

LOCAL PLANNING AGENCY MEETING

**Martin County Commissioner Chambers
2401 S.E. Monterey Road
Stuart, Florida 34996**

MEETING MINUTES- January 4, 2018

Present:

Chairman.....	Jim Moir
Vice Chair	Cindy Hall
Agency Members.....	Don Foley, III
.....	Joseph Banfi

Absent:

Agency Member	Scott Watson
---------------------	--------------

Staff Present:

Growth Management Department:

Director	Nicki van Vonno
Principal Planner	Catherine Riiska
Senior Planner.....	Peter Walden
Sr. Assistant County Attorney.....	Krista Storey
Agency Recorder.....	Mary Holleran

1. CALL TO ORDER

The meeting was called to order at 7:02 pm by Mr. Moir, Chairman. A quorum was noted.

2. CONSENT AGENDA

A. Approval of Consent Agenda and Minutes of the LPA meeting of December 7, 2017.

* **MOTION – MOVED** by Ms. Hall to approve the Consent Agenda and Minutes of the LPA meeting of December 7, 2017.

** **SECONDED** by Mr. Banfi Carried **UNANIMOUSLY**

3. UNFINISHED BUSINESS

A. Public Hearings

1. None

B. Requests and Presentations

1. None

4. NEW BUSINESS

A. Annual Election of New Officers

Requested by: Nicki van Vonno, AICP, Growth Management Director

Presented by: Nicki van Vonno, AICP, Growth Management Director

Chairman Moir called for nominations to serve as Chair of the Local Planning Agency.

Ms. Hall nominated Jim Moir to serve as Chairman.

Mr. Banfi seconded the nomination. There were no other nominations.

*** MOTION - Nomination of Jim Moir to serve as Chairman of the Local Planning Agency, was seconded and carried UNANIMOUSLY.**

Chairman Moir agreed to serve as Chairman and called for nominations to serve as Vice Chair of the Local Planning Agency.

Mr. Don Foley was agreeable to serve as the Vice Chair.

Mr. Banfi nominated Scott Watson to serve as Vice Chairman.

Mr. Foley seconded the nomination. There were no further nominations.

**** MOTION – Nomination of Scott Watson to serve as Vice Chairman of the Local Planning Agency was seconded and carried UNANIMOUSLY.**

B. Public Hearings

- 1. Jensen Beach Holdings, LLC Rezoning (J04010) (Quasi-Judicial)** Request for a zoning change from the current R-3A, Liberal Multiple-Family District to the COR-1, Commercial Office/Residential District or the most appropriate zoning district, for an approximately 4.4 acre parcel located at 520 NE Jensen Beach Boulevard, Jensen Beach. Included in this application is a request for a Certificate of Adequate Public Facilities exemption. Agenda Item
Requested by: Terence McCarthy, Esq., McCarthy, Summers, et al
Presented by: Catherine Riiska, MS, PWS, Principal Planner, Growth Management Department

- *** Ex Parte Communication Disclosures – None
- *** Interveners – None
- *** Return Receipts were provided
- *** All individuals wishing to speak on this request were sworn in (S/I)

*** Ms. Riiska (S/I) provided a copy for the record of Staff Report and Agenda Materials, along with a CD of her resume and professional experience.

Ms. Riiska reviewed the request for a zoning change from R-3A, Liberal Multiple Family District to COR-1, Commercial Office/Residential District. The property has a future land use designation of COR, and a Category C Zoning District, and the change to rezone the property is non- mandatory.

Ms. Riiska provided the three zoning districts available, CO (Commercial Office), COR-1 (Commercial Office/Residential) and COR-2 (Commercial Office/Residential). A PUD is also available. Permitted uses were listed on pgs. 2 through 7 of 22 (staff report).

Ms. Riiska displayed a location map of the subject site, a 2017 aerial, an aerial showing preserve areas, a zoning map, and a future land use map.

After review staff determined the rezoning request of the property is appropriate and in compliance with procedural requirements of Article 10 and provisions of Article 3, and recommends approval of this rezoning request from R-3A to COR-1.

Mr. Banfi asked for clarification that R-3A is not incompatible with the land use designation. Ms. Riiska explained and referred to the Compatibility Table for Land Use, and indicated that some permitted uses are exceptions to development.

The Applicant:

Mr. McCarthy *** provided the Return Receipts for the Record. He indicated the client has potential plans for constructing a residential storage facility on the site which is appropriate in the COR-1 zoning district, and gives them a little more flexibility on the front setback. He agreed with staff's review and said the application was just submitted, they were very early into the process and will be coming forward with their plans.

LPA Comments:

Mr. Moir confirmed there will be no changes to the preserve area and it will stay the same.

Mr. McCarthy agreed that no changes were identified and they would have to come before the Board with any changes.

Ms. Riiska commented that staff has the application for the residential storage facility under review and there is no proposal to change the preserve area at this time.

Ms. Riiska provided an explanation for the public of the front setbacks and the difference between the COR standards for development.

Mr. Foley commented on the natural buffer on the south side of the property and the LPA viewed the aerial site and the Future Land Use Map (pgs. 15/16 to 22). He commented on the residential buffer requirements.

Ms. van Vonno (S/I) indicated this is a commercial development and the threshold is 25,000 sq. ft., and the LPA would see that if the threshold exceeded 25, 000 sq.ft.

Public Comments:

The following individuals spoke regarding this application:

Mr. Paul Genreux recommended the public have access to staff reports prior to attending the meeting in order to be prepared with their questions. He commented on the big buffer on the west side of the property commenting that it was not wide enough, and that a storage facility did not fit within the character of the neighborhood.

J. Pat Simpson lives close to the property and will be looking at the storage facility directly, coming off his garage. There are numerous storage facilities close by and this will abut a nice neighborhood. He was opposed to it and said it was a bad idea.

