

# Downtown South Neighborhood Improvement District Exploratory Committee



Orlando City Council Workshop  
October 18, 2010

- 1. Kevin Tyjeski AICP, Chief Planning Manager**
  - **Introduction and Past Planning Efforts**
  
- 2. Mildred Beam, Esq., Exploratory Committee Chair**
  - **Exploratory Committee Process**
  
- 3. Kyle Shephard, Esq., Assistant City Attorney**
  - **Neighborhood Improvement Districts**
  
- 4. Kevin Tyjeski AICP, Chief Planning Manager**
  - **Duties & Composition of Governing Board & Advisory Council**

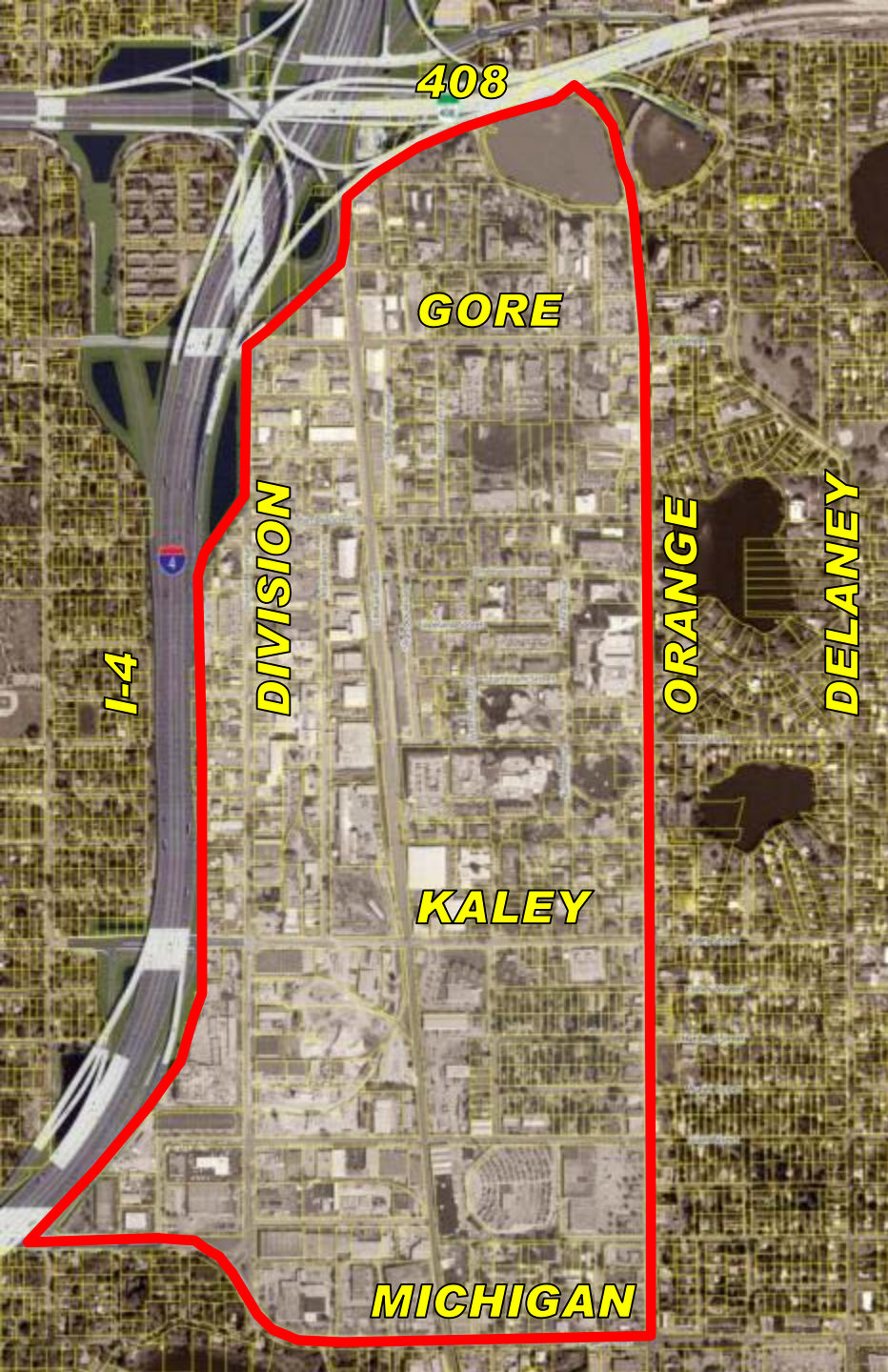
## **Order of Presentation**

**Kevin Tyjeski, AICP**  
**Chief Planning Manager**  
**City Planning Division**

**Downtown South**

- 2006 – Orlando Health Planning Day**
- 2008 – Consultant retained to prepare Vision Plan**
