



LOCAL PLANNING AGENCY MINUTES

September 17, 2020

**JOHN F. & RITA M. ARMSTRONG WING OF THE
BLAKE LIBRARY 2351 SE MONTEREY ROAD
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
Donald Foley III

Not Present: School Board Liaison – Kimberly Everman and Scott Watson.

Vice Chair Cindy Hall called the meeting to order at 7:01pm. A quorum was present.

Present:

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

MINU APPROVAL OF MINUTES

MINU-1 AUGUST 20, 2020

The board is asked to approve the minutes from the August 20, 2020 LPA meeting.

Agenda Item: 20-1034

MOTION: A Motion was made by Mr. Foley, SECONDED by Mr. Flanagan to approve the minutes of the August 27, 2020 LPA Meeting. The Motion CARRIED 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.

DEP DEPARTMENTAL

DEP-1 IMPEDANCE BAILE ANCILLARY RETAIL (I059-004) (QUASI-JUDICIAL)

Impedance Baile LLC is requesting approval of ancillary retail use in the form of a 750 square foot convenience restaurant within a proposed 11,000 square foot office building within COR-1 zoning district. The 1.11-acre vacant parcel is located on the east side of South Kanner Highway approximately 1,200 feet north of the intersection of Salerno Road and South Kanner Highway in Stuart.

Requested by: Daniel Siemen, Project Manager, Gentile Glas Holloway O'Mahoney & Associates, Inc.

Presented by: Matthew Stahley, Sr. Planner, Growth Management Department

Agenda Item: 20-1058

***For the record:**

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

COUNTY: All staff and individuals wishing to speak on this matter were sworn in.

STAFF: Mr. Stahley, Senior Planner with the Growth Management Department provided a copy of the agenda item and work history for the record.

STAFF: Mr. Stahley Presented DEP-1 and noted that staff has reviewed the request and finds it complies with Article 3, Division 3, Section 3.56.1 of the Martin County Land Development Regulations and recommends approval of the request for ancillary retail in COR-1 Zoning District.

LPA: Mr. Moir had questions regarding parking.

STAFF: Mr. Stahley noted that parking for the ancillary retail use was considered in the site plan that is currently under review and will be providing for in the parking calculations.

APPLICANT: Daniel Siemen, Project Manager, Gentile Glas Holloway O'Mahoney & Associates, Inc. stated that the ancillary retail within the building at 750 Square Foot does meet all the pertinent regulations for the code and agrees with staff recommendation.

PUBLIC: None

MOTION: A motion was made by Mr. Flanagan to approve staff's recommendation of approval of the ancillary retail use amendment. **SECONDED** by Mr. Foley. The motion **CARRIED** unanimously 4-0.

NEW NEW BUSINESS

NPH-1 COMPREHENSIVE PLAN AMENDMENT 20-2, MARTINEZ COVE ROAD

Public Hearing to consider a Future Land Use Map change from Rural Density Residential (up to 1 unit per 2 acres) to Residential Estate Density (up to 2 units per acre) on an approximate 2.38-acre parcel located at 1500 S.E. Cove Road, west of S.E. Grace Lane.

Requested by: Tyson Waters, Esq. Fox McCluskey Bush Robinson, PLLC

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

Agenda Item: 20-1051

***For the Record:**

COUNTY: Ms. Krista noted that items NPH-1 and NPH-2 can be presented together but that separate motions would need to be taken for each item.

LPA: Ex parte communication disclosures – Mr. Flanagan noted for the record that he had none with the applicant specifically but is involved with the Samaritan Center next door to the property and did have discussions in that regard. Interveners – None present.

COUNTY: All staff and individuals wishing to speak on this matter were sworn in.

STAFF: Ms. Jose, Planner with the Growth management Department provided NPH-1, and NPH-2, a copy of the agenda items, staff reports, and work history were entered into the record.

