



City of Stuart

## MINUTES

**LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD  
TO BE HELD APRIL 8, 2021 AT 5:30PM  
COMMISSION CHAMBERS  
121 SW FLAGLER AVE.  
STUART, FL 34994**

### LOCAL PLANNING AGENCY

**Chair – Kelly Laurine  
Vice Chair – Christina de la Vega  
Board Member – Margaret Bromfield  
Board Member – Ryan Strom  
Board Member – Larry Massing  
Board Member – Bill Mathers  
Board Member – Jackie Vitale  
Ex Officio Board Member – Garrett Grabowski**

### ADMINISTRATIVE

**Development Director – Kev Freeman  
Board Secretary – Jordan Pinkston**

**CALL TO ORDER**  **5:30 PM**

#### **ROLL CALL**

**Present:** Margaret Bromfield, Kelly Laurine, Jackie Vitale, Ryan Strom, Larry Massing,  
**Absent:** Bill Mathers, Christina de la Vega

**PLEDGE OF ALLEGIENCE**  **5:31 PM**

**APPROVAL OF MINUTES**

**MOTION:** Approval of February 11, 2021 LPA Minutes

**Action:** Approve.

**Moved by:** Larry Massing

**Second by:** Jackie Vitale

Motion passed unanimously.

**MOTION:** Approval of March 11, 2021 LPA Minutes

**Action:** Approve.

**Moved by:** Ryan Strom

**Second by:** Jackie Vitale

Motion passed unanimously.

#### **APPROVAL OF AGENDA**

**Action:** Approve.


**Moved by:** Jackie Vitale

**Second by:** Ryan Strom

Motion passed unanimously.

**COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS (3 minutes max):** None.

**COMMENTS FROM THE BOARD MEMBERS ON NON-AGENDA ITEMS:** None.

Margaret Bromfield arrived to the meeting.  5:34 PM

#### **ACTION ITEMS:**

- 1. PALMETTO COVE RPUD - REZONING TO RPUD (QUASI-JUDICIAL)(RC):  
ORDINANCE No: 2463-2021: AN ORDINANCE OF THE CITY COMMISSION OF  
THE CITY OF STUART, FLORIDA, REZONING TWO PARCELS ON EITHER  
SIDE OF A 11' PUBLIC RIGHT OF WAY (ALLEY) ALONG SW PALM CITY  
ROAD, ON THE SOUTHWEST INTERSECTION OF SW HALPATIOKEE STREET,  
TOTALING 0.97 ACRES FROM RESIDENTIAL MULTIFAMILY/OFFICE (R-3) TO  
RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD); ESTABLISHING THE  
"PALMETTO COVE" RPUD CONSISTING OF THIRTEEN (13) MULTIFAMILY  
UNITS WITHIN TWO (2) INDIVIDUAL TWO-STORY TOWNHOME  
BUILDINGS; WITH SAID LANDS BEING MORE FULLY DESCRIBED IN  
EXHIBIT "A" ATTACHED; APPROVING A DEVELOPMENT 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.**


**PRESENTATION:** Tom Reetz, Senior Planner

Terry McCarthy, McCarthy & Associates

Michael Faulkner, Southern Landmark Homes

**PUBLIC COMMENT (3 minute max):**  5:45 PM

1. Michelle Narson Kassay (SW Palm City Road) – Property owner south of the development. Likes the plan but is concerned about the zoning change and potential for future growth.
2. Terry Silcox (SW St. Lucie Crescent) – Likes the look of the project but concerned about the zoning change request allowing for more flexibility. Concerned about water runoff and height requirements related to water problems.
3. James Flynn (Flora Belle Lane) – Concerned about the zoning change and asked how it works for the future. Would like to know about stormwater runoff.
4. Robin Cartwright (SE Hibiscus Ave) – Concerned about general developments not being affordable housing. Gave examples of the negative impacts this project and others will have in the surrounding community.

Bill Mathers arrived to the meeting.  5:45 PM

#### **BOARD COMMENT:**

Terry McCarthy addressed statements made during public comments. He described that the PUD is a “what you see is what you get” situation and if a change is requested it will come back before the board.

Kev Freeman reassured the neighbors that the land plan they saw is the development agreement, so that is what they will see. He addressed the concerns about storm water and assured the public that there would be future public hearings if a change is requested.

Kelly Laurine asked about the vegetation buffer exemption.

Discussion about the vegetation buffers occurred.

Jackie Vitale asked about traffic.

Mike Mortell explained that Palm City Road is a Martin County road and we cannot make any changes to traffic on that road.

**PUBLIC COMMENT (3 minute max):**  5:45 PM

5. Terry Silcox (SW St. Lucie Crescent) – Commented about the traffic congestion on the road and throughout her neighborhood.

#### **BOARD COMMENT:**

Jackie Vitale asked for clarification of the PUD process.

Kev Freeman explained the application process.

Larry Massing addressed that this is a small request and is a refreshing change to what the board typically sees.

Ryan Strom asked about Zoning Condition number twelve. He asked for clarification of the location of the walls and Development Condition number twenty-one regarding condo conversion being a townhome for sale.

Staff confirmed that the units will be for sale.

