MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD November 12, 2019
AT 5:30 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION
Mayor Rebecca S. Bruner
Vice Mayor Eula R. Clarke (Late 5:34 PM)
Commissioner Kelli Glass Leighton
Commissioner Merritt Matheson
Commissioner Mike Meier

ADMINISTRATIVE
City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel

5:30 PM ROLL CALL
Present: Mayor Bruner, Commissioner Glass Leighton, Commissioner Matheson, Commissioner Meier.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - TREASURE COAST LINE DANCERS, DANCING A PATRIOTIC K STEP BOOGIE.

Sandy Dworkin and the Treasure Coast Line Dancers performed a line dance.

Vice Mayor Clarke arrived at 5:34 PM.

5:37 PM ROLL CALL
Roll Call re-taken for the record. Present: Mayor Bruner, Vice Mayor Clarke, Commissioner Glass Leighton, Commissioner Matheson, Commissioner Meier.

PROCLAMATIONS

PRESENTATIONS

2. SCHOOL DISTRICT'S LEGISLATIVE PRIORITIES BY CHRISTIA LI ROBERTS, SCHOOL BOARD CHAIR.

Christia Li Roberts made announcements and presented, providing the Commission with a pamphlet and flyer outlining various components of the 2020 priorities. Roberts requested a letter from the City in support/recognition that community support is necessary for a viable and reliable public education system, that we have an understanding that there are funding challenges in the state budget, and pointing to local wide-spread support in the form of the recently approved referendums for the millage increase in sales tax and supporting the legislative priorities.

5:46 PM Motion: Move approval of a letter pointing out all of their quests.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton

- **No Comments.**

Commissioner Matheson

- **Thanked tram driver, Gary Nash and all who came out for the Veterans Day Parade and all who have served.**

Commissioner Meier

- **Agreed with Commissioner Matheson and commented on how nice the Veterans Day Parade was.**
- **Appointed to the Indian River Lagoon Council National Estuary Program Management Board and attended first meeting last week, there is an upcoming CCMP (Comprehensive Conservation and Management Plan) that he will share with the Commission and staff once released.**

Vice Mayor Clarke

- **Complimented Jim Chrulski, tram drivers, and Police Officers for efforts during the Veterans Day Parade.**
- **Commented on Town of Ocean Breeze Park long time board member Ann Kagdis as no longer on the commission and would like the City to send a letter of thanks for her service.**

5:52 PM Motion: Send letter to Ann Kagdis of Town of Ocean Breeze Park, thanking her for her years of service.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Meier
Motion passed unanimously.

Mayor Bruner

- **Thanked Pinal Gandhi-Savdas and Jordan Pinkston for their work on the bike lines and Parking Day on Colorado Avenue.**

COMMENTS BY CITY MANAGER

City Manager Dyess announced that Items #6 and #9 were not being heard tonight and being continued to the November 25, 2019 Commission Meeting.

APPROVAL OF AGENDA

5:55 PM Motion: Move approval of the Agenda.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max)

1) **Christia Li Roberts – S. Federal Hwy.; Personally commenting on Item #8 but must leave meeting early; agrees about the need for housing but has issues with the site plan and commercial businesses with the location of Trillium.**

CONSENT CALENDAR

3. APPROVAL OF 10/28/2019 CCM MINUTES

4. PLAT OF "SEASIDE":

RESOLUTION No. 100-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "SEASIDE", WITH LANDS SITUATED IN SECTION 9, TOWNSHIP 38 SOUTH, RANGE 41 EAST, CONTAINING 7.46 ACRES, PREPARED BY RONNIE L. FURNISS OF CAULFIELD AND WHEELER, INC., A FLORIDA REGISTERED LAND SURVEYOR AND MAPPER NO. 6272, PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5. PBA CONTRACT RATIFICATION:

RESOLUTION No. 107-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING REOPENERS FOR THE SECOND FISCAL YEAR OF THE THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (PBA) EFFECTIVE OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2021; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

