

**MERRITT ISLAND REDEVELOPMENT AGENCY
MINUTES OF OCTOBER 28, 2004**

Members Present: Duane Watson, Chairman
Sandee Natowich, Vice Chairman
Mike Selig
Dr. Roddy Kring
Bert Francis, II
Bob Barranco
Ralph Perrone

Members Absent: None

Agency Staff: Doug Robertson, MIRA Consultant
Tina Anderson, MIRA Executive Secretary

County Staff: Scott Knox, County Attorney

Guest: Ryan Rusknak, Brevard County Zoning
Jim Statlick, Brevard County Land Development
Scott Nickle, Bussen-Mayer Engineering Group, Inc.
Beth Kring
Don Shannon, MPPG

NEXT REGULAR MEETING SCHEDULED FOR NOVEMBER 25, 2:00 P.M. MERRITT ISLAND GOVERNMENT CENTER, 2575 N. COURTENAY PARKWAY, ROOM 205, MERRITT ISLAND.

Chairman Watson called the meeting to order at 2:00 P.M. All were present except those indicated above.

The minutes of the August 26, 2004 MIRA Board Meeting were reviewed and corrections were made.

MOTION MADE BY BOB BARRANCO, SECONDED BY BERT FRANCIS, APPROVING THE MINUTES OF THE AUGUST 26, 2004 MIRA BOARD MEETING AS CORRECTED. MOTION PASSED UNANIMOUSLY.

Ralph Perrone and Mike Selig joined the MIRA Board Meeting at 2:07 p.m.

AGENDA ITEM NO. 1 –MERRITT PARK PLACE NON-CONFORMING LOTS OF RECORD

As background, Mr. Robertson commented that Merritt Park Place is the oldest recorded subdivision on Merritt Island. Mr. Robertson advised that the original recorded lots in Merritt Park Place are fifty-foot lots and currently the requirement of the Brevard County zoning code for BU-1 zoning is sixty-foot lots for commercial buildings. Mr. Robertson

noted that the county has initiated a change to the ordinance to correct the non-conforming lot situation in Merritt Park Place. Mr. Robertson introduced Ryan Rusnak with the Brevard County Zoning Department to discuss the non-conforming lots of record.

Mr. Rusnak advised that Brevard County currently allows commercially zoned property on sixty-foot wide non-conforming lots. Mr. Rusnak said a new section of zoning was created for the Merritt Park Place area thereby allowing it to have commercial development on 50-foot wide lots. Mr. Rusnak indicated they are taking this opportunity to reword some of the ambiguous language of the other sections of the ordinance that lead up to the sections that address this issue. Mr. Rusnak stated that the present county ordinance would not allow two (2) fifty foot wide commercial lots which are contiguous and owned by the same person to be separated for the purpose of building on each lot separately. Mr. Rusnak commented that with the proposed ordinance, the lot would have to be developed as one parcel not as two individual fifty-foot parcels. He further stated that the proposed ordinance makes it possible for the owner of two lots of record to develop each lot individually by selling one lot and developing the other lot. Mr. Rusnak commented that this ordinance recognizes the Merritt Park Place area and that this new ordinance was designed specifically for this area. Mrs. Natowich inquired as to staff comment on page two, which says "staff proposes to change the language "nonconforming lots may be built on" to "buildings and uses may be established" to clarify that existing buildings may not be converted to a more intense use, unless the lot contains the minimum size requirements for that particular zoning (i.e., a house on a 50 ft. wide commercial nonconforming lot of record may not be converted to a commercial structure). Mr. Rusnak discussed the reason for changing the language is due to the ordinance that says buildings could not be erected on lots that were fifty feet. Mr. Watson inquired that if a property owner owned two fifty-foot undeveloped properties side by side would they be encouraged to have two buildings or one large building and utilized both lots? Mr. Scott Nickle indicated that it would be difficult to construct a commercial building of reasonable size on a fifty-foot wide lot.

MOTION MADE BY MIKE SELIG, SECONDED BY SANDEE NATOWICH TO MOVE THE ORDINANCE TO THE NEXT MIRA BOARD MEETING. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 2 - S. R. 520 SEWER EXTENSION

As background, Mr. Robertson advised that the MIRA Board authorized Bussen-Mayer Engineering Group, Inc. to proceed with final engineering and estimate for extending sanitary sewer from the north side of S.R. 520 in the vicinity of Island Pointe condominium project to the south side of S. R. 520 in order to serve those areas which are currently on septic system. Mr. Robertson introduced Scott Nickle, Bussen-Mayer Engineering Group, Inc.

