



City of Stuart

A G E N D A
STUART COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION
BOARD

TO BE HELD DECEMBER 1, 2020 AT 4:00 PM
COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD

Chairman - Frank Wacha
Vice Chairman - VACANT
Board Member - Tom Campenni
Board Member - Faye James
Board Member - Chris Lewis
Board Member - Pete Walson
Board Member - Katie Makemson

ADMINISTRATIVE

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

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

THIS MEETING WILL BE AVAILABLE LIVE VIA ZOOM:

Zoom links and ID information can be found at www.cityofstuart.us/meetings

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Approval of July 7, 2020 Minutes
2. Approval of August 4, 2020 Minutes
3. Approval of September 1, 2020 Minutes
4. Approval of October 6, 2020 Minutes

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (5 min. max)

COMMENTS FROM THE BOARD MEMBERS

COMMUNITY REDEVELOPMENT BOARD

1. R127-2020 Lucido Cottage Home - MUCCA
2. Resolution No. 01-2021 CRA Budget Amendment #01-2021 East Stuart Crosswalks
3. Public Art D&D

OTHER MATTERS BEFORE THE BOARD

HISTORIC PRESERVATION BOARD MATTERS

STAFF UPDATE

ADJOURNMENT

UPCOMING MEETINGS and EVENTS

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CRB/HPB Board**

Meeting Date:12/1/2020

Prepared by:Jordan Pinkston

Title of Item:
Approval of July 7, 2020 Minutes.

Summary Explanation/Background Information on Agenda Request:
N/A.

Funding Source:
N/A.

Recommended Action:
Approve.

ATTACHMENTS:

Description	Upload Date	Type
❏ CRB Minutes_7.7.2020	11/23/2020	Cover Memo



MINUTES

COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION BOARD

JULY 7, 2020 AT 4:00PM

CITY COMMISSION CHAMBERS

121 S.W. FLAGLER AVE.

STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD MEMBERS

Chair – Frank Wacha

Vice Chair – Nathan Ritchey

Board Member – Faye James

Board Member – Tom Campenni

Board Member – Pete Walson

Board Member – Katie Makemson

Board Member – Chris Lewis

ADMINISTRATIVE

Development Director, Kev Freeman

CRA Administrator, Pinal Gandhi-Savdas

Board Secretary, Jordan Pinkston

ROLL CALL 4:03 PM

Present (physically): Nathan Ritchey, Tom Campenni, Pete Walson, Katie Makemson

Present (remotely): Faye James

Absent: Chris Lewis

PLEDGE OF ALLEGIENCE

APPROVAL OF MINUTES 4:05 PM

Action: Approve.

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

CALL TO ORDER

Katie Makemson was read the Oath of Office and sworn in by the City Attorney.

Board Member Faye James arrived to the meeting remotely. 4:08 PM

APPROVAL OF AGENDA

Action: Approve.

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS (5 min. max): None.

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

COMMUNITY REDEVELOPMENT BOARD

1. Discussion and Deliberation - CRA Incentive Programs

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator

COMMENTS FROM THE BOARD MEMBERS:

Business Improvement Reimbursement Program

Nathan Ritchey asked about the current point system.

Mike Mortell explained how the current point system works and alternate options the board has.

Tom Campenni said that he does not agree with this program and increasing Tiff because of it. He suggested changing the application to pose the question what is the project's estimated return on investment and when will that occur. He would like to see this program giving CRA more bang for our buck and be more business oriented.

Discussion regarding Tiff funding and program restrictions to businesses versus homeowners occurred.

Pete Walson believes we are trying to reinvent the wheel and gave examples of what he believes are return on investments for the City.

The board discussed current CRA programs and their return on investment.

Mike Mortell commented on the board's mission and CRA's plan.

The board deliberated on eligible activities to be included in the program.

Pete Walson reiterated that the purpose of the CRA is to improve the look of the community. He said that it should be up to staff discretion how to spend the \$50,000 funding, it should not only be based on percentages.

Tom Campenni agreed and said that if there is extra money that has not been allocated then staff should be allowed to apply those funds to a larger project with a better chance of return on investment.

Pinal Gandhi-Savdas suggested placing each project in a range to better evaluate applications.

The board further discussed the point and range ranking system for the program.

Kev Freeman said that the categories we currently have are not clear enough and would like to clarify the approval process if we go with the point system.

Faye James commented on the point system and applicants meeting criteria.

Kev Freeman said that we will need to come back and look at this program in isolation to analyze the criteria being requested.

Nathan Ritchey said that he agreed.

Tom Campenni said that the CRA and City Commission need to allocate the same amount of funds and it needs to be agreed upon to make it fair.

Pete Walson made improvement suggestions.

Katie Makemson said she was concerned about discouraging business owners to apply.

Tom Campenni clarified that he was talking about a business plan for all businesses and compartmentalizing homeowners in each CRA area to apply.

The board discussed legalities to restricting grants to certain areas and the scoring system.

Design Assistance Program – No comments.

REDA – No comments.

Mural Matching Grant

Nathan Ritchey said that it seems to ruffle feathers sometimes.

The board discussed current murals in the City.

Paint Up Program

Katie Makemson suggested opening up the paint stores to more than Sherwin Williams.

Tom Campenni clarified why we use Sherwin Williams.

Brush with Kindness

Nathan Ritchey suggested cutting back the funding for this program due to lack of applicants.

Pinal Gandhi-Savdas suggested reducing the amount allocated for the program since it is not being used and clarified what the program will fund. She explained that it is a partnership with Habitat for Humanity and the City of Stuart contributes a portion to assist with the program.

Kev Freeman clarified what low income is currently.

Tom Campenni asked to combine the Paint Up Program and Brush with Kindness.

Faye James questioned the application and qualification process.

David Dyess confirmed the requirements that Habitat for Humanity has for the program. He addressed Faye James's concerns about East Stuart eligibility.

Pinal Gandhi-Savdas confirmed the details of the program and that CRA contributes some funding to Habitat for Humanity, but it is organized by Habitat for Humanity.

Pete Walson asked that staff do some community outreach to see if the funding can be used, if not then the funds may be used in a better way.

Pinal Gandhi-Savdas said this program is triggered by code violations.

Discussion continued about this program and others that are similar, such as the Facade Improvement Grant and funding them.

Certified Local Government – Historic Preservation Grants

Tom Campenni said that it would be easiest to piggyback on the County. He asked about Main Street eligibility.

Pinal Gandhi-Savdas said that Main Street could apply because there is no match required, but if the City applies then we would need a match.

Tom Campenni requested that the City of Stuart and Main Street work together and further discussion about the joint effort occurred.

Tom Campenni left the meeting. 5:38PM

Community Development Block Grant

Faye James asked about eligibility requirements.

Pinal Gandhi-Savdas explained how the program works and how funding is dispersed.

Request a Free Street Tree Program

Discussion occurred about the program details.

Pete Walson asked about the Watermark project and Springtree project and if shade trees could be included in each project.

Mike Mortell confirmed that both those projects are within the City.

The board discussed activities that occurred over the weekend.

COMMENTS FROM THE PUBLIC (5 min. max): None.

2. Presentation 315 E Oceola ST

PRESENTATION: Kev Freeman, Development Director

COMMENTS FROM THE BOARD MEMBERS:

The board discussed other projects that are nearby and have recently come before the boards.

Mike Mortell discussed why this project is coming before the board.

COMMENTS FROM THE PUBLIC (5 min. max): None.

COMMENTS FROM THE BOARD MEMBERS:

Nathan Ritchey thanked Katie Makemson for joining the board and encouraged the public to sit on a board.

OTHER MATTERS BEFORE THE BOARD: None.

HISTORIC PRESERVATION BOARD MATTERS: None.

STAFF UPDATE: None.

ADJOURNMENT

5:59 PM

Frank Wacha, Chair

Jordan Pinkston, Board Secretary

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CRB/HPB Board**

Meeting Date:12/1/2020

Prepared by:Jordan Pinkston

Title of Item:
Approval of August 4, 2020 Minutes.

Summary Explanation/Background Information on Agenda Request:
N/A.

Funding Source:
N/A.

Recommended Action:
Approve.

ATTACHMENTS:

Description	Upload Date	Type
❏ CRB Minutes_8.4.2020	11/23/2020	Cover Memo



MINUTES

COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION BOARD

AUGUST 4, 2020 AT 4:00PM
CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD MEMBERS

Chair – Frank Wacha
Vice Chair – Nathan Ritchey
Board Member – Faye James
Board Member – Tom Campenni
Board Member – Pete Walson
Board Member – Chris Lewis
Board Member – Katie Makemson

ADMINISTRATIVE

Development Director, Kev Freeman
Assistant to the City Manager, Pinal Gandhi-Savdas
Board Secretary, Jordan Pinkston

CALL TO ORDER

ROLL CALL

Present (physically): Tom Campenni, Pete Walson, Katie Makemson, Nathan Ritchey

Present (remotely): Faye James, Frank Wacha, Chris Lewis

Absent: None.

PLEDGE OF ALLEGIENCE

APPROVAL OF MINUTES

Action: Approve.

Moved by: Frank Wacha

Seconded by: Tom Campenni

Motion passed unanimously.

APPROVAL OF AGENDA

Action: Approve.

Moved by: Tom Campenni

Seconded by: Pete Walson

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. Resolution 96-2020; 315 Osceola Street MUCCU Continuation

PRESENTATION: Mike Stetson, Realtor representing applicant

Staff recommended continuing the item to next month to review further documents.

Mike Stetson gave a presentation.

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

COMMENTS FROM THE BOARD MEMBERS: None.

MOTION

Action: Continue to September 1st CRB Meeting

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

2. 2nd Presentation – CDBG Application and Housing Assistance Plan

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator
Corbett Alday, Guardian CRM Inc.

COMMENTS FROM THE BOARD MEMBERS:

Tom Campenni asked about grant preparation costs.

Clarification regarding application cost's and processes continued.

COMMENTS FROM THE PUBLIC (3 min. max):

1. Frank Bodwynn (Lake Claire Place) – questioned where the money comes from.

MOTION

Action: Approve with the following condition

1. Grant preparation costs on the application are checked as yes and can be added at a future date.

Moved by: Tom Campenni

Seconded by: Frank Wacha
Motion passed unanimously.

3. 2449-2020 Sailfish Cove UPUD

PRESENTATION: Tom Reetz, Senior Planner
Marcela Cambor, Cambor & Associates

COMMENTS FROM THE BOARD MEMBERS:

Discussion occurred regarding parking spaces, boardwalk, and setbacks.

Mike Mortell clarified the parking agreement between the city and property owners.

Pete Walson asked for clarification on what is being proposed.

Kev Freeman clarified that staff is required to go into the code and see how each application differs. He said this plan is a unique project and gave examples of those differences.

Mike Mortell confirmed the ordinance conditions being proposed.

Frank Wacha wanted to confirm the PUD states that common areas will be maintained over time and the bio-swell run off will not enter the river.

Marcela Cambor and Mike Mortell addressed Frank Wacha's concerns and questions.

Faye James asked if the condos are for purchase.

It was confirmed by the board that they are for purchase.

Faye James left the meeting.

Clarification for the proposed artwork occurred and who will be maintaining it.

Discussion about landscaping occurred.

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

1. Speaker #1 (Name not announced) -- Concerned about the width of sidewalks and handicap parking.
2. Speaker #2 (Name not announced) -- Suggested different landscaping.
3. Speaker #3 (Name not announced) -- Suggested changing the streetscape to a flat walkable area.

MOTION

Action: Approve with the following conditions:

1. Redesign louvers for open space
2. Up to 22 docks for resident use only

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

COMMENTS FROM THE BOARD MEMBERS:

Tom Campenni asked that Kev Freeman show the board joining Osceola and Seminole as one unit falling under the same code. He suggested making the whole area four stories to increase density downtown. He suggested including this property in the 30% alcohol rule.

4. Ordinance 2439-2020 Lone Palm Property Investments, LLC Future Land Use Map Amendment, Rezoning and MUCCU

PRESENTATION: Stephen Mayer, Senior Planner
Don Cuzzo, Cuzzo Design Group
Rick Hartman, Hartman Real Estate

COMMENTS FROM THE BOARD MEMBERS

Tom Campenni expressed his concerns about changing the zoning to downtown urban because it is a mile away. He explained the East Stuart Overlay would do the same thing but is only a block away.

Pete Walson agreed that this is spot zoning.

Mike Mortell said changing this would not require an additional hearing.

Stephen Mayer presented the project.

Katie Makemson asked for clarification on the number of units being proposed.

Stephen Mayer confirmed that the lot was platted for six 50-foot lots. Current R1 zoning would not allow it to subdivide into six sublots because we have new zoning rules. As an example, the applicant could subdivide the property into four 75-foot-wide lots.

Tom Campenni amended his motion to approve with East Stuart overlay.

Kev Freeman clarified that there would need to be a future land use change to East Stuart, zoning change to single family subdistrict in East Stuart, and an East Stuart conditional use. He explained the process they would have to go through if they changed the conditional use.

Mike Mortell explained how he understood the land use change under code. It was confirmed that the project would not have to come back before the CRB board.

Tom Campenni requested that staff figure out a way to change the zoning, because he will not approve spot zoning. He explained why he was voting in favor of the project. He requested adding a hedge around the property.

COMMENTS FROM THE PUBLIC (3 min. max):

1. Betty & Gail Sipra (SE Lake Clair Place) – Property owner in the area and opposes the project.
2. Donald Duffy (Martin Luther King Blvd.) – Opposed to the project for safety purposes.

3. Rosario Valdiviezo (SE 6th Street) – Opposed to the project because of the size of the proposed homes.
4. Frank Bowdynn (Lake Clair Place) – Opposed to the project because it is not affordable, density, water concerns.
5. Brooks Dubois (SE 6th Street) – Opposed to duplexes on MLK.
6. Speaker #6 (Name not announced) – Opposed to project.
7. Faith Coleman (SE 6th Street) – Opposed to project.

COMMENTS FROM THE PUBLIC AFTER AMENDED MOTION (3 min. max):

1. Speaker #1 (Name not announced) Concerned about the hedges being a safety hazard.
2. Rosario Valdiviezo (SE 6th Street) – Asked questions about the design of the project and the timeline.
3. Speaker #3 (Name not announced) -- Asked about disability requirements.
4. Speaker #4 (Name not announced) -- Asked about spot zoning.

MOTION

Action: Approve with the following conditions:

1. Substitute Urban Neighborhood overlay zone with East Stuart overlay zone
2. Add a privacy hedge around the front of the property (6th Street & MLK)

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed 4-2.

Nathan Ritchey - Yes
Faye James – Absent
Tom Campenni – Yes
Pete Walson – No
Katie Makemson – Yes
Chris Lewis – No
Frank Wacha – Yes

COMMENTS FROM THE BOARD MEMBERS:

Frank Wacha left the meeting.

5. R97-2020 Walton Building (33 Degrees)

PRESENTATION: Tom Reetz, Senior Planner
Mark Brechbill, Applicant

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

COMMENTS FROM THE BOARD MEMBERS:

Discussion amongst the board regarding public art requirements based on code occurred.

MOTION

Action: Approve without an art contribution.

Moved by: Pete Walson

Seconded by: Karen Makemson

Motion passed 3-2.

Nathan Ritchey – No
Faye James – Absent
Tom Campenni – No
Pete Walson – Yes
Katie Makemson – Yes
Chris Lewis – Yes
Frank Wacha – Absent

6. Presentation on Contemporary Art Exhibit in Gazebo Park

PRESENTATION: Susan Corez, Office of Community Development in Martin County
Pinal Gandhi-Savdas, CRA Administrator

COMMENTS FROM THE BOARD MEMBERS:

The board discussed locations of artwork and the duration artwork is on display.

Katie Makemson told the applicant about a program called Sculptures by the Sea.

COMMENTS FROM THE PUBLIC (3 min. max):

1. Nancy Turrell (SE Coconut) – In favor of the project and excited to see it grow.

MOTION

Action: Approve.

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

7. Resolution No. 07-2020 CRA: Tentative CRA Budget for FY 2021

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator

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

COMMENTS FROM THE BOARD MEMBERS

MOTION

Action: Approve.

Moved by: Tom Campenni

Seconded by: Chris Lewis

Motion passed unanimously.

Tom Campenni - Yes
Pete Walson _ yes
Nathan Ritchey - Yes
Katie Makemson – Yes
Chris Lewis – Yes
Faye James – Absent
Frank Wacha – Absent

HISTORIC PRESERVATION BOARD MATTERS: None.

STAFF UPDATE

Tom Campenni requested that staff come back to the board about the East Stuart overlay boundary.

Pete Walson requested a copy of the urban code.

Pinal Gandhi-Savdas clarified sidewalk size and curbless streets in the Seminole Street project.

Pete Walson commented on the tree ordinance and benches around the city.

ADJOURNMENT

Chris Lewis, Chair

Jordan Pinkston, Board Secretary

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CRB/HPB Board**

Meeting Date:12/1/2020

Prepared by:Jordan Pinkston

Title of Item:
Approval of September 1, 2020 Minutes.

Summary Explanation/Background Information on Agenda Request:
N/A.

Funding Source:
N/A.

Recommended Action:
Approve.

ATTACHMENTS:

Description	Upload Date	Type
▣ CRB Minutes_9.1.2020	11/23/2020	Cover Memo



MINUTES

**COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION BOARD
SEPTEMBER 1, 2020 AT 4:00PM
CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

COMMUNITY REDEVELOPMENT BOARD MEMBERS

**Chair – Frank Wacha
Vice Chair – Nathan Ritchey
Board Member – Chris Lewis
Board Member – Tom Campenni
Board Member – Pete Walson
Board Member – Faye James
Board Member – Katie Makemson**

**ADMINISTRATIVE
Development Director, Kev Freeman
Board Secretary, Jordan Pinkston**

CALL TO ORDER

ROLL CALL

Present (physically): Tom Campenni, Katie Makemson, Nathan Ritchey, Chris Lewis

Present (remotely): Faye James, Pete Walson, Frank Wacha

Absent: None.

PLEDGE OF ALLEGIENCE

APPROVAL OF AGENDA

Action: Approve with item #3 being rescheduled to come before the board on October 6, 2020.

Moved by: Tom Campenni

Seconded by: Chris Lewis

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.

OTHER MATTERS BEFORE THE BOARD

1. RESOLUTION NUMBER 96-2020 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO THE PROPERTIES LOCATED AT 313-315 S.W. OSCEOLA STREET, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTIONS; GRANTING APPROVAL FOR A MULTI-FAMILY DEVELOPMENT CONSISTING OF FOURTEEN (14) RESIDENTIAL UNITS ON A 0.58 ACRE SITE; TO ALLOW A DENSITY OF TWENTY-FOUR (24) UNITS PER ACRE; FOR PARKING WITHIN THE BUILDING ENVELOPE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES. (QJ) (RC)

PRESENTATION: Stephen Mayer, Senior Planner
Mike Stetson, Applicant Representative

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

COMMENTS FROM THE BOARD MEMBERS

Tom Campenni asked for clarification about the amount of condo associations and the boat dock.

The applicant clarified that docks are for residents managed by one master association.

Tom Campenni requested that one of the conditions for approval be the project has one HOA and no sub-HOA's.

Discussion regarding the boardwalk, artwork, surfaces on the project, and stormwater runoff maintenance plan occurred.

MOTION

Action: Approve with the following conditions.

1. Applicant has one HOA
2. Applicant gets an easement for the boardwalk
3. Applicant provides a stormwater runoff maintenance plan

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

2. PUBLIC ART (RC): RESOLUTION No. 107-2020; 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 TREASURE COAST COMMUNITY CHURCH COMMERCIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 20 N.E. DIXIE HIGHWAY IN THE CITY OF STUART, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION;

GRANTING APPROVAL TO LOCATE 'A BRONZE SCULPTURE OF OUR LORD BREAKING BREAD WHILE SEATED AT THE CENTER OF A CONTEMPORARY INSTALLATION OF THE LAST SUPPER AT THE FRONT ENTRANCE OF THE WORSHIP CENTER; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES. (RC)

PRESENTATION: Tom Reetz, Senior Planner

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

COMMENTS FROM THE BOARD MEMBERS:

Tom Campenni commented on the city's criteria for public art.

Kev Freeman clarified the city's code and addressed the application process.

Mike Mortell reiterated the city's art code.

The board and staff further discussed the city's code definition and making art more publicly accessible.

Frank Wacha recommended moving the artwork to another location to accommodate the public.

Mike Mortell suggested the board making a new public art policy.

Katie Makemson defended the location of the art suggested.

The applicant clarified the reasoning behind the location choice and spoke about other artworks on the property.

The board suggested addressing the code requirements for public art.

MOTION

Action: Approve.

Moved by: Tom Campenni

Seconded by: Chris Lewis

Motion passed with Pete Walson and Faye James opposing.

3. EAST STUART URBAN CODE CONDITIONAL USE FOR DAYCARE FACILITY A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO THE PROPERTIES LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING, JR. BOULEVARD AND SE CORTEZ AVENUE, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTIONS; GRANTING APPROVAL FOR A LICENSED CHILD DAYCARE FACILITY ON A 0.93 ACRE SITE; TO ALLOW THE CONSTRUCTION OF ON-STREET PARKING WITHIN THE RIGHT-OF-WAY; AND TO ALLOW A REDUCTION OF TWO REQUIRED PARKING SPACES; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES. (QJ) (RC)

PRESENTATION: N/A.

COMMENTS FROM THE PUBLIC (3 min. max): N/A.

COMMENTS FROM THE BOARD MEMBERS:

Motion passed to approve the agenda with item #3 being rescheduled to come before the board on October 6, 2020.

HISTORIC PRESERVATION BOARD MATTERS: None.

STAFF UPDATE

Pinal Gandhi-Savdas spoke about the Land Development Code Amendment that staff did regarding the Historical Preservation section of the code to partner with Martin County to apply for a Historic Preservation Grant. She discussed the requirements needed to do so and what Martin County suggested.

Tom Campenni agreed that Stuart Main Street should apply for the grant and clarified that Martin County cannot piggy back.

ADJOURNMENT

UPCOMING MEETINGS and EVENTS

Nathan Ritchey, Chair

Jordan Pinkston, Board Secretary

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CRB/HPB Board**

Meeting Date: 12/1/2020

Prepared by: Jordan Pinkston

Title of Item:
Approval of October 6, 2020 Minutes.

Summary Explanation/Background Information on Agenda Request:
N/A.

Funding Source:
N/A.

Recommended Action:
Approve.

ATTACHMENTS:

Description	Upload Date	Type
❏ CRB Minutes_10.6.2020	11/23/2020	Cover Memo



MINUTES

COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION BOARD

OCTOBER 6, 2020 AT 4:00PM
CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD MEMBERS

Chairman – Frank Wacha
Vice Chairman – Nathan Ritchey
Board Member – Chris Lewis
Board Member – Tom Campenni
Board Member – Pete Walson
Board Member – Faye James
Board Member – Katie Makemson

ADMINISTRATIVE

Development Director, Kev Freeman
Board Secretary, Jordan Pinkston

CALL TO ORDER

PLEDGE OF ALLEGIENCE

ROLL CALL

Present: Nathan Ritchey, Tom Campenni, Pete Walson, Katie Makemson, Chris Lewis

Absent: Faye James

APPROVAL OF MINUTES

Action: Approve.

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max): None.

COMMENTS FROM THE BOARD MEMBERS: None.

APPROVAL OF AGENDA

Action: Approve.

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max): None.

COMMENTS FROM THE BOARD MEMBERS: None.

PRESENTATIONS

1. KIWANIS CLUB OF STUART PARK PRESENTATION

COMMENTS FROM THE BOARD MEMBERS:

The board expressed their excitement for the project.

Frank Wacha asked for clarification on the reason the presentation was coming before the board.

Jim Chrulski clarified the reasons the grant was being presented and future presentations.

Frank Wacha confirmed that there is no action required from the board.

COMMENTS FROM THE PUBLIC (5 min. max): None.

MOTION

None needed.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS (5 min. max): None.

COMMENTS FROM THE BOARD ON NON-AGENDA ITEMS:

Frank Wacha made a comment regarding masks.

COMMUNITY REDEVELOPMENT BOARD

1. EAST STUART URBAN CODE CONDITIONAL USE FOR DAYCARE FACILITY A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL

USE APPROVAL TO THE PROPERTIES LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING, JR. BOULEVARD AND SE CORTEZ AVENUE, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTIONS; GRANTING APPROVAL FOR A LICENSED CHILD DAYCARE FACILITY ON A 0.93 ACRE SITE; TO ALLOW THE CONSTRUCTION OF ON-STREET PARKING WITHIN THE RIGHT-OF-WAY; AND TO ALLOW A REDUCTION OF TWO REQUIRED PARKING SPACES; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES. (QJ) (RC)

PRESENTATION: Stephen Mayer, Senior Planner
Shawn Reed, Applicant

COMMENTS FROM THE BOARD MEMBERS

Pete Walson asked for clarification on the location of the sidewalk and utility easement. He questioned the shape of the building.

Stephen Mayer confirmed the locations.

Shawn Reed explained the reasons they designed the school's layout the way it is being proposed.

Discussion occurred with the applicant and Pete Walson regarding parking spaces, pick up and drop off location, operating hours, crossing guards.

Katie Makemson expressed concerns about parking.

Discussion occurred about parking options, exist and entry points to the school.

Chris Lewis asked about community feedback.

Shawn Reed confirmed the outreach that has occurred.

Discussion occurred about landscaping, utility easements and fencing.

COMMENTS FROM THE PUBLIC (5 min. max): None.

MOTION

Action: Approve with the condition that there is a one-way street access added and landscaping is matched on both sides.

Moved by: Pete Walson

Seconded by: Tom Campenni

Motion passed unanimously.

2. MINOR CONDITIONAL USE - THE DEHON BUILDING MURAL RESOLUTION NUMBER 10-2020 CRA; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR URBAN CODE CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK (MURAL) NAMED 'HOUSE OF REFUGE' ON PROPERTY LOCATED AT 11 SE OSCEOLA STREET, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO PAINT MURAL ON THE EXTERIOR EASTERN WALL OF THE DEHON BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator

COMMENTS FROM THE PUBLIC (5 min. max): None.

COMMENTS FROM THE BOARD MEMBERS:

Pete Walson asked for clarification on the location of the mural and artwork.

MOTION

Action: Approve.

