

Meeting Minutes



**LOCAL PLANNING AGENCY
MINUTES**

February 6, 2020

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 2020

CALL TO ORDER

LPA Members Present, Thursday, February 6, 2020: Jim Moir, Chairman, Vice Chairman Scott Watson, Members, William Flanagan, and Cindy Hall (4 present of 5 Members).

Not Present: LPA member Donald Foley, III and School Board Liaison – Kimberly Everman.

Chairman Moir called the meeting to order at 7:05 pm. A quorum was present.

Present:

Senior Assistant County Attorney Krista Storey

Comprehensive Planning Administrator Clyde Dulin

Development Review Administrator Paul Schilling

Principal Planner Maria Jose

Senior Planner Matthew Stahley

Agency Recorder/Notary Mary Holleran

MINU APPROVAL OF MINUTES

MINU-1 DECEMBER 19, 2019

The LPA is asked to approve the minutes from December 19, 2019 LPA Meeting.

Agenda Item 20-0351

MOTION: A MOTION was made by Mr. Flanagan; SECONDED by Mr. Watson to approve the minutes of the LPA Meeting of December 19, 2019. The MOTION CARRIED 4-0.

QJP – 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.

NPH-3

COMPREHENSIVE PLAN AMENDMENT 19-22 PUBLIX SUPERMARKET

Public hearing to consider a Future Land Use Map Amendment to change from Agriculture to General Commercial on a portion of a 16.72-acre parcel located at the southeast corner of SW Kanner Highway and SW Pratt Whitney Road.

Requested by: Robert S. Raynes, Jr., Esq., Gunster Yoakley & Stewart, P.A.

Presented by: Maria Jose, Planner, Growth Management Department

Agenda Item: 20-0353

COUNTY: Ms. Storey advised there would be ample time for members of the public to speak on these two items, the land use and the text amendment are co-mingled, and it makes sense to present both items at this time.

STAFF: Ms. Jose provided information on the maps displayed on Staff report (pg. 2/19) showing Figure 1, a location map of the blue highlighted subject site, and Figure 2, the current FLUM showing the Agricultural portion, black hatching. The parcel does not have a single future land use designation. A 6-acre portion of the 16.72 subject site is agriculture while the rest of the parcel is designated as General Commercial. Future Land Use on the surrounding parcels was provided.

Currently the western portion (Commercial) of the site is within the PUSD. The eastern portion currently designated Agricultural is located outside of the PUSD. A concurrent text amendment proposed an extension so that the entire subject parcel will be within the PUSD and would allow the proposed General Commercial designation to be located within the PUSD.

Staff recommends approval of the proposed request to consider a Future Land Use Map Amendment to change from Agriculture to General Commercial on a 6-acre portion of a 16.72-acre parcel located at the SE corner of SW Kanner Highway and SW Pratt Whitney Road, and it is consistent with the CGMP. Neighboring properties are compatible with the request to change from Agricultural to General Commercial.

LPA: Mr. Flanagan confirmed the location of water and sewer access was across Kanner Highway and not across Pratt Whitney. Mr. Moir indicated it was across north Pratt Whitney. Mr. Flanagan commented on the construction and bad traffic being a challenge.

APPLICANT: Mr. Raynes said they do agree with staff's recommendation of approval on both amendments and they agree with the comments, conclusions and recommendations made in the staff report. He addressed why these Comp Plan Amendments are appropriate and necessary. While there is anxiety when hearing about moving the Urban Service Line and putting General Commercial in Agricultural areas, that in order to understand what is happening on this property they need to address the problems existing with the site. Four issues that exist with the site are: there is a split Land Use designation on the property and it contains split land use and zoning; the Agricultural FLU is inappropriate, zoning is inconsistent with the FLU, and there are two zoning designations not compatible with the property. Rezoning is mandatory.

Mr. Raynes introduced Josh Long, AICP, Gunster Yoakley & Stewart, P.A., who provided further review of the CPAs requested. His presentation provided reasons for both CPA 19-21 and CPA 19-22 for approval and he agreed with staff's report, analysis and recommendation.

LPA: Ms. Hall confirmed with Mr. Raynes that the parcel always had only one owner. Mr. Flanagan commented on the self-imposition of the amount needed, that it was not excessive.

PUBLIC COMMENTS: The following individuals spoke: Judy Gordon, Carol Fitzpatrick, Carmen Vilarino, and Joan Bausch. Their concerns were moving the USB closer, that it was a mistake, traffic problems with General Commercial in residential areas, there are three Publix Supermarkets within 10 miles, why not seek a health food market. What's going in beside Publix. Commercial property was OK if you do not move the Urban Service Boundary. That small piece of property will be a big problem for all. A concern was the Wetlands.

LPA: Mr. Moir asked where the Wetlands were and where the USB line is, from the wetlands.

APPLICANT: Mr. Long provided a survey display showing the existing wetlands on the site to answer Mr. Moir's question about the wetlands and the location between the USB boundary and the wetlands.

Summarizing, Mr. Raynes explained why GC was appropriate, commenting that there was a specific issue in addressing by the County for an inappropriate Land Use Designation and GC being outside the USB.

The LPA CONTINUED WITH CPA 19-21

LPA: Mr. Watson agreed that it was appropriate and looked forward to a Publix in that area. Mr. Flanagan also looked forward to a Publix in that location for a more convenient food market. Ms. Hall saw that it was a County error that had to be fixed. Mr. Moir discussed the wetlands and the serious problem to develop them. He was uncomfortable moving the USB but moving it by degrees was reasonable and made sense.

A MOTION was made by Mr. Watson to approve staff's recommendation for CPA 19-21 to amend the text of Chapter 4, Future Land Use Element and amend Figure 4-2, Urban Service District and Figure 11-1, Areas Currently Served by Regional Utilities of the Martin County Growth Management Plan; SECONDED by Mr. Flanagan. MOTION CARRIED 4-0.

