



## **APOPKA COMMUNITY REDEVELOPMENT AGENCY AGENDA**

**February 21, 2024 6:00 PM**

**Apopka City Hall Council Chambers**

**APOPKA CITY COUNCIL MEETING WILL BE LIVE-STREAMED ON YOUTUBE. TO WATCH, PLEASE VISIT:**

<https://www.youtube.com/CityofApopkaFL>

### **CALL TO ORDER**

### **INVOCATION**

### **PLEDGE**

### **APPROVAL OF MINUTES**

1. Approval of CRA Board Meeting Minutes of December 6, 2023 & January 3, 2024

### **PUBLIC COMMENT PERIOD**

The Public Comment Period is for City-related issues that may or may not be on today's Agenda. If you are here for a matter that requires a public hearing, please wait for that item to come up on the agenda. If you wish to address the Council, you must fill out an Intent to Speak form and provide it to the City Clerk prior to the start of the meeting. If you wish to speak during the Public Comment Period, please fill out a green-colored Intent-to-Speak form. If you wish to speak on a matter that requires a public hearing, please fill out a white-colored Intent-to-Speak form. Speaker forms may be completed up to 48 hours in advance of the Council meeting. Each speaker will have four minutes to give remarks, regardless of the number of items addressed. Please refer to Resolution No. 2016-16 for further information regarding our Public Participation Policy & Procedures for addressing the City Council.

### **PRESENTATION**

### **NEW BUSINESS**

1. Approval of proposal for the Apopka Station Street Project - Standard Investments & Holdings, LLC.

### **OLD BUSINESS**

### **ADJOURNMENT**

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Community Redevelopment Agency with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Community Redevelopment Agency meeting shall be the voluntary offering of a private person, to and for the benefit of the Community Redevelopment Agency meeting. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Community Redevelopment Agency meeting or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the Community Redevelopment Agency meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

**Minutes of the City of Apopka Community Redevelopment Agency (CRA), held December 6, 2023, at 1:00 p.m. in the City of Apopka Council Chambers.**

**CALL TO ORDER:** Chair Nelson called to order the Community Redevelopment Agency Board meeting at 1:04 p.m.

**ROLL CALL:** Chairman Bryan Nelson  
Member Kyle Becker  
Member Nick Nesta  
Member Alexander Smith  
Member Diane Velazquez  
Member Linda Voll  
Member Nikki Williams

**APPROVAL OF MINUTES**

**1. CRA meeting minutes of August 16, 2023.**

**Chairman Nelson** said we have minutes from 08/16/23 and asked for a motion to approve.

**MOTION by Member Nesta and seconded by Member Becker to approve the CRA minutes. Motion carried unanimously with Chair Nelson, and Members Becker, Nesta, Smith, Velazquez, Voll and Williams voting aye.**

**PUBLIC COMMENT**

**Ella Duke**, 40 E. 5<sup>th</sup> Street, Apopka, FL 32703, said thank you for allowing me to speak tonight about the CRA Budget. She said she wanted to thank Chief McKinley and Captain King who cleared some time on their schedule two (2) weeks ago to meet with myself and some of the other CRA Stakeholders regarding some of our concerns as business owners. She said during this time, we got a great education of what was and was not possible for the Police Department to do for us. She said we discussed some of the incidents that have occurred since we opened, some good and some scary and we talked about what was possible to do right away and how. She said she's in the process of opening Halls on 5<sup>th</sup>, which will be Apopka's first food hub and said herself and fellow board members from Main Street Apopka are here in support. She said we're doing everything we can to create a busy, bustling and fun Downtown Apopka, but we need support. She said Chief McKinley explained that right now, he's short staffed and there are budget constraints so what we discussed the possibility of using some CRA funds to help pay for some off duty officers for weekends, specifically night time and some events. She said when we talk about more people being downtown, she said we have one chance to make an impression on our customers and said if that impression is not safety, not fun, not a good place to bring their friends, all of our investments and hard work is for naught.

**Commissioner Christine Moore**, 2145 Palm Crest Drive, Apopka, FL 32712 said she's glad we're holding monthly meetings and said she thinks this will show great dividends and improvement. She said she worked with Jim on the budget and said this is a good budget. She said the reason she wasn't here last month was that she was attending the Main Street Conference in Ocala. She encouraged us to maintain the CRA and said that a healthy CRA is about 20% of the effort and starts there to improve the downtown. She said what she learned at the conference, is that the County does not have a preservation ordinance and said the County is not in the main street business and said she will work with the City and the County on this. She said what she learned in Ocala was that in order to maintain that historic stock, you must have a preservation ordinance and said she recommends that highly. Once that is implemented, a non-profit preservation board can be formed. She said if you get a chance to drive through Ocala, look at their downtown historic district. She said it's amazing and has really made a difference for them and said in addition, Ocala has a very vibrant Economic Development Department. She said congratulations for working hard on this and said as this gets going, she thinks some of these other pieces will help make the downtown even stronger.

**Matthew Hutchinson**, 72 East Main Street, Apopka, FL 32703, said he wanted to echo the thoughts of Ella Duke and said he appreciates Chief McKinley meeting with us and strategizing what they can do and what we can do better. He said we were enlightened to a lot of the challenges that the Police Department has and said since we're in the CRA area, he hopes that some of those funds can help us and the Police Department to revitalize this area. He said Ella is right and we only have one shot at this and said if we get a customer that is not happy, they're not coming back. He said he knew this when he bought this property but said we need more police presence although he said they've been doing a great job monitoring our properties in the evening. He said he's had calls at 1:00 a.m. to let me know there's a door open but said we need to see more presence during the day as that's when the vagrants that are causing problems are around and co-mingling with customers. He said he's trying not to complain and said he attends the homeless meetings and said he recalls one thing they said which was "government is not the answer to the homeless crisis". He said they reported that Los Angeles is spending 1 billion dollars toward the homeless crisis and it's just getting worse. He said this needs to be a co-op between the government and all of the faith based and business owners like us to where we come together and try and deal with it in a way that's humane. He said this is more of a compromise of people that need help and want help and said the ones that don't want that, we have to figure out what to do with them. He said this area is deemed CRA for a reason and that is that it's a distressed area and needs to be revitalized so if there is money we can use for the police department and for the homeless crisis.

**Sylvester Hall**, 3091 Rolling Hills Lane, Apopka, FL 32712, said he also had a chance to attend the homeless meeting the other day and said when we talk about the homeless, we talk about them like they're not human. He said most of us are one paycheck from being homeless or one job from being homeless. He said he's the one that brought up the money and the question of the \$160,000 and said he pays his taxes and we pay our taxes and said this is not the City money, it's our taxes and we tell the City what we

want done with our money. He said if he's not mistaken, that money was donated by a company and said if care about the homeless but we have \$160,000 to give to the ARC to get a program started and we don't do that, do we really care about the homeless and do we really want to make a difference? He stated that if the Mayor wanted an ARC for the homeless, it would have already been established. He said with the CRA, he challenged everyone to ride up and down every street and said this money is allocated to fixing the problem that we're talking about but believes the money will go somewhere else. He said poverty breeds poverty and said it's amazing how we can make a business decision to tear down an old building that's functioning perfectly fine and said we can build a new mall or a new plaza how busy it becomes but how can we think that leaving poverty in its existence will create something different.

**Jim Hitt, CRA Director**, went over the changes from the CRA Workshop and said there are 2 Resolutions that are part of the approvals for tonight. The first is Resolution 2023-01 which is a requirement under Florida Statutes to declare that money for the following years budget and that total is \$3,138,599 and said the second is Resolution 2023-02 and this is the actual Budget in short form for the total which is \$4,163,599. He said the CRA was established in 1994 and said at the same time, we established the Board and the Tax Increment Financing portion, which created the Redevelopment Trust Fund to capture the tax increases for property taxes as they go up. He stated that we captured 95% of that from the City and the County that's reinvested into the downtown itself., He said in terms of the last meeting, we went over the proposed budget and after speaking with Commissioner Moore and the Council members that were available and said there are a couple of changes. He said the highlighted portion is in regards to the Pump Track and the Skate Park. He said originally, we put in \$400,000 for that and said we're looking at cutting that down to \$200,000 for the parking lot, itself, which is N of the Fran Carlton Center. **Member Becker** asked why this change is being made as our residents have been asking for that for some time, and at our last meeting, there was no objection to that and the public gets excited about it and now we're going back on that. **Mr. Hitt** stated that this was a request from Commissioner Moore. **Member Becker** said he can appreciate Commissioner Moore having a point of view however we're the CRA Board at the present moment and said we want to work collaboratively on this however we make that decision on this Board. **Mr. Hitt** stated that one of the things that we do need to do though is get the parking lot done. **Chairman Nelson** stated that to Member Becker's point, the CRA sunsets as of December 31<sup>st</sup>. **Member Becker** said let's say the CRA doesn't get approved and it goes away and asked what our annual expenditure has been out of our CRA the past 5 years to which **Mr. Hitt** stated we haven't. **Member Becker** then stated we've been sitting on \$4 million, \$3 million, #2 million bucks for as long as he's sat on this CRA board and said at the end of the day, we want to get something done. He said when we spoke on Monday, we discussed that this was more to shift money from the skate park to a full façade and said that's not what happened here and said why should we feel like this is some huge threat to our City if the CRA doesn't get renewed as we're not doing anything with it anyway. He further said he received a lot of positive feedback about the skatepark. **Mr. Hitt** said obviously this is one version and we can go to another version if we need to and said that's why we're discussing this before Budget approval. He said

what he did was include the skate park and the pump track and put in as much parking as he could. He said if we go with just the parking, we can extend that farther and we still have the space available and said whether we do that with any other Parks and Recreation Grant or other available funding, that's an option. He said anything that is budgeted this year, will still be done, whether or not the CRA does get extended and said those funds will be extended until they're done as they are a part of the budget. He said he added \$30,000 for the downtown park itself as we want to put in tables, drinking fountains and a bike rack so the cost will be closer to \$50,000 to make it a nice park setting. He said one of the things what was not pointed out at previous meetings was that if we do have a tenant coming in that wants to get more funding, we do have the opportunity to come to the CRA Board and request more funding for a larger amount. He gave an example of the SW corner of Central and Main Street where Henry's Meats was and said if someone wanted to come in and put in a new multi-tenant building, we can request more funding which can go toward Impact Fees or Building Permit Fees. He said he's sent multiple letters to the owner of that property letting them know we do have funding for buildings and said so far, they've been unanswered. He said the other portion is we put \$100,000 toward Community Oriented Policing Program and said Chief McKinley has some background information on that. He said as he mentioned, we can stay with the original program but this is something he put together as a compromise for different funding in different ways. **Member Becker** said hopefully we can compromise a little further as we have \$2.5 million dollars allocated to the trail system and said this is money that's been carried over for multiple years and said if history is a guide, we likely won't spend that full amount in a 12 month period. **Mr. Hitt** said while it may not be spent this calendar year but it will get spent this fiscal year. He said we also added in the southern portion of Station Street going from 6<sup>th</sup> Street toward Park Avenue, making that a one-way with parking on both sides providing more circulation. **Chairman Nelson** asked if on the original design, did we have some cement along with the asphalt included. **Mr. Hitt** confirmed yes and said he'll open it up for discussion as those are the main changes.

