

**MINUTES**  
**SPECIAL COMMISSION MEETING OF THE STUART CITY COMMISSION**  
**ZONING IN PROGRESS**  
**NOVEMBER 2, 2022**  
**AT 4:00 PM**  
**COMMISSION CHAMBERS**  
**121 SW FLAGLER AVE.**  
**STUART, FLORIDA 34994**

**CITY COMMISSION**

**Mayor Troy McDonald**  
**Commissioner Becky Bruner**  
**Commissioner Eula R. Clarke**  
**Commissioner Christopher Collins**  
**Commissioner Campbell Rich**

**ADMINISTRATIVE**

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

**ROLL CALL**

4:00 PM

PRESENT: Mayor McDonald, Commissioner Bruner, Commissioner Clarke, Commissioner Collins, Commissioner Rich

**PLEDGE OF ALLEGIANCE**

Mayor McDonald announced that the Consent Agenda item would be moved to the first item on the agenda. He also noted that this meeting was advertised from 4 p.m. to 7 p.m. and requested the preference of the Commission, whether to stop the meeting at 7 p.m. or continue until complete. All agreed to end the meeting by 7:00 p.m.

**APPROVAL OF AGENDA**

**4:02 PM MOTION: Approval (of Agenda moving Consent Calendar to the first item on the Agenda.)**

**MOVED BY: Christopher Collins**

**SECONDED BY: Becky Bruner**

**Motion approved unanimously.**

**CONSENT CALENDAR**

**3. CHRISTMAS PARADE ROAD CLOSURE (RC):**

**RESOLUTION No. 103-2022; A RESOLUTION OF THE CITY COMMISSION OF**

THE CITY OF STUART, FLORIDA, APPROVING A ROAD CLOSURE FOR THE ANNUAL VISITING NURSE ASSOCIATION'S STUART CHRISTMAS PARADE ON FRIDAY, DECEMBER 2, 2022, BEGINNING AT S. E. MONTEREY ROAD TRAVELING WEST ON S.E. OCEAN BLVD. TO CONFUSION CORNER INTERSECTION; AUTHORIZING THE CITY MANAGER OF THE CITY OF STUART TO SIGN THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMIT FOR THE TEMPORARY CLOSING OF A STATE ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

### **END OF CONSENT CALENDAR**

**4:02 PM MOTION: Approve**  
**MOVED BY: Christopher Collins**  
**SECONDED BY: Eula Clarke**  
**Motion approved unanimously.**

### **PRESENTATIONS**

4:03 PM

**1. FLORIDA STATUTES COUNTY AND MUNICIPAL PLANNING; LAND DEVELOPMENT REGULATION**

City Attorney, Mike Mortell presented the legal aspects of Zoning In Progress, the codes, and regulations. In the presentation, he reviewed the meaning of quasi-judicial, the commission's job in deciding policy, legislative action and the guidelines for Comprehensive Plans in Florida Statutes, including a review of sprawl/urban sprawl. The City Commission will be working on the City's Land Development Code which shall contain specific provisions in the Comp Plan. Mortell concluded that the City is performing a legislative function and by majority, the Board will adopt the policies and procedures that will be used by future commissions and land owners to address the estimated 4,000 acres of the City.

**2. DEVELOPMENT DEPARTMENT: COMMUNITY PLANNING**

4:22 PM

Jodi Nentwick-Kugler, Development Director, presented on Zoning In Progress, an overview of the Development Department's responsibilities, and its future plans. She discussed Community Planning, the Comprehensive Plan and Land Development Code. Ms. Nentwick-Kugler continued the second portion of her presentation to address the density allowed by right within the approval of a Planned Unit Development (PUD).

### **COMMENTS FROM THE PUBLIC (3 Minutes Max.)**

Prior to Public Comment, Commissioner Clark requested to make an announcement: Commissioner Clarke publicly thanked the Stuart Fire Department as she recently experienced a personal emergency in which their services were needed and complimented them on the professional job they did.