Margaret Bromfield commented that she believes the property is fit for this project.

Bill Mathers asked about 11 lots vs. the PUD and what the applicant is offering the city.

Terry McCarthy said they are donating right of way to the county.

Bill Mathers addressed drainage with suggestions of pervious concrete.

**PUBLIC COMMENT (3-minute max):**

6. Peter Silcox (SW St. Lucie Crescent) – Commented on the water retention area.

**MOTION:**

**Action:** Approve with the following conditions:

1. Denser vegetation buffers are added.
2. Applicant provides locations for (2) bike racks, EV parking space, centralized mailbox.
3. Add a six (6) foot walls along western and southern portions.
4. Remove condition #21.

**Moved by:** Ryan Strom

**Second by:** Larry Massing

Motion approved unanimously.

2. FLAMINGO AVENUE; REZONING (RC): ORDINANCE NO. 2465-2021; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING FROM (R-1) SINGLE FAMILY TO (R-2) DUPLEX ON THE CITY'S OFFICIAL ZONING MAP FOR 15 (FIFTEEN) FEE SIMPLE OWNED PARCELS, LOCATED BETWEEN S.E. FLAMINGO AVENUE AND S.E. OCEAN AVENUE, NORTH OF S.E. 8TH STREET AND SOUTH OF S.E. OCEAN BOULEVARD; BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; DECLARING THE REZONING 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.

**PRESENTATION:** Tom Reetz, Senior Planner

**PUBLIC COMMENT (3 minute maximum):**

1. Helen McBride (Flamingo Avenue) - She explained the annexation that occurred back when she first moved into her home. She is against changing the zoning and does not think it is necessary.
2. Frank McChrystal (No address provided) – Explained the current zoning of neighboring lots. He is concerned about the architecture not matching their current single-family lots and gave examples of his concerns and statistics to support his claim.
3. Jim Rollins (SE 8<sup>th</sup> Street) – Explained his home's zoning and the reasons for purchasing their lot. Concerned about this change affecting the values of neighboring properties and the flexibility the zoning change will allow.

4. Eric Wickstrom (SE Flamingo Avenue) – Concerned about the reasons behind the request to change zoning and questioned the Comprehensive Plan’s goals.
5. Tamra Lucey (SE Flamingo Avenue) – Explained that she is concerned about the zoning change allowing commercial and taking away affordable housing. She would like her neighborhood to remain single family homes.
6. Christopher Collins (SE Flamingo Avenue) – Is opposed to more duplexes and would like more single-family homes. He wants long term residents who are invested in their property.
7. Jennifer Qador (SE Flamingo Avenue) – Explained the issues that the lots zoned R2 currently have in their neighborhood and concerned about safety regulations being followed.
8. Doug Fitzwater (Hibiscus Avenue) – Representing a current duplex owner in the neighborhood and explained the process he has been going through to try to make improvements to his property, but unable to do so due to current zoning.
9. Albert Buchegor (SE 9<sup>th</sup> Street) – Explained that they moved there for the neighborhood five years ago. Gave suggestions of what he prefers be on the lot and explained why he does not want duplexes.
10. Helen McBride (SE Flamingo Avenue) – Spoke on behalf of the grandfathered-in duplex to allow them to pull permits to make improvements.

**BOARD COMMENT:**

Larry Massing explained the past annexation that was done, and recommended staff investigate it.

Kelly Laurine asked staff to explain the reasoning behind the amount of properties being changed.

Mike Mortell that the law does not allow spot zoning, so staff must change the zoning on multiple parcels.

Kev Freeman explained why staff is requesting the zoning change. He said more than 50% of the lots did not conform to the current zoning. He further explained their intent for the request.

Mike Mortell explained the legal reasons behind staff’s request.

**PUBLIC COMMENT (3 minute maximum):**

11. Jennifer Qador (SE Flamingo Avenue) – asked why the certain lots were annexed in.

**BOARD COMMENT:**

The board further discussed current zoning and what is allowed for those that were annexed in the past.

Kev Freeman addressed both problems that have come before the board.

**PUBLIC COMMENT (3 minute maximum):**

12. Name not provided – Addressed his concerns that the neighborhood does not want more duplexes and should only accommodate those who are grandfathered in.
13. Name not provided -- Gave a handout to the board and explained why he does not want the rezoning to move forward because it will have less restrictions.

14. Kevin Logue (SE Dolphin Drive) – Commented about how the current neighborhood owners have improved their lots, but renters do not take care of their properties. Suggested everything being rezoned R1.

**BOARD COMMENT:**

Ryan Strom said that we do not have to change the zoning at this time.

The board agreed that grandfathered in duplexes should be allowed to make improvements.

Bill Mathers asked about the current building code.

Larry Massing explained that zoning provisions do not allow for non-conforming uses to expand.

Discussion about the process to improve the current duplexes under their current zoning occurred.

**MOTION:**

**Action:** Recommend staff not to move forward.

**Moved by:** Ryan Strom

**Second by:** Margaret Bromfield

Motion approved unanimously.

**STAFF UPDATE:** None.

**ADJOURNMENT**  **7:06 PM**

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Kelly Laurine, Chair

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Jordan Pinkston, Board Secretary