



CITY OF FORT LAUDERDALE
City Commission Agenda Memo

12-2291

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: Public Hearing to consider the adoption of a Resolution designating a site-specific Brownfield area and establishing a new Job Accelerator Zone Site

Recommendation

It is recommended that the City Commission hold a public hearing and adopt a resolution authorizing the designation of site specific areas owned by P.D.K.N Holdings LLC and the City of Fort Lauderdale collectively known as the Bokamper's Bar and Grill site as a Brownfield area and designating a new Job Accelerator Zone site.

Background

A formal request for a site-specific brownfield designation request and to create a new Job Accelerator Zone has been submitted by Michael Goldstein on behalf of the project sponsor P.D.K.N Holdings LLC. The applicants' Brownfield area designation eligibility statements are attached as Exhibit 3.

As a point of reference, on February 21, 2012, the City designated its first site-specific brownfield area pursuant to Chapter 97-277, Laws of Florida, which is codified at Chapter 376.77-376.85, Florida Statutes, and at that time has referred to the designated areas as the "Job Accelerator Zone" (hereafter "JAZ").

The developer for Bokamper's Bar and Grill is requesting the City of Fort Lauderdale adopt a resolution that create a new site-specific Brownfield area by including the properties owned by P.D.K.N and the city-owned properties to be swapped with P.D.K.N. Holdings, LLC as identified in Exhibit 2. The Brownfield designation provides the project sponsor with access to incentives provided under the state of Florida Brownfield redevelopment program.

The Bokamper's Bar and Grill project represents a significant private capital investment and create jobs to benefit the local area and tax base. By making project part of city's JAZ program the developer will be able to take advantage of several available incentives such as:

State of Florida:

a) Brownfield Redevelopment Bonus Refund

- b) Voluntary Clean Up tax Credits (VCTC)
- c) Sales Tax Credit on Building Materials
- d) Loan Guarantee Program
- e) Cleanup Liability Protection
- f) Exemption from Sales Tax for Materials For Construction of Single-Family Homes in Certain Areas

Federal:

- a) Federal Tax Incentive
- b) Brownfield Assessment, Revolving Loan Fund and Cleanup Grant

As described in the Florida Statutes, brownfield areas may include all or portions of community redevelopment areas, enterprise zones, and empowerment zones, other such designated economically deprived communities and Environmental Protection Agency – designated Brownfield pilot projects. The areas currently included in the Fort Lauderdale JAZ are within the NW CRA and Enterprise Zone.

There are five basic requirements, as outlined by Florida Statutes that must be satisfied in order for the local government to pass the Resolution

- 1) Whether the person requesting the Brownfield designation has agreed to rehabilitate and redevelop the Brownfield site (agree to enter into a Brownfield Site Rehabilitation Agreement if the site is contaminated)
- 2) Whether the rehabilitation and redevelopment of the site will result in economic productivity of the area along with the creation of at least 5 permanent jobs at the Brownfield site (unless it will provide affordable housing, recreation areas, conservation areas of parks)
- 3) The redevelopment of the site is consistent with the local comprehensive plan and a permitted use under local land development regulations
- 4) Notice has been provided to neighbors and nearby residents to giving them an opportunity to comment, and
- 5) The person requesting the designation has provided reasonable assurance that they have sufficient resources to rehabilitate and redevelop the site.

It is the opinion of staff that the developer has met all of the requirements as outlined above to approve the site-specific brownfield designation request for the Bokamper's Bar and Grill project site and as a stand alone JAZ Program area.

Resource Impact

There is no fiscal impact associated with this action.

Attachments:

Exhibit 1 – Resolution

Exhibit 2 – Property Map

11/06/2012

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Exhibit 3 – Designation Eligibility Statement
Exhibit 4 – Legal Description

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