

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, OCTOBER 18, 2007.

Those present: Michael Herbach
Xavier Blatch
Ryan Strom
Teresa Lamar-Sarno

Those absent: Dr. Edward Geary
Li Roberts
William Mathers

Also present: Kev Freeman, Development Director
Pinal Gandhi-Savdas, Senior Planner
Dennis Mrozek, Planner

I. CALL TO ORDER: Chairman

Michael Herbach called the meeting to order at 6:36PM.

II. ROLL CALL: Secretary

Those answering roll call and others present are referenced above.

III. APPROVAL OF MINUTES: September 20 and 27, 2007

MOTION: Xavier Blatch
SECOND: Teresa Lamar-Sarno

Motion carried

1. Request to annex a .42-acre parcel of City-owned land (Parcel # 1) assigning "B-2" Business zoning and "Commercial" land use designations to said parcel and (2) Request to annex a .78-acre parcel of City-owned land (Parcel # 2) assigning "Public" zoning and "Conservation" land use designations to said parcel. Properties located north of the Roosevelt Bridge on the east side of US-1 between Baker Road and Wright Boulevard. City of Stuart, Owner/Applicant.

Presentation: Terry O'Neil

Public Comments: None

Board Comments:

Xavier Blatch questioned whether in Parcel 1 the commercial zoning could be changed and built on in the future and asked whether Parcel 2 will remain conservation.

Terry O’Neil stated that it is owned by the City and almost entirely wet so there is virtually no possibility of development there and Parcel 2 will remain conservation.

MOTION: Xavier Blatch moved to approve the request to annex a .42-acre parcel of City-owned land (Parcel # 1) assigning “B-2” Business zoning and “Commercial” land use designations to said parcel and (2) Request to annex a .78-acre parcel of City-owned land (Parcel # 2) assigning “Public” zoning and “Conservation” land use designations to said parcel. Properties located north of the Roosevelt Bridge on the east side of US-1 between Baker Road and Wright Boulevard. City of Stuart, Owner/Applicant.

SECOND: Teresa Lamar-Sarno

Motion carried

Moved to Item 4

4. Request to consider a major amendment to the Commercial Planned Unit Development (CPUD) 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 Project Name: Pointe at Jensen Beach Property Location: Southeast Corner of NW Federal and NW Windemere Drive Property Owner/Applicant: Jensen Beach Investors, L.L.C. Representative: Matt Yates, Lucido & Associates, Inc.

Presentation: Kev Freeman

Presentation: Matt Yates, Lucido & Associate

Presentation: Susan O’Rourke, Traffic Consultant

Public Comments:

Craig Mancuso questioned the easement and said that the City’s traffic consultant stated that it does not meet concurrency until there is a signal and that the traffic appeared to be underestimated and said he agrees with the consultant that the site plan be revised and thought there should be a condition that a traffic light is there before the construction is approved and no construction vehicles should have access to their driveway. The association’s liability insurance will be affected and would like that issue addressed in the conditions. He asked that the homeowners be notified of the fair share requirements and believed the developer should pay for the traffic light.

Silas Reese questioned DOT’s requirements and asked them to have tea with him at 5PM sometime after Thanksgiving, stated that many people use their turn lane and there is a big problem there. He asked how the developer would extend their turn lane and that a landscape buffer needs to be installed. He stated that drainage is a problem on both sites and the lift station does not have a backup generator.

Greg Detmer said current regulations are not being enforced and asked that the project not be approved.

Lorie Melnor said that opening that driveway is giving the opportunity for kidnappers and pedophiles to have greater access to their children.

Lonnie Anderson reiterated that the traffic situation is terrible and asked the board to reject this.

Deacon Carol whose Church is right across the street said that the traffic is awful and in an emergency there is only one entrance to get in and out.

Ken Sikebrook asked that loss of value on homes be taken into account.

Cara Norman said that she wants to retire in this community. She has no worries about her children being safe there now, but when this development goes in there will be many people entering the community and is worried about her property.

