AGENDA

COMMUNITY REDEVELOPMENT AGENCY

October 2, 2019	3:00 PM	4816 Chester Street

PLEDGE OF CIVILITY

We will be respectful of each other even when we disagree.
We will direct all comments to the issues. We will avoid personal attacks.

1. **MEETING CALLED TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **ADOPTION OF AGENDA**
5. **APPROVAL OF MINUTES**
   - A. September 3, 2019 Regular Meeting
6. **PUBLIC INPUT**
7. **ORDER OF UNFINISHED BUSINESS**
8. **ORDER OF NEW BUSINESS**
   - A. Noise Ordinance Informational
   - B. CRA Parking Regulations Presentation
   - C. Approval to furnish, install, and maintain outdoor tree lighting on SE 47th Terrace between Coronado Parkway and SE 15th Avenue
9. **REPORTS**
10. **COMMENTS**
11. **TIME AND PLACE OF NEXT MEETING**
    - A. Tuesday, November 5, 2019 at 3:00 PM at 4816 Chester Street
12. **MOTION TO ADJOURN**

Item Number:	**5.A.**
Meeting Date:	**10/2/2019**
Item Type:	**APPROVAL OF MINUTES**

AGENDA REQUEST FORM

Community Redevelopment Agency

TITLE:
September 3, 2019 Regular Meeting

SUMMARY:

The Minutes of the Regular Meeting of the
Cape Coral Community Redevelopment Agency
Tuesday, September 3, 2019

ADDITIONAL INFORMATION:

Action Needed:

Motion to approve

ATTACHMENTS:

	Description	Type
	Minutes of September 3, 2019 CRA Regular Meeting	Backup Material

MINUTES OF THE REGULAR MEETING OF THE CAPE CORAL COMMUNITY REDEVELOPMENT AGENCY TUESDAY, SEPTEMBER 3, 2019

4816 Chester Street **3:00 PM**

Meeting called to order by Chair Lomonaco at 3:00 p.m.

Roll Call: Chair Lomonaco, Commissioners Biondi, and Keim were present. Commissioner Gebhard, and St. Peter were excused.

ADOPTION OF AGENDA

Commissioner Biondi moved, seconded by Commissioner Keim to adopt the agenda as presented.
Voice Poll: All "ayes". 3-0 Motion carried.

APPROVAL OF MINUTES
June 4, 2019 Workshop Meeting

Commissioner Keim moved, seconded by Commissioner Biondi to approve the minutes of the June 4, 2019 Workshop Meeting as presented.
Voice Poll: All "ayes". 3-0 Motion carried.

APPROVAL OF MINUTES
June 4, 2019 Regular Meeting

Commissioner Biondi moved, seconded by Commissioner Keim to approve the minutes of the June 4, 2019 Regular Meeting as presented.
Voice Poll: All "ayes". 3-0 Motion carried.

PUBLIC INPUT
None

ORDER OF UNFINISHED BUSINESS
None

ORDER OF NEW BUSINESS
La Placita de Cape Coral
Informational Only

Economic Development Manager Noguera introduced developer Mark Steinberg and his broker Carlos Acosta. Mark Steinberg gave an overview of the project.

Discuss held on construction timeline, tenant mix, and parking.
Economic Development Manger Noguera discussed how several cities are doing away with or minimizing parking requirements.

Loan Request for Affordable Housing Development

Economic Development Manager Noguera introduced Stacy Banach, of American Residential Communities, LLC. The company specialized in affordable senior housing. Mr. Banach presented an overview of the 'Madison Square' project.

Discussion held. CRA Treasurer Bateman stated there were sufficient funds in the CRA's budget to fund this activity. Board supported the project concept and loan request. Staff noted that before a loan agreement was executed a review of the financials and thorough due diligence would be completed. Staff also noted that an interlocal between the City and CRA may be required before any documents are executed. The formal agreement and funds were not needed until 2021.

