

**MINUTES OF THE REGULAR MEETING OF THE CITY OF STUART
COMMUNITY REDEVELOPMENT BOARD HELD IN CITY HALL, 121
SOUTHWEST FLAGLER AVENUE, STUART, FLORIDA ON TUESDAY, MAY
6, 2008**

Those present: Frank Wacha, Jr., Chairman
Patty Henderson
David Collier
Gene Rifkin
Samia Ferraro

Those absent: Meg Whitmer, Vice Chair
Donald Komara

Also present: Dan Hudson, City Manager
Paul Nicoletti, City Attorney
Kev Freeman, Development Director
Chief Morley, Police Chief
Teresa Lamar-Sarno, CRA Consultant
Joly Boglioli, Assistant Financial Services Director
Chuck Weser, CRA Coordinator

I. CALL TO ORDER: Chairman

Chairman Wacha called the meeting to order at 4:05PM

II. ROLL CALL: Secretary

Those answering roll call and others present are referenced above.

III. APPROVAL OF MINUTES: April 1, 2008

MOTION: Gene Rifkin moved to approve the minutes with the change of ad valium to ad valorem

SECOND: Dave Collier

Motion carried

Public Comments: None

Board Comments: None

- 1. Public Hearing: Text amendment to section 3.01.06 of the City's Land Development Regulations (LDR), and to Chapters II, VI, X and XI where appropriate, pertaining to Urban Code Exception Requirements in order to incorporate a procedure for a Determination of Alternative Compliance.**

Presentation: Kev Freeman

Public Comments: None

Board Comments:

Dave Collier said that he knew that there were some pretty strong objections to certain portions made at the workshop, but the contents of this proposal are in line with what he suggested six months ago and there should be some good faith effort to show that the Commission and the City have paid attention to those concerns and have modified the urban code effectively and what is before us today generally does that very well. He said the rabbit punch comes from killing off the projects in the pipeline approved under the old urban code. Then when the bad times hit instead of allowing the project to sit, they are turned down then the code is changed on them and the value of what they can put on their property is lessened over time which doesn't seem fair.

Kev Freeman said there is nothing in this code now that affects anybody's right at the moment or even when this is implemented as to what can be built as we now see it.

David Collier said except when they come to their period of approval the Commission has killed the project by not extending the time limit.

Patty Henderson said this is the Commission that you are referring to, Commission decisions and this board serves at the pleasure of the Commission.

David Collier replied that he is not saying that they don't, he is just saying that it makes this different than it would be if it were in a vacuum and being treated by itself. He said he would still move to approve it because it's the right thing to do but they're not in a vacuum and there are other actions being taken that have an import on the development community which will increase their problems.

Chairman Wacha said this was requested as a discussion item and with the full agenda, maybe they should discuss it at the next meeting.

David Collier said on Page 6 of 17 there is a wrong title, it is Community Development Board and Page 7 of 17 on the credits when you say "should be continued around all sides of the building" and you strike "that are visible from the public realm" what are you accomplishing by having a building that has the same architectural treatment all the way around including the wall that nobody can see.

Kev Freeman replied that the neighbors can see it.

David Collier said he assumed if it can be seen from the public realm then it will include any area the neighbors can see. He said he couldn't conceive of standing on a sidewalk in the public realm.

Kev Freeman replied that Staff saw the Commission and boards constantly wanting to improve the overall architectural quality of projects.

David Collier asked if the meeting was advertised.

Key Freeman replied that it was.

Chairman Wacha asked if striking the height compatibility limits their ability to use that as something that they can talk about because it is a quasi-judicial hearing. He asked if that will remove that from their ability to actually use compatibility with the neighbor as criteria that they use in assessing projects.

Paul Nicoletti responded that the deletion gives you less handle on a scale. He said if you say the proposed building is proportional is that proportionally bigger or smaller or the same and complimentary is in the eye of the beholder. He said the language is not descriptive enough.

David Collier said there is text in there about providing models so scale and proportionality is something that should be reviewed and said maybe they are hung up on building height, yet he takes out the opportunity to discuss it.

Chairman Wacha suggested moving that to the introduction so then it could be part of the discussion.

David Collier said to add the language “to allow the reviewing bodies to determine the proportionality of the project”.

Key Freeman read a section that said alternative compliance approval shall only be granted if the applicant can demonstrate that the request is consistent with and will further the implementation of this code, the CRA Redevelopment Plan, the City Comprehensive Plan and will measurably improve the form, function and traditional neighborhood characteristics of the urban district. He said in effect they have to demonstrate that.