**Member Becker** stated that he appreciates that Commissioner Moore wants to put more money into the façade and said he doesn't dispute that and said there's a way we can achieve that, while still doing the skate park and the bike park which definitely has the support of the community. **Mr. Hitt** said that's part of the second resolution and said we're already accounting for the ad-valorem taxes at \$950,000 coming in and said the funding from reserves is \$3.1 million which brings it up to the \$4.1 million. He said if we decreased the budget for the trail, we can't fund the trail as we can't award a contract based on future funding that may be coming in. **Member Becker** stated he wants to get the skate park done for our residents and said we've talked about this at the last meeting and no one had any firm objective to it. **Member Nesta** agreed and said it's been promised for years and said it help build community and further stated that if we're adding a parking lot that wasn't discussed, it should be Alonzo Williams Park, as we discussed at a prior meeting and agreed that we take the funds from the trail and disburse it that way. **Mr. Hitt** stated that the other thing we can do would be to take this from the residential fee assistance program as we bumped that up this year from \$200K to \$400K and said we can adjust that funding and use toward this. **Member Becker** stated that that is a good point and said all of these ear-marked encumbered dollars have not been fully utilized and said

he believes people desire to see tangible things that they can go and use, see, and have confidence that we're trying to make a better community within our CRA. He said however we make this work, the outcome should be that we leave that on the budget as discussed at the last meeting. **Member Smith** said he's in favor of the skate park and said he's been to the one in Orange County and saw how much that is used and would like to see the skate park stay and stated he would also like to see us appropriate some funding to the Community Policing as well, which is in the CRA and said not just in the Halls Feed Store area but also in the area where Naughty Lobster is and said we need to encompass all of the area. **Mr. Hitt** said we could keep the façade renovation program where it is at the \$30K, knowing that if there is additional funding needed, we can come back to the CRA Board and request additional money. **Member Velazquez** asked how much we were using for the Community Policing to which **Mr. Hitt** stated \$100K. She said as far as the skate park goes, she agrees that this has been going around and around since 2015 and said it's the same families that are asking for this and the sport is growing. She said Ocoee just opened one up and said she went by to see it and it's very nice and said Osceola County is also investing in it as well and said we're driving our young people to go to other skate parks and we have an opportunity to have a skate park for them. **Mr. Hitt** said this is a benefit and will be connected by the trail as well. **Chairman Nelson** asked Radley Williams if he had a piggy-back agreement for the skate park and the pump track. **Radley Williams**, Parks Director, stated there are piggy-backs available for design and build of skate parks and pump tracks and if the funding is allocated we would be able to move on that to bring back for City Council review. **Member Becker** asked about the design and said he has a feeling that the façade of \$100K is non negotiable and said for the downtown Apopka Trail, this is for construction only, correct? **Mr. Hitt** confirmed that is correct. **Member Nesta** asked if we expect the new Hannibal development for the affordable housing coming in will be using some of those impact fees. **Mr. Hitt** said that we aren't going to fund all 24 of those and it will likely be a maximum of 10 units as we have additional projects coming in also. **Chairman Nelson** asked Member Williams if she had anything to add. **Member Williams** said nothing more than has already been said and agrees with Member Becker about the skate park and the community policing and is in favor of that approach. **Member Voll** said on community policing, she would like to see a dedicated officer and said this will cut down on crime in the area. **Chairman Nelson** called upon Chief McKinley, Chief of Police. **Chief McKinley**, said we do have a dedicated officer and said his crime prevention officer is certified in CPTED (Certified Prevention Through Environmental Design) through the State that goes around the community and does a true CPTED and provides the business owner or the residence a certificate and recommendations for what they can do such as lowering the hedges lower than the window, proper lighting, etc. This is an overall review of your security measures. He said he agrees with Member Becker that he shouldn't be in front of you asking for money however we're technically in the area of 22 people short. He said we did have a bike unit and have 8 people trained in bikes and just bought 6 new ones this year to patrol the downtown area and entire CRA unit, however we don't currently have the staffing to put that out there. He said the Sheriff's office has funding through a program called Safe Streets because they can't provide the resources they need in South Apopka and said this funding provides them with the opportunity to pay officers to patrol the officers to patrol South Apopka. He said by using the CRA resources, we're not using the resources set to

the side for the entire community. He said our Department may be going to 12 hour shifts in the near future as that puts more people out on the street.

Member Becker stated that as it relates to the Budget, he would move that we reduce the residential fee assistance program from \$400K to \$300K; Reduce the Downtown Apopka Trail Construction from \$2,515,629 million down to \$2,415,629 million and increase improvements other than buildings, adding scope to the parking for events north of Fran Carlton to return the skate park and pump track and increase that allocation from \$200K to \$400K. for the same overall budget.

## NEW BUSINESS

1. Resolution Number 2023-03, to approve the City Council Resolution 2023-37 to extend the CRA for three years; and approve the Interlocal Agreement with Orange County for the CRA.

**Jim Hitt** said this is for Resolution **2023-03** and is to recommend approval to the City Council for Resolution 2023-37, which is to extend the CRA for an additional three years and also approve the Interlocal Agreement with Orange County for the CRA operations themselves. These are two approvals. One is for Resolution 2023 and the other one is for the Interlocal Agreement for the CRA itself. July 28, 1993, the City of Apopka adopted Resolution 93-16, which created the Community Redevelopment Agency and also adopted the Community Redevelopment Plan itself. Due to Orange County being a Charter County, they also have to authorize the CRA and they did that with Resolutions 93-N-38 & 93-N-39 and 95-N-25 as required by Florida Statutes 163.410. September 26, 1995, the City Council, CRA, and Orange County executed the Interlocal agreement providing for those operations of the CRA itself. This is also a requirement from Florida Statutes. On June 21, 2017, the City adopted Resolution 2017-10, approving the modifications to the Redevelopment Plan and on August 29, 2017, the County adopted Resolution 2017-M-29, approving the City's modification to that plan. As you recall that plan has a lot of different types of projects that we can work on, and we are. Following the CRA meeting, the City Council is scheduled to hear Resolution 2023-37 to approve this extension of the CRA termination date for an additional three years. The City had originally requested a ten-year extension that Orange County rejected and it was originally Resolution 2023-35. Due to Orange County has the authorization for an extension, Staff is recommending approval of the attached CRA Resolution 2023-03, which recommends the City Council approval as Resolution 2023-37 for the additional three years. In addition to the Resolution, the City Council will also hear the Interlocal Agreement for the CRA. This is also required under Florida Statutes. The Orange County Board of County Commissioners is scheduled to hear this request on Tuesday, December 12, 2023 at 9:00am. City Staff will also present this request, along with specific large item timelines, from this fiscal year's budget. Orange County will also be approving the three-year extension for the CRA subject to the following conditions which are going to be outlined in the Resolution, but also in the Interlocal Agreement. The first is the Orange County Government shall be recognized along with the City for any capital improvement

projects, and other major accomplishments using tax increment funds. Please keep in mind that whenever we do projects in the City, usually its all Staff that does that. Beginning in the Calendar Year 2024, within 90 days of the close of the City's fiscal Year, which is October 31<sup>st</sup>, the City shall provide an annual update to the Orange County Board regarding the CRA activity, and use of the tax increment funds. The third caveat is the initial extension of the sunset shall be to January 1, 2027, with the ability to extend to January 1, 2034. The City will also be notifying this request to extend the CRA beyond the initial sunset to the Deputy County Administrator at least 120 days prior to December 1, 2026 and shall include at the request of them, the CRA plan projects which is part of the budget each year, the completion status for ones that we have worked on, and anything that is concurrent or overlapping each fiscal year. We have two recommendations for votes. I am here for any questions.

**Member Velazquez** said I hear you say that the County is requesting that we spend 50 percent of what we have in the CRA?

**Jim Hitt** said what they will be looking for as part of their review to extend for an additional 7 years is that we are spending the money up to 50 percent or more. That is for each year. They want to see where we are spending it and how we are spending it. They just want to see the progress.

**Member Becker** said how I am interpreting this is that in the paragraph in the Interlocal changes. The Board of County Commissioners has agreed in good faith to approve this under conditions A, B, and C of the Resolution. However, they're not going to look at the financial expenditures until after the initial 3-year period. At which time they will look back at the initial 3-year period to see if they want to extend. My only change, me personally, is within that paragraph where it talks about the 50 percent expenditure, the County "will" base its decision to extend the CRA to the extended sunset and then the language that ensues I would hope we would change that language to "may" base its decision because I don't want to force them into saying, making a binary decision to say "Hey, have you spent 50 percent or not?". If we are at 49.998 percent, and there's language in there that says they have to base their decision off of that, that removes some discretion by parties 3 years from now.

**Jim Hitt** said we can make that recommendation to them utilizing may versus shall. I don't know whether or not they will because we basically received this from them. Like I mentioned, if we don't get this approved, the CRA goes away. They're dictating to us what we have to do.

**Member Becker** said assuming that there's a disagreement on language and the agreement dissolves, what happens? What happens to the money that is in there currently?

**Jim Hitt** said once we reach January 1, 2024, basically the CRA will become null and void. Any projects that we have in the hopper, which we have this budget year, we can continue those, but there will not be any more tax increment funding coming

from the City or the County. If we don't have any funds expended after those projects that we have listed in the current budget, then those funds would have to be disseminated back to the City's coffers and the County's coffers.

**Member Becker** said from a risk perspective, if we have things budgeted, say the trail system, the skate park, and all the things that we have ear marked, encumbered today. If they had voted not to extend this whatsoever, we would still have priority on those funds that we have today that are ear marked for those projects, we wouldn't have any future tax revenues that would come as far as the CRA Agreement.

**Jim Hitt** said that's correct.

**Member Velazquez** said up to date, have we done any projects out of the CRA? Have we started a project, completed a project, have we done anything to date?

**Jim Hitt** said we are finishing the design for the downtown trail right now. Radley and I are looking at different contracts that we can do for design for a few of the different parks that are part of the program. We had to get two additional bids for the downtown directional signs and I have 4 to 5 different assistance programs that I am working on right now. We closed out 2 last month and I have 3 to 4 in the hopper now. Just not the big projects, big projects take more time for design. We received the amendment for Station Street completed and sent over to Newkirk so they will be able to finish the one-way design for station street. The attorneys are getting the easement agreements for 5 different properties for access and for utilities for the trail also. Once those are signed we should be able to go out to bid for the project within the next 2 to 3 months.

**Member Velazquez** said so how many design projects do we have out there?

**Jim Hitt** said we have about 5 different projects that have to go through design engineering in order to make them work. The biggest one is the downtown trail, that one has two other segments, impotunely the train system was crossing the tracks at Marvin Zanders and they wanted to go straight across from 5<sup>th</sup> Street versus going up to the railroad tracks then crossing diagonal off there. We had to do an additional survey and relocate for going straight across Marvin Zanders to the east side and then going north across the tracks up to Station Street, where the Station Street Project is.

**Member Velazquez** said what are we looking at for 2024, where we will be turning dirt somewhere?

**Jim Hitt** said all the projects that were in the budget. That's 3 different parks and the downtown trail. Those projects are equivalent to 3.5 million. You will be invited to all the groundbreaking.

**Chair Nelson** said, anyone wish to speak from the Public on this matter?

**Leroy Bell, 2308 Meadows Court**, said last meeting a young lady gave a presentation about the improvement of Main Street. Mr. Hitt just mentioned 5 things coming down the pipes with the CRA. None of it seems to be over on the 4<sup>th</sup> Street, out to Hawthorne, back down to 10<sup>th</sup> Street. If you are going to expand the CRA for 3 years, make sure you're going to turn dirt over there. The only thing I want to see over here is some of the businesses being built up just like on this side of town. It's brighter on this side of town then on the other side.

**MOTION by Member Smith and seconded by Member Becker to approve Resolution 2023-03 as read above. Motion carried unanimously with Chair Nelson, and Members Becker, Nesta, Smith, Velazquez, Voll and Williams voting aye.**

**Chair Nelson** said now I am looking for a recommendation for the Interlocal Agreement between City of Apopka and Orange County for the CRA. I am looking for recommended approval Motion for the Interlocal Agreement.

**MOTION by Member Becker and seconded by Member Nesta to approve the Interlocal Agreement as read above. Motion carried unanimously with Chair Nelson, and Members Becker, Nesta, Smith, Velazquez, Voll and Williams voting aye.**

## ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 1:33 p.m.

ATTEST

\_\_\_\_\_  
Bryan Nelson, Chairman

\_\_\_\_\_  
Susan M. Bone, City Clerk

Transcribed By:

\_\_\_\_\_  
Jodi Wrigley, Deputy City Clerk

**Minutes of the City of Apopka Community Redevelopment Agency (CRA), held January 3, 2024, at 1:00 p.m. in the City of Apopka Council Chambers.**

**CALL TO ORDER:** Chair Nelson called to order the Community Redevelopment Agency Board meeting at 1 :00 p.m.

**ROLL CALL:** Chairman Bryan Nelson  
Member Kyle Becker  
Member Nick Nesta  
Member Alexander Smith  
Member Diane Velazquez  
Member Linda Voll  
Member Nikki Williams

**APPROVAL OF MINUTES**

**1. No minutes, will be on January 17<sup>th</sup> Meeting.**

**PUBLIC COMMENT**

None

**NEW BUSINESS**

1. Approval of proposal for the Apopka Station Street Project – Standard Investments & Holdings, LLC

**Jim Hitt, Community Development Director** said the request is the approval of the proposal for the Station Street Project from Standard Investments & Holdings, LLC. A single proposal was submitted by Standard Investments & Holdings, LLC to the Apopka Community Redevelopment Agency and it will also be presented to the City Council Meeting at the 1:30pm meeting. This proposal has been reviewed and is consistent with the proposal request in property disposal requirements previously approved by the City of Apopka CRA and the City Council on October 18, 2023. The request was advertised and approved by the CRA and City Council requesting the following. The City and the CRA envisions a multi-use project including affordable housing, downtown public parking, and extension of downtown Apopka Trail, and construction of a public event space. The City anticipates that approximately 1 acre, this is out of the 3.43 acres of the property, to be disposed of and will be retained by the City for construction for a public event space to be completed by the successful proposer, which in this case we are recommending Standard Investments & Holdings, LLC. The proposal outlines the general design of the 60-unit building, located east of Marvin Zanders and west of Central Avenue and north of the railroad tracks, and is bisected by west Station Street. This is the general proposal. They utilized an original proposal from a bid that showed 24 units they'll be utilizing. They will be adding onto these buildings on the sides, that will allow them allow them to be 30 units each for a total of 60 units. This is in line with the 2.4 approx. acres of utilizing the Senate Bill

102 Live Local Act, to allow them up to 60 units. This will bring approx. 100 more residents to the downtown area. The proposal and the use of this site is consistent with the comprehensive plan which shows the site is commercial and the Land Development Code for the zoning is MU-D, which is the mixed-use downtown. Both the land use and the zoning permit multi family developments that adhere to the Live Local Act. Once the proposal is accepted the next step is to review and formally approve the Development Agreement, which will be scheduled and presented to CRA and City Council, separate meetings, on January 17, 2024. In addition, the Major Development Plan or MDP, the approvals will be completed in accordance with the City of Apopka's Land Development Code and approved by the Planning Commission and City Council later this year. The Construction Site Plan (CSP), will be completed and approved by DRC and also would be in accordance with the Land Development Code. The general design will have shiplap design on the balcony areas and front porch area. There are proposals for the walls in the front portion of the buildings. Each of the units have balconies that will be overlooking the event space. They're screened patios with good quality material. The recommendation is to approve the single proposal and there was just one, from Standard Investments & Holdings, LLC for the Station Street Project. Then to proceed with the review and processing of the Development Agreement, which will be presented and would need to be approved, by both the CRA and City Council. I'm here for questions.

