

**MINUTES OF THE SPECIAL MEETING OF THE CITY OF STUART
COMMUNITY REDEVELOPMENT BOARD HELD IN CITY HALL, 121
SOUTHWEST FLAGLER AVENUE, STUART, FLORIDA ON TUESDAY,
DECEMBER 15, 2009**

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

Those absent: Johnnie Bell

Also present: Paul Nicoletti, City Attorney
Terry O'Neil, Interim Development Director
Murriah Dekle, Project Planner II

I. CALL TO ORDER: Chairman

Chairman Wacha called the meeting to order at 4:04PM

II. ROLL CALL: Secretary

Those answering roll call and others present are referenced above.

III. APPROVAL OF MINUTES: December 1, 2009

MOTION: Pete Walson
SECOND: David Collier

Motion carried: 6/0

Public Comments: None

Board Comments: None

1. Request to consider a major urban code exception to 1) Engage in substantial renovation and 2) Legalize existing non-conforming features and 3) Allow for alteration to the exterior of a historic structure. Property Location: 61 SW Osceola Street Petitioner: Mulligan's Beach House Representative: Terry McCarthy

Presentation: Murriah Dekle, Project Planner II
Terry McCarthy, Representative
Marcela Cambor, Consultant
George Hart, Owner

Public Comments:

Paul Daly, owner of the Flagler Grill said he thought Mulligan's could be a great asset to Downtown Stuart. He said he did have some reservations and thought that customers of the Riverwalk should not have to walk through another restaurant to get there. He said he petitioned the city in 2004 to have outside seating and did not receive it and did not think that Mulligan's should.

Michael Landry representative of the Riverwalk said with regard to changing the color, they are not against it and they are for having Mulligan's there. He said they are not in favor of the current design and the three parking spaces are important to Riverwalk.

Ron Hart of Earthtones said he considers himself a good barometer for the economic condition of Downtown Stuart and he is a proponent of Mulligan's and encouraged everyone to be open minded about this.

Boyd Bradfield who has managed the property for many years said they had problems with the ocher color of the Ashley and the windows at Riverwalk and the owners will not put the building on the state historical list.

Harold Yarbrough a resident of Stuart said it has become a dying place. He said everything that George Hart does is very successful and that towns are begging people to come in and here they have someone offering and it would be a great asset.

Joe Bolster with Unifirst who has dealt with George Hart for many years and has lived in Stuart for 48 years thought it would give Stuart a boost.

Mary Hoertz the office manager for Mulligan's Jensen Beach said that when Mulligan's has events it brings many people and if there are not any seats open in Mulligan's they will go to the other restaurants in the area and thinks it would add to the corner and other businesses will see their revenues increase.

Rita Parkinson a resident of Stuart and representative of Fellowship Hall said they were concerned about the parking problems. She wanted to make sure the parking was available to everyone downtown as the Ashley had blocked off parking spots.

Marcy Maloot from the Riverwalk Café said they welcomed Mulligan's and thought they were two different types of restaurants. She said they were concerned about the noise if the Riverwalk opened their windows.

Ron Rose, Executive Director of the Chamber of Commerce said that Mulligan's is a tremendous supporter of their events and he is offended that people knock the Jensen Beach Mulligan's. He also said he read something in the newspaper about the parking in Downtown Stuart being adequate.

Teresa Lamar-Sarno clarified that the study has not been finalized yet and it doesn't necessarily say that, so the board would be looking at that at a workshop in January.

Horatio Lertora a local artist who has done several pieces for Mulligan's said he was requested to do some pieces for the Stuart Mulligan's so he has gone to several places in the area for inspiration.

Anthony Polito the Corporate Chef of Mulligan's said that Mulligan's has done a lot for local charities and the emphasis on the menu is local traditional Florida cuisine but they will be keeping the competitive prices.

Board Comments:

Samia Ferraro abstained from voting due to a conflict of interest and filed the appropriate Form 8B with the clerk.

Pete Walson said Mr. McCarthy called him and he told him he hadn't looked at it yet.

Gene Rifkin said she met with Marcela Cambor.

David Collier spoke with Mr. McCarthy.

Frank Wacha said he spoke with Mr. McCarthy also.

David Collier asked if there was an approved pallet of colors for the CRA.

Murriah Dekle said yes they have the CRA color wheel.

Terry O'Neil said when the building was painted there was a more limited amount of colors in the color wheel and it has since expanded.

Pete Walson asked if Condition #2 should reflect that they stay within a color scheme consistent with the CRA color palette.

Terry O'Neil said not necessarily given the adjoining building and the historical character of the building that it remain within the red range with black awnings and stay largely as it is.

David Collier asked on Condition #3 where the third door is.

Terry O'Neil said it was approximately 2/3 of the way down.

