



**MARTIN COUNTY
LOCAL PLANNING AGENCY
MINUTES**

August 15, 2019

Commission Chambers

2401 SE Monterey Road, Stuart, FL 34996

Cindy Hall, District 1, November 2022
William J. Flanagan, District 2, November 2022
Donald Foley, III, District 3, November 2020
James Moir, Chair, District 4, November 2020
Scott Watson, Vice Chair, District 5, November 2020
Kimberly Everman, School Board Liaison, December 2019

CALL TO ORDER

LPA Members Present: 4

Vice Chairman Scott Watson, Ms. Cindy Hall, Mr. William Flanagan and Mr. Donald Foley, III were present. Vice Chairman Watson called the meeting to order at 7:00 pm and noted a quorum was present. Chairman Mr. Jim Moir was not present.

Present:

Senior Assistant County Attorney	Krista Storey
Senior Assistant County Attorney.....	David Arthur
Assistant County Attorney	Elizabeth Lenihan
Director, Growth Management Department	Nicki van Vonno
Deputy Director, Development Review.....	Paul Schilling
Principal Planner	Peter Walden
Planner	Maria Jose
Agency Recorder/Notary	Mary Holleran

APPROVAL OF MINUTES

August 15, 2019

Agenda Item: 19-0691

A MOTION was made by Ms. Hall, SECONDED by Mr. Foley to approve the minutes of the LPA Meeting of August 15, 2019. The motion CARRIED 4-0.

QJP – QUASI JUDICIAL PROCEDURES

Agenda Item: 19-0689

All persons wishing to speak on a Quasi Judicial agenda item will be sworn in.

NEW PUBLIC HEARINGS (NPH)

**NPH-1 CREATIVE LAND MANAGEMENT DEVELOPMENT (A040-015)
QUASI-JUDICIAL**

Request by Creative Land Management, LLC for approval of a Revised Major Master & Phase 1 Final Site Plan for the filling of a lake that was previously dug under the former All County Environmental Mine approval. The subject property is 121.92 acres and located approximately 1.5 miles south of the 1-95/SW Martin Highway Interchange. Included in this application is a request for a Certificate of Public Facilities Reservation.

Requested by: Melissa G. Corbett, P.E., The MilCor Group, Inc.

Presented by: Paul Schilling, Deputy Director Growth Management

Agenda Item: 19-0675

*** For the Record:**

LPA: There were no ex parte communication disclosures. No interveners were present.

COUNTY: Mr. Schilling provided his resume, a copy of staff report, and the agenda.

Participants were sworn in by the LPA Notary/Recorder.

APPLICANT: Required notices and Return Receipts for surrounding homeowners were provided by Robert Raynes, Esq., attorney for the applicant. Mr. Raynes also included as an Exhibit staff's report as part of his presentation. Ms. Corbett, P.E., President, MilCor Group representing the applicant provided her resume (Exhibit "A") and stated her professional knowledge working with Martin County's Rules, Regulations and Codes. Ms. Corbett indicated her client did not over-excavate the site, that it was in that condition when it was purchased.

COUNTY: Mr. Schilling reviewed the request and provided a detailed analysis and background for the project that reflected compliance findings of the Review Team, and contained in staff's report. A history of the existing mine's over-excavation was provided.

The project has a Future Land Use designation of Agricultural and a zoning District of A-2, Agricultural District, and is located outside the Urban Services District (Location of site was displayed). The applicant is proposing to fill the entire lake with clean roofing materials and concrete from clean demolition sites (in conformance with FDEP's definition of "Clean Debris") and restore the site to the native agriculture pasture.

The Applicant will dedicate approximately 11.09 acres containing upland and wetland preserve to the County along with a related release of the existing Unity of Title to accommodate the land dedication and record a new Unity of Title. The County can utilize the area to establish public access to the equestrian park (Hawks Hammock) to the south and assume the preserve area maintenance responsibilities.

The applicant also proposes to request apportioned releases of the existing bond for the lake littoral plantings associated with the stipulated agreement for the site to undergo reclamation as each phase is completed. Staff review determined the application is in compliance and recommended approval subject to any conditions as identified in staff's report.

LPA: Ms. Hall questioned the process for filling the lake, and asked if the lake was drained first, and asked about the source and condition of the clean debris to fill the lake.

