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**MINUTES OF THE
COMMUNITY REDEVELOPMENT AGENCY
MEETING OF DECEMBER 3, 2008
DEBERRY ROOM 3RD FLOOR
200 CANAL STREET
NEW SMYRNA BEACH, FLORIDA**

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Chairperson Linda DeBorde called the December 3, 2008 CRA meeting to order at 2:00 p.m.

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Answering to roll call:

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**Linda DeBorde, Chair
James Kosmas
Charles Belote
Douglas Hodson
Cynthia Lybrand
Thomas Williams**

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Also present were Kevin Fall, CRA Director; Noeleen Foster, CRA Coordinator; Michelle Martin, CRA Project Manger; Mark Hall, CRA Attorney; and Claudia Soulie, Administrative Specialist. Commissioner Steve Dennis, Vice-Chair, was absent.

Ms. DeBorde welcomed Mr. Rakowksi, Development Services Director and Randy Walter with the Utilities Commission

CONSENT AGENDA

Approval of Minutes – November 5, 2008 CRA Meeting.

Mr. Hodson made the motion to approve the minutes of the November 5, 2008 CRA meeting as written; seconded by Mr. Belote. The motion carried on roll call vote 6 – 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.

Hearing none, Ms. DeBorde closed the Public Participation portion of the meeting.

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PRESENTATION

A. 303 Flagler Ave - Redevelopment Project
Scott Waldroff – Schweizer Waldroff & Associates

Mr. and Mrs. Randy McHenry, 1320 S. Riverside Drive, informed the CRA Commissioners of their redevelopment plans for the properties located at 301 and 303 Flagler Ave. The McHenry’s and their architect Scott Waldroff, Schweizer Waldroff Architects, elaborated on their intention to keep the existing building, but to sub-divide it into two (2) businesses, as well as improvements to the site. Mr. McHenry stated that the previous owner of the building was leasing several on-site parking spaces to a local restaurant. Mr. McHenry continued that the proposed creation of the green-space would also eliminate some existing parking spaces and that brought him to appear before the CRA. Mr. McHenry inquired about leasing 21 parking spaces from the CRA lots that were within the vicinity of 301/303 Flagler Ave.

The CRA Commissioners discussed the redevelopment and the beautification of that area on Flagler Ave.

Mr. Kosmas was concerned that the proposed green-space would voluntarily eliminate valuable parking spaces, which in turn would have to be leased from the CRA.

Mr. Williams and Ms. DeBorde shared Mr. Kosmas’ concern and were hesitant to commit such a large number of spaces to one project.

Mr. Kosmas asked Mr. Henry if he had considered not renewing the restaurant’s lease for the on-site parking spaces. Mr. McHenry stated that he would check into that, but felt this would create a hardship for the restaurant.

Mr. Williams further discussed options pertaining to the lease between the applicant and the restaurant.

Mr. Belote asked Mr. McHenry if they had addressed the possibility that patrons of the proposed new businesses might park in side streets of residential neighborhoods. A brief discussion ensued about parking lots owned by the City and the legality of parking in them. Mr. Fall stated that he was working on producing a list of fixed CRA and City assets and that all CRA assets would be added to the City’s inventory at the end of the CRA’s term.

Ms. DeBorde stated that the City’s Planning Department made parking space allowances for existing buildings in the CRA redevelopment district, where new parking lots were not readily available. Ms. DeBorde continued that available public parking spots would count towards that business’ parking requirements, as long as the redevelopment did not alter the building’s existing footprint. Ms. DeBorde deferred to Mr. Rakowski for comments.

93 Mr. Mark Rakowski, Development Services Director, stated that there were special
94 parking districts along Flagler and Canal Street that allowed the parking requirements in
95 certain areas to be reduced. Mr. Rakowski continued that finding the right solution to the
96 parking needs within the Community was a balancing act.

97
98 Mr. Matthew Clancy, owner of Clancy's Cantina and prospective co-occupant of the
99 proposed redevelopment project, thanked the CRA Commissioners for their time and was
100 hopeful that a compromise could be found in regards to the parking situation, otherwise
101 he would not be able to relocate his restaurant to this area.

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103 Ms. DeBorde stated that the CRA Commissioners would not make a decision today as the
104 actual Leased Parking Program still had to be discussed.