5:57 PM Motion: Move approval of the Consent.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

COMMISSION ACTION

(CONTINUED TO DATE CERTAIN OF 1/13/20)
6. CHANGE OF USE TO ALLOW THE CONVERSION TO RESIDENTIAL APARTMENTS AT SOUTHWIND MOTEL, 603 SW FEDERAL HIGHWAY. (QUASI-JUDICIAL)(RC):

RESOLUTION No. 103-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO IOANNA LAS LLC, (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 603 SW FEDERAL HWY, TO ALLOW A DENSITY OF 24 UNITS PER ACRE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

5:58 PM Motion: Move to continue it to date certain.
Moved by: Commissioner Meier
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

7. SUPPORT REPLACEMENT OF RAIL BRIDGE:

RESOLUTION No. 108-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF TRANSPORTATION IN PARTNERSHIP WITH FEC RAILWAY AND VIRGIN TRAINS USA FOR REPLACEMENT OF THE ST. LUCIE RIVER RAIL BRIDGE WITH A NEW DOUBLE TRACK BRIDGE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion reviewing clarification of the Resolution and the time frame available.

Public Comment:

1) **Armond Pasquale – Seminole St.; Opposes the train and agrees with Commissioner Glass Leighton that a presentation should be made.**
2) **Helen McBride – Flamingo Ave.; Commented that we can't stop progress and feels people want the train, agrees with a presentation.**
3) **Tom Campenni – St. Lucie Crescent; Commented on the time constraints, in favor of the presentation but understands why this Resolution is needed now so Congressman Mast can move forward with his grant.**

6:16 PM Commissioner Meier is in favor of the Resolution and asked if Commissioner Glass Leighton would consider amending her motion to approve the Resolution and request a presentation.

Commissioner Glass Leighton declined, original motion stands.

6:02 PM Motion: Rusty Roberts comes back and presents some sort of workshop, something with models or pictures of what they are trying to do so our public can take a look at it and give their input.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion failed, 3/2.

Bruner - NO
Clarke - YES
Glass Leighton - YES
Meier - NO
Matheson - NO

6:18 PM Motion: Motion to approve the Resolution and in doing so, request that someone, a representative come and present to us on the issue as an agenda item. [Presentation before the grant or during the application period.]
Moved by: Commissioner Matheson
Seconded by: Commissioner Meier
Motion passed 4/1.

Bruner - YES
Clarke - YES
Glass Leighton - NO
Meier - YES
Matheson - YES

ORDINANCE FIRST READING

8. TRILLIUM RPUD - (QUASI-JUDICIAL):

ORDINANCE No. 2419-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "MULTI-FAMILY RESIDENTIAL" FOR A 9.45 ACRE PORTION OF A 49.43 ACRE PARCEL ANNEXED BY ORDINANCE NO. 1527-97, OWNED BY TED GLASRUD ASSOCIATES FL LLC, LOCATED ON THE SOUTH OF SE MIAMI STREET ABUTTING THE NORTH SIDE OF WAL-MART AND EAST OF STUART LANDINGS, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY BE REZONED FROM COMMERCIAL PLANNED UNIT DEVELOPMENT "CPUD" TO RESIDENTIAL PLANNED UNIT DEVELOPMENT "RPUD" ON THE CITY'S OFFICIAL

ZONING MAP; ESTABLISHING THE TRILLIUM RPUD CONSISTING OF SEVENTY SIX (76) ATTACHED HOMES; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6 People Sworn; Kevin Freeman and Tom Reetz of City of Stuart Development Department, Doug Fitzwater of Lucido and Associates, Dante Fraiegari of Meritage Homes, Melissa Corbett of MilCor Group, and Ed Weinberg of EW Consultants, Inc.

Tom Reetz, Doug Fitzwater, and Dante Fraiegari presented on the Trillium RPUD.

Commission discussed the LPA comments, the location, and expected residential costs.