APPLICANT: Attorney Robert Raynes noted the record to reflect the notices turned in were for both this LPA meeting and the BCC meeting scheduled for August 27, 2019. Ms. Melissa Corbett, President, MilCor Group, provided a PowerPoint presentation on behalf of the applicant.

At the conclusion of Ms. Corbett's presentation Mr. Raynes noted the application met all of the County's Regulations and Requirements and provided a public benefit for Martin County of 11.09 acres. He asked the LPA to accept staff's recommendation and forward their approval on to the Board of County Commissioners.

PUBLIC: There were no public comments at this time.

MOTION: A motion was made by Mr. Flanagan, SECONDED by Ms. Hall to accept staff's recommendation of approval for the Creative Land Management LLC request for a major development order, master, phasing and phase 1 final site plan, subject to any conditions as identified in this report and forward approval to the Board of County Commissioners. The motion CARRIED 4-0.

NPH-2 WEDGEWOOD COMMONS REZONING (W092-002) (QUASI-JUDICIAL)

Request by SUSO 4 Wedgewood LP (State Asset Mgt. LP) for a zoning change from the current B-1 to the LC, Limited Commercial Zoning District for a 10 acre site located at the SW corner of the intersection of SE Indian Street and SE Federal Highway. Included in this application is a request for a Certificate of Facilities Exemption.

Requested by: Stefan K. Mathes, PE, Culpepper & Terpening, Inc.

Presented by: Peter Walden, Principal Planner, Growth Management Department.

Agenda Item: 19-0676

*** For the Record:**

LPA: There were no ex parte communication disclosures. No interveners were present.

COUNTY: Mr. Walden provided his resume, a copy of staff report, and the agenda.

Participants were sworn in by the LPA Notary/Recorder.

APPLICANT: Required notices and a complete list of surrounding homeowners that were notified was provided (Culpepper and Terpening, Inc. exhibit).

COUNTY: Principal Planner Peter Walden provided staff's presentation for a proposed zoning change to a Commercial District designation on an existing approximate 10 acre zoning district parcel, from B-1 Business District to LC, Limited Commercial District. The original B-1 Zoning District designation was not changed from the 1967 code, and much of the property in Wedgewood Commons Shopping Center was developed as GC, General Commercial. The current B-1 Business zoning district, category C is inconsistent with the future land use designation and the request to rezone is mandatory. Staff review of the petition for rezoning the property from B-1 to LC has determined it is consistent with the procedural requirements of Article 10 and in compliance with

the substantive provisions of Article 3. The LPA was advised the application is in order and qualifies for an action of approval.

LPA: No comments or questions for the Applicant.

APPLICANT: Dennis Murphy, Principal Planner, Culpepper & Terpening, agreed with staff's report to approve the request and the recommendation to forward it to the BCC. He commended staff for a good job. The applicant is in the process of taking steps for remodeling and renovating and the rezoning is required in order to proceed.

PUBLIC: No comments.

MOTION: A motion was made by Ms. Hall, SECONDED by Mr. Foley to accept staff's recommendation of approval for a zoning change for Wedgewood Commons from B-1 to LC, Limited Commercial Zoning District and forward their approval on to the Board of County Commissioners. The motion CARRIED 4-0.

NPH-3 COMPREHENSIVE PLAN AMENDMENT 19-9, REALTY TRUST PARCELS (FLUM)

Request to consider a Future Land Use Map (FLUM) change from Rural Density to Commercial/Office/Residential on 9.54 acres located on the east side of Willoughby Boulevard, south of Darling Street and north of Salerno Road.

Requested by: Morris A. Crady, AICP, Lucido and Associates.

Presented by: Maria Jose, Planner, Growth Management Department

Agenda Item: 19-0672

*** For the Record:**

LPA: There were no ex parte communication disclosures. No interveners were present.

A letter from Ms. Kimberly Everman, LPA School Board Liaison was provided.

Participants were sworn in by the LPA Notary/Recorder

COUNTY: Ms. Jose provided her resume, staff report and the agenda.

APPLICANT: The Applicant provided a complete list of surrounding homeowners that were notified and confirmed by Ms. Jose.