**Chairman Bryan Nelson** asked if there are any questions for Jim?

**Member Diane Velazquez** said she spoke with Peacock a few months ago. Are they here? So pretty much, is this the design that we are going to go with for the Station Street?

**Kenneth Polsinelli, Peacock Capital**, said yes, that's the design we discussed previously.

**Member Diane Velazquez** said initially it was 48 apartments, and now we are getting 60, is this going to change the height of the building?

**Kenneth Polsinelli, Peacock Capital**, said no. The intent is to maintain the exact same height. The building will only get a little longer and it will be the same stack of one-bedroom apartment homes that go in the middle. When they go from 24 to 30, all we do is add two stacks of one-bedroom apartments in the middle. It will get a little bit elongated, but the height remains the same.

**Member Diane Velazquez** said How many bedrooms for the apartments?

**Kenneth Polsinelli, Peacock Capital**, said it's a mix of one bedroom and two bedrooms. For the 30-apartment home concept, it would be 24, one-bedroom apartment homes, and 6, two-bedroom apartment homes per building. There will be two buildings.

**Member Diane Velazquez** said will the first floors have balconies?

**Kenneth Polsinelli, Peacock Capital,** said that first floors will have patios, not balconies. They will be screened in from top to bottom.

**Member Kyle Becker** said from an RFP prospective, there was clear language with an RFP that we desire to have commercial as part of this project. That is what the whole spirit of this Station Street District has always been about is having a mix of commercial, along with the residential. Both the previous concept plan when it was 48 dwelling unit, 36 of which were one bedroom, now it sounds like 48 will be one bedroom. If its Live Local Act, I'm assuming these will be rent controlled housing?

**Kenneth Polsinelli, Peacock Capital,** said for the Live Local Act, 40 % has to retain the 120 % of poverty rate and the rest can be regular rate. That equates to for our area, a little over 60,000 dollars for income for two family or two person and goes upward to 110,000 dollars.

**Member Kyle Becker** said this applicant was given the green light by the CRA Board previously and the project stalled through no fault of the CRA Board. Why did it stall originally and why would it not stall again with the same concept? I do not see how things have changed till where we are right now, where all a sudden we are back on.

**Kenneth Polsinelli, Peacock Capital,** said a lot of it had to do with working through the Development Agreement and getting everything ready for that, so we have been working the last year on that. We basically have 3 City Attorneys that are working for different portions and the previous City Attorney basically didn't have time to go through this along with the developer for finalizing the information. There was a lot of back and forth in regards to what to do with the event space, whether or not we would keep it, whether or not we would turn it over and then they would develop it and return it back to us. There were a lot of legal issues in regards to the transfer of property back and forth. The way we are working the Development Agreement now is that we will retain ownership of the event space and do a contract where they actually build the event space. There is a big change.

**Member Kyle Becker** said that's the confusion with prior deal. We were going to convey to them property to do this project at no charge. They were going to build their residential and then improve the event space. Previously the improvements were a concrete slab, by which we would have a blank slate to do our own improvements, at our own cost of the City.

**Kenneth Polsinelli, Peacock Capital,** said that's changed yes, but again that's part of the Development Agreement, not part of what we are discussing tonight.

**Member Kyle Becker** said but one couples with the other. One says here's where those finer points are going to be laid out, why would be kick things to that next level based on promises that we have heard for a year now? This project has been going on

for quite some time, but yet there's nothing that has transpired.

**Jim Hitt, Community Development Director**, said this is very similar to practically any project that we get upstairs in regards to development. It takes a year to two years to get things where they are turning dirt. This is a little bit different because we are dealing with the CRA and City Council, two separate entities and the process had to be upgraded. That was the other thing that came up about three to four months ago was the process of how to actually dispose of the property versus just bidding it and saying here's the property. That was something our current City Attorneys were able to clarify.

**Member Kyle Becker** said I know that there are business owners that are in that vicinity of this project that are here in the audience so hopefully they get up and speak in terms of where they see value and benefit of this project.

**Member Alexander Smith** said in reference to what was mentioned before, originally, we would have commercial space at the lower level, but last time we had this before us, we were going to reach out the other areas of this vicinity to redevelop commercial space. This would enhance it in order to offset not having commercial space in this project, so is that still in line?

**Jim Hitt, Community Development Director**, said they are still working on that. They have already contacted 3 of our property owners that I know of, anywhere from the Brad's to the Jordan's. The most promising right now is the redevelopment of the Apopka Furniture Store. Once that goes because as I mentioned, at one of the previous meetings, that is wide enough that they could probably get anywhere between 2 to 3 units in there. Three separate store fronts and that would give a lot more diversity to Central Avenue. There have been no takers on developing the corner of 441 and Central. There is potential for more commercial development in that area. We are talking to property owners to the west of this area also for potential new buildings for commercial business.

**Member Nick Nesta** said walk me through the event space, how that is being built? The ownership of it? How that is being transitioned? And who will be maintaining it moving forward?

**Jim Hitt, Community Development Director**, said this will be spelled out in the Development Agreement itself. What we are looking at is, we will retain ownership, the City itself. There will be a survey to show what properties are going to be turned over to Standard Investments & Holdings, LLC and then we will retain the remaining portion. There will be a contract for construction for an event space similar to what they did at Universal Studios where they have artificial grass, cement, trees, event stage, and a pavilion. With the proposal they will also be putting in public bathrooms. This is a big plus.

**Member Nick Nesta** said they're talking advantage of the Live Local Act. In what aspect are they taking advantage of that?

**Jim Hitt, Community Development Director**, said right now throughout the City we have 4 areas that can go up to 25 dwellings per acre. Right now, if they were to develop at normal density, it would be 15 dwellings per acre, hence the 48 over the 3.43 acres. By going to 2.4 +/- acres at 25 dwellings per acres, they can get 60 units instead of 48 and only have to worry about 2.5 acres to do that. This way we do not have to worry about transferring density. A big question was "If we turn over all the property, then the event space is built, then the property gets turned back over to us, how is that going to happen?" By us retaining ownership of the event space we do not have to worry about any conflict or issues regarding the ownership going back and forth.

**Member Nick Nesta** said with the Live Local Act, are you concerned with the developer's agreement with any issues moving forward? I know that is not the point of this meeting, is it something to discuss now?

**Jim Hitt, Community Development Director**, said I am not worried about it at all. They still have to build it Florida Building Code. They still have to park it. Everything is still consistent with building standards.

**Member Linda Voll**, said she would like to convey that Commissioner Moore is thrilled with this project. She is very happy and would like to see it move forward. She would like to help as much as she can. She hoped it could be 4 stories, for the increased density, but the issue with that and the Live Local Act and we understand. The bike trail, just north of the railroad tracks, can we get with people to have something to look at, make it more interesting, and not just the railroad tracks, businesses and apartments?

**Jim Hitt, Community Development Director**, said the trail will be coming down the backside of the property, and there will only be a little portion of the railroad tracks in view. There will be landscaping, trees, and a small portion of view of the event area. I do not know how we can beautify other than with plants because a fence will create a barrier. There is only 500 feet or so that would have a view of the tracks.

**Member Linda Voll**, said she just wants to reiterate that Commissioner Moore wants to thank Benge organization and Peacock for assisting with this project. She is thrilled.

**Chairmen Nelson** asked if anyone from the public wishes to speak on this matter.

**Ella Duke, 40 E 5<sup>th</sup> Street, Propagate Social House/ Halls on 5th** said I am here in support of this development on behalf of myself and my business partners. I want to give you three points to consider. I have been hearing a lot about homelessness and hearing people say what are the developers going to do about the homeless problem

downtown. That's not their problem, that's not their job, that's not what they do. They are here to build, they are here to develop. The day I signed the lease for propagate I had no less than 25 homeless people living in what is now my patio. I put up lights, I brought people in, they moved on. I don't know where they went. I'm sure one of these fine organizations here in Apopka helped them or maybe they just went elsewhere. That is what's going to happen on Central if you all allow this development to happen. They're going to put up lights, they're going to bring in people, and its no longer going to be hospitable for that type of person to be in that area. Homelessness isn't what keeps me up at night as a business owner in downtown Apopka. What keeps me up at night is developments like Wyld Oaks. Nothing screams the death of downtown Apopka like that massive, beautiful, sparkly development going off Kelly Rock Springs Road. We have a small window where we can make downtown Apopka the center of arts and entertainment and food, but it's a very small window and that window is closing. If you do not let the development happen, I really have to consider whether or not maybe I sell Hall's Feed and go talk to that developer about putting something over in Wyld Oaks because that means we are on a timeclock for downtown Apopka. My last point is simple. Some of you may not like these guys, I don't like them. Like I have talked to some of you in the past, you don't always have to like them or agree with the kind of business they are doing, but at some point, you have to step back and say to yourself "They know what they are doing, who else do you have? Can we just get out of their way?" Let them do what they do. Let business owners like myself build you the commercial that you're asking for. I'm good for 2 or 3 more projects. The moment I get Hall's on 5<sup>th</sup> opened, I am looking for my next spot to open here in Apopka.

**George Morning, CEO of Small Business Applicants of Central Florida (SBACF)**, said they have been working with Benge Development and this project for the last few years and trying to get it to culmination. I want to talk about small business and the impact that it is going to have for the City of Apopka and the local economy. A lot of people mention that small businesses get the majority of their opportunities from government. That is not true. There're more opportunities in private businesses for small business than there is anywhere. This project presents the opportunity for that to happen. If you're aware of the Apopka Bid Preference Program that we work with the City and Chamber about and this project will have a minimum of 20 percent small business participation. The important thing to remember about that is that when small businesses are involved, the economic impact is huge. She mentioned homelessness, she mentioned a few other things. Those issues are resolved by small businesses. It's not large corporations that go out and hire homeless people, its small firms that hire them. The firms that we are talking about here are local based firms in Apopka. It's going to be the local based firms here in Apopka that are hiring local staff here in Apopka. The revenue in small businesses generate turnover in economy 4 to 5 different times. There's a direct impact, induced impact, and there's in indirect impact. When small firms create employment opportunities, those employment opportunities are generally permanent opportunities. An opportunity like this is consistent with the growth of Apopka.

**Burgs, Three Odd Guys Brewing**, I am definitely for the project and for many reasons. I am a business owner on 5<sup>th</sup> Street. We took ownership of this building in 2019 and took a chance at an opportunity to start a business in downtown Apopka. We want Apopka to believe in what they have right here. This project to us helps us to pay our rent and our bills. It will increase the foot traffic and bring more business to us. A project like this adds for traffic to this downtown area.

**Caitlin Kasheta, 841 Votaw Road, Apopka**, on behalf of the board of directors for Main Street Apopka I come to advocate for the approval of the Station Street Project. Developments like this speak to a future vision of our City. To deny the Station Street Project would surely discourage and halt the much-needed progress in our City. Therefore, Main Street Apopka implores you to approve this project and add a deeper level of economic vitality, design and promotion to this area.

**Sylvester Hall, 3091 Rolling Hills Lane, Apopka**, said I am for prosperity downtown, period. I'm all about making sure it's done the correct way. To have a strong foundation and it will thrive. That's the public asks and that's all the public wants are to see you make sure everything is done correctly. As a citizen that is what I am asking.

**Chair Nelson** asked if there are any final comments from the Members.

**Member Becker** said I don't think this is a like or dislike issue with this applicant. It's about the concept of the plan. This applicant has done other projects within the City of Apopka that we have approved, both unanimously and by majority vote so its not an applicant issue. It's boils down to what is the spirit of the RFP as we wrote it, the City of Apopka, and the spirit of what we want this to be. The response does not address that specifically. Wyld Oaks is doing a groundbreaking this month. That is going to be taking off on paper pretty quickly. My contention with this is that this initiative had been previously approved in 2022 and yet it got nowhere close to having a groundbreaking to say that this is imminent whatsoever. I am speculating has to how fast this can come online when over the last year and a half there's nothing to show for it. This is a million-dollar piece of property, the RFP says 900,000 from an appraisal done a while ago, but one can speculate. At the end of the day the tax payers of Apopka are going to benefit more from a community event space perspective so we have to make sure we are being good financial stewards of the property as well. We are being asked to approve a proposal. Nowhere in the proposal as it is in front of us does it say that the applicant is going to pay for the assets and the capital improvements on the pavilion plaza lawn common areas. It's nowhere in that proposal. The proposal only benefits a developer that is going to develop 60 potential apartment units, 48 of which are going to be single bedroom apartments.

