



City of Stuart

A G E N D A
STUART COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION
BOARD

TO BE HELD JUNE 2, 2020 AT 4:00 PM
COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD

Chairman - Frank Wacha
Vice Chairman - Nathan Ritchey
Board Member - Tom Campenni
Board Member - Faye James
Board Member - Chris Lewis
Board Member - Pete Walson
Board Member - VACANT

ADMINISTRATIVE

Development Director, Kev Freeman
CRA Administrator, Pinal Gandhi-Savdas
Board Secretary, Jordan Pinkston

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

ROLL CALL

THIS MEETING WILL BE A HYBRID IN PERSON/REMOTE MEETING.

In Person: City Hall can accommodate a small number of citizen participants. Overflow citizens will be

directed to Flagler Place (201 Flagler Ave., Stuart) where larger rooms can accommodate social distancing. Public comment will be taken live via audio/video conference with commissioners.

Teleconference: Citizens can attend from the comfort of their home via telephone, computer, laptop, tablet or smartphone. Click the below link or call the below phone number to attend.

The city reserves the right to revoke anyone's virtual attendance for cause, just as the sergeant at arms would at an in person meeting.

JOIN MEETING:

<https://us02web.zoom.us/j/86533936087>

If you wish to speak during public comment, click participants then click raise hand at bottom of window. Your microphone will be unmuted when you are called to speak and you will be invited to activate your camera if you wish. Both will be deactivated once you have completed your comment.

Meeting ID: 865 3393 6087

Dial In numbers:

- +1 312 626 6799 US
- +1 646 558 8656 US
- +1 253 215 8782 US
- +1 301 715 8592 US

If you wish to speak during public comment press *9 to raise your hand. You will be called by your partially displayed phone number so please listen for that number. The host will lower your hand and mute your line after speaking.

APPROVAL OF MINUTES

1. Approval of Minutes

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (5 min. max)

COMMENTS FROM THE BOARD MEMBERS

COMMUNITY REDEVELOPMENT BOARD

1. Elect New CRA Member
2. Presentation of New Applicants for the Business Improvement Reimbursement Program
3. Purchase of Property

OTHER MATTERS BEFORE THE BOARD

1. ORDINANCE NUMBER 2439-2020: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING FROM RESIDENTIAL, SINGLE-FAMILY (R-1) TO URBAN DISTRICT/ URBAN NEIGHBORHOOD SUBDISTRICT (UN) ON THE CITY'S OFFICIAL ZONING MAP FOR PROPERTY TOTALING 0.72 ACRES, OWNED BY LONE PALM PROPERTY INVESTMENTS, LLC, LOCATED BETWEEN MARTIN LUTHER KING JR. BOULEVARD AND SE 6th STREET, WEST OF PALM BEACH ROAD; BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; DECLARING THE PROJECT 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, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES. **(QD)**

2. RESOLUTION NUMBER 64-2020: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW THE DEVIATION OF REQUIREMENTS REGARDING THE NUMBER OF PARKING SPACES REQUIRED AND ALLOW THE CONSTRUCTION OF NINE (9) NEW ON-STREET PARKING SPACES WITHIN THE URBAN HIGHWAY ZONING DISTRICT; PROVIDING FOR A REVOCABLE PERMIT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES. **(QJ)**

HISTORIC PRESERVATION BOARD MATTERS

STAFF UPDATE

ADJOURNMENT

UPCOMING MEETINGS and EVENTS

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CRB/HPB Board**

Meeting Date:6/2/2020

Prepared by:David Dyess, City Manager

Title of Item:

THIS MEETING WILL BE A HYBRID IN PERSON/REMOTE MEETING.

In Person: City Hall can accommodate a small number of citizen participants. Overflow citizens will be directed to Flagler Place (201 Flagler Ave., Stuart) where larger rooms can accommodate social distancing. Public comment will be taken live via audio/video conference with commissioners.

Teleconference: Citizens can attend from the comfort of their home via telephone, computer, laptop, tablet or smartphone. Click the below link or call the below phone number to attend.

The city reserves the right to revoke anyone's virtual attendance for cause, just as the sergeant at arms would at an in person meeting.

JOIN MEETING:

<https://us02web.zoom.us/j/86533936087>

If you wish to speak during public comment, click participants then click raise hand at bottom of window. Your microphone will be unmuted when you are called to speak and you will be invited to activate your camera if you wish. Both will be deactivated once you have completed your comment.

Meeting ID: 865 3393 6087

Dial In numbers:

+1 312 626 6799 US

+1 646 558 8656 US

+1 253 215 8782 US

+1 301 715 8592 US

If you wish to speak during public comment press *9 to raise your hand. You will be called by your partially displayed phone number so please listen for that number. The host will lower your hand and mute your line after speaking.

Summary Explanation/Background Information on Agenda Request:

Funding Source:

Recommended Action:

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CRB/HPB Board**

Meeting Date:6/2/2020

Prepared by:Jordan Pinkston

Title of Item:

Approval of May 5, 2020 CRB Minutes.

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Approve.

ATTACHMENTS:

Description	Upload Date	Type
▣ CRB Minutes 5.5.2020	5/27/2020	Cover Memo



MINUTES

COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION BOARD

MAY 5, 2020 AT 4:00PM
CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD MEMBERS

Chair – Frank Wacha
Vice Chair – Nathan Ritchey
Board Member – Faye James
Board Member – Tom Campenni
Board Member – Pete Walson
Board Member – Cristina Maldonado
Board Member – Chris Lewis

ADMINISTRATIVE

Development Director, Kev Freeman
CRA Administrator, Pinal Gandhi-Savdas
Board Secretary, Jordan Pinkston

CALL TO ORDER

ROLL CALL 4PM

Present (physically): Tom Campenni

Present (remotely): Frank Wacha, Nathan Ritchey, Faye James, Pete Walson, Cristina Maldonado, Chris Lewis

Absent: None.

APPROVAL OF MINUTES

Action: Approve.

Moved by: Pete Walson

Seconded by: Chris Lewis

Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max):

- 1) Tracy Barnes (Channel Avenue) – Made comments via ZOOM about the Colorado Shoppes and the drainage issues they cause for property owners.

APPROVAL OF AGENDA

Action: Approve.

Moved by: Tom Campenni

Seconded by: Nathan Ritchey

Motion passed unanimously.

COMMENTS FROM THE BOARD MEMBERS ON NON-AGENDA ITEM:

Faye James stepped away from the meeting remotely.

Frank Wacha said that he will be abstaining from voting on items three and four on the agenda.

COMMUNITY REDEVELOPMENT BOARD

1. R55-2020 Shoppes on Colorado Annex MUCCU

PRESENTATION: Stephen Mayer, Senior Planner
Kristen Brown, Ted Glasrud & Associates
Bill Mathers, Mathers Engineering

COMMENTS FROM THE BOARD MEMBERS:

Cristina Maldonado and Nathan Ritchey questioned the landscaping in the renderings next to Frazier Creek.

Kristen Brown spoke about the landscaping and mangrove maintenance plan.

Nathan Ritchey asked about a parking plan.

Kristen Brown explained that their goal is to keep everything uniform and flow between the two plazas.

Cristina Maldonado asked about neighboring properties.

The applicant presented.

Bill Mathers spoke about the past and current stormwater situation.

Pete Walson expressed his difficulty understanding the applicant's presentation remotely.

COMMENTS FROM THE PUBLIC (5 min. max):

- 1) Tracy Barnes (Channel Avenue) – Commented on the difficulty of hearing the past presentation. Concerned about the stormwater plan and traffic plan being successful.

COMMENTS FROM THE BOARD MEMBERS:

Faye James remotely logged back into the meeting.

Mike Mortell said that it is appropriate for Faye James to vote if she is comfortable doing so.

Tom Campenni said he was concerned about stormwater and the building not creating an urban setting for Colorado. He said that if we continue to do this it will become a suburban street.

Discussion occurred about the vision for Colorado and current project proposals deviating from the Commission's plan. It was recommended that the board revisit this issue with the commission.

Action: Approve.

Moved by: Pete Walson

Seconded by: Chris Lewis

Motion passed with Board Member Maldonado opposing.

2. Res. No. 53-2020 River House Public Art Proposal

PRESENTATION: Tom Reetz, Senior Planner
Geoffrey Smith, Geoffrey C. Smith Galleries

COMMENTS FROM THE BOARD MEMBERS:

Nathan Ritchey asked for confirmation on the location of the art.

Tom Reetz confirmed the location of the project.

Faye James asked for confirmation on the budget and where the money is coming from.

Frank Wacha said that the funds come from the applicant.

Mike Mortell confirmed that the code requires that they spend 1% of their construction costs on public art, but the applicant has agreed to spend more than that.

The applicant described the landscaping proposed in the project and further details about the project.

COMMENTS FROM THE PUBLIC (5 min. max): None.

Action: Approve.

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

3. Ordinance No 2438-2020: New Avonlea PUD Minor Amendment

PRESENTATION: Stephen Mayer, Senior Planner
Nik Schroth, NAI Southcoast

COMMENTS FROM THE BOARD MEMBERS:

Frank Wacha passed the gavel to Vice Chair Ritchey.

Tom Campenni said that this was originally approved 12-14 years ago. He said that the developer should have been responsible for improvements back then and not have the process we currently have.

Pete Walson congratulated the developer on the streetscape.

COMMENTS FROM THE PUBLIC (5 min. max): None.

Action: Approve.

Moved by: Tom Campenni

Seconded by: Chris Lewis

Motion passed unanimously with Frank Wacha abstaining.

4. Resolution No. 04-2020 (CRA) Avonlea REDA Amendment

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator
Nik Schroth, NAI Southcoast
Tim Hernandez, New Urban Communities

COMMENTS FROM THE BOARD MEMBERS:

Pete Walson left the meeting.

Tom Campenni said that we have twelve parcels, but only ten will be improved so he would like to know what will happen to the remaining two.

Nik Schroth explained the status and plan for each parcel.

COMMENTS FROM THE PUBLIC (5 min. max): None.

Action: Approve.

Moved by: Chris Lewis

Seconded by: Cristina Maldonado

Motion passed unanimously with Frank Wacha abstaining.

HISTORIC PRESERVATION BOARD MATTERS: None.

COMMENTS FROM THE BOARD MEMBERS: None.

STAFF UPDATE: None.

ADJOURNMENT

Motion: None.

Action: None was made.

The board adjourned without a motion or second.

Frank Wacha, Chair

Jordan Pinkston, Board Secretary

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CRB/HPB Board**

Meeting Date:6/2/2020

Prepared by:Jordan Pinkston

Title of Item:

Elect New CRA Member

Summary Explanation/Background Information on Agenda Request:

Nathan Ritchey has submitted his resignation from the Community Redevelopment Agency on May 6, 2020 via email, but requests to remain on the Community Redevelopment Board. Per the Community Redevelopment Agency By-Laws, two (2) appointees from the CRB along with the five (5) governing members of the commission, make up the CRA, therefore, a member of the CRB must be selected to replace Mr. Ritchey on the CRA.

Funding Source:

N/A.

Recommended Action:

Elect new Community Redevelopment Agency member.

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 6/2/2020

Prepared by: Pinal Gandhi-Savdas

Title of Item:

Second grant cycle (Feb 2020 – April 2020) – New applicants for the Business Improvement Reimbursement Program FY 2019-20

Summary Explanation/Background Information on Agenda Request:

The CRA allocated funding in the amount of \$50,000 for the Business Improvement Reimbursement Program FY 2019-2020 grant cycle. On January 27, 2020, the CRA approved two grant applications in the amount of \$10,000 each.

Since there is a remaining fund balance of \$30,000 for FY2019-2020 program year, the Board approved the extension of the grant cycle beginning February 1, 2020 for up to 90 days. We received 3 new applications and the project details have been provided in the attachments.

The Stuart CRA Business Improvement Reimbursement Program is an incentive program designed to encourage visible, exterior improvements to commercial businesses in the Start Community Redevelopment Area.

The grant program provides a reimbursement grant of up to \$10,000 of public funds per property to match private funds to pay for the design and completion of property improvements. The grant shall be available for commercial businesses which may qualify for a reimbursement of 50% of the applicants total project costs up to \$10,000.

Funding Source:

FY 2020 CRA Budget - \$50,000

Recommended Action:

Recommend to the Community Redevelopment Agency to accept staff recommendations for the FY 2019-2020 BIRP grant disbursement.

ATTACHMENTS:

Description	Upload Date	Type
❑ PowerPoint Presentation	5/26/2020	Presentation
❑ Abyss Salon Application	5/26/2020	Backup Material
❑ The Sade Group Application	5/26/2020	Backup Material
❑ Stuart Plaza Application	5/26/2020	Backup Material
❑ Minutes - Joint CRB CRA CC Meeting 01-27-2020	5/13/2020	Backup Material
❑ BIRP Spreadsheet of Approved Projects	5/13/2020	Backup Material

CITY OF STUART CRB MEETING June 2, 2020

CRA Business Improvement Grant Program



The Stuart CRA Business Improvement Grant Program is an incentive program designed to encourage visible, exterior improvements to commercial businesses and to encourage investment within the Stuart Community Redevelopment Area.

GOAL OF PROGRAM



- This program is consistent with the CRA Plan
- CRA's throughout the state administer these types of programs
- Provides opportunity to increase property values = increase in TIF

CRA PLAN



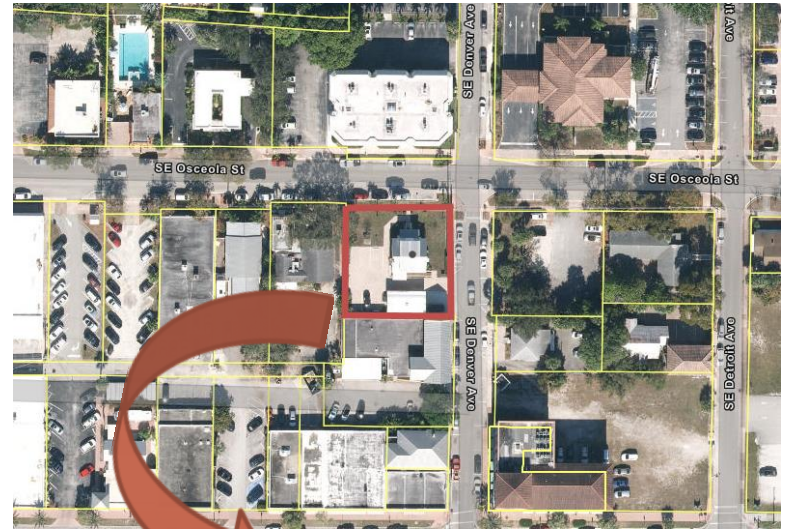
- Reimbursement of 50% of the project costs not to exceed \$10,000
- Must meet listed eligible improvements
- ANY business owner in the Stuart Community Redevelopment area is eligible (excluding non-profits)
- Criteria is provided for guidance with award

DESCRIPTION OF PROGRAM



Abyss Salon, Inc.

- Located at: 48 SE Osceola Street
- Improvements:
 - Replacement of obsolete and deteriorated windows with new energy efficient and hurricane impact windows.



Lowest Cost Estimate: \$21,261

Award: up to \$10,000

Benefits to CRA:

- Replacing approximately 30 windows with impact windows and remove Bahama shutters.
- Eliminate outdated look and improve the exterior appearance of the structure.
- Lower energy bill helps to save money and reinvestment into the property.



Abby's Salon, Inc.

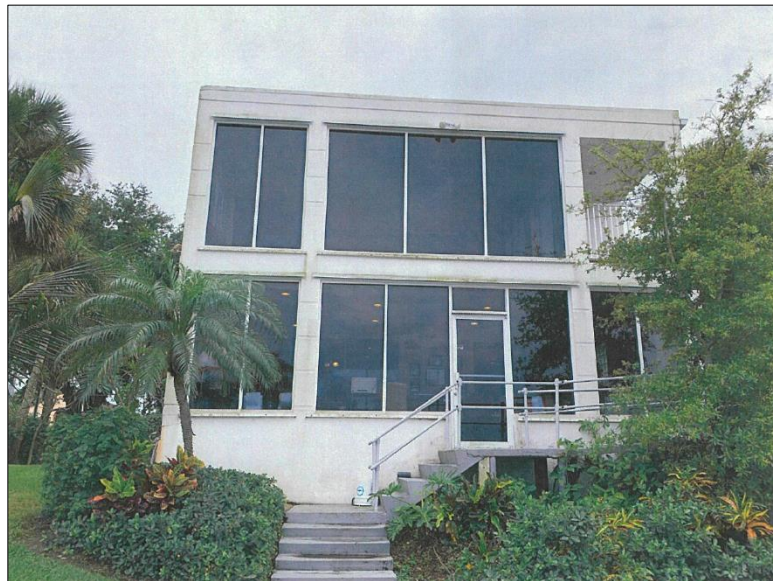


The Sade Group

- Located at: 477 SE Riverside Drive
- Improvements:
 - Balcony addition in the rear of the building.



BEFORE



PROPOSED



Lowest Cost Estimate: \$100,000

Award: up to \$10,000

Benefits to CRA:

- Improve the exterior appearance of the structure. Added balcony will be visible from SE Illinois Ave. and St Lucie River waterfront.
- Proposed balcony will further implement Urban Code.
- Preserve historic property. Known as the “Smith House”, built in 1939. Designed in International Style architecture (popular in the 1920s and 1930s) – closely related to modern architecture.



The Sade Group



Stuart Plaza

- Located at: 1205 SW Dixie Cutoff Rd
- Improvements:
 - Remove a pole sign and replace it with monument sign



Lowest Cost Estimate: \$10,246

Award: up to \$5,123

Benefits to the CRA:

- Remove non-conforming pole sign.
- Replacement with monument sign will add interest and enhance the aesthetic of the property entrance.
- Positive impact on the business and adds value to the property.
- More attractive and adds curb appeal.



Stuart Plaza



- Staff is requesting approval to accept staff recommendation for the grant disbursement to the applicants.
- CRA Meeting on June 22, 2020.
- Next Grant Cycle will open in October – CRA Budget FY2021.

RECOMMENDATION





**STUART COMMUNITY REDEVELOPMENT AGENCY
BUSINESS IMPROVEMENT REIMBURSEMENT PROGRAM APPLICATION**

APPLICANT INFORMATION

Owner Name: Juanita D. Geary Rev. Trust U/T/D 9/1/99
Owner Address: 27 S.E. Ocean Blvd., Stuart, FL 34994
Phone: 772-288-4357 Email: chuckgeary@yahoo.com Tax ID#
Authorized Agent/Contractor: Charles Geary, Esq.
Agent Address: 27 S.E. Ocean Blvd., Stuart, FL 34994

PROPERTY INFORMATION

Name of Business: Abyss Salon, INC.
Type of Business: Hair Salon
Years in Operation: 20
Number of Employees: 6
Description of Improvements: Replacement of obsolete windows + door
Address of Proposed Project: 48 S.E. Osceola St., Stuart, FL 34994
Describe how this project benefits the Community Redevelopment Area:
improved appearance and public safety
Total Project Cost \$ 21,261.- \$21,261.-

By Juanita D. Geary Rev. Trust 9/1/99
Trustee
Signature of Applicant/Property Owner

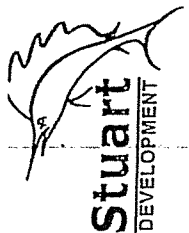
4/21/2020
Date

By Abyss Salon, INC.
[Signature]
Signature of Lessee/Tenant (if applicable)

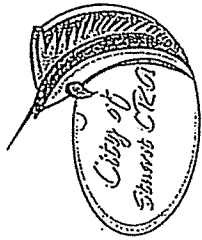
4/21/2020
Date

- Submit a completed application package to City Hall, Development Department office, which includes:
- Completed application
 - Complete budget spreadsheet (attached to application)
 - Proof of ownership of the property

- Copies of two cost estimates by licensed contractor/agent registered with the City of Stuart or Martin County
- Photographs of areas to be improved
- Renderings of proposed improvements
- The applicant is responsible for all building and other permits and fees which are associated with the proposed project.
- An application to the Business Improvement Reimbursement Program will not be processed until a completed application packet is submitted to the Stuart Community Redevelopment Agency located in City Hall, Development Department Office at 121 SE Flagler Avenue, Stuart.
- Completed applications are due **Friday, May 1, 2020 by 5 PM**. Applications with all documents attached will be accepted at Development Department Office located at City Hall, 121 SW Flagler Avenue. If you have any questions, please call 772-283-2532.
- Submitting an application is not a guarantee of funding.



STUART COMMUNITY REDEVELOPMENT AGENCY
PROPERTY IMPROVEMENT GRANT PROGRAM



PROJECT COST ESTIMATE/REIMBURSEMENT FORM

Note: All property improvement grant applicants need to complete the "Project Cost Estimate" portion of this form and submit documented cost estimates as a part of the application packet. To receive the grant reimbursement, the "Reimbursement Summary" portion of this form must be completed and submitted with copies of paid invoices indicating completion of improvements. All improvements must be completed, inspected, and have received final approval from the County prior to reimbursement.

Project Cost Estimate				Reimbursement Summary		
Item	Category of Improvement (windows, roofing, painting, etc.)	Contractor	Cost Estimate	Contractor	Date of Completion	Actual Cost (include proof of payment)
1	windows & Door	higherty impact windows & Doors	\$ 21,261	higherty impact windows & Doors		\$
2			\$			\$
3			\$			\$
4			\$			\$
5			\$			\$
6			\$			\$
7			\$			\$
Total Cost Estimate			\$ 21,261	Total Actual Cost		\$

Liberty Impact Windows & Doors, Inc.
257 SE Monterey Rd
Stuart, FL 34994
772-444-7112
connor@libertyimpactwindows.com

Page 28 of 154

LIBERTY

IMPACT WINDOWS & DOORS

Estimate

ADDRESS

Chuck Geary

ESTIMATE # 1473

DATE 04/21/2020

WORK DESCRIPTION

Salon Final Quote

SALES REP

Connor Walsh

ACTIVITY	DESCRIPTION	AMOUNT
CGI Windows & Doors	Furnish CGI Products (17) Sentinel 150 Series -All with white aluminum frames, charcoal screens, and glazed with clear laminated glass with LowE *Please refer to quote for further breakdown of materials*	18,015.00
ThermaTru Doors	Furnish & Install ThermaTru Doors (1) 3' 0" x 6' 8" S8140-ILE Smooth-Star Fiberglas Door w/Coastal White Astragal w/Glass (Impact-Rated) BRICKMOLD + INTERIOR CASING NOT INCLUDED	3,246.00
Labor/Install	PREMIER INSTALLATION INCLUDES: All Labor, approved fasteners, sealants, inspection, permit, stucco repair, daily cleaning, and a final cleanup. - We Do Not Paint - Includes Stucco Repair - Includes Haul-Away of Materials DOES NOT INCLUDE REPLACEMENT TRIM COSTS WILL BE ADDED ON FINAL BILL IF NEEDED	0.00

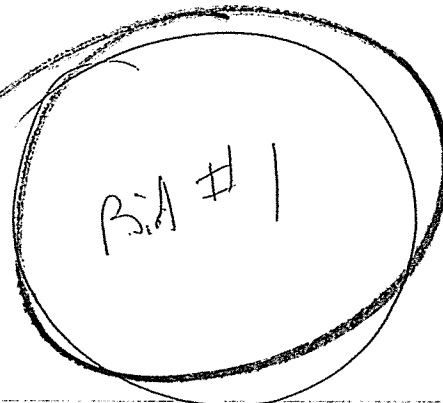
ESTIMATED TIME OF DELIVERY IS 8 WEEKS

TOTAL

\$21,261.00

TERMS: 50% DUE AT SIGNING | 40% DUE UPON DELIVERY | 10% WHEN COMPLETE

Terms & Conditions: This estimate is for completing the job described above, based on our evaluation. We do not paint, nor are we responsible for window sills. If paying with a credit card a 3.5% fee will apply. Any unforeseen conditions as: mold, mildew, wood rot, major stucco & drywall repair, replacement of marble sills and/or interior trim, any painting, etc. will be discussed prior to corrections and a contract addendum will be submitted upon agreement between homeowner and contractor. All workmanship/materials guaranteed to be as specified.

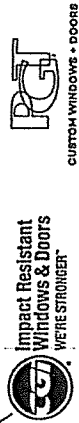


Thank you for giving us the opportunity to serve you. We appreciate your business and the confidence you have placed in us. Please call us if we can be of further assistance.