The LPA CONTINUED WITH CPA 19-22

A MOTION was made by Mr. Flanagan to approve CPA 19-22 to change the Future land Use Map from Agricultural to General Commercial on the whole parcel located at the SE corner of SW Kanner Highway and SW Pratt Whitney Road. SECONDED by Mr. Watson. MOTION CARRIED 4-0.

PUBLIC COMMENTS: None

STAFF: NPH-4 was originally listed as NPH-3 on the agenda.

NPH-4 PUBLIX SUPERMARKET REZONING (QUASI-JUDICIAL)

Application for rezoning from R-3A and A-1 to GC, General Commercial or the most appropriate zoning district regarding Comprehensive Plan Amendment 19-22 Public Supermarket FLUM.

Requested by: Robert S. Raynes, Jr., Esq., Gunster Yoakley & Stewart, P.A.

Presented by: Maria Jose, Planner, Growth Management Department

Agenda Item: 20-0354

LPA: Ex parte communication disclosures – None. No Interveners were present

COUNTY: Staff and individuals speaking on this matter were sworn-in (s/i)

STAFF: Ms. Jose (s/i) provided NPH-4, Exhibit 1, a copy of her resume and work history and Exhibit 2, a copy of the Agenda and Staff's Report.

STAFF: Ms. Jose (s/i) indicated this was a concurrent application for a Future Land Use Map (FLUM) change from Agricultural to General Commercial on six acres within the larger 16.72 acres from the previous Publix presentations made earlier. The APPLICANT is requesting a zoning district change on a parcel from A-1, Small Farms District and R-3A, Liberal Multiple-Family to GC, General Commercial on 16.72 acres located at the southeast corner of SW Kanner Highway and Pratt Whitney Road. Permitted uses for GC and CC were displayed as the only standard zoning districts that implement General Commercial future land use designations.

Staff recommends approval of the zoning district change from A-1 and R-3A to GC, as GC implements the General Commercial future land use designation.

LPA: Mr. Moir pointed out there were some differences in permitted uses in GC allowing drive-thru restaurants, fast foods, and gas stations that are not permitted in CC or LC. From a neighborhood concern, an environmental concern, and traffic issue, that was a people issue.

APPLICANT: Mr. Raynes provided Certification of the mailing to surrounding homeowners as NPH-4, Exhibit 1, which included proof of the CGMP text. They agreed with staff's report, analysis and conclusions and their recommendation of approval that GC is the appropriate zoning. He indicated that Mr. Long's report touched on a few items indicating GC was an appropriate zoning.

PUBLIC: Judy Gordon asked why CC (Community Commercial) isn't used, was there any reason it wasn't considered so that drive thru restaurants, gas stations and traffic were not part of the neighborhood issues.

LPA: Mr. Moir commented that he understood Ms. Gordon's question, but the LPA can't zone for specific applications it's based on what is permissible. If it's just for Publix, GC can stand, but there are other reasons for GC, most are for the applicant. Ms. Storey indicated it has to be based on the Policy, not the Applicant or potential uses.

LPA: Mr. Flanagan agreed that the focus on the zoning was to be on the policy and not the Applicant, and other requests will be coming down the road where it would be germane.

Mr. Moir suggested it was reasonable to have a conversation and ask what their obligation was to the community and what they wanted. If it was something more than a Publix going on the property, such as drive-thru restaurants and gas stations, that it was not in their best interest.

COUNTY: Ms. Storey indicated that Land Use and Zoning are based on the Policy in the CGMP and that is why staff comments regarding the Policy in the Plan are often frustrating for the public, the LPA and the Board of County Commissioners.

LPA: Mr. Flanagan mentioned the restriction of sq. footage imposed as a self-restriction by the Applicant, that if it were to change, they would have to come back, and there are more steps occurring. Mr. Moir cautioned on the amount of wetlands and the capacity to develop on them.

PUBLIC: Joanne Swan, commented when putting zoning on the property, anything goes. Two years from now they can come back again and change plans for more commercial and mentioned the property at Cove and Salerno Roads that was developed with wetlands.

Joan Bausch thought Mr. Moir should stick to his guns regarding the fact that he was uncomfortable with GC over CC and the uses that are more restrictive.

COUNTY: Ms. Storey commented that the Applicant requested a particular zoning, staff analyzed the various options from a selection of choices available, and GC and CC were limited options, along with a PUD.

STAFF: Ms. Jose reviewed the permitted GC-General Commercial and CC- Community Commercial zoning uses. The LPA discussed high intensity uses, and other uses.

APPLICANT: Mr. Raynes provided additional information regarding the requested GC zoning, including consideration of the location of the roads, evacuation route, it is not adjacent to residential neighborhoods, services are needed, retail uses will come in with the limited sq. footage, and GC is the most appropriate on this location.

LPA: A MOTION was made by Mr. Watson to approve staff's recommendation of approval of the zoning district change from A-1 and R-3A to GC General Commercial rezoning for Publix Supermarket. SECONDED by Ms. Hall. Not supported by Mr. Moir and Mr. Flanagan. Motion did not carry 2-2.

Mr. Moir supported CC-Community Commercial as a more appropriate zoning district. Mr. Flanagan agreed CC was more appropriate. Both GC and CC support tied at 2-2.

Moving this application on to the Board of County Commissioners, the four members indicated the following: Mr. Watson and Ms. Hall supported staff's recommendation for GC zoning. Mr. Moir and Mr. Flanagan supported CC zoning.

