



## MINUTES

### COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION BOARD

APRIL 6, 2021 AT 4:00PM  
CITY COMMISSION CHAMBERS  
121 S.W. FLAGLER AVE.  
STUART, FLORIDA 34994

### COMMUNITY REDEVELOPMENT BOARD MEMBERS

Chairman – Chris Lewis  
Vice Chairman – Tom Campenni  
Board Member – Nina Dooley  
Board Member – Katherine Makemson  
Board Member – Nikolaus Schroth  
Board Member – Frank Wacha  
Board Member – Pete Walson

### ADMINISTRATIVE

Development Director, Kev Freeman  
CRA Administrator, Pinal Gandhi-Savdas  
Board Secretary, Jordan Pinkston

### CALL TO ORDER

### ROLL CALL

**Present:** Chris Lewis, Tom Campenni, Nina Dooley, Katherine Makemson, Frank Wacha, Pete Walson, Nikolaus Schroth

**Absent:** None.

### PLEDGE OF ALLEGIANCE

### APPROVAL OF MINUTES

**Action:** Approve March 2, 2021 Minutes.

**Moved by:** Tom Campenni

**Seconded by:** Frank Wacha

Motion passed unanimously.

## **APPROVAL OF AGENDA**

**Action:** Approve with moving item #3, Presentation of Seminole Streetscape Design and Undergrounding of Overhead Utilities within the project limit, to the last item on the agenda.

**Moved by:** Tom Campenni

**Seconded by:** Frank Wacha



Motion passed unanimously.

**COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS (3 min. max):** None.

**COMMENTS FROM THE BOARD MEMBERS ON NON-AGENDA ITEMS:** None.

## **COMMUNITY REDEVELOPMENT BOARD**

1. **SPORTFISH UPUD: REZONING TO UPUD (QUASI JUDICIAL)(RC) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF UPUD "URBAN PLANNED UNIT DEVELOPMENT" TO A PARCEL OF LAND TOTALING 0.63 ACRES, LOCATED AT 304 NE FLAGLER AVENUE, BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "SPORTFISH MARINA" URBAN PLANNED UNIT DEVELOPMENT (UPUD) CONSISTING OF A 37-ROOM BOUTIQUE HOTEL AND 49 SLIP MARINA, AND ALLOWING USES PERMITTED IN THE URBAN DISTRICT; PROVIDING FOR APPROVAL OF A SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS; DECLARING THE PROJECT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES.**

**PRESENTATION:** Kev Freeman, Development Director  4:02 PM  
Mike McCarty, McCarty & Associates  4:08 PM  
Brent Wood, Architect

**COMMENTS FROM THE PUBLIC (3 min. max):**

1. Bill King (NW Flagler) – Representing Harbor Ridge Condominium Association. Agrees it would be an esthetic improvement, but concerned about traffic, parking, pedestrian accommodations, and safety.

**COMMENTS FROM THE BOARD MEMBERS:**

Nik Schroth asked for confirmation of compliance with city's code, such as the roof equipment and board walk design.

Kev Freeman addressed his concerns.

Mike Mortell explained the vision for the boardwalk being open to the public.

Katie Makemson asked about additional access points to the boardwalk.

Mike McCarty showed where the pedestrian connections will be for the boardwalk.

The applicant discussed additional amenities that will be offered to the public.

Tom Campenni asked about wet slips and said he would like a condition to only rent 12 slips to non-hotel users.

Mike MacCarty explained that the code requires one parking space per five wet slips, and the project's parking intentions.

Mike Mortell clarified that there cannot be liveaboards for more than 5 days by the Development Order.

Mike McCarty explained that their proposal complies with code.

Chris Lewis asked if the applicant has done community outreach about any foreseen issues.

Mike McCarty explained that he does not foresee any issues.

Frank Wacha commented about the current parking issues and encouraged the applicant to meet with residents and withhold a certain amount of slips from being rented. He made comments about the filtration system being used and how it correlates to parking.

Joe Capra addressed filtration comments and made a suggestion about parking.

### **COMMENTS FROM THE PUBLIC (3 min. max):**

2. Leslie O'Connor (NW Flagler) – Commented about parking currently being an issue and foresees parking still being an issue. She asked about the restaurant.

Mike Mortell explained the back story for the Harbor Ridge project and neighboring parcels.

Tom Campenni discussed his concerns about parking and boat slip ratios.

Tom Campenni made a condition to his motion.

Nik Schroth disagreed with Tom's conditions and concerns about parking.

Mike McCarty clarified that they are in compliance with parking requirements.

David Foster explained their submerged land lease and their intention to open boat slips on a first come first served basis to the public and guests.

### **MOTION**

**Action:** Approve with the following conditions:

1. No liveaboards at the marina
2. Rent up to 15 of 49 slips to the general public.

**Moved by:** Tom Campenni

**Seconded by:** Frank Wacha

**Motion denied 4/3.**

Chris Lewis – No

Tom Campenni – Yes

Nina Dooley -- Yes

Katherine Makemson -- Yes

Frank Wacha -- No

Pete Walson – No

Nikolaus Schroth – No

### **COMMENTS FROM THE PUBLIC (3 min. max):**

3. Leslie O'Connor (NW Flagler) – She is looking for solutions to her concerns.

### **COMMENTS FROM THE BOARD MEMBERS:**

Nik Schroth attempted to address the public comment and encouraged Leslie O'Connor to come before commission.

