

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, AUGUST 20, 2009

Those present: Li Roberts, Chair
William Mathers, Vice Chair
Xavier Blatch
Michael Herbach
Dr. Edward Geary
Larry Massing

Those absent: Ryan Strom

Also present: Murriah Dekle, Project Planner II

I. CALL TO ORDER: Chairman

Chair Roberts called the meeting to order at 5:34PM

II. ROLL CALL: Secretary

Those answering roll call and others present are referenced above.

III. APPROVAL OF MINUTES: June 18, 2009

MOTION: Dr. Geary

SECOND: Xavier Blatch

Motion carried 6/0

Public Comments: None

Board Comments: None

1. Public Hearing: Request to consider a Major Amendment to the Avonlea Planned Unit Development to: Approve a rezoning of those certain portions of the Avonlea Planned Unit Development from Commercial Planned Unit Development (CPUD) to Mixed Use Planned Unit Development (MXPUD); Approve a Master Plan for the Phase titled 'East Village' Approve an Amendment to the Planned Unit Development Design Guidelines to adopt the MXPUD 'Pattern Book' Approve an Amendment to the Planned Unit Development for the Timetable of Development and; Approve an Amendment to the Cost Sharing Agreement for roadway improvements Property Location: Savanna Road, Baker Road, Cardinal Avenue and S.R. 707 Stuart, FL Property Owner: Frank Wacha Jr. Trustee/Jensen Plaza Inc.

Presentation: Murriah Dekle, Project Planner II
Frank Wacha Jr., Owner

Public Comments:

Glen Fisher who lives on 15th Street and said they were flooded out because someone changed the water heights. He thought the water levels are way too high.

Frank Wacha said they had a lot of meetings after Faye came through and said there were issues between the environmental people and the drainage people at South Florida Water Management District. He said he told them to give him a level and he would take care of it but hasn't heard from them. He said the County said that when they build Green River Parkway they would fix all of the drainage issues in there.

Board Comments:

Mike Herbach said on the front page of the pattern book he saw wetlands but roads blocking them and asked if there could be a wildlife corridor or culverts for the animals.

Frank Wacha replied that the county roads had culverts. He said he met with the Green River designers and planted that seed with them and their environmental people. He said if you put one in there they'll have to put a six foot chain link fence along it and they didn't want to do that. He said that since they've restored the wetlands on the south side of Baker there is now an osprey nest.

Dr. Geary said he didn't agree with the type of buildings for example the "Romanesque Revival".

Frank Wacha said that is something that Don Komara put in. He said the purpose of the example was the style not the scale.

Dr. Geary asked if the MXPUD is more restrictive than a CPUD.

Frank Wacha said the CPUD requires you to have certain amount of commercial etc...and MXPUD allows you to go with the flow without having to worry about some kind of a schedule. He said it is designed for this type of land use.

Bill Mathers asked if it was 20% allowed residential in commercial.

Murriah Dekle replied it was 30% in a CPUD and said this is definitely more appropriate.

Xavier Blatch asked if it affects the amount of parking spaces required.

Murriah Dekle replied that it allows for a reduction of parking based on the ITE manual and peak hour trips generated by each use.

MOTION: Larry Massing moved approval of a rezoning of those certain portions of the Avonlea Planned Unit Development from Commercial Planned Unit Development (CPUD) to Mixed Use Planned Unit Development (MXPUD);

SECOND: Dr. Geary

Motion carried: 6/0

Xavier Blatch asked if a restaurant came in would it be limited in size and seating.

Murriah Dekle said on page 11 of the pattern book it talks about Avonlea Marketplace and the allocation for that is 120 spaces and there is a max flex transfer that Frank just talked about that can be purchased by another blocks so what they would need to do upon final site plan submittal is come up with a spreadsheet so that when a new tenant came in they would add it to the spreadsheet and come up with a tally. It would be a process that they would need to develop before implementing this.

Bill Mathers said that they were doing something similar to what they came up with for the shopping center in US1. He asked if he would use the car park and if he had to build a layer and then another layer so there is sequence in construction.

Frank Wacha said in the current financing environment yes. He didn't know if a parking structure like that could be scaled and said he has already generated a draft spreadsheet.

Dr. Geary asked on page 41 if newsstands were bigger or smaller than the kiosks listed.

Frank Wacha replied whatever size it needs to be to fit the newspapers and magazines.

Xavier Blatch asked how many would be permitted and where would they be housed.

Frank Wacha said they would be in the plaza and the location would be in the detail of the final site plan.

Bill Mathers asked if the entrances were approved on the previous PUD.

Frank Wacha replied that they were part of the master plan.

Larry Massing asked if they would see the final site plan.

Murriah Dekle said they would.

Li Roberts said if you looked back at prior MXPUD's, the applicant would present a matrix. She said she only saw one handicap space next to the Baker flex site.

