

**MINUTES
COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART
SEPTEMBER 6, 2022
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

COMMUNITY REDEVELOPMENT BOARD

**Chairman - Tom Campenni
Vice Chairman - Nina Dooley
Board Member - Chris Lewis
Board Member - Katherine Makemson
Board Member - Nikolaus Schroth
Board Member - Frank Wacha
Board Member - VACANT**

ADMINISTRATIVE

**Interim Development Director, Erin Wohlitka
CRA Executive Director, Pinal Gandhi-Savdas
Board Secretary, Jordan Pinkston**

CALL TO ORDER

ROLL CALL

**Present: Katherine Makemson, Tom Campenni, Frank Wacha, Nikolaus Schroth
Absent: Nina Dooley, Chris Lewis**

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

**Action: Approve with switching items #2: Presentation of Proposed Form Based Code
and #3: Dogsworld Urban Code Conditional Use.**

Moved by: Frank Wacha

Seconded by: Katie Makemson

Motion passed unanimously.

APPROVAL OF MINUTES

- 1. APPROVAL OF AUGUST 2, 2022 MINUTES.**

Action: Approval of August 2, 2022 CRB Minutes

Moved by: Nik Schroth

Seconded by: Frank Wacha
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

Nik Schroth announced he is abstaining from the Dogsworld item.

Mike Mortell explained what Form 8-B means, with respect to Nik Schroth abstaining from voting.

The board disclosed their ex-parte communications.

ACTION ITEMS

- 2. PRESENTATION OF THE PROPOSED FORM BASED CODE FOR THE EAST STUART NEIGHBORHOOD AND THE CREEK DISTRICT BY THE TCRPC**

PRESENTED AS ITEM #3, AS PER AGENDA APPROVAL.

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator
Jessica Seymour, Treasure Coast Regional Planning Council

COMMENTS FROM THE BOARD MEMBERS:

EAST STUART PRESENTATION

Katie Makemson asked for clarification on single-family home builds.

Jessie Seymore explained that it would allow more flexibility on those parcels.

Frank Wacha suggested aesthetic changes for clarity of reading. He asked for clarification on locations where buffers would be.

Jessica Seymour explained that it is a mixed-use neighborhood and how standards are used in the code.

Frank Wacha asked about setbacks for CU's, including landscaping.

Katie Makemson asked about the dwelling units being suggested.

Jessica Seymour explained accessory dwelling height restrictions, location on the property, and parking.

THE CREEK DISTRICT PRESENTATION

Discussion occurred regarding Martin County's stormwater toolkit.

Nik Schroth asked about a new zoning being applied to current properties and the property owners not being aware.

Mike Mortell explained the Bert Harris lawsuit and gave examples of possibilities that can happen if a land use change occurs and burdens the property owner from developing. He explained the code rewrite intent.

Nik Schroth asked about civic open space being a taking and recommended reaching out to land planners, land use attorneys, and architects for feedback and support.

Mike Mortell gave an explanation about property ownership and state law.

Nik Schroth asked about the use-tables reflecting current trends, sidewalks, and measurement of building height.

Jessica Seymour gave guidance on how the staff plan to move forward and explanations about suggestions made. She discussed that the Form Based code can still allow for flexibility.

The board and staff discussed the involvement of the community when finalizing the code.

COMMENTS FROM THE PUBLIC (3 min. max): None.

3. DOGSWORLD URBAN CODE CONDITIONAL USE:

RESOLUTION NUMBER 73-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO JUSTIN PHILLIPS, (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 400 SW 7TH STREET, CONSISTING OF APPROXIMATELY 1.62 ACRES; TO ALLOW THE USE OF KENNELS FOR DOGSWORLD; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

PRESENTED AS ITEM #2, AS PER AGENDA APPROVAL.

PRESENTATION: Bonnie Landry, Consultant Planner for the City of Stuart
Justin Phillips, Principal Owner of Dogsworld
Katie Bergel, General Manager and Partner of DogsWorld
James McKinney, Broker for Dogsworld

COMMENTS FROM THE BOARD MEMBERS:

Multiple presentations from the applicant occurred and a video to showcase potential noise was shown.

Frank Wacha asked staff about how they monitor the guarantees the applicant is making.

Mike Mortell explained a conditional use and how staff conditions would be monitored by code enforcement, such as time restrictions and fencing.

Katie Makemson asked who would be responsible for monitoring after City business hours.

Mike Mortell said that it would be transferred to the police for enforcement.

Erin Wohlitka confirmed the conditions.

Justin Phillips clarified office hours, dog walking hours, and overnight staff.

Katie Makemson expressed concerns about sanitation of the yards and dog capacity.

Justin Phillips clarified the type of chemicals that they plan on using and stated that the dog capacity max is 100 dogs a day.

Katie Makemson questioned the drainage system.

Staff clarified the details of the conditional use.

Frank Wacha asked about complaints about the North River Shores dog facility.

Mike Mortell recommended having the Conditional Use run with the land.

COMMENTS FROM THE PUBLIC (3 min. max):

1. Bert Mautz (Channel Avenue) - Concerned about the project and the close proximity of his home. He expressed concern about the traffic of dog owners in a residential neighborhood and compared the location of the Jupiter facility as being in an industrial location.
2. Curt Meulengracht (McPherson Street) - Presented a petition about the location of the facility being a negative attribute for the neighborhood and provided examples.
3. Tracy Barnes (Channel Avenue) - Concerned that the Jupiter location is not comparable to this location request. Expressed concern that this project will be going in the Creek District which is deemed the Arts & Entertainment District.
4. Gary Slauson (Channel Avenue) - Asked questions about the building being leased and sound proofed. Expressed concerns about the location of the facility, traffic, and noise.

COMMENTS FROM THE BOARD MEMBERS:

The applicant is under contract to buy the property on October 25, 2022.

Frank Wacha asked about sound proofing the building.

Justin Phillips said that they are taking additional measures to sound proof the building and gave details.

Frank Wacha asked about the south side of the building being the designated small dog

location versus the location for the large dogs.

Justin Phillips clarified that the separate locations were not strictly noise related, but also provided the space each breed needs. He provided examples of their business practice on noise.

Frank Wacha expressed concern about the wall not having landscaping as a buffer and compared it to a similar discussion on North River Shores.

Bonnie Landry confirmed the condition that staff proposed that the applicant does not approve of.

Tom Campenni asked about Channel Avenue instead of using Colorado as the entrance and exit of the facility.

Mike Mortell said that staff cannot restrict access to public right of way.

Nick Schroth explained the options for routing traffic.

Tom Campenni suggested making the pickup and drop-off location be Colorado Avenue, having concrete walls on both sides, plantings on both sides and on top to act as a noise barrier, and using the same waste treatment plan as the Jupiter facility.

The board discussed the North River Shores project.

MOTION

Action: Approve with the following conditions:

1. Pickup and drop-off from Colorado Avenue
2. Concrete wall on both sides
3. Plantings on both sides and on top as a noise barrier
4. Use the same waste treatment as the Jupiter facility
5. Hours of 7AM - 8PM Monday to Friday and 6AM - 8PM for Saturday and Sunday.

Moved by: Frank Wacha

Seconded by: Katie Makemson

Katie Makemson - No

Frank Wacha - Yes

Tom Campenni - Yes

Motion voted as 2/1.

STAFF UPDATE

Pinal Gandhi-Savdas gave an update on Monument Signage.

ADJOURNMENT