

MINUTES OF THE REGULAR MEETING OF THE CITY OF STUART LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD HELD IN CITY HALL, 121 SW FLAGLER AVENUE, STUART, FLORIDA ON THURSDAY, MAY 21, 2009

Those present: Dr. Edward Geary, Chairman
Li Roberts, Vice Chair
Xavier Blatch
Michael Herbach
William Mathers
Ryan Strom

Those absent: Larry Massing

Also present: Doug James, Development Director

I. CALL TO ORDER: Chairman

Chairman Geary called the meeting to order at 5:32PM

II. ROLL CALL: Secretary

Those answering roll call and others present are referenced above.

III. APPROVAL OF MINUTES: N/A

MOTION:

SECOND:

Motion carried

Public Comments: None

Board Comments: None

1. Major Amendment to CPUD for GSA Stuart

Presentation: Tom Reetz, Senior Project Planner
Steve Gaydosh, Carnahan, Proctor, Cross

Public Comments:

John Leighton said he was there on behalf of Turbo Combuster Technology who owns six acres across the street on Commerce and asked what the building was going to be used for.

Board Comments:

Chairman Geary said they would ask that question of the applicant.

Li Roberts said their plan for saving the trees had 51 trees total and thought that they should be saving more, asked if there will be a fence and asked staff why they are calling it covered parking instead of enclosed. She was concerned with the number of parking spaces and said the plan called for shower stalls, but she didn't see them and asked about exterior lighting.

Bill Mathers is abstaining from voting because he has met with Steve Gaydosh on the project.

Chairman Geary asked what GSA's function is, if there would be any detainees or prisoners there and why the elevation of the parking garage is higher than the building.

Li Roberts thought this was the facility that Homeland Security used to process people.

Steve Gaydosh said he was not sure what they were using the facility for.

Chairman Geary said since they didn't know what the facility was for he wasn't sure how they would handle this.

Michael Herbach said the front elevation is nice if it's facing the street and recommended they put the circle vent or whatever is over the door on the north elevation and under the tower make it similar to under the tower on the south elevation.

Ryan Strom said regarding the LEED green building he is not sure they will get credit for some of the items. They need to figure out where the bicycle storage and changing rooms are going to go, 5.2 site development maximize open space shows the site as 1.73 when it is 3.02 so that will shift open space under threshold, the heat island effect non-roof and the amount of enclosed parking is 16 spaces but its not of the 29, it has to be a calculation of the total spaces on site which is 41 so to get that you need 50% underneath and need the SRI of roof material above the 29 so you would get part of that, on light pollution reduction there are a couple of boundary areas that looked higher than the requirement, credit 3.1 materials reuse he thinks should be recycled content and this is not a LEED Certified Project it is a City of Stuart approved green project.

Xavier Blatch was concerned about what the building was going to be used for.

Chairman Geary said that #22 of the conditions should say in plain view invisible from the street. He commented on the height of the door.

Xavier Blatch said their concerns were the floorplan, usage of the building, parking out front and the trees on the south piece.

Michael Herbach asked if they have the right to question the use of the building.

Li Roberts thought there were different requirements for secure facilities.

Ryan Strom asked if that wouldn't be a requirement of the governments RFP.

Xavier Blatch asked Staff if they were satisfied with the explanation of what the building would be used for.

Tom Reetz replied that they were told government offices, which was what they reviewed it as.

Michael Herbach said he didn't know if they could raise that question.

Doug James said the items that they were questioning are related to a building permit. When they come in for a building permit the floor plan will be examined to be sure that it functions as an office. He said if there are detention cells and sleeping quarters, they will not qualify as an office and they would need to seek an amendment to the use. He said if they were looking for a level of security, when they seek or review a building permit, if it doesn't meet the definition of an office it won't be approved. He said he could not address the tree survey as he thought it was in the package and they will get back to them on it.

MOTION: Michael Herbach moved to continue this item to the next regular meeting on June 18th and asked that they come back with answers to their questions.

