

**SPECIAL MEETING OF THE STUART CITY COMMISSION  
LOCAL PLANNING AGENCY  
COMMUNITY REDEVELOPMENT BOARD  
HELD ON APRIL 18, 2007  
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS  
121 S.W. FLAGLER AVE.  
STUART, FLORIDA 34994**

Roll call was answered by:

**Stuart City Commission**

**Mayor Mary L. Hutchinson  
Vice Mayor Jeffrey A. Krauskopf  
Commissioner Carol S. Waxler  
Commissioner Michael J. Mortell  
Commissioner James A. Christie, Jr.**

**Local Planning Agency**

**Chairman Dr. Edward Geary  
Board Member Li Roberts  
Board Member Xavier Blatch  
Board Member Michael Herbach  
Board Member Ted Astolfi (absent)**

**Community Redevelopment Board**

**Chairman Frank Wacha  
Vice Chairman Meg Whitmer  
Board Member David Collier  
Board Member Patty Henderson  
Board Member Donald Komara  
Board Member Gene Rifkin  
Board Member Samia Ferraro**

Also present were:

**City Manager: Dan Hudson  
City Attorney: Paul J. Nicoletti  
City Clerk : Cherie White  
Development Director, Kevin Freeman  
Board Secretary, Michelle Vicat**

**Mayor Hutchinson lead the the Pledge of Allegiance.**

**DISCUSSION & DELIBERATION**

**A Roundtable Workshop to discuss the Urban Code Rewrite.  
Kev Freeman, City Development Director.**

Kev Freeman gave a visual Powerpoint Presentation regarding the rewrite of the Urban Code. This will give the City an opportunity to look at the quality of design and architecture, and the overall intensity of the CRA. He stated the purpose of the Urban Code was to encourage redevelopment infill development, promote historic restoration and removal of the exception process in the Urban Code.

Waxler: We discussed this at the CCM Retreat and requested staff move forward with it.

Krauskopf: Is happy and likes having a simplified Code.

Hutchinson: Wants to have an easy to read and understand Code. She stated the Public needs it simplified.

Mortell: Always supported the form based Code, but it also needs to be balanced. The purpose for the exceptions was added so the City Commission was involved in the process. A form based code needs to be good but understand, projects can be approved that will never come before the LPA or the City Commission, so the Code needs to reflect good projects and well thought out.

Hutchinson: Understood the City Commission had an interest in every project.

Komara: Maybe it can still come before the Commission without the exception.

Mortell: I have to say I don't like that because the project that happened at the bank on East Ocean Blvd. was straight code, but because it was a certain number of units it had to come before the Commission but we could not vote no. If we don't have any input on it anyway what is the point.

Komara: Maybe look into an architectural review process.

Freeman: It would almost be a shopping list and staff would have to be more precise.

Waxler: Asked what staff source of the forms? Are you all in line on other communities that have developed this, or is it something we are doing originally?

Key: We have not had a fresh look at the code and have to start with the text and convert it. We utilized similar format that other communities are using.

Waxler: She did not want to reinvent the wheel and suggested looking at other cities and their form based codes.

Wacha: He feels the form based codes would be a good idea but the problem has been his Board has with the exception process; most of the times are that the project has already started when they come to the CRB for the exception. He said that whole neighborhoods need to be in harmony. He felt the City should have pictures visually for applicants to look at when they come in and they know what they are up against, and they know they have to fit in with the neighborhood.

Christie: He stated that when we met at the retreat we discussed particular neighborhoods and suggested looking at language as well as diagrams of what the City is looking for. I think we need to pay particular attention to neighborhoods. I would be interested to see what cottage lot session is will bring to neighborhoods that have small lots that need to be redeveloped. I had a concern early on when we have three boards here and on any level of discussion that we have on redevelopment that I know the different levels of concerns. I think this code should be a reflection of what the City wants itself, so that if we have a project that comes in and goes before the LPA and then comes before the CRB it gets some conflict and then comes before the City Commission and there is still more conflict and a lack of consensus, so I would like to see us focus on working together with the philosophy of form based code where we are all on the same page.