**Jim Hitt, Community Development Director** said this did go out to bid once before, actually twice. We had multiple people looking at the proposal web section we still had one bid each time from the same developer. That one bid didn't have commercial

use in it because there wasn't a viable use for the property at that time. Sometimes you have to build the residence into the area before you get the commercial. We have multiple locations for commercial. It might not be this location at this time, but this does bring the residents into this area. I've had to get past that part about the commercial from the first couple of bids and we advertised, not necessarily saying it was going to be commercial. That was something City Council had in terms of the information we had for the disposal requirements. I was put out in the paper that way. We have the opportunity to do the development agreement, we are scheduling it for the 17<sup>th</sup> and that is where our City Attorneys are worked diligently regarding the development agreement so that it can get the specifics in regards to the park land and event space, apartments and parking itself.

**Kenneth Polsinelli, Peacock Capital**, said the timing issue he cannot really speak about what the development cycle is within what the City does Mr. Becker, but I've certainly never stood before you nor have I had a proposal by the CRA so I apologize. Within the cycle of what goes on within the City I cannot speak to that. I would like to speak directly to the commentary about commercial and introducing high density multi-family into an environment where you have a number of small business owners that are already operating commercial space and driving additional traffic. People living in that space, people working in that space, people coming into that environment and adding those apartments will actually do more for the surrounding retail than introducing more empty retail space. The intent is truly do what the concept of the board is which is to create a mixed-use environment that is vibrant and brings more people down for a variety of things, but you supplement activity for events on an intermittent basis with permanent residents living downtown that can interact and take part with all those businesses.

Phase 1 was read into the record by Jim Hitt. This is similar to an RFQ, request for qualifications. They do not specify costs, that is part of the negotiations in the Development Agreement. You're binding yourself to negotiate, not binding yourself to a deal.

**Member Nesta** said in reference to the developer, moving forward from here, can you give us a rough timeline at what it looks like? Have you done any third-party surveys? Phase 1s? to get us moving forward. What's that look like for a CO?

**Kenneth Polsinelli, Peacock Capital**, said timeline for us to deliver 60 apartments is about 16 months. That is from a full vertical. We still have to complete some of the third parties. I think that the Board and Commissioners can appreciate that the investment of a bunch of third-party expense when we don't have the right to develop would not be prim use of capital or time on anyone's part. Assuming that the proposal is approved and moves forward, we can move very quickly on that. I will also mention that the method by which we construct is we do one building at a time and fully complete that building. That is important because it will deliver people to that area faster than if we wait for 100 percent of everything to be done and this it becomes a question of proper staging. That would be the rough timeline.

**Member Nesta** said I know we are not discussing this right now, but I am. Would you be willing to agree to some type of timeline within the DA that by X date you will have this completed?

**Kenneth Polsinelli, Peacock Capital**, said I would have to consult with my partners, provided that the variables around the timeline incorporate all of the elements that are involved in, then yes, we would be willing to agree.

**MOTION to APPROVE the proposal for the Apopka Station Street Project – Standard Investments & Holdings, LLC by Member Velazquez and seconded by Member Nesta. Motion carried unanimously with Chair Nelson, and Members Becker, Nesta, Smith, Velazquez, Voll and Williams voting aye.**

#### **ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 1:57 p.m.

ATTEST

\_\_\_\_\_  
Bryan Nelson, Chairman

\_\_\_\_\_  
Susan M. Bone, City Clerk

Transcribed By: \_\_\_\_\_  
Jodi Wrigley, Deputy City Clerk



## City of Apopka COMMUNITY REDEVELOPMENT AGENCY STAFF REPORT

**Section:** NEW BUSINESS

**Item #:** 1.

**Meeting Date:** February 21, 2024

**Department:** Community Development

**SUBJECT:**

Approval of proposal for the Apopka Station Street Project - Standard Investments & Holdings, LLC.

**REQUEST:**

Approve the single proposal from Standard Investments & Holdings, LLC for the Station Street Project and proceed with a Development Agreement.

**SUMMARY:**

A single proposal was submitted by Standard Investments & Holdings, LLC which is being presented to the Apopka Community Redevelopment Agency (CRA) and City Council today, January 3, 2024. This proposal has been reviewed and is consistent with the proposal request and property disposal requirements previously approved by the Apopka CRA and City Council on October 18, 2023. The request was advertised (January 12, 2024) as approved by the CRA and City Council, requesting the following:

The City and the Apopka Community Redevelopment Agency (CRA) envision a multi-use project including affordable housing, downtown public parking, an extension of the Downtown Apopka Trail, and construction of public event space. The City anticipates that approximately 1 acre of the property noticed for disposal herein may be retained by the City for construction of public event space to be completed by the successful proposer. This proposal outlines the general design for a 60-unit, 2-building apartment complex and associated parking and event space. The event space would remain wholly owned and operated by the City of Apopka.

This proposal and use of the site is consistent with the Comprehensive Plan which shows the site as commercial, and the Land Development Code for zoning is MU-D, Mixed Use-Downtown. Both Land Use and Zoning permit multifamily developments and adhere to the SB102 Live Local Act to allow for a maximum of 25 dwelling units per acre for the apartment site area.

Once this proposal is accepted, the next step is to review and formally approve a Development Agreement, which would be scheduled for the CRA and City Council at separate meetings on March 6, 2024.

The Major Development Plan (MDP) approvals will be completed in accordance with the City of Apopka's Land Development Code and approved by the Planning Commission and City Council later this year. The Construction Site Plan (CSP) is completed and approved by the DRC in accordance with the LDC.

**FUNDING SOURCE:**

N/A - within the CRA District.

**RECOMMENDED MOTION:**

Approve the single proposal from Standard Investments & Holdings, LLC for the Station Street Project and proceed with review and processing of a Development Agreement to be presented and approved by the CRA and City Council.

**ATTACHMENTS:**

1. Downtown Apopka Street Station Project - Standard Investments and Holdings LLC Proposal - Submitted  
02.01.24
2. Ad for proposal



**JFP**  
FEB 01 2024  
APOPKA FINANCE

**Development Proposal**  
**Station Street Project**  
Apopka City Hall  
120 E. Main Street  
Apopka, FL 32703

Standard Investments and Holdings, LLC

Submittal for



DEVELOPER for DOWNTOWN APOPKA STATION STREET PROJECT

# I. OVERALL PLAN & DESIGN OF THE PROPOSED DEVELOPMENT

## A. Project Plan

### 1. Narrative

Description of the overall development project including any special design considerations, details, and/or innovative/sustainable elements proposed.

The City of Apopka owns 3.43 acres of essentially vacant land in the southeast area of Downtown Apopka that currently has active streets (W. Station Street, W. 4<sup>th</sup> Street, and W 5<sup>th</sup> Street). The parcels are in a Qualified Opportunity Zone and within the designated Downtown Apopka Community Redevelopment Area (CRA). The goal is to provide up to 60 residential units connected to Central Avenue by a civic/plaza space. The space would be used to hold events such as food truck events, farmer's market, movie nights, with a feature to add live music to any of the events. This would activate an area of downtown in a way that currently does not exist. We share the same vision with the City of Apopka and propose to develop a sustainable plan which truly transforms the area.

We strongly believe that the location of the site and the surrounding residential density is not high enough and will not support a mixed-use model specifically for this site. We discussed this project location with very experienced commercial and retail developers, owners, and brokers. There are several challenges that make the site unpalatable for retail/commercial concepts that pay the rents needed to make the project financially viable.

Firstly, the site is set back from 441 enough to eliminate a lot of retail consideration. They need exposure frontage on roads that have specific levels of traffic volume. 441 has the traffic counts but the site is too far off this well-travelled road.

Secondly, the surrounding industrial and single-family housing density in the immediate area doesn't check the necessary boxes for retailers.

Thirdly, FinFrock was contacted to discuss costs for building a parking garage. The amount of spaces needed for the commercial and residential aren't enough to make a garage cost effective or the amount of spaces needed to get the price per space reasonable is excessive.

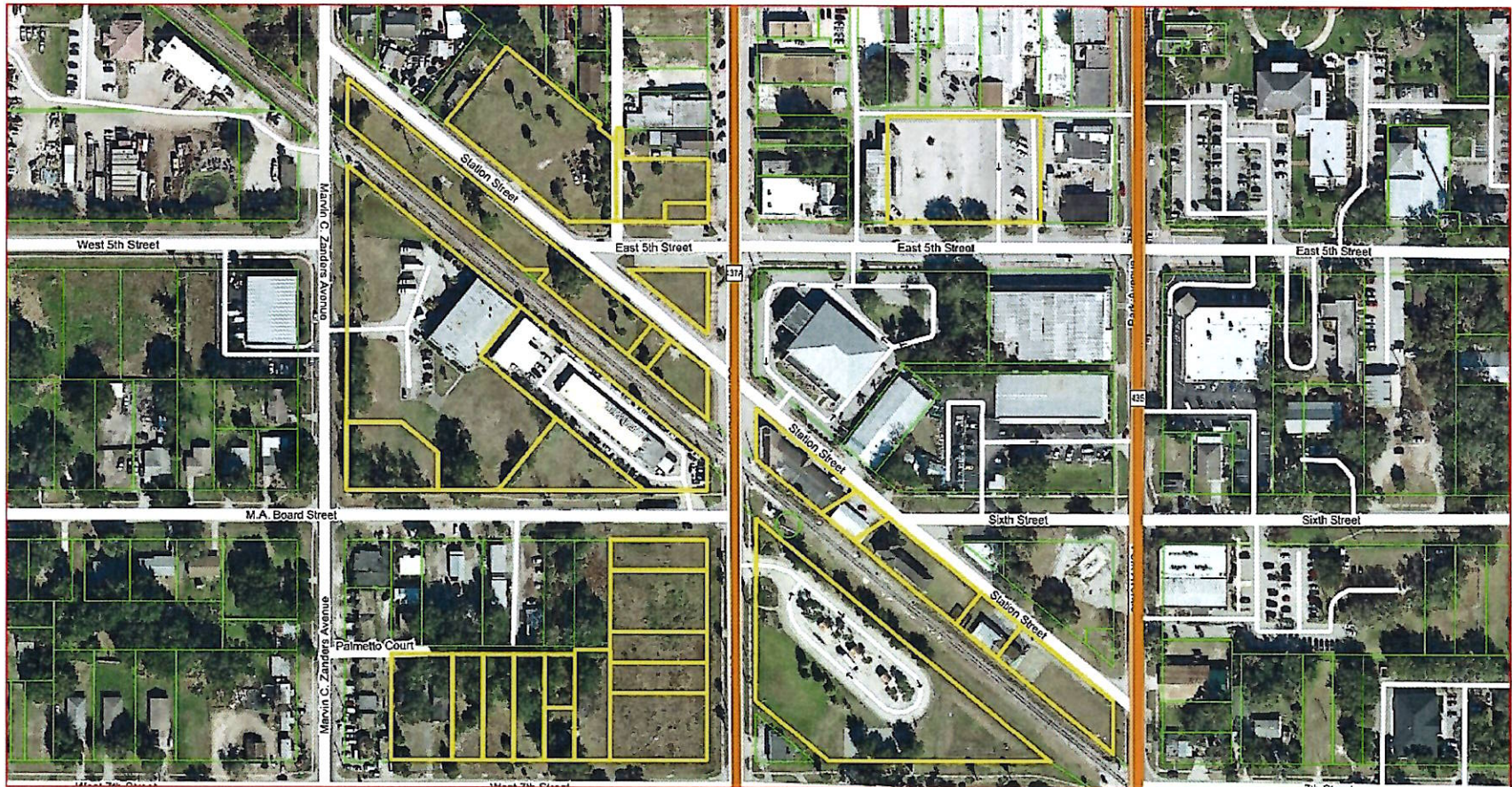
Fourthly, the various uses proposed in the RFP along with the density of residential forces a concept over 3 stories which brings additional costs. Along with the obvious upgrade in the structure, four story buildings require elevators. Elevators are a six figure add per building plus the ongoing operational and maintenance expense. Commercial on the first floor creates added accessibility considerations with no first-floor apartments.

Intuitively, a 3-story residential only alternative should be considered. However, the allowable 60 units on the site per Live Local compliance makes it difficult to work financially. Every development project has fixed costs and needs a certain level of density to be financially viable. A project this size is typically a non-starter due to basic fixed costs associated with any project. This number of units usually doesn't provide the revenue that allows for interesting and attractive returns. This site is no exception and does not provide the needed returns. The project will need some help from the City on land price, civic space cost support, and impact fees.

