

MINUTES OF THE REGULAR MEETING OF THE CITY OF STUART LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD HELD IN CITY HALL, 121 SOUTHWEST FLAGLER AVENUE, STUART, FLORIDA ON THURSDAY, JULY 18, 2013

Those present: Li Roberts, Chair
William Mathers, Vice Chair
Larry Massing
Michael Herbach
Thomas Campenni
Susan O'Rourke

Those absent: Ryan Strom

Also present: Terry O'Neil, Development Director
Deanna Freeman, Senior Planner
Carly Aubrey, Project Planner II

I. CALL TO ORDER: Chairman

Chair Roberts called the meeting to order at 5:30PM

II. ROLL CALL: Secretary

Those answering roll call and others present are referenced above.

III. APPROVAL OF MINUTES:

MOTION: Michael Herbach

SECOND: Larry Massing

Motion carried 5/0

Public Comments: None

Board Comments: None

1. Request to consider Ordinance Numbers 2259-2013 and 2260-2013 regarding: (1) voluntary annexation, and (2) assignment of "Commercial" future land use, and assignment of "Commercial Planned Unit Development" (C-PUD) zoning; for a 3.02-acre parcel located at 1440 NW Federal Highway at the northwest corner of US-1 and NW 14th Street. Wynne Building Corporation, Applicant. Larry Parr, representing the applicant.

Presentation: Carly Aubrey, Project Planner II
Larry Parr, LPLA, Inc.

Public Comments:

Jacque Lewis, President of the Martin County Hotel Motel Association said they are worried about having another hotel in the area because they have had a very small occupancy uptick. She said there is only 61% occupancy in the area and a local hotel that is not making ends meet is up for sale so adding to the inventory is going to be very difficult.

Bob Dryburgh of 864 NW 12th Terrace read some information that he gave to the board. He said he shows 53% occupancy and there has been no growth in the tourist tax over the last ten years and this will take business away from existing hotels just barely hanging in. He asked that they protect the existing businesses before granting this un-needed over-developed four story behemoth unsuited for this residential area and unwanted by existing businesses.

Chair Roberts asked where his estimates came from.

Bob Dryburgh said from the State of Florida.

Carol Dryburgh who lives in Palm Lake Park also submitted information to the board. She said there are 206 homeowners in Palm Lake Park and that the development itself has a lot of flaws and doesn't think there is reason to add more problems. She said that Baker Shops LLC tried to annex a few years ago and were declined by the commission for many of the same reasons that she sees now.

Board Comments:

Susan O'Rourke asked what the zoning was on the two parcels south of the site.

Carly Aubrey said it is in the county and zoned recreation and believes it would stay that way.

Susan O'Rourke said this is a land use plan amendment for land in the county for uses already allowed and this would be a commercial use of some sort. She said there are three access points and if they could eliminate one, it would be helpful.

Michael Herbach said he has mixed feelings and didn't think occupancy had any bearing. He asked what would happen if they didn't allow Pollo Tropical to open because it would affect Kentucky Fried Chicken etc... He said he didn't think it was any of their business.

Thomas Campenni thought Michael Herbach's point was valid, but said they are taking a property into the city which is a tax generator and if it went out of business, that would cost the city and they needed to be careful what they did.

Chair Roberts said she believed in free market enterprise, but she felt for the residents who had their county roads being used by commercial property. She thought it would be much more palatable if all entrances were off US1.

Susan O'Rourke said US1 is a major arterial and is not supposed to have a lot of

driveways off US1 and it needs to be balanced without penalizing the neighbors.

Larry Parr said if the property remained in the county, the board had seen the uses and it would be built to the highest extent possible. He said the county's preserve requirements were about a quarter of what was shown and said they would remove all of the exotics on the site, have an upland preserve area and there would be some changes internally, but wasn't sure they could change the entrances and exits.

Thomas Campenni asked if they had a feasibility plan.