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

3. MURAL MATCHING GRANT AGREEMENT BETWEEN THE CRA AND THE DEHON BUILDING INVESTORS, LLC. RESOLUTION NUMBER 11-2020 CRA; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE BOARD CHAIR TO EXECUTE AN AGREEMENT BETWEEN THE STUART COMMUNITY REDEVELOPMENT AGENCY AND DEHON BUILDING INVESTORS, LLC., FOR A MURAL MATCHING GRANT IN THE AMOUNT OF \$3,000 TO INSTALL MURAL ON THE EXTERIOR EASTERN WALL OF THE DEHON BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

PRESENTATION: Pinal Gandhi Savdas, CRA Administrator

COMMENTS FROM THE BOARD MEMBERS:

Nathan Ritchey discussed the mural grant on Colorado Avenue and the cost comparison.

Steve Vitale spoke on behalf of the artist who will be doing the mural and the reasoning behind hiring him, price comparison and cost breakdown.

Christopher Vitale confirmed that he painted the fence at Ground Floor Farm.

Tom Campenni suggested revisiting the program but stated that there is no reason for it not to be approved because it meets all the requirements.

Frank Wacha said that the location needs a revamp and is happy it is happening.

Nathan Ritchey asked for clarification on the applicant's artist choice.

Steve Vitale expressed his feelings about the importance of these grant programs.

COMMENTS FROM THE PUBLIC (5 min. max): None.

MOTION

Action: Approve.

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

4. AMENDMENT TO DOWNTOWN STUART OUTDOOR DINING PROGRAM RESOLUTION NUMBER 09-2020 CRA; A RESOLUTION OF THE BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AMENDING THE DOWNTOWN OUTDOOR DINING PROGRAM MASTER PLAN, DEFINING OUTDOOR DINING (SEATING), ESTABLISHING SATURATION LEVEL OF PARKING SPACES DEDICATED TO OUTDOOR DINING; AND PROVIDING GUIDELINES AND REGULATIONS FOR OUTDOOR DINING PROGRAM; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

PRESENTATION: Pinal Gandhi Savdas, CRA Administrator

COMMENTS FROM THE BOARD MEMBERS

The board discussed current parking processes, parking percentages, parking locations and the application process.

Mike Mortell clarified the purpose of the program.

Tom Campenni is impressed with the program.

The board discussed future growth of the city and parking.

Pete Walson said that he is a fan of the program, but would like to expand further and look at different options to do so.

COMMENTS FROM THE PUBLIC (5 min. max):

1. Rick Wilson – Owner of the Gafford. Explained his reasoning for giving Luna’s their outdoor seating.

MOTION

Action: Approve.

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed.

Chris Lewis – No

Tom Campenni – Yes

Nathan Ritchey – Yes

Frank Wacha – Yes

Katie Makemson – Yes

Pete Walson - Yes

5. DISCUSS AND DELIBERATE THE CITY’S PUBLIC ART CODE – SEC.3.01.08.

PRESENTATION: Tom Reetz, Senior Planner

COMMENTS FROM THE BOARD MEMBERS

Tom Campenni said that what developers put up as public art is not really considered public art; it is additional architecture. He recommended a public art fund, so the entire city can benefit from it.

Frank Wacha asked if a motion needed to be made.

Staff confirmed that this is only discussion and no motion was needed.

Chris Lewis said he has been treating each art proposal individually. He gave examples of art around town.

Discussion occurred about public art descriptions, requirements and contingencies.

Kev Freeman said that code directs us to accept whatever art comes in and it is all subjective. It is then up to the board to decide approval.

Staff and board discussed public art locations in the CRA and compared our program to other cities.

Pete Walson suggested changes on how we view art and the artist.

Frank Wacha made recommendations to change the current code text.

Kev Freeman summarized what staff gathered from board recommendations.

Nancy Turrell explained where public art funds typically come from.

The board discussed public art funding.

COMMENTS FROM THE PUBLIC (5 min. max): None

OTHER MATTERS BEFORE THE BOARD: None.

HISTORIC PRESERVATION BOARD MATTERS: None.

STAFF UPDATE: None.

ADJOURNMENT

MOTION

Action: Adjourn.

Moved by: Chris Lewis

Seconded by: Nathan Ritchey

Motion passed unanimously.

UPCOMING MEETINGS and EVENTS: None.

Nathan Ritchey, Chair

Jordan Pinkston, Board Secretary

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 12/1/2020

Prepared by: Tom Reetz

Title of Item:

RESOLUTION No. 127-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO LUCIDO INVESTMENT PROPERTIES LLC, OWNER OF THE PROPERTY LOCATED AT THE SOUTH WEST CORNER OF SE OSCEOLA STREET AND SE GEORGIA AVENUE AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL FOR A SINGLE FAMILY HOME IN THE URBAN GENERAL ZONING DISTRICT; TO ALLOW THE REAR SETBACK TO BE LESS THAN FIFTEEN (15) FEET, AN OVERHANG TO PROJECT MORE THAN THREE (3) FEET INTO THE SIDE SETBACK AND FOR PARKING TO BE LOCATED AT THE FRONT OF THE BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The applicant, Tom Lucido, is requesting a Major Urban Code Conditional Use approval as per Section 3.01.06 of the City of Stuart Land Development Code. If granted, the conditional use would allow for the development of a 2,204 (under air) square foot single family residence on a .081 acre site in the City's Urban General zoning district.

The applicant has requested the following variances from code:

1. The rear setback to be less than fifteen (15) feet,
2. An overhang to project more than three (3) feet into the required five (5) foot side setback, and
3. For parking to be located at the front of the building for property located in the Urban General zoning district within the City's Community Redevelopment Area (CRA) **See Plans and Elevations attached as exhibits to Resolution No. 127-2020.**

The property is located between SE Ocean Blvd. and SE Osceola street and is only 70 feet wide. There is a 5 foot FP&L easement in the rear and a 5 foot easement on Georgia Avenue which Mr. Lucido granted to the City many years ago. The two easements reduce the usable depth of the property to 60 feet. The proposed lot width is 47 feet. When designing the home and considering the remaining portion of the lot, the architect realized the need for both rear and side setback consideration for relief. It is Mr. Lucido's hope to develop additional residences in the future for the remaining property, providing adequate square footage for each home. The request is for relief to the urban code for the three (3) variances listed above. Today's request is for this first residence if approved, Tom plans to build in 2021.

Funding Source:

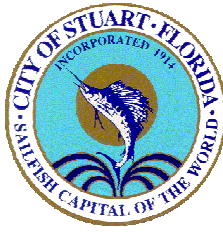
N/A.

Recommended Action:

Motion to approve and forward item to the City Commission with a recommendation of approval.

ATTACHMENTS:

	Description	Upload Date	Type
▣	A1. Resolution No. 127-2020 Cottage Home w Plans & Elevations	11/23/2020	Resolution add to Y drive
▣	B1. Staff Report	11/23/2020	Staff Report
▣	D1. Preliminary Drainage Statement	11/22/2020	Backup Material



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 127- 2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO LUCIDO INVESTMENT PROPERTIES LLC, OWNER OF THE PROPERTY LOCATED AT THE SOUTH WEST CORNER OF SE OSCEOLA STREET AND SE GEORGIA AVENUE AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL FOR A SINGLE FAMILY HOME IN THE URBAN GENERAL ZONING DISTRICT; TO ALLOW THE REAR SETBACK TO BE LESS THAN FIFTEEN (15) FEET, AN OVERHANG TO PROJECT MORE THAN THREE (3) FEET INTO THE SIDE SETBACK AND FOR PARKING TO BE LOCATED AT THE FRONT OF THE BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

*** * * * ***

WHEREAS, the City Commission of Stuart, Florida, has adopted and administers Section 3.01.06 of the Land Development Code; and

WHEREAS, the Applicant, Thomas Lucido, is requesting a Major Urban Code Conditional Use approval to allow for development of a 2,204 square foot (under air) single family house on .081 acres of land, and

WHEREAS, the applicant has requested a variance allowing the rear setback to be less than fifteen (15) feet, a variance for an overhang to project more than three (3) feet into the required five (5) foot side setback and a variance for parking to be located at the front of the building on a portion of property located in the Urban General (UG) zoning district within the City's Community Redevelopment Area; and

WHEREAS, at the hearing the applicant showed by substantial competent evidence that the application does not create any detrimental effects on adjacent land uses within three hundred (300) feet of the proposed location; and

WHEREAS, the Community Redevelopment Board held a properly noticed hearing at a regularly scheduled meeting to consider the application of the Petitioner and recommended approval of the Major Urban Code Conditional Use on December 1, 2020; and

WHEREAS, City Commission held a properly noticed hearing at a regularly scheduled City Commission meeting to consider the application of the Petitioner to approve the Major Urban Code Conditional Use Approval on December 14, 2020.

WHEREAS, the conditional use approval shall run with the land; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: Subject to the conditions attached hereto, the City Commission hereby approves a Major Urban Code Conditional Use Approval to Tom Lucido, owner of certain real property located at the south west corner of SE Osceola Street and SE Georgia Avenue, Stuart Florida, as detailed within the attached legal description.

SECTION 2: A legal description of the property is set forth in “**Exhibit A**” attached hereto and made a part hereof by reference.

SECTION 3: A Survey depicting the property is attached hereto as “**Exhibit B**” and made a part hereof by reference.

SECTION 4: The applicant’s single-family residence shall be constructed and operate in accordance with conditions set forth in “**Exhibit C**”, as attached.

SECTION 5: The purpose of this Urban Code Conditional Use approval is to allow for the development of a single-family residence, varying from code requirements by allowing the rear setback to be less than fifteen (15) feet, a variance allowing an overhang to project more than three (3) feet into the required five (5) foot side setback and a variance for parking to be located at the front of the building as per the details included on the Site Plan by Lucido and Associates, dated 10.13.2020; the Architectural Floor Plans & Elevations by Kelly & Kelly Architects, dated 08.06.2020 and a Preliminary Drainage Statement by C. Calvert Montgomery & Associates, Inc. engineers, signed and sealed on 11.19.20; and shall be deemed the Development Documents included as **“Exhibit D”**.

SECTION 6: This resolution shall take effect immediately upon its adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

MICHAEL J. MEIER, MAYOR
EULA R. CLARKE, VICE MAYOR
BECKY BRUNER, COMMISSIONER
MERRITT MATHESON, COMMISSIONER
TROY MCDONALD, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 14TH day of December, 2020.
ATTEST:

MARY R. KINDEL
CITY CLERK

MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL. ESQ.
CITY ATTORNEY

CITY'S ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Resolution, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2020, by MICHAEL J. MEIER, Mayor, and Mary R. Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

Personally Known OR Produced Identification

Type of ID Produced _____

Signature of Notary Public: _____

Commission Expires:

Notary Seal:

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN THE FOREGOING RESOLUTION, AND ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE FOREGOING RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS BUSINESS ACCORDING TO THIS RESOLUTION, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION MAY BE AMENDED OR REPEALED

BY THE CITY COMMISSION, AND THAT OTHER ADMINISTRATIVE ACTIONS AND PENALTIES MAY BE TAKEN AGAINST THE UNDERSIGNED, ITS SUCCESSORS OR ASSIGNS, BY THE CITY, INCLUDING BUT NOT LIMITED TO SANCTIONS DESCRIBED IN THIS RESOLUTION, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS.

WITNESSES:

Lucido Investment Properties LLC

Witness #1:

Registered Agent/Owner: Thomas Lucido

Print Name: _____

Print Name: _____

Signature: _____

Signature: _____

Witness #2:

Print Name: _____

Signature: _____

Exhibit 'A' Legal Description:

SEC 4-38-41, N 1/2 OF FOLLOWING: BEG 1798' E OF SW COR GOVT LOT 3 & N 40' TO POB,
N 250.97', W 70.42', S 253.50' & E 70' TO POB PI# 4-38-41-000-000-00061-20000
(Applicant is to provide new legal description for a portion of the north 1/2 parcel prior to being
heard by the City Commission)

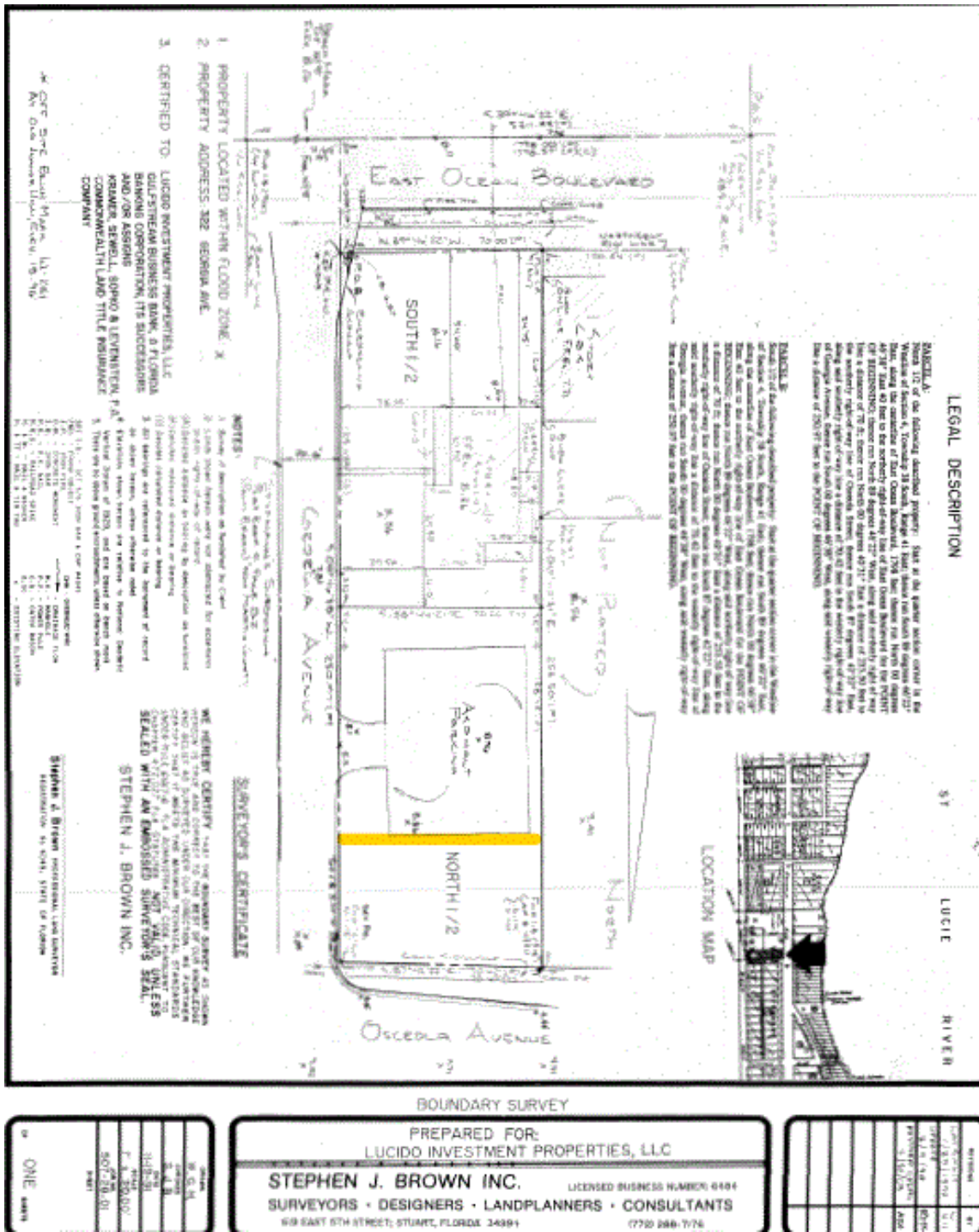


Exhibit 'C' Conditions of Approval

1. The project shall adhere to the Site Plan, by Lucido and Associates, dated 10.13.2020
2. The project shall adhere to the Architectural Floor Plans & Elevations by Kelly & Kelly Architects, dated 08.06.2020, The single-family residence shall be constructed of concrete masonry units.
3. The project shall comply with Preliminary Drainage Statement by C. Calvert Montgomery & Associates, Inc. engineers, signed and sealed on 11.19.20.
4. The applicant shall submit a legal description to be included for the newly formed property prior to the approving Resolution being recorded.
5. The applicant shall obtain a unity of title for the remainder of the North 1/2 lot with existing improved parking area and the south 1/2 lot with existing building prior to building permits being issued for the cottage home.
6. Except as provided herein, all development of the single-family home shall comply with City Code.
7. Any sidewalks damaged along SE Osceola Street or SE Georgia Avenue during construction shall be repaired and/or replaced by the applicant as per the City's specification.
8. Final Construction Drawings shall be reviewed and approved by all necessary City departments prior to the issuance of any building permits.
9. The applicant shall obtain a Certificate of Occupancy for the single family home as shown on the architectural, and site plans prior to December 31, 2023.

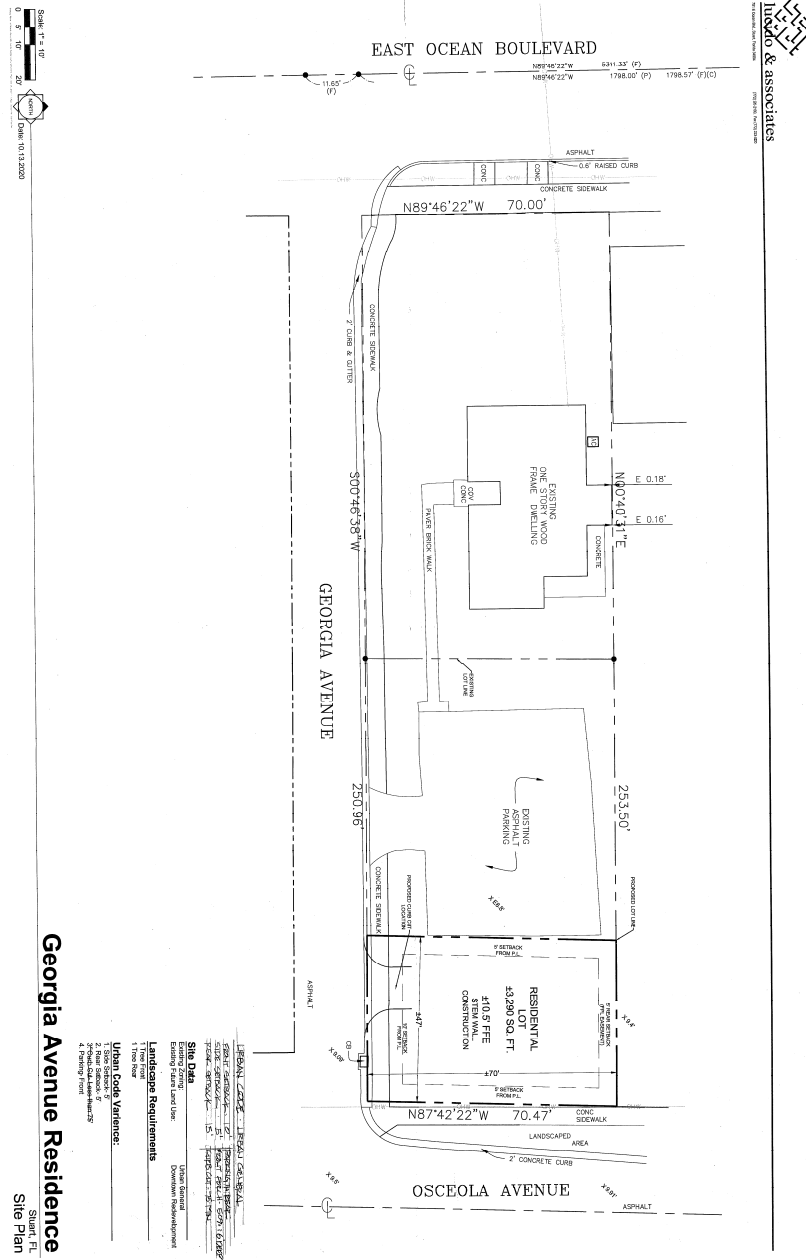
Exhibit 'D' Site Plan

Exhibit 'D' Floor Plan 1

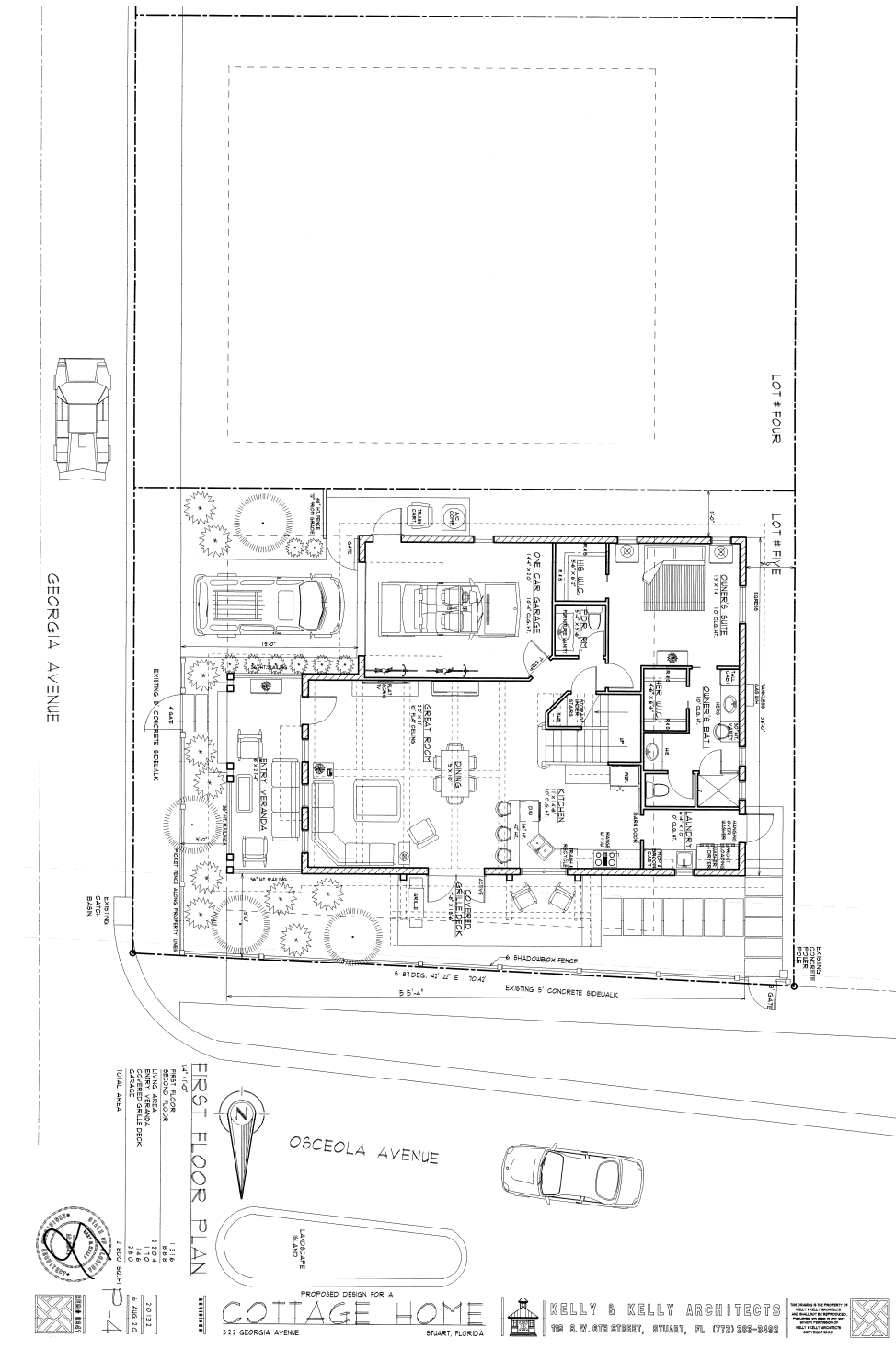
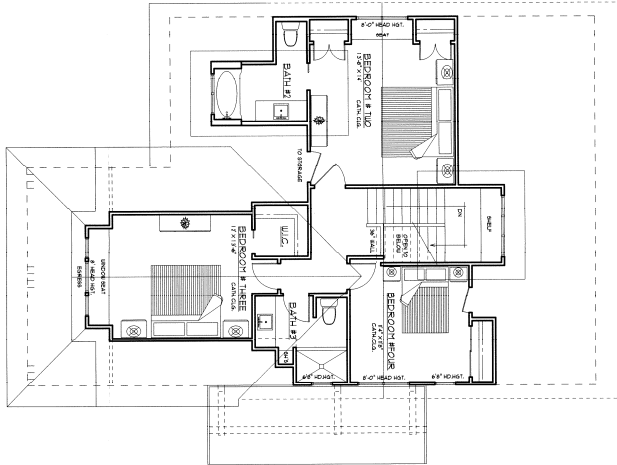
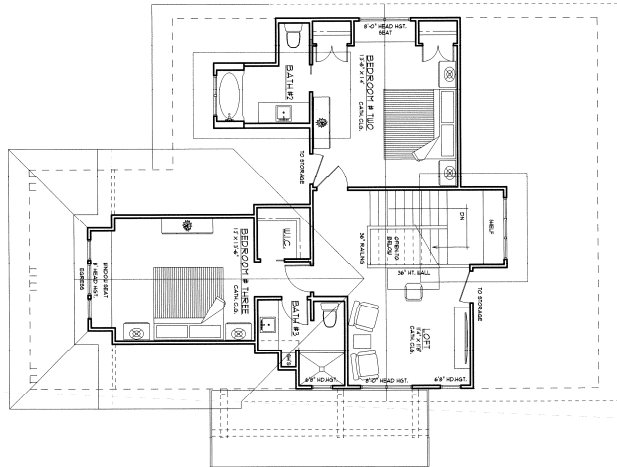


Exhibit 'D' Floor Plan 2

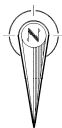
SECOND FLOOR 3 BEDROOM OPTION



SECOND FLOOR 2 BEDROOM OPTION



SECOND FLOOR PLAN



2013
K. KELLY
P-4

312

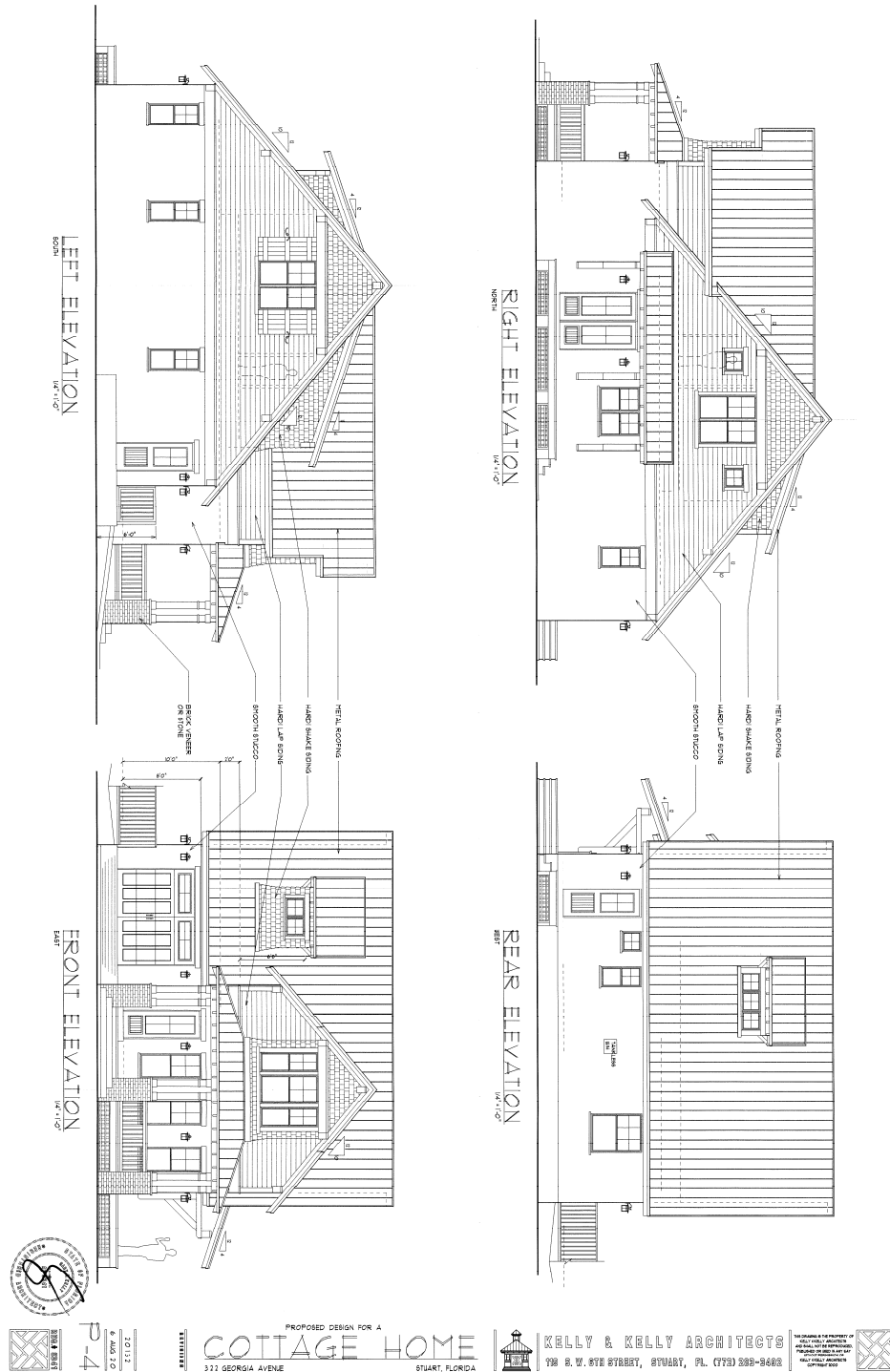
PROPOSED DESIGN FOR A
COTTAGE HOME
312 GEORGIA AVENUE
STUART, FLORIDA



KELLY & KELLY ARCHITECTS
110 S.W. 6TH STREET, STUART, FL. (772) 388-3488

ALL DRAWINGS ARE THE PROPERTY OF KELLY & KELLY ARCHITECTS, INC. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM KELLY & KELLY ARCHITECTS, INC.