- 2009 – City Council adopts GMP Subarea Policies**
- 2010 – City Council accepts Orange/Michigan Vision Plan**
- 2010 – City Council appoints NID Exploratory Committee**

## **Milestones**



# Vision Plan Boundary

- **Highly visible from I-4**
- **Close to downtown**
- **Anchored by Orlando Health, one of Orlando's largest employers**
- **Orlando is rapidly becoming an important center for medical services and research, with**
  - **Expansions planned at Orlando Health and at Florida Hospital;**
  - **New facilities for UCF Medical School, Nemours Hospital and VA Hospital in Lake Nona.**

## **Why Prepare a Vision Plan?**

- **Accommodate future development within the Orlando Health campus;**
- **Accommodate new medical office, retail and residential development outside the Orlando Health campus;**
- **Encourage mixed-use development in proximity to the commuter rail station;**
- **Support redevelopment and intensification of industrial areas along I-4;**
- **Protect existing property rights, so existing businesses can continue to flourish.**

## **Vision Plan Goals**

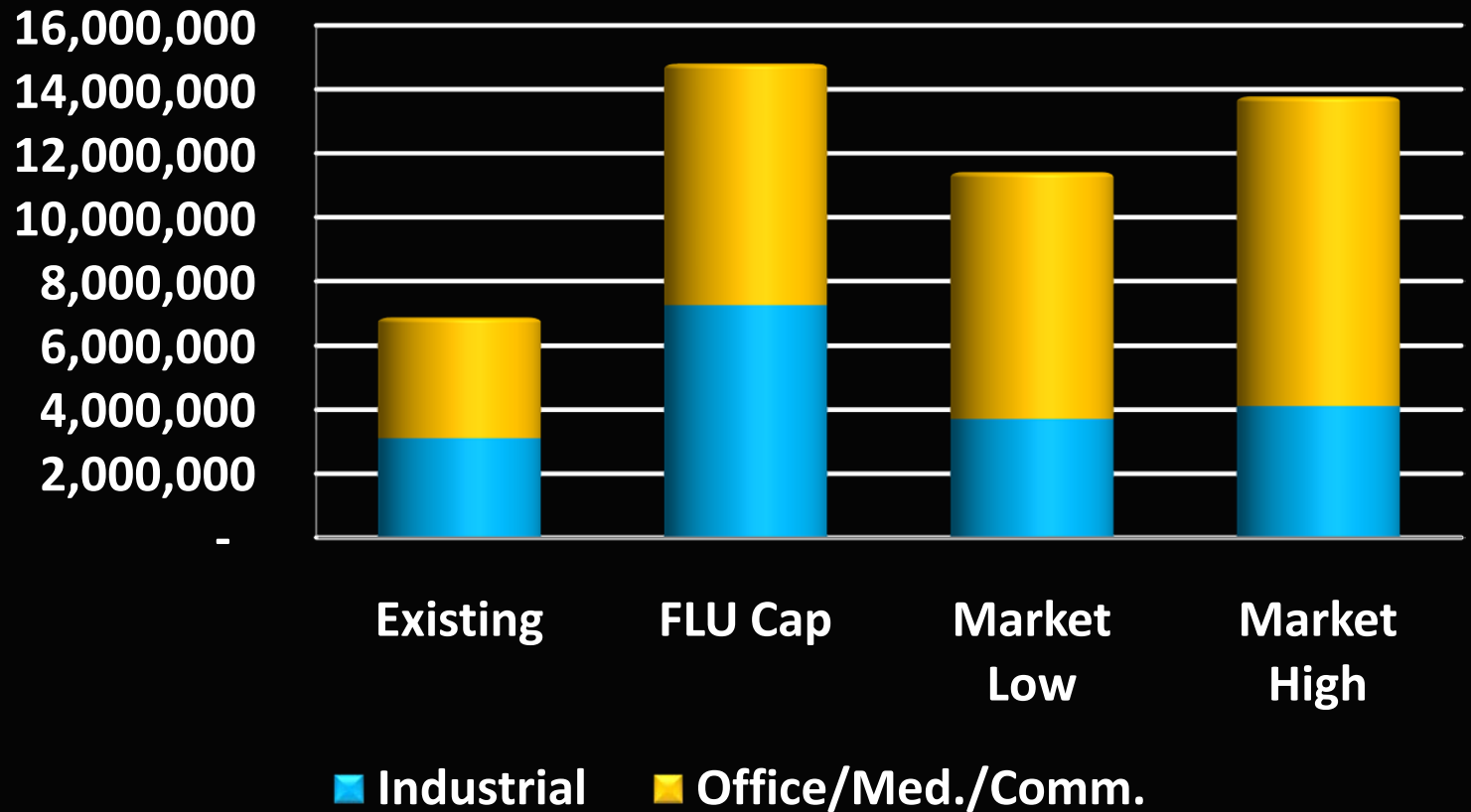
- **Determine the type and amount of development that could be constructed within the study area today, without any changes to existing regulations.**
- **Prepare a market study to figure out how much new development could be realistically expected over the next 20 years.**
- **Identify where redevelopment or intensification would be most desirable and have the most impact.**
- **Identify what improvements might be needed to accommodate new development.**

