

**MINUTES OF THE REGULAR MEETING OF THE CITY OF LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD HELD IN CITY HALL, 123 SOUTHWEST FLAGLER AVENUE, STUART, FLORIDA ON THURSDAY, MARCH 6, 2008.**

**Those present:** Li Roberts, Vice Chairperson  
Michael Herbach  
William Mathers  
Ryan Strom  
Teresa Lamar-Sarno  
Xavier Blatch

**Those absent:** Dr. Edward Geary, Chairman

**Also present:** Kev Freeman, Development Director

**I. CALL TO ORDER: Chairman**

Vice Chairman Roberts called the meeting to order at 6:40PM

**II. ROLL CALL: Secretary**

Those answering roll call and others present are referenced above.

**III. APPROVAL OF MINUTES: January 17, 2008**

**MOTION:** Ryan Strom

**SECOND:** Teresa Lamar-Sarno

**Motion carried**

**Public Comments:**

**Board Comments:**

Teresa Lamar-Sarno said that this will be her last meeting as she is resigning.

Li Roberts asked about the work force housing lists requested at the prior LPA meeting.

Kev Freeman stated that Commission denied the Workforce Housing project.

Li Roberts stated that she would still like to see the lists.

1. Request to consider a Major Amendment to the Residential Planned Unit Development (RPUD) to approve; 1) A Master Site Plan; and 2) Compliance with the Site Design Qualitative Development Design Standards and; 3) A List of

Development Conditions 4) A Timetable for Development Property Location: South Side of Jensen Beach Blvd Between 'Pinecrest Lakes' and 'The Pines' Property Owner: Gables at Stuart, LLC Agent/Representative: Joe Verdone, AICP & Lynda Harris, Esq.

Kev Freeman – Presentation

Linda Harris/Carlton Fields - Presentation

Joe Verdone – Presentation

**Public Comments:**

Brian DiVentura asked if Staff gave the Board his 30 pages of comments.

Kev Freeman said it was delivered Monday and Staff had not had time to review it.

Brian DiVentura said that the Gables used hardship and he did not see a hardship. He said the Gables knew when they bought this property how much wetlands there were. He does not think the PUD is enlightened or imaginative. He said wording in the LDR permits Commission to override any decisions made by the boards.

Mona Arrigoni stated that this does impact the entire neighborhood. She said that this is the last wetlands in the entire Jensen area. She stated that homes are not selling and doesn't understand why they would be adding more.

Jim Murdock handed out an aerial and stated that his concern among many is run-off. He stated that the runoff will impact the sensitive areas of land. He said that it is extensive and inappropriate.

Stewart Smith said that he has his home on the market and due to the market and news that the Gables was a possibility deterred buyers. He enjoys the views and animals that he sees from his property and does not want to lose that. He has issues with the boundaries that started out at 125ft and now are 100 ft.

John Collins was concerned that access would be provided off the Green River Parkway and now understands differently but doesn't understand how the access will occur. He requested that some type of wall be constructed between the two developments. He recommended that in the courtyard playgrounds be provided for the children. He would like the Green River Pkwy construction addressed in conjunction with the Gables construction and also asked about a homeowners association.

Keith Kopp with the Haney Creek Greenway Group had a number of environmental concerns. He said the Haney Creek Watershed project defines the wetlands as extraordinary. He quoted a letter from Dan Hudson and Kevin Henderson who both wrote letters expressing concern with Haney Creek issues. He said they got involved because a number of residents signed a petition that stated they did not want the destruction of this valuable and natural resource.

Frank Malaspina stated that three story buildings with towers will end up being four stories and the two stories with gables will end up being three and he doesn't like that. He objects to many of the proposals on this project.

Sam Wiley/Environmental Scientist with CZR, Inc. said that there is a large number of upland being preserved on the site, much more than required. There will be greenway on the west and east side. Regarding the aquatic resource, there is not hydric pine. They completed wildlife studies and they are in compliance with code in regard to wildlife and buffers around preserved wetlands. The wetland mitigations plans show they are being fully mitigated on site and they will receive pretreated water.

Linda Harris stated the drainage on the project will flow into three lakes and be purified each time and run back into the preserve areas which have been very dry and will enhance the wetlands. The private streets are not being dedicated. All utility companies require that bill of sale and the cost of utilities will be this projects. As far as access up to Jensen Beach Blvd., they have acquired an access road from the owner. As far as the wall between the Pines and the Gables, they are willing to work with Staff and will agree to build a wall. She said that they created a project with large special separations and that their project does not need Green River Parkway to happen, their project will happen on its own.

Jess Markle of Boyle Engineering said the drainage site is very extensive and with their calculations they are discharging less water post construction than pre. The berm that will be provided will hold water on site. He said they have received their permit through South Florida Water Management. They have a two lane ingress and egress road from Jensen Beach Blvd. and this project is part of the Warner Creek Watershed and there are no natural connections to Haney Creek.