Exhibit 'D' Elevations



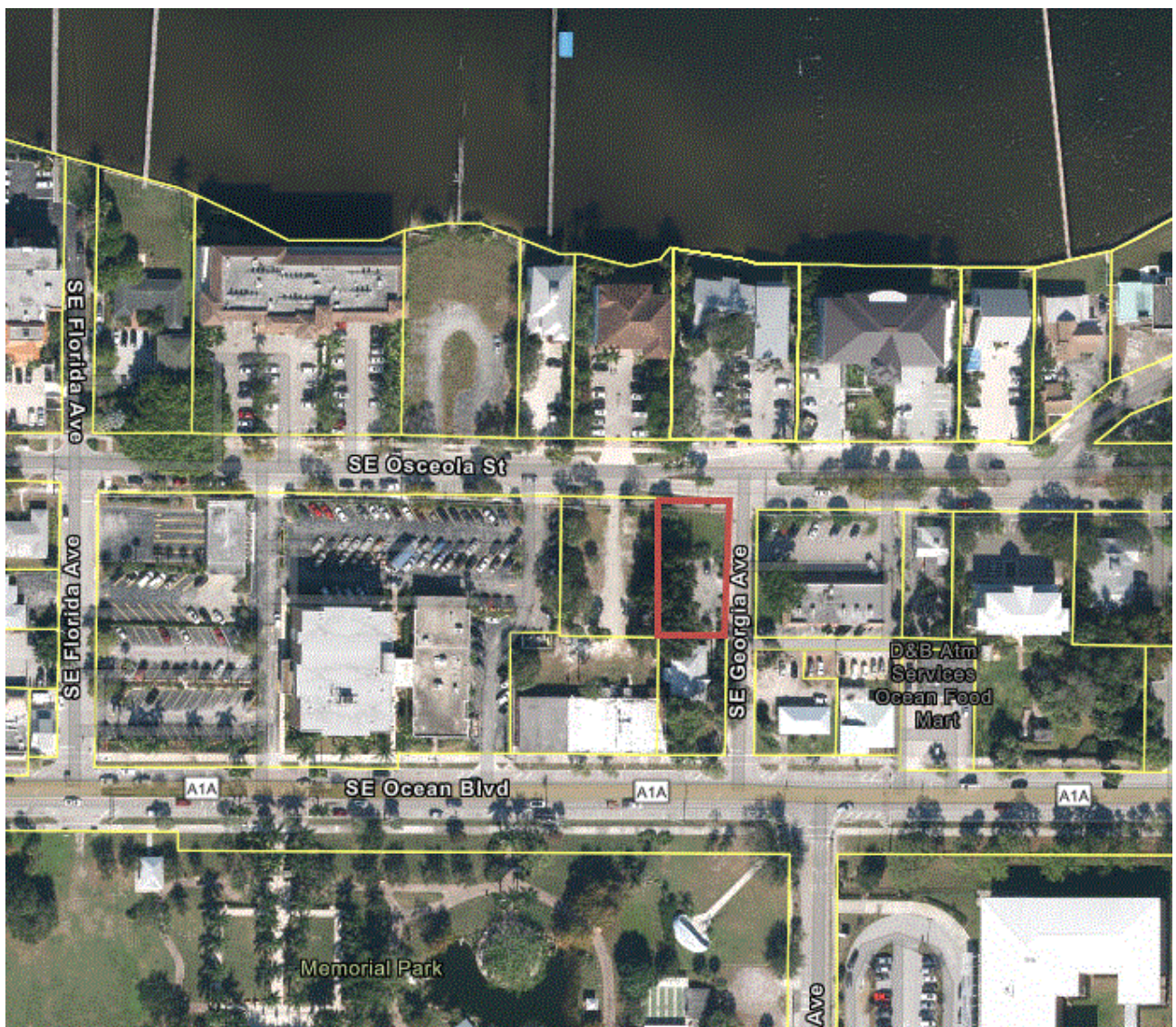
CITY OF STUART, FLORIDA
COMMUNITY REDEVELOPMENT BOARD
STAFF REPORT

MEETING DATE: December 1, 2020

PREPARED BY: Tom Reetz
Senior Planner

PROJECT NAME: Cottage Home – Tom Lucido – Georgia Avenue

TITLE OF ITEM: Request to consider a Major Urban Code Conditional Use approval to allow a single-family residence on a corner lot for property located in the Urban General (UG) zoning district within the City's Community Redevelopment Area.



I. APPLICATION SUMMARY

The applicant, Tom Lucido, is requesting a major urban code conditional use approval as per Section 3.01.06 of the City of Stuart Land Development Code. The applicant has owned the property for many years and if approved with requested variances, will allow. If granted, the conditional use would allow for the development of a single family residence in the City's Urban General zoning district and for Mr. Lucido to develop additional residences in the future for the remaining portion of the property, providing adequate square footage for each home.

The applicant is required to request a Major Urban Code Conditional Use allowing the rear setback to be less than fifteen (15) feet, an overhang to project more than three (3) feet into the required five (5) foot side setback, and for parking to be located at the front of the building for property located in the Urban General zoning district within the City's Community Redevelopment Area (CRA).

The design meets all other Urban General (UG) design requirements.

II. HISTORY

The property is currently vacant and will be developed on a portion of the north 1/2 of the described property on a survey by Stephen Brown dated 11.19.91. Mr. Lucido will provide a sketch and legal description for a 47-foot-wide portion for the new cottage home prior to being heard by the City Commission.

III. ZONING AND LAND USE

Site Location		South West corner of SE Osceola Street and SE Georgia Avenue.	
Parcel Size (area)		.08 acres	
Subject Property Land Use		Downtown Redevelopment	
Adjacent FLU (Future Land Use)		<i>North</i>	Downtown Redevelopment
		<i>South</i>	Downtown Redevelopment
		<i>East</i>	Office Residential
		<i>West</i>	Downtown Redevelopment
Subject Zoning	Property Overlay	Urban Neighborhood	
		<i>North</i>	Urban Waterfront
		<i>South</i>	Urban Genaeral
		<i>East</i>	Urban General
		<i>West</i>	R-3 Residential /Office
Proposed Use		Single Family Residence	
Present Use		Undeveloped	
Land Use Plan		Downtown Redevelopment	
ROADWAY AND UTILITIES			
Street Functional Classifications		The property is in the Urban General zoning district in the City’s CRA.	
Utilities		Sewer and Water are provided by the City of Stuart.	

IV. CITY DEPARTMENTAL REVIEWS

<i>Public Works (Marc Rogolino)</i>	No objection
<i>Fire/Building (Matt Cawley)</i>	Reviewed at permitting
<i>Police (Brian Bossio)</i>	Reviewed at permitting

V. EXISTING CONDITIONS:**VI. PUBLIC NOTIFICATION:**

The legal notification requirements have been met for this request of a **Major Urban Code Conditional Use** approval. In accordance with the requirements set forth in Section 11 of the City of Stuart's Land Development Code. Documentation of the public notice is part of the record as well as on file within the City Development Department.

VII. STANDARDS FOR URBAN CODE CONDITIONAL USE REVIEW: LAND DEVELOPMENT CODE – SECTION 3.01.06

- 1. The proposed use is not contrary to the established land uses in the immediate area.**

The Future Land Use of properties within proximity to the site is Downtown Redevelopment and R-3 zoning. The property is situated within the City of Stuart Community Redevelopment Area (CRA). The list of permitted uses include residential. The proposed single family residence complies with the list of uses in the Urban Code and is therefore consistent with the established land uses.

- 2. The proposed use would not significantly depart from the densities or intensities of use in the surrounding area and thereby increase or overtax the load on public facilities such as schools, utilities, and streets and other public infrastructure.**

Approval of the urban code conditional use would allow for a single family home which will have a diminimus if any increase demand on the local school district.

- 3. The proposed use will not be contrary to the proposed land use plan and will not have an adverse effect on the goals, policies and objectives of the comprehensive plan.**

Approval of the urban code conditional use would not be contrary to the adopted land use plan or other relevant goals, objectives, and policies concerning single family use. The Downtown Future Land Use references individual projects and sites consisting of single uses. A single family home is consistent with this language and would not detract from the mixture of residential and professional office uses that exist in the neighborhood.

- 4. The existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

There are no proposed changes to the existing district boundary.

- 5. The proposed use will not create or excessively increase traffic congestion or otherwise affect public safety.**

The proposed single family use will rely on on existing infrastructure to accommodate the vehicular traffic flow utilizing the site.

- 6. The proposed use will not create drainage or a storm water quality problem.**

The development of the site will be performed in accordance with approved building permits, and the drainage statement provided by Scott Montgomery which will ensure that the required drainage and stormwater quality is obtained.

7. The proposed use will not significantly reduce light or air to adjacent areas.

The proposed single story home will not reduce light of air to adjacent areas.

8. The proposed use is less burdensome on neighboring properties and on public infrastructure than uses permitted by right in the district.

A single family home is the least burdensome of uses permitted throughout the CRA district.

9. The proposed use is not out of scale with the uses permitted by right in the district and with the existing uses in the neighborhood.

The proposed single family home is in scale with the uses permitted by right in the Community Redevelopment Area district. The proposal is a single family home with an Old Florida bungalow design (looks historic), as demonstrated by the illustrative elevations, and is consistent with the intent and quality of construction the City desires of the Community Redevelopment Area.

10. There are no other adequate sites for the proposed use in districts in which the proposed use is permitted by right within the city.

A major urban code conditinal use is required for the single family home in the Urban General Community Redevelopment Area and is a permitted use within Section 3 of the Urban Code.

IX. CONDITIONAL USE REVIEW FACTORS TO BE CONSIDERED BY THE DECISION MAKER: SEC. 11.01.10(G)(6)

In applying the above standards, the decision-maker will consider each of the following factors:

1. Ingress and egress to the property and the proposed structures to be located thereon, if any, including considerations of automotive and pedestrian safety and convenience, of traffic flow and control, and of access in case of fire or catastrophe.

The proposal will be reviewed by the Fire and Public Works Departments at permitting and who have no objections to the proposed use at this time.

2. Off-street parking and loading areas including consideration of the economic impact thereof on adjacent properties and of any noise and glare cerated by the location of offstreet parking and loading areas on adjacent and nearby properties.

The proposal does not have any off-street parking. One of the two parking spaces required is in the garage. The second parking space stacks in front of the garage. (Variance requested)

3. Refuse and service areas including consideration of the economic impact

thereof on adjacent properties and of any noise and odor created by the location of refuse and service areas on adjacent and nearby properties.

The applicant will use the refuse and service areas provided by the City and acceptable to the City's Public Works Department.

4. **Utilities including consideration of hook-up locations and availability and compatibility of utilities for the proposed uses.**

Public Works has initially reviewed the proposal and have no objections in regard proposed connections to utilities.

5. **Screening and buffering including consideration of the type, dimensions, and character thereof to preserve and improve compatibility and harmony among the proposed uses and structures specially permitted and the uses and structures of adjacent and nearby properties.**

The applicant will propose more than adequate landscaping within the site.

6. **Signage and exterior lighting including consideration of glare, traffic safety, and economic effects thereof on adjacent and nearby properties.**

NA

7. **Required yards and open spaces.**

NA

8. **Height of proposed structures including consideration of the effects thereof on adjacent and nearby properties.**

The applicant is permitted to construct a single family home on the property at a maximum height of three stories or 35 feet in height. The total height of the proposed single family home is two stories and 28' 0" +- in height.

VIII. STAFF RECOMMENDATION

Based upon compliance with the City of Stuart's Comprehensive Plan and the pertinent standards found within Section 3.01.06 of the City of Stuart's Urban Code, staff recommends **APPROVAL** of the applicant's request to consider a **MAJOR URBAN CODE CONDITIONAL USE** to allow the single family home in accordance with the conditions attached to Resolution No. 127-2020.

Staff is requesting the Community Redevelopment Board consider the merits of the proposal and recommend the application be forwarded to the City Commission for final action of approval.

C. CALVERT MONTGOMERY & ASSOCIATES, INC.
ENGINEERS
STUART, FLORIDA 34995

GEORGIA AVENUE COTTAGE
URBAN CODE CONDITIONAL USE PERMIT APPLICATION
THE CITY OF STUART

PRELIMINARY DRAINAGE STATEMENT

The parcel is located on the southwest corner of the intersection of S.E. Osceola Street and S.E. Georgia Avenue in Urban General Sub-District of the City of Stuart. The site is bounded on the North by Osceola Street, on the East by Georgia Avenue, on the South by a paved parking lot and commercial building beyond, and on the West by an open, un-developed parcel.

The parcel area is 3,290 sq. ft., more or less.

Existing Conditions

The existing site is an open grassed area bounded on the North and East by public roadways and sidewalk. The site is presently nearly level or pitching slightly in elevation from West to East towards Georgia Avenue where there is an existing roadside drainage inlet located immediately in front of the parcel in the Georgia Avenue right-of-way. The westerly third of the site falls off to the West towards the adjacent parcel.

According to the Soil Survey of Martin County, Florida, prepared by the Soil Conservation Service, the site soils are classified as "urban land" due to the disturbed characteristics of the soils by development improvements. The underlying natural soils typically consist of moderately to excessively well drained sands (St. Lucie, Paola, and Jonathan sands) and are expected to be suitable for exfiltration type drainage systems. There are no wetlands on this site, nor does there appear to be any offsite inflows.

Stormwater Management System

The project is an infill development within the Urban General sub-district overlay, therefore the design criteria will be to provide onsite storage of the required water quality treatment volume per Section 3.01.03.F.2.11:

*Stormwater management. With the proper legal documentation and consent of the property owner, stormwater runoff from properties within the Urban Code District may be conveyed onto adjacent private properties. Otherwise, **stormwater runoff must be conveyed to the public right-of-way, and the quality of the runoff must be considered.** Proposed development may not obstruct existing drainage patterns. If a site is designed such that stormwater is captured by an internal stormwater management system, the*

*applicant must illustrate how the stormwater reaches the public stormwater management system. If a site is designed such that there is no internal stormwater management system, the applicant must illustrate how the stormwater runoff will be conveyed to the public stormwater management system and demonstrate that said system could accommodate the additional runoff. Pervious surfaces such as perforated pavers, mulched areas, and other similar examples may be considered in the calculation for stormwater detention. **For all development, stormwater quality treatment prior to discharge shall be provided in compliance with section 6.03.00 of this Code.***

The proposed site (lot) improvements will incorporate exfiltration trenches along either side of the residence, receiving roof runoff thru directly connected roof downspouts, and open area runoff through yard drains placed at each end of the exfiltration system piping. The design will comply with the City of Stuart's stormwater management and water quality treatment criteria as provided in Section 6.03.00 of the City's Land Development Regulations.

The Owner is proposing a residence design incorporating stemwall construction in order to minimize placement of import fill such that stormwater runoff is neither displaced nor caused to sheetflow onto adjacent properties.

Conclusions

There does not appear to be any drainage limitations that would preclude the development of this site from complying with all applicable City of Stuart stormwater requirements, and without any stormwater impacts to adjacent properties.

WATER AND SEWER UTILITIES STATEMENT

The project will connect to City of Stuart Utilities Potable Water and Sewer systems located in the Palm City Road right-of-way.

Projected Consumption

1 Single-Family residence (unit) at 250 gpd per unit:	250 GPD
---	---------

Potable Water

The site would be served by the City of Stuart's Water Treatment Plant. The City of Stuart Utilities has an existing water main in the Osceola Street R/W adjacent to the Site. Development of the site will require connection to the existing main for potable water supply.

An existing fire hydrant is located at the southeast corner of the intersection of Osceola Street and Georgia Avenue, directly across from the subject site.

Wastewater

The site would be served by the City of Stuart's Wastewater Facility. The City of Stuart Utilities has an existing gravity sewer in the Osceola Street R/W adjacent to the subject site.

Conclusions

The City of Stuart currently has existing water and wastewater facilities adjacent to the site, and available capacities to provide the projected consumption generated by the proposed Single-Family residence.

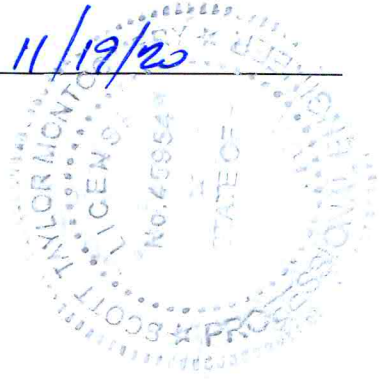
Prepared By:

C. CALVERT MONTGOMERY & ASSOCIATES, INC.

Scott T. Montgomery

11/19/20

Scott T. Montgomery, P.E.
FL Reg. No. 45954



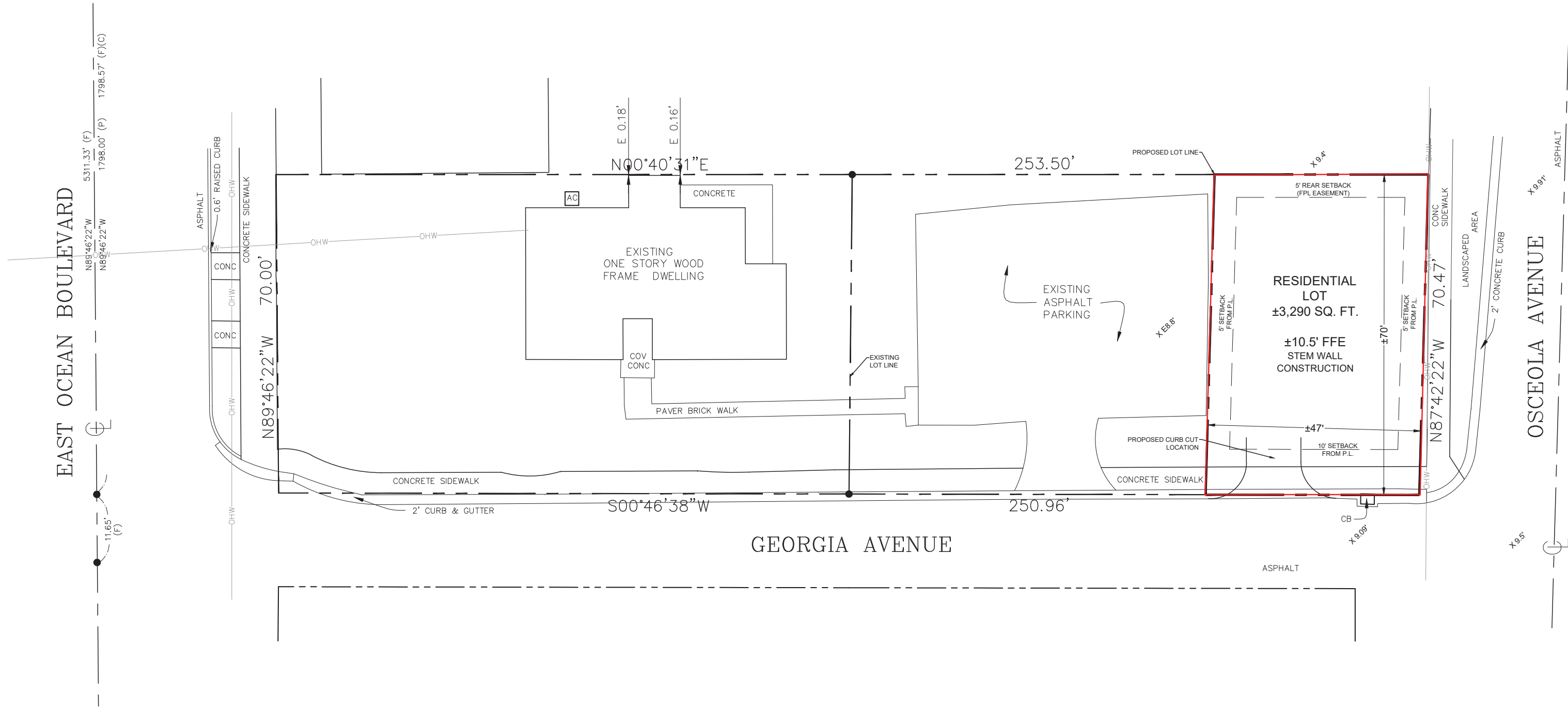


SITE DEVELOPMENT PLANS FOR
Georgia Avenue Residence
 SE OSCEOLA STREET, STUART, FLORIDA

AERIAL EXHIBIT

DATE: 11.20.20			
SCALE: 1"=30'			
PAGE 1 OF 1	NO.	REVISION	DATE

C. CALVERT MONTGOMERY & ASSOCIATES, INC.
 Engineers
 P.O. BOX 92...959 S. FEDERAL HWY.....STUART, FLORIDA 34995
 (Tel.) 772-287-3636 (Fax) 772-220-0580



Site Data	
Existing Zoning:	Urban General
Existing Future Land Use:	Downtown Redevelopment
Landscape Requirements	
1 Tree Front	
1 Tree Rear	
Urban Code Variance:	
1. Side Setback- 5'	
2. Rear Setback- 5'	
3. Curb Cut- Less than 75'	
4. Parking- Front	

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 12/1/2020

Prepared by: Pinal Gandhi-Savdas

Title of Item:

BUDGET AMENDMENT TO ALLOCATE CRA FUNDS FOR HIGH VISIBILITY CROSSWALKS IN EAST STUART.

RESOLUTION NUMBER 01-2021 CRA; A RESOLUTION OF THE BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #1 TO THE FY 2021 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO ALLOCATE TO THE EAST STUART HIGH VISIBILITY CROSSWALKS IN THE AMOUNT OF \$75,000 TO IMPROVE THE VISIBILITY OF PEDESTRIAN CROSSWALKS; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The City and CRA are undertaking infrastructure improvements in the East Stuart neighborhood to improve the appearance of the road and visibility of pedestrian crosswalks by installing high-visibility crosswalk markings.

The City's Public Works Departments will be repairing and resurfacing streets within the East Stuart neighborhood as part of their Annual Pavement Maintenance Program (Zone maps attached). The pavement maintenance project in Zone 3 began in mid-November and expected to be completed in February 2021. The resurfacing work will remove the existing crosswalk markings.

There are 38 crosswalks identified within the East Stuart neighborhood as part of the project. The CRA is proposing to enhance the traditional crosswalk markings to the high-visibility marking pattern to improve pedestrian safety and driver awareness of pedestrian presence within the neighborhood.

The benefits of high-visibility crosswalks include:

- Improve pedestrian safety
- Increase visibility of crosswalks
- Call driver's attention to people crossing
- Avoids drivers from stopping into crosswalks
- Reduce pedestrian-vehicle crashes
- Improve the appearance of the neighborhood
- Provide fun and safe crossings in the neighborhood for students along the school walking route

Several studies and facts indicate the reasons to install high-visibility crosswalks:

- According to FHWA, high-visibility crosswalks can reduce pedestrian crashes by 23-48%
- FDOT recommends using high-visibility crosswalks within 1-mile of all schools
- More cost effective compared to adding substantial crossing treatments such as raised median, traffic and pedestrian signals
- Minimal maintenance for striped crosswalks compared to brick pavers
- Brick pavers are not highly visible - particularly at night, in the rain and over time as they lose contrast with the surrounding street
- 24" solid longitudinal lines will be spaced to avoid the wheel paths and reduce cracking and visibility of crosswalk
- Drivers traveling at 30 mph have eight additional seconds of awareness of crossing pedestrians
- Acts as traffic calming and lowers speeding in the neighborhood

- Safe Routes to School recommends high visibility crosswalks in or near school zones or at key crossing in neighborhoods to support safe walking routes for students

The estimated costs to install the high-visibility crosswalks is \$75,000. The new crosswalks will be installed in March/April 2021, soon after the resurfacing project is completed.