## **Vision Plan Tasks**

<b>Category</b>	<b>Existing (2008)</b>
<b>Acres</b>	<b>555</b>
<b>Single Family (Units)</b>	<b>83</b>
<b>Multi-Family (Units)</b>	<b>142</b>
<b>Office (SF)</b>	<b>227,479</b>
<b>Industrial (SF)</b>	<b>2,023,196</b>
<b>Retail/Commercial (SF)</b>	<b>302,836</b>
<b>Hospital (SF)</b>	<b>2,004,066</b>
<b>Public Benefit Use (SF)</b>	<b>15,445</b>
<b>Hotel (Rooms)</b>	<b>75</b>

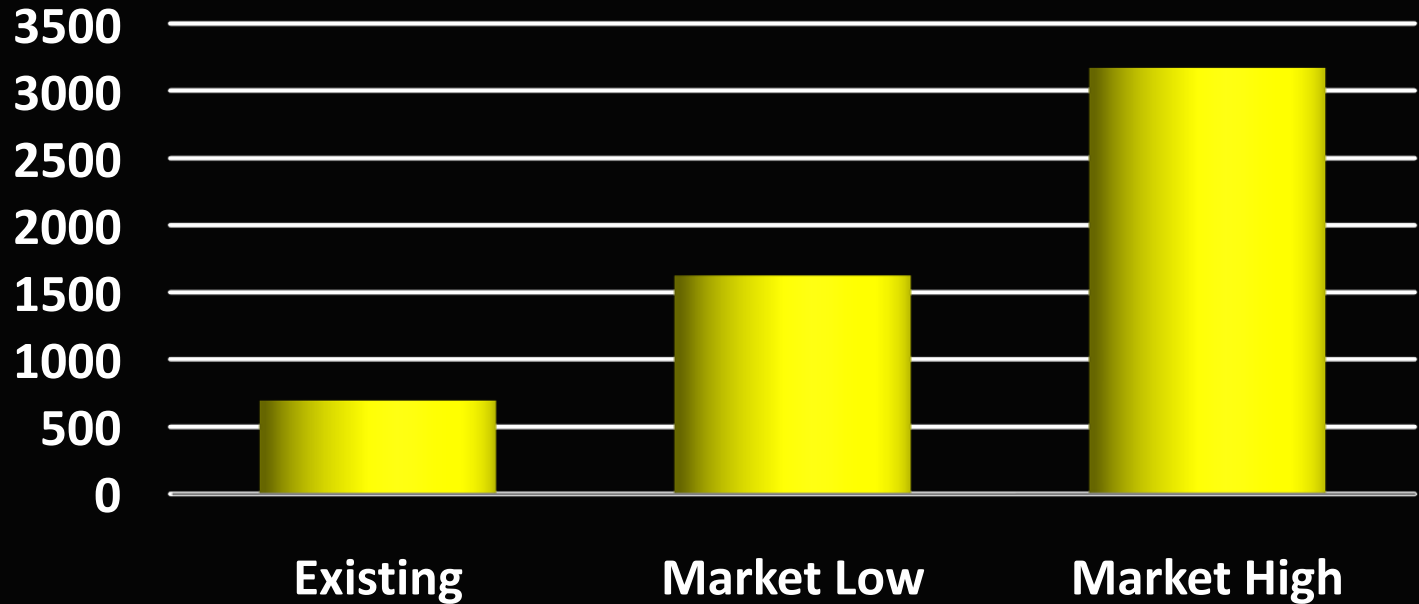
## **Existing Conditions**

## Existing & Potential Non-Res. Development (Sq. Ft.)



South Downtown Vision Plan

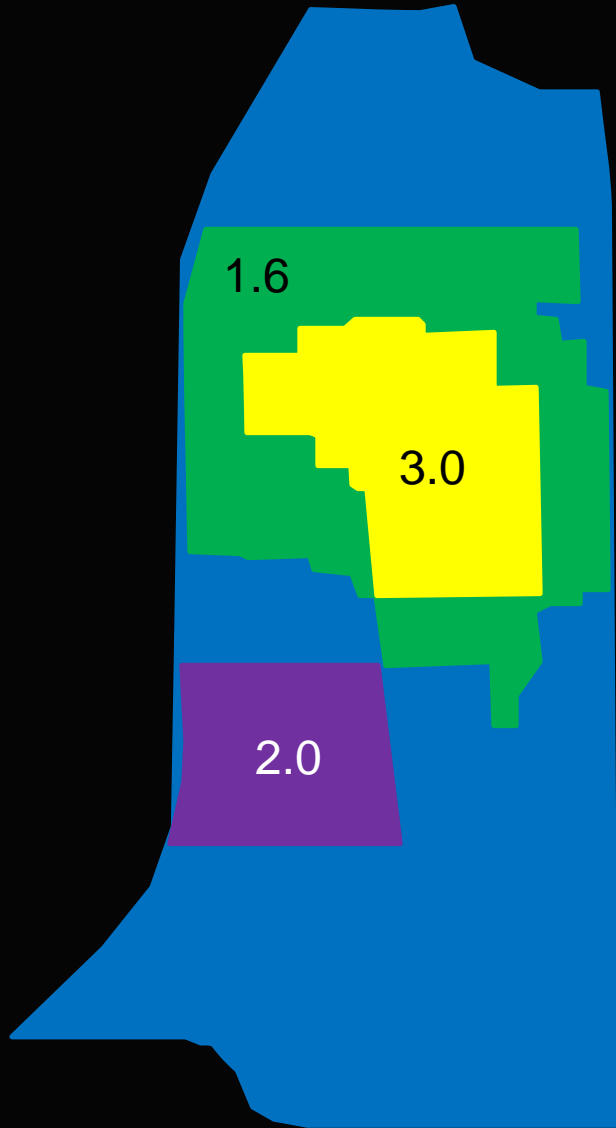
## Existing & Potential Residential Development (Dwelling Units)