Mr. Nickle distributed the preliminary Sanitary Sewer Plan to the MIRA Board. Mr. Nickle commented that the original idea was to tie into the existing lift station that is being built in conjunction with Island Pointe Condominiums. Mr. Nickle advised that the existing lift station is on Myrtice Avenue and the proposed plan was to extend gravity sewer on Myrtice Avenue to the west, then south down Rose Street. Mr. Nickle

commented that at that point it would be necessary to do a directional bore under S.R. 520, which would bring up the cost of the project. Mr. Nickle advised that after crossing under S.R. 520, the project would continue with the gravity sewer down Magnolia Avenue east to S. Tropical Trail, then split to the lift to the North and South and pick up existing sewer to the existing businesses on Magnolia. Mr. Nickle reported that during the topographical surveying Bussen-Mayer Engineering Group, Inc. picked up a drainage pipe under 520 at an elevation that would conflict with the proposed sewer line. Mr. Nickle said that a conflict box would be required which would cost approximately \$25,000 and the direct bore under S.R. 520 would cost \$45,000 along with some pavement restoration cost. Mr. Nickle advised that the total cost to extend the sewer under S.R. 520 would be approximately \$557,652. Mr. Nickle commented that there are ways to mitigate the cost of the project by phasing the project in parts instead of one large project. Mr. Nickle suggested installing sewer on the south side of S.R. 520 as Phase I and extending it down to Magnolia until it intersects with S. Tropical Trail. Mr. Nickle advised that if the MIRA Board would rather begin with a preliminary engineering scope of work the project could include the different alternatives. Mr. Nickle commented that Phase I could serve the area north of S.R. 520 and Phase II could be a separate system south of S.R. 520. Mr. Nickle advised tying a gravity system down to the lift station at Bello Rio or an alternative being to go to the county lift station and pumping to that location. Mr. Nickle said that the cost of just installing the sewer under S. R. 520 would cost between \$140-150,000. Mr. Nickle remarked that Anchorage Condominiums has their own lift station and suggested that the possibility of converting it into a public lift station should be discussed with the owners. Mr. Nickle commented that these are two very different alternatives. Mr. Robertson suggested that due to the high expense of the conflict box that the MIRA Board look at the alternative of doing a separate system to the south and get a cost estimate on that project and having Dick Martin, Brevard County Water Management involved in the early process of the sewer extension to the south.

Mr. Watson suggested looking at the MIRA boundaries to make sure everyone within the MIRA area would have sewer once the sewer extension is complete.

MOTION MADE BY SANDEE NATOWICH, SECONDED BY BOB BARRANCO TO HAVE BUSSEN-MAYER ENGINEERING GROUP, INC. TO DO A PROPOSAL TO COMPLETE THE FEASIBILITY STUDY TO THE SOUTH OF S.R. 520 FOR THE SEWER EXTENSION. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 3 - BUSSEN-MAYER ENGINEERING GROUP, INC. PROPOSAL FOR DOING THE FINAL ENGINEERING AND DESIGN FOR THE N. TROPICAL TRAIL AND MERRITT AVENUE CORRIDOR IMPROVEMENTS

As background, Mr. Robertson advised that Bussen-Mayer Engineering Group, Inc. provided the MIRA Board with a preliminary engineering assessment of the N. Tropical Trail and Merritt Avenue corridors to include sidewalks, repaving and striping, landscaping and potential property acquisition. Mr. Robertson commented that this would bring the area up to a standard, which would improve traffic flow, compliment the marina project and Merritt Park Place. Mr. Robertson advised that the project would include sewer installation along Merritt Avenue to complete the sewer in that area. Mr. Robertson informed the MIRA Board that Bussen-Mayer Engineering Group, Inc. had

been asked to provide the final engineering and design proposal for these two projects. Mr. Robertson noted that Bussen-Mayer Engineering Group, Inc. has provided the two proposals that include all the surveying services that are required, all the engineering services including the final engineering design plans, traffic design plans, and the utility design plans that would be necessary to bid the projects out for construction. Mr. Robertson commented that this fee includes all the permitting services that would be required, including St. John's Water Management, FDOT and Brevard County. Mr. Robertson noted that the cost has been broken down into two separate projects. He further stated that the first project is the N. Tropical Trail Improvement Project of which the proposed engineering cost would be \$11,500 for the surveying services and \$32,800 for the Engineering Permitting Services for a total cost of \$44,300. Mr. Robertson advised that the Merritt Avenue Improvement project cost would be Surveying Services \$11,500 and Engineering Permitting Services \$34,000 for a total cost of \$45,500.