The color markings will be the same material that the City recently used for the green bike lanes along Colorado Avenue and the crosswalk on N Dixie Hwy (by the Sailor's Return restaurant). The MMA road markings is highly durable, skid resistance and provide color stability over the lifecycle of the markings and requires little maintenance.

Funding Source:

FROM: CRA FY 2021 Fund Balance – \$75,000
TO: East Stuart Crosswalks – \$75,000

Recommended Action:

Recommend to the CRA Board to approve Resolution No. 01-2021 authorizing a budget allocation of \$75,000 for the East Stuart Crosswalks Project.

ATTACHMENTS:

Description	Upload Date	Type
☐ A1. Resolution No. 01-2021 Budget Amendment #01-2021	11/20/2020	Resolution add to Y drive
☐ B1. Presentation - East Stuart Crosswalks Proposal	11/20/2020	Backup Material
☐ C1. Zone 3 Maintenance Project Map	11/16/2020	Backup Material
☐ D1. Press Release for Pavement Maintenance Project - Zone 3	11/16/2020	Backup Material
☐ D2. Quote	11/20/2020	Backup Material



**BEFORE THE COMMUNITY REDEVELOPMENT AGENCY
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 01-2021 CRA

A RESOLUTION OF THE BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #1 TO THE FY 2021 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO ALLOCATE TO THE EAST STUART HIGH VISIBILITY CROSSWALKS IN THE AMOUNT OF \$75,000 TO IMPROVE THE VISIBILITY OF PEDESTRIAN CROSSWALKS; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, that:

SECTION 1: The Community Redevelopment Agency of the City of Stuart hereby authorizes a FY 2021 budget transfer as follows:

FROM: CRA FY 2021 Fund Balance – \$75,000
TO: East Stuart Crosswalks – \$75,000

SECTION 2: This resolution shall take effect upon adoption.

Resolution No. 01-2021 CRA
Budget Amendment #1 to FY 2021 CRA Budget

Board Member _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Board Member _____ and upon being put to a roll call vote, the vote was as follows:

MICHAEL J. MEIER, CHAIRPERSON
EULA R. CLARKE, VICE CHAIRPERSON
BECKY BRUNER, BOARD MEMBER
MERRITT MATHESON, BOARD MEMBER
TROY MCDONALD, BOARD MEMBER
PETE WALSON, EX-OFFICIO BOARD MEMBER
TOM CAMPENNI, EX-OFFICIO BOARD MEMBER

YES	NO	ABSENT	ABSTAIN

ADOPTED this _____ day of _____, 2021.

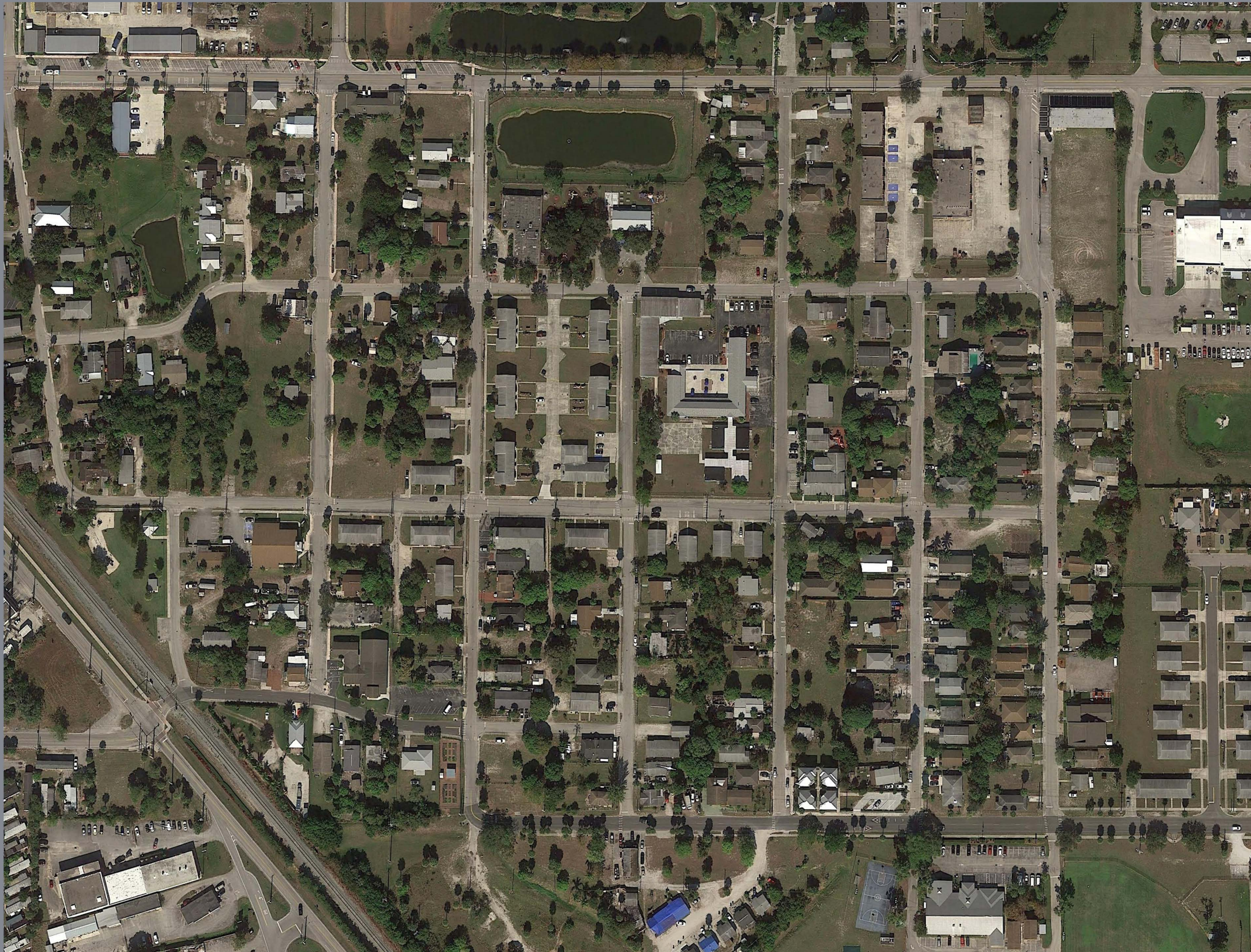
ATTEST:

MARY R. KINDEL
CITY CLERK

MICHAEL J. MEIER
CHAIRPERSON

APPROVED AS TO FORM
AND CORRECTNESS:

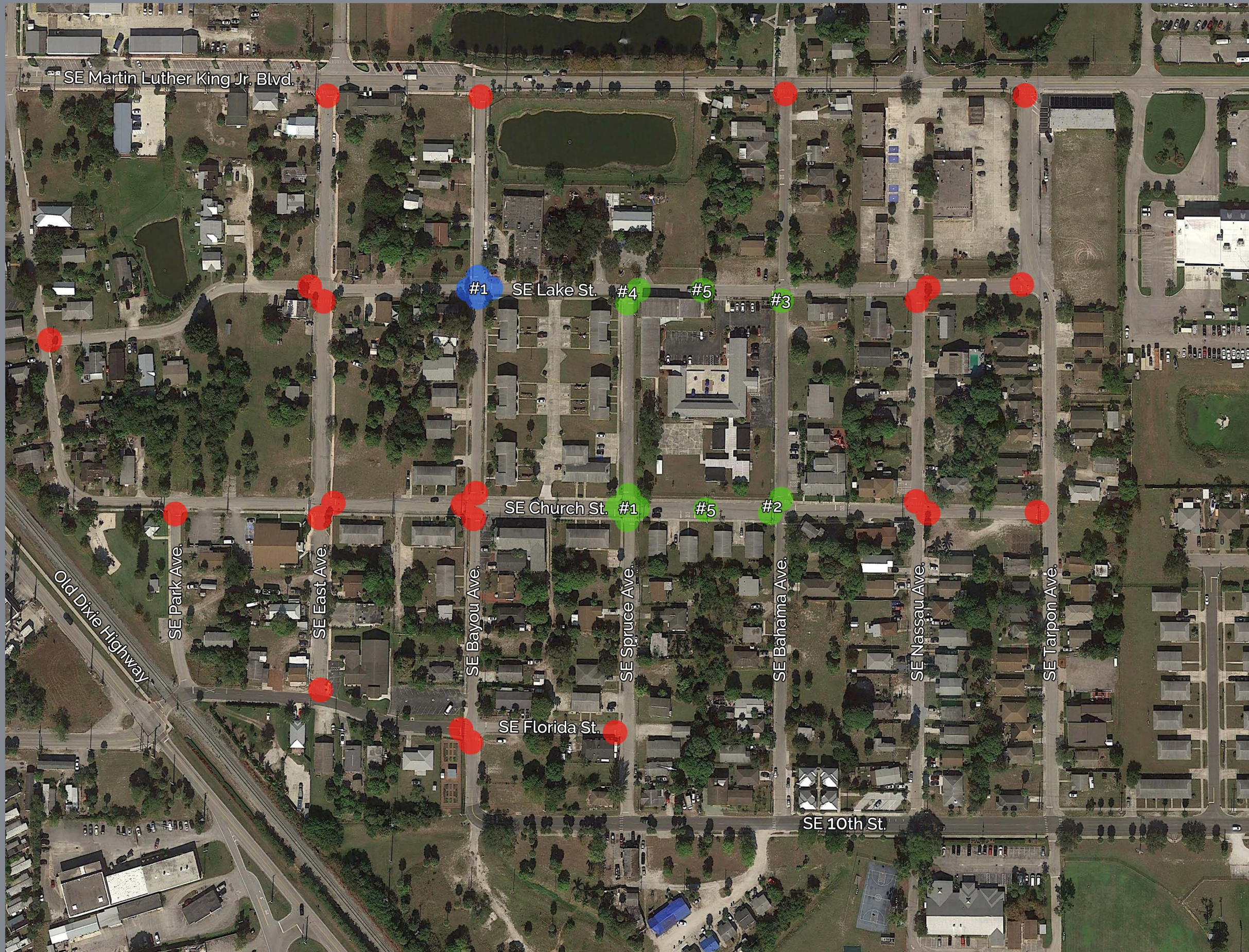
MICHAEL MORTELL
CITY ATTORNEY



East Stuart High Visibility Crosswalks



CITY OF STUART
October 2020



CROSSWALK LOCATIONS

- **Spectrum High School**
Total of 11 crosswalks with colorful patterns
- **Gertrude Daycare Center**
Total of 4 crosswalks with colorful patterns
- **Standard**
Total of 23 crosswalks with a painted herringbone or similar pattern

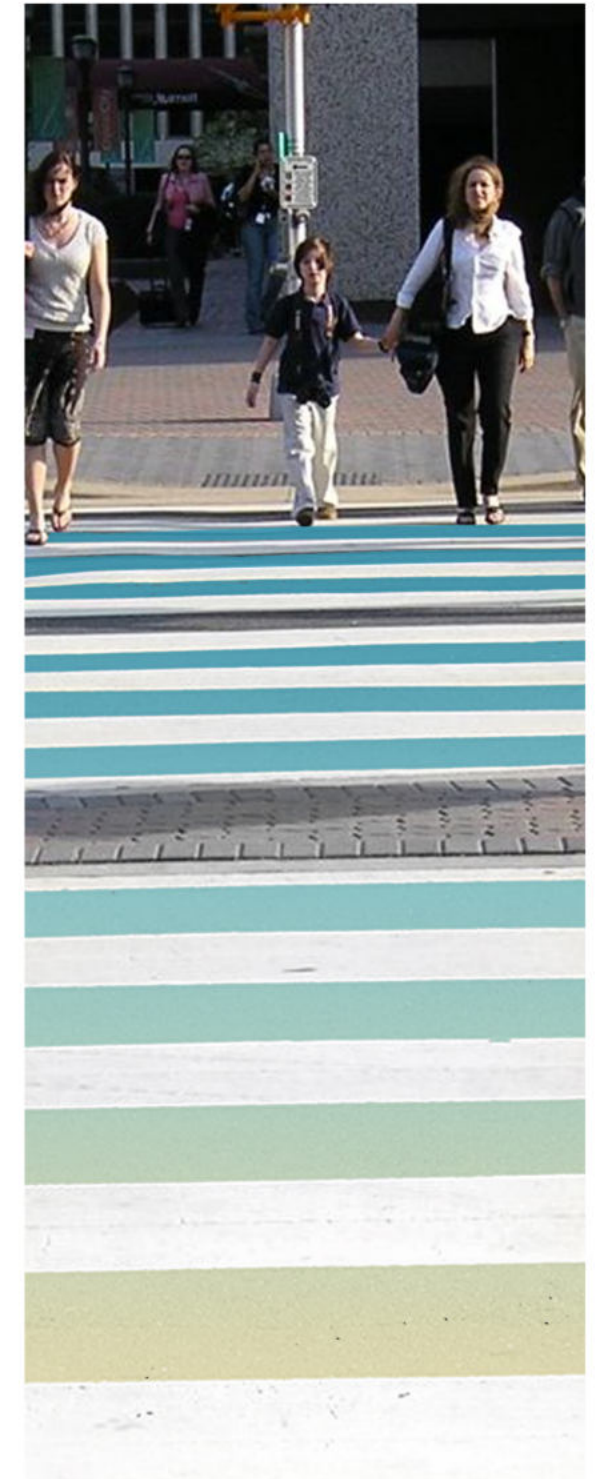


BENEFITS OF HIGH VISIBILITY CROSSWALKS

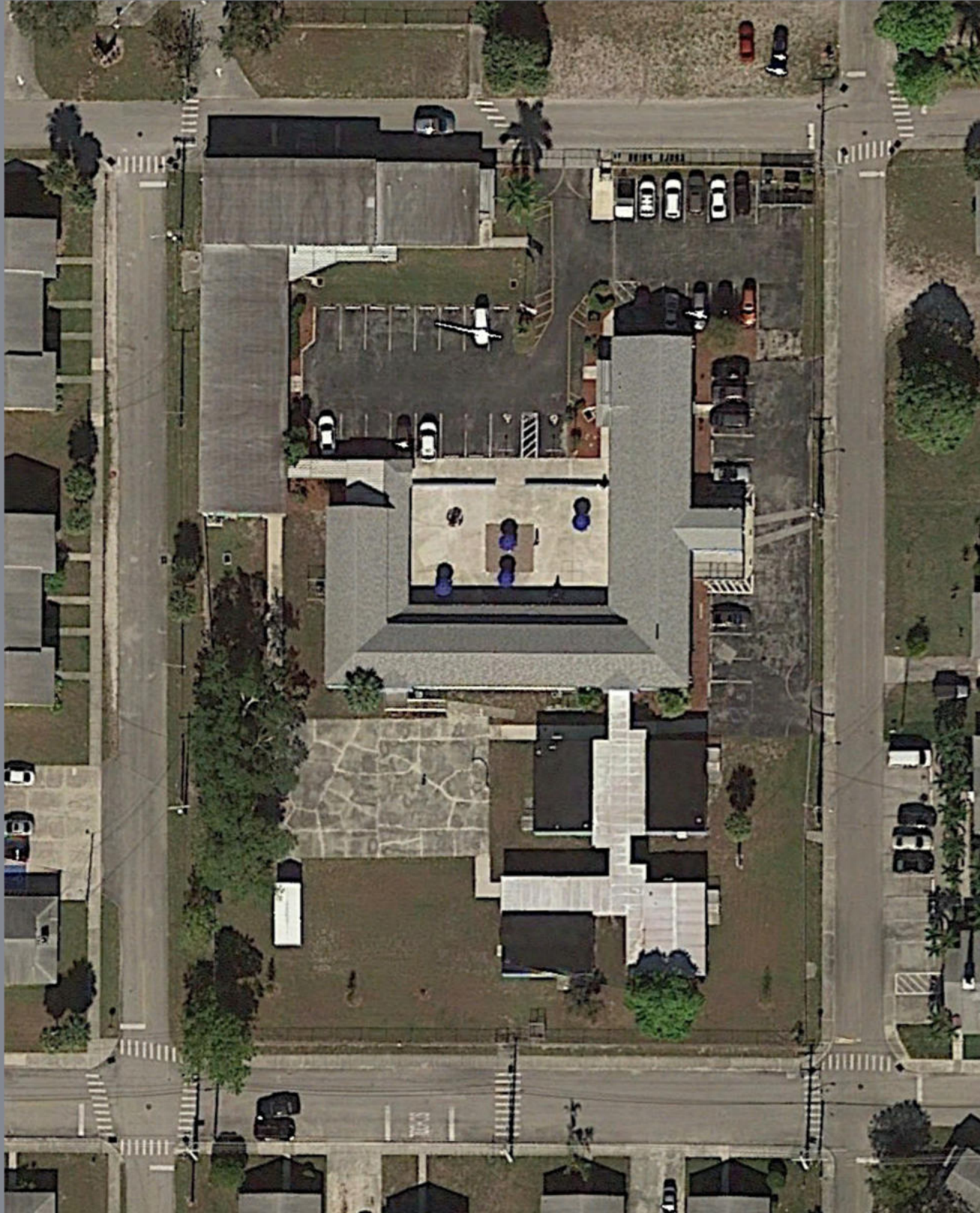
- ◆ Improve pedestrian safety
- ◆ Increase visibility of crosswalks
- ◆ Call driver's attention to people crossing
- ◆ Avoids drivers from stopping into crosswalks
- ◆ Reduce pedestrian-vehicle crashes
- ◆ Improve the appearance of the neighborhood
- ◆ Provide fun and safe crossings in the neighborhood for students near schools

STUDIES AND FACTS

- According to FHWA, high-visibility crosswalks can reduce pedestrian crashes by 23-48%
- FDOT recommends using high-visibility crosswalks within 1-mile of all schools
- More cost effective compared to adding substantial crossing treatments such as raised median, traffic and pedestrian signals
- Minimal maintenance for striped crosswalks compared to brick pavers
- Brick pavers are not highly visible - particularly at night, in the rain and over time as they lose contrast with the surrounding street
- 24" solid longitudinal lines will be spaced to avoid the wheel paths and reduce cracking and visibility of crosswalk
- Drivers traveling at 30 mph have eight additional seconds of awareness of crossing pedestrians
- Acts as traffic calming and lowers speeding in the neighborhood
- Useful where intersections don't line up and/or between intersections
- Safe Routes to School recommends high visibility crosswalks in or near school zones or at key crossings in neighborhoods to support safe walking routes for students.



CITY OF STUART



Satellite image



Facade colors



Streetview



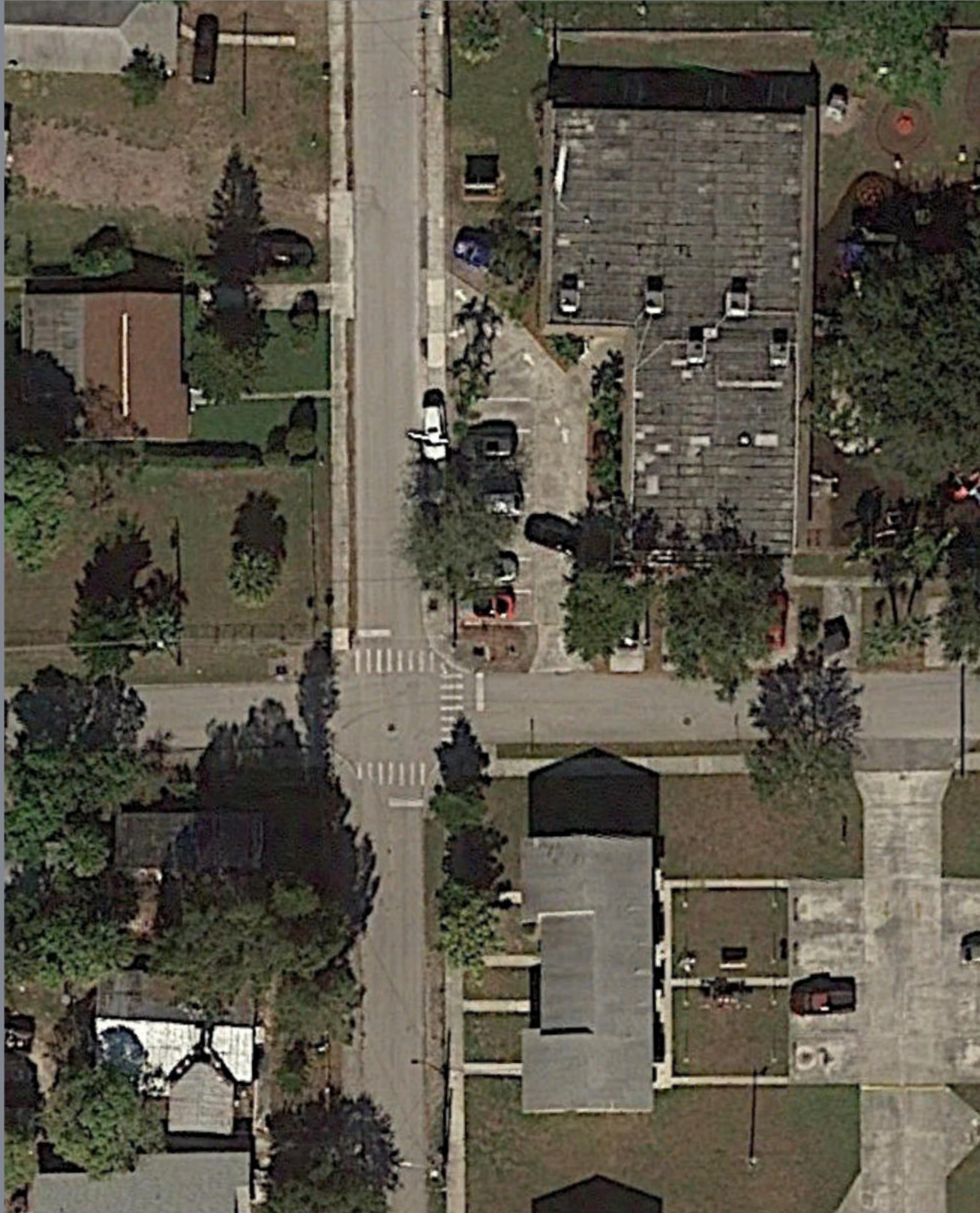
Color Scheme

SPECTRUM HIGH SCHOOL

Spectrum High School building has a distinctive colorful facade, so these colors can be used to paint the crosswalks which will visually connect the school building and the streets that surround it,



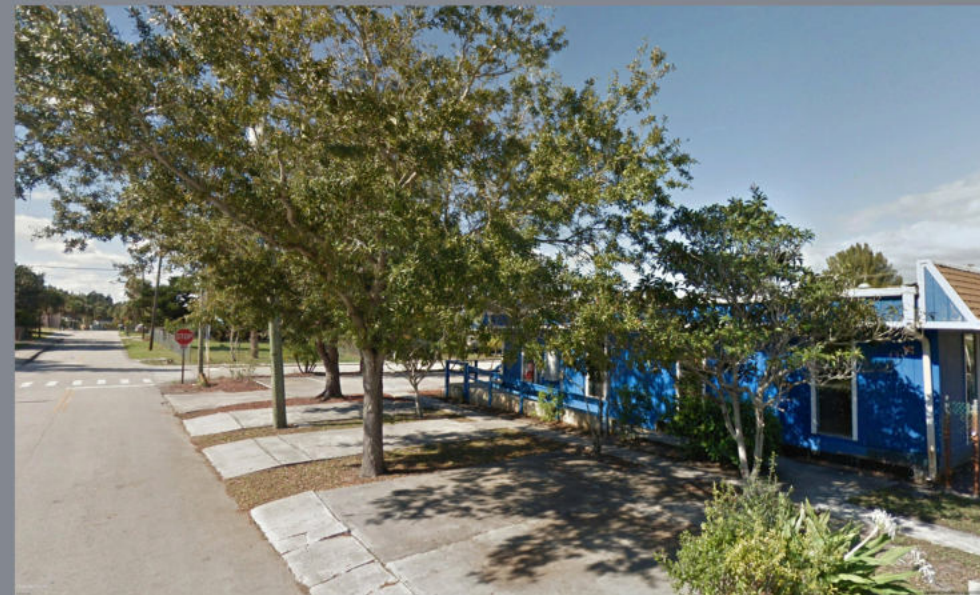
CITY OF STUART



Sattelite image



Streetview



Streetview



Color Scheme

GERTRUDE DAYCARE CENTER

Although hidden by landscaping, Gertrude Daycare Center's building is painted in a vivid blue color, which might be used for painting the crosswalks in order to visually connect the building with the street and its surroundings.

The other dominant color is a darker red color that appears on the roofs and landscaping around the building.

Patterns on the crosswalks should be playful and interesting for kids which will be coming to the daycare.