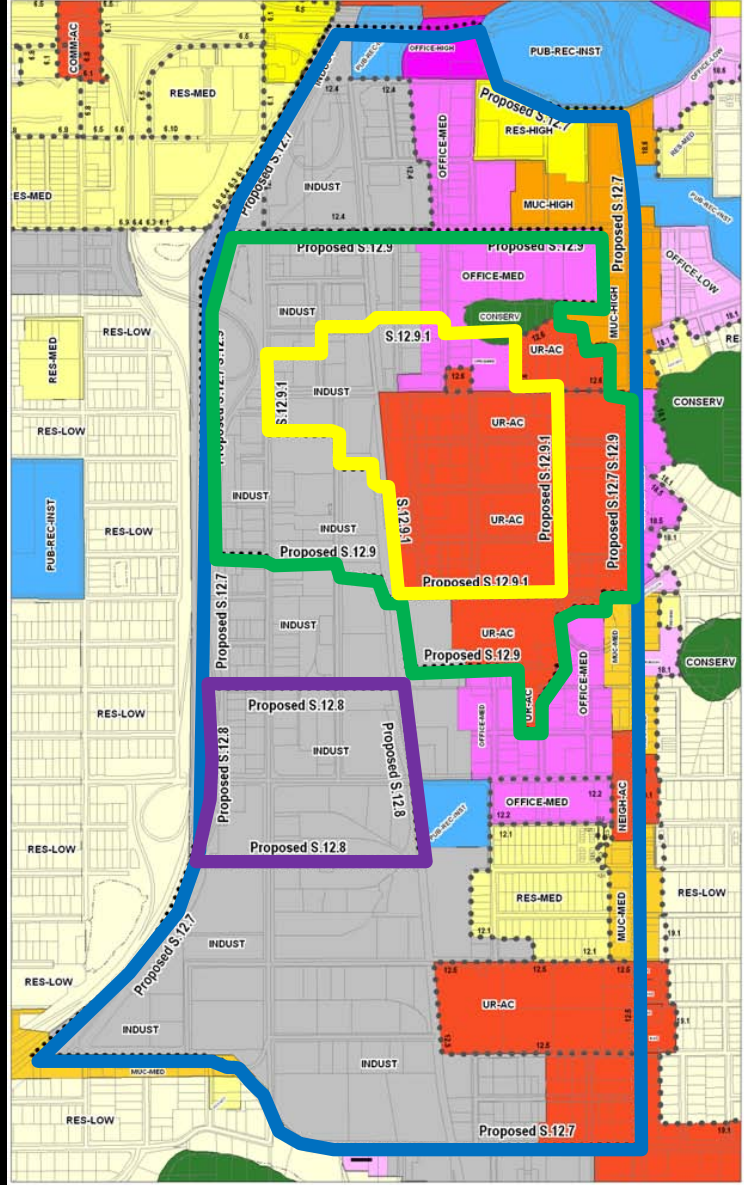
South Downtown Vision Plan

<b>Category</b>	<b>Existing (2008)</b>	<b>Future (2030)</b>
<b>Acres</b>	<b>555</b>	<b>555</b>
<b>Single Family (Units)</b>	<b>83</b>	<b>100</b>
<b>Multi-Family (Units)</b>	<b>142</b>	<b>3,023</b>
<b>Office (SF)</b>	<b>227,479</b>	<b>3,711,603</b>
<b>Industrial (SF)</b>	<b>2,023,196</b>	<b>2,323,196</b>
<b>Retail/Commercial (SF)</b>	<b>302,836</b>	<b>702,836</b>
<b>Hospital (SF)</b>	<b>2,004,066</b>	<b>5,304,066</b>
<b>Public Benefit Use (SF)</b>	<b>15,445</b>	<b>158,040</b>
<b>Hotel (Rooms)</b>	<b>75</b>	<b>422</b>

## **Growth Management Plan Policy**



Future Land Use - Proposed GMP2008-00025



Category	GMP <sup>1</sup>	Ultimate Vision
Roadways	\$4-6m	\$35-50m <sup>2</sup>
Water	\$1-2m	\$1-2m
Wastewater	\$5-6m	\$5-6m
Stormwater & Open Space	Undetermined	\$13m <sup>3</sup>
Commuter Rail	Undetermined	Undetermined
Mass Transit	Undetermined	Undetermined

