MINUTES
CITY OF COCOA
COCOA CRA
REGULAR MEETING
June 10, 2020

The Regular Meeting of the Cocoa Community Redevelopment Agency was held on June 10, 2020 at City Hall, 65 Stone Street, Cocoa, FL, as publically noted.

I. <u>Call to Order</u>

Chairperson Williams called the meeting to order at 4:01

<u>ROLL CALL:</u>

Jake Williams, Jr.	Chair Person
Don Boisvert	Agency Member
Alex Goins	Agency Member
Lorraine Koss	Agency Member
Janne Etz	Agency Member
Edward Lanni	Agency Member
Brenda Warner	Agency Member
Anthony Garganese	City Attorney
Landon Morley	Recording Secretary

<u>PRESENT:</u>

Jake Williams, Jr.	Chair Person
Alex Goins	Agency Vice Chair– 4:08PM
Don Boisvert	Agency Member
Lorraine Koss	Agency Member
Janne Etz	Agency Member
Edward Lanni	Agency Member
Brenda Warner	Agency Member – 4:48PM
Anthony Garganese	Agency Attorney – 4:04PM
Landon Morley	Recording Secretary

<u>ABESENT:</u>

None

<u>STAFF PRESENT:</u>

Matt Fuhrer, Assistant City Manager, **Nancy Bunt,** Community Services Director, **Charlene Neuterman**, Deputy Director of Community Development, **Dorothy Selig,** Planning and Zoning Manager, **Bryant Smith**, Public Works Director, **Rebecca Bowman**, Finance Director

Agency Member Ed Lanni provided the invocation and **Agency Member Koss** led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

II. Approval Of Agenda And Minutes:

AGENDA: Regular Meeting of June 10, 2020

* **MOTION by Agency Member Boisvert; SECONDED by Agency Member Etz to approve the agenda for the June 10, 2020 Regular Meeting.**

AYES: WILLIAMS, GOINS, WARNER, BOISVERT, KOSS, ETZ, LANNI

MOTION PASSED UNAMIOUSLY (7-0)

City Attorney Garganese arrived at the meeting at 4:04pm.

MINUTES: Regular Meeting of March 11, 2020

* **MOTION by Agency Member Koss; SECONDED by Agency Member Lanni to approve the minutes as amended for the March 11, 2020 Regular Meeting.**

AYES: WILLIAMS, GOINS, WARNER, BOISVERT, KOSS, ETZ, LANNI

MOTION PASSED UNAMIOUSLY (7-0)

III. Delegations

Alex Greenwood – 640 Brevard Ave. Mr. Greenwood praised the council for their actions regarding the 10-item list while emphasizing his hopes that the Civic Center will allow for group meetings. He also praised the progress of the dredging project between the bridges, the pressure washing in Cocoa Village, the street lighting and letting the public know Cocoa was open for business, along with the work done at Riverfront Park. Mr. Greenwood expressed his support for the comments about the Riverfront Park made at the last council meeting. The Commercial Property Group supports further action implementing a parking garage and stands firmly in the position of "Build it!" regarding the hotel.

IV. Action Items

1. Approve a Task Order to Infrastructure Solution Services for Cocoa Village on-street parking improvements in the amount of $19,738.

Agency Member Goins arrived at the meeting at 4:08pm.

- **Charlene Neuterman** discussed the conceptualization of a plan for finalizing the on-street parking improvements project. The task order will include sidewalk, curb, and drainage improvements on the following roads: Forrest Ave, Oleander St, Stone St, Lemon St, Orange St, and John

Garren Ln. The task associated with the proposal is to do a field service and conceptual-design service which includes performing drone-based photography of the listed corridors and providing parking alternatives. The City will be provided with 1 to 3 alternatives for parallel parking on the roadways listed above. The layouts will consider the number of parking spaces gained, storm water modifications, and potential right-of-way acquisition impacts. The preferred alternative will be used to prepare a conceptual design on the on-street parking for Cocoa Village. The task order does not prepare the final design services or engineering so a second task order will be required to complete the final design, permitting, engineering, and construction document preparation for bid-process. It is anticipated the process will take between 90 to 120 days to complete. There is an unknown variable regarding how long it will take the City staff and the CRA to evaluate the parking alternatives.

- In 2017 staff requested a proposal to evaluate the feasibility of adding on-street parking within the existing right-of-way. Agency members approved the task order to evaluate those parking recommendations, some of which have transformed some of the roadways in the village. Additionally, the CRA approved an update to the 2007 parking study, ensuring the report included any changes since the 2008 recession and the 2014 economic rebound. That report concluded Cocoa Village had a deficit of 300 spaces. Presently, staff is requesting an approval of the task order in the amount of $19,738.

