



**LOCAL PLANNING AGENCY
MINUTES**

August 6, 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: 5- Chairman Jim Moir (via Phone)
Vice Chair Cindy Hall
William (Joe) Flanagan
Donald Foley III
Scott Watson

Not Present: School Board Liaison – Kimberly Everman.

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

Present:

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

MINU APPROVAL OF MINUTES

MINU-1 MAY 7, 2020

The board is asked to approve the minutes from the May 7, 2020 LPA meeting.

Agenda Item: 20-0738

MOTION: A Motion was made by Mr. Foley, Seconded by Mr. Watson to approve the minutes of the May 7, 2020 LPA Meeting. The Motion CARRIED 5-0.

MINU-2 JUNE 4, 2020

The board is asked to approve the minutes from the June 4, 2020 LPA meeting.

Agenda Item: 20-0927

MOTION: A Motion was made by Mr. Moir, Seconded by Mr. Flanagan to approve the minutes of the June 4, 2020 LPA Meeting. The Motion CARRIED 5-0.

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. 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: 20-0808

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

NEW BUSINESS

NPH-1 HOBE SOUND PUBLIX (H150-002) (QUASI-JUDICIAL)

Hobe Sound Publix, Publix Super Markets, Inc. – Request for a major final site plan approval to develop an approximate 29,637 square foot grocery store with a 1,400 square foot attached liquor store, and associated infrastructure. The grocery store and attached liquor store will encompass approximately 4.97 acres of the site, with a 0.89 acre outparcel to be developed in the future. The is an approximate 6.04-acre vacant parcel located at the northeast corner of SE Federal Highway and SE Osprey Street in Hobe Sound. Included in this application is a request for a Certificate of Public Facilities Reservation.

Applicant requests to continue to the August 20, 2020 LPA Meeting.

Requested by: Craig L. Buchanan, Windcrest Development Group, Inc.

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

Agenda Item: 20-0924

MOTION: Mr. Foley made a motion, Mr. Watson SECONDED to approve applicant's request to continue their item to the August 20, 2020 LPA Meeting. Motion Carried 5-0.

NPH-2 COMPREHENSIVE PLAN AMENDMENT 19-26, SUNSHINE STATE CARNATIONS

Public hearing to consider a Future Land Use Map Change from Residential Estate Density (2UPA) to Low Density Residential (5UPA) on two parcels approximately 19.44 acres located at 9450 SE Gomez Avenue in Hobe Sound.

Requested by: Daniel Sorrow, AICP, Cotleur & Hearing

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

Agenda Item: 20-0886

COUNTY: Ms. Storey explained to the Board members that in the past we have allowed staff and the applicant to discuss a comprehensive plan amendment and a rezoning as one presentation but noted that there must be two different motions one for the land use change and one for the rezoning which will make the process more efficient. Ms. Storey also advised there would be opportunity for members of the public to speak on both items.

***For the record:**

COUNTY: Ms. Storey noted that the first item NPH-2 is a legislative matter and the second item NPH-3 is a quasi-judicial matter and for purposes of presentation asked the LPA members to disclose any ex-parte communications.

LPA: Mr. Moir had none. Mr. Flanagan, Mr. Watson and Mr. Foley met with the applicants. Ms. Hall was contacted by the applicants but did not meet with them. There were no intervenors.

COUNTY: Ms. Storey insured Quasi-Judicial procedures were applied and all staff and applicants wishing to speak were sworn in.

STAFF: Ms. Jose provided NPH-3, Exhibit 1, a copy of her work history and of the agenda item for the record.

STAFF: Ms. Jose presented CPA 19-26, Sunshine State Carnations for a Future Land Use change from Residential Estate Density (2upa) to Low Density Residential (5UPA). Staff recommends approval to Low Density Residential (5UPA).

LPA: Mr. Flanagan had a question for staff regarding the two lots along Gomez that had been split and if there were any houses on those lots.

STAFF: Ms. Jose confirmed there were houses on the property.

LPA: Mr. Flanagan also had questions regarding the land use regarding the different size of some of the surrounding subdivisions on the east side in of the subject in the surrounding area.

STAFF: Mr. Schilling addressed the questions.

APPLICANT: Mr. Sorrow representing Coteleur & Hearing, provided the mailer affidavit for the notices to the surrounding homeowners with in a 1000 sf of the subject site and a copy of the presentation for the record. Mr. Sorrow continued with his presentation and stated that both the Land Use and Rezoning are in compliance with all Growth Management policies.