COUNTY: Ms. Jose, Planner, provided staff's presentation to the LPA and explained the FLUM change from Rural Density Residential (u/p/a /0.5) to Commercial Office Residential (COR). The parcel is split into two portions – east, owned by 1750 SE Darling St. Realty Trust and the west is owned by Real Estate Investment Realty Trust. Compatibility with neighboring parcels was provided. Commercial uses with less intensity compared to other land use designations and neighboring parcels showing compatibility were displayed. The letter from the Ms. Everman from the School District indicated No Objection to the current Future Land Use Map change request. Staff recommended approval of the Applicant's request to change the Future Land Use Map from Rural Density (0.5 u/p/a) to COR-1 (max. 5/u/p/a).

LPA MEMBERS: Mr. Flanagan commented that COR-1 was a better option, however he was concerned with the majority of traffic flow trips generated to Willoughby Blvd. on to Cove Road, which does not have the capacity for that traffic as a two-lane road.

With vehicle congestion at arrival and dismissal for Pinewood Elementary School the traffic is horrendous, and combined with the uses that are possible for development, this is a concern. Across the street is a County sign indicating a Church may be built on the NW corner of Salerno and Willoughby.

COUNTY: Ms. van Vonno clarified that COR-1 commercial use permits office use, and doesn't permit a free standing restaurant, although it could include a snack bar within an office use. Someone could develop residential within that use, but it typically includes office use.

LPA: Mr. Flanagan addressed the possibility of .5 u/p/a residential units that could be developed, adding 45 residences with the potential of 45 cars adding to the daily traffic congestion. Two schools on Cove Road are already adding to that traffic impact.

COUNTY: Sr. County Attorney Storey explained this item was a FLUM change, and is one of the pieces that must move forward and that no projects are proposed at this time. The LPAs comments and issues have to be addressed, and all development requirements and standards must be met, which is another level of review in order to achieve compliance.

APPLICANT: Morris Crady, AICP, Lucido and Associates, representing the applicant, turned in the required notices and indicated they were for this LPA meeting and the BCC meeting of August 27, 2019. He commented on making the infill site marketable, consistent with and into compliance with the CGMP, and compatible with surrounding property owners. The LPA's comments were good and will be addressed. The LPA was asked to accept staff's recommendation.

PUBLIC: Martin Moss, President, Woodlands HOA Assn., voiced concerns about the four properties on the Woodlands border, that traffic is not passable in the AM on Willoughby Blvd., the land to the south will be a church, and this is too close to the residents, don't let it happen for more than 2 u/p/a,

Anne Dorrow, Coral Lakes, traffic congestion is so bad that it doesn't allow residences to get out of the development, this is a huge injustice to move it forward and there will be a bigger problems 5 and 10 years from now. She would rather see focus on development that's of value to the Community versus changing the zoning on this property.

Mr. Crady indicated they had no intention to combine other parcels.

LPA: Mr. Flanagan reiterated the impact on traffic, the whole corridor has the potential for growth, and the corner of Salerno and Willoughby is a desirable area, and Cove Road is also impacted. Ms. Everman's letter was discussed.

Ms. Storey explained it was the LPA's obligation to make a recommendation to either approve or deny the request, there is no option for the LPA to stop here, and the BCC will either accept or reject the LPAs recommendation at the next Public Hearing.

Vice Chairman Watson urged that Cove Road be moved higher up in the Capital Budget Plan and the Long Range Transportation Plan. The LPA discussed whether Cove Road was on the 5 year or 7-Year LRTP.

MOTION: A motion was made by Ms. Hall to approve CPA 19-9, for a Future land Use Map change from Rural Density to Commercial/Office/Residential (COR-1), SECONDED by Mr. Foley. The motion CARRIED 4-0.

PUBLIC: None.

NPH-4 REALTY TRUST REZONING (QUASI-JUDICIAL)

Application for rezoning from A-1A to COR-1 or the most appropriate zoning district regarding Comprehensive Plan Amendment 19-9 Realty Trust Parcels

Requested by: Morris A. Crady, AICP, Lucido and Associates

Presented by: Maria Jose, Planner, Growth Management Department

Agenda Item: 19-0673

* For the Record:

LPA: There were no ex parte communication disclosures. No interveners were present.

Kimberly Everman, LPA School Board Liaison entered a letter from the School Board.