Licensing under Liberty Impact Windows & Doors, Inc. CGC #1528257

4

3



WINDOOR
HIGH PERFORMANCE DOORS & WINDOWS

**ezeell
breeze**
SEE US AT THE SHOW

CGIC
Architectural Products

DETAILED CUSTOMER PROPOSAL

Quote Number: 521690

Quote Name: SALON FINAL

Project Name: GEARY, CHUCK

Saved Date: Quote Not Saved

Sales Person: Connor Walsh

Dealer Information:

Liberty Impact Windows & Doors

257 SE Monterey Rd

Stuart, FL 34994

P: 772-444-7112 F:

Customer Information:

Job Address:

Line Qty Product

100-1 1 Series 130 Fixed Window

47" x 46"

Interlayer Type = PVB, Glass Make-Up = 7/16" Lami (Ann/HS)

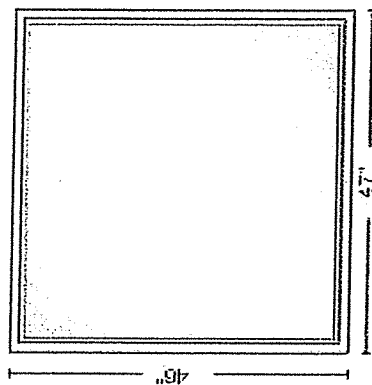
Glass Color = Energy Efficient Coatings, Energy Efficient Coatings = Clear Energy Shield Max, Textured Glass = None

Frame Type = Flange Frame, Glazing Bead = Square Bead

U-Factor = 1.03, SHGC = 0.32, VT = 0.53, CR = 12, CPD = CDR-K-14-00013-00005

DP + = 61.3, DP - = 61.3, NOA # = 19-0603.02, FBC # = FL-12731

Aluminum Finish = White Powder



Line Qty Product

200-1 2 Series 130 Fixed Window

34" x 46"

Interlayer Type = PVB, Glass Make-Up = 7/16" Lami (Ann/HS)

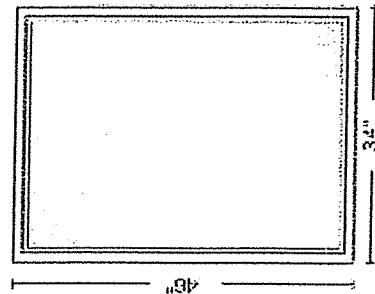
Glass Color = Energy Efficient Coatings, Energy Efficient Coatings = Clear Energy Shield Max, Textured Glass = None

Frame Type = Flange Frame, Glazing Bead = Square Bead

U-Factor = 1.03, SHGC = 0.32, VT = 0.53, CR = 12, CPD = CDR-K-14-00013-00005

DP + = 80, DP - = 80, NOA # = 19-0603.02, FBC # = FL-12731

Aluminum Finish = White Powder



Room Location:

3 + 4

Size:

34" X 46"

Room Location:

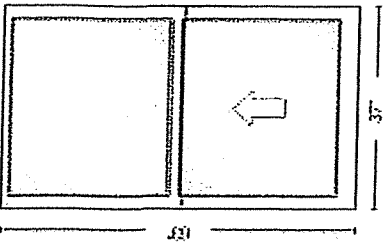
2

Size:

47" X 46"

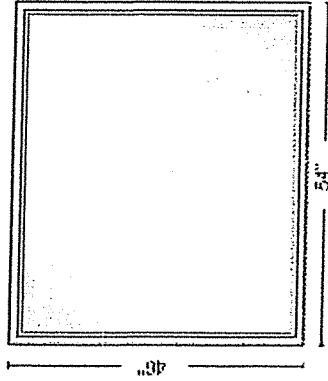
37" x 63"

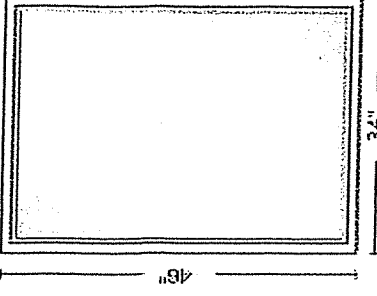
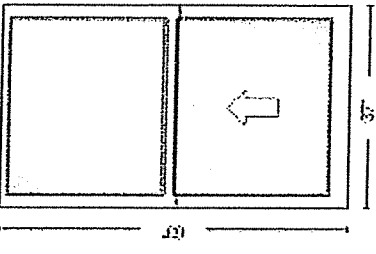
Hardware Finish = White, Sweep Locks? = No, Number of Locks = 2
Screen Option = With Screen
Interlayer Type = PVB, Glass Make-Up = 5/16" Lami (Ann/Ann)
Glass Color = Energy Efficient Coatings, Energy Efficient Coatings = Clear Energy Shield Max, Textured Glass = None
Aluminum Finish = White Powder
Frame Type = Flange Frame, Glazing Bead = Square Bead
U-Factor = 1.08, SHGC = 0.29, VT = 0.49, CR = 13, CPD = CDR-K-15-00012-00011
DP + = 75, DP - = 75, NOA # = 17-1018.08

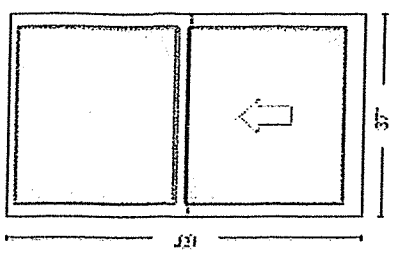


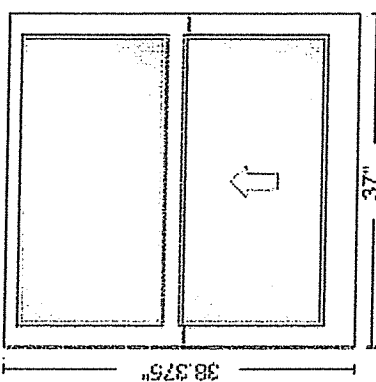
54" x 46"

Interlayer Type = PVB, Glass Make-Up = 7/16" Lami (Ann/HS)
Glass Color = Energy Efficient Coatings, Energy Efficient Coatings = Clear Energy Shield Max, Textured Glass = None
Frame Type = Flange Frame, Glazing Bead = Square Bead
U-Factor = 1.03, SHGC = 0.32, VT = 0.53, CR = 12, CPD = CDR-K-14-00013-00005
DP + = 61.3, DP - = 61.3, NOA # = 19-0603.02, FBC # = FL-12731
Aluminum Finish = White Powder



500-1	2	Series 130 Fixed Window	34" X 46"	16 + 17	Design Pressure	
34" x 46" Interlayer Type = PVB, Glass Make-Up = 7/16" Lami (Ann/HS) Glass Color = Energy Efficient Coatings, Energy Efficient Coatings = Clear Energy Shield Max, Textured Glass = None Frame Type = Flange Frame, Glazing Bead = Square Bead U-Factor = 1.03, SHGC = 0.32, VT = 0.53, CR = 12, CPD = CDR-K-14-00013-00005 DP + = 80, DP - = 80, NOA # = 19-0603.02, FBC # = FL-12731 Aluminum Finish = White Powder						
600-1	1	Series 110 Single Hung	37" X 63"	15	Design Pressure	
37" x 63" Hardware Finish = White, Sweep Locks? = No, Number of Locks = 2 Screen Option = With Screen Interlayer Type = PVB, Glass Make-Up = 5/16" Lami (Ann/Ann) Glass Color = Energy Efficient Coatings, Energy Efficient Coatings = Clear Energy Shield Max, Textured Glass = None Aluminum Finish = White Powder Frame Type = Flange Frame, Glazing Bead = Square Bead U-Factor = 1.08, SHGC = 0.29, VT = 0.49, CR = 13, CPD = CDR-K-15-00012-00011 DP + = 75, DP - = 75, NOA # = 17-1018.08						

Line	Qty	Product	Size	Room Location	Design Pressure
700-1	8	Series 110 Single Hung	37" X 63"	18-25	
37" x 63"					
Hardware Finish = White, Sweep Locks? = No, Number of Locks = 2					
Screen Option = With Screen					
Interlayer Type = PVB, Glass Make-Up = 5/16" Lami (Ann/Ann)					
Glass Color = Energy Efficient Coatings, Energy Efficient Coatings = Clear Energy Shield Max, Textured Glass = None					
Aluminum Finish = White Powder					
Frame Type = Flange Frame, Glazing Bead = Square Bead					
U-Factor = 1.08, SHGC = 0.29, VT = 0.49, CR = 13, CPD = CDR-K-15-00012-00011					
DP + = 75, DP - = 75, NOA # = 17-1018.08					
					
Line	Qty	Product	Size	Room Location	Design Pressure
800-1	1	Series 110 Single Hung	37" X 38.375"	30	
37" x 38.375"					

Hardware Finish = White, Sweep Locks? = No, Number of Locks = 2					
Screen Option = With Screen					
Interlayer Type = PVB, Glass Make-Up = 5/16" Lami (Ann/Ann)					
Glass Color = Energy Efficient Coatings, Energy Efficient Coatings = Clear Energy Shield Max, Textured Glass = None					
Aluminum Finish = White Powder					
Frame Type = Flange Frame, Glazing Bead = Square Bead					
U-Factor = 1.08, SHGC = 0.29, VT = 0.49, CR = 13, CPD = CDR-K-15-00012-00011					
DP + = 75, DP - = 75, NOA # = 17-1018.08					
					

KAMRELL WINDOWS & DOORS AGREEMENT

Page 33 of 154

KAMRELL

THE WINDOW & DOOR SPECIALIST

www.kamrellwindowsanddoors.com

2201 SE Indian Street BLDG Q-4

Stuart, FL 34997

Office: 772-288-6205 Fax: 772-288-6208

Licensed & Insured CGC 061180

BBB ACCREDITED BUSINESS A+ RATING

2018**Angie's List****SUPER SERVICE
AWARD**

JOB NAME: CHARLES GARY DATE: 2-12-20
 JOB ADDRESS: 48 SE OCEOLA ST TOTAL CONTRACT PRICE \$59,420
 CITY/STATE/ZIP: STUART FL 34996 CASH OR CHECK DISCOUNT 4000
 DEVELOPMENT NAME: _____ HOA APPROVAL YES NEW CONTRACT TOTAL \$55,420
 OWNER'S NAME: _____ DEPOSIT \$18,500
 OWNER'S MAILING ADDRESS: _____ DELIVERY TO WAREHOUSE \$18,500
 CITY/STATE/ZIP: _____ UPON INSTALLATION \$18,420
 TELEPHONE HOME: _____ CELL: 834-6712
 EMAIL ADDRESS: CHUCK GARY@YA-HOO.COM

**BUILDING PERMIT FEES ARE DETERMINED BY THE LOCAL BLDG DEPT. THESE FEES WILL BE ADDED TO THE CONTRACT TOTAL. BUYER'S INITIALS _____
 **IN THE EVENT A PRODUCT HAS A MANUFACTURER'S DEFECT THE BUYER MAY RETAIN 10% OF THE CONTRACT UNTIL MANUFACTURER REPLACES DEFECTIVE PRODUCT.
 BUYER'S INITIALS _____

CONSTR TYPE	NEW	BLOCK	# OF STORIES	MEAN ROOF HT	COUNTY CODE
EXISTING		FRAME	2	25	MIAMI DADE WBD

DO NOT SIGN THIS CONTRACT UNTIL YOU HAVE READ ALL CONDITIONS OF THE AGREEMENT ON THE BACKSIDE OF THIS CONTRACT.

WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATED FOR:

TO FURNISH AND INSTALL (28) PGT SH3500 + DW5520 IMPACT WHITE VINYL WINDOWS WITH TRIPLE PANE INSULATED, 70XL LOW-E, ARGON GAS, ENERGY STAR, PGT LIFETIME WARRANTY. REPLACE TRIM AS NEEDED, NO PAINTING. (2) BHI NVH2 IMPACT OUTSWING PRIMED 1/2 GLASS DOORS #DR540-684 WITH COMPOSITE JAMBS AND STAINLESS STEEL RAIL BEARING HINGERS. BHI 25 YEAR WARRANTY KEEP ALL BAHAMAS ON BUILDING EXCEPT #18-#25 TO BE REMOVED AND HAULED AWAY

#1-#5, 15-17, 31, 18-25, +30 ONLY \$34,390- PLUS PERMIT

Bid #2

LEAD TIME APPROX 8-12 WEEKS

I/WE HAVE READ BOTH THE FRONT AND BACK OF THE FOREGOING PROPOSAL CONTRACT AND ACCEPT THE SAME ON THE TERM AND CONDITIONS PRINTED ON THE REVERSE SIDE AND AS STATE ABOVE.

ONE YEAR LABOR WARRANTY

PRODUCT WARRANTY PER MANUFACTURER

BUYER #1 PRINT NAME	SIGNATURE	DATE	KAMRELL REPRESENTATIVE	SIGNATURE	DATE
BUYER #2 PRINT NAME	SIGNATURE	DATE	APPROVED BY	AUTHORIZED COMPANY SIGNATURE	

PLEASE MAKE CHECKS PAYABLE TO KAMRELL WINDOWS & DOORS

WHITE - CUSTOMER COPY / YELLOW - JOBSITE COPY / PINK OFFICE COPY

QUOTED PRICE WILL BE HONORED FOR 30 DAYS

9



THE WINDOW & DOOR SPECIALIST

2201 SE INDIAN STREET BLDG Q-4

STUART, FL 34997

OFFICE: 772-288-6205 FAX: 772-288-6208

www.kamrellwindowsanddoors.com

Customer Name: CHARLES GARY

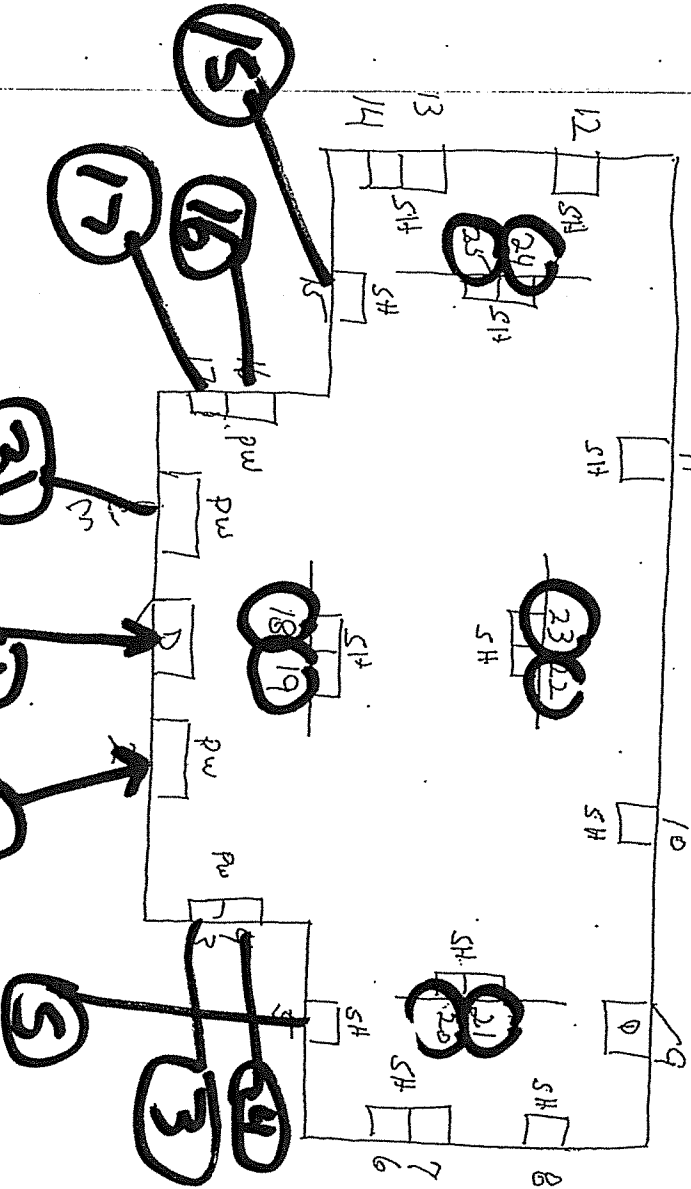
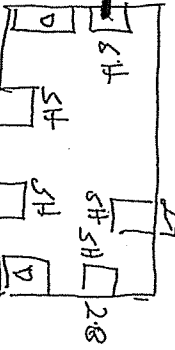
Job Address:

City & Zip

Phone #

of 154

50



GLASS	FRAME	ENERGY	LOW	ALUM	VINYL	SCREEN	BLOCK	FRAME	STUCCO
COLOR	COLOR	CODE	E			TYPE & COLOR			
CLIMATE	WALL	MA	70X						

NOTES:

BUYER'S SIGNATURE

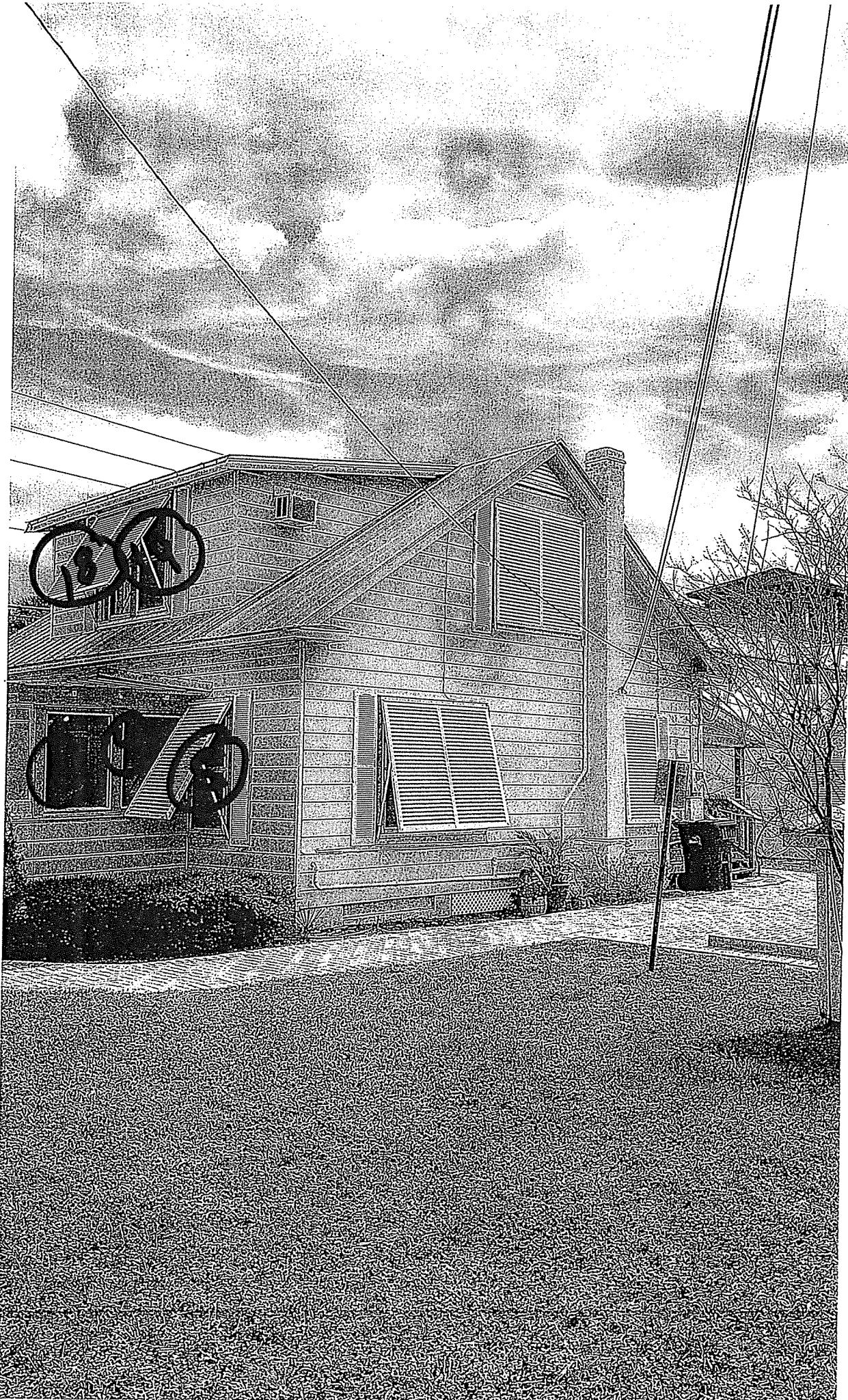
DATE

SALESPERSON'S SIGNATURE

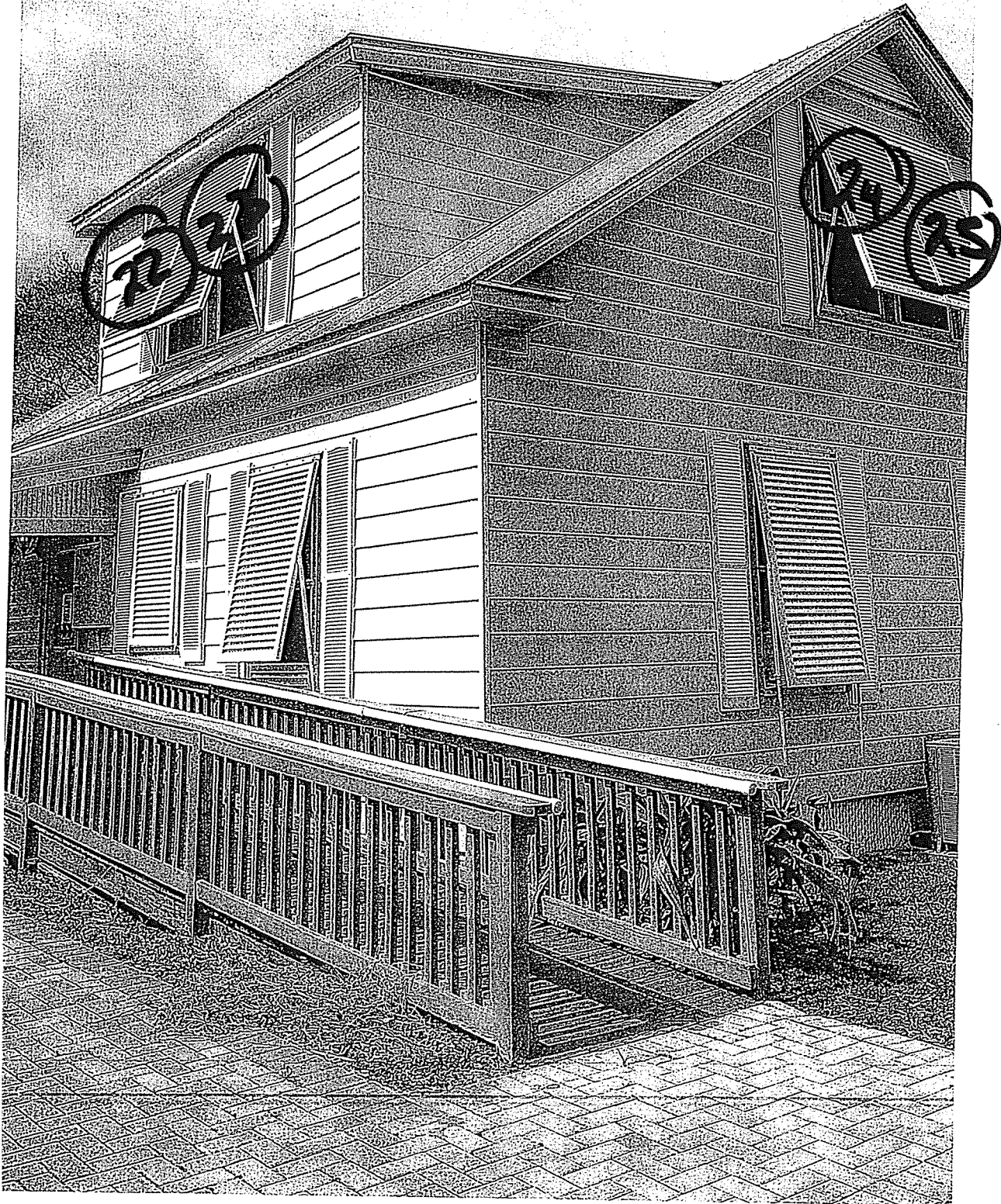
DATE

WHITE - CUSTOMER COPY / YELLOW - JOBSITE COPY / PINK - OFFICE COPY

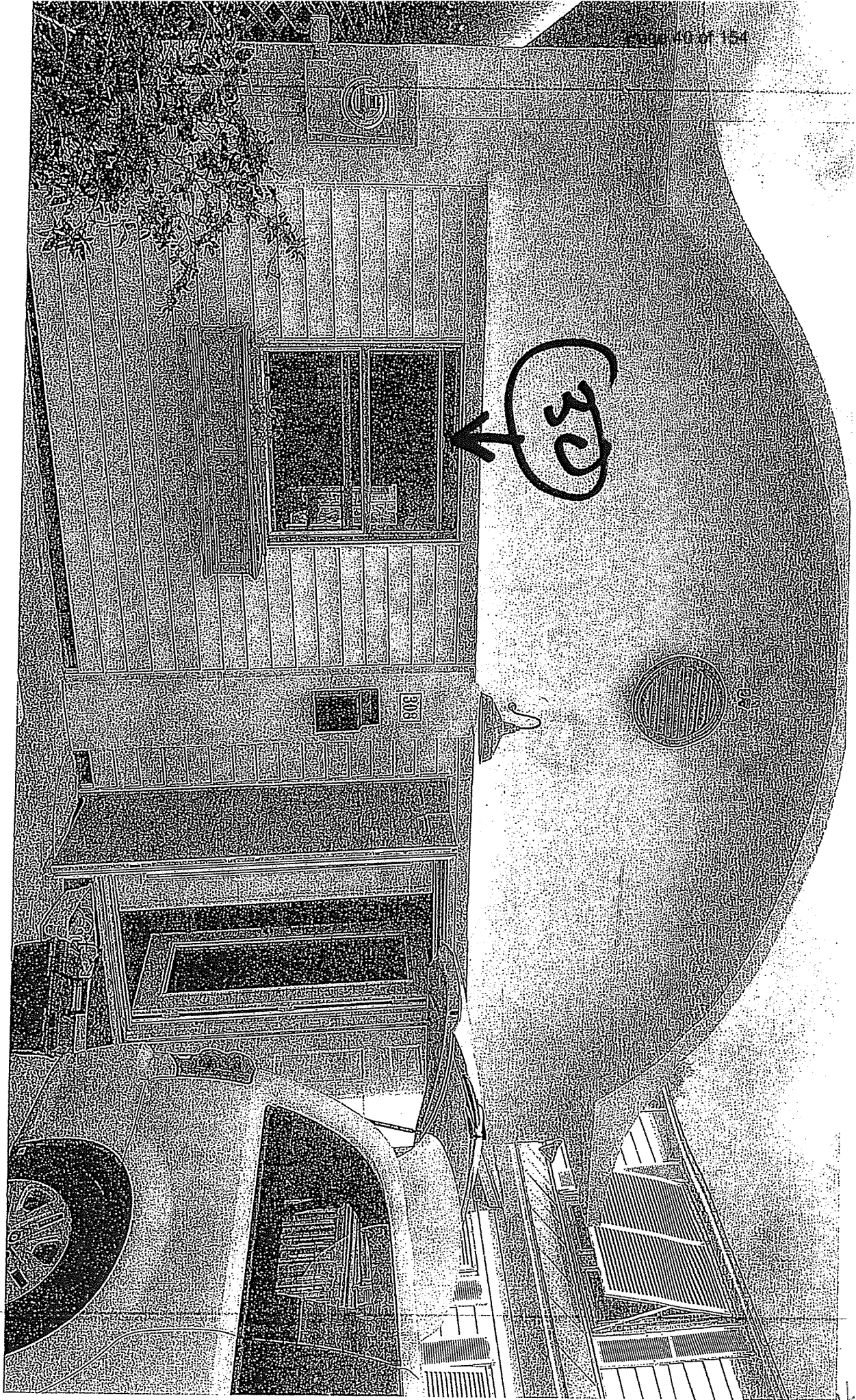












(Proof of Ownership)