LPA: Mr. Moir had questions regarding the differences between RS-4 and RS-5 with comparison to Sablewood Subdivision and the acreage comparison between Sablewood Sunshine Carnation site. Also has questions regarding density transition areas.

STAFF: Ms. Jose and Clyde Dulin brought of the inter active maps and answered the questions.

LPA: Mr. Watson had questions regarding the lot sizes and density transition.

STAFF: Mr. Schilling said those issues would be addressed at site plan approval. He also noted that, standards today for Subdivisions in addition to creating lots there are landscape tracts preserve area management tracts, stormwater tracts and those are separate and distinct from the lot size. All those things would reduce the number of units, this is not a guarantee and is for illustrative purposes only. Paul also noted we do not put landscape tracts, stormwater, and preserve area tracts on single family lots, they are strictly limited to the single family and accessory structures.

COUNTY: Ms. Storey confirmed for the public that this is request for a Land Use change and Rezoning and so for illustrative purposes the applicant has shown a site plan example as part of the presentation to support their request from the LPA. Staff has not or would they be able to confirm the number of lots, not at this point or do an analysis at this time. She also noted this is not a site plan approval.

PUBLIC: The following individuals spoke opposing:

Gail Herrill – submitted correspondence for the record.

Mary Gavin – submitted additional copies of petitions for the record.

Chandra Talerico, Anthony Talerico, Bruce Montefurco, Brad Gunter, Douglas Bernhard, and Andrew Shamber.

MOTION: a motion was made by Mr. Moir, **SECONDED** by Mr. Flanagan to accept staff's recommendation of approval of Comprehensive Plan Amendment 19-26 for Future Land Use Map Change from Residential Estate Density (2UPA) to Low Density Residential (5UPA) to move forward.

The **MOTION** carried 4-1 by the following vote:

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

Nay: 1 – Mr. Foley

NPH-3 SUNSHINE STATE CARNATIONS REZONING (QUASI-JUDICIAL)

Application for re-zoning from R-2B and R-2 (Single-Family Residential District) to RS-5, (Low Density Residential District) or the most appropriate zoning district regarding Comprehensive Plan Amendment 19-26, Sunshine State Carnations FLUM.

Requested by: Daniel Sorrow, AICP, Cotleur & Hearing

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

Agenda Item: 20-0926

***For the record:**

STAFF: Ms. Jose presented a power point slide presentation of the Sunshine State Carnations Rezoning (Quasi-Judicial).

APPLICANT: Mr. Sorrow representing Cotleur & Hearing, provided the mailer affidavit for the notices to the surrounding homeowners with in a 1000 sf of the subject site and a copy of the presentation for the record. Mr. Sorrow continued with his presentation

APPLICANT: Mr. Sorrow: Noted that the reason they choose RS-5 is because it was to most compatible and was stricter. And would like the LPA to consider their request of RS-5.

MOTION: a motion was made by Mr. Moir to approve to RS-4 Zoning, **SECONDED** by Mr. Flanagan. The motion **CARRIED** 4-1 by the following vote:

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

Nay: 1 – Mr. Foley

LPA COMMENTS: Ms. Hall noted for the benefit of the public that this is a recommendation we give to the Board of County Commissioners and the items would be going to two more public hearings.

COUNTY: Ms. Storey confirmed that there will be two more hearing meetings and notices for those dates have not been sent yet and that additional notices will be required.

NPH-4 COMPREHENSIVE PLAN AMENDMENT 19-28, GOLDEN GATE CRA

Public hearing to consider an amendment to the Future Land Use map regarding the Golden Gate Community Redevelopment Area.

Requested by: Susan Kores, Office of Community Development Manager

Presented by: Irene Szedlmayer, AICP Principal Planner, Growth Management Department

Agenda Item: 20-0616

***For the record**

STAFF: Ms. Szedlmayer provided the staff's presentation to the Board.

STAFF: Ms. Szedlmayer affirmed that the certification of mailing by Susan Kores, a copy of the agenda item and both Ms. Szedlmayer and Ms. Kores' work histories were submitted for the record.

LPA: Mr. Moir had questions regarding industrial permitted uses verses and general commercial permitted uses on the property and are there any increase of intensity of use permitted in the CRA.