Patty Henderson said she thought the point of this was to make things clearer to the builders and doesn't think they are heading in that direction. She said if they want that, they need to say it not imply it.

Paul Nicoletti said not to forget that in the beginning of this code on page one it clearly calls out the number of stories and building heights that are elements of the major alternative compliance.

Chairman Wacha asked if he was comfortable that they could have that discussion.

Paul Nicoletti said yes if you read that in conjunction with the fact that they are requiring a graphic model.

Gene Rifkin agreed with Patty Henderson as to the effect on the neighborhood and proportion of the buildings in conformity with the neighborhood.

Paul Nicoletti said that if that is their direction, then he would come up with some language but didn't want to do it on the fly.

Samia Ferraro thought that the language needed to be in the prerequisites not in the design credits.

Chairman Wacha noticed the historic building was in there and asked if it was to excuse a historic building from having to meet certain setbacks and asked if that was making it more difficult and make it a minor so it was easier for people to restore old buildings.

Kevin Freeman said that was a good point and historic buildings are not quantified in an acceptable manner and they are revisiting that list and would perhaps redefine the historic buildings as buildings of special interest.

Chairman Wacha asked if they could define a special building and make it a minor.

David Collier asked if Staff could work on that list.

Public Comments:

Mike Gorman asked about the art approval which is indicated as Alternative Compliance and asked the costs to enter into that.

Frank Wacha said that is the way it has always been and asked if this was a reasonable concern.

Dave Collier said there is a certain amount of Staff cost and maybe they could credit that but would hate to see the cost wiped out.

MOTION: Patty Henderson move to approve with the additional wording having to do with building scale and proportionality

SECOND: Samia Ferraro

Motion carried

2. Discussion and deliberation on CRA Policing Plan

Presentation: Dan Hudson

Presentation: Chief Morley

Public Comments: None

Board Comments:

Chairman Wacha asked about Baker Rd. which is part of the area and questioned how one officer equaling four officers.

Chief Morley replied that Baker Rd. was included and that there were three officers for the three shifts and one alternate.

Gene Rifkin asked if most of this was bicycle patrols.

Chief Morley replied that bicycle, cars etc... would be used.

Patty Henderson asked if other officers would be in that area.

Chief Morley replied that they would.

David Collier would like to see this as a one year inter-local and doesn't see how this would work legally if the officer left the area for an emergency and also noted that the special operations officer is not mentioned.

Chief Morley responded that there would be an officer in that zone 24/7 but to say he would not leave that area in case of an emergency would be impossible.

David Collier said to beware of a laissez faire attitude and that this is a much higher dollar amount than the other CRA's listed and mentioned how most of the department operates on ad valorem funds and the specifics of people paid from the CRA funds are pretty rigid and said this is basically a financial supplement to the police department and he understood that this year it needs to be done but he doesn't want it viewed as something that continues forever without some chance of that money being pulled out.

Gene Rifkin said the police budget has been providing protection for the CRA for many years without any funding assistance.

David Collier said this is pushing the envelope.

Chief Morley said there are five cities that they quoted and only two put into policing less than what they are asking for which is Melbourne and Lake Worth.

Paul Nicoletti said that based on Chapter 163 there is a requirement for an annual appropriation and in this case there needs to be a finding that the program is required as it's not a body, it's a program. He said an individual officer may get called out of the CRA for a given incident but he didn't think that triggers the question of the audit comment. If you take that same officer and he spends 75% out of the CRA district, that would be a legitimate concern.

David Collier said the other jurisdictions refer to it as Community Policing and that is a lot vaguer and easier to comply with.

Chief Morley said one of his goals was to cross-train the officers in Code Enforcement for the CRA because that is another tool they can use.

Samia Ferraro asked if besides having an officer in the area are there any other programs being implemented.

Chief Morley replied that they are going to have Business Watch, Crime Watch, foot patrol, bicycle patrols etc...

Chairman Wacha suggested reiterating that there will be other officers in the area and asked that be added into the language.

David Collier said it would not change the coverage one iota, just prevent laying off personnel. He suggested the language be changed to “we are putting x amount of money into the police department budget for programs to directly assist the CRA”. He thought the money should go into the program as a supplement to the police department which has to be done in these tough times.

Chairman Wacha noted that none of them had been able to read the attorneys comments.

Dave Collier asked if something would come before them to review before it went to Commission.

Dan Hudson wasn't sure if it had to be in the form of an inter-local agreement and said they would bring it to the CRA and the Commission.

David Collier asked when it would be implemented and if it would be for a set period of time.

Dan Hudson said that they want to implement it as soon as possible and it would be for a set period of time as one requirement is an annual approval of the program.