MARSHA STILLER
CLERK OF CIRCUIT COURT
MARTIN CO., FL

RECORDED & VERIFIED
Page 41 of 154
D.C.

01394235

99 OCT 15 PM 1:30

Fast Title, Inc./mm
27 EAST OCEAN BLVD.
STUART, FL 34994
561-288-4357

DOC-DEED \$ 70 MARSHA STILLER
DOC-MTG \$ _____ MARTIN COUNTY
DOC-ASM \$ _____ CLERK OF CIRCUIT COURT
INT. TAX \$ _____ BY [Signature] D.C.

Parcel ID Number:

DEED

THIS INDENTURE, made this 23 day of SEP, 1999, by and between Edward A. Geary and Juanita D. Geary, his wife

hereinafter referred to as Grantor, whose mailing address is
510 S. Carolina Drive, Stuart, Florida 34994

and Juanita D. Geary and Edward A. Geary, as Co-Trustees of The Juanita D. Geary Revocable Trust, under Trust Agreement dated September 1, 1999, as may be amended from time to time thereafter hereinafter referred to as Trustee, whose post office address is
510 S. Carolina Drive, Stuart, Florida 34994

(Wherever used the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporation, wherever the context so admits or requires.)

WITNESSETH

Grantor, in consideration of the sum of

-----TEN DOLLARS (\$10)-----
and other good and valuable considerations, receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to Trustee, his successors and assigns, all Grantor's interest in and to the following described real property lying and being situated in Martin County, Florida to wit:

Lot 14 less the Northerly 5 feet and the Easterly 3 feet thereof, and Lot 15 less the Easterly 3 feet thereof, of High School Subdivision, according to the Plat thereof as recorded in Plat Book 2, Page 85, Public Records of Palm Beach (now Martin) County, Florida.

The preparer of this instrument was neither furnished with, nor requested to review, an abstract on the described property and therefore expresses no opinion as to condition of title.

Subject to current taxes, easements and restrictions of record.
(Continued on Attached)

TOGETHER WITH all appurtenances, privileges, rights, interest, dower, reversions, remainders and easements thereunto appertaining:

TO HAVE AND TO HOLD said real estate with the following powers and for the following uses and purposes, to-wit:

1. The Trustee is vested with full rights of ownership over the above described real estate and Trustee is specifically granted and given the power and authority:

- (a) To protect and conserve said real estate and improvements located thereon and to pay the taxes assessed thereon;
- (b) To sell said real estate, for cash or on credit, at public or private sale, to exchange said real estate for other property and to grant options to sell said property, and to determine the price and terms of sales, exchanges and options;
- (c) To execute leases and subleases for terms as long as 20 years, to subdivide or improve said real estate and tear down or alter improvements, to grant easements, give consent and make contracts relating to said real estate or its use and to release or dedicate any interest in said real estate;
- (d) To borrow money and to mortgage, pledge or encumber any or all of the said real estate to secure payment thereof;
- (e) To manage, control and operate said real estate, to collect the rents, issues and profits, to pay all expenses thereby incurred, and in addition, to manage and operate any business that may now or hereafter be operated and maintained on said real estate, and in general, to exercise any powers authorized by the provisions of Chapter 737, Florida Statutes, 1988;
- (f) The Trustee's liability hereunder, under the Trust Agreement or by operation of law to any person, firm or corporation is limited to the trust assets and the Trustee shall not become individually or personally obligated in any manner related thereto;

2. The Trustee shall hold said real estate and make distributions of said real estate of the proceeds derived therefrom in accordance with the terms and conditions of that certain Trust Agreement dated the _____ day of _____, 1999.

3. No purchaser, grantee, mortgagee, lessee, assignee or any other person dealing with the Trustee need see to the application of any proceeds of any sales, lease, mortgage or pledge, but the receipt of the Trustee shall be a complete discharge and acquittance therefor. Any and all persons, including but not limited to grantees, mortgagees, lessees, transferees and assigns dealing with said Trustee need not inquire into the identification or status of any beneficiary under this deed or any collateral instrument nor inquire into or ascertain the authority of such Trustee to act in and exercise the powers granted by this deed or of adequacy or disposition of any consideration paid to the Trustee nor inquire into the provisions of said unrecorded Trust Agreement and any amendments thereto collateral hereto.

Parcel ID Number:

4. This conveyance is made in conformance with the provisions of Section 689.071, Florida Statutes.
5. By its acceptance of this conveyance, the Trustee covenants and agrees to do and perform the duties, acts and requirements upon it binding.
6. Each and every power hereinabove set forth may be exercised by any Trustee. Any instrument executed by any Trustee or any act taken by any Trustee shall be binding upon the trust and all of the Trustees as fully and completely as if all Trustees had executed said instrument or taken said action.

7. The Successor Trustee is Grantee's son, Charles E. Geary
The Successor Trustee shall have all of the title, powers and discretion herein given to the Trustee, without any act of conveyance or transfer. A certificate signed by any Trustee or any Successor Trustee under this instrument and acknowledged by him/her before a Notary Public shall be conclusive evidence upon all persons and for all purposes of the facts stated in the certificate representing the terms of this instrument and the identity of the Trustees who from time to time are serving under it.

NOTE TO PROPERTY APPRAISER: The Grantee confirms that under the terms of the Trust referred to above, the Grantee has not less than a beneficial interest for life and is entitled to a homestead tax exemption pursuant to the provisions of Florida Statute 196.041(2).

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed the date above written.
Signed, sealed and delivered in the presence of:

Marianne Messersmith
Printed Name: MARIANNE MESSERSMITH
Witness

Maverick Lounsbury
Printed Name: MAVERICK LOUNSBURY
Witness

Edward A. Geary (Seal)
Edward A. Geary
P.O. Address: 510 S. Carolina Drive, Stuart, Florida 34994

Juanita D. Geary (Seal)
Juanita D. Geary
P.O. Address: 510 S. Carolina Drive, Stuart, Florida 34994

STATE OF Florida
COUNTY OF Martin

The foregoing instrument was acknowledged before me this 23rd day of Sept, 1999 by
Edward A. Geary and Juanita D. Geary

who is personally known to me or who has produced Florida driver's license as identification.

Marianne Messersmith
Printed Name: MARIANNE MESSERSMITH
Notary Public
My Commission Expires:

NOTARY PUBLIC - STATE OF FLORIDA
MARIANNE MESSERSMITH
COMMISSION # CC622782
EXPIRES 6/12/2003
BONDED THRU ASA 1-888-NOTARY1

KAMRELL

THE WINDOW & DOOR SPECIALIST

2201 SE INDIAN STREET BLDG Q-4

STUART, FL 34997

OFFICE: 772-288-6205 FAX: 772-288-6208

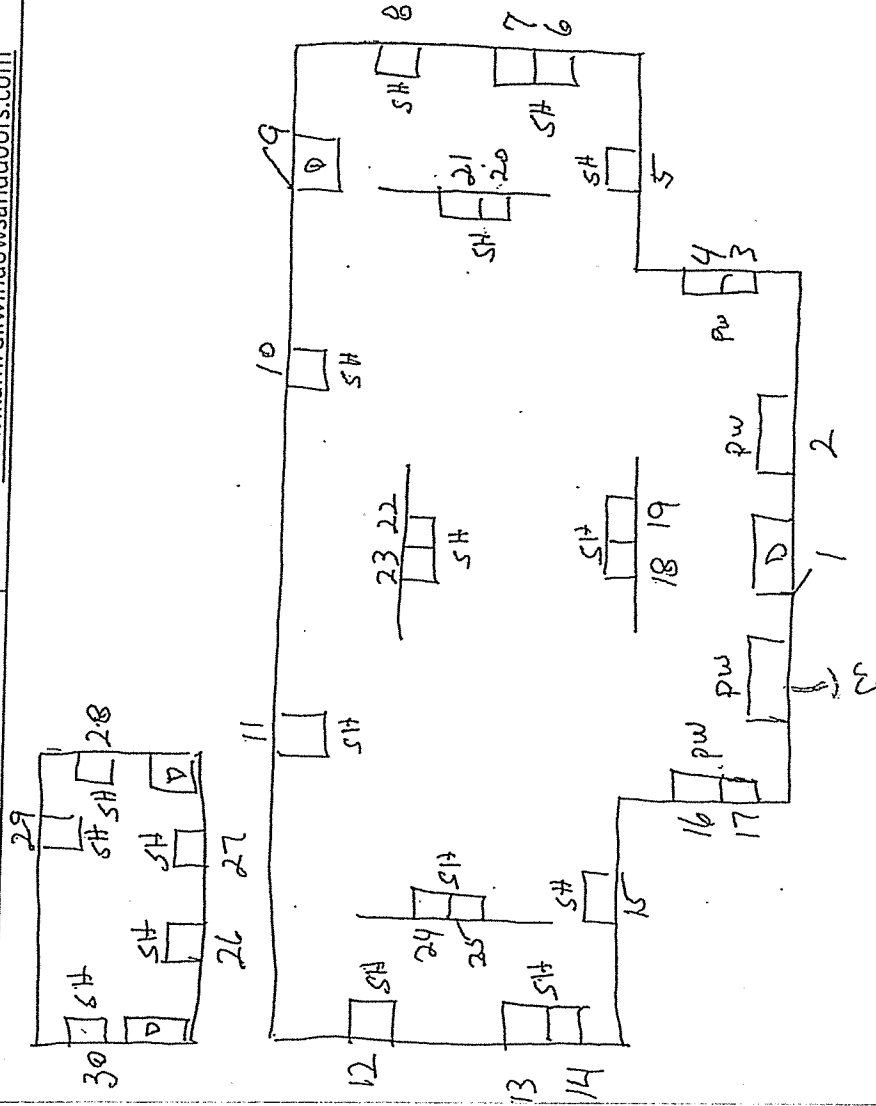
www.kamrellwindowsanddoors.com

Customer Name: CHARLES GEARY

Job Address:

City & Zip

Phone #



GLASS COLOR	FRAME COLOR	ENERGY CODE	LOW E	ALUM	VINYL	SCREEN TYPE & COLOR	BLOCK	FRAME	STUCCO	NOTES:
CLEAR	WHITE	MAX	70x4		☒	☒	☒	☒		

BUYER'S SIGNATURE

DATE

SALESPERSON'S SIGNATURE

Charles Geary 2/10/20

DATE

WHITE - CUSTOMER COPY / YELLOW - JOBSITE COPY / PINK - OFFICE COPY



STUART COMMUNITY REDEVELOPMENT AGENCY BUSINESS IMPROVEMENT REIMBURSEMENT PROGRAM APPLICATION

APPLICANT INFORMATION

Owner Name: 477 RIVERSIDE LLC		
Owner Address: 477 SE RIVERSIDE DRIVE STUART, FL 34994		
Phone: 772-210-1455	Email: SCOTT@SADEPWM.COM	Tax ID# 47-3517222
Authorized Agent/Contractor: SCOTT SADE		
Agent Address: 2901 SW LAKE TERRACE PALM CITY, FL 34990		

PROPERTY INFORMATION

Name of Business: THE SADE GROUP PRIVATE WEALTH MANAGEMENT
Type of Business: WEALTH MANAGEMENT / INVESTMENT SERVICES
Years in Operation: 5
Number of Employees: 3
Description of Improvements: balcony, windows, doors, exterior
Address of Proposed Project: 477 SE RIVERSIDE DRIVE STUART, FL 34994
Describe how this project benefits the Community Redevelopment Area: Built in 1939, this historic building, designed in the International Style of architecture, can't help but benefit the area with the planned improvements. The added balcony will bring beauty to Illinois Street as well as the St Lucie River waterfront, while maintaining the history of the building.
Total Project Cost \$

Signature of Applicant/Property Owner

04/28/2020

Date

Signature of Lessee/Tenant (if applicable)

Date

- Submit a completed application package to City Hall, Development Department office, which includes:
 - Completed application
 - Complete budget spreadsheet (*attached to application*)
 - Proof of ownership of the property



**STUART COMMUNITY REDEVELOPMENT AGENCY
PROPERTY IMPROVEMENT GRANT PROGRAM**



PROJECT COST ESTIMATE/REIMBURSEMENT FORM

Note: All property improvement grant applicants need to complete the "Project Cost Estimate" portion of this form and submit documented cost estimates as a part of the application packet. To receive the grant reimbursement, the "Reimbursement Summary" portion of this form must be completed and submitted with copies of paid invoices indicating completion of improvements. All improvements must be completed, inspected, and have received final approval from the County prior to reimbursement.

Project Cost Estimate				Reimbursement Summary		
Item	Category of Improvement (windows, roofing, painting, etc.)	Contractor	Cost Estimate	Contractor	Date of Completion	Actual Cost (include proof of payment)
1	BALCONY ADDITION	Mancil's	\$ 100,000.00			\$
2			\$			\$
3			\$			\$
4			\$			\$
5			\$			\$
6			\$			\$
7			\$			\$
Total Cost Estimate			\$ 100,000.00	Total Actual Cost		\$

KRAMER, SOPKO & LEVENSTEIN, P.A.

ROBERT S. KRAMER
JAMES SOPKO
Board Certified Tax Lawyer
Board Certified Wills, Trust
and Estates Lawyer
RICHARD H. LEVENSTEIN
Board Certified Business Litigation Lawyer
MELISSA J. CLASEN
ABBY M. SPEARS
JOHN K. COPELAND – OF COUNSEL

2300 SE MONTEREY ROAD, SUITE 100
STUART, FLORIDA 34996
POST OFFICE BOX 2421
STUART, FLORIDA 34995

(772) 288-0048
FAX (772) 288-0049

August 20, 2015

Scott B. Sade
477 Riverside, LLC
2901 SW Lake Terrace
Palm City, FL 34990

Re: Purchase from CenterState Bank of Florida, N.A.
477 Riverside Drive, Stuart, Florida

Dear Mr. Sade:

Enclosed please find the following documents in connection with the referenced matter. These documents constitute ownership of this property and should be placed in a safe place for future reference:

- Owner's Policy of Title Insurance
- Original recorded Special Warranty Deed (OR Book 2772, PG 576)

This concludes this transaction. It has been a pleasure to be of service to you. If we can provide further assistance please contact this office. Thank you.

Very truly yours,

KRAMER, SOPKO & LEVENSTEIN, P.A.



Liz Dailey
Real Estate Assistant

/ld
Enclosures

477 Riverside

Proof of Ownership

Page 47 of 154
INSTR # 2504415
OR BK 2772 PG 576
(3 Pgs)
RECORDED 03/17/2015 10:07:57 AM
CAROLYN TIMMANN
MARTIN COUNTY CLERK
DEED DOC TAX \$6,300.00

Prepared by and return to:

Robert S. Kramer, Esq.
Kramer, Sopko & Levenstein, P.A.
2300 SE Monterey Road Suite 100
Stuart, FL 34996
772-288-0048
File Number: 30001.34
Will Call No.: 80

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 13th day of March, 2015 between CenterState Bank of Florida, N.A. whose post office address is 1101 First Street South, Winter Haven, FL 33880, grantor, and 477 Riverside, LLC, a Florida limited liability company whose post office address is 2901 SW Lake Terrace, Palm City, FL 34990, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Martin County, Florida, to-wit:

See Exhibit "A" attached hereto and made a part hereof

Parcel Identification Number: 04-38-41-020-008-00220-9

Subject to taxes for 2015 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

DOCUMENT# L15000041897

Entity Name: 477 RIVERSIDE, LLC

Mar 24, 2020
Secretary of State
3958233641CC

Current Principal Place of Business:

2901 SW LAKE TERRACE
PALM CITY, FL 34990

Current Mailing Address:

2901 SW LAKE TERRACE
PALM CITY, FL 34990

FEI Number: 41-3517222

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

SADE, SCOTT B
2901 SW LAKE TERRACE
PALM CITY, FL 34990 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title	MGR	Title	MGR
Name	SADE, SCOTT B	Name	MILEY, ROBIN L
Address	2901 SW LAKE TERRACE	Address	2901 SW LAKE TERRACE
City-State-Zip:	PALM CITY FL 34990	City-State-Zip:	PALM CITY FL 34990

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: ROBIN MILEY

MGR

03/24/2020

Electronic Signature of Signing Authorized Person(s) Detail

Date

477 Riverside Budget Spreadsheet

Page 49 of 154

PERMIT # | | | | | | | | | |



CITY OF STUART, FLORIDA BUILDING DIVISION CONSTRUCTION PERMIT APPLICATION

Received By: _____

Application must be typed or printed legibly in ink and complete all relevant fields.

Parcel ID NUMBER 04-38-41-020-008- PROJECT IDENTIFICATION DATE OF APPLICATION 04 13 2020 /
ADDRESS 477 SE Riverside Drive, Stuart, FL 34994 Flood Zone X, VE
PROJECT NAME New Exterior Stairs & Deck CONTACT Don Mancil
PROJECT CONTACT PHONE 772 260 7334 E-MAIL ADDRESS shinnrd1@gmail.com

PROPERTY OWNERSHIP DETAILS
FULL LEGAL NAME, AGENCY, OR BUSINESS 477 Riverside LLC
MAILING ADDRESS 2901 SW Lake Terrace, Palm City, FL 34990
OWNER CONTACT PHONE 772 210 1445 OWNER E-MAIL ADDRESS scorr@sadepwm.com

DESCRIPTION OF WORK
Building ☒ Electric ☒ Plumbing _____ Mechanical _____
Constructing a concrete deck with roof at the second floor of existing structure.
Lighting will be added as indicated on plans.
There is no plumbing or HVAC associated.

LICENSED CONTRACTOR	<u>CGC</u>	FLORIDA DESIGN PROFESSIONAL
COMPANY NAME <u>Mancil's Tractor Service</u> LICENSE # <u>1518859</u>		COMPANY NAME <u>Joseph P McCarty, Architect, Inc.</u>
NAME (QUALIFYING AGENT) <u>Timothy Mehaffey</u>		NAME <u>Joe McCarty</u> LICENSE # <u>9639</u>
ADDRESS <u>8530 SW Jayme Way, Palm City, FL 34990</u>		ADDRESS <u>900 E Osceola St, Stuart, FL 34996</u>
PHONE <u>772-260-7334</u>		PHONE <u>772-287-6735</u>
E-MAIL ADDRESS <u>shinnrd1@gmail.com</u>		E-MAIL ADDRESS <u>joe@stuartdesignarchitect.com</u>

For demolition / renovation projects involving a commercial, institutional or industrial structure or apartment building of more than four dwelling units, the following provisions are applicable:
I. Renovation: Is asbestos present? Yes _____ No ☒
II. Demolition: All applicants must provide Notice to DEP regardless of whether asbestos is present.
Mandatory Action: If asbestos is subsequently discovered, then the applicant shall immediately provide notice to the DEP and amend this application.

CONSTRUCTION VALUE OF WORK					
Building Cost \$ <u>100,000</u>	Electrical Cost \$ <u>10,000</u>	Plumbing Cost \$ _____	Mech. Cost \$ _____	Total Cost \$ _____	
Number of Stories <u>2</u>	Building Height _____				
Total Floor Area (SF) _____	Enclosed _____	Unenclosed _____			
Number of Gas Fixtures <u>N/A</u>	Number of Plumbing Fixtures <u>N/A</u>				
Number of Parking Spaces <u>N/A</u>	Number of Accessible Parking Spaces <u>0</u>				
Occupancy Classification _____	Occupancy Capacity: _____	Business Type: _____			

Scott Sade
477 Riverside Drive
Stuart, FL 34997
Exhibit "A" Specifications
1/16/18

\$12M Stucco
\$10M TONG & GROOVE
\$10M RAILING
\$1800 Survey
\$1500 Soil test
\$11M ROOF
\$9500 PAINT
\$4M ELECT
\$3500 LANDSCAPE
SPRINK

Preliminary and Design Costs: Surveys (site/slab/completion), permit fee allowance of \$4400.00 included. All design cost shall be the responsibility of the owner.
Soil borings test allowance \$1500.00

Demolition: Demolition and removal of existing structural elements shall be as per plan.

Land Preparation: Trees, sod and debris shall be removed from within building perimeter. Existing grade shall be balanced no new fill is to be imported. Pads shall be termite treated and a final termite treatment shall be performed at the completion of building project.

Concrete Foundation Pads: New concrete footings shall be constructed using reinforced 3000 psi concrete. NOTE: Shrinkage and non-structural cracks are common and may appear over time.

Exterior Column's and Beams: Exterior columns shall be poured, with vertical and horizontal steel and 3000 PSI concrete reinforced with rebar as per plan. Columns shall be finished in float finished stucco.

Stairs: Stairs shall be formed and poured in place with reinforced 3000 PSI concrete. Stairs shall be float finished. Under side of Stairs shall be finished in float finished stucco.

Second Floor Deck: Second floor deck shall be 6" Hollow core precast decking with a 3000 PSI poured 2" cap.

