

MINUTES

SPECIAL MEETING - COMMUNITY REDEVELOPMENT AGENCY BOARD (CRA)

March 20, 2013

Minutes of the Special Meeting of the Community Redevelopment Agency Board of The City of Daytona Beach, Florida, held on Wednesday March 20, 2013 at 6:00 p.m., in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

1. Roll Call.

Commissioner Patrick Henry	Present
Commissioner Paula Reed	Present
Commissioner Carl Lentz	Present
Commissioner Pamela Woods	Present
Commissioner Kelly White	Present
Commissioner Robert Gilliland	Present
Mayor Derrick Henry	Present

Also Present:

James V. Chisholm, City Manager
Marie Hartman, City Attorney
Jennifer Thomas, City Clerk

2. Commissioner Reed led the invocation.

3. Commissioner Henry led the Pledge of Allegiance to the Flag.

4. Adopted/Minutes of the Regular Meeting of the Community Redevelopment Agency Board of The City of Daytona Beach, Florida, held Wednesday, March 6, 2013, at 6:00 p.m., in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

It was moved by Commissioner Gilliland to approve the Minutes. Seconded by Commissioner Woods. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Henry	Yea
Commissioner Reed	Yea
Commissioner Lentz	Yea
Commissioner Woods	Yea
Commissioner White	Yea
Commissioner Gilliland	Yea
Mayor Henry	Yea

5. AGENDA APPROVAL

James V. Chisholm, City Manager read the Agenda changes:

No changes.

It was moved by Commissioner Gilliland to approve the Agenda. Seconded by Commissioner Reed. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Henry	Yea
Commissioner Reed	Yea
Commissioner Lentz	Yea
Commissioner Woods	Yea
Commissioner White	Yea
Commissioner Gilliland	Yea
Mayor Henry	Yea

6. ADMINISTRATIVE ITEMS

- 6A. Adopted/Resolution No. CRA 13-03 approving an agreement with Protogroup, Inc. 120 Garden Street North, Palm Coast, Florida 32137, providing reimbursement of construction costs for certain public improvements in connection with the development of a Convention Hotel & Condominiums on property generally located at 442 North Atlantic Avenue and 500 North Atlantic Avenue, and authorizing the expenditure of Main Street Redevelopment Funds for certain public improvements including stormwater, landscaping and streetscape improvements located in the Oakridge Boulevard Pedestrian Beach Access and Atlantic Avenue right-of-way. The CRA will reimburse Protogroup for actual documented costs of construction of public improvements located in the Main Street CRA. There are no other CRA incentives associated with this project. The proposed project is consistent with and furthers the goals, policies, and implementation of the Main Street/South Atlantic Redevelopment Plan. City Clerk Thomas read the Resolution by title only. A RESOLUTION APPROVING AN AGREEMENT WITH PROTOGROUP, INC., THE CITY OF DAYTONA BEACH, AND THE COMMUNITY REDEVELOPMENT AGENCY PROVIDING FOR REIMBURSEMENT OF CONSTRUCTION COSTS FOR CERTAIN PUBLIC IMPROVEMENTS IN CONNECTION WITH DEVELOPMENT OF A CONVENTION HOTEL AND CONDOMINIUMS ON PROPERTY LOCATED AT 422 AND 500 NORTH ATLANTIC AVENUE A PORTION OF WHICH IS WITHIN THE MAIN STREET REDEVELOPMENT AREA; APPROVING THE EXPENDITURE OF TAX INCREMENT FUNDS FROM THE MAIN STREET REDEVELOPMENT AREA TRUST FUND FOR CERTAIN PUBLIC IMPROVEMENTS; AUTHORIZING THE MAYOR, AS CRA CHAIR, AND CITY CLERK TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Paul McKittrick, Deputy City Manager/Administrative Services stated Mr. Rob Merrell will be making the presentation on tonight.

Rob Merrell, 150 Magnolia Avenue, Daytona Beach with Cobb Cole Law Firm stated he was present at the meeting on behalf of the applicant. The applicant had three items on both of today's agendas and wanted to show the Commission the entire project in its full context before making their decision on any of the items. He made comments concerning this CRA item; which would also incorporate comments of the remaining two items on the agenda and if there are any questions on those two items, he would be happy to return to the dais to answer those questions at that time. If it was okay with the Commission, staff asked him to address questions at the end of his presentation if necessary; so for the sake of time he would not be repeating the presentation three times. He began by introducing representatives with Protogroup that were also in the audience.

This project had been thoroughly put through the wringer, and he did not want to spend the next two hours before the Commission defending this project. Everything that he had spoken about in reference to the Master Plan, Vision Plan and all important information concerning this project was systematically included in the 20 pounds of paper given to the CRA concerning this project. He attended two meetings each at the Planning Board and the Redevelopment Board where they received unanimous approval, he thanked staff for all their help and input.

He began the video presentation as he narrated and pointed to certain slides. During the presentation he ran through the slides and gave a brief summary as to what was represented on each one. The video should answer any questions or concerns the CRA might have.