1. Source: South Downtown Vision Plan Study
2. Includes right of way, reconstruction, streetscape and intersection enhancements
3. Assumes 8% of District Acreage @ \$200k/Acre for new wet retention

## Infrastructure Cost Estimates

- **The City does not have the ability to fund the proposed improvements based on current funding sources.**
- **The City will not support creating a new CRA.**
- **The City will only consider an improvement district if the capital plan is realistic and fundable.**

## **Financial Analysis**

**Mildred Beam, Esq., Chair**  
**Vice President, General Counsel**  
**Orlando Health**

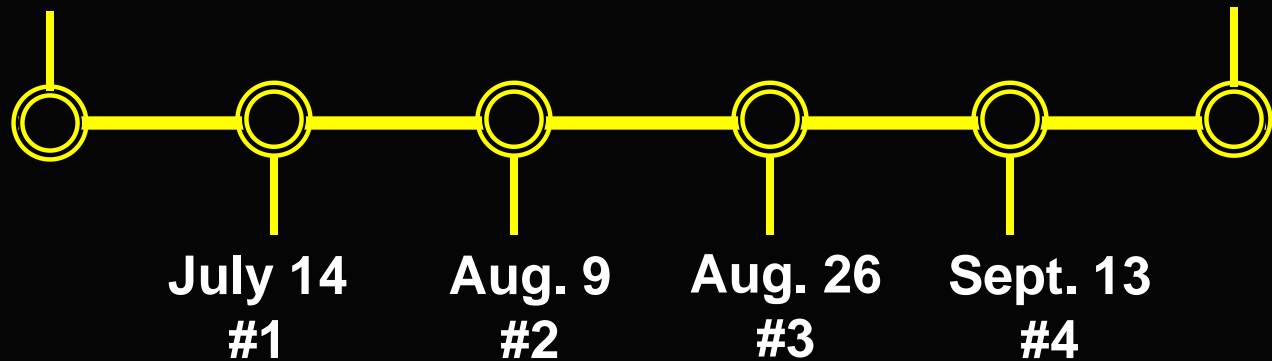
**Downtown South Neighborhood Improvement  
District Exploratory Committee**

- 1. Chairman: Mildred Beam, Orlando Health**
- 2. Roger Chapin, Mears Transportation**
- 3. Mary Hurley, Pineloch Management Corp.**
- 4. Todd Watson, DCT Industrial**
- 5. Doug Baskin, Conrad Yelvington Distributors**
- 6. William Nassal, Nassal Company**
- 7. Mike Reid, Trademark Metals Recycling**

## **Members of Exploratory Committee**

**June 7  
City Council  
Resolution**

**October 18  
City Council  
Workshop**



**Exploratory Committee Process**

**Meeting #1 -- Orientation**

**Meeting #2 -- Legal ad**

**Meeting #3 -- Legal ad, 432 Courtesy  
Notices (28 Attendees)**

**Meeting #4 -- Legal ad, 432 Courtesy  
Notices (22 Attendees)**

- **All City Hall meetings posted by City Clerk**
- **Minutes, agendas and reports posted on City Web Site**

**Public Notice**

- **Conduct 3 public meetings.**
- **Provide opportunity for public comment at 2 meetings.**
- **Gather, review and analyze relevant information.**
- **Issue a report by October 1, 2010.**

## **Resolution - Requirements**

- **Goals and purposes of district.**
- **Name of district.**
- **Whether GMP must be amended.**
- **District boundaries and size.**
- **Type of district.**
- **Duties and composition of Governing Board.**
- **Duties and composition of Advisory Council.**

## **Resolution - Recommendations**

- 1. To accommodate future development and redevelopment within the district boundary by encouraging a variety of uses including, but not limited to: mixed use development in proximity to the commuter rail station.**
- 2. Promote the advantages of the district so as to attract new businesses and encourage the expansion of existing businesses.**
- 3. Preserve existing property rights.**
- 4. Facilitate improvements to infrastructure within the district boundary.**
- 5. Reduce crime within the district boundary.**