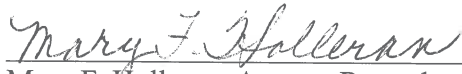
STAFF: Mr. Dulin commented on the CPA's and Zoning going before the Board of County Commissioners. He provided the schedule for transmittal of the text and land use amendments of the PUSD. Tonight's application on rezoning will not be presented until the third public hearing.

COMMENTS:

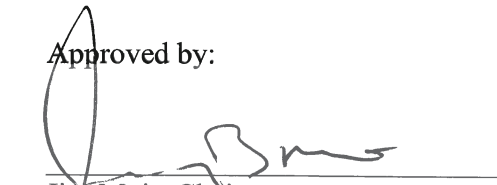
1. PUBLIC – None
2. STAFF – Ms. Storey indicated there will not be a meeting on Thursday February 20, 2020. The next meeting is scheduled for Thursday, March 5, 2020 at 7:00 pm. The Election of new Officers for 2020 will be on the agenda for that meeting.
3. LPA – There was no further business.

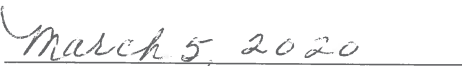
ADJOURN: The LPA meeting of February 6, 2020 adjourned at 8:40 pm.

Respectfully Submitted:


Mary F. Holleran, Agency Recorder
Notary Public

Approved by:


Jim Moir, Chairman


Date Signed:

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BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY
MARCH 3, 2020 ~ 9:00 AM

COMMISSION CHAMBERS
2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

Harold E. Jenkins II, Chairman
Stacey Hetherington, Vice Chair
Doug Smith
Sarah Heard
Edward V. Ciampi

Taryn Kryzda, County Administrator
Sarah W. Woods, County Attorney
Carolyn Timmann, Clerk of the Circuit
Court and Comptroller

PRESETS

9:05 AM Public Comment

10:00 AM Presentation by the Florida Department of Transportation on the Project Development and Environment (PD&E) Study for Florida's Turnpike (SR91) Widening from Jupiter (Indiantown Road/SR706) to Fort Pierce (Okeechobee Road/SR70)

5:05 PM Public Comment

CALL TO ORDER AT 9:03 AM

1. INVOCATION - Pastor Darrell Orman, First Baptist Church of Stuart
2. PLEDGE OF ALLEGIANCE
3. ADDITIONAL ITEMS – *The Additional Items of CNST-10, DEPT-3 and DEPT-4 were added to the Agenda.*
4. APPROVAL OF AGENDA – *The Agenda was approved.*
5. APPROVAL OF CONSENT AGENDA – *The Consent Agenda was approved.*

Consent Agenda items are considered routine and are enacted by one motion and will have no action noted, but the "Recommendation" as it appears on the Board item is the approved action.

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chairman will present the proclamations to the recipients.

Agenda Item: 20-0414

ACTION TAKEN: The Board presented proclamations declaring Surveyors and Mappers Week and Census 2020 Kick-Off Day.

PH-1 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 19-22, PUBLIX SUPERMARKET FLUM

The request proposes a change in the future land use designation of a 6-acre portion of a 16.72-acre parcel from Agricultural to General Commercial. The parcel is located at the southeast corner of SW Kanner Highway and SW Pratt Whitney Road.

Agenda Item: 20-0443

ACTION TAKEN: The Board approved transmittal of CPA 19-22, Publix Supermarket FLUM to the Department of Economic Opportunity.

PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 19-21, PUBLIX SUPERMARKET TEXT

An amendment to Policy 4.1B.2., Comprehensive Growth Management Plan (CGMP) is proposed to establish sub-area development restrictions for a specific site that is also the subject of a concurrent application for a future land use change. The subject site is located at the southeast corner of SW Kanner Highway and Pratt Whitney Road. The request also proposes a text amendment to Figure 4-2, Urban Service Districts, and Figure 11-1, Areas Currently Served by Regional Utilities, of the CGMP, extending the Primary Urban Service District line approximately 599 feet east in order to cover the entire subject site.

Agenda Item: 20-0445

ACTION TAKEN: The Board approved transmittal of CPA 19-21, Publix Supermarket Text to the Department of Economic Opportunity.

PUBLIC HEARING QUASI-JUDICIAL

PHQJ-1 IMPEDANCE BAILE REZONING

This is a request by Impedance Baile, LLC for approval of an amendment to the county zoning atlas. A zoning district change from the B-1 Business District to the COR-1 Commercial/Office/Residential district, or the most appropriate zoning district, is requested for an approximate 1.10 acre undeveloped parcel located on the east side of South Kanner Highway, approximately 1200 feet north of the SE Salerno Road and South Kanner Highway intersection. Included in this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 20-0434 **Supplemental Memorandum** **RESOLUTION NO. 20-3.5**

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit and approved the request to amend the Martin County Zoning Atlas to change the zoning district on the subject property from B-1 to COR-1 and adopted the resolution of approval.

DEPT-3 REVIEW OF FAIRGROUNDS LEASE STATUS AND TIMING OF REQUIRED ACTIONS BY MARTIN COUNTY

The Martin County Fair Association, Inc. (Fair) is requesting the County design, permit and construct the necessary utilities, previously discussed in past agenda items, in time for the 2021 Fair. The Board is requested to authorize the procurement of Engineering services and to consider the funding for the construction of the utilities and other capital infrastructure.

Agenda Item: 20-0517 **Additional Item**

ACTION TAKEN: The Board authorized staff to transfer up to \$500,000 for water and sewer connections into the property and size to the Fair's needs.

DEPT-4 EXECUTIVE SESSION PURSUANT TO FLORIDA STATUTES SECTION 447.605 FOR COLLECTIVE BARGAINING/LABOR NEGOTIATIONS

Martin County is currently in the process of collective bargaining with Martin County Firefighters Association Local 2959, IAFF ("IAFF") for the renewal of their collective bargaining agreement. The County's Negotiations Management Team is requesting an executive session to discuss the labor negotiations with IAFF.