CITY OF STUART

HIGH SCHOOL CROSSWALKS

PATTERN #1 GEOMETRIC



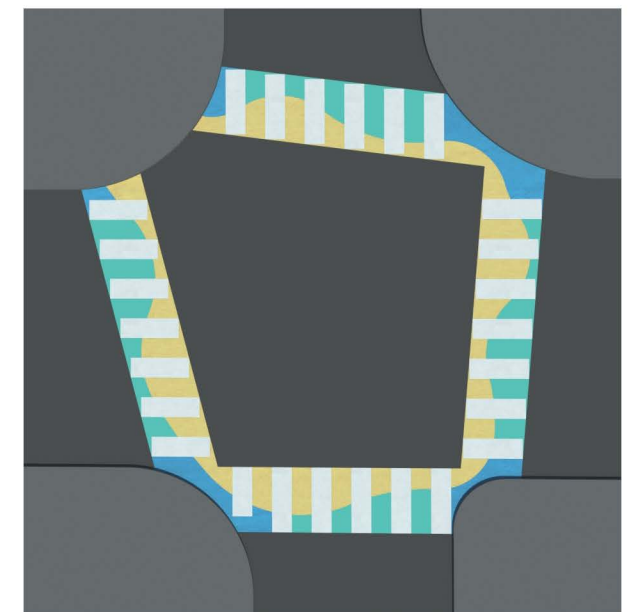
Color Scheme is matching the newly painted school building
All Public Curb Ramps and Detectable Warning Surfaces
shall follow FDOT Standard Plans Index 522



CITY OF STUART

HIGH SCHOOL CROSSWALKS

PATTERN #2 WAVY



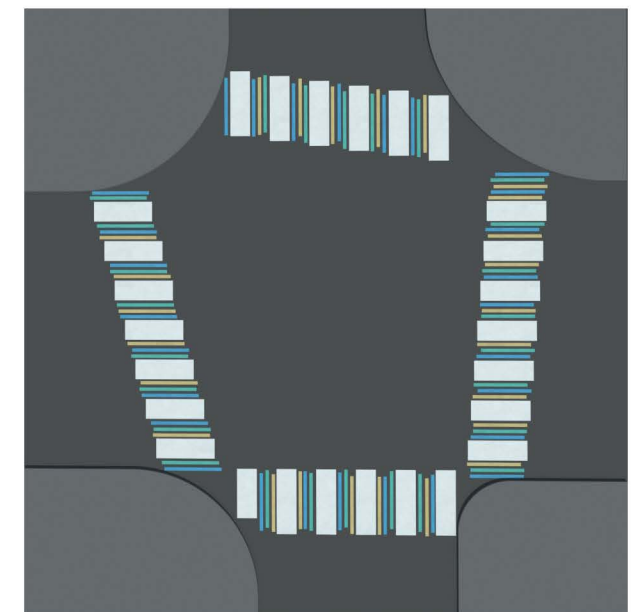
Color Scheme is matching the newly painted school building
All Public Curb Ramps and Detectable Warning Surfaces
shall follow FDOT Standard Plans Index 522



CITY OF STUART

HIGH SCHOOL CROSSWALKS

PATTERN #3 STRIPES



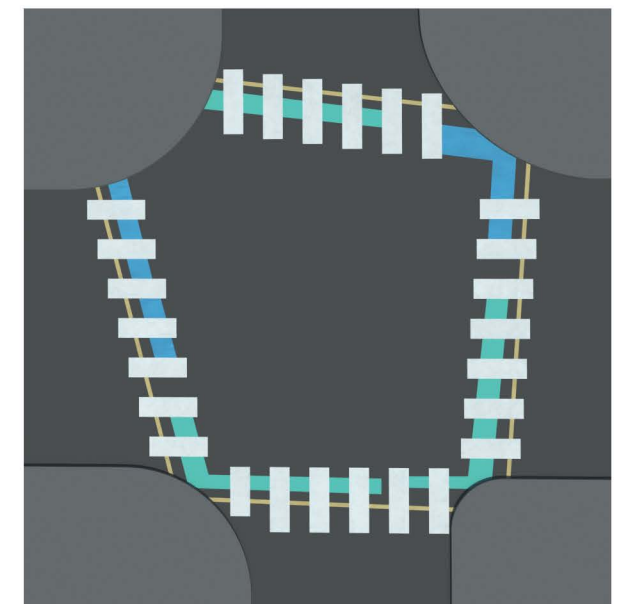
Color Scheme is matching the newly painted school building
All Public Curb Ramps and Detectable Warning Surfaces
shall follow FDOT Standard Plans Index 522



CITY OF STUART

HIGH SCHOOL CROSSWALKS

PATTERN #4 LINES



Color Scheme is matching the newly painted school building
All Public Curb Ramps and Detectable Warning Surfaces
shall follow FDOT Standard Plans Index 522



CITY OF STUART



Before



After

HIGH SCHOOL and DAYCARE CENTER CROSSWALKS

PATTERN #5 TRIANGULAR

Rather than using 12" wide white stripes, we recommend using 24" wide stripes

All Public Curb Ramps and Detectable Warning Surfaces shall follow FDOT Standard Plans Index 522.

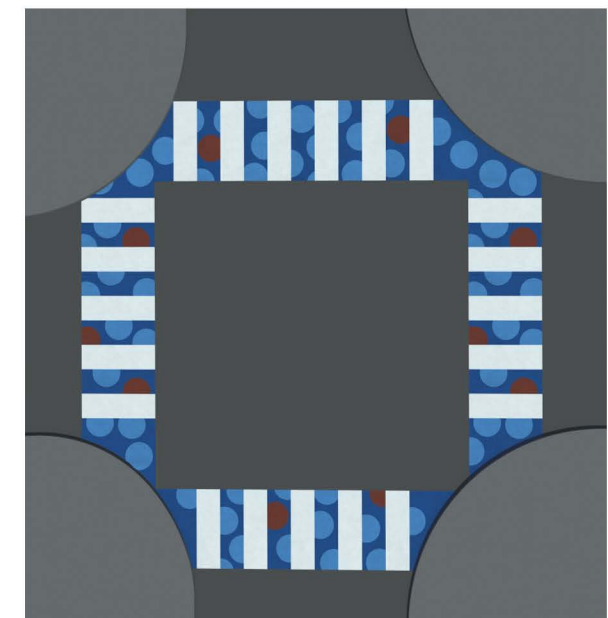


CITY OF STUART

DAYCARE CENTER CROSSWALKS

PATTERN #1 BUBBLES

Design utilizes 24" wide stripes with 36" spacing. "Bubbles" are to be 24" diameter circles.



Color Scheme is matching the school building
All Public Curb Ramps and Detectable Warning Surfaces
shall follow FDOT Standard Plans Index 522



CITY OF STUART



Before



After

STANDARD CROSSWALKS

PATTERN #1 HERRINGBONE

Herringbone pattern includes a soldier course on either side in a gray along with 24" wide white stripes.

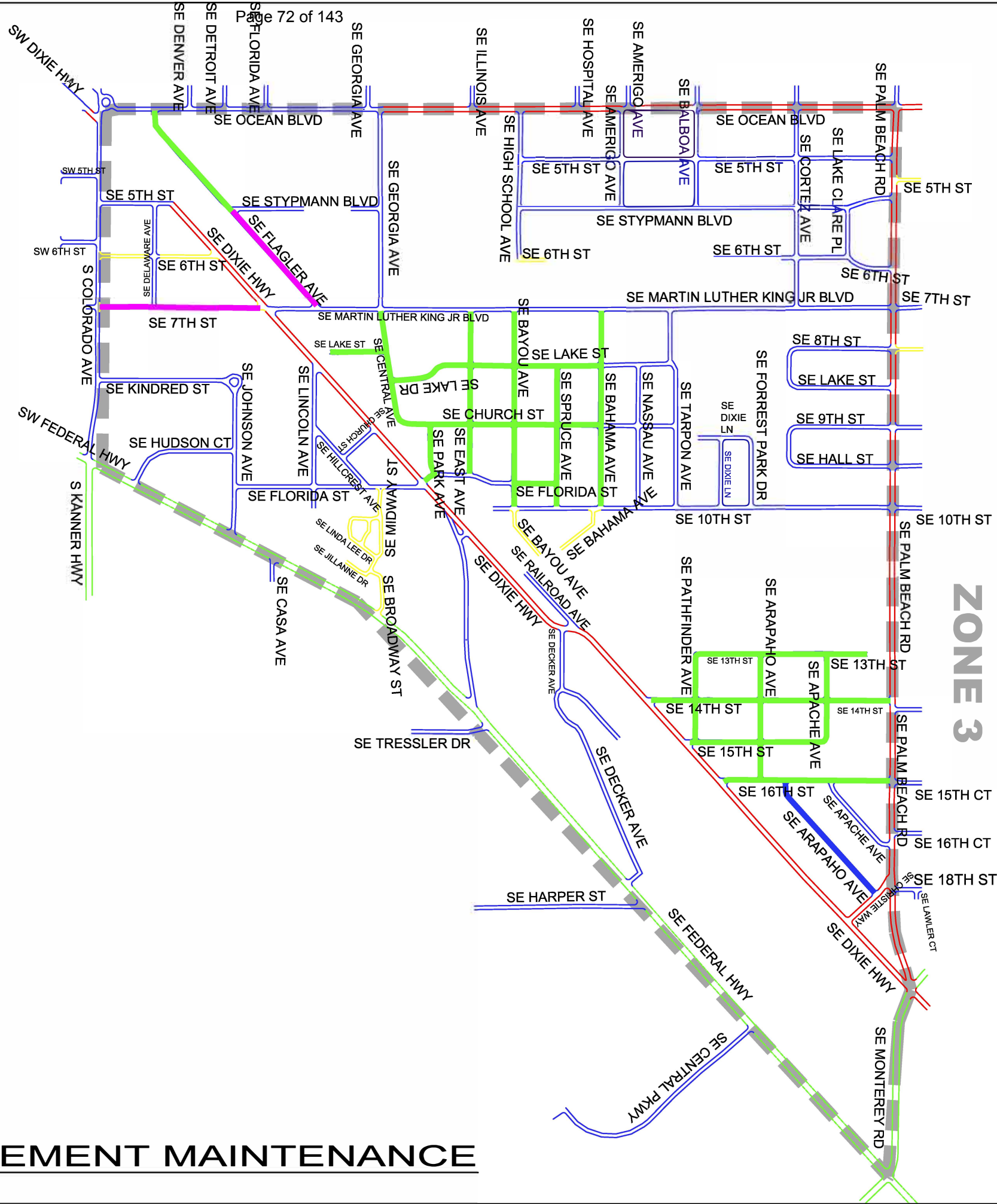
All Public Curb Ramps and Detectable Warning Surfaces shall follow FDOT Standard Plans Index 522.



CITY OF STUART

LEGEND

- SINGLE MICRO
- DOUBLE MICRO
- OVERLAY
- COUNTY STREETS
- CITY STREETS
- STATE STREETS
- PRIVATE STREETS



Scale: NOT TO SCALE

ZONE 3

ZONE 3 2021 PAVEMENT MAINTENANCE

Bowman Consulting Group, Ltd.
4450 W. Eau Gallie Blvd
Suite 232
Melbourne, FL 32934
Phone: (321) 255-5434
Fax: (321) 255-7751
www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.

CITY OF STUART
CITY OWNED STREETS

Bowman
CONSULTING
Certificate of Authorization License No. 30462

ELF	MMZ	ZDK
DSGN	DRAWN	CHKD
010381-01-003		
PROJECT NUMBER		
NOT TO SCALE		
SHEET		2

Posted on: November 9, 2020

Page 73 of 143

City of Stuart Pavement Maintenance Project – Zone 3

Stuart, FL – The City of Stuart 2021 Pavement Maintenance Project is scheduled to commence this week and weather permitting, is expected to be completed by **March 31, 2021**.

Each year, the City of Stuart inspects the roadways and identifies those streets that require repair or reconstruction for the Annual Pavement Maintenance Program. Annual maintenance extends the life of our roads and helps us get the most out of our investment in infrastructure. To facilitate coordination with other projects and minimize impacts to residents the City has adopted a zone-based system.



As part of the Annual Pavement Maintenance Program the City of Stuart will be completing essential road repairs and restoration within **Zone 3** as well as completing remaining roadways within **Zone 2** (SE Osceola St., SE Fourwinds Dr.).

The road work will consist of:

- **Pavement point repairs** (will include excavation & asphalt restoration of a specific area).
- **Milling/overlay** (consists of milling off existing asphalt and replacing with new asphalt).
- **Crack-sealing & Micro-surfacing** (consists of the application of a polymer modified cold-mix paving system onto the existing pavement surface).

Road work will require intermittent lane shifts and closures. Streets may be partially closed during posted working hours. However, the contractor is required to allow residents to access their driveway when it is safe and possible to do so.

For more information please visit www.cityofstuart.us.

###

Next ⇒

[FDOT Issues Update on Roosevelt Bridge Repair](#)

Other News in Home

FDOT Issues Update on Roosevelt Bridge Repair

Posted on: October 29, 2020





STRIPING

1075 N Ronald Reagan Blvd Longwood, Florida 32750
Phone: (407) 578-8308 www.angcostriping.com

Revised Quote

To: City of Stuart
Attn: Pinal Gandhi-Savdas
Project: Decorative Crosswalks
Date: ~~October 28, 2020~~

Nov. 20, 2020

Item: Description:
106 MMA F&I Two Color Pattern w/ Stencil

Quantity: Unit Price: Extension:
~~5,952~~ SF \$ 9.30 \$ ~~55,353.60~~
7,296 Total: \$ ~~55,353.60~~

67,852.80

67,852.80

The quote above is per City of Orlando Contract #IFB16-0055 for Pavement Markings to City Streets. The price is consistent with line item 106, "Two Colors w/ Stencil".

We estimate the job to take ~~6 (six)~~ ^{8 (eight)} days to complete the work, weather permitting.

The price assumes the city will provide the "circle" stencils, all other stencils will be provided by Angco.

Notes:

1. We ask for two weeks notice prior to beginning work.
2. Our quote is valid for thirty days.
3. Unless stated otherwise, all work is to be daytime work.
4. Price assumes the Angco will provide all necessary MOT.
5. Unless quoted above, the quote does not include striping.
6. The FDOT requires a 15 day cure time on the asphalt prior to installing the green.

Steve Mitchell

Angco, Inc.

A Certified Disadvantaged Business Enterprise

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 12/1/2020

Prepared by: Tom Reetz

Title of Item:

Public Art - Discussion and Deliberation

Summary Explanation/Background Information on Agenda Request:

The Community Redevelopment Board suggested changes to the City's public art code - Sec. 3.01.08. at its October 6, 2020 meeting. This afternoon is a continued discussion with the following suggested changes to code described in strikethrough and underline:

Sec. 3.01.08. - Public art.

C. Requirements for receiving building permit. All new development and renovation development pursuant to chapter XII shall elect one of the options listed below prior to the issuance of a building permit:

1. Provide work of art on the development site provided the work is an original and must be created individually by a professional artist or team of artists. Bronze sculptures in limited editions of not more than 50 in all sizes and materials by a single artist are allowed. The value of the work of art shall not be less than one percent of the vertical construction cost of the development. The nature of the work of art shall be proposed by the developer and shall be submitted to the city's community redevelopment board which shall review the proposal for conformity with the public art standards set forth below. An approved work of art shall be incorporated into the site plan, ~~public lobby floor plan~~ or the landscape plan and be visible from a public right-of-way for the development as part thereof.

Funding Source:

N/A.

Recommended Action:

Staff is requesting the board discuss a text amendment and direct staff to bring to the Local Planning Agency and City Commission for approval to the City's Land Development Regulations to improve the application of the City's public art code.

Also, attached a presentation by Nancy Turrell, executive director of the Arts Council for Martin County. The presentation highlights ideas from other communities that could improve the city program.

ATTACHMENTS:

Description	Upload Date	Type
❑ A1. Revised Chapter 3 Public Art Code	11/22/2020	Cover Memo
❑ D1. Nancy Turrell presentation	11/23/2020	Backup Material
❑ D2. Americans for the Arts resource	11/23/2020	Backup Material

Sec. 3.01.08. - Public art.

- A. *Intent.* The intent of this section is to further the commitment of the city to the aesthetic enrichment of the Urban Code District through the private acquisition of works of art so that citizens and visitors to the Urban Code District of the city will be afforded an opportunity to enjoy and appreciate works of art.
- B. *Applicability.* The provisions of this section shall apply to all new development and substantial renovations (as defined in chapter XII of this Code) in the Urban Code District with the exception of a duplex, single-family home and single-family home subdivisions.
- C. *Requirements for receiving building permit.* All new development and renovation development pursuant to chapter XII shall elect one of the options listed below prior to the issuance of a building permit:
 - 1. Provide work of art on the development site provided the work is an original and must be created individually by a professional artist or team of artists. Bronze sculptures in limited editions of not more than 50 in all sizes and materials by a single artist are allowed. The value of the work of art shall not be less than one percent of the vertical construction cost of the development. The nature of the work of art shall be proposed by the developer and shall be submitted to the city's community redevelopment board which shall review the proposal for conformity with the public art standards set forth below. An approved work of art shall be incorporated into the site plan, ~~public lobby floor plan~~ or the landscape plan and be visible from a public right-of-way for the development as part thereof.
 - 2. Contribute an amount equal to or greater than one percent of the vertical construction cost in lieu of providing a work of art, a developer may pay the sum of one percent of the vertical construction cost into the public art trust fund described below. Such payment shall be made prior to issuance of a building permit for any portion of the development.
 - 3. If the value of on-site work of art proposed on the development site is less than one percent of the vertical construction cost of the development, a developer may have an option to contribute the remaining balance of the public art fee to the public art trust fund as described below.
- D. *Performance security required.*
 - 1. If a work of art has not been approved by the community redevelopment board at the time of application for a building permit, the permit applicant shall provide a performance security bond or other surety acceptable to the city, in the amount of one percent of the value of the vertical construction which shall be posted until the work of art is approved by the community redevelopment board. The cost estimate or bid for work of art shall be provided by the artist or representative and accepted by the city. The surety may be extended no more than 12 months from the original surety expiration date. This surety shall be cancelled, or returned when the work of art has been approved by the community redevelopment board.
 - 2. In the event an approved work of art has not been properly constructed and installed prior to the issuance of the first certificate of occupancy for any portion of the development, the permit applicant shall provide a performance security bond or other surety acceptable to the city, in the amount of one percent of the value of the vertical construction which shall be posted until the work of art is completed. The surety may be extended no more than 12 months from the original surety expiration date. This surety shall be cancelled, or returned when the work of art has been properly constructed and installed. The surety may be forfeited to the public art trust fund, and the developer and property owner cited with a code violation for failing to provide the required work of art.
- E. *Application for work of art for development projects.* An application for a minor Urban Code conditional use shall be made to construct and install a work of art. The application shall include the artist's resume and portfolio establishing the artist's credentials and abilities, a detailed description of the work of art, its proposed location on the development site and the cost evaluation as set forth below. Drawings and renderings depicting the artist(s) portfolio, the proposed work of art in terms of

size/scale, color, shape, materials, and maintenance program shall be included in sufficient detail to provide the board with a clear understanding of the work of art proposed.

- F. *Standards for work of art.* The community redevelopment board shall be governed by the following criteria in the exercise of their discretion to approve, approve with conditions, or disapprove the proposed installation of public art. In specific cases, the board shall have the authority to exercise discretion and approve a proposal that proves to be an exceptional work of art yet does not meet all of the following criteria.
 - 1. The proposed art conforms to the definition of public art contained in this section;
 - 2. The proposed art meets or exceeds the valuation requirement as provided herein;
 - 3. The proposed art meets the location requirements;
 - 4. The proposed art is visible from a public right-of-way and will enrich the open space;
 - 5. The proposed art is of exceptional quality and enduring value;
 - 6. The proposed art is an appropriate scale to the development site;
 - 7. The proposed art is compatible with the neighborhood and not injurious to the neighborhood or otherwise detrimental to the public welfare;
 - 8. The proposed art work reflects cultural diversity;
 - 9. The proposed art does not constitute a safety hazard;
 - 10. The proposed art does not require extraordinary maintenance.
- G. *Maintenance of work of art.* A work of art provided and located on public or private property pursuant to this section shall be and remain the sole property of the property owner. The property owner shall be responsible for maintenance and care of the public work of art. A constructed and installed work of art approved pursuant to this section shall be retained on site in its approved condition and location and shall not be removed, replaced or altered without prior approval of the community redevelopment board.
- H. *Removal or replacement.* After a work of art has been approved by the community redevelopment board, such works of art shall be retained on site in its approved location and shall not be removed without prior approval of the community redevelopment board unless replaced with a reasonably equivalent replacement work of art, except when deemed to be unsafe by the building official, in which case it must be replaced within 12 months. This includes displacement damages by natural disasters, in which case the replacement timeframe shall be at the discretion of the development director.
- I. *Additional public works of art.* Following the construction and installation of a required work of art approved pursuant to this section, additional works of art are encouraged and may be constructed and installed without the approval of the community redevelopment board.
- J. *Public art trust fund created.*
 - 1. There is hereby created a public art trust fund for the deposit of payments made in lieu of the construction and installation of a work of art as required in this section.
 - 2. Funds in the public art trust fund shall be used solely for the selection, acquisition, transportation, installation, maintenance and promotion of works of art to be displayed in the city and all expenditures from the fund for such purposes shall be approved by the community redevelopment agency. The cost of insurance for public art located on property owned by the city may be paid with funds in the public art fund.
 - 3. All works of art purchased with funds in the public art trust fund shall be and remain the sole property of the city.
 - 4. The public art fund shall be kept in an interest bearing account, separate from general revenues and all accrued interest shall be deposited in the public art fund.

K. *Process for commissioning artworks for public right-of-way or public places.*

1. *Artist identification.* The community redevelopment board will make a recommendation to the community redevelopment agency on the selection process that will be used for each particular project. The options for selecting artwork are:
 - a. *Direct purchase.* An existing artwork is selected for a particular project.
 - b. *Commission purchase (or invitation).* Artist is chosen to create a site-specific work of art.
 - c. Limited or open competition:
 - 1) *Limited.* One or more artists are invited to submit proposals for selection.
 - 2) *Open.* Any artist may apply subject to criteria established by the community redevelopment board in the "call for artists."
 1. Request for qualification (RFQ) may be used when the commissioning body is interested in a larger pool of applicants for a project. Applicants are asked to submit qualifying material only (resume, images of past work, letter of interest, etc.) that a panel will use to determine suitability for the project. Based on the qualifying materials submitted, the pool of applicants is narrowed by a panelist to 3—5 artists to move forward in the competition. Finalist may be asked to submit a more detailed proposal, visit the site or make a presentation.
 2. Request for proposal (RFP) may be used to look for proposals for a specific project/site/theme. Artists are asked to submit qualification materials and a proposal for the project.
2. *Review of submittals.* The community redevelopment board shall review the submittals and make a recommendation to the community redevelopment agency. The final selection may be made by the community redevelopment agency or the community redevelopment agency with one or more additional participants (referred to as "panelist") as each project dictates. These may include a representative of the site/building/community where the artwork to be located, a local artist (not eligible for commission) or outside art/public art expert, other experts in the area of architecture, landscape architecture, engineering, urban planner, etc.
3. *Review process/criteria.* The community redevelopment board and community redevelopment agency or panelist may review the submitted visual material simultaneously with the written material. Artists are selected to move forward in the process based on set criteria, which may include but not limited to:
 - a. Quality, creativity and strength of past work as indicated by visual materials submitted.
 - b. Technical competence demonstrated by past work.
 - c. Understanding of the project goals as indicated in the RFQ or RFP.
 - d. Relevance of submitted materials to the project.
 - e. Aptitude of planning and budgeting.
 - f. Experience working on public art projects and demonstrated ability to adapt to meet the project goals as indicated in the RFQ or RFP.
 - g. Commitment to participate with agency/community as part of the concept development.
 - h. Local artist or previous experience working on public art within the city limits.
4. *Interview.* In the event the community redevelopment agency or panelist cannot make a unanimous decision, finalists may be invited to make a presentation to help finalize the decision. The criteria to select the artist for the project may include but not limited to:
 - a. Artistic excellence.
 - b. Ability to relate the proposed artwork to the site.

- c. Experience with projects in similar scope and/or type.
 - d. Knowledge of fabrication and installation of public art proposed.
 - e. Ability to be an effective communicator, team player and work with diverse groups.
 - f. Ability to be detail oriented, a problem solver, an efficient project manager with an understanding of schedules and budgets.
 - g. Flexibility/openness of ideas.
 - h. Presented budget in realistic and flexible.
5. *Contracts.* The contract shall outline the responsibilities, obligations with respect to products and services being provided by the artist, and the conditions desired by the community redevelopment agency or panelist to successfully realize the artwork.
- L. *Cost estimates required.* Cost estimates for determining valuation of art, posting of security or payment in lieu shall be required from the artist and/or contractor and be presented to city development staff prior to the community redevelopment board hearing.
- M. *Final compliance.* The property owner will be in compliance with this section after the installation of the public art in accordance with the approved plans, inspection by city development staff and the submittal of five photographs of the artwork on the site and a notarized statement of costs expended that meets or exceeds the requirements.

(Ord. No. 2046-05, § 1, 11-28-05; Ord. No. 2375-2018, § 1, 9-24-18)

EXPLORING ART IN PUBLIC PLACES

The Arts Council of
Martin County

Presentation by
Nancy K.Turrell, MA

Why Public Art

Public art stimulates public spaces, which encourage a sense of ownership and pride within the community, acting as a landmark or gathering place.

It encourages relaxation, contemplation in nature, heightened perceptions and the process of creative thought.

The development of the human race is dependent upon having the freedom to express itself. As a reflection of human creativity, public art serves as a necessary reminder of the allowances and freedoms we have in our everyday lives.

Why Public Art

Public art not only aids in recreation and intellectual pursuits of a community, it also affects the economic growth of an area. A strong cultural environment can be a barometer to measure the health of a region.

A healthy cultural environment supports tourism and economic development. Businesses evaluating a region for relocation and expansion are influenced by these positive factors.

Public art is a reflection of the quality of a region. It should exemplify the highest degree of social awareness, intellectual pursuit, ingenuity, creative ability and the skills a community has to offer.

What is Unsuccessful Public Art?

- Unsuccessful Public Art happens when there is a lack of specificity, when the site or location and the public/community is looked at too broadly and simply. (from City of Tampa's Guidelines).
- Scale is a major consideration.
 - For example: the fence at the Hampton Inn fails the scale (drive by) whereas the fence at the Dunn building succeeds as the scale is correct for the location (pedestrian/walking).