The retail leasing risk, additional costs of 4 story structures, building the civic space, and parking to support the commercial, require expanding the area under review to increase the scope of the project area. The Station Street project area needs more people living in the area to bring about transforming the neighborhood and support the uses noted in the RFP. Expanding the project area to bring in the needed residential will give the project the size and scope to attain the goal of a rejuvenated Downtown area. Our proposed first phase will be the catalyst for further development.

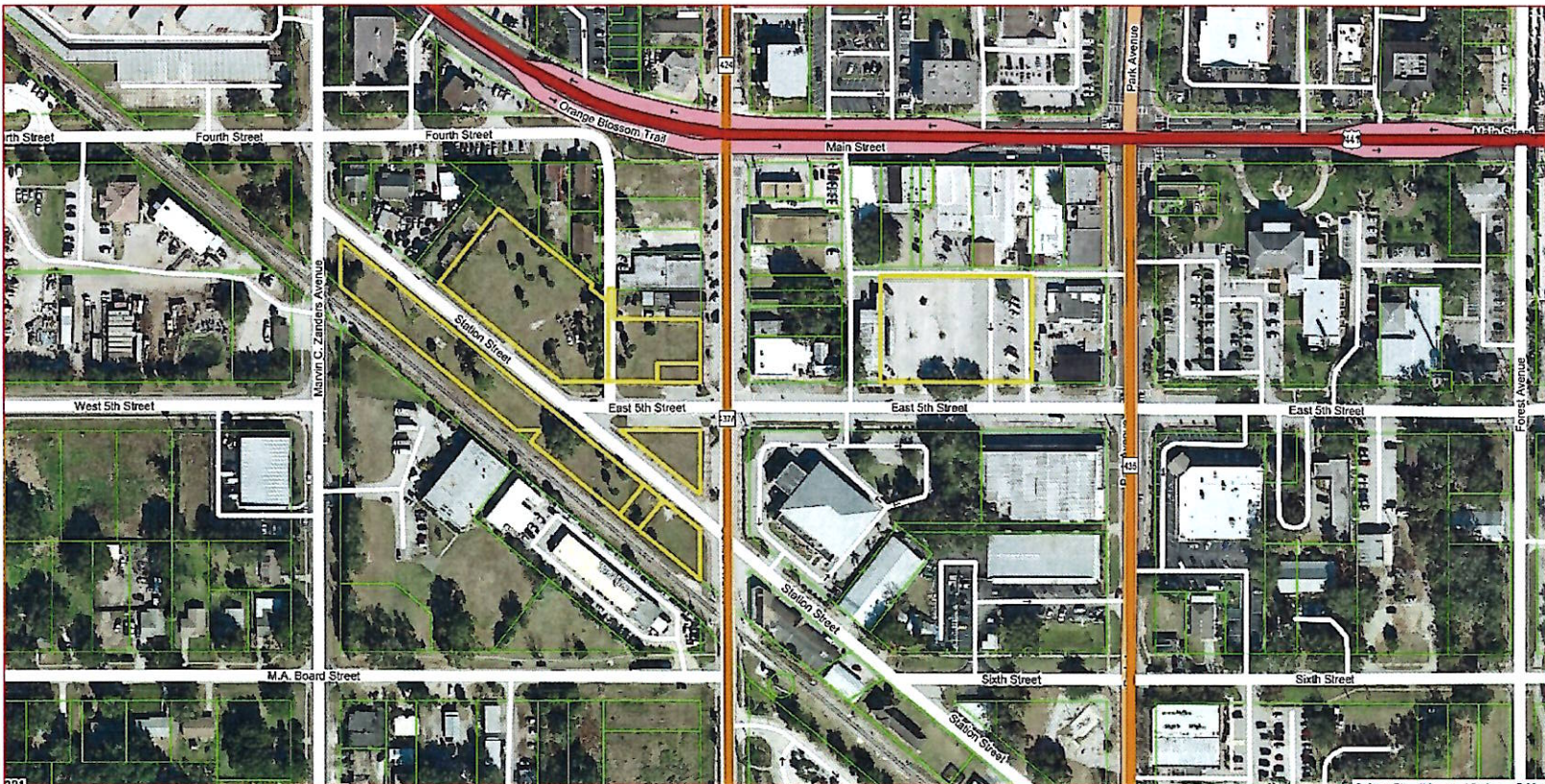
We propose a phased project that would include parcels that are adjacent to the RFP parcels. Our vision for this area would be to eventually rezone the indicated area and beyond into a PD or Planned Development. In an urban core area, a PD gives the variety of uses, flexibility with setbacks, building heights, FAR, and densities to allow for commercial, residential, and retail to coexist. As the residential builds in density, the retail, and commercial will follow it into the area. The parcels just south of the community center as well as other surrounding City parcels would be an excellent location once the rooftops are built.

### Potential Redevelopment Area



## Phase I

We propose to use the indicated site in the RFP to begin the project area transformation. We would deliver up to 60 units in two residential buildings, the City Plaza improvements, and parking as outlined in a Development Agreement. The site plan in this proposal shows the minimum number of units proposed. Our proposal includes constructing the plaza to City specifications and having the city assist in the funding. The affordability of the project must be maintained. Economic conditions have changed, and we propose that the City provide the land for the project while we construct the City Plaza area with funding assistance to be negotiated and determined in an executed development agreement. The Plaza area will include an open event structure, tower/focal element structure, and restrooms as specified in a Development Agreement. We are working with the Small Business Advocates of Central Florida to identify vendors for our work force housing program. We will certainly incorporate that effort into this project should we be awarded and successfully negotiate an agreement.



## 2. Site Program Analysis

- Total SF of commercial and residential spaces
- Number, size, and configuration of commercial spaces
- Number, size, and bedroom count of residential spaces
- Total number of parking spaces proposed, including vehicular and bicycle
- Height of building is approximately 35 feet or less

Space Type	# of Buildings or Areas	Approx. SF or Number of Each	Approx. Total SF or Number
<b>Residential</b>	2 Buildings	24,000 SF	48,000 SF
<b>Plaza</b>	1 area	52,275	52,275
<b>Parking Spaces</b>	1 Parking lot	140 spaces	140 Spaces*
<b>Bike Racks</b>	3 Racks	10	30 Spaces

\*Current estimate. Total spaces for Public Parking will be the difference of total parking minus parking required by LDC for multifamily.

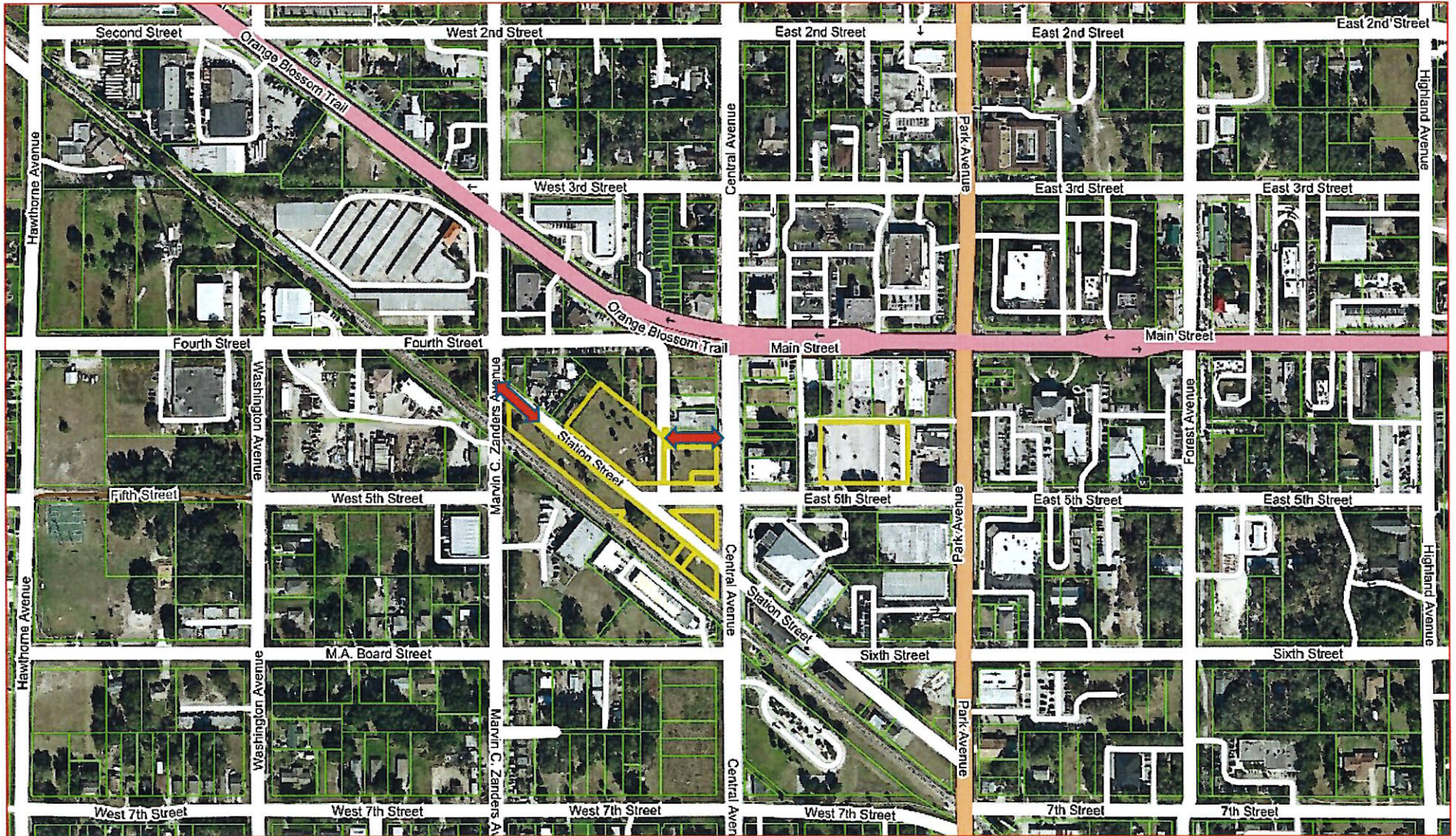
### Number and Size of Residential Spaces

Unit Type	Number	SF
<b>1BR1BA</b>	36	744
<b>2BR2BA</b>	12	1,077

Subject to Change throughout the development process. Also, we will be adding 12 more units during the design process.

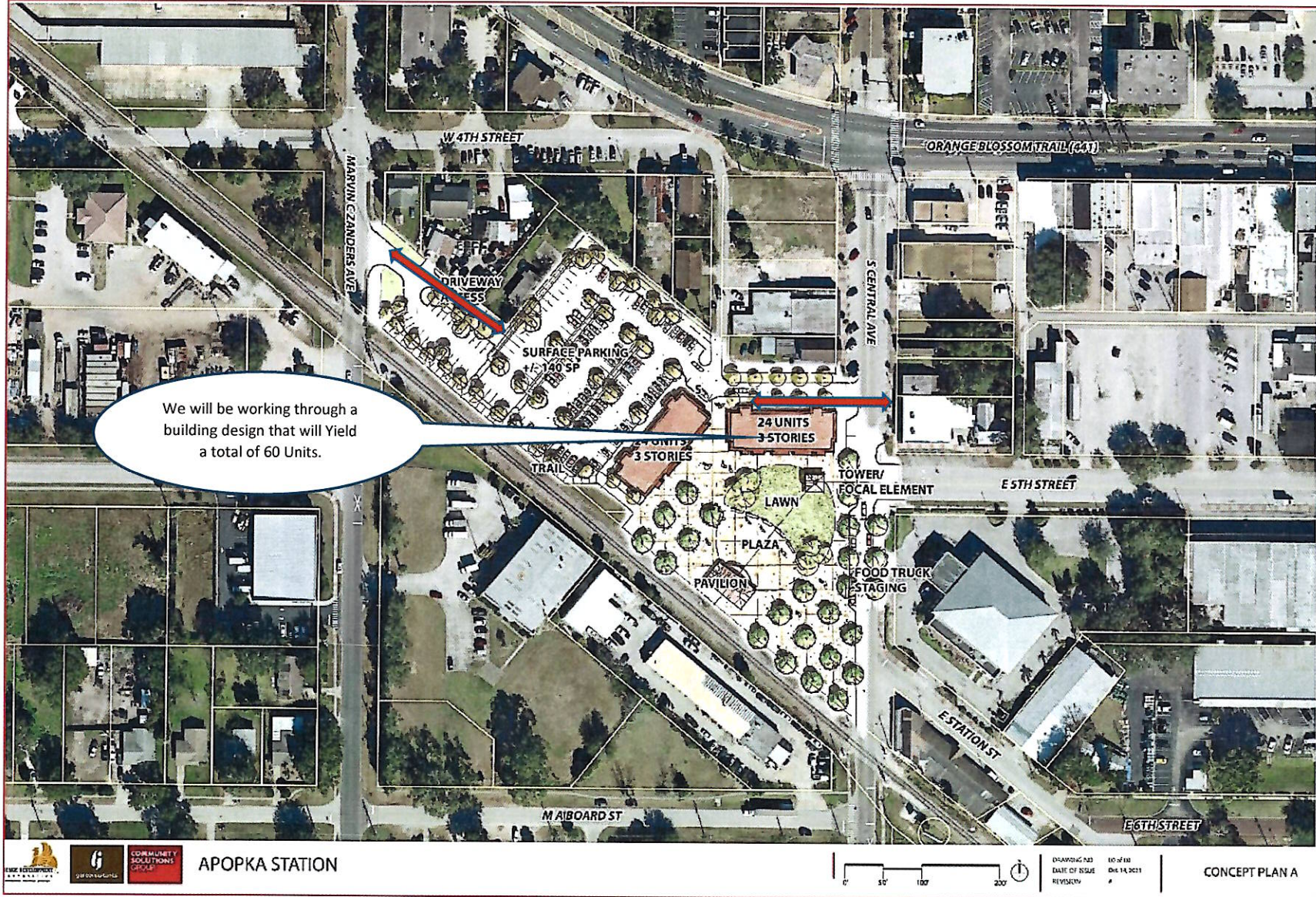
### 3. Site Context Plan

Plan that shows connectivity and relationship to the surrounding commercial and residential properties