Agenda Item: 20-0519 **Additional Item**

ACTION TAKEN: The Board discussed negotiations in the executive session.

**DEPARTMENTAL QUASI-JUDICIAL
GROWTH MANAGEMENT**

DPQJ-1 REQUEST FOR APPROVAL OF THE FIRST AMENDMENT TO BRIDGEWATER PRESERVE RESIDENTIAL PUD ZONING AGREEMENT

This is a request for the First Amendment to the Bridgewater Preserve Residential Planned Unit Development Zoning (PUD) Agreement for a 107 single family development located on an approximate 215-acre site located on the west side of SE Island Way in southern Martin County.

Agenda Item: 20-0452 **Supplemental Memorandum**

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit and approved the First Amendment to the Bridgewater Preserve PUD Agreement.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 3:48 PM

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Upcoming Board Meetings
March 24 – Regular Meeting
April 7 & 21 – Regular Meetings
April 14 – Plastics Workshop @ Blake

Public Comments

From: [Clyde Dulin](#)
To: kayaklady1@gmail.com
Cc: [Maria Jose](#)
Subject: RE: CPA 19-22 Publix Supermarket
Date: Monday, April 20, 2020 9:58:49 AM

Diane,
Thank you for your public comment. It will be added to the record.

From: Maria Jose <mjose@martin.fl.us>
Sent: Monday, April 20, 2020 9:56 AM
To: Clyde Dulin <cdulin@martin.fl.us>
Subject: FW: CPA 19-22 Publix Supermarket

From: Diane Evans <kayaklady1@gmail.com>
Sent: Friday, April 17, 2020 8:18 PM
To: Maria Jose <mjose@martin.fl.us>
Cc: Kerry Meier <kerrya000040@gmail.com>
Subject: Re: CPA 19-22 Publix Supermarket



Thanks for getting back with me Maria.

When the Small Farms District was set up it was to preserve the agriculture district. Kanner Highway is getting to look like Federal Highway....WHY? Publix is less than 5 miles away. I am absolutely appalled that the zoned dept is considering changing what are fore fathers fought hard to save. Open Land where the SandHill Crane lives and wild life. The additional traffic is not needed on this stretch of highway. I strongly am against this zoning change. There is no need to change this zoning and destroy more farm land and more wetlands. We do not need to be mini Miami. Please reconsider not changing this zoning to CG.

Most appreciative for getting back with me.

Diane

On Apr 17, 2020, at 5:51 PM, Maria Jose <mjose@martin.fl.us> wrote:

The current zoning is R-3A (Liberal Multiple-Family District and A-1 (Small Farms District). The proposed request is to rezone the 16.72 acre property to GC (General Commercial)

The next final hearing is the adoption hearing and it
Scheduled for Tuesday, May 5th.

Thanks,
Maria Jose

From: Diane Evans <kayaklady1@gmail.com>
Sent: Friday, April 17, 2020 5:25 PM
To: Maria Jose <mjose@martin.fl.us>
Subject: Re: CPA 19-22 Publix Supermarket



PS
when is the next planning meeting scheduled?

On Apr 17, 2020, at 5:17 PM, Maria Jose <mjose@martin.fl.us> wrote:

Hello,
My name is Maria Jose and I'm the planner working on the CPA 19-22, Publix Supermarket FLUM, Text and Rezoning proposals. If you have any questions regarding the proposed amendments, feel free to contact me.

Thanks,
Maria Jose



COVID-19 HOTLINE (772) 287-1652

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From: [Clyde Dulin](#)
To: [Maria Jose](#)
Subject: FW: CPA 19-22 Publix
Date: Friday, February 28, 2020 4:45:32 PM

FYI

From: Nicki vanVonno <nikkiv@martin.fl.us>
Sent: Friday, February 28, 2020 4:43 PM
To: augirls@bellsouth.net; Comish <Comish@martin.fl.us>; Clyde Dulin <cdulin@martin.fl.us>; Don Donaldson <ddonalds@martin.fl.us>
Cc: Carol Fitzpatrick <carolfittz@hotmail.com>; Joanne Swann <jmswann1@aol.com>; Margie Garren <mregarren@aol.com>; Grace Hodges <jghod@bellsouth.net>; Brenda Boland <zackydo@bellsouth.net>; Joe Mullins <jomul@comcast.net>
Subject: CPA 19-22 Publix

Hello:

Good Afternoon:

I saw your email regarding the Publix future land use map amendment. There are 3 public hearings on any plan amendment. The LPA hearing was the first one. The LPA discussion of Community Commercial and General Commercial concerned the rezoning on the property to be considered if the future land use is changed.

The only item on the County Commission agenda is the Future Land Use map application. If the BCC decides to transmit the future land use application to the reviewing agencies, then at the adoption hearing, there will be a separate staff report and public hearing on the rezoning of the property. The LPA discussion of Community Commercial and General Commercial will be discussed when the BCC consider any rezoning.

Sincerely,

Nicki B. van Vonno, AICP
Growth Management Department Director
Martin County Board of County Commissioners
772-288-5520
nikkiv@martin.fl.us

From: [Taryn Kryzda](#)
To: [Nicki vanVonno](#)
Cc: [Don Donaldson](#)
Subject: FW: CPA 19-22 Publix
Date: Friday, February 28, 2020 1:08:05 PM
Attachments: [image001.gif](#)

FYI

Taryn G. Kryzda, MPA, CPM

County Administrator
Martin County Board of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996
772-288-5939 (o)



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From: Judy Gordon <augirls@bellsouth.net>
Sent: Friday, February 28, 2020 12:16 PM
To: Comish <Comish@martin.fl.us>
Cc: Carol Fitzpatrick <carolfittz@hotmail.com>; Joanne Swann <jmswann1@aol.com>; Margie Garren <mregarren@aol.com>; Grace Hodges <jghod@bellsouth.net>; Brenda Boland <zackydo@bellsouth.net>; Joe Mullins <jomul@comcast.net>
Subject: CPA 19-22 Publix



Dear Commissioners,

I would like to comment on the upcoming hearing of the Comprehensive Plan Amendment 19-22 which is scheduled for it's second hearing on March 3, 2020.

