



Martin County

Administrative Center
2401 SE Monterey Road
Stuart, FL 34996

Meeting Minutes

Local Planning Agency

Niki Norton, Chair, District 1, 11/2024
Thomas Campenni, District 2, 11/2026
Bob Thornton, District 3, 11/2024
James Moir, District 4, 11/2026
Rick Hartman, Vice Chair, District 5, 11/2024
Mark Sechrist, School Board Liaison, 12/2023

Thursday, April 18, 2024

7:00 PM

Commission Chambers

CALL TO ORDER

Ms. Norton, Chair, called the meeting to order at 7:00 pm. A quorum was present.

ROLL CALL

Present: Niki Norton, Chair
Thomas Campenni
Blake Capps
Rick Hartman, Vice Chair
James Moir
Mark Sechrist – School Board Liaison

Absent: None

Staff Present:

Deputy County AttorneyElysse Elder
Growth Management DirectorPaul Schilling
Agency Recorder/Notary..... Rebecca Dima

MINU APPROVAL OF MINUTES

There were no minutes to be approved at this meeting

QJP-1 QUASI-JUDICIAL PROCEDURES

Quasi-Judicial procedures apply when a request involves the application of a policy to a specific application and site. It is a quasi-judicial decision. Quasi-Judicial proceedings must be conducted with more formality than a legislative proceeding. In Quasi-Judicial proceedings, parties are entitled – as a matter of due process to cross-examine witnesses, present evidence, demand that the witnesses testify

under oath, and demand a decision that is based on a correct application of the law and competent substantial evidence in the record.

Agenda Item: 24-0376

***For the Record:**

LPA: Ex-parte communication disclosures:

Mr. Campenni spoke with Staff and a few members of the Public.

Mr. Thornton visited the Applicant at their office and reviewed the plans.

Ms. Norton met with Applicant.

Mr. Moir and Mr. Hartman: None.

Intervener(s) present: None.

All persons wishing to speak on Quasi-Judicial agenda item(s) were sworn in

NEW BUSINESS

NPH-1 – THE RANCH PUD ZONING & MASTER SITE PLAN (S239-004) (QUASI-JUDICIAL)

JWA Ranch, LLC request for a zoning district change from the current A-2, Agricultural District to the Planned Unit Development District (PUD), including a request for approval of The Ranch Planned Unit Development Agreement (PUD) and Master Site Plan. The Project consists of 175 single family detached homes, 2 golf courses, related amenities including club facilities, Golf Cottages, residential docking facility and associated infrastructure on approximately 3,903 undeveloped acres. The subject site is located west and east of Kanner Highway approximately 3.2 miles west of Interstate I95 adjacent to and south of the intersection of SW Bridge Road and SW Kanner Highway in Stuart. Included is a request for a Certificate of Public Facilities Reservation.

Requested by: Ken Tuma, Urban Design Studio & Tyson J. Waters, Esq.,

Fox McCluskey Bush Robinson, PLLC

Presented by: Peter Walden, AICP, CNU-A, Deputy Growth Management Director

Agenda Item: 24-0792

STAFF: Mr. Schilling presented in place of Mr. Walden. Mr. Schilling's resume was turned in as Exhibit A.

LPA: Mr. Moir asked if the zoning has received State approval yet.

STAFF: Mr Schilling stated that the text amendment and FLUM (Future Land Use Map) are scheduled for BOCC (Board of County Commissioners) review on April 30, 2024. He further clarified the process for the reviews.

LPA: Mr. Moir asked if the South Florida Water Management District (SFWMD) has given its approval yet and if so, when it had been given.

STAFF: Mr. Schilling confirmed it had given its approval, however, he deferred to the Applicant to answer as to when.

LPA: Mr. Moir asked if the Marina was ever approved.

STAFF: Mr. Schilling stated it was part of the Master Site Plan which is subject of tonight's hearing.

LPA: Mr. Moir asked when the PAMP (Preserve Area Management Plan) would be available for review.

STAFF: Ms. Elder explained that PAMPs are normally attached to the Final Site plans not normally part of the PUD agreements.