* **MOTION by Agency Member Boisvert; SECONDED by Agency Member Lanni to approve the $19,738 budget.**

AYES: WILLIAMS, GOINS, WARNER, BOISVERT, KOSS, ETZ, LANNI

MOTION PASSED UNAMIOUSLY (7-0)

2. CRA Board Consideration of (1) Approve the proposed Amended and Restated Redevelopment Project Agreement for Lodging Decisions, Inc. (LDI) for the development of the vacant property located at 603 Brevard Ave; **OR** (2) Reject the Amended and Restated Redevelopment Project Agreement and direct Agency Staff and Agency Attorney to terminate the existing Redevelopment Agreement due to Developer's default.

- **Interim City Manager Matt Fuhrer** gave a presentation on the Cocoa CRA 603 Brevard Avenue Mixed-Use Hotel Development Project (Exhibit A), beginning with the background of the agreement and its adjustments from its conception until now. In that time, the City and developer attorneys were able to agree on a plan broken down into the three following phases:

- Phase 1: Development agreement with City of Cocoa and Initial Approval of Conceptual Development Plan.

- This is required to obtain an 8-story high building. A conceptual development plan will be needed to determine the feasibility of the project and address concerns including the impact to the local area, the architecture matching the Cocoa Village aesthetic, economic and social benefits, the size of the project, sufficient parking and how the project may affect the parking plan outlined in the first action item. If the agreement is executed tonight, it will trigger the timeline of three months to finish the plan. In four months, the City Council will decide if they want to approve the plan.

- Phase 2: Hotel Brand adjustments and Financing; Approval of Revisions to Conceptual Development Plan

- The property and project design must be approved suitable. Each hotel brand has its own design and terms must be sufficiently outlined.

- **Agency Member Lanni** expressed concern over lengthy timelines, suggesting the agency not wait 60 days to tell developers whether they may or may not build a hotel and instead adopt a sit-down approach in which the developer and the City come to a quick agreement on what may be done. **Agency Member Koss** emphasized the reason for the delay has been the need to make sure the building won't collapse the first night of check-in. The City will be giving the developer a $2 million piece of property. **Mr. Fuhrer** responded saying this is a complex property, the City is not completely at square one, and staff have been able to collect items to show the agency tonight.

- **Mr. Fuhrer** resumed his presentation, moving onto Phase 3: Future Permitting

- After 3 months, applications, information, and engineering plans for final approval all need to be submitted. After 5 months they must obtain final site plan approval and off-site parking improvements approval. In that period, the agency has the right to declare the developer in default and the developer may request the agency convey the property. At 8 months from the commencement date the developer must substantially commence construction of utility and off-site parking. At 12 months they must commence vertical construction. Finally, within 24 months they are obtain final certificate of occupancy. June 10, 2023 would be that date as set out in the amended agreement, so long as those steps are met along the way.
- **Agency Member Koss** inquired as to why the City does not know the hotel brand until phase 2. **Mr. Fuhrer** conveyed there are possible discrepancies between hotel franchise requirements and City requirements. Solidifying the hotel brand in phase 2 is best because all parties involved understand what they are agreeing to.

- **Public Works Director Bryant Smith** highlighted some of the complications a hotel would bring to the local traffic. The traffic impact analysis shows that John Garren will be turned into a one-way road which would not work because it is used as a two-way. The expectation would be to see improved parallel parking, sidewalks, and parking, however, there is no shown improvement. The plan would direct public traffic onto a private roadway, which would need to be addressed by the DA. The storm pipe and canopy off Factory St. would have to be relocated or removed because there cannot be a vertical structure over a utility.
- **Mr. Fuhrer** added that this is the first time they have seen the concept of this roadway. **Public Works Director Bryant Smith** continued, stating two southbound roads right next to each other does not make sense. The storm-water plan needs to be worked on more.
- **Mayor Williams** asked if John Garren would only be going south. **Mr. Smith** replied that he believed they are intending to leave John Garren as is, however the report says otherwise, noting a discrepancy between the report and the civil plans that will need to be addressed. **Agency Member Koss** inquired as to what would happen with the FPL poles. **Mr. Smith** replied that they were currently in discussion with FPL and may only need to remove one pole. The plan is to go underground, eliminate the middle pole, and establish a pole adjacent to corners.
- **Mayor Williams** pointed out that the concept of vertically developing 86 feet is significantly higher than the original concept of 68 feet. **Planning and Zoning Manager Dorothy Selig** explained that the zoning district allows 65 feet, however, the change made to the overlay district allows for 8 floors. If utilizing the maximum height of the floors allowed, it's 104 feet; though the more critical factor is the 8 floors.
- **Mr. Smith** confirmed at the behest of **Agency Member Koss** that there would be additional storm-water protection.