STAFF: Ms. Jose presented NPH-1 and recommended approval of the proposed request to consider a Future Land Use Map Amendment to change for Rural Density Residential (up to 1 unit per 2 acres) to Residential Estate Density (up to 2 units per acre) on an approximate 2.38-acre parcel located at 1500 S.E. Cove Road, west of S.E. Grace Lane.

STAFF: Ms. Jose presented NPH-2 and recommended approval of the proposed re-zoning from A-1 (Small Farms District) to RE-1/2 A. (Residential Estate District), or the most appropriate zoning district regarding Comprehensive Plan Amendment 20-2, Martinez Cove Road FLUM.

LPA: Had no questions for staff.

APPLICANT: Mr. Waters, with Fox McCluskey Bush Robinson, PLLC, representing the applicant noted that the affidavit of mailing has been turned in to staff. Also, noted that he

agrees with staff's recommendation and that it is the intent of the applicant to make this a four-lot family compound.

LPA: Mr. Moir had concerns about the southern strip of land remaining under Estate Density.

STAFF: Mr. Dulin brought up a proposed map of the project to address Mr. Moir's concerns showing a large preserve area between the houses and Grace Lane that will separate the houses in Cove Royale from the subject site.

PUBLIC: None.

LPA: Mr. Flanagan noted that there was a letter from a member of the public that could not attend the meeting who lives in Legacy Cove that was very concerned to the changes in the rural density code.

MOTION: Mr. Foley made a motion, SECONDED by Mr. Flanagan to approve staff's recommendation of approval. The Motion CARRIED 3-1 by the following vote:

Aye: 3 – Mr. Flanagan, Mr. Foley and Ms. Hall

Nay: 1 – Mr. Moir

NPH-2 MARTINEZ COVE ROAD REZONING (QUASI-JUDICIAL)

Application for re-zoning from A-1 (Small Farms District) to RE-1/2 A. (Residential Estate District), or the most appropriate zoning district regarding Comprehensive Plan Amendment 20-2, Martinez Cove Road FLUM.

Requested by: Tyson Waters, Esq. Fox McCluskey Bush Robinson, PLLC

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

Agenda Item: 20-1054

MOTION: Mr. Foley made a motion, SECONDED by Mr. Flanagan to approve staff's recommendation of approval. The Motion CARRIED 3-1 by the following vote:

Aye: 3 – Mr. Flanagan, Mr. Foley and Ms. Hall

Nay: 1 – Mr. Moir

NPH-3 COMPREHENSIVE PLAN AMENDMENT 10-6, KL WATERSIDE LLC FLUM

Public hearing to consider a Future Land Use Map change from Agricultural, Industrial & Marine Waterfront Commercial to Industrial and reduction of Marine Waterfront Commercial approximately 499,4 acres located south of SW 96th Street, between SW Kanner Highway (SR 76) and the St. Lucie Canal.

Requested by: Morris Crady, AICP, Senior Vice President, Lucido & Associates

Presented by: Samantha Lovelady, AICP, Principal Planner, Growth Management Department.

Agenda Item: 20-1055

***For the record:**

COUNTY: Ms. Krista noted that items NPH-3, NPH-4 and NPH-5 can be presented together but that separate motions would need to be taken for each item.

LPA: Ex parte communication disclosures – Mr. Flanagan noted that he spoke to the Principal of Crystal Lake Elementary School; Interveners- None.

COUNTY: All staff and individuals wishing to speak on this matter were sworn in.

STAFF: Ms. Lovelady, Principal Planner with the Growth management Department provided NPH-3, NPH-4 and NPH-5, a copy of the agenda items, staff reports, and work history were entered into the record.

STAFF: NPH-3 -Staff recommends approval.

LPA: Mr. Moir had questions regarding the land use amendment and the no net loss policy on waterfront commercial land.

STAFF: Ms. Lovelady addressed his questions.

STAFF: NPH-4-Staff recommendation approval, LI is consistent with the Industrial future land use designation, a PUD may be more appropriate than LI. AG-20A is consistent with the Agricultural future land use designation. No net loss of agricultural land and no increase in urban uses.