Mr. Watson suggested having the environmental and soil studies done before starting with the plans. Mr. Nickel commented that the Board could authorize the proposal with the condition that Bussen-Mayer Engineering does not commence any work until all of the results of the environmental and soil studies are completed. Mr. Robertson suggested getting supplemental proposals from the geo techs to do the work.

MOTION MADE BY SANDEE NATOWICH, SECONDED BY RALPH PERRONE TO APPROVE BUSSEN-MAYER ENGINEERING GROUP, INC. TO DO THE FINAL ENGINEERING AND DESIGN FOR THE N. TROPICAL TRAIL IMPROVEMENT PROJECT #283822 FOR PHASE I SUBJECT TO THE ENVIRONMENTAL AND SOIL STUDIES. MOTION PASSED UNANIMOUSLY.

MOTION MADE BY RALPH PERRONE, SECONDED BY BERT FRANCIS TO APPROVE BUSSEN-MAYER ENGINEERING GROUP, INC. TO DO THE FINAL ENGINEERING AND DESIGN FOR THE MERRITT AVENUE IMPROVEMENT PROJECT #283823 FOR PHASE I SUBJECT TO THE ENVIRONMENTAL AND SOIL STUDIES. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 4 - MERRITT PARK PLACE REAR YEAR PARKING GRANTS

As background, Mr. Robertson discussed modifying the Brevard County existing parking requirements, which included acquiring additional land for parking. Mr. Robertson commented that the board directed MIRA staff to focus first on rear yard parking. Mr. Robertson indicated that he had reviewed Don Shannon's property survey in Merritt Park Place as a typical lot in Merritt Park Place. Mr. Robertson commented that by meeting the minimal parking design standards, only four or five spaces would be possible in the back lots. Mr. Robertson suggested offering the property owners a \$200-300 per space grant if the property owners provide parking in the rear of their property. Mr. Robertson discussed Land Development's requirement for stabilization and drainage. Mr. Robertson commented that MIRA would provide a template for owners showing them ways to create back yard parking. Mr. Selig suggested using the rear back lot easements as a driveway through the back of the properties. Mr. Robertson commented that there is a drainage swale in the rear back lot easements, FPL easements and power lines. Mr. Robertson suggested that property owners who agree to a perpetual access/easement agreement would be allotted a larger grant.

Mr. Statlick advised that the MIRA Board would need to present some type of proposal for back lot parking to Brevard County Land Development so that Land Development can analyze it and discover the bare minimum that would be acceptable. Mr. Statlick stated that he does support the idea of the back lot parking.

MOTION MADE BY SANDEE NATOWICH, SECONDED BY BOB BARRANCO TO REQUEST BUSSEN-MAYER ENGINEERING GROUP, INC. DO A CONCEPT PLAN WITH SPECIFICATION AND COST ESTIMATES AS TO REAR LOT PARKING IN MERRITT PARK PLACE. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 5 - REPLACEMENT OF STORM DAMAGED TREES IN MERRITT PARK PLACE

Mrs. Anderson stated that Loren Rapport, Brevard County Roadways & Landscaping, was unable to attend. Mrs. Anderson advised that Mr. Rapport had called MIRA to offer replacement of the oak trees damaged from the hurricanes at a cost of \$80 per tree. Mrs. Anderson noted that Mr. Rapport indicated that this price would cover the cost of planting, staking, watering & maintaining the trees along S.R. 520, Merritt Avenue and Fortenberry. Mrs. Anderson commented that these would be 25-gallon container trees that are twelve (12) feet tall and have a 2 ½ - 3" DBH.