I would like to point out that the materials I see being presented to you from GMD fail to mention that the LPA had a discussion regarding the changing of the land use from AG to GC. The discussion was to consider CC (Community Commercial) in lieu of GC (General Commercial). There being only four members of the LPA that meeting, the vote was split 2 to 2.

First, I am disappointed that your staff is not giving you all the info you should have. Second, and more importantly, I would ask that you consider applying your powers, to

make this acreage Community Commercial. This would protect the surrounding neighborhoods from another gas station or drive-thru fast food entity, which is certainly not needed on Kanner Hwy.

The development of property in Martin County is happening much faster than most of us would like to see, even though we fight hard to slow it down. The very least we should be doing is making sure that the development is appropriate.

It is appropriate to protect existing residents from more and more infiltration of traffic, noise, odors, etc.

Thank you.

Judy Gordon
773 SW Blue Stem Way
Stuart

Powerpoint Presentation

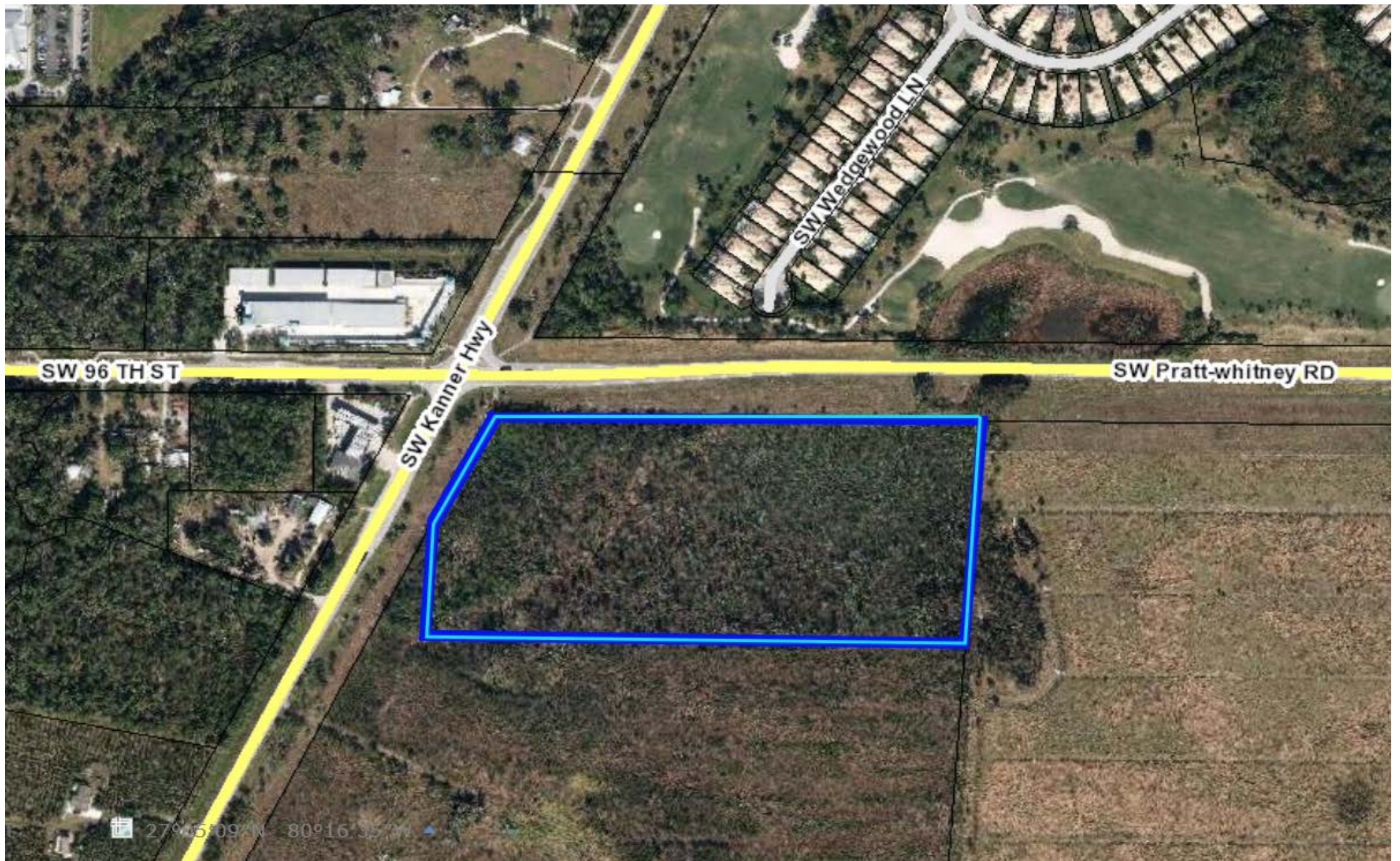
The background features abstract, overlapping green geometric shapes, primarily triangles and polygons, in various shades of green, creating a modern, layered effect on the right side of the slide.