Commissioner Keim moved, seconded by Commissioner Biondi to direct the Executive Director to ask City Council to endorse the CRA's recommendation to approve the commitment for a loan request in the amount of a $560,250. The loan was to be repaid at a rate of 3 percent over 18 years and was contingent on review of financials and thorough due diligence including an acceptable loan agreement by the CRA.

Commissioner polled as follows: Lomonaco, Biondi, and Keim voted "Aye."
3-0 Motion carried.

Update on Budget Workshop

Executive Director Szerlag stated the only change made by City Council to the CRA's proposed budget was to remove the pedestrian bridge study and proposed project. The funds for the proposed project remained in the General Capital Project account and the subsequent associated debt service projected in future years was removed.

REPORTS – STAFF

CRA Coordinator Hall – No Comment
Executive Director Szerlag – No Comment

COMMENTS - BOARD

Vice Chair Biondi – The Veterans Day parade would be held on November 11th. Special Populations will be making bows to sell and for decoration in support of veterans.
Commissioner Keim - Thanked staff for the 'On The Move' article on the CRA. She stated she would not be able to attend the next CRA Regular Meeting on October 1, 2019 because of the Rosh Hashanah holiday
Chair Lomonaco – Asked the Board if they wanted to change the date of the October meeting.

Commissioner Biondi moved, seconded by Commissioner Keim to change the date of the October CRA Regular Meeting to Wednesday, October 2, 2019.
Voice Poll: All "ayes". 3-0 Motion carried.

TIME AND PLACE OF NEXT MEETING

The next regular meeting was scheduled for Wednesday, October 2, 2019, at 3:00 p.m. at 4816 Chester Street.

MOTION TO ADJOURN

There being no further business, the meeting adjourned at 3:58 p.m.

Submitted by,

John Szerlag
CRA Executive Director

PROPOSED NOISE ORDINANCE 29-19

CITY OF CAPE CORAL NOISE ORDINANCE

Current Noise Ordinance

- Conditions that require decibel readings are unclear and subject to interpretation.
- Does not specifically address certain types of noise which created enforcement concerns, such as noise from motor vehicles.
- Certain parts of the Ordinance make it hard to enforce based on certain conditions where it describes a type of noise as a possible infraction, in correlation with he specified decibel reading.
- Not practical in some areas of the City due to the proximity of the different zoning areas.