Roof: Roof shall be constructed using engineered wood trusses covered with 5/8 CDX plywood sheathing. Roof shall be per plan elevation with 5V crimp 26-gauge galvalume metal roofing over 30 lb. underlayment. Roof fascia shall be rough sawn pre-primed wood. Roof soffit shall be V Joint Tongue & Groove # 1 cypress painted to match existing. All flashing shall be galvalume.

Ceilings: Porch ceiling shall be shall be V Joint & Tongue and groove # 1 cypress.

Paint: All stucco surfaces shall be painted with one coat of primer and two coats of a latex paint finish. Patio ceilings shall be stained with one coat of stain and two coats of clear finish. Soffits and fascia are to be painted to match existing. Exterior side of existing building adjacent o new structure shall be painted one coat of existing color.

Ceramic tile: Not Included at this time

Storm Shutters: Modifications to existing shutters are not included in this proposal.

Electrical System: There is not enough information currently to price this scope of work. Allowance of \$3,500.00 is included.

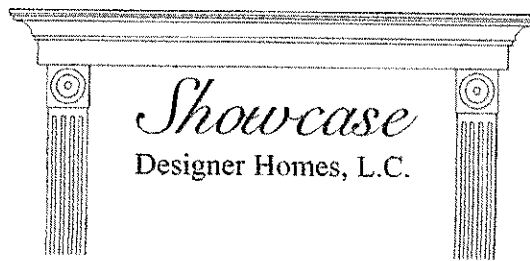
Landscaping, Sod, Mulch: There shall be an allowance of \$2,500.00 for the repair and replacement of landscaping

Irrigation: Shall have an allowance of \$1,000.00 for the repair of irrigation.

Owner/Buyer

Owner/Buyer

Showcase



1/16/18

Regarding proposal for new exterior stairs and deck:

Scott Sade
477 SE Riverside Drive
Stuart FL, 34994

Proposal to construct new deck, roof and deck \$154,450.00

Proposal is based on plans drawn by Joseph p. McCarty Architect, Inc. Plan date 12/21/17
Engineering by V.J. Gerley & Associates.

Patio deck and stairs shall be constructed to specifications on Exhibit A dated 1/16/18.

Thank you again for the opportunity to bid your project and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "David San George Jr.", written over a horizontal line.

David San George Jr.

772.546.5144 Phone

3393 SW 42nd Avenue Suite 1
Palm City, FL 34990
info@showcasedesignerhomes.com
Lic. #CRC1331112

772.546.8420 Fax

A McNAMARA – SAN GEORGE Company

477 Riverside before

Page 53 of 154

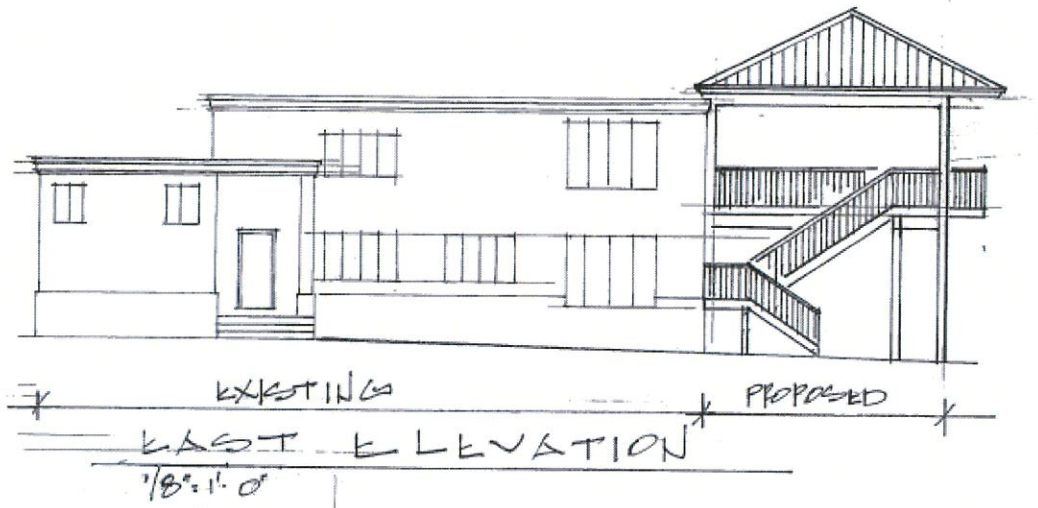


411 Riverside Before

Page 54 of 154



477 Riverside Rendering of improvements





STUART COMMUNITY REDEVELOPMENT AGENCY BUSINESS IMPROVEMENT REIMBURSEMENT PROGRAM APPLICATION

APPLICANT INFORMATION

Owner Name: JAMES GRIFFIN

Owner Address: 1321 SE Riverside Dr., Stuart, FL 34996

Phone: 772-341-3423 Email: Jim.griffin@leaoil.com Tax ID#

Authorized Agent/Contractor: JAMES B. GRIFFIN

Agent Address: 1321 SE Riverside Dr. Stuart, FL 34996

PROPERTY INFORMATION

Name of Business: STUART PLAZA

Type of Business: Small Strip Plaza

Years in Operation: 16 years

Number of Employees: —

Description of Improvements: Remove non-conforming pole sign, Install New Monument Sign

Address of Proposed Project: 1205 SE Palm Cutoff Rd.

Describe how this project benefits the Community Redevelopment Area: The sign will now conform to community standards, Better looking, easier for people to see, better identification of businesses.

Total Project Cost \$ 9,576.00

James B. Griffin
Signature of Applicant/Property Owner

5/20/2020
Date

Signature of Lessee/Tenant (if applicable)

Date

- Submit a completed application package to City Hall, Development Department office, which includes:
- Completed application
 - Complete budget spreadsheet (attached to application)
 - Proof of ownership of the property



STUART COMMUNITY REDEVELOPMENT AGENCY PROPERTY IMPROVEMENT GRANT PROGRAM



PROJECT COST ESTIMATE/REIMBURSEMENT FORM

Note: All property improvement grant applicants need to complete the "Project Cost Estimate" portion of this form and submit documented cost estimates as a part of the application packet. To receive the grant reimbursement, the "Reimbursement Summary" portion of this form must be completed and submitted with copies of paid invoices indicating completion of improvements. All improvements must be completed, inspected, and have received final approval from the County prior to reimbursement.

Project Cost Estimate				Reimbursement Summary		
Item	Category of Improvement (windows, roofing, painting, etc.)	Contractor	Cost Estimate	Contractor	Date of Completion	Actual Cost (include proof of payment)
1	Remove Existing Sign	LCR Signs Inc	\$	LCR Signs Inc		\$
2	Build Measurement	"	\$	"		\$
3	Attach New Sign	"	\$ 7526.00	"		\$
4	Run underground Electrical	Trian Holding LLC	\$ 2,050.00	Trian Holding LLC		\$
5	Deep Power Trench Pole to Ground	FPL	\$ 620.00	FL Power - Light		\$
6			\$			\$
7	Pull Permit	James Construction	\$ 0	James Construction		\$
Total Cost Estimate			\$ 10,246.00	Total Actual Cost		\$



1 DOUBLE SIDED ILLUMINATED MONUMENT SIGN



**HONORABLE
RUTH PIETRUSZEWSKI, CFC**

MARTIN COUNTY TAX COLLECTOR
3485 SE WILLOUGHBY BLVD.
STUART, FL 34994

Property Address 1205 SE DIXIE CUTOFF RD Page 60 of 154

Legal Description

E 1/2 OF NE 1/4 OF NW 1/4 N & EOF SR 5A (LESS THAT PORTION
LYING S/O THE N LINE OF THE S229.72 OF N 777.32 AND LESS
TRIANGLE TRACT N OF RR R/W (OR494/7)

Real Estate

2019

MARTIN COUNTY
NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS

PARCEL ID: 09-38-41-000-000-00120.00000

ALTERNATE ID: 25815

ESCROW CODE:

J GRIFFIN DEVELOPMENT INC
1321 SE RIVERSIDE DR
STUART, FL 34996-1286



SCAN TO VIEW YOUR
BILL ONLINE!

If Paid By Please Pay	Nov 30, 2019	Dec 31, 2019	Jan 31, 2020	Feb 29, 2020	Mar 31, 2020
	\$8,044.44	\$8,128.23	\$8,212.03	\$8,295.82	\$8,379.62

Ad Valorem Assessments

TAXING AUTHORITY	TELEPHONE	MILLAGE	ASSESSED VALUE	EXEMPTIONS	TAXABLE VALUE	TAX AMOUNT
CITY OF STUART-GENERAL-OP	772-288-5310	5.0000	426,830	0	426,830	2,134.15
CITY OF STUART-DEBT SERV	772-288-5310	0.2302	426,830	0	426,830	98.26
SCHOOL-GENERAL FUND	772-219-1200	3.9000	426,830	0	426,830	1,664.64
SCHOOL CAPITAL OUTLAY	772-219-1200	1.5000	426,830	0	426,830	640.25
SCHOOL - DISCRETIONARY	772-219-1200	0.7480	426,830	0	426,830	319.27
SCHOOL ADDTNL VOTER MIL	772-219-1200	0.5000	426,830	0	426,830	213.42
CHILDRENS SERVICES ORDNCs	772-288-5758	0.3618	426,830	0	426,830	154.43
FL-INLAND NAVIGATION DIST	561-627-3386	0.0320	426,830	0	426,830	13.66
S. FLA WTR MGMT	561-686-8800	0.2795	426,830	0	426,830	119.30
COUNTY-GENERAL FUND-OP	772-288-5504	6.6928	426,830	0	426,830	2,856.69

MILLAGE CODE 3100	TOTAL MILLAGE	19.2443	TOTAL AD VALOREM TAXES	\$8,214.07
-------------------	---------------	---------	------------------------	------------

Exemptions

Non-Ad Valorem Assessments

LEVYING AUTHORITY	TELEPHONE	TAX AMOUNT
CITY OF STUART FIRE T1	772-288-5324	108.35
CITY OF STUART FIRE T2	772-288-5324	57.20
TOTAL NON AD VALOREM TAXES		\$165.55

TOTAL \$8,379.62



LCR Signs Inc.

1529 SE Mariana Road
 Port Saint Lucie, FL 34952
 7728825276 www.lcrsigns.com

Quote

Date	Estimate #
5/20/2020	55

Name / Address
J Griffin Development Stuart, Florida 34996

P.O. No.	Due Date	Project
	5/20/2020	

Description	Qty	Rate	Total
Supply and install new led box sign to lower height.		5,900.00	5,900.00T
Engineered plans		300.00	300.00T
Permit with aquisieion		900.00	900.00T
Connect to existing electric.		0.00	0.00T
Sales Tax		6.00%	426.00
		Total	\$7,526.00



TIAM Holdings, LLC
ELECTRICAL CONNECTIONS
 1205 SE Dixie Cutoff Rd.
 Stuart, FL 34994
 772.283.5792 office 772.283.5890 fax
 mike@eleconnections.com EC 13001494

Estimate

Date	Estimate #
5/21/2020	3585

Name / Address
J. Griffin Development Co. 1321 SE Riverside Drive Stuart, FL 34996 Attn: Jim Griffin

Description	Total
Electrical work as requested for sign at 1205 Dixie Cutoff Rd. Plaza, Stuart, FL as follows: Install 120 V 20 A power supply for new monument sign Trench & install pvc conduit & wire from FPL pole hand box to monument (approx 75 ft) Install disconnect as per code Relocate existing meter can to new location FPL cost for installation from top of pole to bottom w/hand box included City of Stuart Electrical Permit Materials, Permit & Labor \$ 2050.00 Due upon completion	2,050.00
This estimate is subject to all attachments hereto and the Terms & Conditions attached hereto. The parties understand that this Estimate, the Terms & Conditions & other attachments all form the contract between parties & all attachments & the Terms & Conditions are incorporated herein by reference. Certain electronic parts are not covered by warranty. Payment options include Cash, Check, Credit Card, Financing available (deposit payments may vary with financing)	
Total	\$2,050.00

Signature _____

**MINUTES
SPECIAL MEETING OF THE STUART CITY COMMISSION
COMMUNITY REDEVELOPMENT AGENCY AND
COMMUNITY REDEVELOPMENT BOARD
HELD January 27, 2020
AT 4:30 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor Michael J. Meier
Vice Mayor Eula R. Clarke
Commissioner Becky Bruner
Commissioner Kelli Glass Leighton
Commissioner Merritt Matheson**

COMMUNITY REDEVELOPMENT AGENCY

**Chairperson - Michael J. Meier
Vice Chairperson - Eula R. Clarke
Board Member - Becky Bruner
Board Member - Kelli Glass Leighton
Board Member - Merritt Matheson
Ex Officio Board Member - Nathan Ritchey
Ex Officio Board Member - Pete Walson (ABSENT)**

COMMUNITY REDEVELOPMENT BOARD

**Chairman - Frank Wacha
Vice Chairman - Nathan Ritchey
Board Member - Faye James (ABSENT)
Board Member - Tom Campenni (ABSENT)
Board Member - Pete Walson (ABSENT)
Board Member - Cristina Maldonado
Board Member - Chris Lewis**

ADMINISTRATION

**City Manager, David Dyess
City Attorney, Michael Mortell
City Clerk, Mary R. Kindel
Development Director, Kevin Freeman**

 4:36 PM ROLL CALL

Present: Michael Meier, Eula Clarke, Becky Bruner, Kelli Glass Leighton, Merritt Matheson, Nathan Ritchey, Pete Walson, Frank Wacha, Cristina Maldonado, Chris Lewis

Absent: Tom Campenni, Faye James, and Pete Walson

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

 **4:38 PM MOTION: Move approval of the Agenda as published.**

Motion by: Board Member Clarke

Seconded by: Board Member Matheson

Motion passed unanimously.

 4:38 PM COMMUNITY REDEVELOPMENT AGENCY

- 1. WAYFINDING SIGNAGE PROGRAM - EXTENSION OF PHASE I AND IMPLEMENTATION PF PHASE II:**

RESOLUTION No. 01-2020 CRA; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CHAIRPERSON TO APPROVE EXTENSION OF PHASE I AND IMPLEMENTATION OF PHASE II OF THE COMPREHENSIVE DOW NTOWN WAYFINDING SIGNAGE PROGRAM WITHIN THE PUBLIC RIGHT-OF-WAY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Pinal Gandhi-Savdas, CRA Administrator, presented on the Downtown Wayfinding Signage Program.

 **4:41 PM MOTION: Move approval of this Resolution 01-2020 CRA.**

Motion by: Board Member Clarke

Seconded by: Board Member Matheson

Motion passed 4/2.

Meier	NO
Clarke	YES
Bruner	YES
Glass Leighton	NO
Matheson	YES
Ritchey	YES

 4:41 PM 2. AMENDMENT TO THE MURAL MATCHING GRANT PROGRAM.:

RESOLUTION No. 02-2020 CRA; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CHAIR PERSON TO APPROVE AMENDMENT TO THE MURAL MATCHING GRANT PROGRAM TO INCREASE THE MATCHING GRANT TO \$3,000 FOR NEW MURAL AND EXTEND THE MURAL PROJECT AREA BOUNDARY TO INCLUDE THE SOUTHEAST PORTION OF "THE CREEK" ARTS AND ENTERTAINMENT DISTRICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Pinal Gandhi-Savdas presented the amendment to the Mural Matching Grant program to increase the budget to \$3,000.00.

Brief discussion included the area interest, past participants, joint applications, etc.

Board Member Meier suggested separating the two issues of expanding the boundary and increasing the amount.

 **4:51 PM MOTION: We separate these issues and discuss and vote on them separately.**

Motion by: Board Member Glass Leighton

Seconded by: Board Member Ritchey

Motion passed unanimously.

Public Comment:

- 1) Debbie Roberts- Colorado Ave.; Owner of Healthy Living Spa, part of a new board and commented on a walk and that she is excited about the mural program and would love to sponsor artist. Any help would be appreciated for these murals.**

 **4:54 PM MOTION: Approve the new expansion of the district.**

Motion by: Board Member Matheson

Seconded by: Board Member Clarke

Motion passed unanimously.

 **4:55 PM MOTION: Motion that we within the \$18,000 budget, that we allow applicants to apply for up to \$3,000.00 for their purpose mural project.**

Motion by: Board Member Clarke

Seconded by: Board Member Bruner

Motion passed 4/2.

Matheson	NO
Richey	YES
Glass Leighton	NO
Clarke	YES
Bruner	YES
Meier	YES

 **5:06 PM 3. PRESENTATION OF THE NEW APPLICATIONS FOR THE BUSINESS IMPROVEMENT REIMBURSEMENT PROGRAM (BIRP).**

Pinal Gandhi-Savdas presented on the applications of the Lee Property Real Estate Building and Historic Lyons House for the Improvement Reimbursement Program. Discussion among boards included the application process, point system, score card, reasons the CRB approved the applications.

 **5:23 PM MOTION: Approve both applicants at the full amount that they're eligible for under the program and I'd also like to see in that motion the score card only being used if there's more applicants than the ability to be budgeted.**

Matheson amended the Motion: [I'll split it and remove the last part, just approve both applicants to the full amount that they're eligible under the existing grant program.]

Motion by: Board Member Matheson

Seconded by: Board Member Clarke

Motion passed unanimously.

Discussions included the score card criteria.

 **5:31 PM Motion: Move that we remove the requirements scoring unless there's more than two applicants or more than outside of what our budget requirements are, and we revisit the scoring once the application period is over in October or November.** Amended Motion: [To specify reopening the application period for the remaining \$30,000.00].

Motion by: Board Member Glass Leighton

Seconded by: Board Member Matheson

Motion passed 5/1.

Glass Leighton	YES
Matheson	YES
Ritchey	NO
Bruner	YES
Clarke	YES
Meier	YES

4. APPROVAL OF 10/28/2019 JOINT CRA/CRB/CCM MINUTES

 **5:38 PM Motion: Move to approve the minutes**

Motion by: Board Member Glass Leighton

Seconded by: Board Member Clarke

Motion passed unanimously.

CITY COMMISSION

COMMUNITY REDEVELOPMENT BOARD

5:39 PM ADJOURNMENT

CCM

Mary R. Kindel, City Clerk

Michael J. Meier, Mayor

**Minutes to be approved at the Joint CCM/CRA/CRB
Meeting this 27th day April, 2020.**

CRA

Mary R. Kindel, City Clerk

Michael J. Meier, Chairperson

**Minutes to be approved at the Joint CCM/CRA/CRB
Meeting this 27th day April, 2020.**

CRB

Mary R. Kindel, City Clerk

Frank Wacha, Chairperson

**Minutes to be approved at the Joint CCM/CRA/CRB
Meeting this 27th day April, 2020.**

Date	Applicant	Address	Applied for:	Project Cost	\$ Funded	Check
6/21/16	23 Mastermind LLC	31 SW Osceola St.	Parking lot, landscape, roof repair, interior, door, window improvements	\$149,289.00	\$4,000.00	Yes
9/1/16	Michael Braid	908 Lincoln Ave.	New roof, landscaping, windows	\$10,600.00	\$4,000.00	Yes
7/20/16	Ora Brown	711 Palm Beach Rd.	Roof, driveway, screen	\$12,800.00	\$4,000.00	Yes
5/13/16	Paul Daley	351 SW Flagler Ave.	Extend porch	\$8,750.00	\$4,000.00	Yes
5/4/16	Misherdan LLP	310 SW Dixie Hwy.	Signs and awnings	\$7,591.00	\$3,795.00	Yes
9/1/16	Ravenswood	412 SW California Ave.	Install metal roof, paint	\$7,900.00	\$3,950.00	Yes
9/1/16	Teal Team LLC	416 SW Akron	Install metal roof	\$8,900.00	\$4,000.00	Yes
9/1/16	Michael Braid	918 Lincoln Ave.	Roof, landscaping	\$8,500.00	\$4,000.00	Yes
5/11/17	CarePlus Associates	611 SW Federal Hwy.	Exterior remodel, windows	\$35,000.00	\$10,000.00	Yes
5/11/17	Aycock Funeral Home	511 S. Federal Hwy.	Restore exterior	\$31,609.00	\$10,000.00	Yes
5/11/17	Sade Group	477 SE Riverside Dr.	Landscaping	\$12,535.00	\$1,500.00	Yes
5/2/17	Salt of the Earth	422 Akron Ave.	Driveway	\$24,000.00	\$10,000.00	Yes
5/2/17	The Talk House	514 NW Dixie Hwy.	Parking lot, landscape, fence	\$136,197.00	\$10,000.00	Yes
12/6/17	Colorado 303, LLC	1 E. Ocean Blvd.	Driveway, awning	\$16,954.00	\$8,477.00	Yes
12/6/17	Colorado 303, LLC	303 Colorado Ave.	Mural	\$20,500.00	No	No
12/6/17	Hometown Cleaners	39 SE Kindred St.	Paint building, awning, landscaping, parking lot	\$14,550.00	\$7,275.00	Yes
6/25/18	Northshore Plaza	837-861 NW Federal	Paint exterior, siding	\$22,320.00	\$7,700.00	Yes
6/25/18	Silverback Partners	931 SE Ocean Blvd.	Impact windows	\$154,700.00	\$7,700.00	Yes
6/25/18	Triple Crown of Stuart	300 Colorado Ave.	Impact windows	\$395,000.00	\$7,700.00	Yes
6/25/18	ZT's Fitness Studio	865 NW Federal Hwy.	Sign	\$1,915.18	\$850.00	Yes
01/28/19	Edward Geary, Trustee	800 SE Ocean Blvd.	Windows	\$14,198.00	\$7,099.00	Yes
4/29/19	Auto Experts	909 SE Johnson Ave	Update parking lot, curbs, entrance to business	\$20,295.00	\$10,000.00	Considering change of use
4/29/19	Crump Lawn Equipment/Iris Upholstery	401 Wright Blvd / 397 Wright Blvd.	Replace pole sign with monument sign	\$34,940.00	\$10,000.00	Building permit submitted
5/3/19	Elle Salon	49 SE Kindred Street	Storefront impact glass and new awning	\$13,925.00	\$6,962.00	Check request submitted
4/29/19	Luna Italian Cuisine	49 SW Flagler Avenue	Awning replacement	\$2,800.00	\$1,400.00	Yes
4/30/19	Old Colorado Inn	201 S. Colorado Avenue	Hurricane impact windows	\$22,651.00	\$10,000.00	Yes
10/10/19	Misherdan LLP (Lee Property Sales)	310 S. Dixie Highway	Hurricane impact windows	\$26,339.42	\$10,000	Need final project

						completion & photos
11/29/19	Lyons House	26 SE Seminole Street	Hurricane impact windows	\$21,862.00	\$10,000	Need final project completion & photos

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date:6/2/2020

Prepared by:David Dyess, City Manager

Title of Item:

The City of Stuart, Community Redevelopment Agency redevelopment acquisition.

Summary Explanation/Background Information on Agenda Request:

The City of Stuart Redevelopment Agency has historically acquired property within its boundaries to accelerate its redevelopment. The City Commission adopted Resolution 18-2019 which authorized the City Manager to enter into due diligence investigations for properties located at 301 SE Ocean Blvd; 325 SE Ocean Blvd., and 330 Osceola Street. After vetting the opportunity, the City Commission adopted Resolution 64-2019 authorizing the City Manager to enter a binding Real Estate Purchase Agreement for all of the properties.

The City currently has a contract which encompasses all three lots as a single transaction. However, a community redevelopment opportunity exists on the eastern sites at 325 SE Ocean Blvd, and 330 Osceola Street. Rather than consolidating all three properties into one parcel/transaction, it is a better opportunity for the Community Redevelopment Area if the eastern portions of the property are acquired separately so they can be redeveloped.

To successfully redevelop the property within the parameters of the CRA Plan, the Board will need to authorize the expenditure of One Million dollars from the CRA fund balance for the purchase and acquisition of 325 SE Ocean Blvd, and 330 Osceola Street which have been identified as redevelopment opportunities. The specifics related to the actual redevelopment of each parcel will be brought back to the CRB/CRA at a future date for approval.

While there are still conditions in the purchase contract authorized by Resolution 64-2019 that may prevent the ultimate purchase the authorization from the CRA remains necessary to move forward and align funding accordingly.

Funding Source:

CRA fund balance.