Commissioner Collins requested to make an announcement: Commissioner Collins

commented on a misunderstanding in the community, noting a personal advertisement he posted of this Zoning In Progress Meeting with a photo of Zippy the Chimp from the Ed Sullivan Show and found it was offensive to some residents. He apologized to those offended and explained that was not his intention, he would like the focus to be on the future development of the neighborhoods and working together.

1. Douglas Ashley - NE Dixie Hwy.; Commented on his background in development and the number of units built recently in the CRA, surprised and concerned with the growth.
2. Helen McBride - Flamingo Ave.; Complaint about the City microphones and that the Commissioners need to speak into theirs better.
3. Jackie Vitale - Seminole St.; Commented on fractional density and thanked the City for the ZIP conversation, feels a vision should be created for all residents to thrive and would like to see more conversations.
4. Jerry Gore - Lake St.; In favor of the planning but feels disturbed by the flyer/picture posted by a Commissioner, but is forgiving and hopes it doesn't stop the progress.
5. Micah Hartowsky - 5th St.; Commented on the difficulty in purchasing home locally, density, and feels we should do more with less.
6. Jimmy Smith - Apache Ave.; Thanked the Commission (Collins) for the apology and noted the good relationship, believing in God, and loving one another. NAACP fights for all people and all equal rights.
7. Robin Cartwright - Hibiscus Ave.; Echoed Mr. Ashley's comments and encouraged to look at everything as a whole; provided questions for the deliberation; will there be an annexation review?, protection vs mitigation, specifically for the wetlands?, and will you be looking at the cars? Noted example of LiftJax, affordable housing in Jacksonville.
8. Althea Wiley Stoudimire - Dianna Terr.; Commented that she is glad to hear the apology, we are humans first and a title comes second.
9. Joseph Cooper - 9th St.; Commented on the ZIP process, his history in Martin County, housing costs and wants responsible growth.
10. Earl Hall - Tarpon Ave.; Commented on the photo posted by a Commissioner and as a Martin County resident his whole life, feels character counts and everyone should be considered.
11. Bonnie Moser - 10th St.; Commented on knowing what we don't want but the vision should be what we do want.
12. Bob Ernst - Feels community character is important for planners and spoke specifically on existing vegetation and locations in Stuart.
13. Robert Raneri - Flagler Ave; Encouraged the Commission to base discussion about housing on facts and not fear; would like to see the comments about turning into Ft. Lauderdale and other large cities stop and to keep the conversations moving forward.
14. Madeline Greenwood - Letha Cir.; Housing Solutions Council wants to base their assessment on facts, asks to bring the Florida Housing Coalition in to do a study on community needs and training for commissioners and staff.
15. Carol Ann Leonard - Jackson St.; Commented that not only single family homes are needed in Stuart and many are on single household incomes.
16. Laura Giobbi - Ocean Blvd.; Commented that Stuart residents are concerned about its future and feels the Commission needs to be more demanding with developers.
17. Joan Goodrich - Business Development Board; Reminder that housing is connected to the economy and they are available to provide support to the City as needed.
18. Mechelle McFadden - Bigonia Way; Commented on the photo posted and how she is

trying to teach her son the rights and wrongs of how to treat people and on affordable housing.

19. Lucie McGuire - Claremont St., PSL; Stated she is a local, born and raised and is told that is rare, feels it should not be rare. Cannot afford to live in Martin County, quoted real estate averages.
20. Linda Kay Richards - Cabana Pt.; Commented on the need for affordable housing and knows the Commission cannot demand this from developers, noted the high density developments on the borders of the City.
21. Jimmy Wilson - Tarpon Ave.; Commented as a non-homeowner, non-businessowner, gives back to his community by coaching football to the youth, in favor of affordable housing so good people in the community can stay.
22. Nik Schroth - Palm St.; Owns 6 businesses, employs over 100 people, and stated the salary range of their staffs, with the zoning changes, consider the housing changes, architected guidelines, Conversation is about supply and demand.
23. Annette McSwain - Tarpon Ave.; Feels she is stuck in government housing and in favor of affordable housing.
24. Amber Strand - 15th Terr.; Commented in favor of the need for affordable housing; interested in more information on housing needs assessment, asks for protection of trees and water, infilling, reuse Rolf commercial spaces.
25. Marcela Cambor - Sewalls Point - ZOOM; Commented on the codes and what they are geared to and design matters, feels the focus should be more on design; concerned about the policy regarding buildings that have not been built yet.
26. Gwendolyn Hall Brinkley - Port St. Lucie, ZOOM; In favor of low income housing, has lived in PSL because she could not afford to live in Stuart. Does not feel the apology by a Commissioner was genuine.