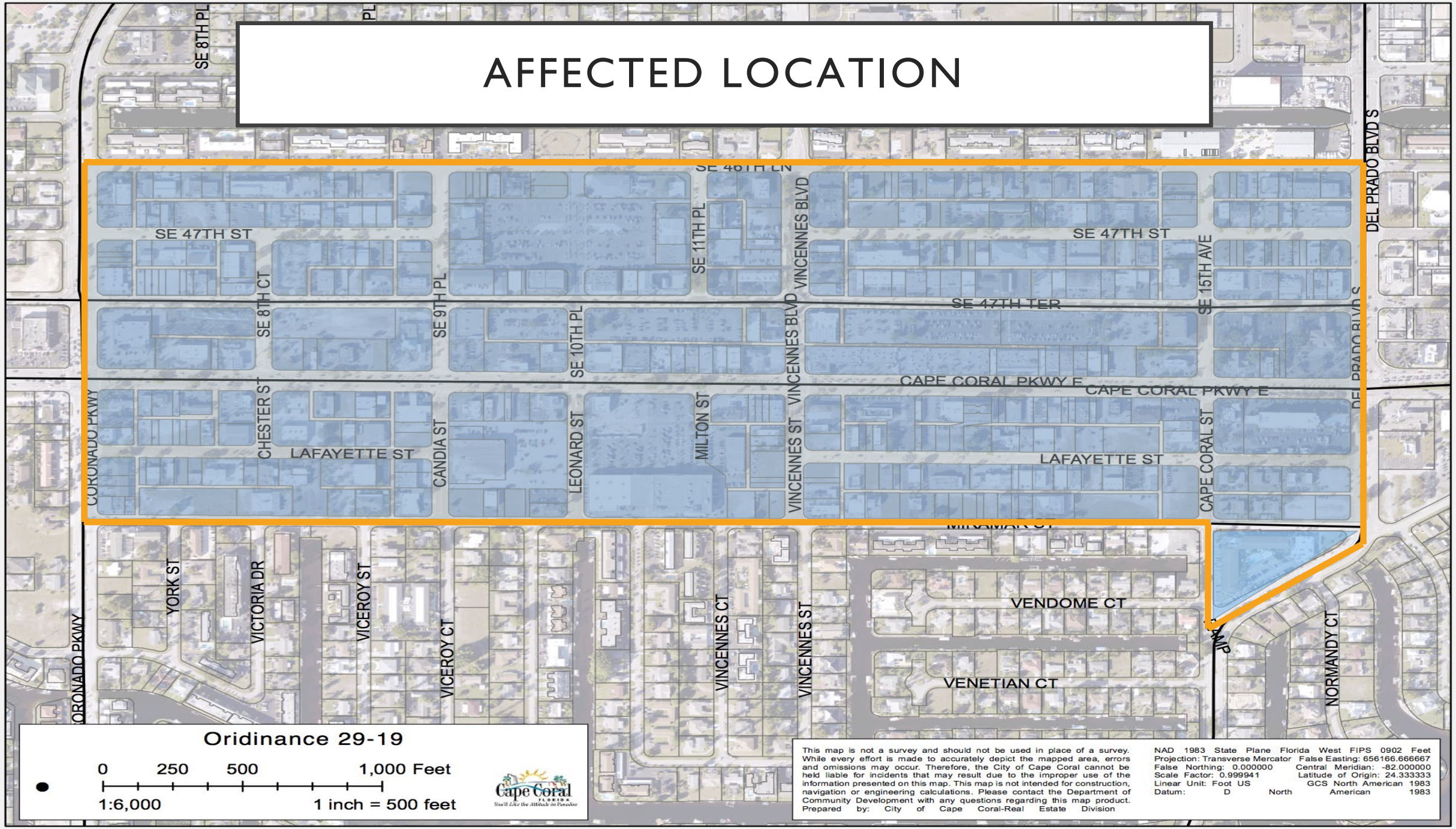
CHANGES IN THE PROPOSED ORDINANCE

- The requirement for decibel readings have been eliminated except for the areas specifically mentioned in the Downtown Entertainment District.
- When investigating a complaint the measurement will be taken from the property line of the property generating the sound.
- Decibel levels were slightly adjusted due to the change of location.
- The Ordinance allows an Officer to cite without witnessing a violation based on the totality of circumstances to include obtaining a witness statement.
- Notices of violation can now be issued through Code for habitual violators.
- The Ordinance has a specific section that addresses noise from vehicles.

ADVANTAGES TO THE PROPOSED ORDINANCE

- More practical and useful for property owners and enforcement purposes
- Increases ability for judicial success of civil judgment against offender

AFFECTED LOCATION



DISCUSSION POINTS RELATING TO NOISE CONTROL IN THE AFFECTED AREA

1. Decibel limits.
2. Hours in effect.
3. Residences within the boundaries.

DECIBEL LIMITS

- The City of Fort Myers uses a 75dB limit in their downtown district. This number is appropriate in that jurisdiction in lieu of the markedly different physical layout of the area.
- The original proposal called for an 85dB limit. It is understood the concern was noise penetration into adjoining zoning areas at this level. A reasonable compromise would be 80dB. This is a small, non-impactful increase that would allow for other future uses, i.e. live music in the newly constructed outdoor patio areas without further legislation.
- It is important to note that this does not bind the City as other new districts, such as the Seven Islands and Bimini Basin, come online. Noise restrictions can be crafted under this ordinance with parameters germane to each of those particular districts.