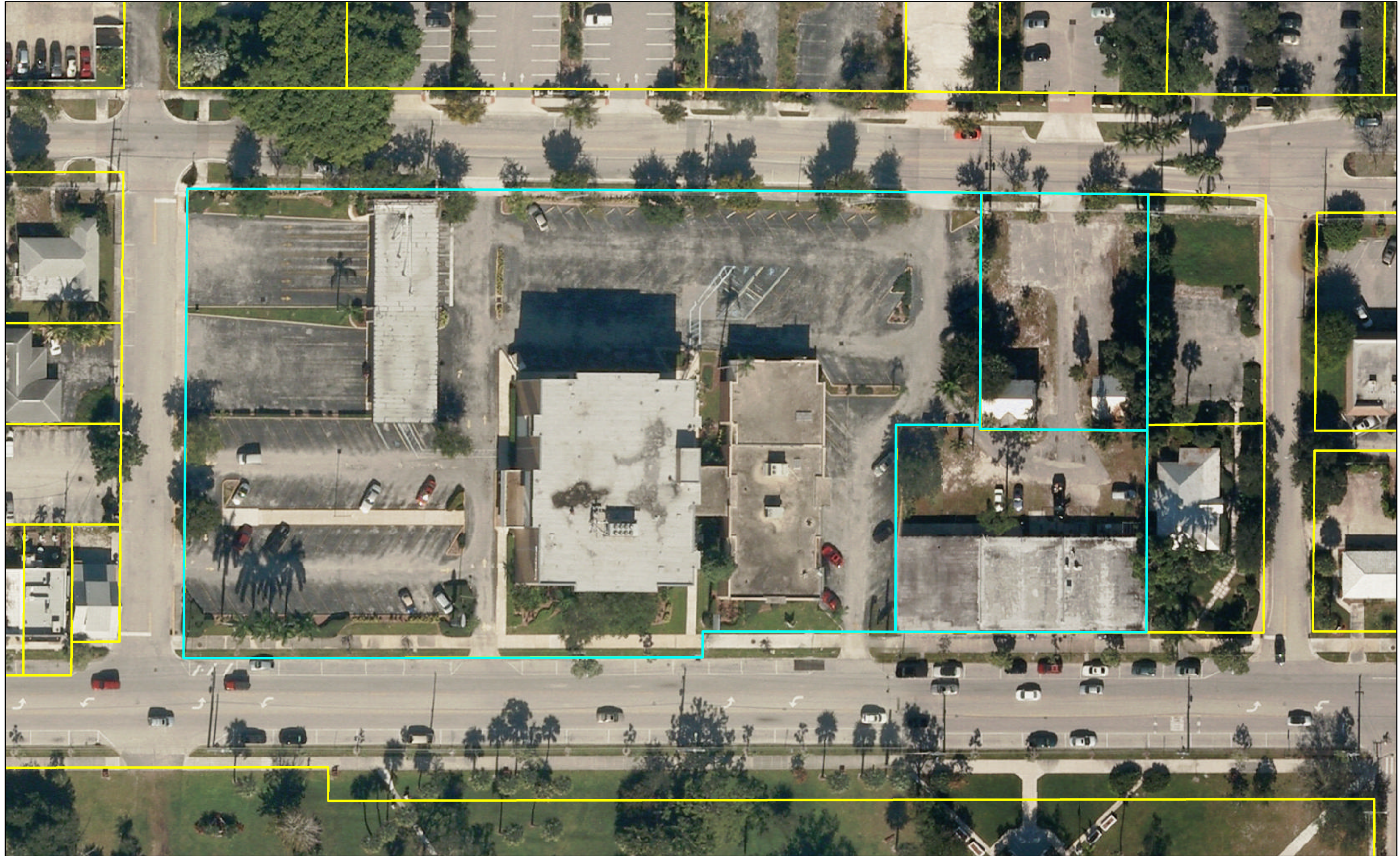
Recommended Action:

Move approval of funding for the purchase and future redevelopment.

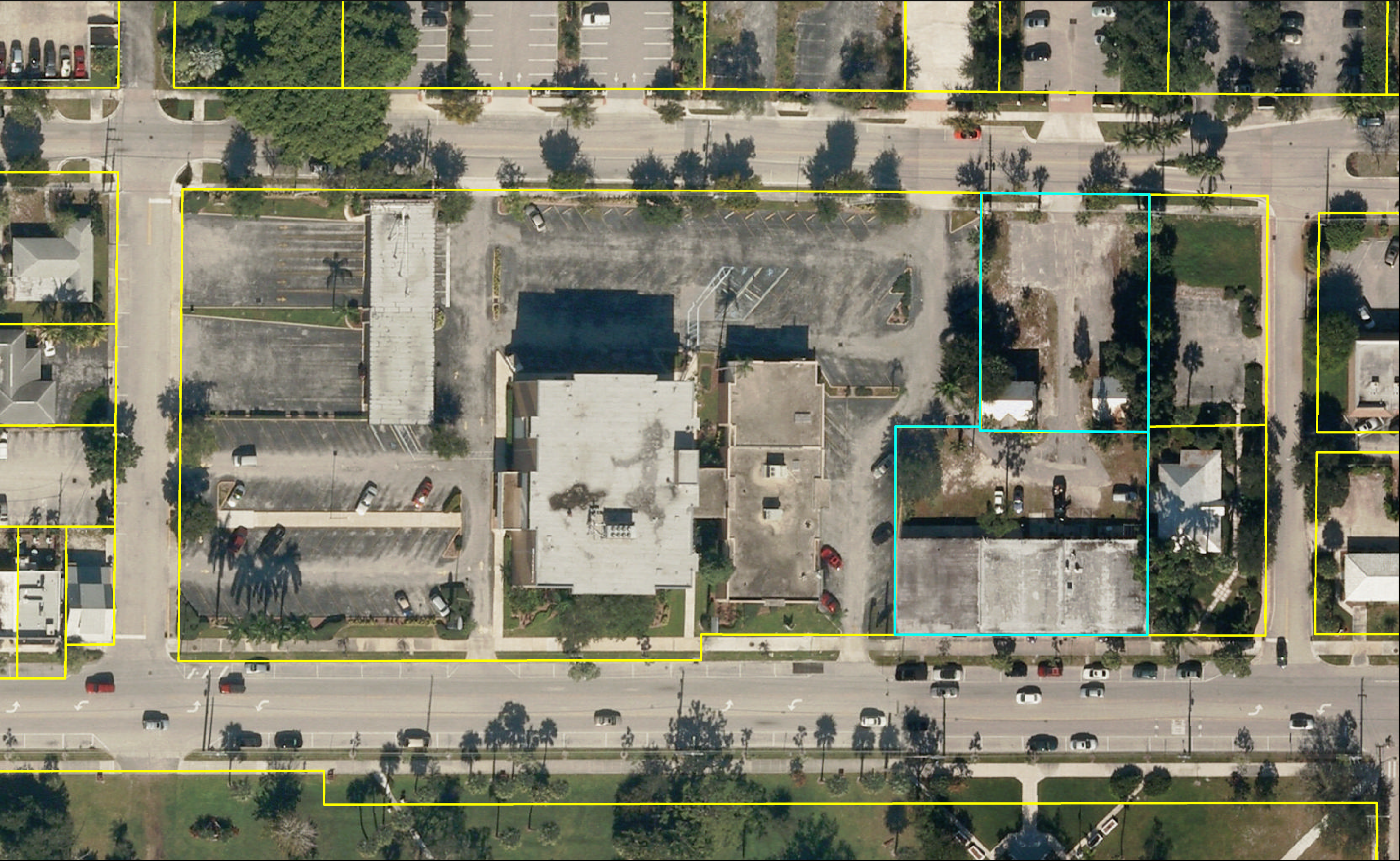
ATTACHMENTS:

Description	Upload Date	Type
❑ Proposed Site Purchase	5/26/2020	Backup Material
❑ Proposed CRA redevelopment Site	5/26/2020	Backup Material

Proposed City Purchase



Proposed CRA Funded Redevelopment



CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 6/2/2020

Prepared by: Stephen Mayer

Title of Item:

ORDINANCE NUMBER 2439-2020: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING FROM RESIDENTIAL, SINGLE-FAMILY (R-1) TO URBAN DISTRICT/ URBAN NEIGHBORHOOD SUBDISTRICT (UN) ON THE CITY'S OFFICIAL ZONING MAP FOR PROPERTY TOTALING 0.72 ACRES, OWNED BY LONE PALM PROPERTY INVESTMENTS, LLC, LOCATED BETWEEN MARTIN LUTHER KING JR. BOULEVARD AND SE 6th STREET, WEST OF PALM BEACH ROAD; BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; DECLARING THE PROJECT 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, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES. (QD)

Summary Explanation/Background Information on Agenda Request:

The subject property is located undeveloped land located between Martin Luther King Jr. Blvd and SE 6th Street, west of Palm Beach Road. The applicant/owner is Lone Palm Property Investments, LLC. The applicant is requesting a change to the Zoning Map designation from Residential, Single Family (R-1) to Urban Neighborhood (UN) subdistrict, within the Urban District. On February 8, 2016, the City Commission voted to include the property within the CRA via Ordinance 2320-2016. The property is undeveloped and vacant. The current owner has purchased the property with the intent to divide the 0.72-acre lot into two conforming Urban Neighborhood properties and build six (6) single family residences in 50' lot width configuration or four (4) duplex homes (total of eight units) in 75' lot configurations, or a combination of the two unit types.

To the north, south, and west adjacent to the property, are single family homes zoned R-1. To the east across from Palm City Road is an existing Audubon office. The property is within the CRA and is illegible for the Urban District regulations. The applicant desires to develop the property in a similar manner as the Urban Neighborhood district but does not wish to utilize the density of the Urban District, nor the expanded uses. The applicant will build in accordance with the City's Land Development Code, under Urban Neighborhood.

The application has been reviewed for consistency with the City's Comprehensive Plan. Under the current zoning, the property could be subdivided into four (4) single family homes. The rezoning would allow for the construction of six (6) single family homes, or four (4) duplex homes, for a total of eight (8) units. The density of this subdivision would be less than 8.7 units per acre as single family, or less than 11.2 units per acre as duplex. Furthermore, the applicant is providing supply for smaller homes that would be market rate and affordable. They will abide by the Urban Neighborhood regulations, which promote walkability and a high standard of architecture.

Staff has attached the Urban District regulations with this agenda item. The Urban Neighborhood district shall comply with the regulations in Section 3.01.03.C. It is important to note that the underlying Land Use of Residential Low Density will control the density and land uses allowed on the property.

Funding Source:

N/A

Recommended Action:

Motion to approve Ordinance 2439-2020 and move to consideration by City Commission on June 22nd.

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance 2439-2020	5/27/2020	DRAFT ORDINANCE
▣ Staff Report	5/27/2020	Staff Report
▣ Survey	5/27/2020	Exhibit
▣ Application	5/27/2020	Attachment
▣ Urban District Regulations	5/27/2020	Attachment



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

ORDINANCE NUMBER 2439-2020

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING FROM RESIDENTIAL, SINGLE-FAMILY (R-1) TO URBAN DISTRICT/ URBAN NEIGHBORHOOD SUBDISTRICT (UN) ON THE CITY'S OFFICIAL ZONING MAP FOR PROPERTY TOTALING 0.72 ACRES, OWNED BY LONE PALM PROPERTY INVESTMENTS, LLC, LOCATED BETWEEN MARTIN LUTHER KING JR. BOULEVARD AND SE 6th STREET, WEST OF PALM BEACH ROAD; BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; DECLARING THE PROJECT 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, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by Lone Palm Property Investments, LLC (owner) of .72 acres of undeveloped land located between Martin Luther King Jr. Blvd and SE 6th Street, west of Palm Beach Road, and

WHEREAS, the City of Stuart has determined the need to change the Single-Family, General (R-1) zoning for said lands within the Community Redevelopment Agency (CRA) boundary to Urban District, with a subdistrict designation of Urban Neighborhood; and

WHEREAS, the City Commission has considered the Petitioner's voluntary request for zoning designations and has also considered the recommendation of City staff.

WHEREAS, the owner has committed to the City that its development will comply with all development codes, plans, standards and conditions approved by the City Commission; comply with the use and density restrictions of the underlying Future Land Use of Residential Low; and that it will bind its successors in title to any such commitments made upon this ordinance; and

WHEREAS, at the hearing the applicant showed by substantial competent evidence that the application is consistent with the Stuart Comprehensive Plan, and the Land Development Code of the City, and with the procedural requirements of law; and

WHEREAS, this residential development will be in harmony with surrounding properties and their anticipated development; and

WHEREAS, the foregoing recitals are true and adopted as findings of fact and conclusions of law; and

WHEREAS, the property is legally described in "**Exhibit A**" of this ordinance. A map depicting the property is attached hereto as **Exhibit "B"** and made a part hereof by reference.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The land use designation in the City’s Comprehensive land Use Plan shall be established as “Residential Low Density”. The Zoning designation of the subject property shall be established as "UN" on the City of Stuart’s Official Zoning Map.

SECTION 2: Except as otherwise provided herein, no development permits, site permits, or building permits shall be issued by the City except in compliance with the City’s Land Development Code and the City’s Comprehensive Plan.

SECTION 3: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof is hereby repealed to the extent of such conflict. If any provision of this ordinance conflicts with any contractual provision between the City and the developer of the site, this ordinance shall prevail.

SECTION 4: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5: Following the adoption and acceptance of this ordinance by the Owners, and in addition to any other action for failure to complete development or otherwise comply with the Development Documents, the City Development Director may obtain a hearing before the City Commission, and shall thereupon give at least five (5) days written notice of the time, date and location of the hearing, along with specific notice of the alleged breach. At the hearing before the City Commission the developer may appear and may contest the allegation of breach or explain the reason or reasons for the breach. Upon a finding of a material breach of the Development Documents

and therefore, the Ordinance(s) adopting the same, the City Commission may impose or do any or all of the following:

- a. Initiate the process to amend or repeal this or any other ordinance pertaining to the development.
- b. Direct the City Development Director to initiate the process to rezone the property or any portion of the property.
- c. Impose an administrative penalty of up to \$1,000.00 for each violation, and up to \$5,000.00 for each repeat violation that occurs, along with all reasonable costs, including attorney's fees incurred by the City.

Any breach of any provision or condition of this ordinance by the developer shall be considered a zoning violation subject to any remedies provided herein, or as otherwise provided by law. In the event a violation found continues from day to day, each day the violation is found to continue shall be deemed a separate violation.

SECTION 6: This ordinance and agreement shall be effective upon the last of the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owners.

SECTION 7: The complete execution and recording of this Ordinance by the City Clerk shall occur no later than 60 days from the date of this approval.

SECTION 8: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owners, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

Passed on first reading the ____ day of _____, 2020.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

MICHAEL J. MEIER, MAYOR

EULA R. CLARKE, VICE MAYOR

BECKY BRUNER, COMMISSIONER

KELLI GLASS LEIGHTON, COMMISSIONER

MERRITT MATHESON, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this ____ day of _____, 2020.

ATTEST:

MARY R. KINDEL

CITY CLERK

MICHAEL J. MEIER

MAYOR

APPROVED AS TO FORM

AND CORRECTNESS:

MICHAEL J. MORTELL

CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN A RESIDENTIAL PLANNED UNIT DEVELOPMENT AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS PROPERTY IN ACCORDING TO THIS ORDINANCE, ITS CONDITIONS, AND THE DEVELOPMENT PLANS AND DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS ORDINANCE MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ACTIONS MAY BE TAKEN AGAINST THE UNDERSIGNED BY THE CITY, INCLUDING BUT NOT LIMITED TO CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING REVOCATIONS, AND ALL APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

Lone Palm Property Investments, LLC

By: _____

Print Name: _____

Ransom R. Hartman, Manager and Owner

By: _____

Print Name: _____

OWNER'S ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2020, by _____

Personally Known OR Produced Identification

Type of ID Produced _____

Signature of Notary Public: _____

Commission Expires: _____

Notary Seal:

CITY'S ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2020, by MICHAEL J. MEIER, Mayor, and Mary R. Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

Personally Known OR Produced Identification

Type of ID Produced _____

Signature of Notary Public: _____

Commission Expires: _____

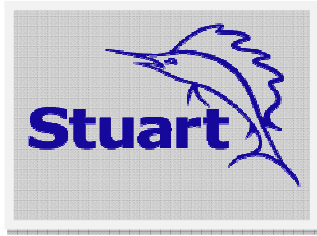
Notary Seal:

EXHIBIT “A”

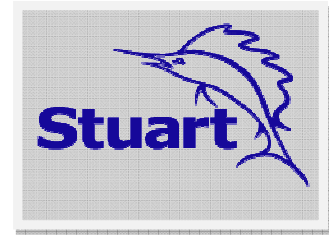
LEGAL DESCRIPTION

LOTS 1, 2, 3, 10, 11 AND 12, BLOCK 4, LAKE CLARE
SECTION, ST. LUCIE ESTATES, ACCORDING TO THE PLAT
THEREOF, FILED APRIL 20, 1927, RECORDED IN PLAT
BOOK 1, PAGE 66, PUBLIC RECORDS OF MARTIN COUNTY,
FLORIDA.

[illegible]

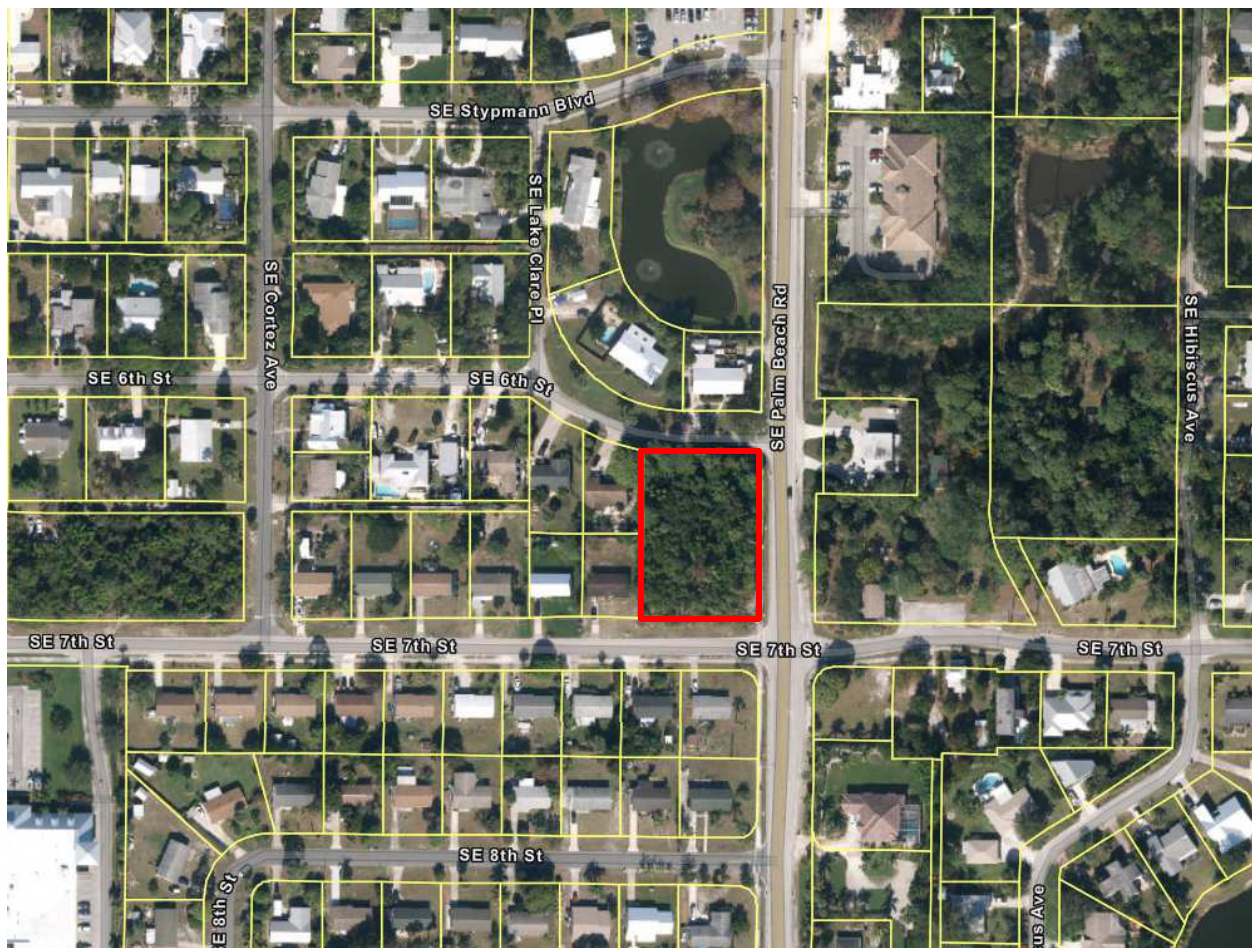


CITY OF STUART
Community Redevelopment Board
June 2, 2020

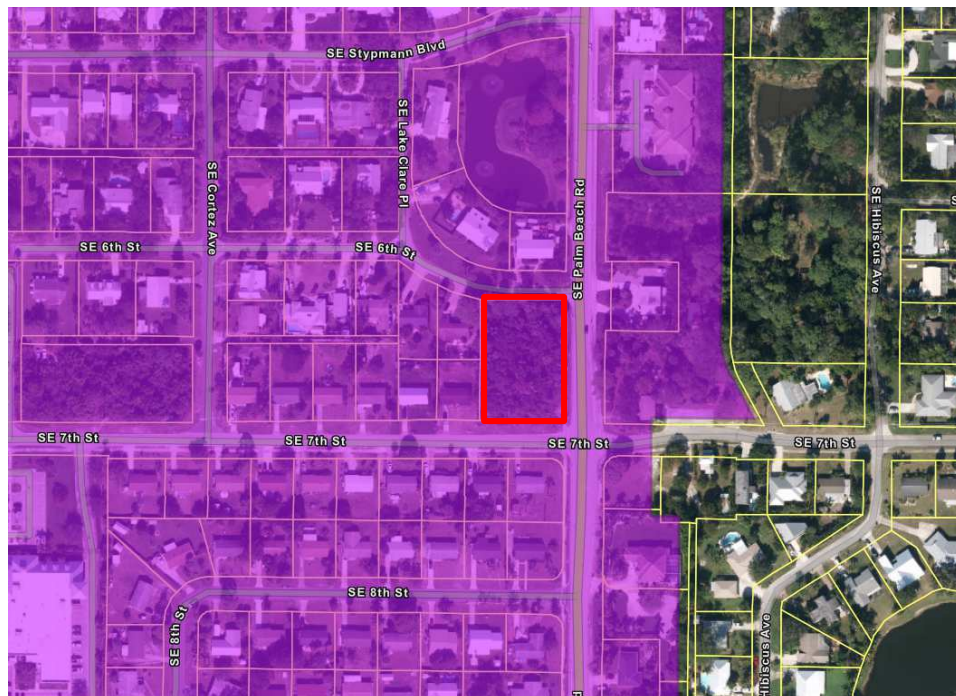


Project Name: Lone Palm Property Investments, LLC Rezoning	Property Owners: Lone Palm Property Investments, LLC
Project No.: Z20050004	Applicant/Petitioner: Lone Palm Property Investments, LLC
Ordinance No: 2439-2020	Agent: None
	Case Planner: Stephen Mayer
Location: PCN#: 04-38-41-011-004-00010-3	

Location Map



PROJECT SUMMARY		
<i>Property Size (area)</i>		0.72 acres
<i>Present Use</i>		Undeveloped
<i>Subject Property Land Use</i>		Residential Low Density
<i>Adjacent FLU</i>	<i>North</i>	Low Density Residential
	<i>South</i>	Low Density Residential
	<i>East</i>	Low Density Residential
	<i>West</i>	Low Density Residential and Public
<i>Subject Property Zoning</i>		R-1 within the Community Redevelopment Agency (CRA)
<i>Adjacent Zoning</i>	<i>North</i>	R-1
	<i>South</i>	R-1
	<i>East</i>	R-1
	<i>West</i>	R-1
<i>Proposed Zoning District</i>		Urban District/ Urban Neighborhood (UN) subdistrict
<i>Proposed Use</i>		Residential, Single Family and Duplex
<i>City Approvals</i>		Building Department – No comments at this time. Fire Department – No comments at this time Public Works – No comments at this time Police Department – No comments at this time
<i>Brief Explanation</i>		The subject property is .72 acres. The applicant is requesting a rezoning the subject property within the Community Redevelopment Agency (CRA) boundary from Single-Family, General (R-1) zoning to Urban District, with a subdistrict designation of Urban Neighborhood
<i>Staff Recommendation:</i> Staff recommends approval of Ordinance 2439-2020, consisting of a rezoning to Urban Neighborhood (UN).		