Linda Harris pointed out that they are not asking for a single variance and the code allows them to do what they are doing. She stated that only 18 acres of this 80 acre site are being used.

Ann Serb asked how clustering compares to other areas that are being built in the City.

Kev Freeman replied that the City has many developments that may or may not have used clustering and that they would not have brought this forward if they were not in compliance.

Ann Serb questioned the density and asked if there are any projects that have the same density count, then asked if the entire area isn't sensitive.

Kev Freeman said he did not think any developments in the City have used the clustering calculations. Some have used other methods which have used Urban Code Exceptions and have brought densities of thirty.

**Board Comments:**

Ryan Strom asked for clarification on the letter from the Haney Creek Greenway. He said

if you look at Site Plan 1 on the north and south side about midway there are two standard dumpsters to service the entire project and that is not enough.

Joe Verdone said that area is going to increase. He also said that the plans had been reviewed and approved by Public Works.

Ryan Strom said he spoke with public works and they were not aware of the updated plan.

Ryan Strom asked if handicapped parking was identified.

Joe Verdone said it would be in the final plan.

Li Roberts questioned parking calculations and asked if every unit has a two car garage.

Ryan Strom wanted the calculations on the future road right-of-way and asked if it was calculated as upland preserve. He said that he appreciated them not using the area in the back and that you see single family residential then this which is a pretty progressive cluster and has an issue with the transition and flow of the community along with some of the environmental issues.

Joe Verdone said they have created an enclave and there are no recreational facilities. He also said they he didn't think the surrounding communities would want that type of connectivity.

Ryan Strom asked for verification on the hydric pines.

Kev Freeman said that their environmental consultants did not see an issue with this.

Teresa Lamar-Sarno said with the RPUD process they are bypassing the city's other process.

Kev Freeman said the RPUD process uses a baseline of the city's. The commission will decide with the LPA board recommendation.

Teresa Lamar-Sarno questioned whether the mitigation is appropriate.

Kev Freeman said the proposal meets the intent of the code. There are some departures from the code, but staffs assessment is based on the overall quality of the proposal.

Teresa Lamar-Sarno said that if the applicant chose, could they use straight zoning?

Kev Freeman replied that they could, but are getting more use because it is a PUD.

Joe Verdone said clustering is a tool for them to use.

Bill Mathers asked if there is any flow restriction on the Haney Creek Basin.

Jesse Markle of Boyle Engineering said there is not.

Xavier Blatch said he does not like the word clustering. He said there appears to be clustering in the Pines. He believes there is still intrusiveness on the Haney Creek project. He said you have the land and should be able to do what the city allows. He was concerned about the EPA's letter. He asked if the community was straight rental.

Joe Verdone said that it was.

Xavier Blatch said that between two home owned communities there is a rental community in between, and said he would be upset about that if he lived in the home owned community. He questioned that they would not restrict the water flow between Haney.

Joe Verdone stated that it would not

Xavier Blatch asked the size of the preserve area on the east and west side.

Joe Verdone said the buffer on the west is over 300 ft.

Li Roberts is concerned about the trash. She also stated that the community mailboxes are in the clubhouse and everyone has to go there to get their mail and there are only 5 parking spaces at the clubhouse. She said the design with the garages and parking behind the garage will have people backing into each other and she asked about kids and cars. She stated that there is not 24 feet for the fire lane and thinks there is too much crammed into one spot. If they went from RPUD to straight zoning at 7 units per acre on 47 acres that is a lot of houses but it seems they are putting them all into one area. She believes the buffer should be on their property not the commercial property. She is concerned with 209 people having one way in and one way out.

Joe Verdone replied that there will be two points of egress.

Li Roberts asked if they are required to remain rental units or can they become condo?

Joe Verdone spoke with Staff and it would be revisited and it would be at the discretion of the City.

Amy Ansel with Gables Residential said regarding trash, they have trash compactors which are emptied twice a week per the City. As far as the mail, Post Office employees don't want to go to different locations to deliver mail so that is why it is in one location. Originally they proposed a trash container for each unit but the City didn't want to have to have that many.

Ryan Strom said that they need to see it on the site plan

Xavier Blatch asked what the lot sizes are being changed to.

Murriah Dekle replied, the applicant has been requested to present lot sizes that are

comparable to those lots in 'The Pines' subdivision and/or the minimum standards set out in the LDR/Comp. Plan.

Li Roberts asked if the single family would be gated.

Joe Verdone said no.

Li Roberts asked about the children and the street.

Joe Verdone said they had spoken to the police dept and they were adding design elements to slow traffic down.

Li Roberts suggested bike lanes.