Terry Morrow also lives close to the property and was concerned with light pollution, noise from air conditioning, generators and other maintenance units, the security cameras and 24-hour access. He was opposed to it and questioned how far the buffer will be from the preserve area and the number of setbacks for units from the preserve.

Margret Slater spoke of problems with Warner Creek which was re-routed and can't move water, and that 10 ft. was not enough for houses close to the property. The residents needed more time to rally and they wanted information early.

Brian Foley commented on buffer issues and asked if the applicant could change plans for the storage unit after it's been approved.

Mr. Moir provided an explanation and reviewed the change in zoning that is dictated by the land use, which indicates some of things you can do on the property and allows certain permitted uses (Pgs. 8/22). They can still build on the property with the same zoning on it now.

Mr. Brian Foley asked for an explanation of the request for a Certificate of Adequate Public Facilities exemption. Ms. Storey provided a thorough, detailed explanation for that request.

Lynne Peterson was not directly impacted and commented that the storage facility does fit within the character of the whole area, that people coming and going would be a security risk, and she agreed with the issues of pollution stated earlier.

Ms. Riiska explained tonight's action was a re-zoning request and no development would occur. It is a Major Development which will determine the development on the property.

Mr. McCarthy, representing the applicant, indicated it would not be appropriate to address the public comments and concerns at this time. He assured the LPA they were open to conversations with residents and they will be attended to when the application comes through.

Mr. Banfi commented on the zoning districts and land use components and the need for buffers on all three sides of the property abutting residential for the storage facility.

Ms. Hall lives in close proximity to the property and agreed zoning concerns should be addressed, we can look at restrictions of intense development and look at what can be done, and she was in favor of COR-1 on the property.

Mr. Foley agreed with Mr. Banfi's comments and buffer issues, and agreed COR-1 is better zoning for the property.

Mr. Moir agreed with more protection for the residential neighborhood, that COR zoning presently exists on the property and there is no less intensive category to recommend for the property. The neighbors can be involved with future planning on this site, and they need to stay engaged with the developer.

Additional information on contacting Ms. Riiska was provided and the public was given information on how to access the Martin County website and the development process as it proceeds. A date was provided for their attendance at the next BOCC meeting.

Ms. Riiska explained that 3rd party notification was available and she offered her business cards for contact about upcoming steps that would be taken, and a possible schedule of meeting dates before construction begins.

* **MOTION – MOVED** by Ms. Hall to approve staff’s recommendation for the requested zoning change from R-3A to COR-1 for Jensen Beach Holdings, LLC (J040-010).

** **SECONDED** by Mr. Foley Carried **UNANIMOUSLY**

2. Banner Lake Rezoning (B128-002) (Quasi-Judicial)

Request for a zoning change from the current A-3, Conservation District to the PR, Public Recreation District or the most appropriate zoning district for an approximately 3.65 acre parcel located at 12212 SE Lantana Avenue in Hobe Sound, FL. Included in this application is a request for a Certificate of Adequate Public Facilities Exemption.

Agenda Item

Requested by: Nicki van Vonno, AICP, Director
Growth Management Department Director

Presented by: Peter Walden, Sr. Planner
Growth Management Department

*** Ex Parte Communication Disclosures – None

*** Interveners – None

*** Return Receipts were provided

*** All individuals wishing to speak on this request were sworn in (S/)

*** Peter Walden provided a copy of staff report and agenda materials and a copy of his professional work history.

Peter Walden (S/I) reviewed the request for a zoning change from A-3, Conservation District. The Land Use on the property is Institutional-Recreation and there is one Category “A” zoning district available to implement the Land Use designation and that is the PR-Public Recreation District. Category “A” zoning district is inconsistent and not compatible with the future land use designation and the request to rezone is mandatory. The Future Land Use Map displayed a 1982 aerial of the site location.

The rezoning of the property will enable the Community Center to redevelop and expand the existing outdated facility and build a new club house and improve the site for additional recreation.

Mr. Banfi looked forward to the time when the two separate regulations are resolved. He commented this was confusing, with the property in the CRA and not in the overlay.

Mr. Moir questioned the County ownership of other surrounding properties. Mr. Walden indicated most were owned by the Pine School.

Mr. Foley supported the request as the center was used and much needed and that it was good to see the residents take on this improvement for the benefit of their community.

* **MOTION – MOVED** by Mr. Foley to approve the Banner Lake zoning change from the current A-3, Conservation District to the PR, Public Recreation district.

** **SECONDED** by Mr. Banfi Carried **UNANIMOUSLY**

C. Requests and Presentations

1. None

5. COMMENTS

a. Public - None

b. Members –Discussion of meeting dates and schedules

Ms. van Vonno discussed the LPAs meeting schedule for the first quarter: **January 18th – February and March.** The March meeting anticipates development applications for Pineland Prairie and Harmony, two meetings that will probably generate much public input, and may need an extra meeting in March. Wednesday, February 28 and Thursday, March 1st were options to consider for two extra days.

Ms. Hall was not available on March 8 (she is out from March 7 to Mar. 10) but was available for the 29th. Ms. Hall supported starting the meetings at an earlier time rather than scheduling an extra day or two.

Mr. Moir did not have his schedule available and was unsure an extra hour would accommodate enough time for the presentations.

Mr. Watson was not present to participate with his schedule.

If an early start was agreed to, Mr. Banfi and Mr. Foley were OK at 6:00 pm.

c. **Staff** – Ms. van Vonno will send out further information on the meeting schedule and options to consider.

6. ADJOURN

There was no further business. The meeting was adjourned at 8:30 pm.

Recorded and Prepared by:

Approved by:

Mary F. Holleran, Agency Recorder

Jim Moir, Chairman

Date: _____