In his closing he could not put into words just how excited he was to be a part of this project. This is the biggest project ever seen in Daytona Beach on the beachside from both standpoints; one being the financial investment and the other being the size of the project. For the record he passed a letter of agreement that was with the property owner to the south (Regency Resort). In the agreement they have agreed on plants and he wanted to make sure that the Commission understood that the new developers are trying to be good neighbors. Their attorney Ted Brown is in attendance and would be able to address the agreement. He was available for questions.

Mayor Henry stated that Mr. Merrell has done a splendid job in his presentation.

John Nicholson, 413 North Grandview Avenue, Daytona Beach commented on the location of the project, the video presentation and the taxes that will be generated from the development.

Ted Brown, Attorney, Baker Hostetler, 200 South Orange Avenue, Orlando, Florida gave the legal name of the Regency group (Daytona Beach Regency Homeowner Association and the Diamond Resorts US Collections Members Association; also known as (aka) the Regency). It is the time share property that is immediately to the south of the property. They entered into negotiations with the developer and their counsel to resolve some issues in an effort to make that the esthetics does not compromise their arrival views, statements for their guest

and for their facilities. The document given to the Commission by Mr. Merrell summarizes their agreement and incorporates into the City's records a landscape plan that will assist with enforcement. They have no expectation that the agreement will not be enforced and Mr. Merrell and his client have been extremely cooperative. They did not get everything they ask for, but they got enough to feel comfortable that the boundary line will have a strong esthetic complimentary experience for their guest and my client's guest. They support the project and he looks forward to coming to Daytona Beach to see something as exciting as this development moving forward.

Mayor Henry thanked Mr. Brown for his report.

David Konchan, 444 Seabreeze Boulevard, Daytona Beach commented that he was hopeful that the project would be approved and it is his vision along with other businesses on the Boulevard that the development would add a much needed boost to the area.

Brad Giles, Vice Chair, Community Development Board, Daytona Beach Chamber of Commerce commented that they are in support of the development; it will be improving the area. It is a positive project for Daytona Beach and he thanked the City Commission for supporting the development.

Chris Bowler, 2275 Mason Avenue, Daytona Beach commented that they are real excited about the project and he was pleased to see the investment into the area during the economic time.

Dan Francati, Daytona Beach commented that this is a gateway project. It will create jobs during construction and permanent jobs upon completion. Tourism will be created along with more property taxes. The development will attract more businesses.

Mayor Henry thanked everyone for sharing their insights to the project. He asked the Commission if they had comments.

Commissioner Woods stated that she wanted to make sure that what the Commission received today was a part of the record; it was a revision to the signed PCD agreement.

Mr. Merrell apologized for the information coming to the City Commission late. It was something that staff wanted to give some assurance that everything along the Boulevard would always be accessible to the public. They wanted to make sure that it was absolutely clear.

Commissioner Woods stated and this revision is specifically related to what the Commission was about to vote on.

Mr. Merrell stated it deals with those areas along the Boulevard that will have to be improved with the streetscape.

Commissioner Woods asked what kind of landscaping would be used as a buffer.

Mr. Merrell stated it would be salt tolerant plants (i.e. sea grapes and palms trees). Also they

agreed to extend a wall that may block some of the service areas. They agreed to have an inspector look at their property so that no damage is done during construction and provide contact information so that the owners would know who to call.

Commissioner Woods stated it also includes working with the adjacent property regarding the sea dunes.

Mr. Merrell stated some of the language came from the language that Jim Morris and he had developed as a part of the sea dunes discussion.

Mayor Henry asked if there were additional questions.

It was moved by Commissioner Gilliland to adopt the Resolution. Seconded by Commissioner White. The Resolution was adopted 7-to-0 with the breakdown as follows:

Commissioner Henry	Yea
Commissioner Reed	Yea
Commissioner Lentz	Yea
Commissioner Woods	Yea
Commissioner White	Yea
Commissioner Gilliland	Yea
Mayor Henry	Yea

7. CITIZENS

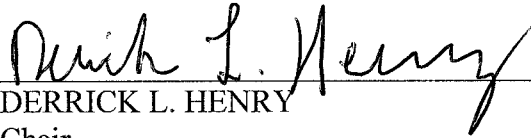
John Nicholson, 413 North Grandview Avenue, Daytona Beach commented on public access; additional documents that the public does not see and the amount of funds for public improvements.

8. COMMENTS/INQUIRIES FROM THE COMMUNITY REDEVELOPMENT AGENCY - CITY MANAGER AND CITY ATTORNEY REPORT.

Mayor Henry asked if there were additional comments from the CRA.

9. ADJOURNMENT

There being no further discussion or comments the meeting was adjourned at 6:40 p.m.


DERRICK L. HENRY
Chair

ATTEST:


JENNIFER L. THOMAS
City Clerk

Adopted: June 5, 2013

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Community Redevelopment Agency Board makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript, or you may buy a tape of the meeting for \$2.00 at the City Clerk's office. Copies of tapes are only made upon request. The City is not responsible for any mechanical failure of the recording equipment.