Participants were sworn in by the LPA Notary/Recorder

COUNTY: Ms. Jose provided her resume, staff report and the agenda.

APPLICANT: The Applicant provided a complete list of surrounding homeowners that were notified.

COUNTY: Ms. Story commented the previous presentation of this request with all the facts and comments concerning the property could be incorporated into the record, if desired by the LPA. The LPA agreed.

Ms. Jose indicated this request was a companion piece to the last presentation of the FLUM change. This presentation represents the applicant's intention for re-zoning from A-1A to COR 1. Zoning options were provided. Staff recommended approval of the re-zoning to COR-1.

APPLICANT: Morris Crady, AICP, Lucido and Associates, representing the applicant, commented briefly on the parcel and agreed with staff's recommendation.

PUBLIC: None.

MOTION: A motion was made by Mr. Foley to approve staff's recommendation of approval for Realty Trust Rezoning change from A-A1 to COR-1, SECONDED by Ms. Hall and to forward this request on to the Board of County Commissioners. The motion CARRIED 4-0.

NPH-5 COMPREHENSIVE PLAN AMENDMENT 19-7, GROVE XXIII GOLF COURSE, LLC

A proposed text amendment to Chapter 4, Future Land Use Element and Chapter 10, Sanitary Sewer Services Element of the Comprehensive Growth Management Plan, Martin County Code.

Requested by: Morris A. Crady, AICP, Lucido and Associates

Presented by: Maria Jose, Planner, Growth Management Department

Agenda Item: 19-0674

*** For the Record:**

COUNTY: Ms. Jose, Planner, Growth Management Department provided her resume, and a copy of staff report.

APPLICANT: Return receipts for the surrounding homeowners that were notified for this meeting and for the BCC meeting of August 27, 2019 were provided.

COUNTY: Ms. Jose, Planner, provided a summary of the proposed text amendment to the CGMP, allowing a specific site to have specific language that allows golf cottages as part of the private golf course. Detail is provided in the proposed text. Additionally a text amendment to Chapter 10 proposes sewage limitations along with a concurrent amendment to the LDRs that provides more details about the use of golf cottages. Staff recommended approval of Grove VIII Golf Course LLC, and provided staff's reasons (Staff report pg. 6/6).

APPLICANT: Morris Crady, AICP, Lucido and Associates explained the golf course use on the entire site with the cottages and the need for 7,000 g/p/d and that the specific text amendment language is only allowable on this site and will not set a precedent for other courses.

COUNTY: Ms. Storey reminded the LPA they have a text amendment before them, and are able to evaluate the proposal based on the facts and a rational basis, it is a policy decision and they have the ability to limit it.

LPA: Mr. Flanagan confirmed it was site specific and it would not set a precedent and that he was comfortable with the presentation.

Ms. Hall was concerned they were dealing with septic tanks, the property was outside the PUSD, she did not see a map displayed and asked if there were any water issues.

APPLICANT: Mr. Crady displayed a map of the golf course property and indicated there were no wetlands, no wells or drainage problems on the property and the site for the cottages.

PUBLIC: None.

LPA: No further questions or comments at this time.

MOTION: A motion was made by Mr. Flanagan to accept staff's recommendation, SECONDED by Mr. Foley. The motion CARRIED 4-0.

NPH-6 REQUEST TO CONSIDER AMENDING ARTICLE 3, ZONING DISTRICTS, LAND DEVELOPMENT REGULATIONS REGARDING GOLF COURSE COTTAGES

Requested by: Morris A. Crady, AICP, Lucido and Associates

Presented by: Peter Walden, Principal Planner, Growth Management Department

Agenda Item: 19-0677

COUNTY: Peter Walden, Principal Planner provided staff's presentation regarding adding language into the Land Development Regulations (LDR). This proposed text is in conjunction with text proposed to the CGMP concerning the use of Golf Cottages to the Specific Uses in Article 3, along with concurrent amendments to the CGMP to include language providing for the use an operation of golf cottages. Staff recommended approval of the proposed language in sections 3.73.B. and the additional sections 3.73.F. and 3.73.G. as proposed. Staff does not recommend adopting the language in Section 3.73.E. as it unnecessarily limits the accessory use of golf cottages throughout unincorporated Martin County to 4.