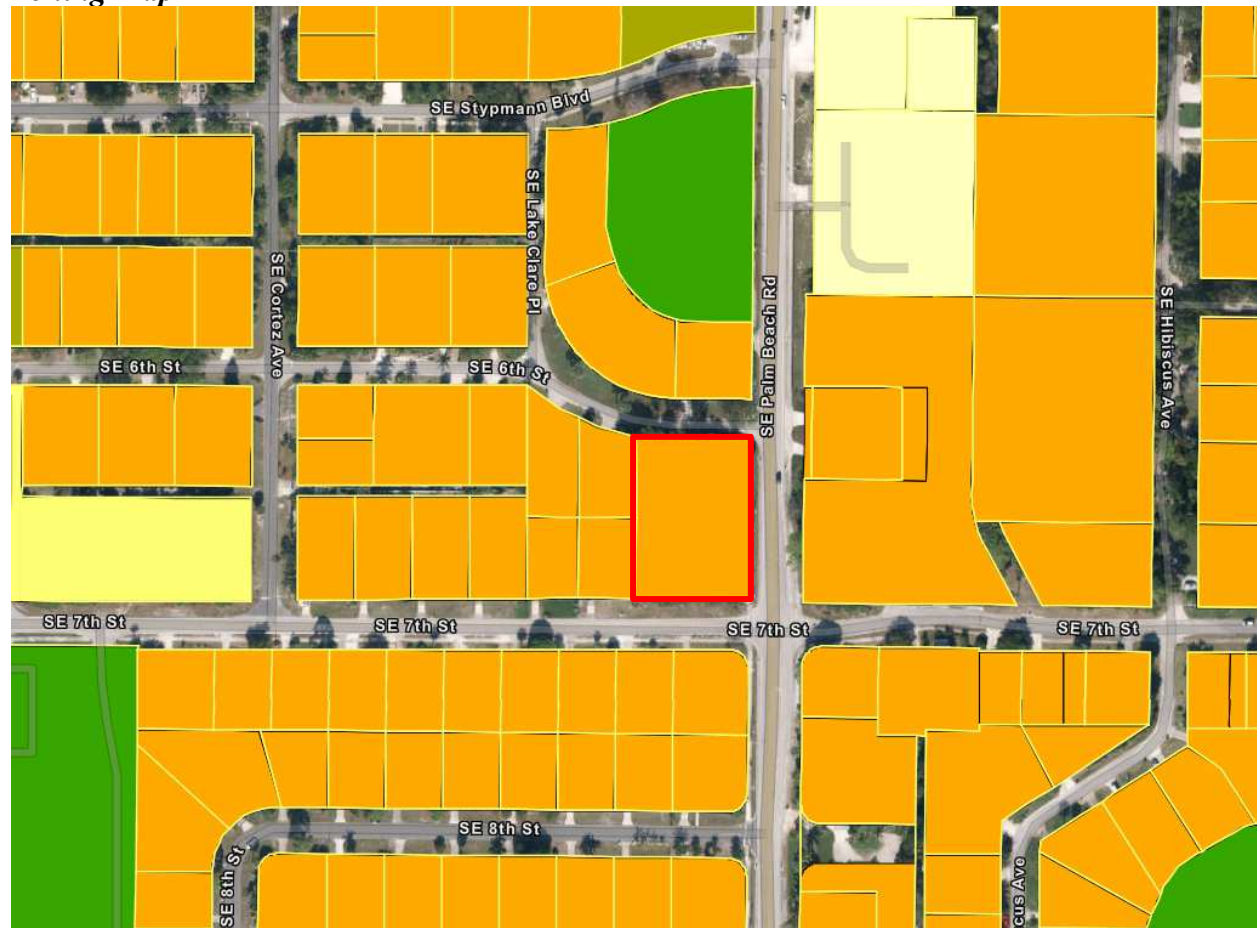
CRA Map

Future Land Use Map



Future Land Use

-  Commercial
-  Conservation
-  Annexed with Martin County Future Land Use
-  Downtown
-  E Stuart
-  Industrial
-  Institutional
-  Low Density Residential
-  Marine and Industrial
-  Neighborhood/Special
-  Office- Residential
-  Public
-  Recreation
-  Multi-Family Residential

Zoning Map

- | | |
|---|---|
| BMU: East Stuart Business and Mixed Use | R1: Single Family- General |
| County Zoning | R-2: Duplex |
| CPUD: Commercial Planned Unit | R-3: Multifamily/Office |
| GRO: East Stuart General Residential and Office | RPUD: Residential Planned Unit |
| H: Hospital | SFD: East Stuart Single Family & Duplex |
| I: Industrial | Urban Code: Urban Center |
| IPUD: Industrial Planned Unit Development | Urban Code: Urban General |
| MXPUD: Mixed- Use Planned Development | Urban Code: Urban Highway |
| PSPUD: Public Service Unit Development | Urban Code: Urban Neighborhood |
| P: Public | Urban Code: Urban Waterfront |
| R-1A: Residential- Single Family Estate | UPUD: Urban Planned Unit Development |

STAFF REPORT AND RECOMMENDATION

I. LEGAL NOTICE REQUIREMENTS

A. Requirements for Application – The application for re-zoning district designation to Urban Neighborhood (UN) have been noticed in accordance with the requirements set forth in Sections 11.01.06 of the Land Development Regulations.

B. Site Posting Date: 5/18/2020

C. Mail Notice Postmark: 5/18/2020 to property owners within 300 feet

D. Publication Date: 10 days prior to the adoption hearing, Section 11.01.06

II. RE-ZONING, Ordinance. 2439-2020 (Attachment A)

III. APPLICATION (Attachment B): Dated May 15, 2020

IV. HISTORY OF THE SITE

The subject property is located undeveloped land located between Martin Luther King Jr. Blvd and SE 6th Street, west of Palm Beach Road. The applicant/owner is Lone Palm Property Investments, LLC. The applicant is requesting a change to the Zoning Map designation from Residential, Single Family (R-1) to Urban Neighborhood (UN) subdistrict, within the Urban District. On February 8, 2016, the City Commission voted to include the property within the CRA via Ordinance 2320-2016. The property is undeveloped and vacant. The current owner has purchased the property with the intent to divide the 0.72-acre lot into two conforming Urban Neighborhood properties and build six (6) single family residences in 50' lot width configuration or four (4) duplex homes (total of eight units) in 75' lot configurations, or a combination of the two unit types.

V. STAFF ANALYSIS

A. Site and Area Characteristics

The subject property totaling 0.72 acres located between Martin Luther King Jr. Blvd and SE 6th Street, west of Palm Beach Road. To the north, south, and west adjacent to the property, are single family homes zoned R-1. To the east across from Palm City Road is an existing Audubon office. The property is within the CRA and is illegible for the Urban District regulations. The applicant desires to develop the property in a similar manner as the Urban Neighborhood district but does not wish to utilize the density of the Urban District, nor the expanded uses. The applicant will build in accordance with the City's Land Development Code, under Urban Neighborhood.

B. Rezoning and Land Development Code Consistency Review

The application has been reviewed for consistency with the City's Comprehensive Plan. Under the current zoning, the property could be subdivided into four (4) single family homes. The rezoning would allow for the construction of six (6) single family homes, or four (4) duplex homes, for a total of eight (8) units. The density of this subdivision would be less than 8.7 units per acre as single family, or less than 11.2 units per acre as duplex. Furthermore, the applicant is providing supply for smaller homes that would be market rate and affordable. They will abide by the Urban Neighborhood regulations, which promote walkability and a high standard of architecture.

Section 11.01.02.7 Rezoning to Urban Neighborhood of the Land Development Code requires the CRB to consider the following criteria prior to making an advisory recommendation to the City Commission.

1. The existing land use pattern;

The proposed land use pattern has been established as Residential. The rezoning is consistent with this pattern. It is important to note that the Urban District does not restrict uses to residential only. Retaining the Residential Low-Density land use would restrict the uses to residential only.

2. The possible creation of an isolated district unrelated to adjacent and nearby districts;

The proposed rezoning to Urban Neighborhood would create an isolated zoning classification regarding adjacent classifications of zoning. However, the property is within the CRA, and it is in proximity to East Stuart zoning district. The East Stuart zoning district allows for up to 17 units per acre, and lots that are 50' in width.

3. The population density pattern of the area and possible increase or overtaxing of the load on public facilities such as schools, utilities and streets;

The intended use of the subject property as six (6) single family homes or eight (8) duplex units would not encourage the type and intensity of development that would result in overtaxing of schools, utilities, or streets.

4. The possible overloading of the City's sewage collection, treatment and disposal facilities:

The type and intensity of development is not anticipated to overload the City's utility services.

5. The possible overloading of the City's drainage system;

The type and intensity of development that is feasible is not anticipated to overload the City's utility services.

6. *The existing district boundaries in relation to existing conditions on the subject property;*

There are no issues in this regard.

7. *The existence of changed or changing conditions which make the passage of the proposed rezoning necessary or appropriate;*

The levels of service on the roadways will handle the additional capacity of an additional two to four homes. The rezoning is anticipated to result in a de minimus increase in traffic.

8. *The impact of the proposed rezoning upon living conditions in the adjacent neighborhood;*

The type and intensity of development is feasible and would not create an adverse impact to nearby neighborhoods and is consistent with the goals of development, the CRA and the design principles of the area that will continue to surround the site.

9. *The impact of the rezoning upon the flow of light and air to adjacent areas;*

The type and intensity of development that would be feasible on the subject property would not create an adverse impact upon the flow of light and air to adjacent areas.

10. *The impact of the proposed rezoning upon property values in the adjacent area;*

The rezoning to UN would likely result in an increase in property values in the adjacent area by having new housing stock nearby, rather than an empty lot.

11. *The impact of the proposed rezoning upon improvement or development of adjacent property in accordance with existing regulations; and*

The rezoning to UN would not impact adjacent properties to improve or develop in accordance with existing regulations.

12. *The existence of other adequate sites in the City for the proposed use in districts already permitting such use.*

The subject location is ideal for single family or duplex residences due to the proximity to surrounding residential and family.

VII. STAFF RECOMMENDATION (APPROVAL)

Staff has determined that the rezoning to Urban Neighborhood (UN) is consistent with the goals, objectives and policies of the Comprehensive Plan and the regulations in the Land Development Code. Furthermore, staff has determined that allowing an additional two to four single-family residences or duplex units to be developed on the site is consistent with the Land Development Code and recommends Ordinance No. 2439-2020.



**CITY OF STUART, FLORIDA
DEVELOPMENT DEPARTMENT
REZONE REAL PROPERTY APPLICATION
(including Planned Unit Developments)**

Reviewed By: SM

RECEIVED

Application must be legible with all relevant fields completed.

MAY 15 2020

Project ID# 2205004
(Staff Entry)

DEVELOPMENT
Received By: [Signature]

Pre-App Conference Date:		Application Date:	
Project Name: Palm Beach Rd and 6th St			
Parcel ID# 04-38-41-011-004-00010-3		Project Address: Unassigned, Palm Beach Rd	
Current Zoning: R-1		Current Land Use: Low Density Residential	
Proposed Zoning: Urban District		Proposed Land Use: Urban Neighborhood	
Present Use: Vacant Land		Site Area/Acreage: .72 acres (+/-)	
Fees (check box): This does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees.			
Rezoning to CPUD	\$3,584.00	☐	Site space must be greater than 20,000 sq. ft.
Rezoning to RPUD	\$3,584.00	☐	Site area must be greater than .5 acre
Rezoning to MXPUD	\$3,584.00	☐	Site area must be greater than .5 acre
Rezoning to Industrial IPUD	\$3,584.00	☐	Site area must be greater than 1 acre
Rezoning to Public Service PSPUD	\$3,584.00	☐	Site area must be greater than 2.5 acres
Non-PUD District Rezoning	\$1,433.00	☒	
Submittal Requirements: A completed application form, the payment of fees, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, and a site plan. (Note: A concept plan may, at the discretion of the applicant, be submitted instead of a site plan. However, in doing so the applicant acknowledges that a site plan will need to be submitted for City Commission approval prior to making application for a development permit.) The data requirements for a site plan and a concept plan are available at the Development Department.			
Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application. The Local Planning Agency (LPA) is required to hold an advertised public hearing and formulate a recommendation to the City Commission. The City Commission is also required to hold an advertised public hearing after which it may approve, approve with conditions, or deny the application.			
Written justification supporting the application and demonstrating how the application: ➤ Is consistent with the relevant components of the City of Stuart Comprehensive Plan including concurrency with adopted levels-of-service for utilities/facilities and compatibility with existing/planned uses and ➤ Complies with the relevant development standards of the City of Stuart Land Development Code (include additional pages if needed). In an effort to address the city's need and desire to have more affordable housing, the applicant is asking to change the land use and zoning to Urban to allow for construction of homes on 50 ft Lots and possibly 75 ft duplex lots			

(over)

General Information
(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

Name: Ransom R. Hartman	City/State/Zip Code: Palm City, FL 34990
Title: Manager/owner	Telephone Number: 772-287-4690
Company: Lone Palm Property Investments LLC	Facsimile Number: 772-287-9643
Company Address: 3500 SW Corporate Pkwy, Suite 202	Email Address (optional): ransomreed@hotmail.com

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

Name:	City/State/Zip Code:
Title:	Telephone Number:
Company:	Facsimile Number:
Company Address:	Email Address (optional):

3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name: Ransom R. Hartman	City/State/Zip Code: Palm City, FL 34990
Title: Owner/Manager	Telephone Number: 772-287-4690
Company: Lone Palm Property Investments	Facsimile Number: 772-287-9643
Company Address: 3500 SW Corporate Pkwy Suite 202	Email Address (optional): ransomreed@hotmail.com

I hereby certify that all information contained herein is true and correct.

4. Signed this 20th day of FEBRUARY, 20 20

[Signature]
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

State of Florida, Martin County The foregoing instrument was acknowledged before me on this 20th day of February, 2020 by Ransom Hartman who is personally known to me, or who has produced _____ as identification and who did/did not take an oath.

[Signature]
Notary Signature

Commission expires:



KELLY BRYAN
Commission # GG 212785
Expires April 30, 2022
Bonded Thru Budget Notary Services

Lone Palm Property Investments LLC
Ransom R. Hartman
3500 SW Corporate Pkwy
Suite 202
Palm City, FL 34990
3/23/2020

Mr. Stephen Mayer
Senior Planner
City of Stuart
121 SW Flagler Ave
Stuart, FL 34994

Dear Mr. Stephen Mayer:

I am an owner/manager of the LLC that owns the property located between 6th St and Martin Luther King Jr Ave along Palm Beach Road in the City of Stuart. The property is better described by parcel id #: 04-38-41-011-004-00010-3.

I am writing to request a zoning change to the property from R-1 Single Family Zoning to a downtown zoning district of Urban Neighborhood. The reason for this request is after meeting with city staff and observing market conditions there is a need for additional residences within the city limits. The current zoning allows for single family homes on 75 ft lots. With the current zoning this property would allow 4 single family homes. If the zoning change is allowed the property could accommodate homes on 50 ft lots; 50 foot lots are common throughout the city. The goal is to be able to provide a few more fee simple homes on the subject property and help provide additional housing options within the city limits. I appreciate your time in considering my request.

Sincerely,



Ransom R. Hartman

Sec. 3.01.03. - Urban standards and regulations for designated urban subdistricts.

The geographic locations and current characteristics of the five urban subdistricts are broadly described below:

Urban center ("UC"), inclusive of the "historic downtown," characterized by relatively dense, walkable, mixed-use, development pattern generally located at or near the established downtown area. The UC is the most urban in terms of density, mix of uses, pedestrian activity, historic restoration, shared parking and civic/cultural venues. In the South Point, UC is generally located in portions of the Potsdam subdivision (that triangular portion bound by Albany Avenue, West Ocean Boulevard, and SR 707/Dixie Highway), along both sides of the historic downtown core block (Osceola Street and Flagler Avenue), along portions of SE Ocean Boulevard, and along both sides of Colorado Avenue.

Urban general ("UG"), characterized by less intensive mixed-use development, with substantial residential uses, generally located adjacent to the urban center. In the North Point, UG is generally located along the triangular area bound by Wright Boulevard, SE Federal Highway and SR 707/Dixie Highway. In the South Point, UG is generally located along portions of SE Ocean Boulevard (both north and south) and in portions of the Woodlawn Park subdivision (that triangular portion generally bound by SR 707/Dixie Highway, Frazier Creek, and the properties fronting Colorado Avenue).

Urban neighborhood ("UN"), characterized by a predominantly residential nature located along low-volume, pedestrian-friendly streets. In the North Point, UN is generally located in the non-waterfront portions of the Riverside Park subdivision (that portion generally bound by North River Drive, Palm Street, SR 707/Dixie Highway, and Fern Street). In the south point, UN is generally located in the Frazier Addition (the triangular area generally bound by Frazier Creek, West Ocean Boulevard, and the properties fronting Colorado Avenue) and the non-waterfront portions of the Frazier Crescent subdivision (along Channel Avenue and 6th and 7th Streets).

Urban highway ("UH"), occurs along both sides of SE Federal Highway as it traverses the Urban Code District. This area allows large front setbacks and highway-oriented commercial or high density residential uses with generous parking lots. In the North Point, UH is generally located along the western side of SE Federal Highway and along the western side of the proposed Green River Parkway. In the South Point, UH is generally located along both sides of SE Federal Highway.

Urban waterfront ("UW"), refers to special waterfront-oriented uses, including marinas, restaurants, entertainment, hotels, and higher-density residential. Existing "marine industrial" uses are conditionally permitted. In both the North and South Points, UW is generally located along all waterfront properties throughout the CRA with the exception of those waterfront properties on the north side of Frazier Creek and on the east side of the "North Point" peninsula south of Fern Street.

(Ord. No. 1978-04, § 1, 6-28-04)

The following urban standards and regulations of "building placement," "building height," "parking," "architectural requirements," "outbuildings," "signage," and "curb cuts" apply to each respective urban subdistrict.

A. *Urban center (UC).*

1. *Principal building placement.*

- a. The front building facade shall be constructed parallel to the street along the front property line with a required build-to line of zero feet.
- b. The side setbacks may be zero feet.
- c. The rear setback may be zero feet.
- d. The front street facade width of the principal building shall not be less than 80 percent of the lot width. A ten-foot driveway may be allowed if no alley access is available in the rear or side of the lot.
- e. If a property abuts public rights-of-way at its front and rear property lines, any building facade which is 100 feet or more in facade width measured parallel to the public right-of-way shall include a via to allow for pedestrian access to the public rights-of-way. A via shall be not less than six feet in width and not less than ten feet in height. A via may be enclosed; however, a via shall be open to the public during the business hours of operation of the building(s) in which it is located.
- f. The front street facade of the building may be set back to form a public courtyard for a maximum of 33 percent of the facade width.

2. *Principal building height.*

- a. The maximum building height is three stories and 35 feet. The minimum building height shall be two stories or 26 feet. If 25 percent or more of the building is residential or hotel, a fourth story shall be permitted. The maximum building height for a four story building is 45 feet.

- b. Four story buildings in the Old Downtown District are prohibited.
There is no major Urban Code conditional use available for an additional story or building height in the Old Downtown District.

3. *Parking.*

- a. All parking areas shall be located behind the rear facade of the principal building or screened from public rights-of-way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

4. *Architectural requirements.*

- a. Balconies are required along all street facades for all buildings. The aggregate length of balconies shall not be less than 50 percent of building facade from which it projects on each floor level.
- b. Arcades are required on the west side of Colorado Street between Confusion Corner and Frazier Creek and on the north side of 2nd Street between U.S. 1 and Dixie Highway. Arcades shall conform to the standards in section 3.01.04.C.
- c. The ground floor along the front facade of the building shall have doorways, arcades, or glazed openings with aggregate width equal to at least 50 percent of the total facade width.

5. *Outbuildings.*

- a. Outbuildings shall be located behind the rear facade of the principal building or in the rear one half of the property subject to a minimum five-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than five feet separation between an outbuilding and a principal building.

6. *Curb cuts.*

- a. Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 75 feet of frontage.
- b. For properties with access from a rear alley, no curb cuts shall be permitted.

(Ord. No. 1978-04, § 1, 6-28-04)

B. *Urban general (UG).*

1. *Principal building placement.*

- a. The front building facade shall be constructed parallel along the front property line with a required setback of not less than ten feet.
- b. The minimum side setbacks are not less than five feet on each side.
- c. The rear setback shall be not less than 15 feet.
- d. The front street façade width of the principal building shall not be less than 60 percent of the lot width.

2. *Principal building height.*

- a. The maximum building height is three stories and 35 feet. If 50 percent or more of the building is residential or hotel, a fourth story shall be permitted. The maximum building height for a four story building is 45 feet.

3. *Parking.*

- a. Parking areas shall be located as follows:
 - i. For new development, all parking areas shall be located behind the rear facade of a principal building or screened from public rights-of-way by a wall, trellis, other screening approved by the city development director or landscape buffer as described in section 6.04.00, Landscaping, of this Code.
 - ii. For substantial renovation, where possible, parking areas shall be located behind the rear building facade or at the side property line and screened from the public view and from public rights-of way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

4. *Architectural requirements.*

- a. Porches are required on the front building facade. Porches shall have a minimum depth of six feet and a minimum length of 50 percent of the building facade width. Porches may project four feet into the front setback.

5. *Outbuildings.*

- a.

Outbuildings shall be located behind the rear facade of the principal building or in rear one-half of the property subject to a minimum five-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than five feet separation between an outbuilding and a principal building.

6. *Curb cuts.*

- a. Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 75 feet of frontage.
- b. For properties with access from a rear alley, no curb cuts shall be permitted.

(Ord. No. 1978-04, § 1, 6-28-04)

C. *Urban neighborhood (UN).*

1. *Principal building placement.*

- a. The front building facade shall be constructed parallel to the street along the front property line with a required setback of not less than ten feet.
- b. The side setbacks are not less than five feet on each side.
- c. The rear setback shall be not less than 15 feet.
- d. The front street facade width of the principal building shall not be less than 60 percent of the lot width.

2. *Principal building height.*

- a. The maximum building height is three stories and 35 feet.
- b. There is no major Urban Code conditional use available for an additional story or building height in this subdistrict.

3. *Parking.*

- a. Parking areas shall be located as follows:
 - i. For new development, all parking areas shall be located behind the rear facade of a principal building or screened from public rights-of-way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.
 - ii.

For substantial renovation, parking areas shall be located, where possible, behind the rear building facade or at the side property line and screened from public rights-of-way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

4. *Architectural requirements.*

- a. Porches are required on the front building facade. Porches shall have a minimum depth of six feet and a minimum length of 70 percent of the building width. On corner properties, porches must be constructed along both street facades. Porches may project two feet into the front setback.
- b. Walls, wood picket fences, wrought iron fences, or hedges are required along the front property line and on corner lots, along the side property lines and shall have a minimum height of three feet and a maximum height of four feet along the front and side property lines to the front facade of the principal building. Along the side property lines behind the front facade and along the rear property line a wall or fence may be six feet in height. Arbors and trellises are permitted in the front yard and may be located along property lines. The maximum height for arbors and trellises shall be ten feet. Above walls and fences, architectural features of up to 12 inches in height shall be allowed, spaced a minimum of four feet apart.
- c. Chain link fences shall not be visible from public rights-of-way. Chain link fences shall be vinyl coated using only black or dark green colors.

5. *Outbuildings.*

- a. Outbuildings shall be located behind the rear facade of the principal building or in rear one half of the property subject to a minimum five-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than five feet separation between an outbuilding and the principal building.

6. *Curb cuts.*

- a.

Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 50 feet of frontage. However one curb cut shall be permitted for a single family residence utilized as a residence regardless of the existence of a rear alley.

- b. For properties with access from a rear alley, no curb cuts shall be permitted.

7. *Trees.*

- a. When a permit for new construction or renovation is issued, the owner shall be responsible for planting two shade trees no closer than three feet and no further than five feet from the right-of-way that abuts the front property line. All required shade trees, as defined by chapter XII of this Code, shall be 14 feet in height at installation, and have a DBH of not less than two and one-half inches, and be selected from the CRA landscape palette, if adopted by the city. The development director may grant a reduction for existing trees that meet these requirements.

8. *Buffer for single family residential.*

- a. A buffer for the single family neighborhood on the west side of NW North River Drive shall be provided. The buffer shall conform to section 6.04.00, Landscaping, of this Code.

(Ord. No. 1978-04, § 1, 6-28-04)

D. *Urban highway ("UH").*

1. *Principal building placement.*

- a. The front building facade shall be constructed parallel to the street along the front property line with a minimum setback of 15 feet and a maximum setback of 20 feet for properties fronting on U.S. 1. If a property does not front on U.S. 1, then the minimum setback shall be zero feet and the maximum setback shall be not more than ten feet.
- b. The side setbacks may be zero feet on each side.
- c. The rear setback is not less than 15 feet.
- d.