Gene Rifkin questioned the billfish mounts and requested they consider the mural idea.

Terry O'Neil said they wanted real mounts and they did not object to the number proposed by the applicant.

Gene Rifkin asked how the Vero Beach restaurant was different from Jensen Beach.

George Hart replied there is a base menu in each restaurant but they adapt each restaurant to each area.

David Collier asked if part of their decision is related to the building elevations.

George Hart said the way the Ashley sits doesn't work and it needs to be remodeled.

David Collier mentioned the parking problem in downtown.

George Hart said they were happy to work with someone to help with that.

Patty Henderson asked if the owners of the Riverwalk Café had any issues with the color. She thought there should be building differentiation.

Pete Carlson was confused on how many of the conditions of approval were within their purview.

Paul Nicoletti said this was before them as a Major Urban Code Exception and the CRB makes a recommendation to the City Commission on everything that has to do with this development that is within this City's purview.

Pete Carlson said as far as he was concerned on color, as long as they stay within the current palette he is fine. He said the structural items such as the awnings being consistent are better.

David Collier asked if the CRB adopted staff recommendations with possibly a couple addenda, would that be sufficient.

Paul Nicoletti said generally yes but the issue of the elevation needs to be resolved.

MOTION: Pete Walson moved to approve Staff Recommendation #1.

SECOND: David Collier

Motion carried 5/0

Pete Walson thought they should stay within the approved city color palette as opposed to the existing color scheme.

Terry O'Neil thought they should know exactly what the color scheme is.

George Hart said the colors being used are right off the color palette.

Gene Rifkin thought they should reverse the yellow and blue.

Patty Henderson thought people should be left alone to run their businesses and congratulated George Hart on his civic involvement.

Frank Wacha thought that there should be differentiation in color in buildings downtown.

MOTION: Pete Walson moved approval of the Staff Recommendation #2 with the amendment that it should say instead of buildings existing color scheme it should be in keeping with the City's existing palette code

SECOND: Gene Rifkin

Motion carried 4 to 1 with David Collier opposing

MOTION: David Collier moved to approve Staff Recommendation #3

SECOND: Pete Walson

Motion carried 5/0

MOTION: Pete Walson moved to strike Staff Recommendation #4

SECOND: Patty Henderson

Motion carried 4/1 with David Collier opposing

David Collier asked Staff to explain their recommendation as he thought the staff recommendation should stand unless there is a good justification against it.

Terry O'Neil said that staff recommendation is from a preservationist standpoint and the language in the code that says existing facades should remain.

Paul Nicoletti clarified for the record that they are going to record an abstention for every vote that is taken for Ms. Ferraro.

Chairman Wacha said he does not support any type of extension of the sidewalk into the road. He said he did think sidewalk dining was a great idea anywhere it can be done but thought they should move the north façade back as they did on the Osceola side.

Pete Walson asked if the windowsills are higher or lower.

Marcela Camblor said the Osceola side has been altered over the years.

Gene Rifkin agreed with Chairman Wacha as far as the outdoor dining as the traffic is too difficult and the road too narrow.

Patty Henderson agreed also.

Pete Walson said he is hearing that the Osceola treatment is brilliant so #5 the windowsills would have to be deleted.

David Collier suggested extending the awnings as far over the sidewalk as possible to provide ample shade to diners.

MOTION: Pete Walson moved to amend their approval of Staff Recommendation #3 to strike the word existing and approve the Osceola Street concept of the articulation of the facades on both sides.

SECOND: Gene Rifkin

Motion carried 5/0

Chairman Wacha recommended that they do not remove the parking.

MOTION: Patty Henderson moved to approved Staff Recommendation 5 with the amendment that they keep the sill height and put the doors wherever they need to be.

SECOND: David Collier

Motion carried 5/0

MOTION: David Collier recommended that they approve Staff Recommendations 6-10

SECOND: Pete Walson

Motion carried 5/0

MOTION: David Collier said in the upcoming changes to the CRA Plan they should try to give priority to the issue of modifications to the streetscape on St. Lucie, Osceola and Flagler to provide maximum outside eating opportunities.

SECOND: Gene Rifkin

Motion carried 6/0

Teresa Lamar-Sarno announced a joint workshop on January 19th at 4PM for the IBI Parking Master Plan.

Patty Henderson said she wanted to welcome Mr. Hart to downtown and tell him that she knows this is a lot to go through to come to Downtown Stuart but there are a lot of people here that are looking forward to him and what he is going to do for downtown.

IV. NEXT CRB MEETING: January 5, 2010

V. ADJOURN:

Chairman Wacha, there being no further business before the Board the meeting is adjourned at 6:22PM.

APPROVED

RESPECTFULLY SUBMITTED

Frank Wacha, Jr., Chairman

Michelle Vicat, Board Secretary