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106 Mr. Fall asked the CRA to authorize him to work with the applicant in finding some kind
107 of a compromise. The Commissioners agreed.

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109 Mr. Fall stated that the redevelopment of existing properties raised the question that the
110 CRA might have to look at land acquisition to meet parking needs and that a
111 comprehensive parking program was necessary.

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115 OLD BUSINESS

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117 A. CRA Leased Parking Program

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119 Mr. Fall stated that, following the CRA Commissioner's previous directive, he had
120 compiled a history of the CRA Leased Parking Program as indicated in the Land
121 Development Regulations (LDR) and staff recommended the CRA reinstitute the CRA
122 leased parking program incorporating additional criteria that help define the program.

123
124 Ms. DeBorde thanked Mr. Fall for the excellent summary and opened the topic up to the
125 Commissioners for discussion.

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127 Mr. Kosmas felt that some of the additional criteria had to be reworded and defined, as it
128 left room for misinterpretation.

129
130 Ms. DeBorde re-iterated that, when the use of an existing building got changed, that the
131 parking situation usually had to be re-assessed.

132
133 Mr. Williams needed clarification if the current code eliminated the possibility of
134 creating a parking facility in a residential neighborhood. Mr. Rakowski stated that the
135 parking facility had to be directly adjacent from the business, where previously it could
136 be within 200 ft of the business.

137 Mr. Belote felt that some parking hardships were self-imposed. Mr. Kosmas would like
138 the lease to preclude obtaining parking spaces, if the applicant created the parking
139 hardship they were trying to alleviate.

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141 Mr. Williams agreed with Mr. Belote and felt that the criteria conflicted with each other
142 and continued that “hardscapes” and existing parking needed to be included in the
143 verbiage.

144

145 Ms. DeBorde stated that the CRA was not in a position to make changes to the Land
146 Development Regulations (LDR), only suggestions and recommendations.

147

148 Mr. Belote felt that the current lease price for the CRA parking spaces needed to be re-
149 evaluated and brought closer to the fair market lease without discouraging
150 redevelopment. Mr. Belote was concerned that by keeping the lease rates too low,
151 developers may not feel the need to purchase property to account for parking spaces.

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153 Ms. DeBorde asked for the CRA’s consensus to have Mr. Fall investigate a fairer market
154 value for the leased parking spaces through the comprehensive land-use plan. All agreed.

155

156 Ms. DeBorde understood Mr. Belote’s concerns and mentioned that the lease amount was
157 established several years ago to help with redevelopment in blighted areas. Ms. DeBorde
158 agreed with increasing the price, she felt it needed to be done in small increments.

159

160 Mr. Fall stated that the lease program should have some flexibility in it. Mr. Fall felt that
161 an incentive should be given to a developer who was willing to take a risk by moving into
162 an undeveloped area. Mr. Fall continued that it was easier to develop a vacant lot than to
163 redevelop an existing structure.

164

165 Mr. Fall suggested that the CRA Commission re-define the word “footprint” and offered
166 some hypothetical wording.

167

168 A brief discussion ensued between the CRA and staff about the meaning of the word
169 footprint and if adding a green-space and pedestrian plazas etc. was considered a change
170 to the footprint and if incentives should be given for “green” development.

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172 Mr. Fall stated that the building footprint could be described as “usable square footage
173 under roof” and continued to read back verbiage gathered during the previous discussion:

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- 175 • Existing footprint may be expanded to include pedestrian areas, courtyards and/or
176 enhanced landscaped or green-space areas that remain permeable and maintain a
177 stormwater function and would prohibit the use for parking on such.

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179 **Mr. Kosmas made the motion to modify the CRA Leased Parking Program with the**
180 **agreed upon changes; seconded by Ms. Lybrand. The motion carried on roll call**
181 **vote 6 –0.**

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Mr. Williams made the motion to approve funding the proposed project in the amount of \$1,775.00 with CRA funds; seconded by Mr. Kosmas. The motion carried on roll call vote 6 –0.

B. ECHO Grant

Mr. Fall informed the CRA that on November 25, 2008 the City Commission authorized City staff to submit an ECHO Grant application for exterior renovations to the Chamber of Commerce.