Mike Mortell confirmed the applicant's notice requirements.

**Action:** Approve with the following condition:

1. No liveaboards at the marina

**Moved by:** Nik Schroth

**Seconded by:** Pete Walson

Motion passed with Tom Campenni opposing.

2. **A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR URBAN CODE CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK REQUIRED AS A CONDITION OF DEVELOPMENT FOR THE NEW AVONLEA PUD PARCEL 2 AND 12 RESIDENTIAL DEVELOPMENT FOR PROPERTY LOCATED ON THE NORTH AND SOUTH SIDE OF BAKER ROAD, WEST OF CARDINAL AVENUE IN THE CITY OF STUART, AS DESCRIBED**

**WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO LOCATE THE AVONLEA GATEWAY PIECE BY ARTIST DALE ROGERS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES. (RC)**

**PRESENTATION:** Kev Freeman, Development Director  5:07 PM

**COMMENTS FROM THE BOARD MEMBERS:**

Frank Wacha and Nikolaus Schroth addressed that they will need to abstain for conflict of interest.

**COMMENTS FROM THE PUBLIC (3 min. max):** None.

**COMMENTS FROM THE BOARD MEMBERS:**

Pete Walson addressed the amenities being proposed.

Nik Schroth (as the applicant) explained additional amenities included, such as bike racks, benches, bus stop and crosswalks.

**MOTION**

**Action:** Approve.

**Moved by:** Tom Campenni


**Seconded by:** Pete Walson


Motion passed unanimously.

Mike Mortell requested that the agenda be reverted back to the original order to accommodate the project's consultant.

**3. PRESENTATION OF SEMINOLE STREETScape DESIGN AND UNDERGROUNDING OF OVERHEAD UTILITIES WITHIN THE PROJECT LIMIT.**

**PRESENTATION:** Pinal Gandhi-Savdas, CRA Administrator  
David Brannon, Brannon & Gillespie LLC  
Brian Goode, Kimley Horn & Associates

 5:12 PM

 5:14 PM

**COMMENTS FROM THE PUBLIC (3 min. max):**

1. Kathy Spurgeon (SW Osceola Street) – Concerned about on-street parking on Seminole Street, traffic, pedestrian safety. Recommended better signage to warn of pedestrians walking.

**COMMENTS FROM THE BOARD MEMBERS:**

Katie Makemson asked about pedestrian lighting.

Brian Goode explained that they are going to have uniform pole lighting.


Discussion occurred about a commercial loading zone and transformers.

Katie Makemson asked about the color of the pavers.

Brian Goode confirmed that they would be tri-colored as pictured.

**4. BUDGET AMENDMENT TO ALLOCATE CRA FUNDS FOR THE SITE PLANNING AND DESIGN OF THE GUY DAVIS COMMUNITY PARK PROJECT (PHASE 1) RESOLUTION NUMBER 03-2021 CRA; A RESOLUTION OF THE BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #2 TO THE FY 2021 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO ALLOCATE FOR THE SITE PLANNING AND DESIGN OF THE GUY DAVIS PARK IN THE AMOUNT OF \$344,517; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

**PRESENTATION:** Pinal Gandhi-Savdas, CRA Administrator

 5:36 PM

**COMMENTS FROM THE PUBLIC (3 min. max):** None.

**COMMENTS FROM THE BOARD MEMBERS:**

Nina Dooley asked if the tennis court will remain.

Pinal Gandhi-Savdas confirmed they will.

**MOTION**

**Action:** Approve.

**Moved by:** Tom Campenni

**Seconded by:** Frank Wacha


Motion passed unanimously.

**OTHER MATTERS BEFORE THE BOARD:** None.

**HISTORIC PRESERVATION BOARD MATTERS:** None.

**STAFF UPDATE:** None.

**ADJOURNMENT:**

 5:39 PM

**MOTION**

**Action:** Adjourn.

**Moved by:** Tom Campenni

**Seconded by:** Frank Wacha

Motion passed unanimously.

**UPCOMING MEETINGS and EVENTS:** None.

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Chris Lewis, Chair

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Jordan Pinkston, Board Secretary

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME wacha frank albert		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Community Redevelopment Board	
MAILING ADDRESS po box 1610		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY jensen beach martin	COUNTY	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED		NAME OF POLITICAL SUBDIVISION: City of Stuart	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)



## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Frank A Wacha, hereby disclose that on 6/4, 20 21 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, Nik Schroth ;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- ☐ inured to the special gain or loss of \_\_\_\_\_, by  
whom I am retained; or
- ☐ inured to the special gain or loss of \_\_\_\_\_, which  
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I am a Avonlea property owner.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

4/7/21  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>Schroth, Nikolaus M</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>City of Stuart Community Redevelopment Board</b>
MAILING ADDRESS <b>100 S.W. Albany Avenue, 200</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <b>Stuart, FL 34994</b>	COUNTY <b>Martin</b>
DATE ON WHICH VOTE OCCURRED <b>4/6/2021</b>	NAME OF POLITICAL SUBDIVISION: <b>City of Stuart</b>
MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Nikolaus M. Schroth, hereby disclose that on April 6,, 20 21 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- ☐ inured to the special gain or loss of \_\_\_\_\_, by  
whom I am retained; or
- ☐ inured to the special gain or loss of \_\_\_\_\_, which  
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

The matter before the board was an item to which I was the applicant. The application was for the board to approve public art for a development project.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

4/8/2021

Date Filed

  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.