Greg Timmer works in Palm Beach County and sees what is happening there is happening here. He asked why Pinecrest Lakes has two traffic lights and cannot understand why they can't get one.

Ginger Featherstone is worried about the traffic situation and opening the egress on Windemere Drive and children being in danger because of the additional traffic.

Diane Brown moved to Martin County because of the quality of life and finds the volume of kids coming and going to the bus stop is appalling.

Bill Rigg stated that people not knowing the neighborhood and coming out of the shopping center will turn into their neighborhood where there are many children playing.

Kev Freeman said that considering the concern from the residents and the fact that Staff has not had the opportunity to fully disseminate the email from Craig Detmer and also the letter received today from Craig plus considering the many unresolved issues asked that the item be continued to a date certain.

Michael Herbach asked that all of the following issues be addressed: drainage, intersection stoplight, insurance, easement, traffic study & light - FDOT, school busses, lift station and building permits

Teresa Lamar Sarno asked that the developer be prepared for the next meeting and to have the bus stop issue answered.

Xavier Blatch said that he understands that the school bus site is not something the developer is responsible for, but there needs to be some resolution and the same goes with the traffic light and there are too many things that he has questions about. He asked why not just delete the ingress from Windemere?

Robert Sherman stated that they have been here once before and were given some pretty specific instructions which were complied with. He said he understood the traffic light concern and asked if they would accept that he would indemnify them for any and all costs. He believes DOT should be moving forward with this but cannot dictate when they will do this. As far as the access to Windemere, he had numerous conversations with the president of the association and complied on everything and he knows that there is nothing he can do about it. He also stated that he cannot do a thing about the bus situation.

Ryan Strom questioned EW Consultants objective A5 and the response is the uplands preservation analysis which states that it cannot be used to meet the 25% uplands preservation.

Matt Yates said that they met with EW and there is a little misinformation. The items stated from code are specific to upland areas being used for upland mitigation which is a completely separate element and has been permitted. He said that they have worked this out with EW and they accepted our proposal.

Ryan Strom said that at the last meeting he was haggling over restaurant employee parking and that parking is already maxed out and you have the off-sight mitigation which he understands is allowable but there is the absolute minimum open space on this site.

Robert Sherman stated he was not trying to pass the buck on the bus. With the Windemere access they have Staff recommendation and have worked with Racetrac to have a connection. He said that even if they made it an ingress only at this time, that would solve a lot of the communities concerns with departing. Captec is their engineer and as far as drainage they are the best and they have worked that out 100%. The front buffer areas at the corner have been widened and the sidewalk moved to resolve the drainage issue. He said they have worked diligently to resolve the

issues and there are many things they could do to help and that they could incorporate them into the conditions.

Michael Herbach stated that the ingress only into their property might be a good solution. That this has to be a compromise because nobody is going to be 100% happy.

MOTION: Xavier Blatch moved to continue this item to the next meeting on November 15, 2007.

SECOND: Ryan Strom

Motion carried

2. Public Hearing – Text Amendment for a Cottage Lot ordinance regarding development of single family housing on currently non-conforming lots within the City of Stuart. This Ordinance will allow for limited development on the sub-standard lots.

Presentation: Dennis Mrozek

Public Comments:

Lucille Wright asked what the highest square footage on a 50 ft lot and asked about the setbacks. She stated that for two years they have been trying to get this done and is delighted with it.

Kev Freeman said that the ground floor would be 1500 square feet and the second floor 750.

Ann Berger stated she is surrounded by sub-standard lots and she liked the 20% and 30% but will go with whatever the decision is and will live with it.

Keith Wood thought the staff did a pretty good job and he thinks it is excellent that the City did this.

Board Comments:

Michael Herbach wanted clarification on the fact that some of the lots in the City have to have 100 feet and if you have a 75 foot lot this would apply or a 99 foot lot so just as a matter of record, it doesn't end at 65.

Teresa Lamar-Sarno replied that it was 65.

Kev Freeman replied that it must be sub-standard or non-conforming.