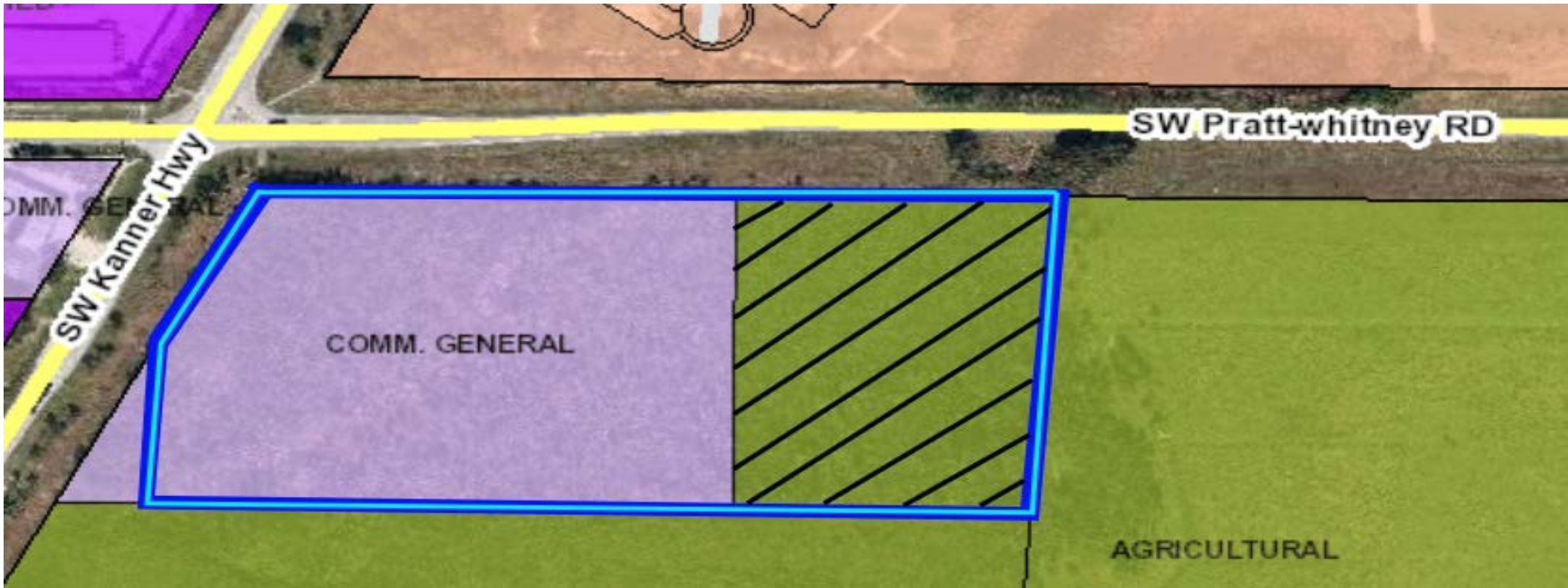
CPA 19-22

Publix Supermarket FLUM

Proposed FLUM Change

- Applicant: Publix Supermarket, Inc.
represented by Gunster Law Firm
- FLUM amendment, changing parcel from
Agricultural to General Commercial
- Subject site: 16.72 acres, located at the
southeast corner of SW Kanner Hwy. and SW
Pratt Whitney Road





6 acres out of the total 16.72 acres is Agricultural, shown with a black hatching. The rest of the parcel (10.72 acres) is designated as General Commercial



- ▶ **North:** Residential Estate Density (2 upa) and Limited Commercial. Private single family homes, Florida Golf Club Residential Development, self-storage warehouse
- ▶ **South:** Agricultural, vacant agricultural acreage
- ▶ **East:** Agricultural, agricultural pasture
- ▶ **West:** General Commercial, Limited Commercial and Residential Estate Density (2 upa). Sunoco Gas Station with 7-Eleven, single family transitional area with dwelling

Staff Recommendation : Approval

- ▶ Proposed land use designation is generally compatible to neighboring parcels and their land uses
- ▶ Meets 13 out of 13 criteria that discourages urban sprawl and also meets 8 out the 8 additional criteria that discourages the proliferation of urban sprawl (Section 2.2 of staff report)

Staff Recommendation: Approval

- ▶ Out of the total 16.72 acres, 10.72 acres of the site (western portion) is already designated as General Commercial
- ▶ Already contains necessary infrastructure such as water and sewer provisions and is located adjacent to a major arterial road, SW Kanner Highway
- ▶ Considering all these factors, staff recommends approval of the proposed change from Agricultural to General Commercial future land use designation

Public Notice

D-Signs, LLC
911 S.E. Hillcrest Ave.
Stuart, FL 34994

August 8, 2019

Gunster Law Firm
800 SE Monterey Commons Blvd. Suite 200
Stuart, FL 34996


REF: Publix Kanner & Pratt Whitney

Attn::

This Letter is to Certify that the above referenced sign(s) were installed per Martin County requirements. On August 8, 2019 This sign was posted according to and complies with the standards of the notice provisions of Article 10, Section 10:6 Development Review Procedures.

Sign 1 installed on Kanner Hwy

Sign 2 installed on property line on SW Pratt Whitney Rd.


Kurt C. Larsen

8/13/19
Date

State of Florida
County of Martin

Kurt C. Larsen, who is personally known to me, who did not take an oath,
acknowledged the foregoing instrument before me on 8/13/19.



SW Kanner Hwy



SW Pratt Whitney Rd





April 10, 2020

Subject: NOTICE OF PUBLIC HEARINGS on Comprehensive Plan Amendment 19-21, a proposed text amendment to the Martin County Comprehensive Growth Management Plan ("CGMP"), Figure 4-2, Urban Service Districts, and 11-1, Areas Currently Served by Regional Utilities; and an amendment to Policy 4.1B.2 to establish sub-area development restrictions for an undeveloped 16.72 acre parcel located on the southeast corner of SW Kanner Highway & SW Pratt Whitney Road.

