



**MARTIN COUNTY
LOCAL PLANNING AGENCY
MINUTES
September 5, 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: 5, School Board Liaison – 1.

Chairman, Jim Moir, Vice Chairman Scott Watson, Cindy Hall, William Flanagan and Donald Foley, III. Kimberly Everman, School Board Liaison was present.

Chairman Moir called the meeting to order at 7:00 pm and noted a quorum was present.

Present:

Senior Assistant County Attorney	Krista Storey
Director, Growth Management Department	Nicki van Vonno
Comprehensive Planning Administrator.....	Clyde Dulin
Principal Planner	Peter Walden
Planner	Maria Jose
Agency Recorder/Notary	Mary Holleran

APPROVAL OF MINUTES

August 15, 2019

Agenda Item: 19-0763

A MOTION was made by Mr. Foley, SECONDED by Mr. Flanagan to approve the minutes of the LPA Meeting of August 15, 2019. The motion CARRIED 5-0.

QJP – QUASI JUDICIAL PROCEDURES

Agenda Item: 19-0733

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

NEW PUBLIC HEARINGS (NPH)

NPH-1 Palm City Storage (P122-007) (Quasi-Judicial)

Request by Palm Royal Shopping Center for approval of a Revised Major Master & Phase 1 Final Site Plan for the development of a 3-story, 99,250 sq. ft. self-storage facility and the associated infrastructure on an approximate 2.36 acre parcel located on the north side of SW Martin Highway, about ¼ mi. west of SW Mapp Road in Palm City. Included in this application is a request for a Certificate of Public Facilities Reservation.

Requested by: Doug Fitzwater, CAPTEC

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

Agenda Item: 19-0861

*** 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 Return Receipts for surrounding homeowners were provided by Mr. Fitzwater, representing the applicant.

COUNTY: Mr. Walden reviewed the request and provided a detailed analysis and background for the project that reflected compliance findings and contained in staff's report. He reviewed a brief history of the property which received approval in 2007 for a shopping center that consisted of retail and office space, however the project was not completed due to the recession. This application is for a new use and site plan. The Future Land Use on the parcel is General Commercial, it is inside the Primary Urban Service District and will receive water and wastewater service from Martin County Utilities. (Staff Report pg. 2/17) was reviewed.

Mr. Walden indicated there were no unresolved issues associated with this request, it is in compliance and staff recommended approval.

LPA: Mr. Moir confirmed the County Engineer reviewed the site for any water vulnerability.

APPLICANT: Mr. Doug Fitzwater, Engineer, CAPTEC, agreed with staff's presentation, he discussed the Development Review process and adjustments to the Site Plan and their appearance before the Palm City NAC for support of the project.

LPA: Mr. Flanagan addressed the map and confirmed the Future Land Use on the property to the east. Mr. Moir commented on drainage, the retention pond, and the areas that stay very wet, and he was concerned with the ratio of pervious and impervious areas on the property. Reducing the dry retention on the property is risky.

APPLICANT: T.J. Shaw, CAPTEC Engineering, explained the extra storage area and steps taken to hold water. Discussion continued on water retention on the site.

PUBLIC: No public comments at this time.

MOTION: A motion was made by Mr. Watson, SECONDED by Ms. Hall to accept staff's recommendation of approval of a Revised Major Final Site Plan. MOTION carried 5-0.

NPH-2 COMPREHENSIVE PLAN AMENDMENT 19-11, COVE SALERNO PARTNERS

Request to consider a Future land Use Map (FLUM) change from Residential Estate Density to Residential Low Density of 47.12 acres located east of SE Kanner Highway between SE Salerno Road and SE Cove Road.

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

Presented by: Maria Jose, Planner, Growth Management Department.

Agenda Item: 19-0765

* For the Record:

COUNTY: Ms. Jose indicated required notices and advertising had been provided.

APPLICANT: Morris Crady provided the Return Receipts for mailing to surrounding property owners for this meeting and the Board of County Commissioners 9/24/2019 meeting.

COUNTY: Ms. Jose reviewed the request for a CPA to the Future Land Use Map to change the parcel from Residential Estate Density (up to 2 u/p/a) to Low Density Residential (up to 5 u/p/a) along with a concurrent separate application to rezone from RE-1/2A to PUD residential. A Location Map displayed the compatibility with surrounding parcels. The proposed widening of Cove Road from two lanes to four lanes was discussed. Mr. Dulin indicated a PD&E Study will be performed before any widening of the project, which is subject to DOT funding and need.

The LPA was advised the application is in order and qualifies for an action of approval from Residential Estate Density to Low Density Residential.