MOTION: Ryan Strom moved to approve the text Amendment for a Cottage Lot ordinance regarding development of single family housing on currently non-conforming lots within the City of Stuart. This Ordinance will allow for limited development on the sub-standard lots with the addition of 30% of the ground floor with 20%

SECOND: Teresa Lamar-Sarno

Motion carried

3. Request to consider a major amendment to the Pineapple Commons Commercial Planned Unit Development (CPUD) 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, Project Name: Colonial Bank-Pineapple Commons CPUD Amendment 'Out-Parcel' Property Location: 2511 N. Federal

Hwy Property Owner/ Applicant: Stuart Pineapple I, LLC Representative: Daniel A. Fee, PE/CDI Engineering and Planning.

Presentation: Pinal Gandhi-Savdas

Presentation: Daniel Fee

Public Comments: None

Board Comments:

Ryan Strom asked why the two handicap spaces aren't closer to the entrance.

Daniel Fee said he had to shift them to get the ramp to work.

Xavier Blatch thought that since it was approved for a much more intense site plan and this is less intrusive it seems fine.

Michael Herbach asked Staff to use north and south instead of left and right on plans.

MOTION: Teresa Lamar-Sarno

SECOND: Xavier Blatch

Motion carried

5. Public Hearing - Text Amendment to the Land Development Regulations - Chapter III regarding sign requirements in Urban Districts and East Stuart Overlay District, Chapter VIII regarding Signage, and Chapter XII Definitions.

Presentation: Pinal Gandhi-Savdas

Public Comments: None

Board Comments:

Ryan Strom said that on Page 7 number 6 it says wall signs, monument, and asked if 16 square feet pretty standard on political signs?

Pinal Gandhi-Savdas said that she researched this and it was a standard size.

Teresa Lamar-Sarno asked if the mural signs had to have a permit.

Pinal Gandhi-Savdas replied yes.

Michael Herbach said that he liked this and really like the idea of small signs.

MOTION: Xavier Blatch moved to approve Text Amendment to the Land Development Regulations - Chapter III regarding sign requirements in Urban Districts and East Stuart Overlay District, Chapter VIII regarding Signage, and Chapter XII Definitions.

SECOND: Ryan Strom

Motion carried

6. Public Hearing – Text Amendment to incorporate a determination of alternative compliance procedure within the City’s Urban Code.

Presentation: Kev Freeman

Public Comments: None

Board Comments:

Ryan Strom stated of the 15 design criteria 2 of them deal with mixed residential unit types so if you are a single family residence then you need to meet twelve of the thirteen.

Kev Freeman said that there could be an exception of reducing that to ten or eleven for a single family. He thought there is language in the Urban Code which may point to the fact that single family dwellings are exempt form Urban Code Exception. If that is not there, he will incorporate it..

Teresa Lamar-Sarno said there is a typo on page 3 story to floor.

MOTION: Teresa Lamar moved to approve the Text Amendment to incorporate a determination of alternative compliance procedure within the City's Urban Code.

SECOND: Ryan Strom

Motion carried

Michael Herbach mentioned on the Eldorado Workforce Housing that many insurance companies will not insure a building if it has a gable end and as far as the projections on principal and interest payments for 40 and 30 years, when they went to 30 years they changed it to 6.5% so they changed two things which you normally wouldn't do, you only change one at a time and maybe they should change it to 25 and 30 years not 40.

Xavier Blatch said that in reference to the town homes, two story straight up buildings are not visually appealing so maybe they could stagger them.

IV: COMMENTS FROM THE PUBLIC:

V. NEXT LPA MEETING: November 15, 2007

VI. ADJOURN:

MOTION: Xavier Blatch

SECOND: Teresa Lamar Sarno

Motion carried

Michael Herbach, there being no further business before the Board the meeting is adjourned at 8:50 PM.

APPROVED

RESPECTFULLY SUBMITTED

Dr. Edward Geary, Chairman

Michelle Vicat, Board Secretary