HOURS IN EFFECT

- The City of Fort Myers' Downtown District 75dB limit decreases at 2 am, as this is the time establishments close for business. Reading are obtained from the source of the sound.
- The current ordinance allows for the following by receiving land use citywide: Commercial 72dB/7a-10p and 65dB/10p-7a Residential 66dB/7a-10p and 60dB/10p-7a. Readings are currently obtained from the receiving land.
- In our City, the new ordinance would allow noise at the higher level until 3 am to accommodate those 4COP establishments permitted under M.O. 3-2 to close at that time. These readings would be obtained from the source of the sound.
- It is important to note, M.O. 3-2(b)4 requires these establishments to "provide adequate buffering of noise impacts from open-air areas" and "have no negative effect on neighboring properties with respect to excessive noise. All efforts shall be made to prevent nuisances both inside and outside the establishment".

RESIDENCES WITHIN THE BOUNDARIES

- All of our neighboring jurisdictions, that have designated entertainment districts, also have residences with said district.
- None of these entertainment districts have traditional single family residential zoned areas within them. They carry designations as special development, neighborhood commercial, mixed use, etc. In lieu of this, residences do not enjoy the lower dB levels commensurate with a traditional single family residential neighborhood. It is expected and understood that residing in an entertainment district entails higher noise levels.
- In our City, this area is zoned South Cape (SC). The residences within this area would be subject to the higher limit as a receiver or originator of sound.

PROPOSAL TO ESTABLISH A NO PARKING REQUIREMENT IN THE SOUTH CAPE

SOUTH CAPE

CREATING A VIBRANT & WALKABLE DISTRICT

- City Staff are exploring the potential to establish a “No Parking Requirement” for new and expanding businesses in the South Cape as well as new construction of commercial spaces and new mixed-use or multi-family developments.

WHY CONSIDER A NO PARKING REQUIREMENT?

- **Walkability.** Encourages patrons to walk, window shop, patronize and attract more customers to the District;
- **A More Vibrant District.** Without a parking requirement, the area has potential to attract a variety of retail, office and restaurants to fill vacant spaces along Lafayette, Miramar, Cape Coral Pkwy & S.E. 47th Terrace & Lane;
- **Parking.** Parking should not be the driving force for a Downtown, especially one which desires to attract rooftops (housing) and not be dependent on customers parking in front of shops;

GOALS OF NEW PROGRAM

- Place responsibility on businesses and developers to determine whether to build parking or not rather than the City;
- Encourage new and expanding business opportunities in the South Cape;
- Incentivize a more robust and pedestrian friendly environment for businesses;
- Incentivize new construction from office to mixed-use and m-f development