STAFF: Ms. Szedlmayer addressed his questions.

PUBLIC: None.

MOTION: A motion was made by Mr. Moir, SECONDED by Mr. Foley to accept staff's recommendation of approval for CPA 19-28, Golden Gate CRA to move forward.

The motion CARRIED 5-0.

NPH-5 PUBLIC HEARING TO CONSIDER THE CREATION OF DIVISION 7, GOLDEN GATE COMMUNITY REDEVELOPMENT CODE OF ARTICLE 12, REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, AND AMENDING THE ZONING ATLAS. (QUASI-JUDICIAL)

Requested by: Susan Kores, Office of Community Development Manager

Presented by: Dana Little, Urban Design Director, Treasure Coast Regional Planning Council

Agenda Item: 20-0768

***For the record**

LPA: There were no ex parte communication disclosures. No Intervenor were present.

COUNTY: Ms. Story insured Quasi-Judicial procedures were applied and all applicants and staff wishing to speak on this matter were sworn in.

APPLICANT: Ms. Kores manager of the office of Community Development noted that the complete agenda item has been submitted for the record and the public was notified via signage, newspaper article and 855 notices letters were mailed within the CRA Boundary

and those 1000 ft out. Ms. Kores also thanked Staff and Board saying it has been a good experience working with you all.

Mr. Little: Provided his presentation to the Board.

LPA: Mr. Moir had questions and concerns regarding the streetscaping and the safety regarding pedestrian crossings and traffic issues.

Ms. Kores and Mr. Little addressed his questions and concerns.

PUBLIC: None

Mr. Little: Thanked Staff and the LPA members and noted that all the CRA Plans have come out better having gone through this board.

MOTION: A motion to accept the amendments to the Land Development Regulations was made by Mr. Flanagan, **SECONDED** by Mr. Foley. The Motion Carried 5-0.

NPH-6 PUBLIC HEARING TO CONSIDER AMENDING SECTION 3.201C, ACCESSORY USES BY ZONING DISTRICTS OF ARTICLE 3, ZONING DISTRICTS, LAND DEVELOPMENT REGULATIONS; AFTER THE DECLARATION OF A LOCAL STATE EMERGENCY, AUTHORIZING THE TEMPORARY USE OF RECREATIONAL VEHICLES WHEN A DWELLING ON THE PROPERTY IS UNINHABITABLE.

Requested by: Krista Storey, Sr. Assistant County Attorney. County Attorney's Office

Presented by: Krista Storey, Sr. Assistant County Attorney. County Attorney's Office

Agenda Item: 20-0925

COUNTY: Ms. Storey presented to the Board.

Ms. Storey noted that per the declaration of an emergency order related to the Hobe Heights flooding that this request is to change one portion of the land development regulations to allow the utilization on a temporary basis of recreational vehicles. The proposal is the amendment of section 3.201C and is to address a need recognized within Emergency order 20-14 regarding Hobe Heights flooding. The draft ordinance would propose after a declaration of a local state emergency the temporary use of recreational vehicles for occupancy that would be authorized when a dwelling on the property is uninhabitable. Codifying this proposed language, would provide relief past the time allowed by the local state emergency orders. It is a recommendation by staff for approval and recommendation to the Board of County Commissioners. Ms. Storey noted it was currently proposed to go to the Board of County Commissioners on August 11, 2020. It has been reviewed by Growth Management staff and is a good solution for the residents of Hobe Sound, and would also be applied countywide.

LPA: Mr. Moir had questions regarding RV types and sanitation issues.

Clyde Dulin: Addressed Mr. Moir's questions regarding the sanitation issues and the varieties of recreational types.

MOTION: A motion was made by Mr. Moir, SECONDED by Mr. Flanagan to accept staff's recommendation of approval. The motion CARRIED 5-0.

COMMENTS

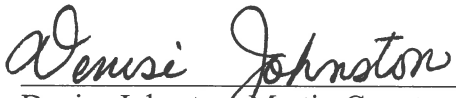
1. PUBLIC – None
2. STAFF – Noted that the Hobe Sound Publix item will be presented at the 8/20/2020 meeting.
3. LPA – There was no further business.

ADJOURN:

The August 6, 2020, Local Planning Agency meeting adjourned at 9:27 pm.

Respectfully Submitted:

Approved by:


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


Jim Moir, Chairman

9-3-2020
Date Signed:

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