

**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, JUNE 20, 2013**

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

**Those absent:**

**Also present:** Paul Nicoletti, City Manager  
Terry O'Neil, Development Director  
Carly Aubrey, Planner

**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: April 18, 2013**

**MOTION:** Thomas Campenni

**SECOND:** Michael Herbach

**Motion carried 6/0**

**Public Comments:** None

**Board Comments:** None

1. Request to consider: (1) Voluntary Annexation, (2) Assignment of "Commercial" future land use, and (3) 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 US1 and NW 14<sup>th</sup> Street. Wynne Corporation, Applicant. Larry Parr representing the applicant.

**Presentation:** Carly Aubrey, Project Planner II  
Larry Parr, Agent for the Applicant Wynne Corporation

Due to a notification error staff recommended that the board hear public comment, discuss the item, make a tentative recommendation and continue the item to the next meeting so a certified mailing can be sent out. She then read a memo from the former City Attorney Michael Durham from March 29, 2013 which was a review of whether the proposed annexation met Florida statute requirements: "After reviewing the application for annexation and the supporting documents and Florida Statute Section 171, a copy of which is attached for your reference, it is my opinion that this application meets the statutory requirements for annexation into the City of Stuart."

Terry O'Neil said that the documents have been shared with Martin County. He said they were given direction from the annexation workshop to contact Martin County and develop a methodology/matrix to look at the fiscal and operational impacts on Stuart and Martin County rather than just look at data. He said they approached county staff and they declined to enter into the exercise.

Ryan Strom asked if it was challenged by the county, what that would do for the timetable of development.

Terry O'Neil said there is a 30 day period after the final adoption during which an appeal can occur.

Susan O'Rourke asked what the process is for annexation.

Terry O'Neil said notice is sent out, the LPA makes recommendation to the Commission, the Commission hears the item twice and makes a recommendation.

**Public Comments:**

Stephanie Merle who lives on 16<sup>th</sup> Place in Palm Lake Park said she had reservations about the two entrances being on neighborhood roads and was concerned about increased traffic in a small neighborhood.

Sean Merle who also lives on 16<sup>th</sup> Place is concerned about traffic and people speeding through their neighborhood.

Carol Dryburgh who lives on 12<sup>th</sup> Terrace is opposed to this application but believes anyone who owns property should be able to build on it but doesn't believe this is contiguous. She lives close to the Hampton Inn and said she has to hear kids screaming, car alarms and she said the entrance to the property is very dangerous and thought they should have a longer curb cut. She said she doesn't see that this as beneficial for traffic flow and there are many flaws.

John Sealand who lives in the neighborhood said he has mixed feelings about it and asked if anyone has done an analysis of what impact is going to be on the beds.

**Board Comments:**

Thomas Campenni asked if the county didn't like this if their only alternative is to sue.

Terry O'Neil said that has been the way in the past but said he did not see a repeat of what happened in the 1990's. He said the growth management laws were much stronger then.

Ryan Strom questioned the contiguous issue and services along the west side strip.

Terry O'Neil said water and sewer services are provided by Martin County, police would be the City of Stuart as well as Sheriff, fire and ems services would be covered through an interlocal agreement with Martin County.

Ryan Strom asked if they had contacted DOT regarding ingress to the site.

Leo Giangrande said he presented the plan to DOT with the understanding they would need safer access and DOT is willing to support that and he said he has had extensive discussions with the county and the intent is to control traffic.

Susan O'Rourke asked if the site could work without that access point.

Leo Giangrande said he didn't believe so as the signal was critical.

Li Roberts asked if that was a three way stop right now.

Leo Giangrande said he believed it was one way.

Thomas Campenni asked how many homes are back there.

The public answered over one hundred.

Thomas Campenni asked how many are directly bordering the property.

Carly Aubrey said one.

Thomas Campenni asked if this hotel would hurt the plans for downtown hotels.

Paul Nicoletti said numerically he didn't know the answer, but intuitively didn't think it would.

Thomas Campenni asked what the market was for the hotel.

Dan Braden said the owner wanted a boutique type hotel and said he appreciated the public input and a hotel is allowed on that site. He believed the city would be much easier to work with than the county. He said he would find out what market the owners are looking at and bring it to the next meeting.

Li Roberts said the trip generation report for an 80 room hotel didn't make sense.

Michael Herbach asked about the lighting plan.

Larry Parr said it was a condition in the PUD.

Terry O'Neil said there is a certain speculative nature when applying for annexation and at the same time developing these plans and they've tried to reach a balance where the site plan is detailed enough for them to understand the kind of project it's going to be but without the applicant going the extra step and spending considerable funds for plans that are more toward construction and thought they shouldn't have to go full bore in case the annexation isn't approved.

Li Roberts asked if the annexation was approved, would the plan come back to the LPA with all of the details outlined.

Paul Nicoletti said if the city adopts a shell PUD, it has to come back with detail drawings and would be handled like any other PUD.

Michael Herbach would like the landscaping and pervious paver issues addressed.

Larry Parr suggested they call this a little better than a bubble plan and would come back with a major amendment.

Terry O'Neil said he thought that was a good idea.

Michael Herbach said he would like to see the preserve area restored as opposed to preserve vegetation and would like details on pervious pavers and pervious concrete.

Thomas Campenni said he would like to see how it would impact the other hotels in Stuart.

Michael Herbach disagreed and said it was competition and capitalism.

Susan O'Rourke had concerns about the intersection and didn't see the second traffic study mentioned.

Leo Giangrande said he had revised it but MTP hasn't had a chance to review it.

Susan O'Rourke said she could sympathize with the residents but this is a low generator. She thought the uses were compatible and it was a nice transition with the neighborhood and she supports it.

Li Roberts gave the agent for the applicant a list of items she would like answered including where the cistern is, what they are keeping and getting rid of re: landscape, where lights will be placed, the dumpster is in a bad location, why the hotel wasn't closer to the intersection and she didn't like the swimming pool location.

Thomas Campenni said he thought the plan looked pretty good and likes Dan Braden's work.

**MOTION:** Susan O'Rourke moved to continue the item to the July 18, 2013 meeting.

**SECOND:** Ryan Strom

**Motion carried 6/0 with Larry Massing abstaining**

2. Land Development Code Comprehensive Review and Update – Discussion of Process

**Presentation:** Paul Nicoletti, City Manager  
Terry O’Neil, Development Director  
Carly Aubrey, Planner II

**Public Comments: None**

**Board Comments:**

Li Roberts thought simplifying the code was important to make it a manageable document.

Susan O’Rourke asked if they could get the complete document instead of one chapter at a time.

Bill Mathers said he would prefer one section at a time.

Terry O’Neil said they would be posting chapters on the website after they’ve been revised and asking for comments.

**IV. NEXT LPA MEETING:** July 18, 2013

**V. ADJOURN:**

**MOTION:** Larry Massing

**SECOND:** Ryan Strom

**Motion carried 7/0**

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

**APPROVED**

**RESPECTFULLY SUBMITTED**

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Li Roberts, Chair

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Michelle Vicat, Board Secretary