design assistance and asked the CRA to consider a portion of the costs for
88 the design assistance.

89

90 A brief discussion ensued about the existing and the proposed portion of the project and the
91 CRA agreed to allow an additional \$5,298 for design assistance, bringing the total eligible
92 cost to \$23,388 (of which the CRA will reimburse \$12,194).

93

94 **Mr. Kinney made a motion to approve the Combined Grant for 407 Downing Street in**
95 **the reimbursement amount recommended by staff (\$9,545) with an additional 50% of**
96 **\$5,298 (\$2,649) for design assistance; seconded by Mr. Peterson. Motion carried on roll-**
97 **call vote 4-0.**

98
99 B. Discussion of Opportunity Site Program

100
101 Mr. Otte stated that the Opportunity Site Program had been approved by the City
102 Commission on August 23, 2011 and that the program is called for in the CRA Master Plan
103 Update. Mr. Otte gave a summary of the sites that are already on the list and of the activities
104 that the program has had since its approval in August.

105
106 Mr. Otte continued that staff was requesting discussion on the options for site identification
107 and Opportunity site status determination for properties not on the list through more specific
108 criteria and a possible funding cap.

109
110 A brief discussion ensued about the original intent of the program and the direction it had
111 taken. The CRA agreed to defer this item to the joint CRA/City Commission meeting on
112 January 18, 2012 for direction.

113
114 Mr. Kosmas asked that his fellow Commissioners bring their specific vision of what they
115 perceive an opportunity site to be to the Joint meeting.

116
117 Mr. Ron Grutz asked to address the CRA and commented on the list of opportunity sites and
118 that some investors make business decisions based on this map. Mr. Hall cautioned that the
119 disclaimer in all of the CRA grants states that there is no obligation on the part of the CRA
120 to award a grant to an applicant who may meet the guidelines, but that an application only
121 provides the opportunity to be considered.

122
123 **

124
125 Mr. Kosmas called for a five (5) minutes recess.

126
127 **NEW BUSINESS**

128 A. Opportunity Site Grant Application – 524 Canal Street

129
130 Mr. Otte stated that the Badcock Building is located at 524 Canal St at the SE corner of US
131 1 and Canal St and is currently owned by Badcock Family Properties, LLC. The property is
132 under contract to be sold to Canal St Properties, LLC (Dr. Phillip Stevens, Dr. Jeff Timko,
133 and Dr. Kevin Barber). The closing is anticipated sometime later this month. This building
134 was formerly used as a furniture store and has been vacant for approximately six years. At
135 present the building has a blighted appearance and is in need of extensive renovation. It is
136 one of the most prominent buildings in the CRA, and is the only building identified in the
137 CRA Master Plan Update that has an entire page devoted to it. The building is also cited as
138 an “Opportunity Site” and is considered a gateway feature to the commercial district on
139 Canal St, east of US 1. The proposed use of the building is for medical, retail, and
140 restaurant uses.

142 Mr. Otte stated that staff was looking for approval of the “Conceptual Deal Points” and
143 authorization to prepare a contract.

144

145 Mr. Ernie Johnson, representative for the applicant was present and a brief discussion
146 ensued about the purchase price for the property in relation to the reimbursement amount
147 that is being requested.

148

149 The CRA agreed that this is a very valid project but decided to defer this item to the joint
150 CRA/City Commission meeting on January 18, 2012 for direction on the funding for
151 opportunity sites.

152

153 **Ms. Latty made the motion to continue the discussion at the January 18, 2012 joint**
154 **CRA/City Commission meeting at which time the funding amount should be discussed;**
155 **seconded by Mr. Kinney. Motion carried on roll-call vote 4–0.**

156

157 **

158 Ms. Soulie asked to read Form 8B Memorandum of voting conflict into record. This form
159 was completed by Chair Kosmas at the December 7, 2011 CRA meeting pertaining to the
160 Grant request for 306/308 Orange Street where Mr. Kosmas declared a conflict.

161

162 REPORTS AND COMMUNICATIONS

163 A. Director’s Report

164

165 Mr. Otte reiterated that there will be a special CRA/CC meeting on January 18, 2012 at 4:00
166 pm and also informed the CRA about a Townhall meeting on Monday, January 23, 2012 at
167 5:00 pm hosted by County Council Member Joyce Cusack as well as a ribbon cutting on
168 Myrtle Ave and ground breaking for the Riverside Park project on January 31, 2012.

169

170 B. CRA Attorney’s Report

171

172 Mr. Hall had no updates, but was available for questions if there were any

173

174 C. Capital Projects Report

175

176 The CRA had no questions or comments.

177

178 D. Commissioner Report

179

180 Mr. Peterson asked for clarification on how agenda items that the CRA acted on (for example
181 tabled, or deferred) get placed on the City Commission agenda at their next meeting.

182

183 A brief discussion ensued about the policy behind agenda items getting placed on the City
184 Commission agenda and that staff would continue letting the CRA know when this occurred.

185 Mr. Kosmas stated that he was fully aware that the CRA is acting in an advisory capacity, but
186 has issues with decisions being overridden because of a lack of agreement in policy. Mr.
187 Kosmas was hopeful that the CRA and City Commission will be able to coordinate the
188 policies, which would aid in clearer decision making on the CRA’s part.

189

190 Ms. Latty had no comments.

191

192 Mr. Kosmas commented on recent articles and blogs and stated that he had no problem with
193 people disagreeing with him in this capacity as a CRA Commissioner, but when they started
194 personal attacks it crossed the line.

195

196 Mr. Kinney stated that it was a good meeting and that he felt the qualifications for being
197 eligible to serve on the CRA might need to be revisited. He suggested not making it
198 mandatory that potential applicants have to live, work or own a business in the district as this
199 might increase objectivity.

200

201 E. Tracking report

202

203 No updates

204

205 F. Correspondence

206

207 Mr. Kosmas commented on Mr. Doug Hodson's resignation letter and complimented Mr.
208 Hodson's on his excellent and long service to the CRA and the Community. Mr. Kosmas felt
209 that the CRA had lost a lot of talent with the resignations of former long-time
210 Commissioners.

211

212 Hearing no further comments, Mr. Kosmas entertained a motion to adjourn.

213

214 **ADJOURNMENT**

215

216 **A motion was made to adjourn; all agreed. Meeting adjourned at 3:58 pm.**