



## **EXECUTIVE SUMMARY**

**To:** Bahama Village Redevelopment Advisory Committee

**Through:** Mark Finigan, Assistant City Manager  
Donald Leland Craig, AICP, Planning Director

**From:** Nicole Malo, Planner II

**Meeting Date:** May 2, 2013

**Re:** Amendment to the 2011 TIF application and award for the VFW/American Legion Post 163

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### **Action Statement**

This action item is to consider a request to amend the FY2010-2011(2011) TIF application and award for the VFW/American Legion Post 163 complete rehabilitation construction project. Since then, the VFW/American Legion Post 163 (Organization) has chosen not to pursue the rehabilitation project in the same manner and, has been unable to meet the conditions of the 2011 allocation approval for a one-to-one financial match of the \$310,000 award; therefore, the applicant would like the BVRAC to consider recommending to the CRA that the 2011 TIF application be amended based on a revised set of plans (Exhibit A), the award reduced in order to fund the Phase 1 stabilization plans, and the one-to-one financial match requirement be lifted.

Because the applicant would like to amend the conditions in which the approval was granted, the TIF Application Guidelines require that changes to any funded project go back through the process in which they were approved. Both BVRAC and Community Redevelopment Agency approval is required in order to amend the 2011 application and award amount.

### **Strategic Plan**

At this time the BVRAC has not completed the long-range capital plan required by the 2011 Strategic Plan; although, BVRAC will begin discussing the process for creating the Plan at the same May 2, 2013 Meeting.

### **Background**

In 2010 the CRA awarded \$50,000 in TIF funding for the design and construction plans for the VFW/ American Legion Post 163 structure located at 803 Emma Street. Architect Michael Miller was contracted to do the work. He coordinated with the properly authorized managers of the organization to create design and construction plans for a particular agreed upon program. The plans were approved for redevelopment by HARC

on July 13, 2010, and the Planning Board on November 9, 2010. The vast majority (98%) of the allocation was expended in accordance with the approved TIF application.

The following year, based on the approved set of site plans and construction drawings, the BVRAC recommended and the CRA awarded an additional \$310,000, with a one-for-one match, for the complete rehabilitation construction project. According to the proposed budget, the rehabilitation Plan was estimated to cost \$1.5 million dollars. Since then management changes at the Organization have resulted in disagreement about the approved and funded Plan and the project has been stalled for nearly three years. Further, in November 2011 the building was determined to be structurally unsafe for human occupancy and closed through a public hearing process by the City's Building Official (Exhibit B). None of the 2011 allocation has been expended to date.

In an effort to revive the project, Architect Bert Bender was hired by the Organization to revise the proposed rehabilitation plan project. Based on design input from new Organization leadership, the Architect has created a rehabilitation plan that is proposed to cost an estimated \$892,520. Phase 1 of the rehabilitation plan is a stabilization plan that, according to a statement submitted by the Architect, will render the structure habitable again, unless additional safety concerns arise, such as electrical and plumbing issues that are not proposed as part of Phase 1. According to the cost estimate provided by the applicant the stabilization plan is proposed to cost approximately \$246,200, the estimate also includes an additional contingency of \$35,600 (Exhibit A).

Therefore, the applicant has requested that the BVRAC consider revisions to the 2011 application including the proposed Plan, budget and match condition. With the \$50,000 State Historic Preservation Grant available for award in July, the Committee may reduce the award to \$210,000 in order to complete the Phase 1 Stabilization Plan as provided for in Exhibit A. The remaining funds will be returned to the TIF fund and made immediately available for possible allocation.

Please note that the City has not received consistent information regarding the individuals legally authorized to manage the project and until such time that the proper authorization is presented to the City the application amendment request will not go before the CRA.

**City Actions**

January 2010	CRA Award \$50,000
October 2010	HARC Approval
November 2010	Planning Board Variance Approval
January 2011	CRA Award \$310,000 (1-to-1 match)
December 6, 2012 – Postp.	BVRAC Meeting- Discussion de-obligation of 2011 award
January 3, 2013	BVRAC Meeting- Discussion de-obligation of 2011 award

**Recommendation**

Based on the 2010 CRA Plan, staff recommends that the BVRAC recommend to the CRA that the request to amend the VFW/American Legion Post 2011 TIF application award be **approved** in order to complete the Phase 1 Stabilization Plan for the structure, as provided for in the supporting documentation attached herein, as follows: (1) Revisions to the proposed Plans, (2) Reduction of the 2011 award from \$310,000 to \$210,000, and (3) Elimination of the 1-for-1 financial match. Consideration of the amended application by the CRA will not be heard until the appropriate Authorization and Verification forms are provided to Planning staff. The deobligation in the amount of \$100,000 will be made available for funding the Nelson English/Willie Ward Park project.

**Attachments**

Exhibit A: Amended Application Request: Project Summary and Budget

Exhibit B: Notice of Hearing Unsafe Building Conditions

Exhibit C: Proposed Site Plans

Exhibit D: Grant award and grant denial