MOTION MADE BY SANDEE NATOWICH, SECONDED BY RODDY KRING TO REQUEST BREVARD COUNTY ROADWAYS & LANDSCAPING REPLACE THE DAMAGED OAK TREES ALONG S.R. 520, MERRITT AVENUE, SYKES CREEK PARKWAY, FORTENBERRY AND ON GROVE STREET IN MERRITT PARK PLACE AT A COST OF \$80 PER TREE NO TO EXCEED A TOTAL COST OF \$2,500. MOTION PASSED UNANIMOUSLY.

Mrs. Anderson advised that Loren Rapport also informed MIRA staff that there were twelve (8) foot clear – 16 OA queen palms and two (7) foot clear, 12 foot clear trunk cabbage palms severely damaged as a result of this season's hurricanes along Grove and McLeod Street in Merritt Park Place and that these trees would need to be replaced. Mrs. Anderson advised that the MIRA staff had asked for bids to replace the palm trees.

MOTION MADE BY MIKE SELIG, SECONDED BY RALPH PERRONE TO HAVE TWELVE QUEEN PALM TREES AND TWO CABBAGE PALM TREES REPLACED ON GROVE AND MCLEOD STREET IN MERRITT PARK PLACE WITH THE LOWEST BID NOT TO EXCEED \$2,200. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 6 - REGIONAL STORMWATER UTILITY FACILITY

As background, Mr. Robertson advised that Bussen-Mayer Engineering Group, Inc. has done concept plans for the proposed regional stormwater retention facility that is to be located north of S.R. 520 and west of Tropical Trail. Mr. Robertson advised that Bussen-Mayer Engineering Group, Inc. did a redevelopment scenario, which has been submitted to Ron Jones, Director of Stormwater Utility Department. Mr. Robertson commented that the purpose for the scenario was to come up with the cost and calculate how much stormwater is historical and generated presently and how much will be generated in the future as a result of a redevelopment project. Mr. Robertson advised that depending on that ratio it would be decided what department would be paying for what cost. Mr.

Robertson commented that due to the recent hurricanes, Ron Jones was unable to attend today's MIRA meeting but would be available to attend the November MIRA Board meeting. Ron Jones was unable to be present but would be able to attend the November MIRA Board meeting.

AGENDA ITEM 7 - MIRA BOARD MEMBERS AND BEAUTIFICATION COMMITTEE MEMBERS APPLYING FOR COMMERCIAL FACADE IMPROVEMENT GRANTS

As background, Mrs. Natowich commented that in recent months several members of the Beautification Committee have reported being queried by individuals, when they have been out in the public, concerning the Beautification Committee or the MIRA Board applying for the CFIP grants. Mrs. Natowich advised that the Beautification Committee recommended that she inform the MIRA Board of the negative perception by the public of members applying for the grants. Mr. Watson commented that the CFIP grants are open to any property owner in the MIRA area. Mrs. Natowich advised that she would report back to the Beautification Committee that this is a non-issue with the MIRA Board and County Attorney.

AGENDA ITEM 8 - BUILDING HEIGHTS IN MIRA AREA

As background, Mr. Watson requested Mr. Robertson research the height restrictions concerning the new condominiums being built at Island Pointe and the height variation that is in MIRA's ordinance. Mr. Robertson advised that the area in question was located between Merritt Avenue and S. R. 520 on the Indian River side just north of Island Pointe Condominiums. Mr. Robertson inquired from Mr. Rusnak, Brevard County Zoning, as to the height threshold requirement as it pertains to BU-1 zoning, mobile homes and church use in the BU-1A and single-family use in the RU2-30 zoning. Mr. Robertson inquired as to what is allowable from the height standpoint?

Mr. Rusnak advised that the height requirements are not applicable in the MIRA area. Mr. Rusnak noted that the subject project does not abut residentially zoned property. The requirement in the MIRA area is 2-1 to the closest residentially zoned property.

AGENDA ITEM 9 - SYKES CREEK/MERRITT AVENUE BERM

As background, Mr. Robertson commented that the MIRA Board had directed Bussen-Mayer Engineering Group, Inc. to do a concept and engineering design specification for an earthen berm to be used as a safety barrier located at the intersection of Sykes Creek Parkway and Merritt Avenue. Mr. Robertson advised that the designs have been sent to Dick Thompson, Brevard County Transportation Engineering Department for review and approval. Mr. Robertson commented that Bussen-Mayer Engineering Group, Inc. came up with a cost estimate to create the berm. Mr. Robertson inquired as to having the MIRA Board direct him on going out for bids to construct an earthen berm.