Hutchinson: I agree, but understand that we will all not agree on the architectural aspect of the projects.

Li Roberts: She expressed concern and was confused. She stated, "If you don't change the code you will still have exceptions correct?"

Nicoletti: It was clear at the retreat by the City Manager and myself, that the City Commission wanted to get rid of the exception process. He stated you should never get rid of the decision making process when you are dealing with development. There always decisions that have to be made whether you call them exceptions or permissions or negotiated decisions the PUD process for instance, it is all about negotiations and the flexibility that is built into it. There is no reason in a form based code you can't have that same flexibility.

Mortell: Exception is not a bad word to me. I agree that we need to change the code and I agree that with the idea of the urban codes dividing in the middle of the street and on one side of the street is residential and one side and urban commercial lot, that don't make sense either. To make the code really work and to participate in it we need to be prepared to set the code up that so someone can come before us and get parking under their building in exchange for giving us something else, and we are not being bad people by giving them parking under the building. That would be the process no matter what you call it, permission, negotiations, exception. What we need to decide as a whole is for example what Urban Neighborhood is,

Collier: Stated the Development staff in the past would not have produced a form based code because the department was not able to do that task. Now the staff has the ability to do this, staff should be able to lay out what is needed for the form based code. That code can be modified by the Commission upon findings of things that may be missed. He thinks the concept of planning districts, I know we call them urban because it is the Urban Code and I think you can extend it into the City generally, and have small platting districts that encompass several neighborhoods can work. As far as residential across the street from residential, it has to happen somewhere; there is the question of where you draw the line.

Hudson: I am hearing that the consensus of the boards is, to move forward with the form based code.

Gary Kelly: Came forward and supported the form based code but he really did not want to see happen is s hopping list. He stated that Port St Lucie has a bad standard for their Architecture, and did not want to see Stuart go by that.

Hutchinson: Agreed that there should be standards, but have flexibility to modify with a list.

Gary Kelly: Be careful with the list.

Waxler: Mr. Kelly had a good point and requested the Development Department draft so we get the basics but esthetically pleasing.

Hutchinson: Move forward with the "Examine the Exception Process".

Wacha: Does not like the process and asked if the PUD process could have an exception process? He expressed concern that the CRB does not see PUD's.

Mortell: Agreed that the City should have an urban code and get rid 95% of the exception process and then accept the fact that good projects don't need to come before us, that our staff is going to be Able to show that they have complied with those codes, therefore they are not going to be before us. You cannot have it both ways.

Hutchinson: For me personally I need to see how the code will be written to see whether I am willing to give up that process.

Henderson: Is there another process that is not an exception process but it does give you the chance to say yes or no?

Nicoletti: Wanted to explain the zoning process: There is nothing in the State law that requires you to have zoning. You have to have FLUM. The idea of taking neighborhoods, and determining what that neighborhood should ultimately look like, whether it is preserved or change it. You don't have to have a B-4 zone to do that. You can have a small neighborhood zones and identify what the City wants to see in that area. It is all negotiated at that point.

Mortell: Everything then is called an exception. You don't call it exception but it is the Commission is the one giving it away. The parking under the building and the set back is something we have to give them. The set back becomes something we have to give them. That's ok but, we need to recognize that giving them those things isn't wrong; it is part of the process.

Nicoletti: We can say, in the narrative, that we anticipate buildings of 1, 2 and 3 stories, for example. That is not giving anything away it is not mandating that they get three stories, it just identified what is typically in that kind of neighborhood. You can take the PUD process and use it for almost everything, I would not use it for single family homes, but use it to some extent for alot of the types of development that you are concerned about. They are not exception just part of the process. I think the idea of the laundry list is terrible too.

Waxler expressed concern over developers threatening straight zoning. She suggested that everything for discussion should be form based that we are proud of and can live with that fosters predictability of how we want our City developed. I like the idea of what Wacha said, and that is here it is and everything else is PUD process.