For lots fronting SE Federal Highway, the front street façade width of the principal building shall not be less than 40 percent of the lot width. For other lots, the width of the principal building shall be not less than 70 percent of the lot width.

2. *Principal building height.*

- a. The maximum building height is three stories and 35 feet. For lots fronting on SE Federal Highway a fourth story is permitted if all off-street parking is located at the rear of building. The maximum building height for a four story building is 45 feet. The minimum building height is two stories or 26 feet.

3. *Parking.*

- a. All parking areas shall be located behind the rear facade of a principal building or screened from public rights-of-way by a streetwall, trellis, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code. The parking shall be setback from the front public right-of-way a minimum distance equal to 40 percent of the lot depth.

4. *Outbuildings.*

- a. Outbuildings shall be located behind the rear facade of the principal building or in the rear one half of the property subject to a minimum five-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than five feet separation between an outbuilding and the principal building.

5. *Curb cuts.*

- a. Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 100 feet of frontage.

(Ord. No. 1978-04, § 1, 6-28-04)

E. *Urban waterfront ("UW").*

1. *Principal building placement.*

- a.

The front building facade shall be constructed parallel to the street along the front property line with a minimum setback of not less than ten feet except for waterfront properties on SW Channel Avenue, Seminole Street, and SW Atlanta Avenue which shall be not less than five feet.

- b. The side setbacks shall not be less than ten feet on each side except for waterfront properties on SW Channel Avenue, Seminole Street, and SW Atlanta Avenue which shall not be less than five feet.
- c. The rear setback for all structures shall not be less than ten feet from the mean high water line or the water-side of a seawall or bulkhead.
- d. A vista shall be a designated area along the side of a property that provides an unobstructed view from any public right-of-way to the St. Lucie River or its tributaries, and shall be the same width as the required side setback. Only ten-foot clear trunk plant material and decorative fencing shall be located within the vista. Any equipment such as air conditioning units within a vista shall be not more than three feet in height, unless required by any applicable flood zone regulations.
- e. The maximum cumulative front building facade width is 160 feet measured parallel to the nearest body of water.
- f. If a building facade is 100 feet or more in width, measured parallel to the nearest body of water, an additional vista shall be provided within the building's facade which is not less than 12 feet in width, not less than 12 feet in height, and which allows a visual corridor from the public right-of-way to the St. Lucie River or its tributaries.
- g. Any fencing included within a vista shall have a minimum width of three inches and a maximum width of five inches for all vertical members and shall have a minimum spacing of three inches between the vertical members. Said fences shall be a minimum height of three feet and a maximum height of four feet.
- h. In order to create additional vistas, a minimum separation of 15 feet shall be provided between multiple buildings on the same lot.

2. *Principal building height.*

- a.

The maximum building height is three stories and 35 feet. If 50 percent or more of the building is residential or hotel, a fourth story shall be permitted. The maximum building height for a four story building is 45 feet.

- b. Four story buildings in the Old Downtown District (as described in Section 3.01.03.F.1.a.i.a.) are prohibited. There is no major Urban Code conditional use available for an additional story or building height in the Old Downtown District.

3. *Parking.*

- a. Parking shall not be located within ten feet of the front and side property lines and shall not be located between the rear building facade and the water.
- b. Parking shall be screened in the front and the sides from public rights-of-way by a wall, trellis, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

4. *Architectural requirements.*

- a. Reserved.
- b. Balconies and balcony rails are required on the waterfront side of a building for a minimum of 50 percent of the fenestration.
- c. Reserved.
- d. Porches may project five feet into the front setback.

5. *Outbuildings.*

- a. One outbuilding is permitted behind the rear facade of a principal building or in the rear one-half of the lot and one outbuilding is permitted in the front of the lot. Outbuildings shall be set back not less than five feet from the side and front property lines, not less than ten feet from the rear property lines, not be less than five feet separation between an outbuilding and the principal building and shall not be located within a vista.
- b. Outbuildings may have marina or waterfront accessory uses.

6. *Curb cuts.*

- a.

Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 65 feet of frontage.

(Ord. No. 1978-04, § 1, 6-28-04)

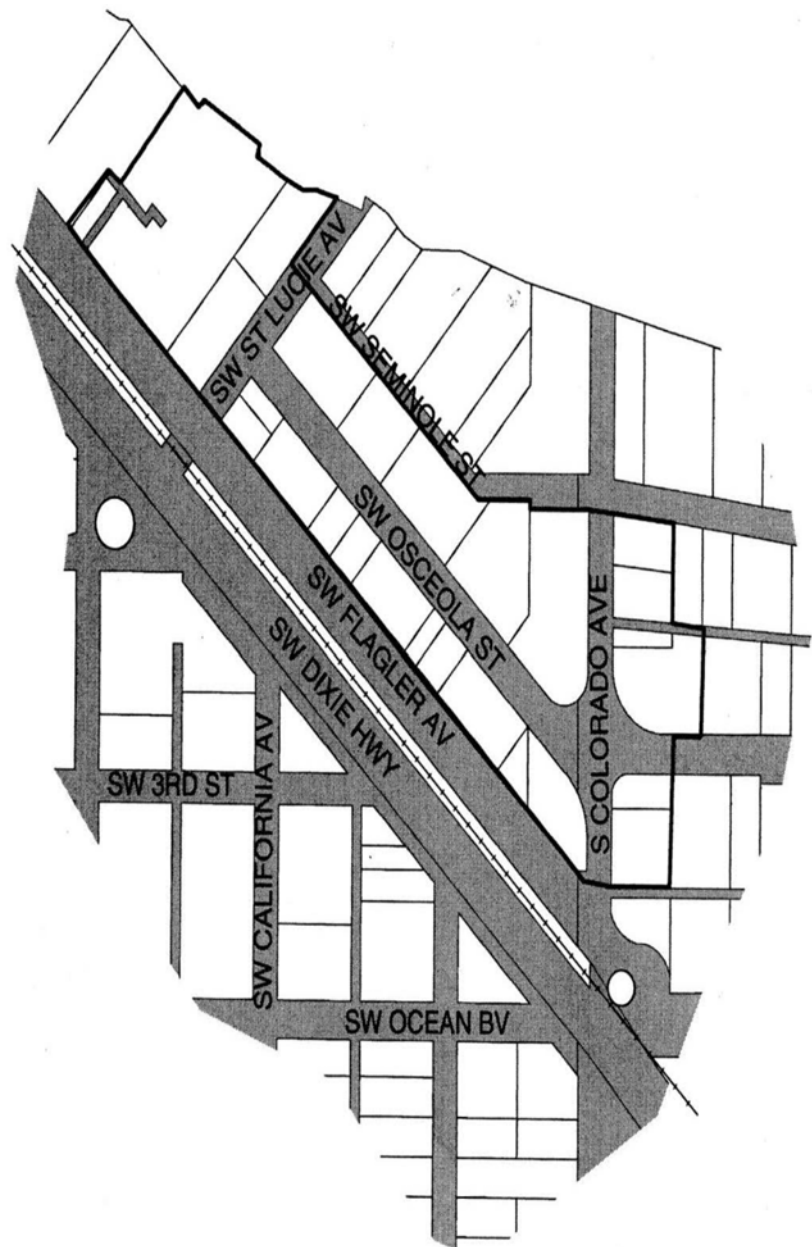
F. *Additional regulations and requirements.*

1. *Parking.*

a. *The Old Downtown District.*

i. *Old Downtown District identified.*

- a) Those properties within the boundary of the centerlines of SW Seminole Street on the north, SW Flagler Avenue on the south, S Colorado Avenue on the east, and SW Saint Lucie Avenue on the west; the city hall property west of and contiguous to SW Saint Lucie Avenue, being Lot 36 according to the plat of The Feroe Subdivision recorded in the public records of Martin County, Florida, at Plat Book 2, page 25 and Lots 3, 4, 5, 6, 7, 7A, 8, 9, and 9A according to the plat of Revised Danforth's Addition recorded in the public records of Martin County, Florida, at Plat Book 5, page 69; and those properties located east of and contiguous to S Colorado Avenue, being Lots 8, 9, 12, and 24-28, Block 3, and Lots 19-23, Block 4, amended plat of Porter's Addition recorded in the public records of Martin County, Florida at Plat Book 2, page 75.



ii. *Parking requirements.*

- a) Properties located in the "Old Downtown District" shall be exempt from the parking requirements of this Code.
- b) The four properties located east of and contiguous to Colorado Avenue, being Lots 8, 9, 12, and 24-28, Block 3, and Lots 19-23, Block 4, amended plat of Porter's Addition (Plat Book 2, page 75), shall be exempt from the parking requirements of this Code provided each such property

shall hereafter maintain not less than the number of on-site parking spaces existing as of November 13, 1995, as follows:

1/2 of lots 8 & 9:	0 spaces
1/2 of lots 8 & 9:	10 spaces
Lots 12, 24-28, Blk. 3:	17 spaces
Lots 19—23, Blk. 4:	7 spaces.

- c) In the Old Downtown District required parking for any use permitted may be accommodated via payments to the payment in lieu of parking program as described in chapter VI of this Code.
- d) The six properties located on the north side of S.W. Seminole Street, between S.W. Saint Lucie Avenue and S. Colorado Avenue, being Lots 2 thru 8, Feroe Subdivision, Plat Book 2, Page 25, Palm Beach County (now Martin) and Porter's Addition, Lots 1, 2 & 3 Blk 2 and Lot 9, Feroe Subdivision (a replat of Lots 9 & 10) shall be exempt from the parking requirements of this Code, provided that each property shall maintain not less than the number of on-site parking spaces existing as of April 1, 2013. as follows:

Feroe Subdivision	
Lot 2:	0 spaces
Lot 3:	0 spaces
Lots 4 & 5:	4 spaces
Lots 6 & 7:	3 spaces
Lot 8:	2 spaces
Porter's Addition, Lots 1, 2 & 3 and Lot 9, Feroe S/D (replat of Lots 9 & 10)	7 spaces

iii. *Parking exemption not applicable.*

- a) For properties identified by paragraphs F.1.a.i.a) and F.1.a.ii.b) above, if a building is demolished by an owner, parking for all uses within the newly constructed building shall be provided. Buildings which are destroyed by accident or an act of God and are replicated, shall remain exempt from parking requirements.
- b) For properties identified by paragraphs F.1.a.i.a) and F.1.a.ii.b) above, this exemption from the parking requirements of this Code applies to the building floor space existing as of January 1, 2004. This exemption does not apply to additional building floor space and to the uses thereof that is constructed on and after January 1, 2004 or to any expanded use of the exterior premises which creates additional parking demand. The uses of additional building floor space shall meet the parking requirements of this Code.
- c) Private properties within the Woodlawn Park Section (WPS) shall be granted a credit against required on-site parking spaces based on the following formula:

Parking space credit per individual property (C) = $IP/(A/N)$,

where:

IP = Square footage of an individual property within the WPS, as determined by the Martin County Property Appraiser's latest records.

A = Total square footage of all properties in the WPS, as determined by the Martin County Property Appraiser's latest records.

N = Total number creditable on-street parking spaces, as determined by the city development director.

WPS defined. For the purposes of this section, the WPS shall consist of those properties circumscribed by Colorado Avenue to the west, Dixie Highway to the northeast and Martin Luther King Jr. Boulevard to the south.

On street parking spaces within the WPS shall remain public. The granting of a parking space credit under this section shall convey no rights whatsoever to property owners within the WPS with regards to on-street parking spaces.

- d) For the six properties located on the north side of S.W. Seminole Street, between S.W. Saint Lucie Avenue and S. Colorado Avenue, identified by paragraph F.1.a.ii.d) above, if a building is demolished, whether by the owner or by accident or act of God, any newly constructed building shall remain exempt from parking requirements only to the extent that the gross square footage of the newly constructed building does not exceed the gross square footage of the previously existing building. The use of additional building square footage shall meet the parking requirements of this Code. In the event a permit for demolition of a building is sought, the city shall have up to 120 days from the date of application to take possession of the building at no cost to the city and to move the building off site at no cost to the property owner.
- e) For the six properties located on the north side of S.W. Seminole Street between S.W. Saint Lucie Avenue and S. Colorado Avenue, identified by paragraph F.1.a.ii.d) above, this exemption from the parking requirements of this Code applies to the building floor space existence as of May 1, 2013. This exemption does not apply to additional building floor space and to the uses thereof that is constructed on and after May 1, 2013 or to any expanded use of the exterior premises which creates additional parking demand, provided that an outside seating area, covered or uncovered, of up to 500 square feet is permitted without regard to parking requirements. Said seats shall not be creditable toward the acquisition of a state SRX liquor license. The uses of additional building floor space shall meet the parking requirements of this Code.

- b. Where it does not currently exist, on-street parking, constructed to City Code, may be used to offset the required number of parking spaces. Such parking shall abut the proposed development. The cost of the pavement modifications shall be borne by the private development. An approved revocable permit from the city commission is required for on-street parking.
- c. Historic buildings shall receive a parking credit for the existing use and shall provide at least 50 percent of the required parking for a more intense use on the site. Up to 50 percent of the required parking for any new use permitted may be accommodated via payments to the payment in lieu of parking program as described in section 6.01.19 of this Code.
- d. Payment in-lieu-of parking ("PILOP"): In lieu of providing up to three parking spaces required for any use located in Stuart Community Redevelopment Area, a developer may pay into the "Stuart Payment in Lieu of Parking Trust Fund" as described in section 6.01.19 of this Code.
- e. Modifications: Within the Urban Code District, the parking design standards set forth in section 6.01.14 may be modified as follows:
 - i. For all but 90 degree parking spaces, the one-way traffic aisle width may be reduced to ten feet. For 90 degree parking spaces, the one-way traffic aisle width may be reduced to 20 feet.
 - ii. The width of a two-way traffic drive aisle may be reduced to 20 feet. The two-way drive aisle width may be reduced from 20 feet to a minimum of 12 feet for parking areas of eight spaces or less. Within a reduced drive aisle area, parking spaces are prohibited, with the exception of parallel parking spaces.
 - iii. Where alleyways are located along the side or rear property lines, said alleyways may be used as the required back-up dimension for parking spaces.
 - iv. For developments requiring ten or fewer parking spaces, parking areas may be constructed with mulch, gravel, turf blocks, paver blocks, or other alternative materials approved by the city development director. Additional maintenance requirements

may be required of a property owner utilizing alternative materials such as daily sweeping of gravel, mulched areas maintained at a certain depth.

- v. The width of parking spaces may be reduced to eight and one-half feet for up to ten percent of the required parking.
- vi. Up to two required parking spaces may be provided as "stacked" spaces, where one parking space is located behind the other.
- f. Boats, campers, and recreational trailers shall be parked in rear yard setbacks only where possible and shall not be parked in vistas.

2. *Urban Code District uses.*

- a. The following uses are permitted and are all-inclusive individually or in combination in the Urban Code District subject to the regulations pertaining to formula businesses in section 2.06.12.

Land Use Type	Number of Parking Spaces Required
<i>Residential Land Uses</i>	
Duplex residences	1.5 per unit; garages count towards required off-street parking
Family day care home in a residence	2 per dwelling unit plus adequate space for pick-up and drop-off
Home occupations as regulated in <u>Section 2.06.09</u> of this Code	N/A
Multi-family dwelling units	1.5 per unit; garages count towards required off-street parking
Single-family residences	1.5 per unit; garages count towards required off-street parking
<i>Transient Residential Land Uses and Overnight Accommodations</i>	
Bed and breakfast inn	1 per guest room
Hotels/motels	1 per rental room, plus 2 spaces per 3 employees
Rooming and boarding houses	1 per unit
<i>Institutional Uses</i>	
Adult day care centers	1 per 200 square feet. This may be reduced by 1 space for each 2 users for which the center agrees to provide alternative transportation
Child care centers	1 per 6 children, plus 1 space per employee with a safe pedestrian walkway system through the parking area to the building
Community centers	1 per 300 square feet

Funeral homes without crematoriums	1 per 4 seats of chapel capacity, plus 1 per 3 employees
Governmental buildings	1 per 300 square feet
Libraries	1 per 300 square feet
Museums	2 per 1,000 square feet of exhibit floor space, plus 2 spaces for bus parking
Religious institutions	1 per 4 seats in main sanctuary, plus other parking requirements for any other accessory uses, if applicable
<i>Commercial Uses</i>	
Automobile repair service—Within an enclosed building in along U.S. 1 (Federal Hwy. and Savannah Road) only	1 per 200 square feet of sales area, plus 2 spaces per service bay, plus 1 space per employee
Art galleries	1 per 200 square feet
Bakery, retail	One (1) space for each employee on the largest working shift plus one (1) space per three hundred (300) square feet of gross floor area
Banks/financial institutions	1 per 300 square feet, plus queuing spaces per <u>section 6.01.07</u>
Barbershop, Beauty Salons, Specialty Salons	2 per station
Bars	1 per 4 seats
Catering shop	1 per employee, plus 0.5 spaces per delivery truck, plus 2 spaces per 1,000 square feet
Clubs, lodges and fraternal organizations	1 per 3 persons based on the maximum seating capacity of the building, or 1 space per 100 square feet (whichever is greater). One-half (½) of total parking area must be paved; the other half may be an approved stabilized surface
Dry cleaning, provided that all cleaning is conducted off-premises	1 per employee, plus 0.5 spaces per delivery truck, plus 1 space per 300 square feet
Health spas	1 per 200 square feet if located with retail, or 1 space per 150 square feet if located independently
Marinas, Commercial	1 per 4 slips for operations that do not require a utilities agreement, and 1 per each slip that requires a utility agreement, plus 1 per each employee
Massage therapy establishments	1 per 300 square feet
Microbreweries and craft distilleries	1 per employee plus 1 per 300 square feet for tasting, tap room, and gift shops

Office, business or professional, medical, low intensity medical, and veterinary	1 per 350 square feet (professional)1 per 300 square feet (low intensity medical)1 per 200 square feet (medical and veterinary)
Pharmacies (if 2,000 square feet or less)	1 per 200 square feet
Restaurants, convenience and general	1 per 4 seats
Retail sales and service (intensive and non-intensive)—Within an enclosed building only	1 per 300 square feet of floor space
Retail manufacturing—Providing such manufacturing is incidental to sales and occupies less than 75 percent of the total gross floor area	1 per 300 square feet
Studios (art, dance, music, exercise)	1 per 300 square feet
Theaters	1 per 4 seats
<i>Recreational Uses</i>	
Public parks	Dependent upon type of recreational activities provided
<i>Utility and Service Uses</i>	
Public facilities and services	Dependent upon type of facility and service
Public utility stations	Dependent upon type of utility and any required buildings and employees
<i>Industrial Uses</i>	
Existing marine industrial uses (may be reconstructed within their existing building footprints and the current uses therein continued. Revision or expansion of building footprints and/or uses permitted as a conditional use by Major Urban Code Conditional Use. Nothing in this provision shall counteract existing building and life safety code requirements)	Dependent on specific use
<i>Telecommunication Uses</i>	
Stealth telecommunications facilities which do not exceed 45 feet in height or which are constructed as part of an existing architectural feature or tower structure provided its total height does not exceed 120 percent of the height of the architectural feature or structure	1 space per tower
<i>Storage, Transportation and Logistics Uses</i>	
Government provided public parking lots or garages	N/A
<i>Agricultural Uses</i>	

Community garden pursuant to <u>section 2.06.08</u> of this Code	0
Urban farm pursuant to <u>section 2.06.08</u> of this Code	1 per 4 employee
<i>Miscellaneous</i>	
Outbuildings	Determined by use type

- b. The following uses are permitted as conditional uses by major conditional use approval and are all-inclusive individually or in combination in the Urban Code District subject to the regulations pertaining to formula businesses in section 2.06.12.

Land Use Type	Number of Parking Spaces Required
<i>Commercial Uses</i>	
Boat storage, dry	1 per 4 boat storage spaces. Required auto parking spaces cannot be used for wash and dry racks or for boats or trailers
Formula businesses in the area as regulated in <u>section 2.06.12</u> of this Code	Required spaces dependent on proposed use
Gasoline sales shall be limited to properties on SE Federal Hwy., Green River Parkway, and Savannah Road	1 per 250 square feet, plus 2 spaces per service bay, plus 1 space per vacuum. Pump locations are not to be included as a parking space. Gas stations with car washes shall also provide 1 parking space per wash unit or bayMarinas, as defined herein.
All marinas shall at all times be in compliance with the City of Stuart Public Works Department Standards and Specifications in relation to water supply, sewage disposal and solid waste. Compliance with these standards shall include a written utility service agreement with the City of Stuart expressly authorizing overnight as defined herein	1 per 4 slips for operations that do not require a utilities agreement, and 1 per each slip that requires a utility agreement, plus 1 per each employee
Pharmacies over 2,000 square feet	1 per 200 square feet
Rooftop dining areas (refer to supplemental standards in <u>section 2.06.19</u>)	1 space for four seats
Street vendors	N/A
<i>Industrial Uses</i>	

Boat building, indoors	1 for each 1,000 square feet of the gross floor area in a building up to 10,000 square feet in area, and then 1 for each 2,000 square feet of gross floor area thereafter; or 1 for each 2 anticipated employees, whichever is greater. In no event shall there be fewer than 5 parking spaces provided per building
<i>Telecommunication Uses</i>	
Stealth telecommunications facilities in excess of 45 feet in height. Refer to chapter II Zoning Districts Uses Allowed, Density and Intensity, <u>section 2.06.12</u> Telecommunication Facilities Supplemental Use Standards	1 space per tower
<i>Storage, Transportation and Logistics Uses</i>	
Private parking lots	N/A
Private parking garages	N/A

3. *Density.* A density of 15 dwelling units per acre is permitted in all Urban Code subdistricts. The number of dwelling units may be increased to a maximum of 30 dwelling units per acre with a major Urban Code conditional use.
4. *Storage sheds.* One storage shed may be located on any lot within the Urban Code District, provided that it is not visible from the principal public right-of-way.
5. *Multiple frontages.* In the event a single lot abuts more than two streets, the setback and architectural requirements for the corresponding Urban Code District shall only apply to two street facades.
6. *Conflicts with utilities.* In instances where the required location of a building, including architectural requirements, conflicts with existing utilities or other public infrastructure, the developer shall be required to relocate such utilities if the cost of relocation is less than five percent of the cost of the proposed building or improvements (excluding land value) and the utilities can be relocated within 150 feet of the subject property. Otherwise, the city development director may adjust the requirements of this Urban Code to rectify any conflicts with utilities or other public infrastructure. No utilities shall be located beneath a principal building.

7. *Historic buildings.* The requirements of this Urban Code may be adjusted by a major Urban Code conditional use for the purposes of preserving a historic building.
8. *Finished floor elevations.* The requirements of section 6.03.02.B.4. relating to finished floor elevations may be modified if the engineer for a proposed development can demonstrate a lower elevation is appropriate and will not be detrimental regarding flooding to adjacent properties.
9. *Lot coverage.* For the purposes of this Urban Code, there shall be no impervious lot coverage requirement; however, all development must meet the requirements of section 6.03.00 entitled "Stormwater Management" of this Code, as amended from time to time.
10. *Lot area requirements.* For purposes of this Urban Code there shall be no minimum lot area or lot width requirement as defined in section 2.04.00.
11. *Stormwater management.* With the proper legal documentation and consent of the property owner, stormwater runoff from properties within the Urban Code District may be conveyed onto adjacent private properties. Otherwise, stormwater runoff must be conveyed to the public right-of-way, and the quality of the runoff must be considered. Proposed development may not obstruct existing drainage patterns. If a site is designed such that stormwater is captured by an internal stormwater management system, the applicant must illustrate how the stormwater reaches the public stormwater management system. If a site is designed such that there is no internal stormwater management system, the applicant must illustrate how the stormwater runoff will be conveyed to the public stormwater management system and demonstrate that said system could accommodate the additional runoff. Pervious surfaces such as perforated pavers, mulched areas, and other similar examples may be considered in the calculation for stormwater detention. For all development, stormwater quality treatment prior to discharge shall be provided in compliance with section 6.03.00 of this Code.
12. *Public art.* Public art shall be required of all development and redevelopment and shall equal not less than one percent of the total costs of vertical construction. Public art may include fountains, murals, sculptures, paintings, or other generally acceptable art form as directed by the community redevelopment board which is displayed in a public venue.