Some existing public art



"Lady of Abundance" at Haney Circle, Stuart



Sailfish @ Sailfish Circle
Geoffrey Smith, 2003

Donated by
Mr. and Mrs. Edward Sellian



Waterbirds Along Colorado
Geoffrey Smith

Donated by
Community residents

Temporary Public Art Projects

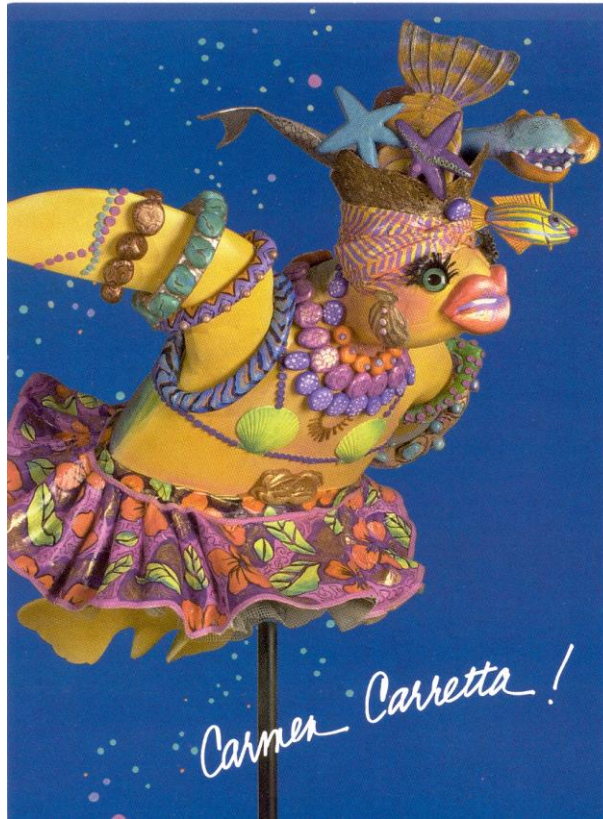


Seward Johnson's 2003 Sculpture Exhibit

Sponsored by Richard Kibbey



Martin County Turtles on Parade Spring 2002



City of Stuart: 1st Mural Project

- Funded in part by a National Endowment for the Arts Grant
- Partnership between the City and the Arts Council
- 2 Mural remain:
 - 555 Colorado (below) with Kate Wood
 - Flagler Ave with Maureen Fulgenzi



Outside of Stuart Some Examples: SCALE



Automotive Scale



Automotive Scale
Walking Scale

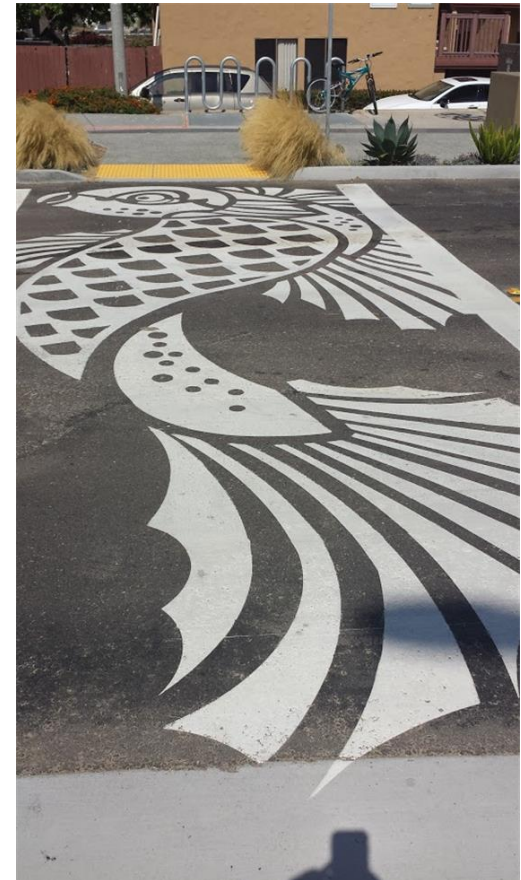




Walking Scale
Wayfinding



Fun for People
Walking Scale
Wayfinding



Walking Scale
Road Art
Wayfinding



Sound Sculpture
Acoustic or Electronically Enhanced
Touch Scale

Environmental Art



**Water
Retention
Ponds**





Environmental Education

Integrated with the Architecture or other Built Components



Terrazzo Floors



Railings





**Small Works:
Not all Public art
Needs to be BIG**





Street Poles

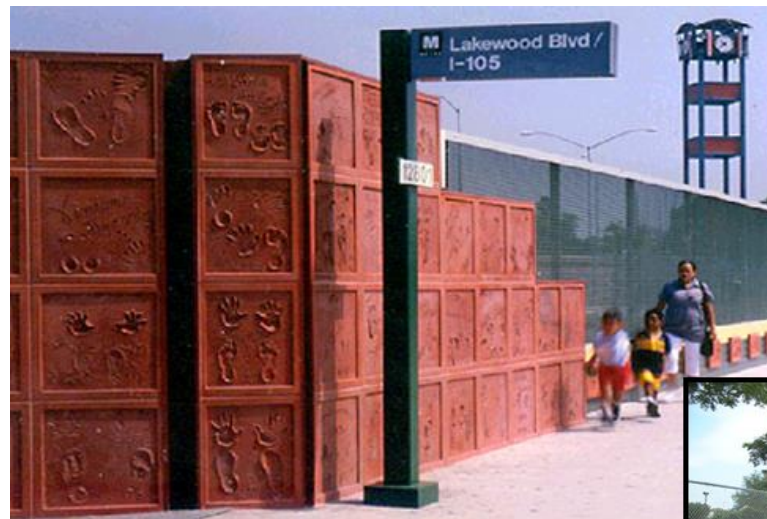


Bike Racks





Sound Walls



Chainlink



Highlights from some other Public Art Codes and Guidelines

- City of Key West
 - AIPP – Key West Public Art Plan. Requirements of the developer for items to include with their proposal. Adopting these requirements as part of the ordinance and then the application would provide you with the details needed to make more informed decisions. (page 4 and is also a separate document)
 - 1. Artist name and CV/resume as defined in subsection 2-487(b)
 - 2. Description of proposed artwork – please include dimensions, materials and method of construction
 - 3. Detailed drawings, sketches or photographs of the proposed artwork
 - 4. Detailed drawings, architect rendering or photographs of the specific site where artwork will be located. Details of utilities, proposed landscaping, parking, etc. is helpful
 - 5. Location of plaque for artwork – to be determined with Public Art Administrator when artwork is complete
 - 6. Statement on how maintenance and conservation will be handled
 - 7. Total construction cost as calculated by the City's Building Department to determine eligible 1% for public art program
 - 8. Itemized public art budget and signed contract with the proposed artist(s)
 - 9. Any other information as requested by staff or the board
 - Ownership and maintenance of on-site artwork Outlines requirements for maintenance and expectation that the art will remain in good condition (i.e. if it is a fountain it must remain as a working fountain). (page 5-6, items f 3,4,5)

Codes, Guidelines *continued*

- City of Coral Gables: defines eligible projects (p 15-16) in a very clear way as well as eligible and ineligible costs.
 - The artwork must be commissioned from a professional artist, which is defined as “an individual generally recognized by critics and peers as a professional practitioner of the visual arts, as judged by the quality of that professional practitioner’s body of work, educational background, experience, past public commissions, exhibition record, publications, receipt of honors and awards, training in the arts, and production of artwork.”⁹ In addition, while many architects and landscape designers characterize their work as art, the artist must be selected specifically for this project, and not be a pre-existing member of the design team or permanently affiliated with any of the firms on the team.
 - Public art projects can include traditional art forms such as sculptures, functional elements such as artist-designed gates, pavilions, pergolas, and fountains; landscape elements such as walkways and gardens; and architecturally integrated features such as mosaics and metalwork.
 - Public art projects may not include reproductions of original art, mass-produced art objects unless artists control the number of reproductions and works that are part of the architectural or landscape design except when specifically commissioned from an artist for the site.
 - Design elements that are related to the visual identity of a developer or occupant of a building, such as a logo, trademark, iconography, color scheme or theme, will not be considered as fulfilling the City’s public art requirements, even if they are created by an artist. The Cultural Development board shall consider whether an artwork constitutes commercial expression during its review of a project and include its findings in its recommendations to the City Commission.
 - Interior galleries or exhibitions of permanent or temporary artwork, while highly encouraged, will not be considered as fulfilling the City’s public art requirements except in unusual circumstances, as the priority is enhancing the publicly visible public realm.

Codes, Guidelines *continued*

- City of Tampa Guidelines for Public Art in Private Development
 - Items on Page 4 for what will be considered during the evaluative process.
 - The art enhances the public realm, may be measured by such factors as:
 - The quality of craftsmanship and appropriateness of materials, considering the proposed location, its context, and the conceptual vision of the art proposal
 - Promoting the use, identity, or function of the pedestrian environment
 - Bridging the scale between the adjacent building and the person
 - Engaging or inviting the public into a space or to use or understand a space in ways that do not exist without its inclusion
 - Bringing enhanced meaning to a place
- Berkley, California
 - Uses of the Public Art fund dollars to include grants for arts and cultural organizations that serve the city.
- Tempe, AZ

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* Report readers

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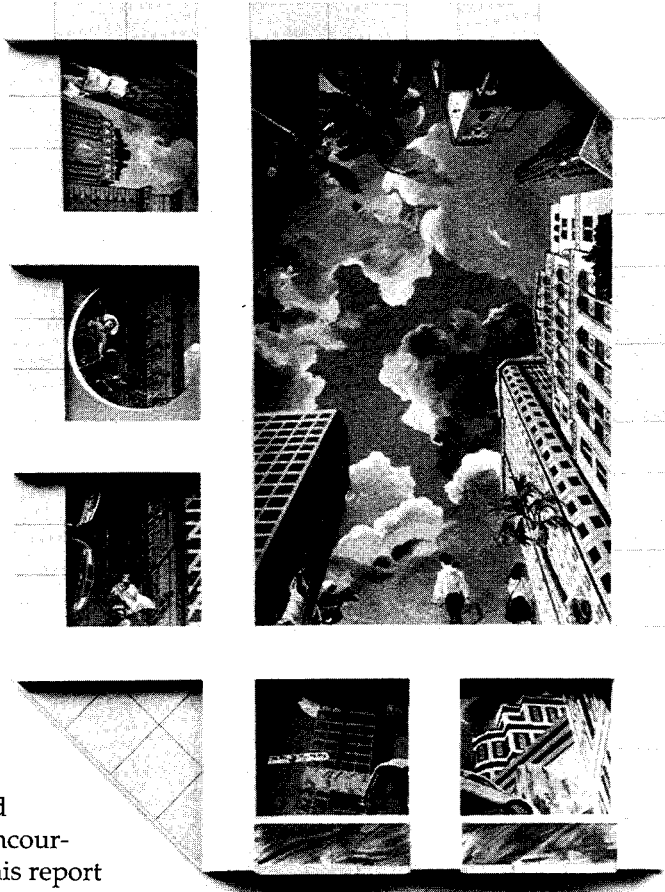
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Introduction

A growing number of city and county governments, local arts agencies, and other agencies charged with revitalizing urban areas are encouraging developers to include public art in private development projects. Out of 130 local arts agencies surveyed, one third of the respondents currently have a public art in private development program in place or are developing one. Among those without programs, there is great interest in developing one.

Public Art in Private Development is intended to help local arts agencies, city and county governments, and redevelopment agencies find the most appropriate methods of encouraging developers to integrate public art into projects. It includes suggestions for designing a program, case studies of successful programs, a list of cities with current or evolving programs and literature and organizational resources. Readers are encouraged to contact the cities discussed in this report for copies of specific ordinances and guidelines.

Public Art in Private Development supplements the information on working with private developers found in *Going Public: A Field Guide to Developments in Art in Public Places*. *Going Public* is an essential source book for any organization interested in the issues, policies and processes of public art.



Terry Schoonhoven, ceiling of entrance to a Metro Station, Home Savings of America, Los Angeles, CA, Community Redevelopment Agency (CRA) of the City of Los Angeles, 1989. Photography by CRA.

Designing a Public Art in Private Development Program

Knowing Your Community

The case studies in this report illustrate the importance of understanding many different components of your community. Developing a successful strategy which will result in high-quality, well-integrated art is based on this understanding.

Portland, OR, and Montgomery County (Bethesda), MD, have strong planning departments and staff with the willingness and skills to integrate the arts into the physical development of these communities. Strategies based around the planning departments and incentive systems offering developers a trade-off of increased project floor space in exchange for public art are successful in these communities.

In the same way, private percent-for-art ordinances are appropriate in several California communities including Concord, Brea, Beverly Hills, Culver City and Palm Desert. Local economies are strong, land values are high, and much can be required from developers who are competing for land and development opportunities. Such an ordinance would not be feasible in communities where development proceeds at a slower pace.

One should understand the following when developing a public art in private development program:

- the physical community and its neighborhoods, land values and land use policies;
- the community's economic history, development patterns, trends and forecast;
- local developers and architects and their reasons for and against additional public involvement in the development process;
- city staff in planning, redevelopment and building agencies and their policies and programs;
- the local arts community (artists, art consultants, art advocates, etc.) and whether or not these people and their organizations will support the program;
- public sentiment on arts support in general, and specifically on public art; and
- local politics, including elected officials and their staffs, and how to successfully pass a program.

Deciding on the Kind of Program

The following are the most common types of public art in private development programs.

The Private Percent-for-Art Ordinance

A private percent-for-art ordinance requires that developers set aside a percentage of project construction costs (generally .5-2%) for on-site art, cultural programming, a cultural facility, or a contribution to a public art fund. Many times these programs are linked to the revitalization of a certain area of the city, such as the downtown core. Most programs specify a minimum budget size for construction projects. Programs generally exempt some development projects, such as rehabilitation of historically significant buildings, low- or moderate-income housing, facilities for nonprofit social service or cultural organizations, and single-family residences.

A problem of the private percent-for-art ordinance is that it is politically difficult to pass in many communities. And, an ordinance does not always result in substantial artwork in the short term. Because of restrictions on office development and a decline in construction, the 1% ordinance passed as part of the 1986 San Francisco Downtown Plan has been slow to result in artwork. If the ordinance had been in place in the early 1980's, prior to the restrictions on office development and decline in development, San Francisco's downtown would have many more public artworks. The new ordinance has resulted in two public art in private development projects, with others in various stages of planning and installation.

Density Bonus or Design Review System

A density bonus system offers a developer additional floor area ratio (F.A.R.) in exchange for including public art or other public amenities in a project. F.A.R. describes the ratio between the area of permitted floor space in a structure to the area of the lot on which it is situated. In brief, increased F.A.R. generally allows a developer to build a taller or otherwise larger building in exchange for including public amenities in the project. Amenities can include public art, theatres and arts spaces, cultural programming, landscaping, parks, plazas, day care facilities, and residential or retail development.

For the density bonus system to successfully result in public art, the incentive of increased project density (additional floor space or height) must be valuable to developers. To make the Portland, OR, density bonus system valuable to developers, the original F.A.R. limits were decreased. Now, in order to build to greater F.A.R. limits, developers must offer public amenities.

An obvious limitation with the bonus program is the possibility of allowing over-building. The Portland zoning ordinance clearly specifies ultimate height restrictions so that buildings do not block views of Mount Hood and so that height step-downs to the river and historic districts are preserved.

Other programs associated with planning departments use the design review process to require or encourage developers to include art in projects. Density bonus systems and design review systems are based on strong and carefully administered land use plans and policies, a planning staff to promote the program, and sound procedures to back it up. In several cases, local arts agency staff have developed program procedures in conjunction with city planning staff. The developers must gain an arts sign-off just as they must gain a fire and safety sign-off before they can proceed in the planning process.

Redevelopment Agencies

Many communities have redevelopment agencies charged with the revitalization of key properties. Redevelopment agencies are often powerful organizations which have the ear of developers and can offer incentives such as public funding and low-interest loans.

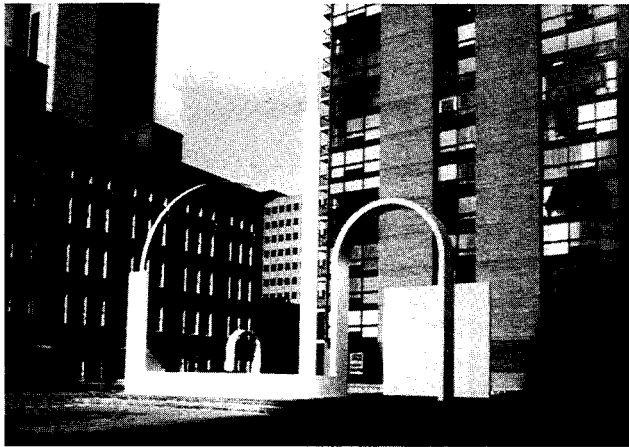
Several cities in the United States, including Philadelphia, Los Angeles, Sacramento, San Diego, Tucson and New York City (Battery Park City Authority), have programs which require or encourage the integration of public art in projects on redevelopment property. The Los Angeles and Sacramento programs are well known as model programs. They require developers to commit 1% and 2%, respectively, to public art. A percentage of Sacramento project funds are set aside for administration of the program by the Sacramento Arts Commission.

Other redevelopment agencies have created alternative mechanisms for negotiating with developers for the inclusion of art. Staff members of the Center City Development Corporation, San Diego's redevelopment agency, negotiate with developers through a "disposition and development agreement." The Downtown Development Corporation in Phoenix has offered matching funds as an incentive for developers to include public art in projects.

Public Art Funds

Any of the programs discussed above can make use of a mechanism for pooling funds. A public art fund creates a way to support other projects or programs besides site-specific artworks associated with private development. Of the cases detailed later in this report, Los Angeles, CA, Portland, OR, and Concord, CA, have public art funds.

In Los Angeles, the public art fund supports a wide variety of cultural programming, facilities and artwork. In Concord, it is being used primarily to develop a series of gateways for the city. The Portland fund, which is composed of monies from developers and city agencies with capital construction projects, has a number of restrictions. The portion of funds from developers will support only special projects in the central city area. Many of the funds from city agencies carry legal restrictions which prevent their being combined with other program funds.



Barbara Neijna, Independence Place, Independence Place Associates, Philadelphia, PA, Redevelopment Authority of the City of Philadelphia, 1988. Photography by Redevelopment Authority of the City of Philadelphia.

Informal Ways of Working with Developers

Developers are often inexperienced in working with artists. Consulting on art options and selection procedures, offering the resource of a slide registry, and helping to identify an art consultant are all ways to help developers, with or without the establishment of a formal program. Such assistance can set the groundwork for a future relationship and possibly a public art in private development program. The staff of the Arlington Arts Center in Arlington, VA (see case study), has provided strong technical assistance to developers encouraged by the Arlington County Department of Community Resources and Planning to include art in projects.

CityART in Jacksonville, FL, a nonprofit group dedicated to promoting public art, is considering creating a resource packet for developers. The packet may include guidelines on the public art process, examples of successful projects, and a list of art consultants. *Portland Oregon's Percent for Art Bonus Program, Procedures and Guidelines for Private Developers* is a similar resource for developers.

Building a Rationale for Public Art

The following is a summary of the rationale underlying most public art in private development programs.

Increasing the Value of a Project and its Income Producing Potential

Developers who gain additional project floor space through integrating public art with the project have directly increased the income potential of the project. Some developers also feel strongly that works of art increase the value of the property itself.

Developer Joseph Kaempfer commissioned a sculpture of two dancers, *Anna and David* (front cover photo) by Miriam Schapiro, to be sited in the plaza in front of his company's building in Arlington, VA. This building was 50% leased in four months, much faster than other buildings in this market. Tenants like the artwork and the identity it has given the building and the area. While leasing the building was not his motivation for commissioning the artwork, he says it was a great bonus.

Enhancing the Corporate Image

Developer Jim Casey in *Working with Artists: A Developer's Guide for Commissioning Artwork*, listed in Appendix B, says that "spending money on public art will generate as much press as a public relations campaign, and garner more good will." The work of art may directly symbolize the mission of the corporation or show a connection between the corporation and its community.

Integration with Cultural Tourism Strategies

Enhancing the identity and character of communities through public art directly supports cultural tourism and economic development strategies. Public art gives a city a character and identity that makes it appealing to residents and visitors.

Giving an Amenity Back to the Community

Supporting the arts through private development is a way to give back to the community in return for the ability to build. This is the motivation underlying most public art in private development programs.

A Chance to be Creative

While developers at first may be reticent about working with artists, the experience can be enjoyable for them. It is a chance for the developer to be a part of a creative process. Beverly Schroeder, Associate Planner at San Diego's Center City Development Corporation, mentions that most developers enjoy the process of interacting with artists. She stresses how important it is for the artist to be involved with the developer early on in the project.

The Business Committee for the Arts (BCA), listed in Appendix C, is a resource for developing a rationale for public art in private development. BCA has the names of developers who have successfully integrated art in projects and literature on the associated benefits to developers. Artist Stephen Knapp's *Working With Artists: A Developer's Guide for Commissioning Artwork*, listed in Appendix B, also provides rationale for public art in private development.

Community Education

Organizers of public art in private development programs should consider how to inform the key players and decision makers who influence how programs are shaped through the political process. These key people include planning and development staff, city council members and their aides, developers, architects, and other community leaders. One way to reach these people is through an invitation to serve on a selection committee for the art itself. Informal contact with these people is also a way to find out about upcoming construction projects.

To reach the interested public, the Metropolitan Arts Commission in Portland, OR, has distributed 20,000 pamphlets describing self-guided walking tours of public art in downtown. The project was sponsored by Avia Walking Shoes. The Arts Commission also sponsors the Metropolitan Center for Public Art, a permanent exhibition detailing the history, roles, and processes involved with public art.

Carl Worth, Curator of the Civic Arts Gallery in Walnut Creek, CA, feels that his work with developers is actually community outreach and education. The Gallery's 1989 summer temporary sculpture show in Heather Farm Community Park is a part of this community outreach. He wants people to react to and discuss public art in their everyday environment.

Politics and Organizing

Advocates for public art in private development programs should be cognizant of issues in the community and know when the time is right to act. Joanne Rees, Public Art Planner for the Department of Cultural Affairs in New Haven, CT, is working with individual developers in New Haven to best determine the services they need and in turn trying to integrate public art with projects. She is proceeding slowly with a formal program because the Board of Aldermen is urgently concerned with social programs.

Strong leadership is essential in the beginning phases of planning a program. Leaders must be competent at making the case for public art, knowledgeable of local politics and understanding of when to take action. Vivian Zoë, Director of the Hartford, CT, Office of Cultural Affairs, describes leaders as needing "tough skin, savvy, and political clout." A successful track record in local arts development is also helpful.

Getting the mayor, city council, and planning and development agencies on your side is essential. But, once a program is on the books it will not be successful until staff and developers are convinced of its worth and realistic guidelines and procedures are in place.

Organizers should not forget to involve developers. Deborah Whitehurst, Executive Director of the Phoenix Arts Commission, is adamant about including developers and those who may initially oppose program ideas. She suggests involving the developers early on in order to gain valuable community input and work with resistance in the early stages of program planning.

Selecting the Right Art Consultant

Public art consultants are often needed to work with developers and, in some cases, they are critical to the success of a project. The right consultant can:

- educate the developer on art options;
- foster good communication by translating among people with differing backgrounds and perspectives;
- manage selection, fabrication, and installation processes;

- advocate for the artist;
- promote complete integration of art with the development;
- keep the process on track, on time and on budget; and
- facilitate the entire process.

Not all artists work with public art and not all art consultants have experience or skills in working with public art and private development. The following qualities are offered for consideration in the selection of an art consultant:

- experience in the coordination of public art projects;
- experience with the processes and tasks associated with private development project planning and construction;
- experience in managing projects involving several design professionals, including the ability to communicate well with urban designers;
- understanding of the trends in public art;
- sensitivity to the opportunities and restrictions of specific sites for public art;
- knowledge of local, regional, and national artists skilled in public art;
- ability to identify artists having the skills to approach each project and its opportunities and limitations as a unique set of issues to be addressed;
- understanding of the role of the government agency, and the mission and goals of its art program, including its urban design role; and
- the ability and commitment to lead an art project through to a successful completion.

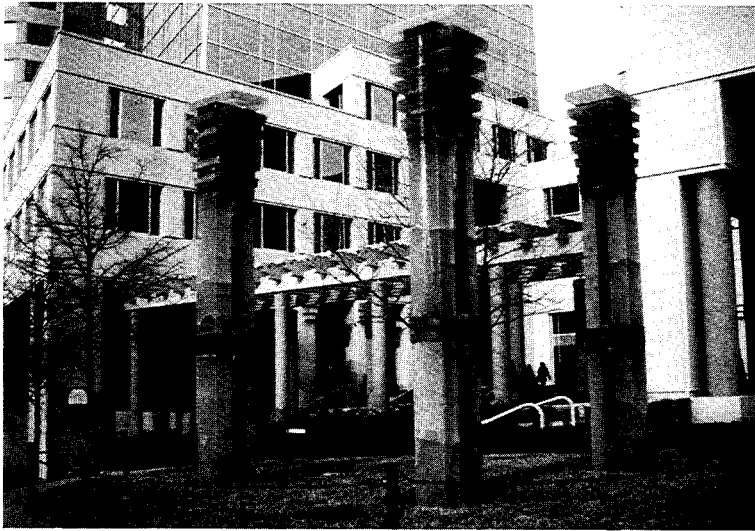
Some local and state arts agencies maintain lists of art consultants, and making these lists available to developers is an important service. The Association of Professional Art Advisors (listed in Appendix C) can also help to identify appropriate art consultants.

Selecting the Right Artists and Artwork

Going Public: A Field Guide to Developments in Art in Public Places provides strong advice on selection procedures. Procedures for most public art in private development programs resemble the public percent-for-art programs. However, private sector programs have typically left the ultimate aesthetic decisions to the project developer. The public body in charge of the program is there to ensure that the developer has met the intent of the program. However, programs around the country are encouraging greater involvement of arts professionals and the public in the selection process in order to gain artists and artwork which will speak to both a site and its community.

Most public art in private development programs have a review committee to work with the developer in the selection process. Some developers will opt to purchase artwork directly from a known artist or artists; others will run an open or invitational selection process. Art consultant Francoise Yohalem advises developers to use a seven-member selection panel composed of the developer, architect, landscape architect, neighborhood representative, and three experts who are knowledgeable in public art. She prefers to run a competition, if time permits, as this process is educational for all involved with the project.

The trend among private programs is to encourage the earliest possible involvement of artists with developers, architects and landscape architects. Developers, architects and landscape architects all benefit when the artist participates from the beginning as a full member of the design team. This can save time and money and provide important design direction for the project. The Phoenix case study provided later in this report describes an example of developers who



Howard Ben Tre, cast glass and copper columns, Artery Plaza, Bethesda, MD, Montgomery County Planning Department, 1987. Photography by Bill Flood.

commissioned the artist after project construction had already begun. Once the developers realized what the artist's vision entailed, they redesigned the development project at considerable additional expense.

The public art task force of the Los Angeles Community Redevelopment Agency is considering requiring developers to hire a lead artist at the same time, or shortly after, the project architect is hired. The lead artist's task would be to work with the developer, architect and other design team members in the earliest conceptual stages of the project. The lead artist would be an equal team thinker and designer and would facilitate the creation of art options which could lead to the selection of additional artists to join the project and implement artworks.

Creating a Public Art Plan

One way to develop a public art in private development program is through a public art planning process. Such a process involves a range of artists, citizens, and others in planning the future of public art in a community. A public art plan can be an educational and organizing tool as well as a policy, program and site guide. The following public art plans offer strong models for consideration.

Dallas Office of Cultural Affairs, *Visual Dallas* (1987)

Los Angeles Mayor's Office, *Task Force on the Arts Report* (1988)

Metropolitan Arts Commission of Portland, Oregon, *Following a River: A Public Art Plan for Central City Portland* (1986)

Seattle Arts Commission, *Artwork Network* (1984, updated yearly)

State Laws

Some public art advocates in California are concerned that recent state legislation will give opponents a way to block public art in private development programs. AB 1600, a bill passed by the California State Legislature in 1987, went into effect on January 1, 1989. It specifically requires a city or county to establish a reasonable relationship between a development project and the public improvement for which the fee is charged. Developers using this argument could claim, for example, that contributing a fee to a public art fund to site art elsewhere in the city is not reasonably related to the development project. Experience in California points out the need to gain the assistance of city and county attorneys early on in program planning.