Brenda Warner arrived at 4:48pm

- **Ms. Selig** highlighted numerous necessary design changes including unclear impact on parking spaces, difficulty with FAR evaluation, and ineffective scaling. The only way to reach the dumpster is to walk through John Garren, which is problematic but minor. There is no handicap access from the ground floor garage to the building. The elevators cannot be accessed from the garage, meaning the hotel has to be open 24/7 for the public to have access to the upper floors of the garage. There is a conflict interest with the hotel wanting to provide security for their guests and the need to maintain public parking accessibility. Parking spaces are listed as having a width of 9 feet and depth of 18 feet, neither of which meet code. Spaces will be lost to widen the spaces needed, which undermines the parking calculations. **Agency Member Koss** questioned if the parking space sizes were standard compared to other municipalities. **Ms. Selig** replied that they were standard and able to accommodate most vehicles, then continued, stating that she recommends the handicap spaces across from the elevators be moved to an area adjacent to the elevators. Additionally, there is a 9th floor which could be a potential violation. **Mr. Fuhrer** suggested there could be an open-air deck similar to Ryan's Pizza which would not be counted as a floor. **Agency Member Goins** requested clarification, confirming that this would be an open floor. **Ms. Selig** confirmed, stating the area appears to be open-air with some sections covered by a pergola. **Agency Member Warner** for clarity asked "Only a small area is enclosed?" to which **Ms. Selig** confirmed "Right." **Agency Member Etz** expressed concern about having four levels of parking and two levels of rooms.

- **Mr. Fuhrer** invited the developer to speak to some of the comments in front of the agency.

- **Jack Brown** President and CEO of Lodging Decision Inc. read from a prepared speech, asking the council to vote yes on the revised conditions and pointing out that both the City and the lenders/franchisers have procedural duties. Discussions have commenced with Hilton to develop a Hilton Tapestry franchise similar to the one in Melbourne. "You've got to strike while the iron is hot." **Mr. Brown** concluded by inviting his collaborators to speak.

- **Richard Kern** with Honeycutt Associates in Titusville opened by confirming that the old traffic study analyzed John Garren as being one-way, but he proposed leaving it as is. He stated parking and sidewalk improvements will be done and the plan is to incorporate Factory Street. 9 feet wide and 18 feet deep parking spaces do not meet Cocoa code, so the parking space plan will be edited.

- **Susan Hall** President of Susan Hall Landscape Architecture emphasized the company interest in the hotel project and specifically in rain-harvesting on the hotel roof through use of irrigation tanks.

- **Ron Johnson** and **David Lemon** with City Capital discussed a financing partnership with Pace Equity Group. Their interest rate can vary, but come 2022 the interest rate is predicted to be around 4 or 5 percent. Pace's willingness to finance is dependent on how clean the project is. They typically finance 15% but will sometimes go up to 20% for a greener project.

- **Adelson Ramos** President of Architectural Design Glass Associates emphasized his familiarity with hotel brand requirements and his excitement for taking on the challenges this project presents. Discussion ensued regarding the depiction of parking plans.

- **Richard Fernandez** with Atlantic Coast Development pushed for making a decision on the deal, exclaiming "In the spirit of what Mr. Lanni said, there is a threshold to business and it appears to us it is getting exceedingly tiresome to do this deal."

- The agency members echoed the idea that a decision needed to happen. **Agency Member Lanni** thanked everyone involved in his 95th birthday. **Agency Member Koss** and **Agency Member Warner** expressed that they will be voting against the hotel deal. **Agency Member Etz** expressed that she would be done with this project if it were not to be approved at this step.

* **MOTION by Agency Member Warner; SECONDED by Agency Member Koss to terminate the existing redevelopment agreement.**

AYES: WARNER, KOSS

OPPOSED: WILLIAMS, GOINS, BOISVERT, ETZ, LANNI

MOTION FAILED (2-5)

* **MOTION by Agency Member Goins; SECONDED by Agency Member Boisvert to accept the existing redevelopment agreement**

AYES: WILLIAMS, GOINS, BOISVERT, ETZ, LANNI

OPPOSED: WARNER, KOSS

MOTION PASSED (5-2)

V. Attorney's Report

None

VI. Updates and Staff Reports

i. Informational Item- Project Updates
ii. Informational Item- Budget Report
iii. Informational Item – Gateway Entry Feature (12-8-18 transcript/budget report)
   1. **Agency Member Warner and Agency Member Koss** both expressed their opinions about the color of the boat at the Gateway Entry Feature. **Mrs. Koss** expressed that there could be gold/bronze around the windows, a color similar to the sign lettering. **Mrs. Neuterman** stated she would bring a color scheme back at the next meeting with a cost associated with the changes.

VII. Next Meeting Date
The next regularly scheduled meeting of the Cocoa Redevelopment Agency will be on Wednesday July 8, 2020 at 5pm at the Cocoa City Hall, 65 Stone Street, Cocoa, Florida, unless a business need arises earlier.

VIII. Adjournment
* **MOTION made by Agency Member Warner; SECONDED by Agency Member Goins to adjourn the regular meeting of June 10, 2020.**

AYES: WILLIAMS, GOINS, BOISVERT, WARNER, KOSS, ETZ, LANNI
MOTION CARRED UNAMIOUSLY (7-0)

MEETING WAS ADJOURNED at 6:02pm

Jake Williams, Jr., Chairperson

Respectfully Submitted by:

Landon Morley, Recording Secretary