Larry Massing asked if this is something that will happen or is this just lines on the paper right now.

Frank Wacha said it will be built in conjunction with this project.

Li Roberts said on the four acre parcel there is one acre of open space?

Frank Wacha said they already provided a huge amount of open space so they provided the required amount.

Li Roberts suggested highlighting how they met the objectives.

Frank Wacha agreed.

MOTION: Larry Massing moved to approve a Master Plan for the Phase titled 'East Village' Approve an Amendment to the Planned Unit Development Design Guidelines to adopt the MXPUD 'Pattern Book'

SECOND: Mike Herbach

Motion carried: 6/0

Dr. Geary suggested a maximum square footage on the newsstand.

Mike Herbach asked if on page 31 it was the front or the back of the building along Baker Rd. because he would rather see the front.

Frank Wacha said the front of the buildings would face the street and he would add language to make sure that is clear.

Li Roberts said they typically like to have all sides of the building to look pretty. She said when he comes back with the final site plan they need architectural enhancements on all sides of the building.

Bill Mathers said the pattern book should be designated as a guideline and the final plans should take precedence.

Li Roberts said she thought they would go by the pattern book.

Bill Mathers said when things were changed on the site plan then they would have to be changed in the pattern book.

Frank Wacha said his objective was not to have specific architecture when a final site plan comes through.

Xavier Blatch said on the northeast corner where he has three parking spaces, the pattern book on page 31 has green space.

Frank Wacha said that needs to be fixed.

Mike Herbach said on page 32 AC1, AC2, AC3 it says auto repairs and storage in an enclosed area and wanted to make sure that it meant auto repairs and storage would be carried out in an enclosed area and if that meant landscaping.

Frank Wacha said auto repairs would occur inside an enclosed area.

Bill Mathers said on the next rendition, move the guidelines/typicals to the front and the specifics to the rear or the appendix.

Dr. Geary asked who determines the use.

Frank Wacha replied that it was straight from the code and it's the development director.

Li Roberts said he should add that.

Frank Wacha said he would add that to a general page.

Dr. Geary said they shouldn't motion this as a fixed document.

Bill Mathers said that if he comes back with any changes that don't match then he is locked in.

Murriah Dekle said maybe they should take out The Crossings entirely and reserve it in the appendix and put the general requirements for the entire MXPUD in the front of the book and then in the appendices put in the East Village for now and in the future do The Crossings.

Li Roberts said on page 8 "kiosks being used for up to five years", are they going to be owned or rented and who is going to allow them.

Frank Wacha said the city would allow them. He said it was an interim use before they build the building.

Li Roberts asked if it said that in there and to flesh it out.

Frank Wacha said he would add it.

Li Roberts said on page 13 he needs to add excluding moving signs.

Murriah Dekle said they would need to comply with these standards as well as the signage code.

Li Roberts said on page 18 #8 needs to be clearer as far as the sidewalk.

Bill Mathers said they should add it into their association documents.

Li Roberts said on page 27 it says an alley to the west of North Marketplace Site #1 and on the site plan is a dumpster.

Frank Wacha said they have a dumpster in the alley.

Xavier Blatch said it's also the same at the auto center where he has the dumpster.

MOTION: Xavier Blatch moved to approve an amendment to the Planned Unit Development Design Guidelines to adopt the MXPUD 'Pattern Book with all of the recommendations.

SECOND: Larry Massing

Motion carried: 6/0

Li Roberts asked how long they were extending the timetable.

Murriah Dekle said she believed it is three years.

MOTION: Bill Mathers moved that the board has no objection to an amendment to the Planned Unit Development for the Timetable of Development

SECOND: Larry Massing

Motion carried: 6/0

Larry Massing asked if this wasn't a civil issue.

Murriah Dekle replied it was but they wanted to eliminate from the ordinance that there is going to be a cost sharing agreement and now the applicant has agreed to incur all of the expenses.

Li Roberts asked if that is what he wants to do.

Frank Wacha said no it's not what he wants to do but this created a burden for him because he had another hoop to jump through and it didn't guarantee that he would get paid.

MOTION: Dr. Geary moved that the board has no objection to the extension after consultation with the City Attorney to approve an Amendment to the Cost Sharing Agreement for roadway improvements

SECOND: Bill Mathers

Motion carried: 6/0

Dr. Geary asked Staff to give the board the status of the Thies property at the next meeting.

IV. NEXT LPA MEETING:

September 17, 2009

V. ADJOURN:

MOTION: Mike Herbach

SECOND: Bill Mathers

Motion carried 6/0

Chair Roberts, there being no further business before the Board the meeting is adjourned at 7:55PM.

APPROVED

RESPECTFULLY SUBMITTED

Li Roberts, Chair

Michelle Vicat, Board Secretary