The following, concurrent separate application for this property will also be heard:

NOTICE OF PUBLIC HEARINGS on Comprehensive Plan Amendment 19-22, a request to change the Future Land Use designation and Zoning District on an undeveloped 16.72 acre parcel located on the southeast corner of SW Kanner Highway & SW Pratt Whitney Road. The request is to change a 6 acre portion of the 16.72 acre parcel from Agricultural to General Commercial so that the entire parcel can have a single land use designation of General Commercial. Along with this is a concurrent separate application to rezone the entire 16.72 acre parcel from R-3A & A-1 to GC.

Dear Property Owner:

As a landowner within 2,500 feet of the property described above and shown on the map attached to this letter, please be advised that the described property is the subject of applications to make the following changes:

- 1) Change Figure 4-2 of the CGMP to extend the Primary Urban Service Boundary approximately 599 feet east in order to cover the entire 16.72 acre subject parcel. The proposed amendment to Figure 4-2 will include 7.57 additional acres.
- 2) Change Figure 11-1 of the CGMP to extend the Areas Currently Served by Regional Utilities approximately 599 feet east in order to cover the entire 16.72 acre subject parcel. The proposed amendment to Figure 11-1 will include 7.57 additional acres.
- 3) Change Policy 4.1B.2 of the CGMP to establish sub-area development restrictions for the 16.72 acre parcel capping the maximum intensity of uses on the subject parcel contained within a building or buildings to 63,810 square feet.
- 4) Change the Future Land Use designation on a 6 acre portion of the 16.72 acre parcel from Agricultural to General Commercial so that the entire parcel can have a single land use designation of General Commercial.
- 5) Change the Zoning Districts, R-3A, Liberal Multiple-Family District and Small Farms District, A-1 to GC, General Commercial on the entire 16.72 acre parcel.

The Martin County Board of County Commissioners will conduct a public hearings on the subjects listed above.

The date, time and place of the scheduled Board of County Commissioners hearing is provided below:

Time and Date: **Martin County Board of County Commissioners**
9:00am., or as soon after as the matter be heard, on
Tuesday, May 5, 2020

Place: John F. Armstrong Wing of the Blake Library
2351 SE Monterey Road
Stuart, Florida 34996

All interested persons are invited to attend the above-described hearing and will have an opportunity to speak. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the County Administrator at (772) 221-2360, or in writing to 2401 SE Monterey Road, Stuart, Florida 34996, no later than three days before the hearing date. If you are hearing or voice impaired, please call the TDD line at (772) 228-5940.

Comprehensive Planning Facts. The Future Land Use Map is adopted as part of the CGMP and is one of the primary tools for managing land development. The Future Land Use designation of a parcel of land determines the general type of use allowed, as well as the maximum level of density or intensity allowed (such as the number of residential units per acre). The zoning regulations provide one or more zoning districts for implementing each Future Land Use designation. The zoning designation of a parcel of land determines, in more detail than the Future Land Use designation, what type and level of development may occur. A change to the CGMP or the Future Land Use Map requires three public hearings as follows:

1. Local Planning Agency (which makes a recommendation to the Board of County Commissioners).
2. Board of County Commissioners Transmittal Hearing (to determine whether the proposed amendment should be approved and sent to the State for review).
3. Board of County Commissioners Adoption Hearing (to adopt the proposed amendment)

Public involvement opportunities: All interested persons are invited to attend any or all of the above-described hearings and will have an opportunity to speak. All application files are available for public inspection during business hours at the address below. Written comments will be included as part of the public record of the application.

View Application Files at:
Martin County Administrative Center
Growth Management Department
2401 S.E. Monterey Road
Stuart, Florida 34996

Submit Written Comments to:
Growth Management Director
Growth Management Department
Martin County
2401 S.E. Monterey Road
Stuart, Florida 34996

For more information, visit the County's website: www.martin.fl.us then click "Departments"; "Growth Management"; "Comprehensive Planning" or contact the Martin County Growth Management Department at (772) 288-5495.

Property Owner

April 10, 2020

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If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

Sincerely,

Robert Raynes, Jr.

Robert S. Raynes, Jr., Esq.

Attachments:

Exhibit "A" - Location Map

CAD file name: P:\010529 - Public\010529-03-001 (ENG) - Kanner Hwy\Engineering\CAD_Plans (dwg)\010529-EXHIBITS.dwg 6/28/2019



<p>Bowman Consulting Group, Ltd., Inc.</p> <p>301 SE Ocean Blvd, Suite 301, Stuart, FL 34994 Phone: (772) 283-1413 Fax: (772) 220-7881</p> <p>www.bowmanconsulting.com © Bowman Consulting Group, Ltd.</p>		<p>LOCATION MAP</p>			<p>Grocery Store Florida SR 76 & Pratt Whitney Road Stuart, FL 34997</p>		<p>DATE June 2019</p>
<p>Bowman CONSULTING</p> <p>Professional Engineers, Certificate of Authorization License No. 30462 Professional Surveyors and Mappers, Certificate License No. LB. 8030</p>		<p>FILE No. 010529-EXHIBITS</p>	<p>DRAWN BY GC</p>	<p>CHECKED BY VF</p>	<p>PROJECT NO. 010529-02-001</p>		<p>SCALE: 1"=200'</p>
							<p>SHEET EX A</p>

Man accused of threatening man with gun in Jensen Beach

Sara Marino
Treasure Coast Newspapers
USA TODAY NETWORK – FLORIDA

JENSEN BEACH— A Stuart man was accused of firing shots in the air and then pointing a firearm at someone nearby Tuesday evening.

Sean Claesgens, 44, of an unspecified part of Stuart, was arrested on charges of aggravated assault with a deadly weapon, discharge of a firearm in public and unlicensed carrying of a concealed firearm.

