

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 18, 2013

Those present: Li Roberts, Chair
William Mathers, Vice Chair
Michael Herbach
Thomas Campenni
Susan O'Rourke

Those absent: Ryan Strom
Larry Massing

Also present: Deanna Freeman, Senior Planner

I. CALL TO ORDER: Chairman

Chair Roberts called the meeting to order at 5:34PM

II. ROLL CALL: Secretary

Those answering roll call and others present are referenced above.

III. APPROVAL OF MINUTES: March 28, 2013

MOTION: Thomas Campenni

SECOND: Michael Herbach

Motion carried 5/0

Li Roberts asked that someone from the City Attorney's office go over the Sunshine Laws with Susan O'Rourke.

Paul Nicoletti, City Manager requested that they start with the third agenda item.

Public Comments: None

Board Comments: None

1. Ordinance No. 2259-2013 an ordinance of the City of Stuart, Florida, annexing two parcels of land consisting of 3.02 acres owned by Wynne Building Corporation located at 1440 NW Federal Highway, in unincorporated Martin County; and being more fully described in Exhibit "A" attached hereto; providing directions to the City Clerk; providing for repeal of all ordinances in conflict; providing for severability; providing for codification; and providing for an effective date, and for other purposes (*Request for continuance to June 20, 2013*)

Presentation: Carly Aubrey, Project Planner II

Public Comments:

Board Comments:

MOTION: Susan O'Rourke moved to approve a continuance of Ordinance No. 2259-2013 an ordinance of the City of Stuart, Florida, annexing two parcels of land consisting of 3.02 acres owned by Wynne Building Corporation located at 1440 NW Federal Highway, in unincorporated Martin County; and being more fully described in Exhibit "A" attached hereto; providing directions to the City Clerk; providing for repeal of all ordinances in conflict; providing for severability; providing for codification; and providing for an effective date, and for other purposes to June 20, 2013

SECOND: Thomas Campenni

Motion carried 5/0

2. Ordinance No. 2260-2013 an ordinance of the City of Stuart, Florida, amending the Future Land Use Map of the City's Comprehensive Plan thereby assigning a land use designation of "Commercial" to two parcels of annexed land, consisting of 3.02 acres, located at 1440 NW Federal Highway, owned by Wynne Building Corporation; said land being more fully described in Exhibit "A" attached hereto; and further providing that said lands be concurrently assigned a zoning designation of "Commercial Planned Unit Development" on the City's Official Zoning Map; providing directions to the City Clerk; providing for repeal of all ordinances in conflict; providing for severability; and providing for an effective date, and for other purposes (*Request for continuance to June 20, 2013*)

Presentation: Carly Aubrey, Project Planner II

Public Comments:

Board Comments:

MOTION: Bill Mathers moved to approve a continuance of Ordinance No. 2260-2013 an ordinance of the City of Stuart, Florida, amending the Future Land Use Map of the City's Comprehensive Plan thereby assigning a land use designation of "Commercial" to two parcels of annexed land, consisting of 3.02 acres, located at 1440 NW Federal Highway, owned by Wynne Building Corporation; said land being more fully described in Exhibit "A" attached hereto; and further providing that said lands be concurrently assigned a zoning designation of "Commercial Planned Unit Development" on the City's Official Zoning Map; providing directions to the City Clerk; providing for repeal of all ordinances in conflict; providing for severability; and providing for an effective date, and for other purposes to June 20, 2013

SECOND: Thomas Campenni

Motion carried 5/0

3. An Ordinance of the City of Stuart, Florida amending Chapter IX of the City's Land Development Code (LDC) revising code provisions pertaining to A-frame signs; and Chapter XII to incorporate reference to A-frame signage in the definitions chapter, providing for an effective date; and for other purposes.

Presentation: Deanna Freeman, Senior Planner

Paul Nicoletti, City Manager said the idea of allowing A-frames city wide is not advisable as the City staff and the downtown business merchants intended it for downtown only. He said much of the commercial areas in other parts of the city is highway commercial and vehicle speeds would not allow 2x3 signs to be seen and said they discourage sign waivers in the city and this would be another encroachment into the public right of way.

Public Comments:

Board Comments:

Li Roberts said Larry Massing thought it should be city wide because of places like the Publix Shopping Center and the Petsmart and she understood his point about highway commercial, but didn't think it would apply because the buildings are not adjacent to the sidewalk.

Thomas Campenni said it was not fair to allow merchants in a designated area to do something that merchants in other areas are not allowed to do and said he would like to see them eliminated altogether but since they aren't going to do that he liked the way it was written.

Susan O'Rourke agreed and said that businesses are trying to come back and in shopping centers where there is foot traffic, it may encourage customers.

Paul Nicoletti said maybe the definition could be the issue.

Deanna Freeman said that the definition could be clearer.

Bill Mathers said it should read that "you can only authorize this on city right of ways" not DOT or County right of ways.

Paul Nicoletti said he just didn't want to see a proliferation of these on private property and it has to be close to the building.

Li Roberts said her thought was that if you have a building abutting a minimum six foot wide sidewalk then you can have an a-frame sign.

Paul Nicoletti said that's how he was thinking.

Thomas Campenni asked if they could tie it to the entrance of the store.

Bill Mathers suggested they should be restricted to right-of-way sidewalk parameters or a sidewalk meeting CRA requirements.

Li Roberts said instead of drawing little lines here and there, they should include the whole city.

Paul Nicoletti said he agreed, now that he understood the board's position.

Terry O'Neil said that if the signs are citywide, they should look at what it would take to administer/regulate the program.

Paul Nicoletti said it could be added to the checklist when they do the annual fire inspection.

Thomas Campenni thought the decal came up in order to indemnify the city.

Deanna Freeman said other municipalities required it.

Susan O'Rourke asked what the fee would be.

Deanna Freeman said there would be a small fee, but they haven't determined what it would be.

Bill Mathers thought there should be something added about bringing the signs inside if there is a tropical storm.

Li Roberts reviewed the boards' suggestions which were tropical storms, perpendicular orientation, clarifying the language about the businesses building wall being immediately adjacent to the sidewalk and the distance from the entrance.

MOTION: Bill Mathers moved to approve An Ordinance of the City of Stuart, Florida amending Chapter IX of the City's Land Development Code (LDC) revising code provisions pertaining to A-frame signs; and Chapter XII to incorporate reference to A-frame signage in the definitions chapter, providing for an effective date; and for other purposes with the amendments listed

SECOND: Michael Herbach

Motion carried 5/0

Li Roberts said that the City Attorney seems to miraculously appear at things that the City Attorney thinks they will have questions on, but she doesn't know what the procedure is when they miraculously have questions when he wasn't appearing.

IV. NEXT LPA MEETING:

May 16, 2013

V. ADJOURN:

MOTION: Susan O'Rourke

SECOND: Michael Herbach

Motion carried 5/0

Chair Roberts, there being no further business before the Board the meeting is adjourned at 6:03PM.

APPROVED

RESPECTFULLY SUBMITTED

Li Roberts, Chair

Michelle Vicat, Board Secretary