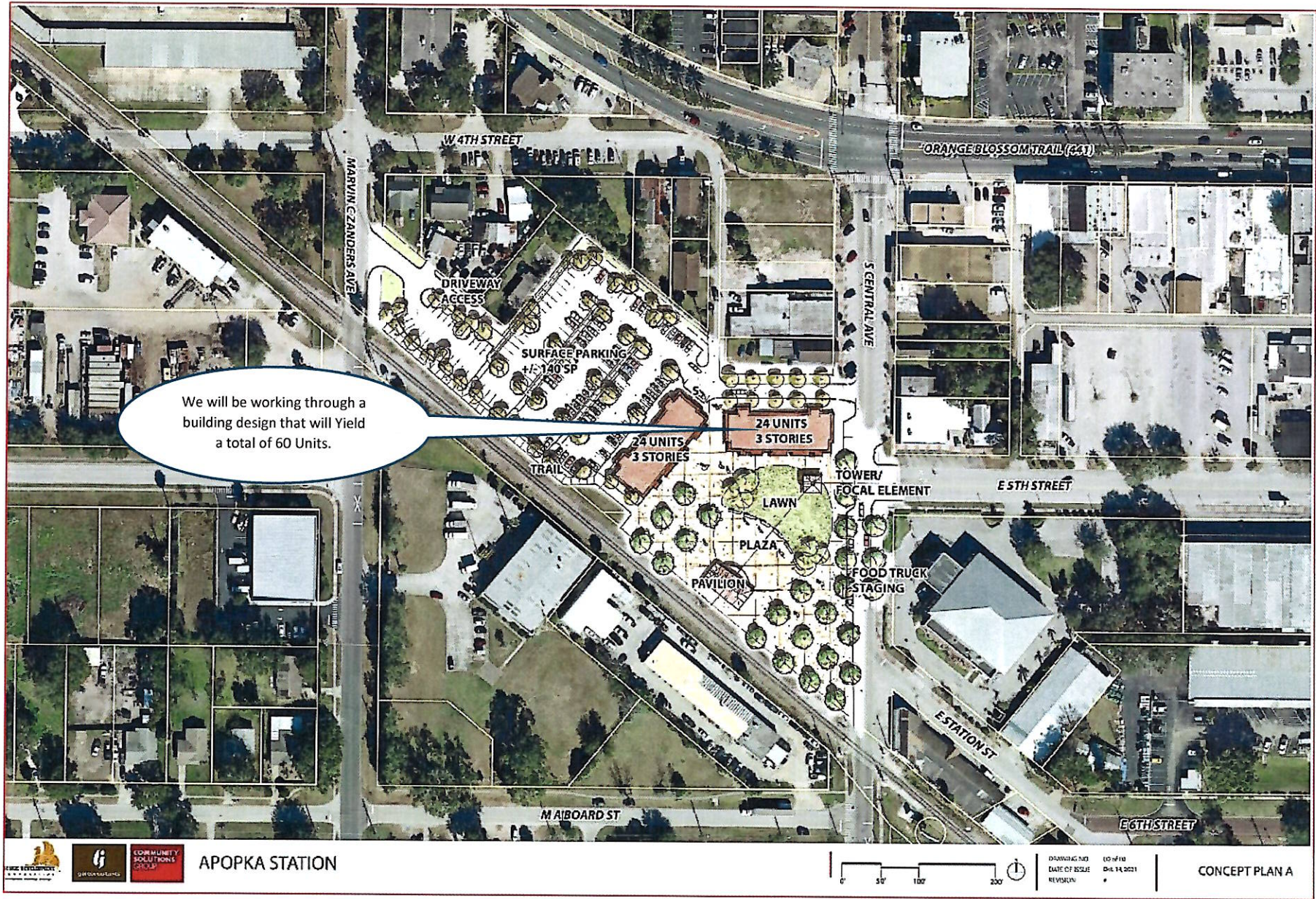
#### 4. Site Plan Diagram

- Building location, View Corridors, Circulation Patterns, Relationship to SOBO (Historic Fire Station) Building & Parking Garage



## 5. Site Plan Rendering including:

- a. Building footprint, b. Parking/ingress/egress areas, c. Plazas, pathways, and other formal outdoor spaces, d. Landscape areas & open spaces



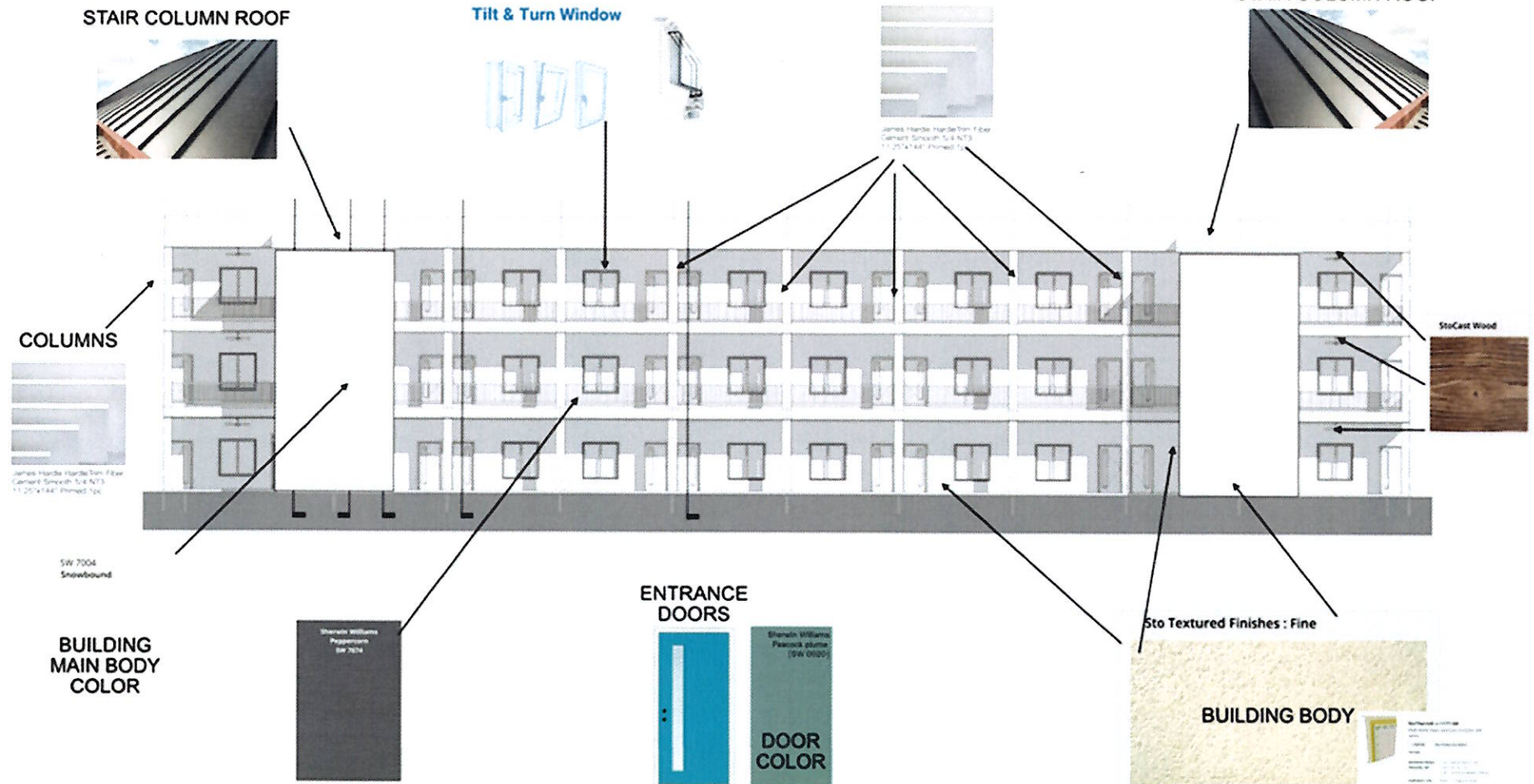
## 6. Building Elevations

This is an illustration of the type of building we have in mind and is subject to changes as we move to final design and tie in the surrounding neighborhood.