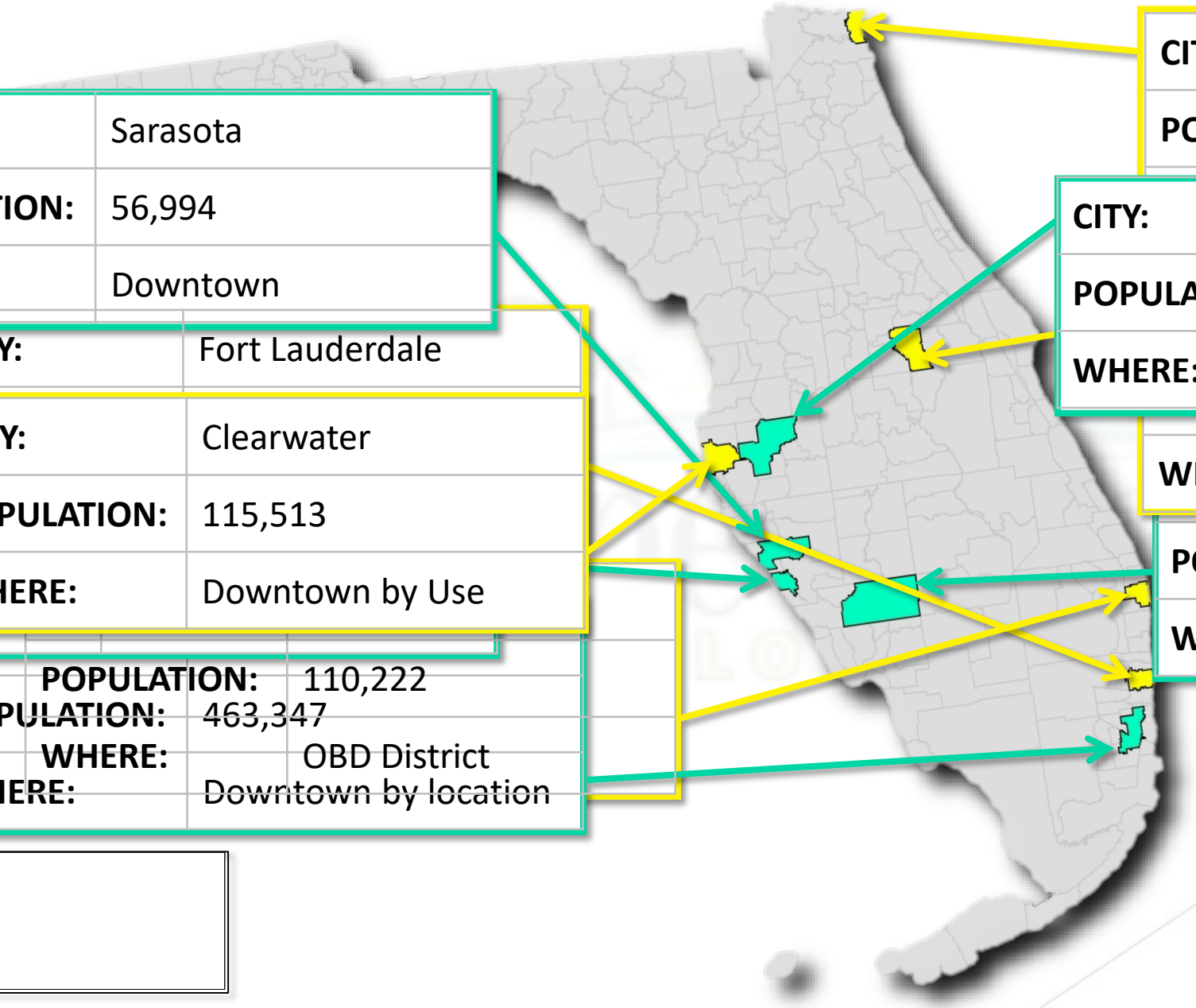
TABLE 1: EXAMPLES OF PARKING DEREGULATION

MUNICIPALITY	POPULATION	BASIS			WHEN				NOTES
		SPECIFIC LOCATION	ZONING DISTRICT	USE-TYPE	WITHIN 5 YEARS	5-10 YEARS	OVER 10 YEARS	DATE NOT AVAILABLE	
FERNANDINA BEACH, FL	12,292	♦	♦				♦		City has never adopted parking minimum in order to promote development. Parking study showed additional parking was not needed. Downtown/CRA area has City-owned parking lots.
HOT SPRINGS, AK	36,711		♦					♦	
SPARTANBURG, SC	39,018	♦				♦			
FAYETTEVILLE, AR	85,257			♦		♦			Applies to all non-residential properties.
ASHEVILLE, NC	91,902	♦					♦		
WEST PALM BEACH, FL	110,222		♦		♦				Designed to create incentives for office districts. City has only seen one project since adoption.
CLEARWATER, FL	115,513		♦		♦				Some community concern, but deregulation has worked as intended.
FARGO, ND	122,359		♦			♦			
HARTFORD, CT	123,400			♦	♦				New code includes parking maximums and deregulates all parking for all uses throughout the city.
FORT LAUDERDALE, FL	180,072	♦	♦					♦	Parking requirements differ between special zoning districts and areas within those districts (Section 47-20).
BUFFALO, NY	258,612			♦	♦				
ORLANDO, FL	280,257		♦	♦			♦		The City owns numerous garages in the downtown area.
MINNEAPOLIS, MN	422,331	♦	♦					♦	
SACRAMENTO, CA	501,901	♦				♦			
BALTIMORE, MD	619,493	♦	♦		♦				Deregulated parking in downtown district and waived parking minimums for uses in other commercial districts.
SEATTLE, WA	724,745	♦			♦				
FORT WORTH, TX	874,168	♦	♦				♦		Deregulation based on central business district zoning and all properties within 250ft of residential uses.