Mr. Rakowski, Development Services Director and Marissa Moore, City Planner addressed the CRA to inform them of the grant request details and to ask the CRA’s assistance in providing a local match in the amount of \$191,400.00.

Mr. Williams asked if the funds would be returned to the CRA, should the Grant not be awarded to the City. Ms. DeBorde stated that the funds only had to be made available as a pledge, and not actually transferred out of the CRA’s budget.

Ms. Lybrand inquired about the timeline and was informed by Ms. Moore that, if awarded, the funds would be available to the City in May of 2009 with a proposed project completion date of August 2010.

Ms. DeBorde asked about the chances of being awarded the Grant. Mr. Rakowski and Ms. Moore agreed that based on feedback received, there was a high probability of success. Ms. Moore stressed that this was a restoration and not a renovation project to bring the Chamber back to its original look.

Mr. Komas wanted to know if this request pertained to refurbishing the interior of the Chamber. Ms. Moore explained that the exterior restoration was Phase I and the interior would be Phase II and they were considered separate projects.

Ms. Lybrand inquired about distributing the funds over two fiscal years. Mr. Fall would prefer the CRA create a specific line item in FY 2008/09 budget, and to transfer funds that were available in an operating reserve.

Mr. Belote made the motion to approve providing the local match in the amount of \$191,400 with CRA funds and to authorize staff to make a transfer within the CRA’s budget; seconded by Mr. Williams. The motion carried on roll call vote 6 –0.

Commissioner Hodson asked to be excused and left at 4:30 p.m.

275 C. EPA Brownfield Grant Application

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277 Mr. Fall updated the CRA that, with combined efforts, staff made the deadline for
278 submitting the application to receive a community-wide Brownfields Assessment grant
279 from the EPA.

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281 Mr. Belote stated that two (2) of the organizations listed as supporters had been
282 dissolved. Mr. Fall will check into this.

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REPORTS AND COMMUNICATIONS

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A. Director's Report (verbal)

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Mr. Fall informed the CRA that:

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- the Commissioners would be receiving a written update of current happenings halfway through the month along with a scribed version of the verbal director's report. Mr. Fall asked the Commissioners for feedback, as this was the first time the full agenda was sent in digital form. All agreed it was beneficial. Mr. Belote suggested separating the scanned documents into the major topics.

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- information on the CRA Redevelopment Plan Update and the Flagler Boardwalk contract would be forthcoming on the January 2009 CRA agenda.

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- a conceptual plan had been received in regards to the Esther Street Project and the project was moving forward. Mr. Fall will prepare a memo for the Commissioners.

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- FDOT would be holding a Public meeting on December 11, 2008, 5:00 pm at the Brannon Center to inform of areas that would be re-milled and resurfaced in 2009. Mr. Fall had met with FDOT in the past to give his input on certain areas. Mr. Belote inquired about putting the turning lane back on US 1 and Canal Street. Mr. Fall, along with Michelle Martin, CRA Project Manager, will check into that.

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- the FEC lease agreement was approved by the City Commission and had been forwarded to the FEC for execution. All involved parties were eager to continue the project as soon as the agreement was returned to the City.

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- he had met with Rick Michaels of Volusia County to discuss the County's intentions of being kept informed of what the CRA's were doing and to give some insight.
 - Kathie Eichinger, Finance Director, had accepted a position with the City of Daytona Beach.
 - CRA staff was in the process of coordinating the annual CRA Christmas gathering.
 - it was time to send out the TIF notices for payment.
 - that FDOT had extended the LAP agreement for the West Canal Streetscape until January 30, 2009 to allow time to work out the utility relocations. Mr. Fall also handed out the project time schedule.

335 B. Commissioners Reports

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- Ms. DeBorde congratulated Noeleen Foster, CRA Project Coordinator, for passing a test for the Florida Certification Series of Redevelopment 101.
 - Ms. Lybrand wanted Mr. Fall to confirm if Bert Fish as well as Volusia County were to be partners for the CRA Redevelopment Plan Update.

344 C. Correspondence

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346 Ms. DeBorde stated that Nicole Carni had turned in her event evaluation form.

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349 **ADJOURNMENT**

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351 **Mr. Williams made a motion to adjourn, seconded by Ms. Lybrand; all agreed.**

352 **Meeting adjourned at 4:40 pm.**