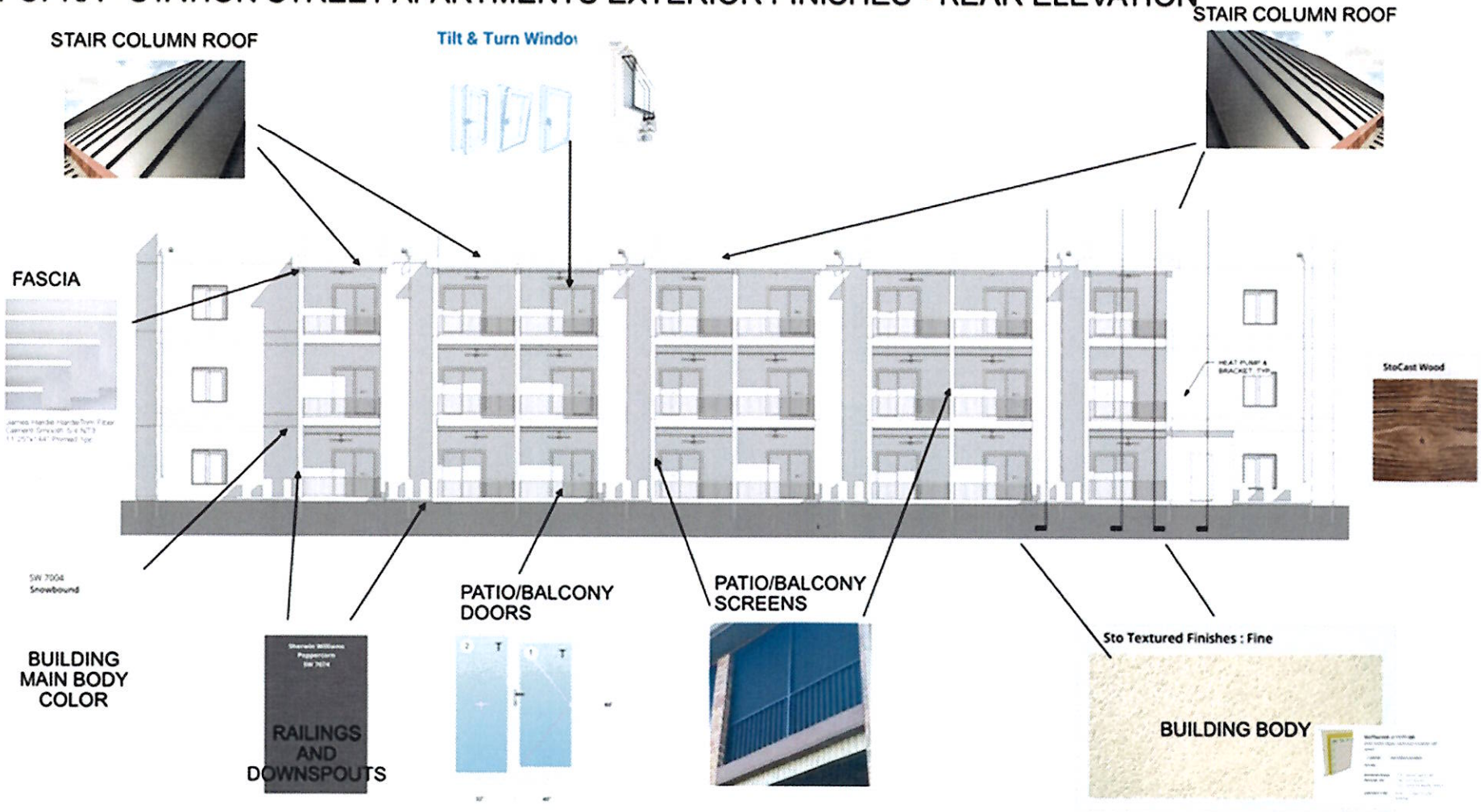


## 7. Graphic/Illustrative renderings of proposed development

### APOPKA - STATION STREET APARTMENTS EXTERIOR FINISHES - FRONT ELEVATION - 30 UNIT



# APOPKA - STATION STREET APARTMENTS EXTERIOR FINISHES - REAR ELEVATION



# APOPKA - STATION STREET APARTMENTS EXTERIOR FINISHES - SIDE ELEVATION

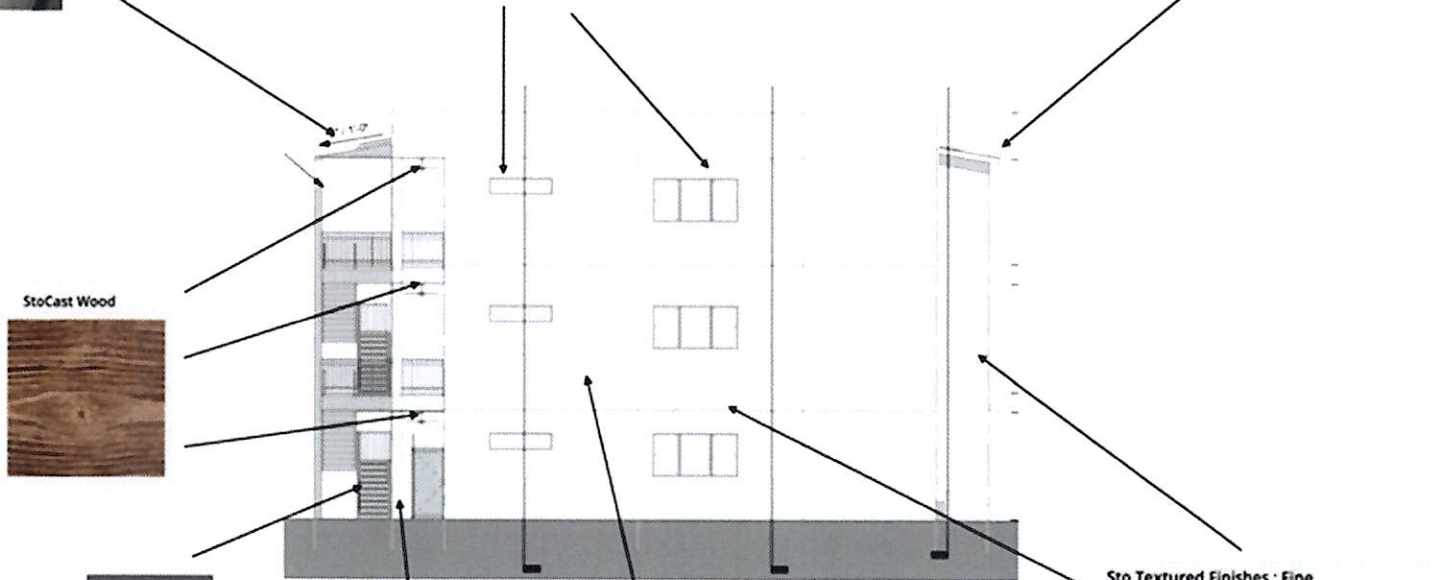
STAIR COLUMN ROOF



Tilt & Turn Window



STAIR COLUMN ROOF



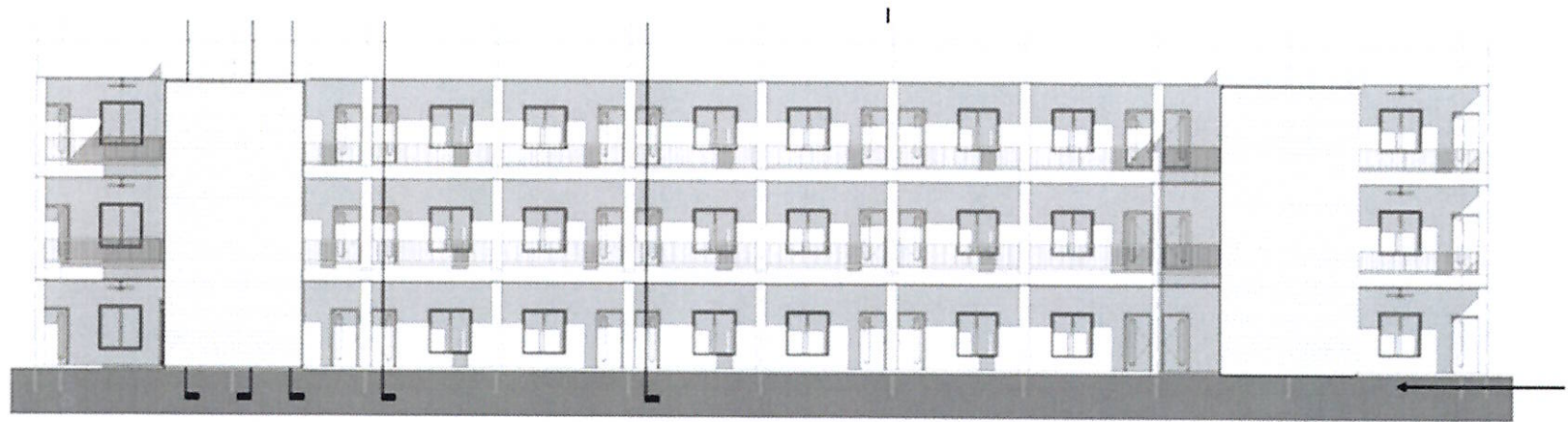
FASCIA AND COLUMNS



BUILDING MAIN BODY COLOR



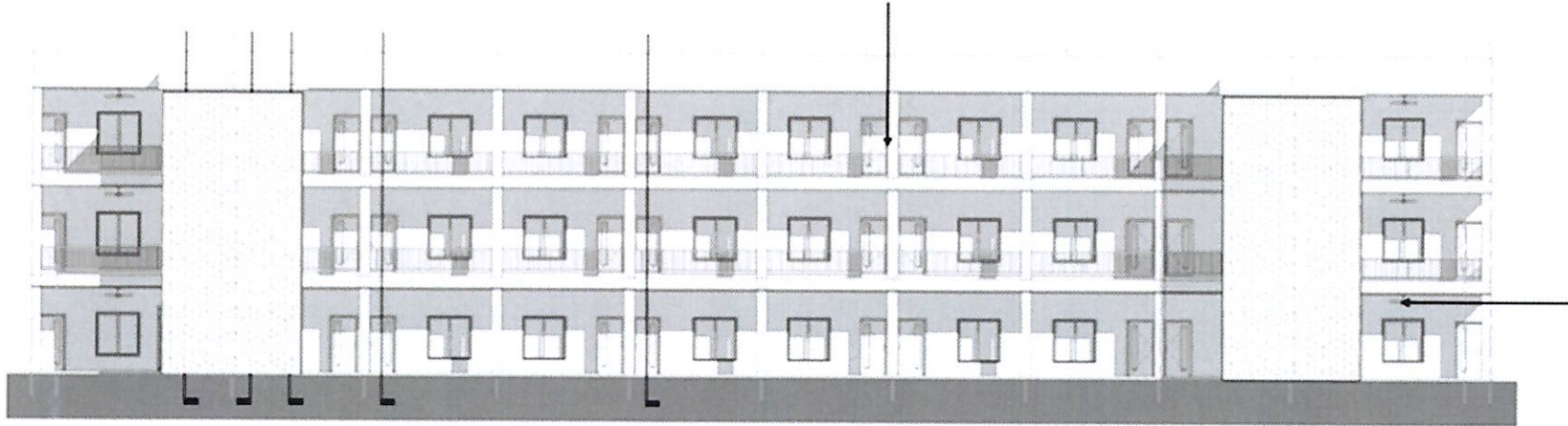
# APOPKA - STATION STREET APARTMENTS EXTERIOR FINISHES - FRONT ELEVATION SIDING TOWERS



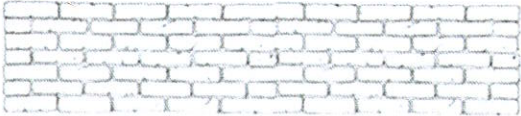
**SIDING**



APOPKA - STATION STREET APARTMENTS EXTERIOR FINISHES - FRONT ELEVATION BRICK TOWERS

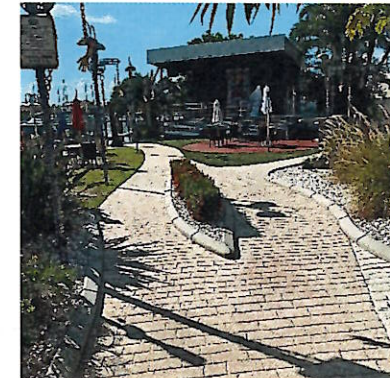
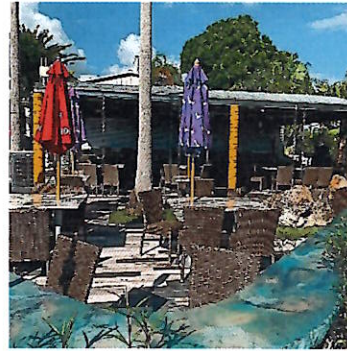


**BRICK**



## 8. Concept Materials Photo Sheets

a. Proposed building material & façade examples, Materials for outdoor spaces, Concept Plant Materials, Proposed signage



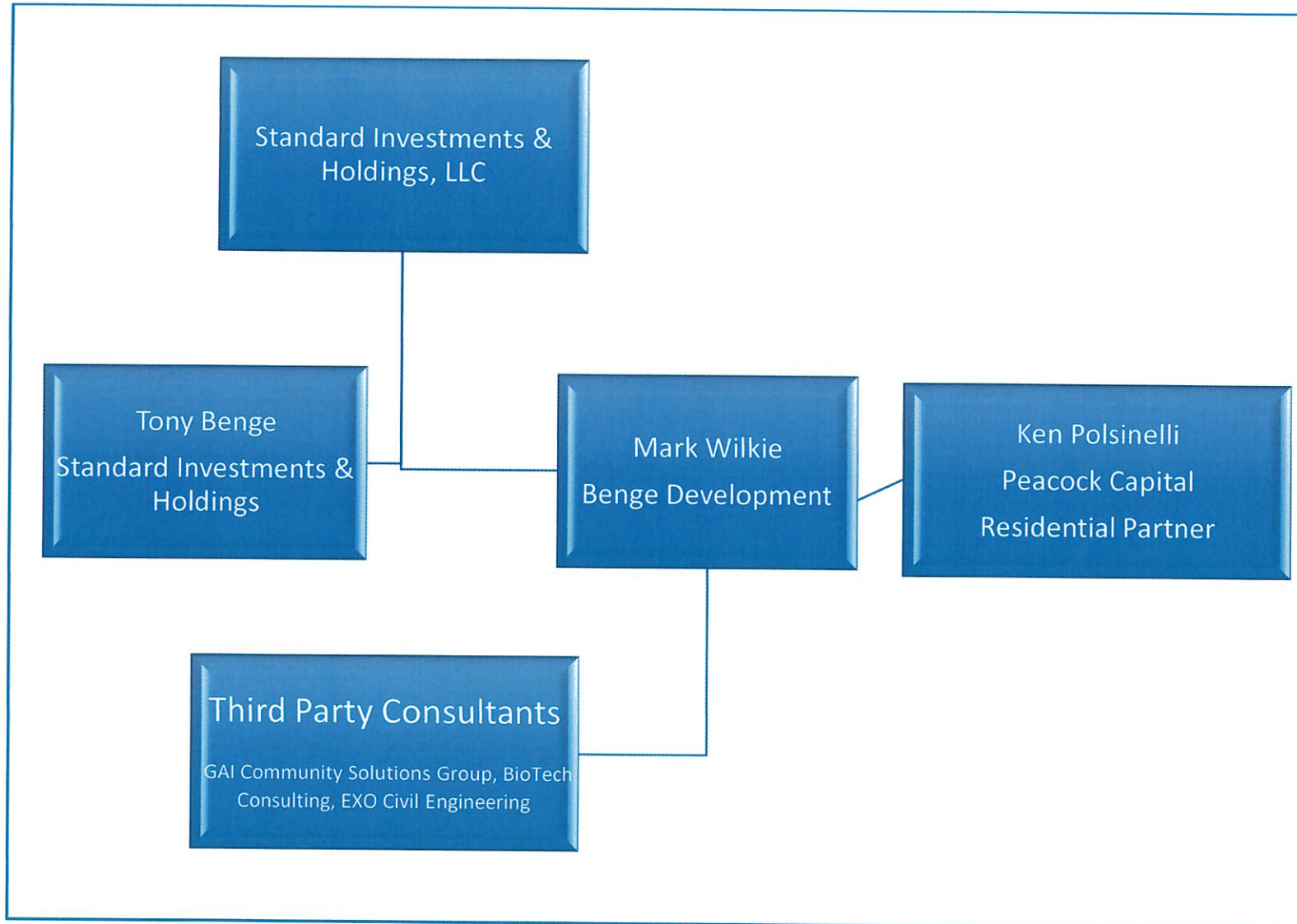
## **9. Optional Model but not encouraged if it can be expressed in 2 dimensions**

We will not be submitting a 3-D model for this proposal.