TABLE 2: EXAMPLES OF REDUCED PARKING REQUIREMENTS

MUNICIPALITY	POPULATION	BASIS			WHEN				NOTES
		SPECIFIC LOCATION	ZONING DISTRICT	USE-TYPE	WITHIN 5 YEARS	5-10 YEARS	OVER 10 YEARS	DATE NOT AVAILABLE	
PUNTA GORDA, FL	19,761		♦	♦				♦	Exemptions for buildings with footprint of less than 10,000 square-feet.
VENICE, FL	23,020		♦				♦		CBD has reduced requirements and can use city-owned parking areas within a certain distance towards parking minimums.
CORNELIUS, NC	29,191			♦	♦				All non-residential uses must provide parking at a rate between 4 spaces per 1,000 square-feet and 2 spaces per 1,000 square-feet; anything else requires special approval. On-street parking and public parking may be used to help meet minimum requirements.
GERMANTOWN, TN	39,141		♦	♦			♦		Parking maximums imposed for some districts/uses.
SARASOTA, FL	56,994	♦	♦				♦		Reductions based on zoning district in the downtown area. City is looking to deregulate parking downtown but has not written code on it yet.
CLEARWATER, FL	115,513	♦	♦	♦	♦				Simplified requirements along major commercial corridor to 4 spaces per 1000 square-feet for almost all uses and added allowances for reduced parking by providing things like solar canopies to cover parking areas, vehicle charging centers, transit shelters, etc. The city also reduced parking requirements for residential uses downtown to one space per unit.
TAMPA, FL	385,430	♦	♦		♦				CBD and Channel District have alternative parking requirements and option to pay in-lieu-of.
MIAMI, FL	463,347	♦						♦	Parking reductions based on proximity to transit and size of building.
PHOENIX, AZ	1,626,000	♦		♦				♦	No parking requirements for residential uses downtown. Code includes parking maximums.

CITY OF CAPE CORAL PLANNING DIVISION



CITY:	Fernandina Beach
POPULATION:	12,292

CITY:	Tampa
POPULATION:	385,430
WHERE:	CBD/Activity Centers

CITY:	Sarasota
POPULATION:	56,994
WHERE:	Downtown

CITY:	Fort Lauderdale

CITY:	Clearwater
POPULATION:	115,513
WHERE:	Downtown by Use

CITY	
POP	
WHI	

WHERE:	Downtown by Use
POPULATION:	19,761
WHERE:	City Center District

POPULATION:	110,222
POPULATION:	463,347
WHERE:	OBD District
WHERE:	Downtown by location

NEXT STEPS

- This is an informational item. May return in November with formal recommendation
- Presentation to Planning & Zoning Board & CRA Board on October 2, 2019
- Presentation to City Council
- If approved, Establish new City Code requirements with a goal for an effective date in Spring 2020

Item Number:	**8.C.**
Meeting Date:	**10/2/2019**
Item Type:	**BUSINESS**

AGENDA REQUEST FORM

Community Redevelopment Agency

TITLE:
Approval to furnish, install, and maintain outdoor tree lighting on SE 47th Terrace between Coronado Parkway and SE 15th Avenue

SUMMARY:

Funding for this project was advanced from FY 2020 to FY 2019.