APPLICANT: Mr. Crady was OK with staff's changes commenting they were clarified.

LPA: Ms. Hall commented because the cottages are accessory units there is no u/p/a per cottage, and asked what would stop someone for putting 10 units on the land.

COUNTY: Mr. Walden indicated this request just allows the use, and any additional development would have to go through the complete development process and he explained further.

PUBLIC: None.

MOTION: A motion was made by Mr. Flanagan to approved staff's recommendation;
SECONDED by Mr. Foley. The motion CARRIED 4-0.

NPH-7 REQUEST TO CONSIDER AMENDING ARTICLE 4, SITE DEVELOPMENT STANDARDS, LAND DEVELOPMENT REGULATIONS REGARDING SIGNS

Requested by: Martin County Board of County Commissioners

Presented by: David Arthur, Senior Assistant County Attorney

Agenda Item: 19-0678

* For the Record:

COUNTY: Sr. Assistant Attorney Arthur David provided a copy of the Ordinance.

COUNTY: Sr. Assistant County Attorney David Arthur reviewed the Sign Ordinance enacted in 2018 and staff requested certain revisions, and provided the attached proposed amendments to the Sign Ordinance.

LPA: No questions or comments at this time.

PUBLIC: None

MOTION: A motion was made by Ms. Hall to approve the submitted attached proposed amendments to the Sign Ordinance, and SECONDED by Mr. Foley.

COUNTY: Mr. Arthur indicated there were some tweaks noted fix any errors to the changes and asked that the motion be amended to indicate any corrections for scriveners errors.

MOTION: An amended motion was made by Ms. Hall to correct any scriveners errors to the submitted attached proposed amendment: the amended motion was SECONDED by Mr. Foley. The motion CARRIED 4-0.

**NPH-8 REQUEST FOR AN AMENDMENT TO ARTICLE 4, SITE
DEVELOPMENT STANDARDS, DIVISION 13 LAND DEVELOPMENT
REGULATIONS REGARDING HISTORIC PRESERVATION**
Requested by: Elizabeth Lenihan, Assistant County Attorney
Presented by: Elizabeth Lenihan, Assistant County Attorney
Agenda Item: 19-0659

* For the Record:

COUNTY: Assistant Attorney Elizabeth Lenihan provided a copy of the Ordinance.

COUNTY: Assistant Attorney Elizabeth Lenihan reviewed the 2019 Goal of the Historic Preservation Board (HPB) to be recognized as a Certified Local Government by the Division of Historical Resources. The HPB adopted the revised ordinance attached to be considered by the LPA. Any errors in the attached Ordinance will be corrected.

LPA: Mr. Foley supported the efforts of the HPB and indicated he is a member of the Hobe Sound Historical Board.

PUBLIC: None

MOTION: A motion was made by Mr. Flanagan to approve the Amendment to Article 4, Site Development Standards, Division 13 Land Development Regulations Regarding Historic Preservation with the note to correct scrivener errors, and the motion was seconded by Mr. Foley. The motion CARRIED 4-0.

COMMENTS:

1. PUBLIC – None.
2. LPA Members: Mr. Foley noted the new agenda might be confusing to participants as to the meaning of the abbreviations, and a legend would be helpful.
Ms. Van Vonno indicated his comments would be passed on to IT, and that all Advisory Committees are required to use it, and the BCC refers to the numbering system.

Mr. Flanagan supported taking the signs down, as some are left up for a very long time. Ms. Van Vonno noted signs will be coming down and Code can issue violations if they are not removed.

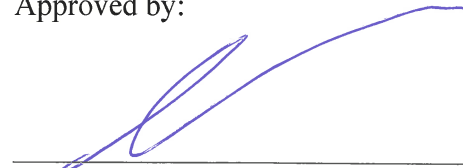
3. STAFF: The next LPA meeting is scheduled for Thursday, November 5, 2019 at 7:00 pm.

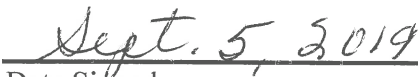
ADJOURN: The LPA meeting of August 15, 2019 adjourned at 8:49 pm.

Respectfully Submitted:

Approved by:


Mary F. Holleran, Agency Recorder
Notary Public


Scott Watson, Vice Chairman


Date Signed:

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