LPA: No comments or questions at this time.

APPLICANT: Morris Crady, Lucido & Associates, commented on concerns about what was being developed on the property, the traffic issues, schools, and the criteria for a Future Land Use Amendment. He reviewed staff report (pg. 6/17) and the four criteria necessary and how it applies to this project. He requested approval for the FLUM change.

COUNTY: Mr. Dulin commented that the only project before the LPA tonight was the FLUM change to be considered for the LPA's action. Ms. Storey commented on the BoCC's upcoming transmittal schedule on 9/24/19, and that information on the process might be confusing to the public. At the BoCC Hearing on the 24th there may be a request to go forward or the applicant may continue the hearing at that time.

LPA: The amount of traffic this parcel will add to Cove Road was discussed, that intersection has always been a problem and this project will increase the problem and not make it any better. Over-crowding in High Schools is still a problem. An average of 16,000 cars a day is possible on

Cove Road prior to this and other developments coming forth. The significant impact of more traffic on Cove Road adds to the same issues discussed at previous presentations.

PUBLIC: Dr. Ray Speiser, resident of Tre Belle, commented the over-abundance of traffic and accidents that are stressful and injurious to our quality of life. There is stress on infrastructure from overdevelopment, with too many houses on a small piece of property. Projects have to be sensible, with a stable foundation, and not impact our quality of life. He discussed the water table and rain events. Chris Blair, President of the Tre Belle HOA, asked to wait until traffic issues on Cove and Salerno were settled before considering the zoning change, and to get the roads done first. He was opposed to this request as there are too many unknowns. Mr. Peter Grieco, asked if permits were granted for the dirt being filled on the property. Christine Grieco spoke of being landlocked in Tre Belle because of traffic and construction. Ms. Joanne Swann had the same concerns about Cove Road traffic back-up and was against any change in the CGMP.

COUNTY: Mr. Dulin explained the property was previously used as a fish pond and permits were issued for the fill dirt, and there are no environmental areas on the site.

APPLICANT: Mr. Crady discussed the permits that have been issued, and said the criteria has been met to approve the request to change the FLUM to Low Density Residential.

LPA: Mr. Watson and Ms. Hall commented on Mr. Crady's comments for a future PUD.. Mr. Flanagan said this is consistent with the CGMP, however the road is not in a position to accommodate that significant impact in traffic. He noted the current Land use is 2 u/p/a and we are changing it to 5 u/p/a for a greater traffic impact.

Ms. Hall commented you can't reject the FLUM change within the CGMP as it meets the criteria.

Mr. Foley agreed that Cove Road is a mess, criteria has to be met, he can't see any way to deny this request.

Mr. Moir respectfully disagreed with approval – this area has seen many changes and developments and drainage has been a large problem. If we don't get our infrastructure done correctly before impacting Cove Road further, it will be a total mess. We need good schools, good roads and good drainage to maximize the potential of the property. Building on it will not make it better, it hasn't worked. Accommodating the request will not make things better.

COUNTY: Ms. Storey noted that the LPA has a Future Land Use change for their consideration, and any information from the Applicant concerning a future PUD is irrelevant to this request. The LPAs decision is based on the CGMP Plan Amendment criteria regardless of any development proposals.

MOTION: A motion was made by Mr. Watson to support staff's recommendation of approval; **SECONDED** by Ms. Hall. **SUPPORTING** the motion: Mr. Watson, Ms. Hall and Mr. Foley. **OPPOSING** the motion: Mr. Flanagan and Mr. Moir. The motion carried 3-2.

A 10 Minute Break was taken at 8:20 pm. The meeting resumed at 8:30 pm.

NPH-3 COMPREHENSIVE PLAN AMENDMENT 19-17, 1545 & 1565 NW 9th AVE. (SMALL SCALE FLUM)

Request to consider a small scale Future Land Use Map (FLUM) change from Low density Residential to General Commercial on a portion two parcels totaling 19,500 sq. ft. located on the eastside of NE 9th Ave. between NW 9th Ave. and Federal Highway in the Palm Lake Park Subdivision

Requested by: Robert Raynes, Jr., Esq. Gunster Law Firm

Presented by: Clyde Dulin, Comprehensive Planning Administrator, Growth Management Department

Agenda Item: 19-0855

* For the Record:

APPLICANT: Robert Raynes, Jr., Esq., provided the Return Receipts for surrounding property owners. Mr. Josh Long, AICP, Planner was available for questions and comments.

COUNTY: Mr. Dulin provided his resume and professional experience, and staff's report.

PUBLIC: *A small brief statement was provided by Ron Aussner on concerns for Palm Lake Park.

