



# Martin County

Administrative Center  
2401 SE Monterey Road  
Stuart, FL 34996

## Meeting Minutes

### Local Planning Agency

Cynthia Hall, District 1, 11/2024  
William J. Flanagan, Vice Chair, District 2, 11/2022  
Donald Foley III, District 3, 11/2024  
James Moir, Chairman, District 4, 11/2022  
Ransom Reed Hartman, District 5, 11/2024  
Kimberly Everman, School Board Liaison, 12/2021

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Thursday, September 16, 2021

7:00 PM

Commission Chambers

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#### CALL TO ORDER

James Moir, Chairman called the meeting to order at 7:01 pm. A quorum was present.

#### ROLL CALL

Present: James Moir, Chairman  
William J. (Joe) Flanagan, Vice Chair  
Donald Foley, III

Not Present: Ransom Reed Hartman  
Cindy Hall  
School Board Liaison – Kimberly Everman

#### Staff Present:

Senior Assistant County Attorney .....Elysse Elder  
Growth Management Director ..... Paul Schilling  
Principal Planner.....Peter Walden  
Comp Planning Administrator..... Clyde Dulin  
Agency Recorder/Notary..... Denise Johnston

#### MINU APPROVAL OF MINUTES

##### MINU-1 AUGUST 19, 2021

The Board was asked to approve the minutes from the August 19, 2021 Local Planning Agency (LPA) meeting.

##### Agenda Item: 21-1081

MOTION: A Motion was made by Mr. Flanagan; SECONDED by Mr. Foley to approve the minutes of the August 19, 2021 LPA Meeting; The Motion CARRIED 3-0.

## **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: 21-1079**

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

## **NEW BUSINESS**

### **NPH-1 THE PRESERVE AT PARK TRACE PUD (V038-002) (QUASI-JUDICIAL)**

Request approval for Planned Unit Development, (PUD) zoning district designation including a concurrent approval of a master/final site plan for the development of a 114 lot single family subdivision and the associated infrastructure on an approximate 97 acre parcel located on the south side of SE Cove Road at the Willoughby Boulevard intersection in Stuart. Included in this application is a request for a Certificate of Public Facilities Reservation.

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

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

### **Agenda Item: 21-1079**

#### **\*For the Record:**

LPA: There were no ex parte communication disclosures: None. No Intervenors were present.

All staff and individuals speaking on this matter were sworn in by the Agency Recorder/Notary.

STAFF: Mr. Walden, provided NPH-1, Exhibit 1 a copy of the agenda item, staff report and work history.

Mr. Walden provided staff's presentation for NPH-1 for the proposed project. Mr. Walden noted the proposed public benefits include preserving approximately 2/3 of the site in the PAMP, the extension of a public sidewalk approximately 3000 ft. west to connect to the sidewalk proposed by the neighboring Cove Royal development, and an enhanced wetland monitoring system to ensure previous man made impacts are adequately addressed and remediated. Staff has found the application to be in compliance with the Comprehensive Plan and Land Development Regulations as detailed in the staff report and staff recommends approval.

LPA: Mr. Flanagan asked staff if there was any affordable housing or density bonuses.

STAFF: Mr. Walden stated there were none.

LPA: Mr. Foley asked staff for 11x17 copies of the maps for future meetings.

LPA: Mr. Moir had questions regarding wetland monitoring and if there was any connectivity with the Cove Royale development besides the sidewalk.

STAFF: Mr. Walden addressed his questions.

APPLICANT: Mr. Crady with Lucido & Associates, representing the applicant, provided required notification of surrounding property owners notices for NPH-1, Exhibit-2. Mr. Crady noted that over 500 surrounding property notices were sent out. Mr. Crady presented a slide presentation of the project and went over key elements of the project. Mr. Crady noted that they are meeting all the environmental guidelines and exceeded them. They are consistent with all land development regulations and comprehensive plan policies. They are compatible with the surrounding properties and development trend for the area. Mr. Crady agrees with staff recommendation of approval with the added condition regarding the adjacent property owners by the entrance to the project to plant a hedge of native vegetation along the property line along with a 6 ft. fence or wall to give the neighbors some added protection from the lights from traffic going in and out of the project.

