



LOCAL PLANNING AGENCY MINUTES

September 3, 2020

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STUART, FLORIDA 34996

Cindy Hall, Vice Chair, 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, District 5, November 2020

Kimberly Everman, School Board Liaison, December 2020

CALL TO ORDER

Present: 4- Chairman Jim Moir (via Phone)
Vice Chair Cindy Hall
William (Joe) Flanagan
Scott Watson

Present: School Board Liaison – Kimberly Everman.

Not Present: Donald Foley III

Vice Chair Cindy Hall called the meeting to order at 7:00 pm. A quorum was present.

Present:

Senior Assistant County Attorney	Krista Storey
Growth Management Director	Paul Schilling
Comprehensive Planning Administrator.....	Clyde Dulin
Senior Planner.....	Mathew Stahley
Planner.....	Maria Jose
Agency Recorder/Notary	Denise Johnston

MINU APPROVAL OF MINUTES

MINU-1 AUGUST 6, 2020

The board is asked to approve the minutes from the August 6, 2020 LPA meeting.

Agenda Item: 20-1034

MOTION: A Motion was made by Mr. Watson, SECONDED by Mr. Flanagan to approve the minutes of the August 6, 2020 LPA Meeting. The Motion CARRIED unanimously 4-0.

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: 20-1005

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

NEW BUSINESS

NPH-1 PUBLIX AT KANNER AND PRATT WHITNEY(S254-003) (QUASI-JUDICIAL)

Publix Super Markets, Inc. – Request for a master site plan approval for the development of a approximate 48,387 square foot grocery store and 9,600 square feet of general retail with associated infrastructure and preserve area. The approximate 16.72-acre undeveloped site is located on the southeast corner of SW Kanner Highway and SW Pratt Whitney Road in Stuart. Included in this application is a request for a Deferral of Certificate of Public Facilities Reservation.

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

Presented by: Mathew Stahley, Senior Planner, Growth Management Department

Agenda Item: 20-1035

***For the Record:**

LPA: Ex parte communication disclosures – None Interveners- None

LEGAL: Ms. Storey noted for the record that Ms. Everman from the School Board was present.

COUNTY: All staff and individuals speaking on this matter were sworn in.

STAFF: Mr. Stahley, Senior Planner with the Growth management Department provided NPH-1, Exhibit 1, a copy of the agenda item, staff report, and work history were entered into the record.

STAFF: Mr. Stahley presented NPH-1

STAFF: Mr. Stahley noted that staff has reviewed the application and finds it complies with the LDR and Comp Plan as detailed within the staff report and staff recommends approval of this application.

LPA: Mr. Flanagan asked staff questions regarding water access on Pratt Whitney Road.

STAFF: Mr. Stahley confirmed a connection exists on the south side of the road.

APPLICANT: Mr. Raynes, representing Publix Super Markets, Inc., provided for the record certified notices to the surrounding homeowners. Mr. Raynes stated that he has reviewed the staff report and agrees with staff recommendations, comments and conclusions. Mr. Raynes also stated that they have applied for a wetland waiver for the wetland crossing area and that it meets all the requirements. Mr. Long with Gunster Law continued with a slide presentation with an overview of the Comp Plan and Text Amendment and the applicant's future plans for the development.

LPA: Mr. Moir inquired as to the wetland waiver and if there was a PAMP associated with the wetland area.

APPLICANT: Mr. Raynes noted that there will be a PAMP at time of Final Approval.

LPA: Mr. Flanagan applauded the right turn only onto Kanner Highway.

LPA: Mr. Flanagan had questions regarding Pratt Whitney Road being two or four lanes and also had concerns about traffic from South Fork High School and how the road would look after construction.

APPLICANT: Mr. Compton, a consultant with Bowman Consulting Group addressed the questions and concerns.

PUBLIC: None

MOTION: Mr. Watson made a motion, **SECONDED** by Mr. Moir to approve staff's recommendation of approval. The Motion **CARRIED** unanimously 4-0.

NPH-2 MAGED METWALLY (M220-003) (QUASI-JUDICAL)

Request for a zoning district change from the current M-2, Industrial Zoning District to the LI, Limited Industrial Zoning District, or the most appropriate zoning district. The project is located on an approximate .77-acre undeveloped parcel on the south side of SE Waaler Street approximately 900 feet west of SE Commerce Avenue in Stuart. Included in with this application is a Certificate of Public Facilities Exemption.