Patty Henderson mentioned that her son-in-law is a police officer for the City of Stuart and asked if she was able to vote on this.

Paul Nicoletti asked if he supported her in any way.

Patty Henderson said he did not.

Paul Nicoletti told her it was ok for her to vote then.

MOTION: Dave Collier moved to approve the concept of CRA funding in the dollar amount listed through an agreement that would provide a portion of police protection and services within the CRA for a period of one year starting with the implementation of the program.

SECOND: Gene Rifkin

Motion Carried

Dave Collier commented that when the Commission thinks about cutting back the boundaries of the CRA and transferring more money to ad-valorem they might want to remind them of this action.

3. Discussion and deliberation on CRA Ad Valorem projects

Presentation: Murriah Dekle and Kev Freeman

Public Comments: None

Board Comments:

David Collier asked if the \$103 million would be directly related to the CRA and loss of TIF funds.

Kevin Freeman replied potentially yes.

Chairman Wachua asked what the TIF multiplier was.

Joly Bogioli said 4.3 for the City.

David Collier asked what they are multiplying and that would be the increase in assessed value of CRA from a specific date. He said if this is \$103 million in construction costs within the CRA and assume the projects would be finished next week then asked how much the assessable base is currently.

Dan Hudson replied that would be a separate analysis.

Dave Collier said that they may want to recommend that the total CRA, CRB and Commission be given a presentation on the effect of what they are showing on this chart.

Kevin Freeman said that a trend would more clearly demonstrate it.

MOTION: Dave Collier moved that this material be modified to provide additional information on the impact on the TIF revenues proposed for the next year or two and be provided to the CRA at the next meeting.

SECOND: Patty Henderson

Motion carried

Chairman Wachua asked him to clarify what he wanted.

Dave Collier said he wanted to switch from construction cost to lost TIF revenue.

Kevin Freeman said that what he is talking about is a trend with the numbers incorporated if the developments were to go ahead and a trend if they didn't.

4. Discussion and deliberation on the East Stuart Initiative Update Report

Presentation: Dan Hudson and Teresa Lamar-Sarno

Public Comments: None

Board Comments:

Samia Ferraro asked how Teresa defined historical buildings.

Teresa Lamar-Sarno said anything over fifty years old, however she used the 1997 historic survey to pinpoint the most significant buildings in East Stuart. She said there are vacant pieces of property that used to have buildings which would be considered a historic resource of some type that could be located on the map and there are approximately six significant to the 1997 survey.

Samia Ferraro asked if she could be a little more specific in what she is looking to fund in the grant she is preparing.

Teresa Lamar-Sarno replied a market study because after speaking with the community, in order to bring economic development to the area there needs to be a detailed and defined study of what kind of businesses will thrive there.

Patty Henderson asked if she would get SCORE involved.

Teresa Lamar-Sarno said that they would in addition to IRCC, FAU and other entities.

David Collier asked if she has been able to find any examples of other CRA's and Mainstreets with the same characteristics that have been successful and what has brought them success.

Teresa Lamar-Sarno said the Lincoln Park area in Ft. Pierce has had some success with bringing in new businesses and there is also another area in Clearwater that has been successful.

David Collier said he is a strong believer in tours and hoped she could find some success stories that they could look at.

Teresa Lamar-Sarno said she would be happy to do that.

MOTION: Samia Ferraro moved to accept the report and have Staff write a letter of support for Frank Wacha to sign.

SECOND: David Collier

Motion carried

Frank Wacha said that he has made a piece of property available for historic property and homes to be moved to it. He said he received a call from someone in East Stuart telling him about a piece that he didn't want on his property anymore so he looked at it and it was disheartening because it was beyond repair because it hadn't been sealed up so he asked if funds should be made available for someone who wants to preserve a historic building.

David Collier asked that the CRA Staff to do a survey in East Stuart and look into how many buildings in that area might fit those criteria.

MOTION: David Collier moved that the CRA Staff do a survey in East Stuart to find vacant buildings in East Stuart that may be preserved until they are restored and provide them with information on the number of buildings.

SECOND: Patty Henderson

Motion carried

Samia Ferraro asked if they could come up with specifics on what made a building historic as opposed to old and would like it in writing.

5. Discussion and deliberation on the Annual CRA Report

Presentation: Chuck Weser

Public Comments: None

Board Comments:

David Collier asked what is required by law to be provided to the State.

Chuck Weser replied a financial statement and activities of the CRA.

David Collier said he did not think that the current and in-progress projects are shown adequately on the report for everyone to understand or review the activities of the CRA. He asked Joly Boglioli what had been submitted prior to this and if a CIP for the CRA projects was given to the state.