COUNTY: Mr. Dulin summarized the request on two parcels (Lots 6-7-8) indicating the applicant is proposing the change from Low Density Residential to General Commercial. On the map Mr. Dulin explained the General Commercial portion (purple) and the Low Density Residential (Yellow), indicating the east side of the property is already General Commercial. He identified surrounding properties to the north, and indicated the owner wants to expand GC into the lots, with General Commercial on the entire 19,500 sq. ft. property. Staff's recommendation is for approval, and Mr. Dulin provided information on GC against Residential (staff report pg. 11/16) and that it is appropriate to divide the lots for approval, and the Land Use will follow the property line. The next presentation is the concurrent Zoning District change for this property and the CC, Community Commercial zoning district may provide regulations that mitigate the impact of commercial development adjacent to the existing single-family residential units.

Ms. Storey confirmed that a portion of the property is already changed, and only the yellow portion is to be changed. Maps were displayed.

LPA MEMBERS: Mr. Moir questioned lot 6. Mr. Dulin indicated lot 6 was divided in 1/2 and he explained the old platted lot (displayed).

APPLICANT: Mr. Raynes agreed with staff's comments, conclusions and recommendations as stated in staff's report. They meet one of the four required criteria inappropriately assigned as a Land Use Designation on a Small Parcel (Section 1-11, CGMP). They meet all the requirements to encourage infill development. Joshua Long, Planner, provided a brief presentation. Mr. Long indicated and confirmed that staff has proposed an alternate zoning district of Community Commercial (CC) and they have accepted staff's alternate recommendation. Mr. Long confirmed they are in favor of and support the Community Commercial (CC) for this application.

PUBLIC: Mr. Ron Aussner provided an e-mail statement outlining concerns for Palm Lake Park, including being fenced in by commercial trucks going in and out of Palm Lake Park, and the need for division between commercial and residential. He commented that commercial should not use the residential property for access, they are to use US #1.(Statement attached).

LPA: Mr. Moir indicated this was a Land Use change and the requirements for Community Commercial will be addressed at the rezoning. There is no requirement to put a fence up on the property line. It may be best to have a conversation with the attorney for the owner of the property.

COUNTY: Ms. Storey advised this Land Use change was a first step, and the portion of parcels on the property in residential are not appropriate to have commercial uses.

MOTION: A motion was made by Mr. Watson to approve staff's recommendation for a Future Land Use change to Low Density for CPA 19-17. SECONDED by Mr. Flanagan;
CARRIED 5-0.

PUBLIC: None.

NPH-4 1545 & 1565 NW 9th AVE. REZONING (QUASI-JUDICIAL)

Application for rezoning from R-2B and B-1 to GC, General Commercial or the most appropriate zoning district regarding Comprehensive Plan Amendment 19-17, 1545 & 1565 NW 9th Ave.

Requested by: Robert Raynes, Jr., Esq., Gunster Law Firm

Presented by: Clyde Dulin, Comprehensive Planning Administrator, Growth Management Department

Agenda Item: 19-0859

* For the Record:

LPA: There were no ex parte communication disclosures. Ms. Hall drove by the property, and she spoke to no one. No interveners were present.

Participants were sworn in by the LPA Notary/Recorder

COUNTY: Mr. Dulin provided his resume, staff report and the agenda.

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

COUNTY: Mr.. Dulin reviewed the request for the zoning change and indicated staff recommended Community Commercial on all 19,500 sq. ft. and explained the permitted uses, and the blending with residential uses and addressed the differences between GC and CC. The application was amended during Mr. Long's presentation.

APPLICANT: Mr. Robert Raynes, representing the applicant, commented briefly on the parcel and agreed with staff's recommendation for Community Commercial instead of GC. He commented on requests by neighbors and concerns for access. There is no site plan for the project at this time. Mr. Raynes agreed with staff's CC recommendation and said they were not amending the application as yet and would like to move forward with it.

PUBLIC: None.

MOTION: A motion was made by Mr. Flanagan to approve staff's recommendation of approval for re-zoning from R-2B and B-1 to Community Commercial; SECONDED by Mr. Foley. The motion CARRIED 5-0.

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COMMENTS:

1. PUBLIC – None.
2. LPA Members: Discussed attendance at future LPA meetings.
3. STAFF: The next LPA meeting is scheduled for Thursday, September 19 at 7:00 pm

ADJOURN: The LPA meeting of September 5, 2019 adjourned at 9:30 pm.

Respectfully Submitted:

Approved by:

Mary F. Holleran, Agency Recorder
Notary Public

Jim Moir, Chairman

Date Signed:

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