Requested by: Donald Cuzzo, Cuzzo Planning Solutions, LLC
Presented by: Matthew Stahley, Senior Planner, Growth Management Department

Agenda Item: 20-1036

***For the Record:**

LPA: Ex parte communication disclosures – None; Interveners – None.

COUNTY: All staff and individuals speaking on this matter were sworn in.

STAFF: Mr. Stahley, Senior Planner with the Growth Management Department, provided NPH-2, Exhibit 1, a copy of the agenda item, staff report and work history for the record.

STAFF: Mr. Stahley presented NPH-2.

LPA: Mr. Moir asked if this was the best zoning possible for this property from staff's perspective.

STAFF: Mr. Stahley noted it was the least intensive and is similar to other parcels in the industrial park that have been rezoned and is compatible with the future land use.

APPLICANT: Mr. Cuozzo representing the applicant, Maged Metwally, provided the mailer affidavit for the notices to the surrounding homeowners; Mr. Cuozzo continued with a slide presentation and requested that the zoning district change be approved per staff recommendations.

PUBLIC: None.

MOTION: a motion was made by Mr. Flanagan, **SECONDED** by Mr. Watson to approve staff's recommendation of approval for the rezoning from M-2 (Industrial Zoning District) to LI (Limited Industrial District). The motion **CARRIED** unanimously 4-0.

NPH-3 COMPREHENSIVE PLAN AMENDMENT 20-03, AQUARIUS LAND HOLDINGS

Public hearing to consider a proposed request for a site-specific text amendment to the Comprehensive Growth Management Plan regarding uses permitted on the 34.96-acre property, located on the north side of S.E. Cove Road and the west side of S.E. Willoughby Boulevard.

Requested by: Michael Houston, HJA Design Studio

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

Agenda Item: 20-1038

***For the record:**

LPA: Ex parte communication disclosures – None; Interveners- None.

STAFF: Ms. Jose, Planner with Growth Management Department presented item NPH-3.

Ms. Jose concluded that the amendment only applies to the subject site. No matter what usage, the net outbound PM trips will be limited to 340 trips; and considering all factors such as existing availability of capital/public facilities, staff recommends approval.

LPA Members: Had discussions regarding the 340 net outbound PM Trips.

STAFF: Mr. Dulin provided more information regarding the 340 trips. And noted that the 340 trips are intended to limit the impact of any proposed future development on the site.

STAFF: Mr. Schilling noted that a full Traffic impact analysis would be done with any future proposed final site plan application.

APPLICANT: Mr. Houston with HJA Design Studio, representing Aquarius Land holdings presented an overview slide presentation for NPH-3. Mr. Houston agrees with staff recommendation of approval.

LEGAL: Ms. Storey noted that the language is binding on the development of the property in the future and that the net outbound peak trips generated by all uses shall be limited. When a final site plan comes forward, traffic calculations will have to be done before a final site plan can be approved.

APPLICANT: Ms. O'Rourke with O'Rourke Engineering & Planning suggested revising the text to say 340 trips based on Institute of Transportation Engineers (ITE) trip generations.

PUBLIC: The following individual(s) spoke on this item:
Mr. Kenneth Sezakas, had a general inquiry.

LPA MEMBERS: Had more discussion on traffic.

LPA: Mr. Moir raised concerns about residential development on Cove Road regarding traffic and school overcrowding.

SCHOLL BOARD LIASON: Ms. Everman stated that she has concerns about new developments on Cove Road and the impact on schools. She noted that she will be closely watching for capacity.

MOTION: a motion was made by Mr. Watson, **SECONDED** by Mr. Flanagan to approve staff's recommendation of approval subject to clarification being providing within the text amendment that the trip threshold is based on the ITE trip generations at the time of site plan approval. The motion **CARRIED** 3-1 by the following vote:

Aye- 3 – Mr. Flanagan, Ms. Hall and Mr. Watson
Nay: 1 – Mr. Moir

COMMENTS

1. PUBLIC – None
2. STAFF – Next meeting would be September 17, 2020.
3. LPA – There was no further business.

ADJOURN:

The September 3, 2020, Local Planning Agency meeting adjourned at 8:14 pm.

Respectfully Submitted:

Approved by:

Denise Johnston, Martin County
Growth Management Department
Agency Recorder/Notary

Jim Moir, Chairman

Date Signed:

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