## **Goals and Purposes of District.**

- **Name of District**
  - **Downtown South Neighborhood Improvement District**
  
- **Whether GMP must be amended**
  - **No, per Planning Official Determination**

**Name of District and Need for GMP**

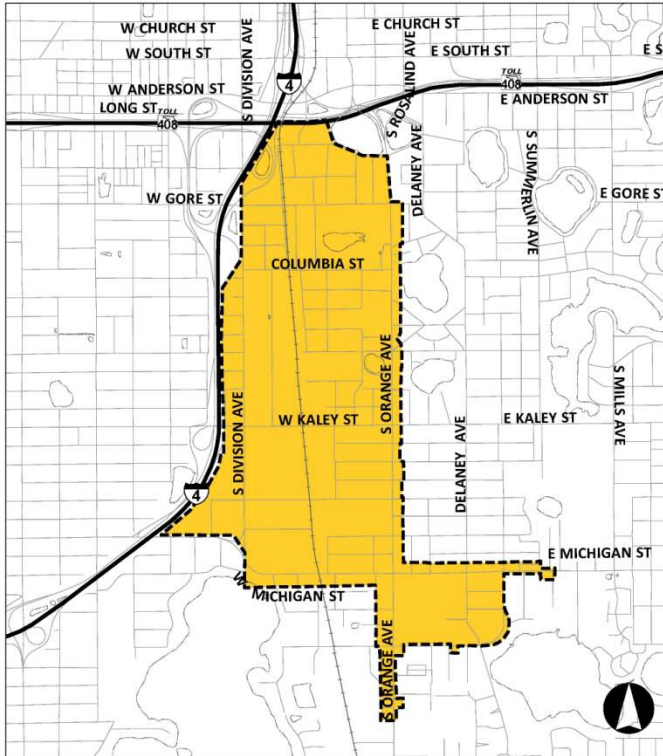


EXHIBIT D:  
Downtown South Neighborhood Improvement District  
Proposed Boundaries  
September 20, 2010

■ Committee recommended a 655-acre NID that included the South Downtown Vision Plan area and the Downtown South Main Street area.

- Allow Main Street to opt out prior to referendum on taxation.
- Precise boundaries of Main Street area to be determined prior to opt out.

District boundaries and size.

- **Type of District**
  - **To be described by Kyle Shephard**
  
- **Duties and Composition of Governing Board & Advisory Council**
  - **To be described by Kevin Tyjeski**

**Type of District and Duties**

**Kyle Shephard, Esq.**

**Assistant City Attorney**

**City Attorney's Office**

**Downtown South Neighborhood Improvement  
District Exploratory Committee**

- **What is a neighborhood improvement district?**
- **Types of neighborhood improvement districts**
- **Powers of neighborhood improvement districts**
- **Key elements of each type of district**

## **Presentation Overview**

- **33 NIDs throughout Florida**
- **11 counties have NID ordinances**
- **11 NIDs in Broward County**
- **1 NID in Orange County – Orange Blossom Trail**
- **4 NIDs in Osceola County**

**Neighborhood Improvement Districts in Florida**

- **An area in which > 75% of land is residential use; or**
- **An area in which > 75% of land is commercial use**
- **Area is subject of a crime reduction plan**
- **Area does not straddle local government boundaries unless permitted by interlocal agreement**

## **Definition of a NID**

- 1. Local Government NID ( 163.506, Fla. Stat.)**
- 2. Property Owners' Association NID ( 163.508, Fla. Stat.)**
- 3. Special NID ( 163.511, Fla. Stat.)**
  - a) Residential Special NID**
  - b) Business Special NID**
- 4. Community Redevelopment NID ( 163.512, Fla. Stat.)**

## **Types of NIDs**

- **Enter into contracts; sue and be sued as a body corporate**
- **Acquire, own, convey, lease, construct, manage property**
- **Promote and advertise the district**
- **Seek and accept grants, gifts, and donations**
- **Improve street lighting, parks, streets, drainage, utilities**