## II. DEVELOPMENT TEAM EXPERIENCE AND CAPABILITY

### Development Team

#### 1. Table of Organization – Graphic Representation





## **Bios of Key Development Team Members**

### **2. Key Development Team Members' Certifications and registration with regulatory agencies, professional organizations**

Included in Bio of each team Member.



## **Tony M. Benge**

### **President**

#### **Professional Experience**

Tony Benge is President of Benge Development Corporation and has successfully developed over twenty five large-scale projects in the Central Florida market since 1994 with over fifteen thousand residential lots. These projects include mixed-use communities such as EastWood, JB Ranch, and Traditions. BDC has twenty years of experience identifying, planning, permitting and fully developing residential and commercial projects. Commercial projects include Medical Office complexes, Assisted Living Facilities and retail outlets such as Chick-fil-a, Panera Bread, Starbucks, Publix and Marriott Hotels. Mr. Benge has been the Chairman of the Blanchard Park YMCA Board, a current Board member and Chair of the Downtown Orlando YMCA and Junior Achievement of Central Florida

Tony lives in Winter Park, Florida with his wife Robyn and his daughter Anna attends the University of Central Florida

#### **EDUCATION**

Westminster Schools—Atlanta, Ga.

Rollins College—BA Economics

University of Central Florida—MBA

#### **PROFESSIONAL AND PHILANTHROPIC AFFILIATIONS**

International Council of Shopping Centers—Member

Board of Realtors—Member

Central Florida YMCA—Board Member, Current Chairman

Greater Orlando Builders Association - Member

#### **CURRENT PROJECTS**

Floridian Town Center - 110 Acre Mixed-Use Development in Apopka

Engelmann Pointe - 65 acre Mixed-Use with waterfront Development in Apopka

Parkview at Brownwood - 44 acre Mixed-Use Development in The Villages

North Shore - 35 acre parcel Mixed-Use Development in Lake Nona, Florida







## **Mark Wilkie**

### **Principal**

#### **Professional Experience**

Mark Wilkie is a 35-year Real Estate Executive with a successful track record of team building, creating operational platforms, executing projects from land acquisition to asset disposition, and developing profitable strategies in geographically diverse multifamily portfolios exceeding \$800,000,000 and over 11,000 units. Mark has served as Vice President of Operations and Asset Management at an international boutique equity firm where he coordinated all aspects of asset management and property management supervision for the existing U.S. portfolio valued at over \$750,000,000. There and at his most recent opportunity Mark oversaw the disposition of assets valued at more than \$300 million. Mark has also held a variety of senior student housing positions. During his tenure with these companies he played an integral role in developing over 20 multi-family properties eight of which were completed in 18 months in 7 states in a public private partnership structure. Mark has personally managed high rise, mid rise, and traditional garden style walk up properties.

#### **Education**

B. A., University of South Florida

#### **Designations**

CCIM Certified Commercial Investment Member

CPM Certified Property Manager, Institute of Real Estate Management Member IREM Chapter 44

#### **Licenses**

FL Real Estate Broker BK3012942

#### **Professional Associations**

Past President, North Central Florida Apartment Association

Past Vice President, North Central Florida Apartment Association

Past Florida Delegate, Florida Apartment Association for National Apartment Association



KENNETH P. POLSINELLI

MANAGING PARTNER

Mr. Polsinelli is the Founder and Managing Partner of Peacock Capital, LLC. Peacock Capital is a real estate investment and advisory firm primarily focused on acquiring, operating and owning multifamily communities in central Florida. Since its inception in 2016, the firm and its strategic partners have acquired 22 multifamily communities directly from private owners and in the open market. These communities are located throughout greater central Florida and are all positioned for long-term cash flow. The portfolio has grown at a significant pace as Peacock has been able to leverage over 20 years of relationships with real estate professionals, local owners, third party service providers and lenders. Mr. Polsinelli's direct involvement includes sourcing properties, negotiating contracts, financing, executing on the business plan, asset management and creating value for investors. Ken has been active in central Florida since January 1999. Peacock Capital also provides receivership and asset management services for complex real estate transactions. Prior to launching Peacock Capital, Mr. Polsinelli served as Chief Real Estate Officer for McKinley, Inc., a national real estate investment company, where he was also a shareholder. In his role as CREO, Ken was responsible for all real estate acquisitions, dispositions and financing as well as asset management for a multi-billion dollar portfolio. He began with the firm in 1999 as Assistant to the Chief Operating Officer and gained increasing responsibility over time to become Chief Real Estate Officer. Over the course of this seventeen-year career, Ken also led the creation of a third-party fee management group with a specific focus on distressed real estate and led the redevelopment of numerous multifamily and commercial assets producing hundreds of millions of dollars in value for the company. Mr. Polsinelli also led the construction of several ground up development projects including an 132 unit senior housing project using LIHTC equity and 221(d)(4) HUD debt, the addition of new buildings at existing communities, and newly constructed Class A apartments. His extensive capital markets background includes transacting with Freddie Mac, Fannie Mae, HUD, CMBS, Commercial Banks and Life Insurance Companies. In addition, he has been personally named, or served on behalf of the firm, as a court appointed receiver in over 100 cases. He has acquired, sold, and financed over \$2.2 billion of real estate across 20 states throughout his career. Ken recently served as an adjunct instructor in the Dr. P. Phillips Real Estate Institute at the University of Central Florida where he taught Real Estate Analysis and Finance. He previously served as a co-instructor for the Real Estate Analysis class at the Crummer Graduate School of Business at Rollins College. Ken is a licensed real estate broker in Florida and Georgia. He resides with his family in Winter Park, FL.

**LEGAL NOTICE**  
**NOTICE OF DISPOSAL OF APPROXIMATELY 3.43 ACRES OF PROPERTY**  
**LOCATED IN THE COMMUNITY REDEVELOPMENT AREA BY THE APOPKA**  
**COMMUNITY REDEVELOPMENT AGENCY**

The City of Apopka (City) hereby gives notice pursuant to Section 163.380(3)(a), Florida Statutes, as owner of the named real properties listed by folio numbers at the bottom of this notice and the legal description attached hereto as Exhibit "A," of its intent to dispose of said properties (or portions thereof) and to invite proposals from qualified developers for the redevelopment of said property. The City and the Apopka Community Redevelopment Agency (CRA) envision a multi-use project including affordable housing, downtown public parking, an extension of the Downtown Apopka Trail, and construction of public event space. The City anticipates that approximately 1 acre of the property noticed for disposal herein may be retained by the City for construction of public event space to be completed by the successful proposer.

Pursuant to Section 163.380(3)(a), Florida Statutes, prior to disposition of any real property in a community redevelopment area, the City or CRA shall give public notice of such proposed disposition by publication in a newspaper having a general circulation in the community, at least 30 days prior to the execution of any contract to sell, lease, or thereto. The City or CRA shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposals to carry them out. The City or CRA may negotiate with any persons for proposals for the conveyance of any real property acquired by it in the community redevelopment area. The City or CRA may accept such proposals as it deems to be in the public interest and in furtherance of Chapter 163, Part III, Florida Statutes.

Section 163.380(2), Florida Statutes, requires that such real property be conveyed at a value determined to be in the public interest and in accordance with the community redevelopment plan and in accordance with such reasonable disposal procedures as the City or CRA may prescribe. In determining the value of real property is in the public interest and that the proposed use is in compliance with the community redevelopment plan, the City or CRA will take into account and give consideration to:

1. The long-term benefits to be achieved by the City based on the proposed use when compared to any potential short-term losses or costs in the disposal of such real property; and
2. The appraised value; and
3. The uses provided for in the community redevelopment plan and any other pertinent redevelopment or land use plans; and
4. The restrictions upon the property, and any covenants, conditions, and obligations assumed by the purchaser of the property.

In the event the real property is conveyed for less than the fair value, such disposition requires the approval of the governing body of City which approval may only be given following a duly noticed public hearing. Further the City or CRA may provide in any instrument of conveyance to a private grantee that such grantee is without power to sell, lease, or otherwise transfer the real property without the prior written consent of the City or CRA until the purchaser has completed the construction of any or all improvements proposed in the response to this advertisement. The City or CRA may require other covenants as part of the conveyance process.

Any party interested in submitting a proposal for redevelopment of the properties listed below is hereby notified that sealed proposals to acquire said property must be received on or before 4:00 p.m. on February 12, 2024, by the City/CRA, Apopka City Hall, 120 East Main Street, Apopka, Florida, 32703. Proposals received after that date will not be considered. Any such offer must include a description of the proposed development that would be built on the properties, and documentation of the legal ability of the proposer, and availability of funding, to complete the development. Conditions of acceptance of any such proposals may include a right of repurchase of the properties at the conveyance value. The City or CRA may further negotiate terms and conditions of the purchase of the properties. The City or CRA may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of Chapter 163,

Part III, Florida Statutes.

Further information as may be available regarding the foregoing may be reviewed at the Purchasing Division, located at 120 East Main Street, Apopka, Florida, 32703 or by e-mailing Jessica Pugh, Purchasing Administrator, at [jpugh@apopka.net](mailto:jpugh@apopka.net).

FOLIO NUMBERS: 09-21-28-0196-50-050, 09-21-28-0196-50-121, 09-21-28-0196-50-122, 09-21-28-0196-50-610, 09-21-28-0196-51-260, 09-21-28-0196-51-390, and 09-21-28-0196-51-400

The approximate value of this property is \$ 900,000. The approximate value of the real property, as determined by the City or its agents, is available at Apopka City Hall, 120 East Main Street, Apopka, Florida, 32703. Anyone for or against this property sale will be given the opportunity to speak at the public hearing.

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE APOPKA CITY COUNCIL AND/OR CRA BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETINGS OR HEARINGS WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSES MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.

*Persons with disabilities requiring accommodation in order to participate should contact the City Clerk at (407) 703-1704 at least five business days prior to the meeting to request such accommodation. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 (voice) or 1-800-955-8771 (TDD).*

Newspaper Ad: January 12, 2024

**Exhibit A**

Station Street Project area  
DESCRIPTION: (BY THIS SURVEYOR) A portion of The Town of Apopka, according to the plat thereof, as recorded in Plat Book A, Page 109, Public Records of Orange County, Florida, lying in Section 9, Township 21 South, Range 28 East, Orange County, Florida, being more particularly described as follows: BEGIN at the Southeast corner of Lot 142, Block E, The Town of Apopka, according to the plat thereof, as recorded in Plat Book A, Page 109, Public Records of Orange County, Florida, said point also lying on the Northeastly right of way line of the CSX Railroad, per Right-of-Way and Track Map V02083 Seaboard Air Line Railway Co. Lake Charm Branch; thence North 50°42'52" West, a distance of 361.47 feet along said Northeastly right of way line to the East line of the West 30 feet of Lot 135, Block E, Per Official Record Book 501, Page 357 and Deed Book 205, Page 354, Public Records of Orange County, Florida; thence North 39°19'53" East, a distance of 24.13 feet along said East line; thence departing said East line, North 50°42'52" West, a distance of 63.85 feet; thence North 89°30'23" West, a distance of 38.51 feet to the aforementioned Northeastly right of way line of the CSX Railroad; thence North 50°42'52" West, a distance of 304.11 feet along said Northeastly right of way line to the East right of way line of Lake Avenue, per said plat; thence North 00°05'48" East, a distance of 71.87 feet along said East right of way line to the Southerly right of way line of Station Street, per said plat; thence South 50°54'57" East, a distance of 167.42 feet along said Southerly right of way line to the Southerly extension of the West line of Lot 5, Block E, said plat of The Town of Apopka; thence North 39°12'56" East, a distance of 205.25 feet along said Southerly extension and said West line to the centerline of an Unnamed Alley, per said plat; thence South 51°24'27" East, a distance of 200.01 feet along said centerline to the Northerly extension of the West line of Lot 9, Block E, said plat of The Town of Apopka; thence South 39°12'56" West, a distance of 10.00 feet along said Northerly extension to the North line of said Lot 9; thence South 51°24'27" East, a distance of 36.25 feet along said North line to the East right of way line of a 15.00 foot wide alley, per Official Record Book 574, Page 17, Public Records of Orange County, Florida; thence North 00°02'57" East, a distance of 25.43 feet along said East right of way line to the South line of Lot 19, Block E, said plat of The Town of Apopka; thence South 89°47'37" East, a distance of 10.00 feet along said South line to the West line of lands described in Official Record Book 10808, Page 3862, Public Records of Orange County, Florida; thence South 00°02'57" West, a distance of 50.00 feet along said West line to the South line of said lands; thence South 89°47'37" East, a distance of 140.00 feet along said South line to the West right of way line of Central Avenue, per said plat; thence South 00°02'57" West, a distance of 425.97 feet along said West right of way line to the POINT OF BEGINNING.

Total: 3.43 acres  
Publish: The Apopka Chief  
January 12, 2024

175585