Public Comment:

1) **Helen McBride – Flamingo Ave.; Commented on the convenience of the accessibility of the location for all ages.**
2) **Nick Blount – Sandpiper Lane; Representing the Housing Solutions Council, a citizen led organization that provides housing for the workforce. Quoted the ALICE Report that states 38% of Martin County households that salaries do not meet the cost of living. In reviewing such projects, requests the Commission consider a certain number of units be considered affordable.**

6:57 PM Motion: Move approval of Ordinance No. 2419-2019.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

7:05 PM Commissioner Meier commented on staff report discussion of an idea of a multi-family residential overlay for all commercial zoning. Per his request of the Housing Workshop early in the new year, he requests staff to present on that at the workshop. To include information on ways to incentivize housing objectives.

(CONTINUED TO DATE CERTAIN OF 11/25/19)
9. AMENDMENT TO THE NEW AVONLEA PLANNED UNIT DEVELOPMENT (PUD) / KINDIG PROFESSIONAL OFFICES (QUASI-JUDICIAL):

ORDINANCE No. 2420-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, BEING THE SECOND AMENDMENT OF ORDINANCE NO. 2307-2015, ALSO KNOWN AS THE "NEW AVONLEA PLANNED UNIT DEVELOPMENT (PUD)" CONSISTING OF 12.40 ACRES ZONED RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), 16.24 ACRES ZONED COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD), AND 20.4 ACRES OF WETLAND/UPLAND PRESERVE ZONED RPUD, FOR A TOTAL OF 49.04 ACRES; SAID PUD BEING GENERALLY LOCATED

BETWEEN NE DIXIE HIGHWAY TO THE SOUTH, LAND ON BOTH SIDES OF GREEN RIVER PARKWAY ON THE WEST, LAND ON BOTH SIDES OF CARDINAL AVENUE ON THE EAST AND THE CITY BOUNDARY TO THE NORTH, BEING MORE FULLY DESCRIBED BY EXHIBIT "A" ATTACHED; AMENDING SAID PUD TO PROVIDE FOR THE APPROVAL OF THE MASTER PARCEL SITE PLAN FOR THE AVONLEA CROSSING A (PARCEL 1), TO BE KNOWN AS KINDIG PROFESSIONAL OFFICES; PROVIDING FOR A MASTER OFF-SITE INFRASTRUCTURE PLAN FOR THE ENTIRE PUD; PROVIDING FOR REVISED AND ADDITIONAL DEVELOPMENT CONDITIONS OF APPROVAL; PROVIDING FOR AMENDED AND NEW TIMETABLES FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

7:07 PM Motion: Move approval. [CONTINUED TO DATE CERTAIN OF 11/25/19]
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

ORDINANCE SECOND READING

10. THE HOPE CENTER FOR AUTISM CPUD (QUASI-JUDICIAL):

ORDINANCE No. 2418-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF CPUD 'COMMERCIAL PLANNED UNIT DEVELOPMENT' TO A PARCEL OF LAND TOTALING 1.22 ACRES, OWNED BY KPL HOLDINGS LLC, LOCATED AT 2580 SE WILLOUGHBY BLVD., BEING MORE FULLY DESCRIBED IN EXHIBIT 'A' ATTACHED; ESTABLISHING 'THE HOPE CENTER FOR AUTISM' COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) CONSISTING OF AN EXISTING LIGHT INDUSTRIAL/OFFICE BUILDING IN THE B-4 LIMITED BUSINESS/MANUFACTURING ZONING DISTRICT; ALLOWING FOR THE RELOCATION OF A CHARTER ELEMENTARY SCHOOL TO SAID LOCATION; PROVIDING FOR APPROVAL OF A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS, DECLARING THE PROJECT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES.

7:09 PM Motion: Move approval of Ordinance 2418-2019.
Moved by: Commissioner Meier
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

DISCUSSION AND DELIBERATION

7:10 PM ADJOURNMENT

Mary R. Kindel, City Clerk

Rebecca S. Bruner, Mayor

Minutes to be approved at the Regular Commission Meeting this 25th day of November, 2019.