Martin County Sheriff’s Office deputies said around 8 p.m. Tuesday they were called to an apartment building in Jensen Beach regarding gunfire. Law enforcement officials would not release the address of the apartment building.

A man in the building told deputies he was on his porch watching videos when he saw Claesgens fire two shots with a black handgun from a nearby building.

The man told deputies, Claesgens noticed him and pointed the handgun at



Claesgens

identified Claesgens as the man who had fired the shots, deputies said.

Claesgens told deputies he didn’t shoot the gun, according to his arrest affidavit.

Two people who were inside the apartment with Claesgens said they were in another room when they heard two loud pops coming from the porch area, reports show.

Claesgens was arrested and taken to the Martin County Jail. He was released on a \$5,500 bond.

Sara Marino is a TCPalm breaking news reporter covering Martin County. You can reach Sara on Twitter @saradmarino or email her at Sara.Marino@tcpalm.com.

him. The man ran inside and called 911.

Deputies said they went to an apartment building and spoke with a man who matched the witness’ description of Claesgens. The witness

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- **GraceKids Online, Sunday at 1:00 & 4:00pm**, at www.thegraceplace.com/watch or on Facebook.

TheGracePlace.com

772-287-6388 1550 SE Salerno Road Stuart 34997

NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Board of County Commissioners of Martin County will conduct public hearings on May 5, 2020 beginning at 9:00 A.M., or as soon thereafter as the items may be heard, to review the following items:

1. AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLAN AMENDMENT 19-21, PUBLIX SUPERMARKET, TEXT, AMENDING THE TEXT OF CHAPTER 4, FUTURE LAND USE ELEMENT AND FIGURE 4-2, URBAN SERVICE DISTRICTS AND CHAPTER 11, POTABLE WATER SERVICES ELEMENT, FIGURE 11-1, AREAS CURRENTLY SERVED BY REGIONAL UTILITIES OF THE MARTIN COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN; MARTIN COUNTY CODE; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, CODIFICATION AND AN EFFECTIVE DATE.
2. AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLAN AMENDMENT 19-22, PUBLIX SUPERMARKET FLUM AMENDING THE FUTURE LAND USE MAP OF THE MARTIN COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, AND AN EFFECTIVE DATE.

IN CONJUNCTION WITH:

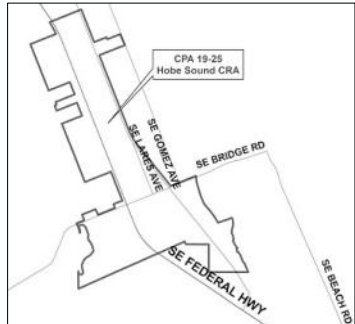
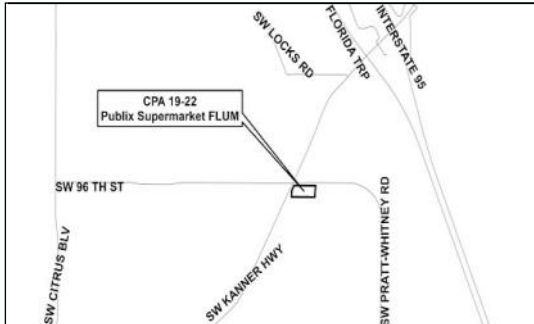
3. A RESOLUTION OF MARTIN COUNTY, FLORIDA REGARDING AN APPLICATION TO CHANGE THE ZONING DISTRICT FROM R-3A, LIBERAL MULTIPLE-FAMILY DISTRICT AND A-1, SMALL FARMS DISTRICT TO GC, GENERAL COMMERCIAL DISTRICT OR THE MOST APPROPRIATE ZONING DISTRICT ON 16.72 ACRES AT THE SOUTHEAST CORNER OF SW KANNER HIGHWAY AND SW PRATT WHITNEY ROAD.
4. Comprehensive Plan Amendment 19-25, Hobe Sound FLUM, a proposal to amend the Future Land Use Map regarding the Hobe Sound Community Redevelopment Area (1,024 acres) to change the Residential Estate Density, Low Density Residential, Medium Density Residential, Mobile Home Density, Commercial Office/Residential, Limited Commercial, and General Commercial future land use designations to CRA Center, CRA Neighborhood, General Institutional, Public Conservation and Recreational future land use designations, and repeal the Hobe Sound Mixed-Use Future Land Use Overlay.
5. AN ORDINANCE OF MARTIN COUNTY, FLORIDA, CREATING DIVISION 5, HOBE SOUND COMMUNITY REDEVELOPMENT CODE OF ARTICLE 12, REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE; REPEALING SECTION 3.263, HOBE SOUND COMMUNITY REDEVELOPMENT AREA, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE; AMENDING THE ZONING ATLAS TO ASSIGN THE HOBE SOUND REDEVELOPMENT ZONING DISTRICT AND MAKE OTHER CHANGES FOR CONSISTENCY WITH THE FUTURE LAND USE MAP; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS, SEVERABILITY, FILING WITH THE DEPARTMENT OF STATE, CODIFICATION, AND AN EFFECTIVE DATE.

The meeting will be held in the John F. and Rita M. Armstrong Wing of the Blake Library, 2351 SE Monterey Road, Stuart, Florida 34996. Written comments may be mailed to: Nicki van Vonno, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. Copies of the items will be available from the Growth Management Department. For more information, contact the Growth Management Department at (772) 288-5495.

All interested persons are invited to attend and be heard. Persons interested in being heard on this matter who are unable to attend the meeting may email written comments to BOCC-PublicComment@martin.fl.us. Comments received at this email address that are received prior to the conclusion of the applicable matter will be read into the record at the public meeting.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TTY device, please call 711 Florida Relay Services.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.



TR-GC10405658-01