LPA: Mr. Campenni asked if the \$50,000.00 being contributed by the Applicant to Banner Lake is part of the Pine School Project? Mr. Campenni also asked if the Tunnel proposed to go under Kanner Highway is being funded privately.

STAFF: Mr. Schilling answered yes to both questions.

LPA: Mr. Hartman asked how many units could have been created without a PUD.

STAFF: Mr. Schilling stated that it could have been about 2 to 3 more, this PUD allows for the Preserve areas to be captured wholistically rather than on individual lots.

LPA: Mr. Hartman stated that with 20-acre Ranchettes the whole thing could be grazed or mowed as the owners would want to.

STAFF: Mr. Schilling clarified that there are subdivisions in Martin County that have 20 acre lots that have individual PAMPs that are the responsibility of the individual property owners, these can be difficult to track and enforce.

LPA: Mr. Hartman stated that 20 acres are different than 5 acres.

STAFF: Mr. Schilling stated they would both still require PAMPs.

APPLICANT: Mr. Tyson Waters with Fox McCluskey and Mr. Toby Overdorf with EDC presented. The Affidavit of required written notices was turned in.

LPA: Mr. Hartman asked if the golf cottages were included in the residential units, how many cottages are proposed.

APPLICANT: Mr. Waters stated no, they do not count with the density. They remain under ownership of the club. There will be no housing for employees.

PUBLIC: The following people spoke regarding this item:

Carol Fitzpatrick

Greg Braun, Guardians of Martin County

Deanna Peterson

Kyla Shay

Geraldine Genco Dube
Brandon Tucker
Jennifer Pelham
Dakota Sexton
Joe Flanagan
Carol Ann Leonard
Nancy Brownie
Krista Koenle

APPLICANT: Mr. Overdorf stated that they met with the South Florida Water Management team regarding this project and said they, the SFWMD, do not have a problem with this. There is an ERP in process at this time.

LPA: Mr. Campenni stated that he read the staff report from the SFWMD in question and tried to call the person who wrote it, however, they are no longer with the District and asked why that email has not been retracted by the SFWMD.

APPLICANT: Mr. Overdorf stated he would not be able to speak for the SFWMD, he reiterated that they have met with current staff, and they do not have any issues with this project.

LPA: Mr. Campenni commented that if the Applicant does not get the ERP (Environmental Resource Permit), then they cannot go forward with the project.

APPLICANT: Mr. Overdorf confirmed this.

LPA: Mr. Campenni asked if water quality monitoring would be a problem.

APPLICANT: Mr. Overdorf said that the DEP does water monitoring in that area, and it has been enhanced within the C44 Basin. Monitoring would be part of the permit and they have to stay in compliance with the SFWMD.

LPA: Mr. Moir stated that due to certain specifics it is very important to know where the testing is going to be.

APPLICANT: Mr. Overdorf stated they would consider this; however, they feel that should be assigned to Martin County.

LPA: Mr. Campenni asked how often the DEP conducts monitoring.

LPA: Mr. Moir stated it is twice a year.

APPLICANT: Mr. Overdorf stated that is a question for the DEP. The State has approved additional funding for monitoring.

LPA: Mr. Campenni stated that meant the State willing be monitoring somewhat then.

APPLICANT: Mr. Overdorf stated that that is outside of the parameters of what they are doing but he would like to see more monitoring for the State.

LPA: Mr. Harman stated that water monitoring is easy and has been happening on this ranch for years.

APPLICANT: Mr. Overdorf states that he can not commit to anything tonight.

LPA: Mr. Campenni stated that he understands that Mr. Overdorf himself cannot commit to anything tonight however, the Applicant could agree to something in the future to assure the Public that this project is going to comply. The LPA could make a condition to their recommendation if it is sent forward to the BOCC. Mr. Campenni asked the Applicant to address the Public Comment made regarding the hardwood hammocks.

APPLICANT: Mr. Overdorf clarified the variety of ways that they quantify upland habitat. The particular type of Hammock included in this project is not rare or endangered.

LPA: Mr. Campenni asked how IFAS is going to access their 20 acres.