MOTION MADE BY SANDEE NATOWICH, SECONDED BY RALPH PERRONE TO REQUEST DOUG ROBERTSON GO OUT FOR BIDS TO HAVE A BERM CONSTRUCTED AT THE INTERSESECTION OF SYKES CREEK PARKWAY AND MERRITT AVENUE. MOTION PASSED UNANIMOUSLY.

AGENDA ITEM 10 - BEAUTIFICATION COMMITTEE REPORT

Mrs. Natowich advised that the Beautification Committee had recommended two Beautification Awards for the month of November and one Commercial Façade Improvement Program Award. Mrs. Natowich commented that Holiday Office Plaza, Inc. was nominated for a Beautification Award and for the CFIP award. Mrs. Natowich informed the Board that the Beautification Committee also recommended Ashley Brooke's Fashion Boutique for the Beautification Award. Mrs. Natowich commented that the awards would be given at 10:30 a.m. on Monday, November 1, 2004 and invited the MIRA Board members to attend.

MOTION MADE BY RALPH PERRONE, SECONDED BY BERT FRANCIS TO APPROVE THE BEAUTIFICATION AWARD FOR HOLIDAY OFFICE PLAZA, INC. AT 262 E. MERRITT ISLAND CAUSEWAY. THE MOTION PASSED UNANIMOUSLY.

MOTION MADE BY RALPH PERRONE, SECONDED BY BERT FRANCIS TO APPROVE THE BEAUTIFICATION AWARD FOR ASHLEY BROOKE FASHION BOUTIQUE AT 158 E. MERRITT ISLAND CAUSEWAY. THE MOTION PASSED UNANIMOUSLY.

Mrs. Natowich commented on the Beautification Committee's Annual Report that was provided to the MIRA Board.

AGENDA ITEM 11 - STAFF REPORT

ENTRY SIGNS

As background, Mr. Robertson advised that the MIRA entry signs are to be located within the FDOT clear zone right of way. Mr. Robertson commented that per Jack West, FDOT, the signs would need to be constructed of breakaway material that would allow the sign to fall to the ground if struck by a car along with materials that would not shatter and cause additional safety hazard. Mr. Robertson indicated that the MIRA staff contacted Universal/Spectrum Signs in Ft. Pierce to design a system acceptable by FDOT. Mr. Robertson advised that the design drawings have been sent to Jack West, FDOT, for his review and to see if the signs meet FDOT requirements. Mrs. Natowich commented that the Beautification Committee has approved the design of the signs.

COVERED BUS SHELTERS

Mr. Robertson commented that the MIRA staff has had several meetings with the Commissioner's Office, 20/20 media, Brevard County Permitting and SCAT. Mr. Robertson advised that the design specifications were completed and locations chosen. The MIRA staff decided to submit one location for the permitting process. Mr. Robertson commented that the application was put through the county process for approval and was turned down by Transportation Engineering pending resubmittal of new data by 20/20 Media.

MIRA BOARD MEETING DATES FOR NOVEMBER AND DECEMBER 2004

Mrs. Anderson advised the MIRA Board that the scheduled date for the November meeting is on Thanksgiving Day. The MIRA Board discussed available dates for the November meeting.

MOTION MADE BY SANDEE NATOWICH, SECONDED BY RALPH PERRONE TO SCHEDULE THE NEXT MIRA BOARD MEETING FOR TUESDAY, NOVEMBER 30, 2004 AND TO CANCEL THE DECEMBER 2004 MIRA BOARD MEETING. MOTION PASSED UNANIMOUSLY.

MIRA BOARD MEETING DATES FOR 2005

Mrs. Anderson distributed the 2005 meeting schedule to the MIRA Board..

OTHER BUSINESS

None

MOTION MADE BY SANDEE NATOWICH, SECONDED BY RALPH PERRONE TO ADJORN. NEXT SCHEDULED MIRA BOARD MEETING TO BE HELD ON TUESDAY, NOVEMBER 30, 2004. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 4:30 p.m.