

MINUTES OF THE REGULAR MEETING OF THE CITY OF STUART LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD HELD IN CITY HALL, 121 SOUTHWEST FLAGLER AVENUE, STUART, FLORIDA ON THURSDAY, APRIL 17, 2008.

Those present: Dr. Edward Geary, Chairman
Xavier Blatch
Michael Herbach
Ryan Strom

Those absent: Li Roberts
William Mathers

Also present: Terry O'Neil, Consultant
J. Lisle Bozeman, Martin County School Board

I. CALL TO ORDER: Chairman

Chairman Geary called the meeting to order at 6:34PM

II. ROLL CALL: Secretary

Those answering roll call and others present are referenced above.

III. APPROVAL OF MINUTES: March 6 & 20, 2008

MOTION: Xavier Blatch moved to approved the March 6th minutes

SECOND: Ryan Strom

MOTION: Ryan Strom moved to approved the March 20th minutes

SECOND: Michael Herbach

Motion carried

Public Comments: None

Board Comments: None

1. Request to continue a public hearing to May 15, 2008 to consider a Major Amendment to the Residential Planned Unit Development (RPUD) to approve; 1) A Master Site Plan; and 2) Compliance with the Site Design Qualitative Development Design Standards and; 3) A List of Development Conditions 4) A Timetable for Development Property Location: South Side of Jensen Beach Blvd Between 'Pinecrest Lakes' and 'The Pines' Property Owner: Gables at Stuart, LLC Agent/Representative: Joe Verdone, AICP & Lynda Harris, Esq.

MOTION: Michael Herbach moved to continue a public hearing to May 15, 2008 to consider a Major Amendment to the Residential Planned Unit Development (RPUD) to approve; 1) A Master Site Plan; and 2) Compliance with the Site Design Qualitative Development Design Standards and; 3) A List of Development Conditions 4) A Timetable for Development Property Location: South Side of Jensen Beach Blvd Between 'Pinecrest Lakes' and 'The Pines' Property Owner: Gables at Stuart, LLC Agent/Representative: Joe Verdone, AICP & Lynda Harris, Esq.

SECOND: Xavier Blatch

Public Comments: None

Board Comments: None

2. Ordinance 2158-08. An Ordinance of the City Commission of the City of Stuart, Florida creating Chapter 10 of Stuart Comprehensive Plan entitled Public Schools Facilities Element; amending Chapter 7 Intergovernmental Coordination Element and Chapter 8 Capital Improvements Element and Concurrency Management System; repealing all ordinances in conflict herewith; providing a severability clause; providing for conflicting provisions, codification and an effective date; and providing for directions to the City Clerk.

Presentation: Terry O'Neil

Public Comments: None

Board Comments:

Chairman Geary asked if there were any surprises in the document and asked if the review is every five years. He said it seemed pretty boilerplate.

Terry O'Neil responded that the comp plan did have to be reviewed every five years.

Ryan Strom asked what a developer could do if concurrency had not been met by a residential site plan.

Terry O'Neil replied that they could donate through impact or other fees.

J. Lisle Bozeman with the school district responded that Terry pretty much covered it, it is called proportionate mitigation and can be in the form of monetary contribution. She said if they have it in their capital plan to meet the concurrency within a three year period then they can go ahead with the project but if it's not in their capital work plan then they would go to mitigation.

Xavier Blatch said that he did not read the whole document, but it seemed pretty standard and asked who had reviewed it prior to the LPA.

Terry O'Neil agreed and said the document mirrors the document prepared for Martin County and their LPA has reviewed it, it's gone to the County for first reading and it has been transmitted to the DCA.

Xavier Blatch asked if a developer comes in and if they have huge numbers and the local school is at capacity then would he contribute to the school or a fund.

J. Lisle Bozeman said she didn't think it would be a fund, but a case by case negotiation and she said they have a fairly complicated system. She said they keep a running calculation of how much capacity they have at each school and their enrollments by year and when a new development comes in they reserve or add to the enrollment numbers to account for that capacity and when they reach capacity then a developer will have to work with the school district to find some accommodation.

Ryan Strom asked if there were guidelines for the developer.

J. Lisle Bozeman said that this is very new to them and she couldn't specifically answer that, but it would be a fair share and they are still working on it. If it was a really large project, they would negotiate for a new school, a smaller project perhaps a few classrooms.

Chairman Geary asked about the difference in what they had in their packet and the Inter-local Agreement given to them at the meeting.

Terry O'Neil said that the inter-local agreement is a three party agreement between the City, County and School Board that was developed over the last two years that spells out issues of school siting, mandatory cooperation etc... and based on that document they create the Comp Plan elements and mirror them so that one document is largely the same as the other. One is local and one is going into the state plan and there is not much of a difference. He said that after this process is done, then there would be some changes in the Land Development Code and it would come back.

Michael Herbach thought it was a good piece of work but on page 29 #7.1 it says they strive to improve schools over 20 years old and asked about schools 15 years old. He pointed out another area that used "consider" and said they could say ok, we've considered, let's forget about it.

Terry O'Neil said you've put his finger on the nature of Comprehensive Plans and that is, the State says you have to address certain items and local governments try to put them into words that give them the most latitude. If you were to take all of this jargon and make all mandatory, you'll end up with gridlock. He said the process relies on the common sense of boards.

J. Lisle Bozeman said that they do look at these things now and this is just language telling us something that we already do now. She said that they try to work with developers.

Terry O'Neil said the school board will be much more involved in the plan review now.

Chairman Geary did not like “the improvement of schools over 20 years old” and asked why they weren’t maintaining and improving all schools.

Terry O’Neil said that they would look at that wording.

Public Comment: None

MOTION: Michael Herbach moved to recommend transmittal of the ordinance to the City Commission with the recommendation of approval.

SECOND: Ryan Strom

Motion carried

IV: COMMENTS FROM THE PUBLIC:

V. NEXT LPA MEETING: May 15, 2008

VI. ADJOURN:

MOTION: Xavier Blatch

SECOND: Ryan Strom

Motion carried

Chairman Geary, there being no further business before the Board the meeting is adjourned at 7:10 PM.

APPROVED

RESPECTFULLY SUBMITTED

Dr. Edward Geary, Chairman

Michelle Vicat, Board Secretary