APPLICANT: Mr. Waters explained that the PUD agreement requires direct access, it is also noted on the map.

LPA: Mr. Campenni addressed the Public comment regarding Bridge Road and stated that expansion there is slated for 2045.

LPA: Mr. Moir asked if expanding easements was part of the agreement. He had seen a staff review comment that mentioned this.

APPLICANT: Mr. Waters stated they are conveying the ROW requested.

STAFF: Mr. Schilling confirmed this.

LPA: Ms., Norton asked Mr. Schilling about the rules and regulations for storing Storm Water.

STAFF: Mr. Schilling explained that at this level of the Master Site Plan, the Public Works teams reviewers have made this project compliant. As part of the future Final Site Plan the individual phases will get into the civil plans in more details with those reviews. Martin County exceeds the State agencies requirements. Mr. Schilling additionally pointed out that there was an email of Public Comment about a Disclosure of Interest that has been revised due to a couple LLCs that were mistaken.

STAFF: Ms. Elder further clarified that the wrong Disclosure was attached to the Agenda, the updated one was emailed to the LPA Members as well as the PUD Agreement. If the Public would like to review these, the Draft Agenda was released today and is available for review. The hearing for all three will be on April 30th.

LPA: Mr. Campenni made a statement regarding the upcoming half cent sales tax referendum. He also acknowledged that the Christ Fellowship situation was not good.

MOTION: A Motion was made by Mr. Campenni to approve staff's recommendation of approval with some type of water quality monitoring added to be decided between the Applicant and Staff between now and April 30th; **SECONDED** by Mr. Thornton.

LPA: Mr. Moir stated that he disagrees with this proposal and does not support sprawling beyond the Urban Service Boundary and does not support a PUD agreement with Marinas and lack of justification of circulation of water treatment on the property. He further stated that he does not support the Rural Land Use Amendment and does not support this and is concerned that there is a rush to get this moved forward. He stated that Kanner Highway is a disaster right now and he does not think the buffering like at Three Lakes is attractive. He stated that this is selling the soul of Martin County to a recreational industry that is probably not supportable. He also stated that he is not an economist, but it seems as though this is a very speculative economic revenue review and that he is concerned that the infrastructure is not there to support it. Also, he does not believe that there are enough specifics regarding the water quality.

LPA: Mr. Hartman stated that he does not like the project and wishes it was like when he was a kid on that property. Mr. Hartman noted that in the written Public Comments there was one about "build-out". He would like a definition of "build-out". He asked if it means if somebody dies then you get to move in, meaning you are on a weighting list and therefore you get to move in when something comes available in their place. He made a further statement that acknowledged that the roads are getting crowded and that he thinks that this is due to lack of forethought with early planning. Mr. Hartman stated he believes this is the best deal we are going to get for Martin County. He does not like 20-acre developments. This project allows for less people and is on water and sewer and is therefore better for the environment. He stated he does not think this will create more traffic. He wishes it was going to stay a ranch with cattle however he acknowledged it is not economically viable.

LPA: Mr. Thornton stated that the bottom line isn't a million-dollar gift coming in, it is the tax revenue that is coming into the county. He stated we are in lean times that are going to get leaner and that he was an economist and hopes he is wrong, but he thinks things will get tighter. Further he believes developments like this with residents with sustainable incomes should the market make a downturn make sense. He acknowledged that a lot of people in the community live paycheck to paycheck, therefore anything that can be done to boost revenue in an educated way makes sense.

LPA: Ms. Norton reminded everyone that they are not approving a Final Site Plan but rather a PUD Agreement and zoning change and that there will be more information that comes out when it gets further developed.

LPA Voted: The Motion CARRIED 4-1 with Mr. Moir Opposed.

COMMENTS:

1. PUBLIC – None.
2. STAFF – None.


3. LPA – None.

ADJOURN:

The Local Planning Agency meeting of April 18, 2024, adjourned at 8:24 pm.

Respectfully Submitted:

Approved by:



Rebecca Dima
Growth Management Department
Agency Recorder/Notary



Niki Norton, Chairman

6/6/2024

Date Signed

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