## **DISCUSSION AND DELIBERATION**

5:39 PM

### **4. DISCUSS THE TOPICS FROM THE PRESENTATIONS AND DELIBERATE THE POLICIES THAT THE COMMISSION WANT TO SEE IMPLEMENTED.**

Mayor McDonald noted that a second workshop is suggested after all comments are reviewed and their discussion takes place. The Commissioners began the discussion.

Commissioner Clarke commented on the vision and to get more input from residents, work with the strategic plan on how developers can participate in the housing process and a possible loan system. Would like to work with the various developers and organizations on what we can do versus what we cannot do to try and develop a plan.

Commissioner Rich reported his thoughts on the public comments on the affordable housing discussion, reviewed and read 3.a2 from an Ordinance, stating the policy supports the objective. He stated the Elizabeth was allowed to be built with densities specifically coming out of the affordable housing section and there was no requirement, feels there is an opportunity to be very specific in our vision.

Commissioner Collins commented that he would like to take time so they are not reactive; reviewed some commonly asked questions about traffic and affordability and Comp Plan regulation. He would not like to see over restrictive regulations, but does not want to see

what has been happening over the past 4 years. Feels one of the largest problems is the urban, 4-story buildings that do not match Stuart's character on the fringes and destroy the green space. Presented potential solutions: Reviewed some municipalities up north who have done downzoning to their density and long-term plan for what we want the City to look like.

Commissioner Bruner commented that she feels Stuart is a nice little City and agrees that some designs are not as attractive as they could be, City could put holds for various sets of time on development, but she cares about the CRA and feels the communication with the community is good in the City.

Mayor McDonald reported that he had done research of Florida Statutes and in the City's Comp Plan, it refers to 2020 and needs to be updated. Would like to get the Beiber Data for projections through 2030 and include it in the Plan. Would like to lock down needs, what the affordable rate is per statute, housing needs analysis, inventory, and industrial properties. Would rather see a criteria that offers a density bonus for smaller units and keep densities.

City Manager David Dyess, noted what the Commission has done in the past pertaining to affordable housing, stated back in 2018/2019 there was a request for developers to have a percentage of their developments be considered affordable, which was successful with two apartment complexes until the State created a law against it. To currently address the affordable housing issue, he feels government intervention or tax credits are a solution and evaluating the law in place on inclusionary housing and determining what the City can do with it is an option to consider. Dyess summarized the Commission discussion to bring back the following for the next Workshop:

- Bring back an inventory
- Have a needs assessment done
- Continue discussions - leave half density but change sizing parameters
- Parking pertaining to half density
- Not to change current PUD's in general

Commissioners continued the discussion to include the upcoming review/adoption of Form Base Code, identifying neighborhood planning, performance based zoning, and state statutes. Commissioner Collins sought clarity on Florida Statute 163.3177. Mayor McDonald and Attorney Mortell responded,

The next Zoning In Progress Workshop will be scheduled in January 2023.

Commissioner Clarke concluded with a suggestion of a possible 6-week workshop to understand the code and work with the Local Planning Agency (LPA) to get policies through to the Commission. She also commented on the photo posted on ZIP and noted to review the Code of Conduct, see if anything was violated, and keep moving forward, make them all better Commissioners and move on. She reminded the public that there is a public complaint process.

**ADJOURNMENT**

6:50 PM

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Mary R. Kindel, City Clerk

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Troy McDonald, Mayor

**Minutes to be approved at the Regular Commission  
Meeting this 14th day of November, 2022.**