Collier: (inaudible train)

1:06:14 ~ 4/18/2007 6:39:55 PM ~

Mortell announced he was leaving: He stated that he supports the form based code and not have the Commission see every project, so long as they are already high quality projects that we don't need to see them.

1:06:54 ~ 4/18/2007 6:40:34 PM

Mayor: continued discussion ref exception process.

Freeman: Staff has direction regarding revisiting of the exception process, and look at where the Boards are headed.

Mike Stetson came forward and asked if this was in a neighborhood or City wide?

Nicoletti: Stated it may start in the Center and work its way outward. Get rid of B-1, B-2, B-3 and B-4, and create a community based upon the neighborhoods that we actually live and work in. He stated Mr. Stetsons land was annexed with a PUD in place.

1:11:07 ~ 4/18/2007 6:44:48 PM ~

Mayor: "Redefine the Urban District"

Krauskopf: Did not see East Stuart area, and stated he had heard talk about expanding the CRA and revitalization effort of the US 1 North corridor. He said he met with the American Institute of Architect who had a speaker who's message was Demand more expect the best and by having projects with open spaces and have projects that make you feel relaxed.

He requested Kev Freeman obtain materials from the Architect.

Hutchinson: Stated this was a much bigger process then what can be done tonight.

Freeman: Stated he has a good understanding of what the City is looking for with the discussion tonight.

Waxler asked that each one who is here submit to Kev Freeman suggestions or comments regarding the discussion, by using the maps presented tonight.

The CRB suggested each Board hold a special Workshop to discuss the matter.

Komara: He stated he still sees allot of confusion. He stated the seminar mentioned by Vice Mayor Krauskopf was an event that would have been a good planning tool for the boards here today. The fact is we have to start planning now for this City to be a more compact urban place with a very much higher level of density and we need to lobby for mass transit to come through here so we can get our trains back.

Hutchinson: I disagree. I think we should put a number on the population in the city and stick to it.

Komara: He stated the possibility with the way the code is written right now that we could have double density. I would rather that someone walk from their apartment to a restaurant then drive downtown.

Hutchinson: I understand a large density requirement is what would be needed for mass transit anyway.

Wacha: He stated the City needs to start looking at the neighborhoods and what their function is now and then discuss what the City envisions the neighborhood to be in the future finally, then you discuss how you make that happen.

Staff stated they would put on hold any updating, until they receive information from all the Boards.

Rifkin: I just think it is important that we realize that no matter what we do that it won't be the end of code revisions or totally eliminate all exceptions. At least we can bring it down to the level that is accepted by all including the public.

1:32:45 ~ 4/18/2007 7:06:14 PM ~ Stop Recording

ADJOURNMENT :7:06 p.m.

City Commission:



Cheryl White, CMC, City Clerk



Mary L. Hutchinson, Mayor

Minutes approved at the Regular Commission  
Meeting This 9th Day April 2007

Community Redevelopment Board:



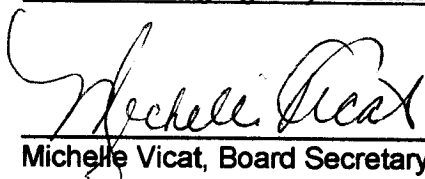
Michelle Vicat, Board Secretary



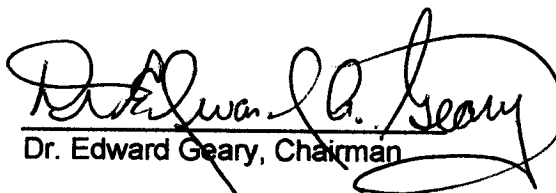
Frank Wacha, Chairman

Minutes approved at the Regular Community Redevelopment Board Meeting  
This \_\_\_\_\_ Day \_\_\_\_\_ 2007.

Local Planning Agency /Planning Advisory Board :



Michelle Vicat, Board Secretary



Dr. Edward Geary, Chairman

Minutes approved at the Regular Community LPA/PAB Meeting  
This \_\_\_\_\_ Day \_\_\_\_\_ 2007.

Minutes have been prepared by  
Cherie White, City Clerk  
4/26/07