PORTLAND, OREGON: A private percent-for-art program offering developers greater project density in exchange for public art.

City of Portland population: 420,000

Multnomah County population: 562,000

Portland is a city known for its strong urban design, which has been directed by a Downtown Plan approved in the early 1970's. The Central City Plan, a 1988 update of the Downtown Plan, encourages the use of public amenities, including public art, to enhance the character of the city. The Central City Plan seeks to direct a major portion of this activity to Portland's central city, 4.3 square miles in the heart of Portland.

Program Description

The percent-for-art bonus program was adopted by the Portland City Council in 1988, as part of the Central City Plan. The program is one of several which offer greater project density as an incentive to create key urban amenities. Other amenities which developers are encouraged to provide include housing, day care facilities, retail space, rooftop gardens, theaters within the Broadway Theater District, and fountains.

Development projects which commit 1% of their total construction cost to public art may receive a floor area ratio (F.A.R.) bonus of 1:1. Projects committing more than 1% to public art receive additional bonus floor area ratio of 0.1:1 for each additional 0.1% of the project's total construction cost devoted to public art, up to a maximum floor area ratio bonus of 2:1.

Projects utilizing this bonus provision must place at least 25% of the project's public art budget into a Public Art Trust Fund, maintained by the Metropolitan Arts Commission. Should a project's developers so choose, the entire amount of percent-for-art funds may be placed in the Public Art Trust Fund. The Public Art Trust Fund is used to purchase and install public art at other desirable sites in the central city.

The Metropolitan Arts Commission approves the process for selecting the artist, the artwork, the location of artwork, and the budget. The Public Art Advisory Committee assists Arts Commission staff in determining whether or not developers are meeting program procedures and guidelines.

Maximum public accessibility of artwork is of primary concern. Art must be sited on the exterior of the building and/or at location(s) clearly visible and freely accessible to the public from the sidewalk during daylight hours.

Installation, conservation, maintenance, and replacement, if necessary, of the public art is assured for the life of the development project by the property owner through a covenant with the city. The public art provided may not substitute for art required through other state or federal laws.

Case Studies — Continued

Background

The private percent-for-art bonus program was developed through the research and planning of Arts Commission and Planning Bureau staff and Bill Flood, an arts planning consultant. To make the bonus programs attractive to developers, the Planning Bureau recommended decreasing the maximum allowable building density (F.A.R.) to encourage developers to offer an amenity in exchange for additional project floor space. Since this program was one of several in the Central City Plan, the Arts Commission did not have to go through extensive lobbying to gain support by City Council. The Arts Commission's ten-year history in successfully administering public art programs was also important to the development of this program.

Program Procedures

The following procedures have been developed by the Arts Commission in conjunction with the Planning Bureau and review groups of developers, architects, and artists experienced in public art. A complete booklet, *Portland Oregon's Percent for Art Bonus Program, Procedures and Guidelines for Private Developers*, is available from the Arts Commission.

Initial contacts with Planning Bureau and Metropolitan Arts Commission — Developers are encouraged to contact the Arts Commission as soon as they are interested in this program. The Arts Commission advises the developer on the process for integrating artwork with projects, how to select and work with artists, and how to select an art consultant. The Commission provides up to two hours of free consultation with the public art manager.

Preapplication Conference with Arts Commission — An art plan must be submitted by the developer which specifies the following:

- the proposed division of funds between the Public Art Trust Fund and on-site art, and a budget for the selection process and artwork(s);
- the process for selection of artist(s) and artwork and how the process will foster collaboration among artists and other design team members;
- the art consultant and/or selection advisory committee;
- the intended site(s), media, and materials of artwork(s);
- the qualifying artwork, including artist concept drawings, if artwork has been selected;
- the artist(s), if already selected;
- the schedule for the selection, fabrication and installation of the artwork; and
- plans for maintenance of the artwork.

Design Review — The final art plan should be approved prior to a public hearing of the Design Review Commission. The findings of the Arts Commission are incorporated into the Planning Bureau's conditions for approval, which are accepted and recorded by the developer through a covenant with the city.

Application for Building Permit — The Arts Commission reviews the status of the public art project and submits a letter of approval to the Bureau of Buildings in order for the building permit to be granted. At this time, the developer must make the full contribution to the Public Art Trust Fund.

Application for Building Occupancy Permit — The installation of artwork should be completed before the certificate of occupancy is granted. The Arts Commission has authority to require the posting of a performance bond if art is not completely installed.

Case Studies — Continued

Projects

In fall, 1988, the first developer requested additional project density for rehabilitation of a parking structure. The project has a \$10,000 art budget to include \$7,500 for on-site artwork and \$2,500 to be allocated to the Public Art Trust Fund. This project has served as a pilot for the program and has raised the need to amend city code so that the 1% formula in rehabilitation projects is applied to the total building valuation, not only to the rehabilitation budget.

The second project utilizing this program, a new office building being planned, will provide approximately \$275,000 for artwork. The developer is creating a significantly larger structure in exchange for including artwork and a fountain in the project.

Artwork is also being planned as part of the renovation of the Lloyd Center, a large central city retail area. This project is not part of the private percent-for-art program but falls under another section of the Central City Plan which limits blank walls on the ground floor level of development projects. Developers are encouraged to consider the integration of art with the exterior of buildings. Guidelines and procedures being developed will parallel those of the F.A.R. bonus program.

Future Direction

Bill Bulick, Executive Director of the Arts Commission, cautions that “the work does not stop once you design and gain approval of a private percent-for-art program. Projects must be tracked very carefully to ensure compliance and quality. But the payoff, \$600,000 in new public art projects underway this year, is definitely worth it. Obviously, we are creating exciting new opportunities to commission major artworks for our cities. But we are also creating new partnerships with the private sector for the purpose of making our cities more vital. These partnerships are vital because they are literal — embodied in better tangible artworks, exciting buildings, new public spaces and better urban design standards.”



Martin Puryear, bronze top-knot fineal, Chevy Chase Garden Plaza, Bethesda, MD, Montgomery County Planning Department, 1988. Photography by Bill Flood.

Case Studies — Continued

BETHESDA, MARYLAND: An optional method of zoning which offers developers increased project density in exchange for public art.

Bethesda area of Montgomery County: 80,382

Montgomery County population: 674,000

Since the 1950's, Bethesda has changed from a sleepy suburban town one mile outside the Washington, D.C., boundary into an up-scale community having a high-density downtown core. In the 1970's, the Montgomery County Planning Department (Maryland-National Capital Park and Planning Commission) chose to intensify development at four central business districts having subway stations. The Planning Department developed the optional method of zoning described below to concentrate development within the central business districts and to stimulate development projects with unique characters.

Program Description

The optional zoning method provides that developers can increase the square footage of their projects in exchange for commitments to public amenities. Density on any single lot over 22,000 sq. ft. can be doubled by providing public amenities. Increasing density can take the form of adding height, relaxing setback requirements, or allowing more coverage of a block. Possible amenities include parks, plazas, public theatres, gardens, and off-site amenities such as landscaping on the same or adjacent blocks.

This method of zoning requires a lengthy negotiation process and much staff time. It is the intent of the Planning Department to leave much room for negotiation between staff and developers in order to produce an assortment of public amenities unique and complementary to one another. For instance, if one project provides a plaza with performance space, a neighboring project should provide a different amenity such as a landscaped garden.

Background

The Bethesda optional method of zoning was developed in the 1970's by the Planning Department, but implementation did not begin until 1982. At that time, the numerous development projects seeking city approval exceeded the designated ceiling on Bethesda's traffic capacity. The Planning Department established rules for a comparative review of development projects which ultimately led to a design competition to select the best projects.

Through the design competition, developers were required to submit proposed project amenity packages. This competition became known as the "Bethesda Beauty Contest" and gained considerable media attention for Bethesda and its urban design program. Projects were judged according to their usefulness for residents, enhancement of the pedestrian environment, visual and functional effectiveness, and the provision of a management and maintenance organization.

An NEA grant enabled the Planning Department to contract with Ron Fleming, President of the Townscape Institute in Cambridge, MA, to assist in developing the program. The Planning Department held meetings to directly learn the amenities desired by community residents, and to gain the support needed for a successful program.

Case Studies — Continued

Program Procedures

In a preapplication meeting with Planning Department staff, developers are made aware of the amenity option. Once an application has been made, the developer must create a plan to show the type and placement of art desired. Citizens have the chance to review the proposal through open meetings, and the Planning Department acts on it at a public hearing.

The developer then submits a site plan in which the details of amenities, including art, are shown. Art is planned for, selected, and placed through a collaborative process involving the architect, landscape architect, artist and, sometimes, an art consultant. The Planning Department stays out of the selection process.

Artwork can be placed off site (e.g., in an adjoining space) so long as it relates to the project. Arts spaces, such as galleries or performance halls, are also possible. In Silver Spring, a neighboring Montgomery County community, developers are building a community performance space. In Bethesda, a developer built an arts activity space which is occupied by the Montgomery County Arts Council. The Arts Council's rent is subsidized by the developer during the first year of occupancy.

Projects

The program in Bethesda has resulted in a large amount of public art in a relatively small geographic area — over 40 individual pieces by 21 artists. At least half of the artists are from the Washington, D.C., area. The program has also produced an art gallery space, an arts activity space, and an outside performance area.

Art consultants have proven to be very important to successful projects in Bethesda. Planning Department staff remarked how a strong project art consultant is necessary to “facilitate the design team process, mediate between the artist and the developer, identify conflicts, and follow up on technical details.”

While the program has produced substantial artwork and art spaces, it has also experienced difficulties. These include:

- engineering and technical problems with the artwork;
- the selection of art materials which were not resistant to extreme weather conditions;
- disputes between artists and developers; and
- artists who have not stayed involved in projects to a successful completion.

The *Bethesda Gazette*, in a January, 1989, article evaluating the success of the artwork, remarked that, “In general, the public art idea is not as effective as the planners originally had hoped, but some excellent pieces make up for others that have not succeeded.”

The criticism from those involved in the Bethesda project focuses on the nature of the artwork. John Westbrook, former head of Urban Design for Montgomery County Planning Department, made the following remarks in a 1986 article in *Place*, published by Partners for Livable Places (see Appendix C): “Most of the public art is excellent. However, the art may not appeal to the general public as much as we had hoped. Instead, it often reflects the tastes of the building owners.”

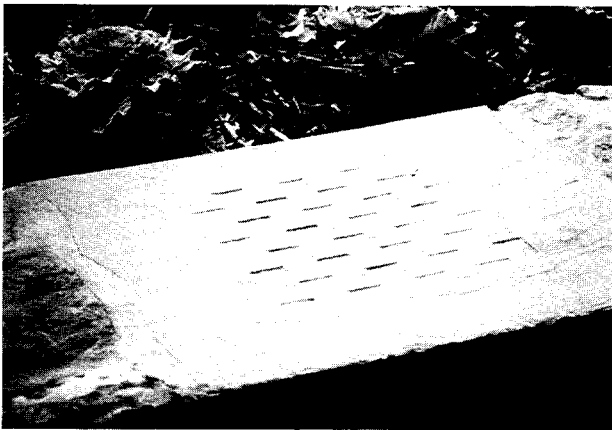
Case Studies — Continued

During the research for this report, Westbrook voiced his frustration that the “warm and human element, the pedestrian side of art” was not always achieved. In brief, some community members feel they have not received truly “public” art.

Future Direction

Future large development projects in Bethesda will be residential. The traffic capacity for residential development has not been met, as it has with commercial and office development.

The Planning Department has recently initiated an art review panel to advise staff, developers, and project artists on specific art proposals. The art review panel has assisted staff in writing a list of goals and objectives for developers on what creates successful artwork. These goals and objectives stress the need for artwork to engage the public’s interest and to relate culturally, historically, and physically to the site.



Michael Vergason, EDAW, checkerboard design carved on the surface of a stone wall seating area, Artery Plaza, Bethesda, MD, Montgomery County Planning Department, 1987. Photography by Bill Flood.

ARLINGTON, VIRGINIA: An informal method for encouraging developers to include public art in private development.

Arlington County population: 163,200

Arlington County, VA, is a rapidly urbanizing incorporated county immediately adjacent to the District of Columbia. The county was included in the original ten-mile square of the District of Columbia. Arlington County is now the home of several major corporations, government facilities, including the Department of Defense, and a number of hotels. Development is strong and on the increase, with 4.5 million square feet of office and commercial space currently under construction. The unincorporated community of Arlington is within the county.

Program Description

The Arlington County planning ordinance does not require art or even specify it as a potential public amenity, but it does leave room for staff to negotiate for its inclusion. Staff of the Department of Community Resources and Planning uses the Arlington Arts Center (AAC) and the Arlington County Cultural Affairs Division as resources on public art. Staff members of AAC and the Cultural Affairs Division meet with developers to encourage them to include public art in development projects. Discussions with developers most often occur during the site plan review process, when the developers are negotiating with county staff on the location, size and use of a project. Negotiating for the inclusion of public art in projects is done on a case-by-case basis, without a formal program and procedures.

Case Studies — Continued

AAC is not reimbursed by the county or developers for its services, and it receives no direct county funding. However, in exchange for the use of its county-owned former school building, AAC staff provides Arlington County 120 hours of visual arts consultation per year. Possibly as a result of this community outreach, a number of major businesses and developers have become AAC patrons. AAC is a private nonprofit visual arts organization which maintains four galleries and studio space for 30 artists and provides a variety of educational programs for area artists and the public.

Staff of the Arlington County Cultural Affairs Division also consults with developers on integrating public amenities with development projects. Another component of the Cultural Affairs Division's public art efforts involves commissioning area artists to create temporary, site-specific installations in area parks during the summer and encouraging dialogue between these artists and the public.

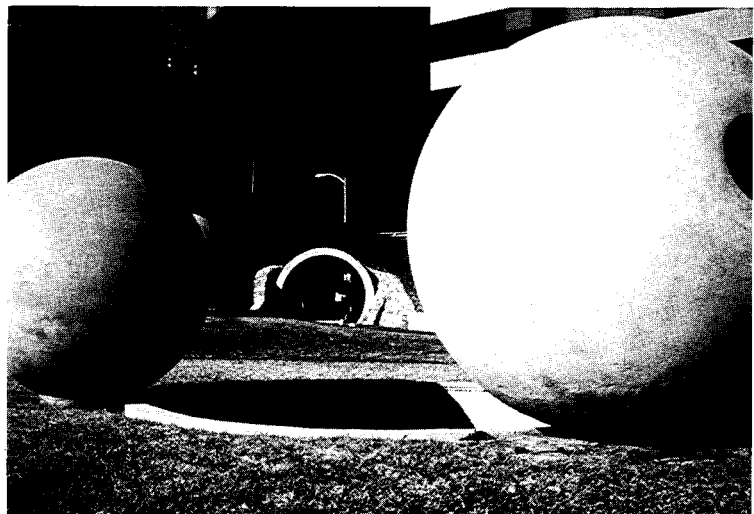
Background

The Arlington Arts Center has played a key role in the integration of public art and private development. Katherine Freshley, Executive Director, is a neighborhood activist, a past member of the Arlington Planning Commission and a believer in public art. She uses her knowledge of the community and the public processes associated with project development to assist developers who are interested in integrating public art in private development.

In 1984 the Center sponsored an exhibition which corresponded with the opening of artist Nancy Holt's *Dark Star Park*. The exhibition, "Sited Toward the Future: Proposals for Public Sculpture in Arlington," commissioned 17 artists to design models for 17 public and private sites for artwork in Arlington County. The goal of the exhibition was to raise consciousness about public art in this increasingly urban environment.

Projects

In at least one project, the County required a developer (Weissberg Corporation) to include art in exchange for increased project density. Freshley worked with the developer to find the right artist and to site the piece. Artist Jim Sanborn created an environmental artwork built around the narrative of a lodestone — a stone magnetized by lighting.



Nancy Holt, *Dark Star Park*, Arlington, VA, Arlington County Department of Community Resources and Planning, 1984. Photography by Bill Flood.

Nancy Holt's well-known *Dark Star Park*, located in Arlington, began as a result of a transfer of density rights which left one small triangular piece of property void of density rights. The developer transferred the property to Arlington County along with funds to create a park. An NEA grant encouraged the hiring of Holt. The project further grew to include a parcel of state property and another piece of private property owned by developer J.W. Kaempfer, who was building on a contiguous lot. Holt's environment literally flows to the Kaempfer property.

Case Studies — Continued

The new owner of the building which benefitted by the transfer of property density rights from the *Dark Star Park* property has also made a commitment to public art. In exchange for the ability to use the top floor of the building for office space, instead of using it as originally planned for mechanical storage, La Salle Partners has made a commitment to site public sculpture on the project plaza as well as on the median strip of Wilson Boulevard, an area which serves as a gateway to the Rosslyn area of Arlington. Siting the artwork along the median strip of Wilson Boulevard has been delayed for almost a year because of disagreements over maintenance and liability responsibilities.

Other developers in Arlington County have voluntarily placed artwork in new development. Some works reflect the style of traditional plaza art; others are more exciting, friendly and public in nature. J.W. Kaempfer, cited above, commissioned New York artist Miriam Schapiro to create a colorful 35 ft. tall sculpture of two dancers (*Anna and David*) for the plaza in front of his building. The artwork is becoming a well-known landmark for the Rosslyn area of Arlington.

Future Direction

Cultural Affairs Division staff is becoming increasingly involved in working with developers. Staff is currently developing a public art policy which will reinforce a flexible procedure for encouraging and negotiating with developers during the site plan review process. Staff is also hoping for the development of an Arlington County Arts Commission which would include a visual arts review body to assist in reviewing public art proposals.

PHOENIX, ARIZONA: An interim art requirement for development projects requiring rezoning.

City of Phoenix population: 900,000

The City of Phoenix covers over 400 square miles. It has eight “urban villages” with distinct characters and at least four additional areas becoming increasingly urban. Each urban village has a core area in which city planners are encouraging mixed residential, employment and cultural development. It is hoped that each urban village core will develop a unique identity. Phoenix city planners project an increase in the building industry and associated jobs beginning in 1990.

Program Description

In 1988, the City of Phoenix established an interim ordinance with guidelines requiring that public art be integrated with 23 different cases of rezoning, primarily in the “village cores” of Phoenix. For example, if a developer’s project requires a zoning change from residential to commercial, from commercial to high rise, or from commercial to parking, 1% of the project permit value must be spent on art.

Developers can select from the following art options: on-site visual art; on-site cultural programming; or, on-site cultural facilities. These options were modeled after the Los Angeles Community Redevelopment Agency program. The Phoenix Arts Commission’s original proposed program called for a fourth option — a public art fund similar to the Portland and Los Angeles programs. Zoning attorneys questioned the legality of the public art fund for Phoenix.

This interim program is a direct response to zoning stipulations made in 1985 requiring artwork in certain development projects. Negotiations are currently in process for a permanent, city-wide ordinance.

Case Studies — Continued

Background

When the Phoenix Arts Commission was formed in 1985, one of its charges was to determine how to integrate public art in private development. Both the Planning Commission and newly formed Arts Commission were interested in this issue.

The Arts Commission created the Art in Private Developments Task Force to research the issue. Membership of the task force included zoning attorneys, developers, construction company representatives, Planning Commission members and Arts Commission members (including artists). Over a period of six months, the task force became versed in planning for public art in private development.

Once program guidelines were drafted, the task force met with the organizations representing developers. It also mailed guidelines to developers and invited them to a meeting. Through this process, developers saw the program coming from their peers, not merely from city staff or arts advocates.

The task force did not want to raise the question of this new program with the media until the guidelines were nearly in place. Members then initiated a series of supportive articles and coverage with the media.

After revising the guidelines according to comments from the developers, the task force went to the Planning Commission for its approval and then to the City Council. As the Planning Commission had initiated the process and approved the final guidelines, the task force went before the City Council in a position of strength. The City Council approved the interim program.

Program Procedures

The procedures of this interim Phoenix program are based around creating a flexible series of art possibilities for developers and assuring high artistic standards. The Arts Commission and Private Development Art Review Board have strong control over approval of a developer's art proposal. The developer must gain sign-off from the Private Development Art Review Board, before the project can proceed in the planning/zoning process. The Private Development Art Review Board is composed of the following members: Arts Commission member; architect who works with developers; developer; visual arts professional; and performing arts professional. It is staffed by the Arts Commission executive director.

Program procedures are as follows:

- 1) An information packet for interested developers is available at key city offices.
- 2) The information packet is distributed to developers at appropriate preapplication meetings.
- 3) Developers are encouraged to meet with the Arts Commission staff during the "preliminary design phase to insure the art is integrated into the project and not an afterthought or placed in residual locations." At this meeting, the Arts Commission staff will most likely encourage the developer to take a strong design team approach and gain involvement of the project artist as early as possible. To this end, the staff will offer other services, including the Arts Commission slide bank, and, if the developer opts for on-site art, recommend that he/she work with an art consultant.
- 4) Developers have the option of meeting further with Arts Commission staff or requesting a study session with the Private Development Art Review Board to discuss options for meeting the art requirement.

Case Studies — Continued

- 5) The developer must submit a final proposal (with drawings) to the Arts Commission.
- 6) The Private Development Art Review Board will approve or disapprove the proposal and notify the developer and the Development Coordination Office. If the developer has demonstrated a good-faith effort in selecting art, the review board will probably approve the project. Most of the aesthetic decision making is left to the developer and art consultant.
- 7) The final placement of the art must be approved in writing by the executive director of the Phoenix Arts Commission prior to the issuance of the certificate of occupancy for the project.

Deborah Whitehurst, Arts Commission Executive Director, commented that she is careful to write and mail all developer-related correspondence as quickly as possible. “Time is money in development,” and she is very careful not to waste the developer’s time and in turn lose credibility.

Projects

The first major public art in private development project, the Biltmore Financial Center, is now nearing completion in Phoenix. The project, financed by development partners Western Devcor and Johnson Wax Development Company, has brought much visibility to this program. Developers initially intended to place a sculpture in the project plaza. However, art consultants broadened the developers’ perspective by showing them slides from strong conceptual artists. They ultimately selected Serge Spitzer, a Rumanian artist living in West Germany. When Spitzer came on board, the project had been under construction for about ten months. Spitzer asked that the entire lobby and plaza of the main building be redesigned to make his sculpture a more integral part of the project. The developers agreed. Cost of artwork and associated redesign and construction will be approximately \$400,000 — well over the original \$220,000 allocated for a sculpture in the plaza.

Arts Commission staff believes that the project will create a standard for private development. Along with the strong commitment to well-integrated artwork, it is now clear that the artist should be brought on board prior to project construction.

A second private development participating in this program, national headquarters for the Greyhound Corporation, will soon provide a 200-250 seat theatre on the ground floor of the new project. The theater will be operated by the Phoenix Little Theatre as its overflow house. With its main facility across the street, the Little Theatre will be able to easily move sell-out shows to the new facility.

A planned Rouse development in Phoenix may involve a mix of on-site art and cultural programming to meet the art requirement. Arts Commission staff will work with Rouse’s marketing and programming staff to determine an art plan most suitable to the project.

Future Direction

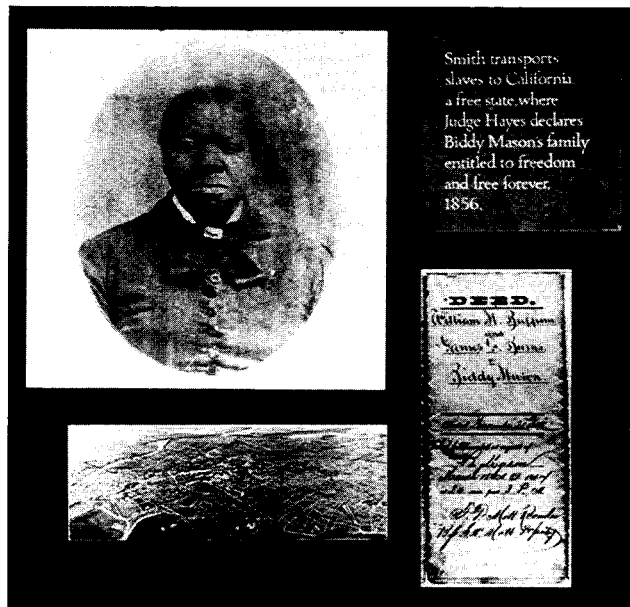
The Art in Private Developments Task Force, which initiated the interim program, is now developing an ongoing program as part of a total zoning code rewrite being done by the Planning Department. The task force is considering a private percent-for-art ordinance instead of a system linked only to certain projects requiring rezoning. It feels that an ordinance may be ultimately more equitable; the current system leaves too much room for unregulated negotiation. The task force is currently reviewing building permits issued over the past five years to determine the categories of zoning most applicable to the percent-for-art requirement. The future ordinance may also include a percentage to cover administrative costs of the Arts Commission and a public art fund.

Case Studies — Continued

LOS ANGELES, CALIFORNIA: A redevelopment agency percent-for-art program.

City of Los Angeles population: 3,220,000

The Community Redevelopment Agency of Los Angeles (CRA) is revitalizing 19 areas covering 7,000 acres of Los Angeles. The downtown area, which is experiencing a “boom” economy due to revitalization efforts, covers 1,749 acres. Property value on Bunker Hill, a portion of the downtown redevelopment area, has increased from \$6 million in 1959 to today’s market value of \$2.5 billion. The area is now a strong economic core of greater Los Angeles and includes an enormous diversity of people.



Artists Sheila Levrant de Bretteville, Betye Saar, Susan King, and Delores Hayden. Biddy Mason Park — a park commemorating the first black female landowner (a former slave) in Los Angeles and the property she purchased. A project of *Power of Place*, with help from the Community Redevelopment Agency of the City of Los Angeles, 1989. Photograph by CRA.

Program Description

In 1985, the Downtown Art in Public Places policy and program was approved for three Los Angeles downtown areas. The CRA pledged to promote these areas as cultural centers through the support and creation of programs, facilities, and public artworks across a range of artistic expression.

The CRA requires that at least 1% of private development costs for new commercial and market-rate residential developments be committed to involvement of artists in the project. Of that 1%, at least 40% is to be deposited in the Downtown Cultural Trust Fund. Each development has the option of implementing its percent-for-art obligation via this combination of on-site program and Trust Fund contribution, or making an exclusive Trust Fund contribution.

The Trust Fund is used to finance cultural programs and art projects in downtown locations which otherwise would have no projects, such as in areas without private investments or where development projects are too small or are exempt from this ordinance. Controversial or technically innovative artist-initiated proposals are specifically encouraged. Art projects funded by the Trust Fund are administered by the CRA and may occur anywhere within the downtown redevelopment zone.