Joe Verdone said they are provided in the front of the building and on the bike pathways.

Xavier Blatch asked if the City does not approve this, will they come back with something else.

Joe Verdone stated that they do not have any thoughts on that.

Linda Harris said that the Gables is a quality oriented company and would not come into this without good intentions and a lot of thought.

Bill Mathers asked if the company had done projects of this type before.

Amy Ansel replied that they have done many like this.

Li Roberts said that she has problems with many items and would like them to come back with revisions.

Michael Herbach said they are offering them a chance to come back with revisions.

Linda Harris said that if that is what the board wanted, then that is what they will do.

Xavier Blatch asked the gentleman who addressed the EPA issue to bring certification on that.

**MOTION:** Michael Herbach moved that the Gables return to the next LPA meeting on April 17<sup>th</sup> with the following information: 1 Dumpster location 2. A letter from the Post Office stating that is the only way the mailboxes will work. 3. Show handicap parking. 4. Show the walls and street lights with pictures of what they will look like. 5. Address the density issue. 6. Address the 24 feet for fire trucks. 7. Show the sizes of the single family lots 8. Address the hydric pines. 9. Address bikes and children and put bike racks on the site plan 10. Show buffers and what would be seen 11. Show each lot clearly on the site plan 12. Add into the calculations something about the Green River Parkway so it's delineated from the preserve.

**SECOND:** Xavier Blatch

**Motion carried 6/0**

2. Request to consider a Major Amendment to the Residential Planned Unit Development (RPUD) to approve a master site plan to establish the Allegro at Willoughby Assisted Living Facility Planned Unit Development. Property Location: Northwest Corner of SE Indian Street and SE Aster Lane Property Owner: Aster Commons, LLC Agent/Representative: Land Design South/Bradley J. Currie, AICP

Kev Freeman – Presentation

Terry McCarthy/Attorney for Applicant – Presentation

David Kirkland/Allegro – Presentation

Mike McCarty – Presentation

**Public Comments:** None

**Board Comments:**

Michal Herbach asked if they are one bedroom apartments.

David Kirkland said they are studios with one bedroom and a private bath.

Ryan Strom asked about target rents.

David Kirkland replied they will be about \$2000 per month non-assisted and \$3000 assisted.

Ryan Strom asked if they require memory care, do they have to go to a different facility.

David Kirkland replied that if their health changes and they cannot appropriately take care of them, then they would have to suggest out-placement.

Ryan Strom asked if there will be a fence or wall for the memory care individuals.

David Kirkland said there will be a fence.

Ryan Strom asked about traffic analysis.

Mike Carty said it was submitted and distributed.

Xavier Blatch asked about the green surface on the perimeter of the ponds and whether emergency vehicles can get access with no problem.

Mike McCarty said they spoke with Doug Killane and worked out the access.

Li Roberts asked where the elevators are in reference to the southern most wings

David Kirkland pointed out the locations.

Bill Mathers asked where the back flow prevention devices were located and asked that they be put in the front instead of the rear.

Mike McCarty said he would get with Doug Killane on that.

Bill Mathers asked if it would be built to hurricane standards.

David Kirkland said they will have a portion built to hurricane standards.

Teresa Lamar-Sarno asked about the street lights and asked if they would put any on Aster Lane?

David Kirkland said that they will have lights, but they will be shielded toward the building.

Teresa Lamar-Sarno asked about the different shifts and parking.

David Kirkland described the different shifts and where they would park.

Li Roberts asked about the side of the property and wondered if there were buffers or a fence.

Mike McCarty said it is preserve area.

Li Roberts suggested a fence.

Li Roberts asked about the drop off area and asked if there are any handicap spaces and where people would be dropped off.

David Kirkland replied that there were.

**MOTION:** Ryan Strom moved to approve the request to consider a Major Amendment to the Residential Planned Unit Development (RPUD) to approve a master site plan to establish the Allegro at Willoughby Assisted Living Facility Planned Unit Development. Property Location: Northwest Corner of SE Indian Street and SE Aster Lane Property Owner: Aster Commons, LLC Agent/Representative: Land Design South/Bradley J. Currie, AICP with the stipulation that a six foot fence be installed on the north side by the parking lot.

**SECOND:** Xavier Blatch

**Motion carried 6/0**

**IV: COMMENTS FROM THE PUBLIC: None**

**V. NEXT LPA MEETING: April 17, 2008**

**VI. ADJOURN:**



**MOTION:** Xavier Blatch

**SECOND:** Teresa Lamar-Sarno

**Motion carried**

Vice Chairman Roberts, there being no further business before the Board the meeting is adjourned at 10:30PM.

**APPROVED**

**RESPECTFULLY SUBMITTED**

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Dr. Edward Geary, Chairman

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Michelle Vicat, Board Secretary