## **Powers of NIDs**

- **Levy annual assessment of up to \$500 per parcel of land**
  - **For capital improvements and operating expenses**
  - **Subject to referendum of electors residing in district**

## **Powers of NIDs (Continued)**

- **May levy an ad valorem tax of up to 2 mills annually**
- **Governing board is typically city council**
- **Advisory council of property owners**
- **Advisory council can be granted significant authority**
- **No automatic sunset**
- **Council may appoint board of directors (3 to 7)**
  - **Must own property and be subject to ad valorem taxation**

## **Local Government NID**

- **Property owners' association representing at least 75% of all property owners within the district**
- **No authority to levy ad valorem tax**
- **Governing board is officers of association**
- **District continues in perpetuity, as long as association exists**

**Property Owners' Association NID**

- **Established by referendum**
  - **Approved by freeholders representing >50% of assessed value of property within the district**
- **May levy an ad valorem tax of up to 2 mills annually**
- **3-member board appointed by city council**
  - **Board members must reside in the district (and pay taxes)**
- **District sunsets after 10 years unless reauthorized**

**Special Neighborhood Improvement District**

- **NID is “state agency” for purposes of sovereign immunity**
- **NIDs may not borrow money**
- **Must produce crime reduction plan**
- **District CIP must be consistent with city’s comp plan**
- **Budgeting must comply with Ch. 200, Fla. Stat.**
- **NIDs must comply with the Uniform Special District Accountability Act of 1989**

**Misc. NID laws**

**Kevin Tyjeski, AICP**  
**Chief Planning Manager**  
**City Planning Division**

**Duties and Composition of Governing Board**

- **The Governing Board shall be the City Council for the City of Orlando.**
- **The Mayor of the City of Orlando shall serve as the Chair of the Governing Board.**
- **The Chair of the Governing Board shall appoint the Advisory Council, which shall be confirmed by the Governing Board.**
- **The Governing Board shall be responsible for all Major Decisions (or the ratification of all Major Decisions)**

## **Duties and Composition of Governing Board**

- **Taxation**
- **Administration of referendum on taxation**
  - **Special Assessment**
  - **Levy Ad Valorem tax on real and personal property (up to 2 mills annually),**
- **If tax is approved through referendum – levying the tax approved by the district**
- **Eminent Domain**
- **District Boundary Modification**
- **Approve Annual Budget**

## Major Decisions

- **Approve Contracts in excess of \$250,000**
- **Approve Capital Improvements Plan for South Downtown NID**
- **Apply for and receive grants (not to be confused with the Advisory Council's ability to do the same)**
- **Financing**
- **Traditional / Bonding (if applicable)**

## **Major Decisions (Continued)**

- **5 members appointed by the Governing Board.**
  - **One member shall represent Orlando Health**
  - **One member shall represent the owner of a parcel that is currently designated for an industrial use within the District.**
- **The Advisory Council shall be responsible for all Minor Decisions.**

## **Duties and composition of Advisory Council**

- **Monitor, refine and recommend changes to the South Downtown Vision Plan.**
- **Monitor and provide comments regarding proposed development within the South Downtown NID.**
- **Assist in the modification or creation of any overlay zoning district within the Downtown South NID.**
- **Prepare a Capital Improvements Plan**
- **Prepare a Financing Plan to support the Capital Improvements Plan**

## **Minor Decisions**

- **Prepare Annual Budget for approval by Governing Board**
- **Approve of Contracts under \$250,000, subject to Annual Budget.**
- **Approve staffing (not City employees)**
- **Apply for and receive grants.**
- **Provide recommendations to Governing Board regarding all Major Decisions**

## **Minor Decisions (Continued)**

- **Accept meeting minutes for Meeting #4 and file with the City Clerk.**
- **Accept Exploratory Committee Final Report.**
- **Direct the City Attorney to prepare the necessary ordinances in accordance with the Committee's Final Report.**

**Recommendations – Item C.2 on October 18  
Consent Agenda**



Questions?