STAFF: NPH-5 - Recommends approval of changes to the Figure 4-2, Urban Service District; 11-1, Areas Currently Served by Regional Utilities; and 11-2, Potential Service Areas. Staff recommends approval of the proposed changes to Policy 4.13A.10, Industrial development; Policy 4.7A.14 Allowable development outside the primary Urban Service District; Policy 4.7A.3 Exceptions to location in the primary Urban Service District; Policy 4.7A3.1; and Policy 4.1B.2 Analysis of availability of public facilities.

COUNTY: Ms. Story asked Mr. Dulin to address the LPA members regarding marine waterfront designation. She also noted additional public comment regarding the text amendment that was received from the Town of Jupiter shortly before the meeting.

STAFF: Mr. Dulin addressed the LPA regarding the land use designation.

APPLICANT: Morris Crady, Senior Vice President with Lucido & Associates representing the landowner KL Waterside, LLC, turned in the mailing notices of the surrounding property owners for the record. Mr. Crady agreed with staff's recommendation.

LPA: Members had questions regarding traffic issues.

APPLICANT: Mr. Crady address the concerns regarding traffic.

PUBLIC: None

MOTION: a motion was made by Mr. Foley, SECONDED by Mr. Flanagan regarding the proposed changes by the following vote:

Aye: 2 – Mr. Foley and Ms. Hall
Nay: 2 – Mr. Moir and Mr. Flanagan

NPH-4 KL WATERSIDE, LLC REZONING (QUASI-JUDICIAL)

Application for re-zoning from WGC (Waterfront General Commercial District) and GI (General Industrial District) to AG-20A (Agricultural District), or the most appropriate zoning district. The application also proposes a change for A-2 (Agricultural District) to the LI (Limited Industrial District), or the most appropriate zoning district, regarding Comprehensive Plan Amendment 19-6, KL Waterside

Requested by: Morris Crady, AICP, Senior Vice President, Lucido & Associates
Presented by: Samantha Lovelady, AICP, Principal Planner, Growth Department.

Agenda Item: 20-1056

***For the record:**

MOTION: a motion was made by Mr. Foley, SECONDED by Mr. Flanagan regarding the proposed changes by the following vote:

Aye: 2 – Mr. Foley and Ms. Hall
Nay: 2 – Mr. Moir and Mr. Flanagan

NPH-5 COMPREHENSIVE PLAN AMENDMENT 19-5, KL WATERSIDE LLC TEXT

Public hearing to consider a proposed request to amend Chapter 4, Future Land Use Element and Figure 4-2, Urban Service Districts. Also proposed are amendments to Chapter 11, Potable Water Services Element/10 Year Water Supply Facilities Work Plan specifically, Figure 11-1, Areas, Currently Served by Regional Utilities and Figure 11-2, Potential Services Areas of the Comprehensive Growth Management Plan. The text amendments would also create a 250-acre Freestanding Urban Service District within a 499.4-acre property located south of SW 96th Street, between SW Kanner Highway (SR76) and the St Lucie Canal.

PUBLIC: None

Requested by: Morris Crady, AICP, Senior Vice President, Lucido & Associates
Presented by: Samantha Lovelady, AICP, Principal Planner, Growth Department.

Agenda Item: 20-1057

***For the record:**

MOTION: a motion was made by Mr. Foley, SECONDED by Mr. Flanagan regarding the proposed changes by the following vote:

Aye: 2 – Mr. Foley and Ms. Hall
Nay: 2 – Mr. Moir and Mr. Flanagan

COMMENTS

1. PUBLIC – None
2. STAFF – Noted that there are no Items for the October 1, 2020 meeting and next meeting will be October 15, 2020.
3. LPA – There was no further business.

ADJOURN:

The September 17, 2020, Local Planning Agency meeting adjourned at 8.42 pm.

Respectfully Submitted:

Approved by:

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

Cindy Hall, Vice Chair

Date Signed:

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