ADDITIONAL INFORMATION:

Action Requested

Approval to furnish, install, and maintain outdoor tree lighting as represented by Option ___ in an amount not to exceed $_____ and grant authorization for the Executive Director or designee to execute the contract, amendments, renewals and other related documents.

ATTACHMENTS:

Description	Type
SE 47th Terrace PowerPoint presentation	Backup Material

Illuminance Holiday Lighting LLC

CRA Presentation

SE 47th Terrace

Year-round Lighting Options

Cape Coral
FLORIDA

illuminance holiday lighting
Bringing imaginations to light

2019

"Minimal Level"

Summary of Installation:

Description:

- All trees on SE 47th Terrace will be wrapped with Warm White Christmas Lights.

Images:

- **NO MONUMENTAL DISPLAY INSTALLED FOR THIS PACKAGE**
- **NO ILLUMINATED SPHERES INSTALLED FOR THIS PACKAGE**

LADIES
airlook.
OPEN
41-9951

KARATE

Qty	Item	Description	Unit Price	Discount	Line Total
10	1	SE 47th TERRACE: 15' Oak Tree 5MM-Warm White LED **(Wrapping major branches)**	$ 1,200.00		$ 12,000.00
7	2	SE 47th TERRACE: 15' Gumbo Limbo Tree 5MM-Warm White LED	$ 376.45		$ 2,635.15
15	3	SE 47th TERRACE: 15' Green Buttonwood Tree 5MM-Warm White LED	$ 358.15		$ 5,372.25
7	4	SE 47th TERRACE: 20' Wild Date Palm 5MM-Warm White LED	$ 576.30		$ 4,034.10
44	5	SE 47th TERRACE: 20' Foxtail Palm 5MM-Warm White LED	$ 438.15		$ 19,278.60
21	6	SE 47th TERRACE: 15' Alexander Palm 5MM-Warm White LED	$ 346.25		$ 7,271.25
4	7	SE 47th TERRACE: 20' Bismarckia Palm 5MM-Warm White LED	$ 576.30		$ 2,305.20
6	8	SE 47th TERRACE: 20' Japanese Blueberry Tree 5MM-Warm White LED	$ 358.15		$ 2,148.90
16	9	SE 47th TERRACE: 15' Crape Myrtle Tree 5MM-Warm White LED **(Wrapping major branches)**	$ 1,200.00		$ 19,200.00
3	10	SE 47th TERRACE: 15' Geiger Tree 5MM-Warm White LED **(Wrapping major branches)**	$ 216.25		$ 648.75
11	11	SE 47th TERRACE: Install 6" Crown 5MM-Warm White LED **(Crowns Only on 20' Palms)**	$ 150.00		$ 1,650.00
0	12	Yearly Maintenance @ Weekly (Paid Monthly $2520.00 **Total Tree Count 133 lift needed weekly)**	$ 30,240.00		
1	13	Lift Equipment Rental Fee **(Installatios and Removals)**	$ 10,000.00		$ 10,000.00
			Total Discount		

Subtotal	$ 86,544.20
Sales Tax	
Total	$ **86,544.20**

Terms & Conditions

Terms and Conditions By my signature below, I certify that I have read and agree to the provisions set forth in this invoice and to the Illuminance Holiday Lighting LLC Standard Terms and Conditions attached to this document. A

”MID Level”

Summary of Installation:

Description:

- All trees on SE 47th Terrace will be wrapped with Warm White Christmas Lights.
- The Oak trees and Crape Myrtle Trees will have 6” Illuminated Spheres matching Cape Coral Parkway.