Dan Braden, architect for Wynne Building Corporation said he spoke to the owner who said they own and operate three hotels, they are long term operators who do not sell their properties and it is the fourth generation doing this. They also said it will be more of a boutique hotel to appeal to the Stuart mid and upscale market and that Smith Travel Research for 2013 is quite encouraging for this sub-market.

MOTION: Susan O'Rourke moved to approve staff recommendation to consider Ordinance Numbers 2259-2013 and 2260-2013 regarding: (1) voluntary annexation, and (2) assignment of "Commercial" future land use, and assignment of "Commercial Planned Unit Development" (C-PUD) zoning; for a 3.02-acre parcel located at 1440 NW Federal Highway at the northwest corner of US-1 and NW 14th Street with the comments they've made

SECOND: Michael Herbach

Motion carried 3/2 with Larry Massing abstaining

2. Request to consider an Ordinance 2257-2013 of the City of Stuart amending Chapter 6 of the City's Land Development Code (LDC) revising codes pertaining to A-Frame Signs.

Presentation: Deanna Freeman, Senior Planner

Public Comments: None

Board Comments:

Li Roberts asked if the board voted against this ordinance what would happen to it.

Terry O'Neil said that it would be transmitted to the City Commission that the LPA recommended against it.

Larry Massing said he wasn't sure that's what he said, he said either you like them citywide or you don't like them citywide and thought the City Commission didn't like them citywide.

Terry O'Neil said the ordinance was brought forward as a result of two LPA meetings largely in the form they wanted to recommend. Then the City Commission decided they didn't want them at all and directed staff to prepare the draft ordinance which the LPA is now reviewing and making a recommendation on.

Susan O'Rourke said she liked the sandwich board signs and saw a proliferation of them downtown which indicated to her that people found them useful.

Li Roberts said they needed to change the two "whereas" in the ordinance and said she agrees with what staff came up with in the beginning.

Larry Massing said that the commission evaluated it from an equity standpoint.

MOTION: Michael Herbach recommended their original motion for a one year trial period.

SECOND: Thomas Campenni

Motion carried 6/0

3. Request to consider Ordinance Number 2263-2013 to amend Chapter 11 of the Stuart Land Development Code to correct a Scrivener's error regarding mailed notices for "Large-Scale" and "Small-Scale" Comprehensive Plan Amendments.

Presentation: Carly Aubrey, Project Planner II

Public Comments: None

Board Comments: None

MOTION: Larry Massing

SECOND: Michael Herbach

Motion carried 6/0

4. Discussion of potential amendments to Chapter 1 of the Stuart Land Development Code. (Part of a comprehensive review of the City's Land Development Code).

Board Comments:

Susan O'Rourke said she would like to change "adjusted development", "protecting people's morals", "conserving the value of land", change "protecting owners from adverse impacts" to "minimize adverse impacts".

Li Roberts thought they should add something about protecting natural resources and try to combine some items.

Susan O'Rourke said that when they say four stories in height, that needs definition.

Terry O'Neil said they would need to expand the language for clarity and talk about in greater detail alleys, private roads and provide a clearer indication of what access is permissible.

Bill Mathers said they need to clarify multi-family.

Li Roberts thought A, B and C should be moved elsewhere, she thought they should have a general statement in applicability that addresses that there situations in which off-site improvements may be applicable as set for in this code and take out traffic language and put it in the traffic section. She thought zoning in progress was way too long and repetitive.

Bill Mathers said on the “Incorporation by Reference” page it should read approximate boundaries or remove the word approximate everywhere.

Li Roberts thought they could condense “Delegation of Authority”.

Bill Mathers suggested adding a fifth line regarding shorelines, submerged lands etc.

IV. NEXT LPA MEETING:

August 15, 2013

V. ADJOURN:

MOTION: Thomas Campenni

SECOND: Michael Herbach

Motion carried 6/0

Chair Roberts, there being no further business before the Board the meeting is adjourned at 8:00PM.

APPROVED

RESPECTFULLY SUBMITTED

Li Roberts, Chair

Michelle Vicat, Board Secretary