

MINUTES OF THE REGULAR MEETING OF THE CITY OF STUART COMMUNITY REDEVELOPMENT BOARD HELD IN CITY HALL, 123 SOUTHWEST FLAGLER AVENUE, STUART, FLORIDA ON TUESDAY, DECEMBER 4, 2007

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

Those absent: Meg Whitmer, Vice Chairman

Also present: Dan Hudson, City Manager
Kev Freeman, Development Director

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: November 5, 2007

MOTION: Gene Rifkin
SECOND: Samia Ferraro

Motion carried

Public Comments: None

Board Comments:

David Collier requested the City Commission/CRB CRA meeting minutes need to come before the CRB before the next meeting and asked that they be rewritten. He also mentioned that the CRB asked for a discussion with the consultants as to what role the CRB would be playing with them as they get to work on the CRA plan and there is nothing on the agenda relating to that and find out exactly what the CRA coordinators linkage with the CRB is.

1. Proposed amendments to the Avonlea Planned Unit Development amending Ordinance #2026-05 and Ordinance #2081-06 of the Stuart City Commission.

Presentation: Kev Freeman

Presentation: Frank Wacha

David Collier asked if there was a goal of seeing projects come to an end and asked what the purpose was of a clearly defined drop dead date. He then asked if development signs that had completion dates that had passed could be removed.

Kev Freeman said he thought there should be a drop dead date for the final CO so they aren't getting three timetable extensions in for one project. He said they are ultimately trying to simplify the measure that people have to look at when they request timetable extensions.

David Collier thought it would be better considering the market to keep the projects in the pipeline.

Patty Henderson said regarding "removing the timetable for CO on the Avonlea pattern book" that it cannot be open ended.

Don Komara stated on a project like this there are going to be many CO's.

Frank Wacha said that he is asking that a new paradigm be used here where the big issue with the CO is that you want to make sure you have a good building and he's trying to take that issue off the board by saying they are going to have to live up to the pattern book and making sure all of the infrastructure is done on a timely basis.

Gene Rifkin asked him if that meant it would go on indefinitely or if there would be any caps.

David Collier asked Dan Hudson about the County approving Amendment 423 on Martin Downs to change the timetable amendment and remembered there was a limited amount of housing units available per time period and it was tied to the comprehensive plan and you get a deadline which if you didn't meet, you lose.

Dan Hudson said the County had an extensive accounting system for residential properties and didn't know if that was something that they wanted to get into.

Kev Freeman said there is an annual concurrency report and some account of projects in the pipeline, but until they are built they have no physical impact on the concurrency measure. Staffs concern is they have all of these projects built up and they all go online at the same time, who gets first go at the concurrency if they don't have some reassessment of these projects after their final drop dead date and if they do get an extension they should get an opportunity to think things have changed in that time period and we do have to revisit maybe traffic concurrency, water supply or school districting.

Dan Hudson said traffic is probably an area to be concerned with.

David Collier thought sewer and water didn't have the capacity and if you reserve it by paying for it then the utility system can build to be there when you need it or sit there unused for awhile.

Frank Wacha said regarding traffic concurrency, his whole project is in a traffic exemption area and the traffic is actually decreasing in that area if you look at the counts and before Avonlea Village is approved they have a permit into the County now which two ways that road and will add to capacity.

Don Komara asked why the capacity to build on a lot could be taken away and what would happen if you didn't sell some lots after a period of time and what would happen as far as water and sewer.

Dan Hudson replied that typically capacities are not reserved for transportation, it is done based on a point in time.

Dave Collier questioned at what point do you consider a project expired and another thing is half completed projects, so trying to avoid that is something that needs to be looked at.

Kev Freeman replied that is one of Staffs concerns when you have the three tiered drop dead dates.

Gene Rifkin said infinity scares her and instead of drop dead dates could there be built-in assessment dates.

Patty Henderson asked what would happen if some lots didn't get built on for 20 years and things changed in that time.

Frank Wacha said there should be continual reviews.

Samia Ferraro liked Frank Wachas philosophy but thought he was taking two separate things and trying to put them together and they needed to take some time to take a look at this and think it through.

Don Komara commented that all cities were planned and the buildings came later after the plan.

Frank Wacha said the basic infrastructure is there and would rather utilize the existing infrastructure.

Patty Henderson asked Kev Freeman about unattended consequences and said she has a certain comfort level with this project but asked what precedent this would set with other people coming in to ask for PUD's.

Kev Freeman said what Frank is doing is available for anyone to do. The control over that is the Board.

Gene Rifkin asked if timetables would be an exception process?