Joly Boglioli replied that the original CIP list had been submitted to the state and the DCA.

David Collier said a lot of things are a bit of a stretch and needs more specificity as to worthy projects such as Sailfish 6 and there could be some data on ridership. He thought that it needed more work and said the group has never seen a CRA report before.

Frank Wacha said it needed a little more information about each of the items so people knew exactly what was going on.

Mike Gorman said that certain properties in the CRA, like the waterfront generate more TIF money than anywhere else and asked if there are any policies in the CRA as to how the money is spent.

Frank Wacha replied that when the budget is presented would be the best time to address this.

Mike Gorman asked if there should be a policy on this because there has not been any money spent on certain areas.

David Collier asked if he went to any of the hearings that went on regarding Seminole Street.

Mike Gorman said he had.

David Collier asked what happened to the Seminole Street project and maybe they should have that answered at the next meeting.

Dan Hudson said that there is a CRA plan on how the money would be spent in the CRA and today they are putting everything on hold until an update is completed on the plan and then the projects will get back on track.

MOTION: David Collier moved to accept the financial portion of the report and request the progress section be more informative before being sent to the state.

SECOND: Patty Henderson

Motion carried

6. Discussion and deliberation on MSCW report

Presentation: Jim Karas

Public Comments: None

Board Comments:

Chairman Wacha asked that the Board be emailed his presentation.

David Collier said he serves on Mainstreet and they have gone through some major organizational changes and created an economic committee and realized they had no information on occupancy rates retail/commercial so they've met with the statistician at Seacoast Bank and found out there was no data collection going on in Martin County. They asked how they would get that kind of data here and since it's a small market and there are four commercial real estate firms who don't share data. He thought this was something that should be looked at seriously.

Jim Karas said that they invited ten real estate firms but had a small turnout.

David Collier said that bank loan officers had to have the information and can put pressure on the commercial real estate agents to give them that information.

Jim Karas said that commercial loans are so competitive right now most banks are writing lines of credit right now.

7. Discussion and deliberation of costs, proposed designs and proposed location of the public restroom (area between City Hall and Stuart Annex)

Presentation: Chuck Weser

Public Comments: None

Board Comments:

David Collier read the minutes from the April 1st meeting and said he didn't think Chuck Weser was listening. He said when he heard the discussion of why he couldn't attach to a building, the fact that Chuck had selected where the building would attach rather than trying to find the most feasible place to attach it struck him as not following the directions of the motion that was made.

Chuck Weser asked what side of the building he would like it fastened to.

David Collier replied the City Hall building where the existing plumbing could be utilized by an addition without additional plumbing work. He asked if this was tied into the FIND Grant because he said he received a call from a FIND Commissioner who said there needs to be a decision made soon.

Dan Hudson said the grant included the restroom as part of the total project as a dollar to dollar match and said he didn't think if the restroom got delayed it would affect the grant.

Chairman Wacha said that he thought it was a good idea and would save some money if it was attached to a building and asked if there was any reason he did not want to do that.

Chuck Weser said space.

David Collier showed the Poppleton Creek restroom and said that might be an idea if it were put against that wall.

Patty Henderson said there was some discussion of having it built locally.

Chairman Wacha said he thought the money would be well spent attaching it to the building.

David Collier asked Staff come back to the next meeting with costs for a building that would attach to the building.

Chuck Weser said he could put a prefab against that wall, but he wants it to look good.

Chairman Wacha said the prefab was very expensive.

Patty Henderson said she wanted to keep the amount of function but decrease the amount of size and putting it against the building does that.

Chuck Weser asked what size the board would like see block made on the north side of the building.

David Collier said to give them a couple of options based on what he sees fits at that location and bring it back to them.

IV: COMMENTS FROM THE PUBLIC:

V. NEXT CRB MEETING:

June 3, 2008

VI. ADJOURN:

MOTION: David Collier

SECOND: Gene Rifkin

Motion carried

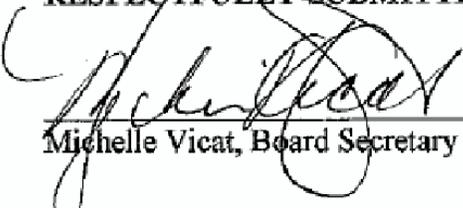
Chairman Wacha, there being no further business before the Board the meeting is adjourned at 6:32 PM.

APPROVED



Frank Wacha, Jr., Chairman

RESPECTFULLY SUBMITTED



Michelle Vicat, Board Secretary