LPA: Mr. Moir asked staff to display a topographical map.

APPLICANT: David Baggett, with EDC, Engineer of Record for the project, displayed topographical maps and discussed waterflow of the wetlands and how they will maintain the wetlands and not impact them.

LPA: Mr. Moir had a question regarding the School Board in regards why not Anderson Middle School or Pinewood Middle School. Mr. Flanagan stated that he made a call to the School Board liaison, Kimberly Everman, and she moved it to the Anderson slot because of current school redirecting.

LPA: Mr. Foley had a question regarding the distance from the property line to the pavement.

APPLICANT: Ms. Susan O'Rourke, PE, traffic engineer for the project, answered questions regarding the signalization on Cove Road. She stated that she has submitted design plans and is working with the County Engineering Department to upgrade the signal, add turn lanes and modify the sidewalks to properly connect so that everything is safe.

PUBLIC: James Manning and Maryanne Manning, adjacent property owners at 2400 SE Cove Rd., spoke regarding concerns about additional traffic and potential flooding on their property and the proposed fence would not hold back flooding if the project was approved.

APPLICANT: Mr. Crady stated the fence has nothing to do with drainage it is just for impact for the lights and referred to David Baggett to answer questions regarding drainage.

APPLICANT: Mr. David Baggett with EDC answered it will curb and gutter at the entrance and anything drained off the new impervious areas gets collected in the gutter dumped into the storm sewer and kicked back to the lakes.

**MOTION:** A Motion was made by Mr. Flanagan to deny the applicant's request; **SECONDED** by Mr. Foley, who stated that, even though it looks like they have done their due diligence with all the water issues, recommends the motion to deny.

APPLICANT: Mr. Crady asked the LPA Board members to clarify that they are not saying that they are not in compliance with the codes and regulations.

STAFF: Paul Schilling Growth Management Director, stated that the PUD application is in compliance and has been reviewed by the development review team.

COUNTY: Ms. Elder, Senior Assistant County Attorney, stated that we have codes and regulations in place and staff has recommend approval, that all requirements have been met and denial should be based on the codes and regulations. She instructed the LPA members that, if you are going to deny, they need to specify for the record the reasons for denial.

LPA: After further discussion, Mr. Moir tabled the Motion and the second, passed the gavel, and made an alternate motion to approve staff's recommendation of approval to move The Reserve at Park Trace PUD application forward to the BOCC with the following comments, that the LPA Board as it stands now with two members absent is very concerned about developments along Cove Road and has a strong reluctance to approve any developments along Cove Road until the roadway conditions are improved and is extremely uncomfortable with the way the County uses rainfall amounts and storm quantities to approve stormwater treatment areas on developments in the County currently; **SECONDED** by Mr. Foley; the motion **CARRIED 3-0**.

STAFF: Mr. Walden stated that he would convey the comments and concerns of the LPA members to the Commissioners when the item goes to the BOCC meeting on September 28, 2021.

## **NPH-2 COMPREHENSIVE PLAN AMENDMENT CPA 21-16, PROPERTY RIGHTS ELEMENT**

Public hearing to consider amending any chapters of the Comprehensive Growth Management Plan necessary to create a property rights element in compliance with Chapter 2021-195, Laws of Florida and to any other chapters of the Comprehensive Growth Management Plan necessary for consistency.

Requested by: Paul Schilling, Growth Management Director

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

### **Agenda Item: 21-1082**

STAFF: Mr. Dulin provided staff's presentation of Comprehensive Growth Management Plan Chapter 19, Property Rights, NPH-2; Staff recommends approval.

PUBLIC: No public spoke on this item.

LPA: There was a brief discussion on the item.

**MOTION:** A Motion was made by Mr. Flanagan for approval based on staff's recommendation;  
**SECONDED** by Mr. Foley; The Motion **CARRIED** 3-0.

**COMMENTS:**

1. PUBLIC - None
2. STAFF - Paul Schilling noted that there are items for October 7 and October 21, LPA Meetings.
3. LPA – There was no further business.

**ADJOURN:**

The Local Planning Agency meeting of September 16, 2021 meeting adjourned at 8:23 pm.

Respectfully Submitted:

Approved by:

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

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James Moir, Chairman

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Date Signed

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