Images:

❖ **NO MONUMENTAL DISPLAY INSTALLED FOR THIS PACKAGE**

Illuminated Spheres on
Oak trees & Crepe Myrtle

Qty	Item	Description	Unit Price	Discount	Line Total
10	1	SE 47th TERRACE: 15' Oak Tree 5MM-Warm White LED **(Wrapping major branches)**	$ 1,200.00		$ 12,000.00
7	2	SE 47th TERRACE: 15' Gumbo Limbo Tree 5MM-Warm White LED	$ 376.45		$ 2,635.15
15	3	SE 47th TERRACE: 15' Green Buttonwood Tree 5MM-Warm White LED	$ 358.15		$ 5,372.25
7	4	SE 47th TERRACE: 20' Wild Date Palm 5MM-Warm White LED	$ 576.30		$ 4,034.10
44	5	SE 47th TERRACE: 20' Foxtail Palm 5MM-Warm White LED	$ 438.15		$ 19,278.60
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3	10	SE 47th TERRACE: 15' Geiger Tree 5MM-Warm White LED **(Wrapping major branches)**	$ 216.25		$ 648.75
11	11	SE 47th TERRACE: Install 6" Crown 5MM-Warm White LED **(Crowns Only on 20' Palms)**	$ 150.00		$ 1,650.00
26	12	SE 47th TERRACE: Install 8 Warm White Spheres on each 15' Oak & 15' Crape Myrtle	$ 93.00		$ 2,418.00
0	13	Yearly Maintenance @ Weekly (Paid Monthly $2520.00 **Total Tree Count 133 lift needed weekly)**	$ 30,240.00		
1	14	Lift Equipment Rental Fee **(Installatios and Removals)**	$ 10,000.00		$ 10,000.00
			Total Discount		

Subtotal	$ 88,962.20
Sales Tax	
Total	**$ 88,962.20**

Terms & Conditions

Terms and Conditions By my signature below, I certify that I have read and agree to the provisions set forth in this invoice and to the Illuminance Holiday Lighting LLC Standard Terms and Conditions attached to this document. **A deposit of 50% of the total estimate required upon acceptance of this contract. Illuminance Holiday Lighting LLC**

‘’Theme Park Level’’

Summary of Installation:

Description:

- All trees on SE 47th Terrace will be wrapped with Warm White Christmas Lights.
- The Oak trees and Crepe Myrtle Trees will have 6’’ Illuminated Spheres matching Cape Coral Parkway.
- South Cape Coral Monument installed at the main traffic circle. (47th Ter. & Vincennes Blvd.)

Images:

2 sided Monument

Qty	Item	Description	Unit Price	Discount	Line Total
10	1	SE 47th TERRACE: 15' Oak Tree 5MM-Warm White LED **(Wrapping major branches)**	$ 1,200.00		$ 12,000.00
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26	12	SE 47th TERRACE: Install 8 Warm White Spheres on each 15' Oak & 15' Crape Myrtle	$ 93.00		$ 2,418.00
1	13	SE 47th TERRACE: Install 6' Wide by 8' Tall "South Cape The heart of Cape Coral" Monumental Display At Center of Traffic Circle	$ 18,155.08		$ 18,155.08
0	14	Yearly Maintenance @ Weekly (Paid Monthly $2520.00 **Total Tree Count 133 lift needed weekly)**	$ 30,240.00		
1	15	Lift Equipment Rental Fee **(Installatios and Removals)**	$ 10,000.00		$ 10,000.00
			Total Discount		
				Subtotal	$ 107,117.28
				Sales Tax	
				Total	$ **107,117.28**

Terms & Conditions

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Cost Summary

Option	Installation Cost	Annual Maintenance Cost *	Total Package Cost
Minimum Level	$ 86,544.20	$ 30,240.00	$ 116,784.20
Mid Level	$ 88,962.20	$ 30,240.00	$ 119,202.20
Theme Park Level	$ 107,117.28	$ 30,240.00	$ 137,357.28

*** Annual maintenance fee will repair or replace all defective lighting for years 1 through 3**

Questions ???