SECOND: Li Roberts

Motion carried 6/0

2. Major Amendment to CPUD for Shoppes at Market Place

Presentation: Murriah Dekle, Project Planner II
Mike McCarty, Land Design South

Public Comments:

Leonard Rutland the attorney who represents Stuart Business Park said he apologized for getting notice to the City so late. He said there is a dispute between two private entities and this is a request to change a site plan which does involve the City. He said the primary responsibility for the homeowners associations is to make sure that the property doesn't flood. He said one of the major drainage points for the entire park is on the east side of US1 and when the improvements were made, they pushed quite a bit of fill into their drainage ditch so it is dramatically narrowed and they have tried to work it out with the property owner, who never replied back so the HOA filed suit which he has provided a copy of. The problem involved the property owner's failure to comply with the site plan that the City approved and they are asking them to put it back the way it was. He said this is not private versus private because they are not in compliance with the site plan that the City approved, so before they change their site plan they need to look at whether there is current compliance.

Bill Mathers abstained from the vote due to his involvement.

Board Comments:

Li Roberts asked how many seats are in Chili's, questioned the signage and asked how they would handle the drainage issue.

Murriah Dekle said the public works director has been notified of the situation but couldn't be there. She said that the drainage problem would have to be worked out before it went to commission.

Tyson Waters, attorney for the applicant said there are two issues, one public and one private. He said to date the City of Stuart has cited no violations on the property. He said there is a private easement and the complaint is based on the use of that private easement and there is a private lawsuit that the City is not involved in that is not affected at all by this application and they are happy to work with the association.

Murriah Dekle said that the public works director would look into this. She said they have storm water inspectors that do these types of inspections for compliance.

Ryan Strom questioned the sign and said the maximum square footage allowed is 100 square feet and said that this is double. He said if they allow one or two signs, they are changing the sign code so anyone else can come in and request the same thing.

Bill Mathers questioned the dash lines in front of parcel 3.

Mike McCarty said they were configuration lines.

Xavier Blatch said regarding the sign size, from a marketing standpoint you want people to want to pull in there.

Li Roberts thinks the restaurant square footage needs to be cleaned up.

MOTION: Li Roberts moved to approve the Major Amendment to CPUD for Shoppes at Market Place with the conditions that they allow either Option A or Option B for Parcel 3, for #2 they changed it to read the way the sign code would read, that the parking data be fixed, that they clean up the number of seats for the restaurant and that Public Works does an inspection to make sure they are not in violation and if they are, that it be corrected before this continues.

SECOND: Ryan Strom

Motion carried 5/0 with Bill Mathers abstaining

3. Voluntary Annexation, Land Use and Zoning for FPL Parcel

Presentation: Terry O’Neil, Consultant
Nick Blount, FPL Representative

Public Comments: None

Board Comments:

Bill Mathers asked if they wanted to extend the building in the future if they would require a building permit and asked if they would be able to put that into the agreement.

Terry O’Neil said the office building is a conforming use so there shouldn’t be any constraints.

MOTION: Bill Mathers moved to approve the voluntary annexation for the FPL parcel into the category of commercial.

SECOND: Xavier Blatch

Motion carried: 6/0

MOTION: Bill Mathers moved to approve the land use designation as B4

SECOND: Michael Herbach

Motion carried: 6/0

4. Continuation of LDC Text Amendment to Sign Code

Presentation:

Public Comments: None

Board Comments: None

MOTION: Ryan Strom moved to continue the LDC Text Amendment to Sign Code to the June 18th meeting.

SECOND: Bill Mathers

Motion carried 6/0

IV: COMMENTS FROM THE PUBLIC:

V. NEXT LPA MEETING:

June 3, 2009

VI. ADJOURN:

MOTION: Xavier Blatch

SECOND: Bill Mathers

Motion carried 6/0

Chairman Geary, there being no further business before the Board the meeting is adjourned at 7:33PM.

APPROVED

RESPECTFULLY SUBMITTED

Dr. Edward Geary, Chairman

Michelle Vicat, Board Secretary