Kev Freeman replied that this is a discussion item and at the moment they are. They can either be a minor amendment if they propose a timetable extension of a year or less or a major if a year or more. By implication a major then requires a further discussion of traffic concurrency impacts and any other contributions that have been part of the original PUD and that is one thing that has not been mentioned within these timetable extensions is that when these agreements were made, there were conditions set relevant to that moment in time to projects or contributions expected to be made by the developer or projects outside of the development remit. Staffs concern is if you lose the long term planning that goes into these PUD projects, at that time should there be a revisit to examine the maintenance or intent of the original PUD and what impact it has on the City and try to get away from this isolated consideration of individual projects and bring them out to the city wide arena where they should be.

Gene Rifkin asked if Frank Wacha could go to the City Commission now and get this timetable change?

Kev Freeman stated that he could request that.

Gene Rifkin questioned whether that would be a major exception.

Kev Freeman replied that if he asked for a year it would be a minor and anything over that is major.

Gene Rifkin said that he wanted indefinite so it would continue to be a decision made by the Commission for each project that came in asking for the same thing.

Kev Freeman said that is correct.

Gene Rifkin stated that if this is approved now it sets a precedent for other projects to come in for an indefinite time period.

Keve Freeman said that they could ask for that but it doesn't set a precedent as such that it has to be approved. They would have to clearly demonstrate to the Boards and Commission that it fit into the intent of the overall PUD agreement and ultimately that's where the control lies.

Gene Rifkin said that based on the economy right now it would be approved.

Samia Ferraro asked if this was going before the Commission on December 10th.

Keve Freeman said that there will be a timetable extension discussion on the 10th.

Patty Henderson asked if there was a recommendation needed today or whether it was just discussion.

Keve Freeman replied that there was a combination of things happening with this proposal. The applicants request to build in and amend the PUD Exhibit F to change that to the pattern book and Staff recommends that is moved forward. Associated with that there are conflicts within parts of the PUD which would be resolved at the same time in Exhibits F, H, I and C but that is really to remove the conflicts between some of the implications of Exhibit F. There is also the request for timetable extension and that is in an entirely new way of thinking and Staff would like for this discussion with the Commission to take place to have a more formal policy position for Staff to be able to take and for developers to be aware of and for Boards to be following that direction before recommending approval of the timetable extension here. They could move on the basis that whatever is put forward to the LPA and Commission subsequently will follow the recommendations of what the Board said here today and overridden by any implications of the Commission in their discussion on the 10th and whether those issues need to be brought back to the CRB is for the CRB to determine.

Patty Henderson said taking point one and Exhibit F and moving it to the pattern book is one issue and can be decided today and the timetable extension is a separate issue. She said that Staff mentioned there were some issues that needed to be worked out and asked if the motion needed to reflect that.

Keve Freeman said that the motion should reflect the recommendation to adopt the pattern book as Exhibit F with the removal of any conflicts.

Gene Rifkin asked about the items marked but not included in the pattern book?

Keve Freeman replied that was an indication of difficulty in reading through it and finding page numbers and indexing.

There was a point by point discussion by all comparing Exhibit F to the pattern book.

MOTION: David Collier moved that the CRB recommend Commission approval of the utilization of the pattern book presented for the Avonlea PUD in place of Exhibit F with the understanding that Staff is currently working and will provide the Commission with any further revisions to any of the other exhibits that were part of the PUD and any revisions that will be required in order to comply with whatever timeline decisions are made by the Commission.

SECOND: Samia Ferraro

Motion carried

Gene Rifkin stated that as far as the timetable extension she would prefer not to send a motion to the Commission. She would like their comments to be included, summarized and given to the City Commission.

Dave Collier thought that a formal motion should be made so that the minutes reflect the intent of the board.

MOTION: Gene Rifkin moved that the CRB forward to the City Commission a summary of all of the comments made pro and con regarding the timetable issue.

SECOND: Dave Collier

Motion carried

Dave Collier said that he has found driving around town many signs that say Occupancy 2006 and the development hasn't even started and asked if the sign ordinance had any provisions that said obsolete signs should be removed or something that can be reinforced as it is an embarrassment.

IV: COMMENTS FROM THE PUBLIC: None

V. NEXT CRB MEETING: January 8, 2008

VI. ADJOURN:

MOTION: Don Komara

SECOND: Patty Henderson

Motion carried

Chairman Wacha, there being no further business before the Board the meeting is adjourned at 5:51PM.

APPROVED

RESPECTFULLY SUBMITTED

Frank Wacha, Jr., Chairman

Michelle Vicat, Board Secretary