Program goals emphasize commitment to a high-quality and diverse public art program, integrated into the fabric of the city and the daily lives of its citizens, and reflecting a broad range of constituents. It specifically encourages collaborative efforts and participation by women and minority groups traditionally under-represented in such programs.

Case Studies — Continued

Background

The CRA has had an arts program for over ten years. The initial art requirement lacked review criteria and, as a result, the CRA Board and staff lacked a systematic approach to approving or rejecting art proposals. After several instances of developers not meeting the intent of the art requirement, the CRA hired Marc Pally to develop what is now the official Downtown Art in Public Places policy. The policy and program are the result of extensive research of public art programs across the country.

Program Procedures

The CRA utilizes an Arts Advisory Committee (AAC), a community-based group to provide short-term and long-term advice to the downtown Public Art Program. The primary role of the AAC is to advise CRA staff and commissioners as well as project developers in the selection of art consultants, artists, and artwork. Membership of the AAC includes one artist, two arts professionals (e.g., curators, academics, arts administrators and critics), one member from the Cultural Affairs Commission, and one representative of the business/development community.

The art component should be developed as an integral part of the development project. The preliminary art budget is based on estimated project development costs. However, if the final project cost is higher than the cost figure used to calculate the preliminary art budget, the art budget must be increased to equal 1% of the actual total project development cost.

Projects

Since 1985, close to 30 projects have resulted from the policy, primarily in the downtown, and over 30 new ones are now underway in redevelopment areas all over Los Angeles. Among the projects initiated before the official 1985 downtown policy was the innovative application of the developer's percent-for-art obligation to create the new Museum of Contemporary Art on Bunker Hill.

Future Direction for CRA

The current CRA program applies to a specific area of downtown Los Angeles. Mickey Gustin, Public Art Planner for CRA, is currently working with a task force to create an agency-wide policy. Such a policy would expand the CRA public art program to include all redevelopment projects in the City of Los Angeles. The task force also is considering how to require developers to work with artists in the initial stages of project development, and how to keep the public art program responsive to the CRA's mission of area revitalization.

Future Direction for the City of Los Angeles

In November, 1988, the Los Angeles City Council passed an interim ordinance stating that the city intended to levy a private percent-for-art ordinance on all commercial and industrial development over \$500,000, if not covered by the CRA program. This proposed program would operate on the CRA model and expand the program to development projects throughout the entire city.

The city is currently researching potential legal problems resulting from a new California law. California State Law AB 1600 now requires establishment of a reasonable relationship between a development project and the public improvement for which a fee is charged. By enacting the interim ordinance, the City Council has shown strong support for the proposed program.

Case Studies — Continued

CONCORD, CALIFORNIA: A private percent-for-art ordinance and redevelopment agency ordinance.

Concord population: 110,100

Central Contra Costa County population: 260,000

Concord is a growing community located in the Diablo Valley, approximately 30 miles southeast of downtown San Francisco. It boasts a sunnier climate than San Francisco and lower costs of living and doing business. Concord is growing at a faster rate than Contra Costa County, and current redevelopment efforts focus on creating a strong downtown.

Program Description

All development projects over \$40,000 (excluding single-family homes) within the central area of Concord are charged a fee of .5% of development costs. Rehabilitation and tenant improvements also fall under this requirement. Fees are paid into a Public Arts Fund at the time the certificate of occupancy is granted. The Public Arts Fund is used to support art relating to the site or elsewhere in the area.

Developers have the following options to paying the full fee (.5% of development costs) to the Public Arts Fund:

- provide a permanent gallery space for the display of art in the main public foyer of the project and make a contribution to the Public Arts Fund equal to 75% of the .5% fee;
- include on-site visual artwork and make a contribution to the Public Arts Fund equal to 50% of the .5% fee; or
- preserve an historic structure and make a contribution to the Public Arts Fund equal to 25% of the .5% fee.

In addition to this development fee, the Redevelopment Agency of the City of Concord contributes 1% of its annual tax bond and tax increment monies to the Concord Redevelopment Art in Public Places program, a separate fund used only for projects within the redevelopment area.

Background

The Concord Art in Public Places program began in 1976 through the enthusiasm and savvy of its former mayor. The community was experiencing a surge of private development, and the developers were not contributing public amenities in return to the community. At the same time, Concord was developing as a suburban community without a downtown core. The use of public art, and specifically a series of gateways, was envisioned as a way to help create a downtown core and central focus for the city. The program was developed through the work of the mayor, a citizens' committee, a half-time program coordinator, and additional support staff including the city attorney. The mayor led the City Council to adopt the program.

Program Procedures

Development fees are paid to the Department of Public Works. Hawley Holmes, Visual Arts Administrator for the city, coordinates the program and staffs the Concord Arts Committee. She currently draws approximately \$25,000 in administrative funds from the developers' fees and

Case Studies — Continued



Jeff Morse, Brea of Olde, Tomlinson Enterprises, Brea, CA, Brea Art in Public Places Program, 1988. Photography by Brea Community Services Department.

redevelopment agency funds to support her programs. The \$25,000 does not include Holmes' salary, which is paid by the City of Concord.

The Concord Arts Committee is a Council-appointed citizens' group which advises the City Council on the public places which should be considered for art and the appropriate method for artist selection. The Committee is a seven- to ten-member group of artists, art educators, business persons, and other interested citizens. It reviews developers' proposals for on-site art and acts on the detailed art plans.

Projects

Most developers have contributed 100% to the Public Arts Fund and not chosen options of on-site art, gallery space, or historic preservation. This has met with city approval, as the focus for public art has been on creating the gateways marking Concord. Public Arts Fund monies, funds from redevelopment projects, and an NEA grant will be used to create these community markers.

Holmes has used this program to negotiate a gallery space for Concord. In exchange for \$170,000 owed to the Public Arts Fund by a local developer, Holmes accepted 3,000 square feet in a new facility for a gallery space. The trade included tenant improvements, utilities, maintenance and security. Holmes is very pleased with this "creative financing" scheme, with the facility, and also with the fact that 2,400 potential gallery goers work in the building having the gallery and in a twin building next door. The lease and tenant improvements are worth approximately \$325,000. From program administrative funds, she is able to pay a half-time exhibit coordinator and a gallery attendant. The gallery shows primarily the work of professional artists, but one month a year is dedicated for use by community groups.

Holmes has helped public and private groups work together in planning a public art gateway to be sited adjacent to the Bay Area Rapid Transit station. The gateway will be sited on Equitable Real Estate property, but development fee funds from two adjoining redevelopment parcels are being added to the project budget. The art will be owned by the city, and sited on private property.

Future Direction

Originally, the private percent-for-art ordinance stated that developers must apply for an optional method to the full contribution to the Public Arts Fund when they apply for the building permit. In order to encourage more on-site art, this procedure has been changed to give developers 90 days to consider and apply for an optional method.

Case Studies — Continued

WALNUT CREEK, CALIFORNIA: An informal bargaining process for public art involving the Community Development Department, Civic Arts Department, and developers.

Walnut Creek population: 62,600

Central Contra Costa County population: 260,000

Walnut Creek, adjacent to the community of Concord, is located approximately 30 miles southeast of downtown San Francisco. While Concord is currently promoting development, Walnut Creek is limiting development through a “no growth” ordinance passed in the mid-1980’s. Although a decrease in development may limit the amount of public art in private development, Walnut Creek is proceeding with the construction of a \$16 million regional center for the arts.

Program Description

Public art is a bargaining element between the city and developers in Walnut Creek. There are two major times when this bargaining can occur — in the initial negotiations between the Community Development Department and the developer (e.g., for an easement) and in the design review process. With the Design Review Commission, public art can be a trade-off or an actual stipulation for increased height, square footage or parking.

There are no clear guidelines stipulating what percentage is to be applied to the creation of artwork. Much is up to negotiation between city staff and the developer and ultimately to the discretion of the developer. Staff of the Walnut Creek Civic Arts Department plays an important role in advising developers.

Background

The Walnut Creek program, in existence since 1982, is built on a strong working relationship between the Community Development Department and the Walnut Creek Civic Arts Department. Civic Arts staff and other art advocates have attempted to develop a percent-for-art requirement, but to date it has not been politically feasible.

Program Procedures

Gary Schaub, Director of Walnut Creek Civic Arts Department, and Carl Worth, Gallery Curator, provide staff support to the Civic Arts Commission and the Design Review Commission in working with developers to suggest how to include public art in projects. When the Design Review Commission stipulates that art be included in a project, Worth works with the developer to create art options and present them to the Civic Arts Commission for its approval. The Civic Arts Commission takes action on the proposal and forwards its recommendation to the City Council.

Once the art project is approved, Worth works with each developer to implement the artwork agreed upon and to meet the guidelines of the program. Guidelines deal with location of art, public visibility, appropriateness to the site, durability, materials, etc. Some developers choose to work with art consultants in house; others need more assistance from Worth regarding selection and placement of art.

The Community Development Department has the authority to require the developer to post a bond if art is not on site by the time the certificate of building occupancy is requested. In two instances, developers have posted the bond and then completed the art installation.

Case Studies — Continued

There are no special funds allocated to administering the program, but Civic Arts Department staff members believe that the people of Walnut Creek benefit through experiencing art in their everyday environment. They consider work with this program important community outreach.

Projects

Since 1982, the city has successfully encouraged developers to include over 20 public artworks in private development. This program also serves as a model for public agencies to include art in public construction projects. Four years ago, the city was preparing to construct a parking garage, and staff convinced the city that art should be included in the project, as it is in private development projects.

Future Direction

The Walnut Creek program is focused on the core area of the city. Civic Arts would like to see this program expanded to include condominium development and to reach city limits, including key entry points to the city. Staff would also like to create a public art fund for artwork not associated with private development.

Civic Arts staff stressed that there are always hot and cold periods of development within a city. It is important that the percent-for-art programs are in place during periods of intensive growth. For example, core area development in Walnut Creek is slowing, but condominium development is stable if not increasing. Looking to apply a private percent-for-art ordinance to condominium development and expanding its range to the city limits is a strategic way to proceed with developing public art in Walnut Creek.



*Jerome Kirk, Tiltambulation, Sixteen Hundred Riviera, Walnut Creek, CA, Civic Arts Gallery, 1984.
Photography by Ted Macke.*

Appendix A

Municipalities with Current or Evolving Programs for Integrating Public Art and Private Development

City/Municipality	Program Description
ARLINGTON, VA Arlington Arts Center 3550 Wilson Blvd. Arlington, VA 22201 Katherine Freshley, Dir. 703-528-4520 Arlington Co. Dept. of Parks, Recreation, and Community Resources Cultural Affairs Division 2700 S. Lang Arlington, VA 22206 Rita E. Bartolo Visual Arts Supervisor 703-358-6960	<i>Informal county process offering increased project density for the inclusion of public art. County and Arts Center staff provide technical assistance to developers.</i>
BETHESDA, MD Montgomery Co. Planning Dept. 8787 Georgia Avenue Silver Spring, MD 20907 Karen Kumm Morris Principal, Urban Design Div. 301-495-4570	<i>Public art specified as an amenity to achieve greater density in private development.</i>
BEVERLY HILLS, CA Beverly Hills Public Library and Community Services 3338 North Foothill Road Beverly Hills, CA 90210 Michele Merrill Cultural Services Manager 203-285-1085	<i>One-half of 1% requirement on all commercial development less than \$1 million. One percent for development over \$1 million, not to exceed \$50,000.</i>
BOSTON, MA Boston Office of the Arts and Humanities Rm. 803, Boston City Hall Boston, MA 02201 Paul Fitzgerald Public Art Administrator 617-725-3245	<i>Zoning code for the newly created Midtown Cultural District includes public art as a design review standard. Office of Arts and Humanities is also researching similar methods of encouraging public art in private development on a city-wide basis.</i>

Appendix A — Continued

Municipalities with Current or Evolving Programs for Integrating Public Art and Private Development

City/Municipality	Program Description
BREA, CA City of Brea 1 Civic Center Circle Brea, CA 92621 Emily Keller Cultural Arts Manager 714-990-7713	<i>Private percent-for-art ordinance requiring art in development over \$500,000. Art budget is specific to the size of the development.</i>
CINCINNATI, OH Cincinnati Dept. of Econ. Dev. Rm 320 City Hall 801 Plum Street Cincinnati, OH 45202 Ralph Bolton Chief of Downtown Section 513-352-3487	<i>Staff negotiates with developers to include art in private development.</i>
COBB COUNTY, GA County Arts and Cultural Affairs 224 Lawrence Street Marietta, GA 30060 Shelley Parker Operations Manager 404-428-2787	<i>Developing informal ways, including a slide registry, to encourage developers to include art in projects.</i>
CONCORD, CA City of Concord 1950 Parkside Drive Concord, CA 94519 Hawley Holmes Visual Arts Coordinator 415-671-3081	<i>An ordinance requires a .5% public art fund fee for all commercial development. Developers may receive credits to the fee for on-site visual art, gallery space, or preservation of an historic structure.</i>
CULVER CITY, CA Community Development Dept. P.O. Box 507 Culver City, CA 90232-0507 Jody Hall-Esser 213-202-5775	<i>Recently passed a private percent-for-art ordinance requiring projects over \$500,000 to contribute 1% to an art fund or for on-site art.</i>

Appendix A — Continued

Municipalities with Current or Evolving Programs for Integrating Public Art and Private Development

City/Municipality	Program Description
DISTRICT OF COLUMBIA District of Columbia Commission on the Arts and Humanities 1111 E Street NW, Suite B500 Washington, D.C. 20004 Alec Simpson Art in Public Places Coordinator 202-724-5613	<i>Upon request, the Commission on the Arts and Humanities will provide technical assistance to developers desiring to include art in projects. Developers sometimes do so in order to convince the Zoning Board of the merits of the project.</i>
DULUTH, MN Duluth Public Arts Commission 332 City Hall Duluth, MN 55802 Wendy Wennberg, Ex. Dir. 218-723-3703	<i>Developers are encouraged through the City Dept. of Planning and Development and Arts Commission to set aside 1% for public art.</i>
EVANSTON, IL Evanston Arts Council Noyes Center, 927 Noyes Street Evanston, IL 60201 Joseph Zendell, Ex. Dir. 312-491-0266	<i>Staff encourages developers to include art in projects through involvement with the city's site plan review process. Public art plan to be adopted in 1989 will include an incentive system to further encourage developers.</i>
HARTFORD, CT City of Hartford 942 Main Street Hartford, CT 06103 Vivian F. Zoë Director, Office of Cultural Affairs 203-722-6440	<i>Density bonus program for development projects including public art.</i>
JACKSONVILLE, FL CityART 4260 Bleinheim Place Jacksonville, FL 32225 Sue Almand, President	<i>Developing ways, such a resource packet, to encourage developers to include art in projects.</i>
LOS ANGELES, CA Los Angeles Community Redevelopment Agency 354 South Spring Street Los Angeles, CA 90013 Mickey Gustin, Arts Planner 213-977-1763	<i>One percent for art requirement for projects within downtown redevelopment areas. Proposals underway to create agency-wide and city-wide private percent-for-art requirements.</i>

Appendix A — Continued

Municipalities with Current or Evolving Programs for Integrating Public Art and Private Development

City/Municipality	Program Description
LOS GATOS, CA P.O. Box 949 Los Gatos, CA 95031 Madelyn Crawford Historical and Arts Coordinator Arts and Museums 408-354-6824	<i>Developing ways of working with private developers.</i>
MANHATTAN BEACH, CA 1400 Highland Avenue Manhattan Beach, CA 90266 Katya Williamson Public Art Administrator 213-545-5234	<i>Interested in developing a voluntary public art in private development program.</i>
MIAMI, FL Metro-Dade Art in Public Places Metro-Dade Center 111 NW First Street, Suite 610 Miami, FL 33128 Cesar Trasobares, Ex. Dir. 305-375-5362	<i>Public art is a requirement for bonused plazas in high density areas outside the downtown core. Both Metro-Dade Art in Public Places and Cultural Affairs Council offer technical assistance to encourage developers to include art in projects.</i>
Metro-Dade Cultural Affairs Council 111 NW First Street, Suite 625 Miami, FL 33128 Kenneth Kahn, Ex. Dir. 305-375-4634	
MOUNTAIN VIEW, CA Planning Department P.O. Box 7540 Mountain View, CA 94039 Ken Alsman, Gail Collins, Leslie Gould 415-966-6306	<i>Planning Department offers design bonuses for including public art in private development.</i>
NEW HAVEN, CT Dept. of Cultural Affairs 770 Chapel Street New Haven, CT 06510 Joanne Rees, Public Art Planner 203-787-8956	<i>Developing ways of working with local developers to include art in projects. Methods will most likely include incentives or technical assistance.</i>

Appendix A — Continued**Municipalities with Current or Evolving Programs for Integrating Public Art and Private Development**

City/Municipality	Program Description
NEW ORLEANS, LA Arts Council of New Orleans 821 Gravier, Suite 600 New Orleans, LA 70112 Lake Douglas, Public Art Director 504-523-1465	<i>On a case-by-case basis, Planning Commission offers increased density for public art. Arts Council interested in developing a more comprehensive program.</i>
NEW YORK, NY Battery Park City Authority 1 World Financial Center 18th Floor New York, NY 10281-1097 212-416-5376	<i>Percent-for-art requirement in projects on redevelopment property.</i>
OKLAHOMA CITY, OK Arts Council of Oklahoma City 400 West California Oklahoma City, OK 73102 Jackie L. Jones, Ex. Dir. 405-236-1426	<i>Through using the public percent-for-art ordinance as a standard, the Arts Council encourages developers to include public art in private development.</i>
PALM DESERT, CA City of Palm Desert 73510 Fred Waring Drive Palm Desert, CA 92260 Catherine Sass Public Art Coordinator 619-346-0611, ext. 487	<i>Percent-for-art fees charged to certain residential and commercial development. Developers may include on-site art in lieu of the fee. Redevelopment Agency projects contribute 1% for art.</i>
PALO ALTO, CA Department of Arts and Culture 1313 Newell Road Palo Alto, CA 94303 Leon Kaplan, Director 415-329-2218	<i>Working to develop a public art in private development program.</i>

Appendix A — Continued

Municipalities with Current or Evolving Programs for Integrating Public Art and Private Development

City/Municipality	Program Description
PHILADELPHIA, PA Philadelphia Planning Commission 1515 Market Street, 17th Floor Philadelphia, PA 19107 Richard Lombardo Chief of Projects Planning 215-686-2943	<i>Planning Commission is considering a public space requirement for private development within the central business district and a fine art requirement for such public spaces.</i>
Philadelphia Redevelopment Authority 1234 Market Street, 8th Floor Philadelphia, PA 19107 Mary A. Kilroy, Director Fine Arts Program/ Advisory Board of Design 215-854-6692	<i>At least 1% of redevelopment project budgets must be committed to art.</i>
PHOENIX, AZ Phoenix Arts Commission 2 N. Central Avenue, Suite 125 Phoenix, AZ 85004 Deborah Whitehurst, Ex. Dir. 602-262-4637	<i>Interim guidelines require art in 23 rezoning cases. Developing a more comprehensive, ongoing program.</i>
PORTLAND, OR Metropolitan Arts Commission 1120 SW Fifth Avenue Portland, OR 97204 Bill Bulick, Ex. Dir. 503-796-5111	<i>Density bonuses granted through Planning Bureau for including public art in private development within central city area. Projects on redevelopment lands must also commit 1% for art.</i>
ST. PETERSBURG, FL Pinellas County Arts Council 400 Pierce Blvd. Clearwater, FL 34616 Peggy MacLeod, Ex. Dir. 813-462-3327	<i>Density bonus is an option for projects including public art.</i>
SACRAMENTO, CA Metropolitan Arts Commission Sacramento, CA 95814 Consuelo Underwood Art in Public Places Coordinator 916-449-5972	<i>Redevelopment Authority requires 2% of project budgets to be dedicated to art.</i>

Appendix A — Continued

Municipalities with Current or Evolving Programs for Integrating Public Art and Private Development

City/Municipality	Program Description
SAN DIEGO Center City Development Corp. 121 Broadway, Suite 601 San Diego, CA 92101 Beverly Schroeder, Assoc. Plan. 619-236-7101	<i>Art or art spaces are negotiated with the developer through a "disposition and development agreement."</i>
SAN FRANCISCO Department of City Planning 450 McAllister Street San Francisco, CA 94102 Eva Liebermann 415-558-6303	<i>All private development within the downtown plan area must expend 1% on art.</i>
SAN JOSE Fine Arts Office 145 West San Carlos Street San Jose, CA 95113 David Allen Art in Public Places Coordinator 408-277-5144	<i>Private developers receiving assistance from the City Redevelopment Agency must negotiate an art budget with that agency. City may consider a private percent-for-art requirement.</i>
SCOTTSDALE, AZ Scottsdale Cultural Council 7383 Scottsdale Mall Scottsdale, AZ 85241 Jana Erickson Assistant Director of Collections 602-994-2301	<i>One percent-for-art ordinance applies to planned block developments of 100,000 square feet or more in downtown area.</i>
SEATTLE, WA Department of Construction/Land Use Municipal Building 600 4th Avenue Seattle, WA 98104 Vince Lyons 216-625-4509	<i>Art is required in certain bonused public amenities in downtown development.</i>
TAMPA, FL Public Arts Committee 1420 North Tampa Street Tampa, FL 33602 Cheryl Cullom Stewart Program Coordinator 813-229-6547	<i>City requires private development within central business district to set aside 1% for art, up to \$200,000.</i>

Appendix A — Continued

Municipalities with Current or Evolving Programs for Integrating Public Art and Private Development

City/Municipality	Program Description
TUCSON, AZ Tucson/Pima Arts Council P.O. Box 27210 Tucson, AZ 85726 David Hoyt Johnson, Asst. Dir. 602-624-0595	<i>Downtown Development Corp. has matched private development funds to gain art in projects. Arts Council provides technical assistance. Considering a more comprehensive program.</i>
VIRGINIA BEACH, VA Arts and Humanities Commission Rm 341, Municipal Center Virginia Beach, VA 23456 Maggie Danshaw 804-427-4701	<i>Researching the creation of a public art in private development program.</i>
WALNUT CREEK, CA Walnut Creek Civic Arts Gallery 1632 Locust Street Carl Worth, Curator Walnut Creek CA 94596 415-943-5864	<i>Public art is a bargaining element between Community Development Department and the developer. Art can also be made a stipulation in the design review process. Curator of Civic Arts Gallery provides technical assistance.</i>
WATERLOO, IA Cedar Arts Forum 415 Commercial Waterloo, IA 50701 Renata E. Sack, Director 319-291-6333	<i>Using the momentum of a highway relocation project to raise urban design issues and public art possibilities, including a public percent for art program and ways to further encourage developers to include art in private development.</i>

Appendix B

Selected Literature

Cruikshank, Jeffrey and Pam Korza. *Going Public: A field guide to developments in art in public places*. Amherst, MA: Arts Extension Service and the National Endowment for the Arts, 1988.

Dajani, Virginia, editorial advisor. *Architectural Art: Affirming the Design Relationship. A Discourse*. NYC: American Craft Museum, 1988.

Fleming, Lee, editor. *Washington Review — Art and Architecture*. Washington, D.C., June/July, 1989.

Fuller, Patricia. *New Works: A Public Art Project Planning Guide*. Durham, NC: Durham Arts Council, in cooperation with the North Carolina Arts Council, 1988.

Knapp, Stephen. "Management: Collaborating with Artists." *Progressive Architecture*. Stamford, CT. April, 1987.

Knapp, Stephen. "Working With Artists: A Developer's Guide for Commissioning Artwork." *Urban Land*. Washington, D.C.: Urban Land Institute, September, 1987.

Pelli, Cesar and Nancy Rosen. "The Chemistry of Collaboration: An Architect's View." *Insights/On Sites: Perspectives on Art in Public Places*. Stacy Paleologus Harris, editor. Washington, D.C.: Partners for Livable Places, 1984.

Swormstedt, Wade. "Art in Achitecture." *Identity Magazine*. Cincinnati, OH: ST Publications, Summer, 1988.

Appendix C

Selected Resource Organizations

ARTnews. 48 West 38th Street, 9th Floor, New York, NY. 10018. 212-398-1690.

Publish *Corporate ArtNews*, a newsletter featuring corporate art.

Arts Extension Service. Division of Continuing Education, University of Massachusetts, Amherst, MA 01003. 413-545-2360.

Provides technical assistance in public art and other arts management issues. Publishes, in cooperation with the Visual Arts Program of the National Endowment for the Arts, and distributes *Going Public: A field guide to developments in art in public places*.

Association of Professional Art Advisors. P.O. Box 2485, New York, NY. 10163. 212-645-7320. Kobi Conaway, Assistant to the President.

A forum for sharing ideas among art consultants through seminars, conferences, publications, etc. Willing to advise in identifying appropriate art consultants.

Appendix C — Continued

*Business Committee for the Arts, Inc. 1775 Broadway, New York, NY 10019. 212-664-0600.
Contact: Judith A. Jedlicka, President.*

A national non-profit organization of chairmen, presidents, and CEO's committed to encouraging and developing business involvement with the arts. Publishes a bi-monthly newsletter and numerous pamphlets describing ways in which businesses can support the arts.

International Sculpture Center. 1050 Potomac Street NW, Washington, D.C. 20007. 202-965-6066.

A non-profit membership organization committed to the advancement of contemporary sculpture on an international basis. ISC provides the following services: publishes *Sculpture Magazine*; organizes, manages and tours public and private art exhibitions and coordinates competitions; maintains Sculpture Source, a computerized slide registry of contemporary sculpture; and will host Sculpture '90, an international sculpture conference to be held in Washington, D.C.

National Association for Corporate Art Management. Saul Wenegrat, President. P.O. Box 78, Church Street Station, New York, NY 10008. 212-466-4211.

A professional, non-profit organization for curators and consultants in the field of corporate art collections.

Partners for Livable Places. 1429 21st Street NW, Washington, D.C. 20036. 202-887-5990.

Provides information and technical assistance to organizations improving their urban environment. Publishes *Amenities*, a newsletter which includes articles on public art. Distributes a video on the public/private partnership which allowed artist Nancy Holt to design Arlington's *Dark Star Park*. Distributes several publications on public art.

Urban Land Institute, 1090 Vermont Avenue NW, Washington, D.C. 20005. 202-289-8500.

A non-profit education and research organization dedicated to improving the quality of standards for land use planning and development. Members include land developers, architects, planners, financiers, academicians, and others interested in land use. ULI provides the following services: sponsors seminars, workshops, semi-annual meetings, and district council meetings in major metropolitan cities; publishes *Urban Land*, a monthly magazine, and various newsletters; offers research and advisory services, including analysis of land use problems or opportunities; and maintains a library which is open by appointment to members and the general public.