All public art required under this section shall be readily visible to the public. All public art intended to meet the requirements of this section that is visible from a public right-of-way or is exterior to a building must be approved by the community redevelopment board as a minor Urban Code conditional use. A single family home on a single platted lot of record is exempt from this requirement.

13. *Curb cuts.* Distance regulations between curb cuts shall be measured from the centerlines of each curb cut.
14. *Shoreline protection zone.* In accordance with section 5.06.00, the shoreline protection zone for any water body shall be ten feet measured from the waterside lot line or perpendicular to the mean high waterline as established by a licensed surveyor, whichever is nearer to the principal structure on the same lot; or perpendicular to the centerline of a seawall.

(Ord. No. 1978-04, § 1, 6-28-04); Ord. No. 2010-05, § 3, 2-14-05)

G. *Landscaping.*

1. All development in the Urban Code District shall comply with the landscaping requirements as described in section 6.04.00, the landscape code, with the following exceptions:
 - a. The width of landscape buffers shall be determined by the required side and rear setbacks as described in this Urban Code, and buffer screens shall be 25 percent of those setbacks.
 - b. The width of the landscaped strip of land located between parking areas and an abutting public right-of-way shall be the required setback for parking areas for the respective urban subdistrict.
 - c. The width of the landscaped strip of land located between parking areas and abutting private property shall be the required setback for parking areas for the respective urban subdistrict.
 - d. The width of the landscaped area located along the sides of a building, which abuts any parking area, shall be 2½ feet.
 - e. The width of the landscaped strip of land located between the building walls of a multi-family development and parking areas shall be five feet.
 - f.

The width of the landscaped strip of land located between a parking area of a multi-family development and an abutting right-of-way shall be the required setback for parking areas for the respective urban subdistrict.

- g. The street facade of a building shall contain a hedge, potted plants, or trees planted in public right-of-way. The dimensions for such landscape materials shall comply with section 6.04.05.A. of this Code. In the urban center and urban general subdistricts, no hedge shall be planted between the principal building front and the curb of the street, and trees shall be placed in a continuous sidewalk. If necessary, due to right of way conditions, the requirement for trees may be mitigated subject to the approval of the city development director.
 - h. Terminal and interior islands within parking areas may be used for stormwater retention.
 - i. A maximum of 20 percent of the pedestrian arcade walkway may be planted. No plantings are required within the arcade.
2. In the case of renovation development and vacant development as described in the landscape code where the location of required landscaping is precluded by existing buildings or permanent site improvements, the placement of landscaping may occur off-site, in planters, in openings within paved areas, or in other locations as determined by the city development director.

(Ord. No. 1872-02, § 1, 10-10-02; Ord. No. 1922-03, § 1, 3-10-03)

Sec. 3.01.04. - Architectural standards and regulations.

The following described architectural standards and regulations are governed by the categories of building and activities related thereto and shall apply to new development, to substantial renovation, to renovation development, to renovation and to building exterior refinishing. It is the responsibility of the applicant to demonstrate to the satisfaction of the city development director that any alternative building or other materials have at least a ten-year history of successful application in climates that are comparable to the City of Stuart.

A.

Building walls. The exterior walls of the principal building shall be constructed of any of the following materials and in the following specified manner. All materials shall be used over the entire building or as continuous horizontal bands only. No panelizing shall be permitted or other simulations except as noted below.

1. *Materials.*

- a. Stucco with a "float finish," smooth or coarse, machine spray, dash and troweled.
- b. Wood clapboard five inches to the weather.
- c. Wood shingles seven inches to the weather.
- d. Cement siding, or similar composite plank in individual clapboard-style boards, which has a proven successful application in a climate comparable to Stuart's of not less than ten years.
- e. On residential buildings only, wood board or batten board of a board width from eight inches to 12 inches.
- f. Wood shiplap siding, smooth face, seven inches to the weather.
- g. Coral, keystone, or tabby.
- h. Modular unit masonry, either brick or concrete, coursed in regular ashlar pattern, flush sawn, wire cut, or sand finish.
- i. Cast stone.

2. *Other design standards.* Except for single-family residential, all developments which are less than 20,000 square feet shall incorporate a minimum of four of the following building design standards, and all developments which exceed 20,001 square feet shall incorporate a minimum of five of the following building treatments:

- a. Overhangs;
- b. Arcades as defined by this Code;
- c. Sculptured artwork and/or fountains;
- d. Raised cornice parapets over doors;
- e. Peaked roof forms;
- f. Display windows;
- g. Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design;

- h. Clock or bell towers;
- i. Decorative landscape planters or planting areas, a minimum of five feet in width, and areas for shaded seating consisting of a minimum of 100 square feet;
- j. Integration of specialty pavers, or stamped, colored concrete along the building's walkway to constitute a minimum of 60 percent of walkway area;
- k. Water elements, a minimum of 50 square feet in area; and
- l. Courtyards along the front building facade.

(Ord. No. 1957-03, § 1, 10-13-03; Ord. No. 1978-04, § 1, 6-28-04)

B. *Roofs and gutters.* The roofs and gutters of the principal building shall be constructed of any of the following materials and in the following specified manner.

1. *Materials.*

- a. Cedar shingles with factory treated class B finish.
- b. Steel, copper and factory painted aluminum standing seam, batten seam, or Bermuda roofing.
- c. Galvanized steel "5-V crimp" roofing panels.
- d. Galvanized metal or copper shingles of Victorian or diamond shape or pattern or of another dimension, which is approved by the city development department.
- e. Asphalt dimensional shingles for residential buildings only.
- f. Built-up roof behind parapets.
- g. Exposed half-round gutters of copper or galvanized steel.
- h. Clay or cement barrel, s-shaped, flat cement, or mission tiles which are a shade of "red," "ochre," "cream" and "white" color shades provided that such coloring is integral to the clay or cement. No glazed or painted clay or cement tiles shall be allowed. No other shape of clay or cement tiles shall be permitted.

(Ord. 1445-95, 1-22-96; Ord. No. 1978-04, § 1, 6-28-04)

2. *Manner.*

- a. Gable and simple hip roofs.

- b. Flat with railings or parapets.
- c. Shed roof attached to a wall higher than the ridge.
- d. Rafters at overhangs shall be exposed.
- e. Pitch:
 - i. On principal building from 5-12 up to 12-12.
 - ii. On sheds, porches and balconies not less than 3-12.
 - iii. Tower roofs may be any pitch.
- f. Aluminum fascia and soffits shall not be allowed.

(Ord. No. 1453-96, 6-1-96)

- g. For buildings which are located not more than five feet from the front property line, gutters must be shielded and may not drain onto the surface of public sidewalks. Gutters may be enclosed within a column or other architectural feature.

(Ord. No. 1841-02, § 3, 6-10-02)

C. *Arcades and porches.* The arcades and porches of the principal building shall be constructed of any of the following materials and in the following specified manner. No simulations shall be permitted.

1. Arcades shall conform to the following requirements:

- a. An arcade shall have a minimum clear height of 12 feet from the lowest point of the ceiling and a minimum clear width of ten feet in the UC, eight feet wide otherwise.
- b. Both ends of an arcade must remain open at all times, and the side of an arcade which runs parallel to the building to which it is attached must be open from four feet above grade to its roof.
- c. With the approval of the city development director, an arcade may be extended over public right-of-way and may include landscape materials or planters, and the display of merchandise or outdoor seating; however, the arcade must maintain at least four feet of open sidewalk width under cover to allow for unobstructed pedestrian circulation.
- d.

Arches or lintels shall be not less than 16 inches in depth. Masonry piers shall be no less than 16 inches by 16 inches and wood posts shall be no less than eight inches by eight inches. Balusters shall be separated not more than five inches on center.

2. Porches shall conform to the following requirements:
 - a. A porch shall include columns no less than four inches by four inches that support its roof and floor.
 - b. A porch shall have a minimum depth of six feet.
 - c. Porches which are 30 inches above grade must meet the building code's standards for railings and railing heights. Porches which are lower than 30 inches above grade may have railings between 36 inches and 42 inches in height or may be open, the latter subject to approval via a minor Urban Code conditional use.
3. Materials shall either be of wood or conform to the construction materials of the principal building. Alternatively, round steel columns may be used on Flagler Avenue west of Colorado Avenue, and on Osceola Street and Seminole Street.

(Ord. No. 1978-04, § 1, 6-28-04)

D. *Windows and doors.* The windows and doors of the principal building shall be constructed with any of the following materials, configurations, operations and options.

1. *Materials.*
 - a. Glass.
 - i. Clear, low-e, stained, or leaded and beveled.
 - ii. On side and rear elevations, translucent glass may be used.
 - iii. Tinted glass may be used; however, in no case shall a streetside display window be of tinted glass other than to meet current energy efficiency codes.
 - iv. Glass block may be used for architectural accents only.
 - b. Frames.
 - i. Painted and stained wood.
 - ii. Aluminum and vinyl-clad wood.
 - iii. Steel and aluminum.

- c. Flat skylights in sloped roofs.
- 2. *Configurations.*
 - a. Square and vertical rectangular.
 - b. Circular and semi-circular.
 - c. Semi-ellipse.
 - d. Octagonal.
 - e. Diamond.
- 3. *Operations.*
 - a. Single and double hung.
 - b. Casement.
 - c. Fixed with frame.
 - d. Awning windows.
 - e. On side and rear elevations, sliders may be used.
 - f. Jalousie windows are prohibited, except as replacement windows.
- 4. *Options.*
 - a. Operable wood shutters which are sized to match openings.
 - b. Fabric awnings excluding quarterballs.
 - c. Bahama shutters.
 - d. Screened windows and doors.
 - e. Security grills of a pattern approved by the city development director.

(Ord. No. 1978-04, § 1, 6-28-04)

- E. *Garden walls.* The garden walls of the principal building shall be constructed of either wood, wrought iron, simulated aluminum wrought iron, or PVC lattice, or shall conform to the construction materials of the principal building, including stone, brick, and stucco. Chain link fence concealed by landscaping may be used along the side and rear of the property provided that no chain link fencing is visible from public right-of-way. No simulations shall be permitted. All chain link fences must be black or dark green vinyl-clad.

(Ord. No. 1978-04, § 1, 6-28-04)

- F. *Outbuildings.* Outbuildings permitted within the Urban Code District shall be constructed of the same materials used in the principal building. Outbuildings may include detached garages and carports, greenhouses, slat houses, cabanas

and detached garage apartments and "granny flats." Canvas outbuildings are not permitted. There shall be not less than five feet of separation between the outbuilding and the principal building.

Outbuildings shall conform to the following requirements:

1. Only one outbuilding per principle building is permitted.
2. Outbuildings are subject to a minimum five-foot side and rear yard setbacks from the property line, with the exception of the Urban Waterfront (UW) Subdistrict. On corner lots the side setback shall be ten feet.
3. Outbuildings shall not exceed a maximum building footprint of 1,000 square feet and a maximum gross floor area of 2,000 square feet.
4. Outbuildings shall not exceed 30 feet in height. Outbuildings may not exceed the height of the principal building on the same property.
5. An outbuilding may have an unenclosed porch of up to 50 percent of the gross floor area of the outbuilding.
6. Outbuildings may be constructed as elevated buildings that include the location of open parking below an enclosed structure; however, open parking shall be shielded from public right-of-way by landscaping, lattice or other screening material that is not less than 42 inches in height.
7. Outbuildings may be connected to the principal building by a covered walkway element, trellis, or other structural link, which shall not be enclosed so as to create occupiable space.
8. Outbuildings may be connected to an outbuilding on an adjacent property and shall be structurally separated by a fire wall on the common boundary line and shall have a five-foot minimum rear yard setback.

(Ord. No. 1978-04, § 1, 6-28-04)

- G. *Building colors and finishes.* All exterior building wall colors used within the Urban Code District shall be restricted to muted pastel or earth-toned shades. The use of black or florescent colors is prohibited as a predominant exterior building color. Exterior colors shall be approved by the city development director. Building trim may be any color. Wall murals shall be permitted on any

structures, and shall require the approval of a minor Urban Code conditional use. Building roofs shall be a solid color; however, a variegated roof color scheme consisting of approved roof colors may be permitted by the city development director.

(Ord. No. 1946-03, § 1, 7-21-03; Ord. No. 1978-04, § 1, 6-28-04)

H. *Prohibited uses in front yard.* The following uses shall be prohibited within all Urban Code Districts:

1. Clothes lines and other clothes drying apparatus.
2. Electrical meters.
3. Air conditioning equipment, including window units on the building facade.
4. Antennas and satellite dishes.
5. Chain link fences.
6. Fences greater than four feet in height.
7. Stockade fences.

(Ord. No. 1978-04, § 1, 6-28-04)

I. *Sidewalks.* When a permit for new construction or renovation is issued, the owner shall be responsible for the installation of a minimum six-foot wide, continuous sidewalk along the entire length of the parcel frontage that abuts a public street. Where identified by the city development director, sidewalks shall be constructed of paver block, brick or pink concrete.

J. *Lighting.*

1. The use of neon exposed lighting on any property is prohibited.
2. All building and site lighting fixtures shall be decorative.

(Ord. No. 1978-04, § 1, 6-28-04)

K. *Elevated buildings.* Permitted in all urban subdistricts. Parking is prohibited beneath an elevated building.

(Ord. No. 1978-04, § 1, 6-28-04)

L. *Parking located within a building envelope.*

1. Except as provided below and for the Old Downtown District, parking located within a building envelope, below, above, or at grade, may be permitted in all Urban Code subdistricts by a major Urban Code conditional use:

- a. A single family home shall not require a major Urban Code conditional use to provide parking located within a building envelope.
2. Parking located within a building envelope shall conform to the following requirements:
 - a. Buildings which have parking located within the envelope shall be consistent with the design of the facades and the street side shall be entirely screened. When feasible, landscaping shall be installed along the ground floor facade, within the public sidewalk and within on-street landscape islands.
 - b. Access drives into the parking area on the ground floor shall be limited to one drive aisle at a maximum of 24 feet in width for buildings less than 100 linear feet in width and two drive aisles at a maximum of 24 feet in width each for buildings 100 linear feet in width and greater. If the property is adjacent to an alley two drive aisles at a maximum of 24 feet in width each shall be permitted for buildings less than 100 linear feet in width. The development director may permit two 12-foot drive aisles for buildings less than 100 square feet in width.
 - c. A parking level construction entirely below the lowest permissible finished first floor elevation shall not be deemed a story. The visual impact of garage doors shall be minimized through architectural design.

(Ord. No. 1978-04, § 1, 6-28-04)

M. *Balconies.* Balconies shall conform to the following requirements:

1. On corner lots, a balcony shall extend along two street facades, but it does not have to be continuous.
2. A balcony may extend over a public sidewalk or right-of-way but may not be designed or used as a means of building ingress or egress above a public right-of-way.
3. Where balconies are required, the aggregate length of balconies shall be not less than (50 percent) of the building facade at the floor level from which it projects on each floor level.
4. A balcony shall have a minimum clear height of ten feet at ground level above sidewalks and a minimum depth of three feet.

5. "Paris" balconies, having a minimum projection from the building face of 12 inches and a wrought iron railing, are permitted, if the balcony is accessed by French doors.

(Ord. No. 1978-04, § 1, 6-28-04)

- N. *Screens*. All rooftop utilities and facilities such as air conditioning units, as well as all exterior mechanical equipment, shall be screened so as to not be visible from public view, including from balconies and windows of adjacent buildings.

(Ord. No. 1978-04, § 1, 6-28-04)

- O. *Signage*. The use of exposed neon tubing, or similar, on any property is prohibited. All signage in the Urban Code District shall comply with the sign requirements as described in section 6.11.00, the sign code, with the following exceptions:

1. Backlit sign panels and internally illuminated cabinet signs shall be prohibited.
2. Signs affixed to the exterior of a building should be architecturally compatible with the style, composition, materials, colors and details of the building and with other signs used on the building site.

(Ord. No. 1978-04, § 1, 6-28-04); Ord. No. 2014-05, § 1, 2-14-05; Ord. No. 2145-07, § 1, 11-26-07)

- P. *Fences*. Fences shall adhere to the requirements in section 6.09.05, except for the following; fences located in the front yard shall have a maximum height of four feet along the front and side property lines to the front facade of the principal building. Along the side property lines behind the front facade and along the rear property line a fence may be six feet in height. Chain link fence concealed by landscaping may be used along the side and rear of the property provided that no chain link fencing is visible from public right-of-way. No simulations shall be permitted. All chain link fences must be black or dark green vinyl-clad.

(Ord. No. 1978-04, § 1, 6-28-04)

- Q. *Architectural feature*. Tower features shall not be more than 300 square feet in area and shall not be more than 15 feet above the maximum building height. Architectural features may encroach into a setback the lesser of five feet or 60

percent of the width of a setback. For facades built with a zero setback, cornices, parapets, and bay windows at upper stories may project a maximum of three feet.

(Ord. No. 1978-04, § 1, 6-28-04)

- R. *Parapet walls.* A parapet wall shall not exceed 24 inches in height, provided however, a greater height of up to ten feet may be permitted by the city development director if necessary to conceal rooftop utilities such as stairway and elevator bulkheads and other roof equipment, or to achieve architectural enhancement. No height of greater than 24 inches shall be permitted for more than 40 percent of any facade of a building. A parapet wall shall be designed to be consistent and compatible with the design and treatment of the facade of the structure.

(Ord. No. 1978-04, § 1, 6-28-04)

- S. *Residential rooftop use occupancy.* Residential uses occupancy of a flat rooftop which are ancillary to residential occupancies shall be limited to uses which are ancillary to residential occupancies only and shall be enclosed by a code-compliant safety railing or other approved barrier. Except as otherwise permitted by this code, no permanently affixed structures, including, gazebos, trellises, or other similar structures shall be allowed on the roof of a four-story building. Maintenance and repairs shall not be deemed occupancy as that term is used in this paragraph.

(Ord. No. 1978-04, § 1, 6-28-04)

- T. *Rooftop dining.* Rooftop dining, as defined by this Code, are permitted as a major conditional use, and in accordance with the supplemental regulations set forth in Section 2.06.19.

(Ord. No. 1978-04, § 1, 6-28-04)

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 6/2/2020

Prepared by: Stephen Mayer

Title of Item:

RESOLUTION NUMBER 64-2020: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW THE DEVIATION OF REQUIREMENTS REGARDING THE NUMBER OF PARKING SPACES REQUIRED AND ALLOW THE CONSTRUCTION OF NINE (9) NEW ON-STREET PARKING SPACES WITHIN THE URBAN HIGHWAY ZONING DISTRICT; PROVIDING FOR A REVOCABLE PERMIT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES. **(QJ)**

Summary Explanation/Background Information on Agenda Request:

The applicant, All American Eagle Properties, LLC, is requesting a major urban code conditional use (MUCCU) approval in accordance with Section 3.01.06 of the City of Stuart Land Development Code. The applicant is the owner of the property, located at between SW Federal Highway and SW Albany Avenue, south of SW Joan Jefferson Way, and if granted, the conditional use would allow deviations from the Urban Code, Chapter 3 of the City of Stuart's Land Development Code, to allow the construction of nine (9) new on-street parking spaces on the west side (south bound lane) of Albany Avenue and will grant the City Manager to sign a revocable permit to allow the pavement modifications within public right-of-way.

The property is currently mixed use and is located at 200 and 2005 SW Albany Avenue. The uses are historic and do not currently meet the City's parking regulations. There are 22 existing parking spaces on site, however, the uses on the site would require 33 parking spaces. The applicant desires to accept the non-comforting uses as is, while providing an additional nine (9) on-street parking spaces for general public use on the west side of SW Albany Ave, between SW Joan Jefferson Way and SW 3rd Street.

The property has the following existing uses:

- Salon (1,300 square feet/ 5 stations)
- Residential apartments (6 studio or 1-bedroom units)
- Retail (1,500 square feet)
- Restaurant (40 seats)
- Personal service (1,300 square feet)

Due to the above existing uses, the applicant is requesting a waiver of 18 parking spaces, and requesting that nine (9) new on-street parking spaces be factored in the calculation. Therefore, the Major Urban Code Conditional Use relief is a net deficiency of nine spaces.

Staff recommends approval of the revocable permit to allow the new on-street parking, which abuts the property and will be paid for by the private property owner. The parking spaces will be used for general public use, and parking restrictions (for example, short term parking) may be enforced by the City.

Staff also recommends approval of the deviation from code, allowing the existing uses to continue with no outstanding non-conforming status in regard to parking. This allows for the potential redevelopment of the site so long as the intensity of uses remain the same. Staff notes that expansion of the uses on the site is not recommended without a more extensive parking study.

Funding Source:

N/A

Recommended Action:

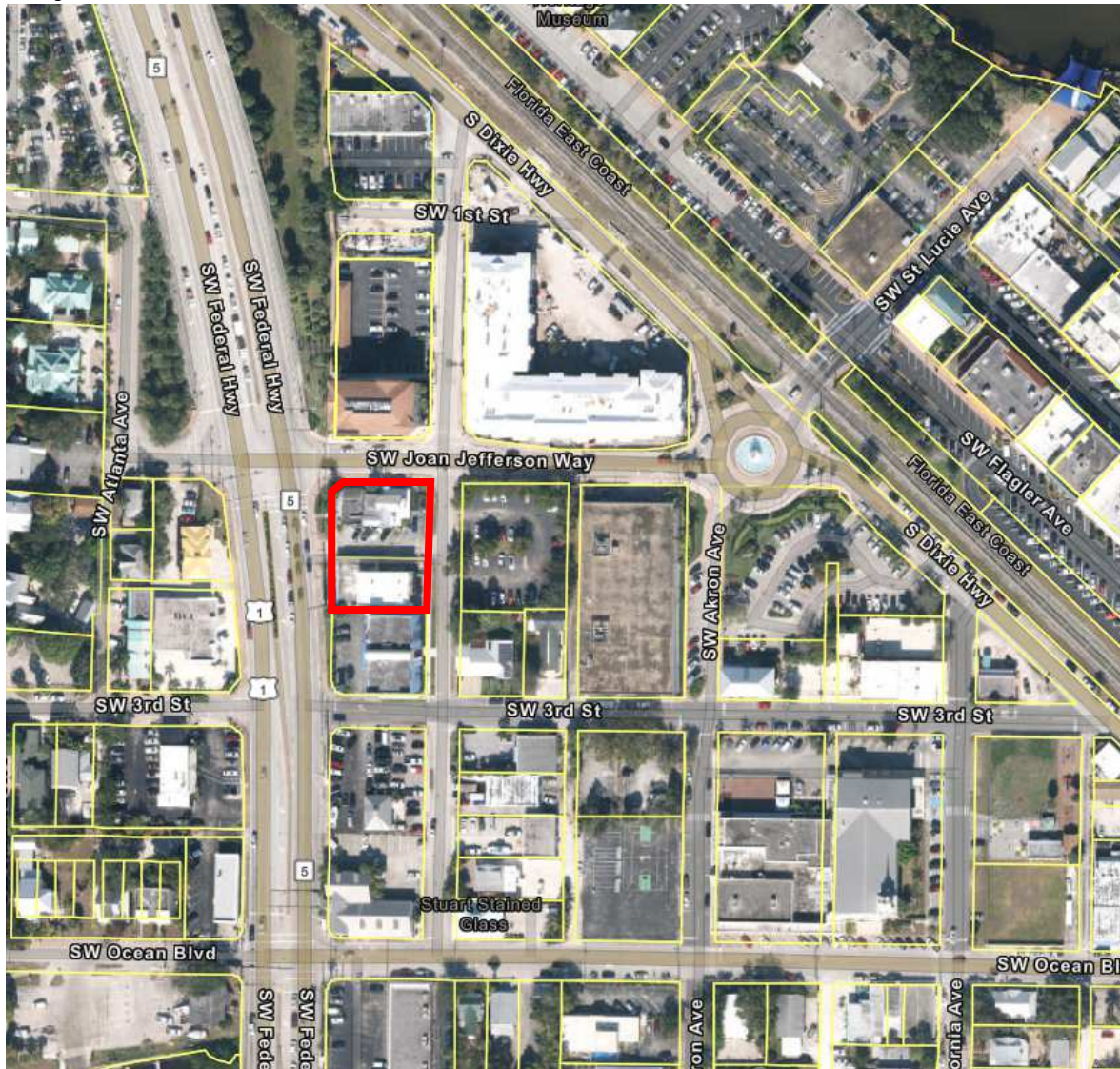
Motion to approve Resolution 64-2020 and move for consideration by the City Commission on June 22nd.

ATTACHMENTS:

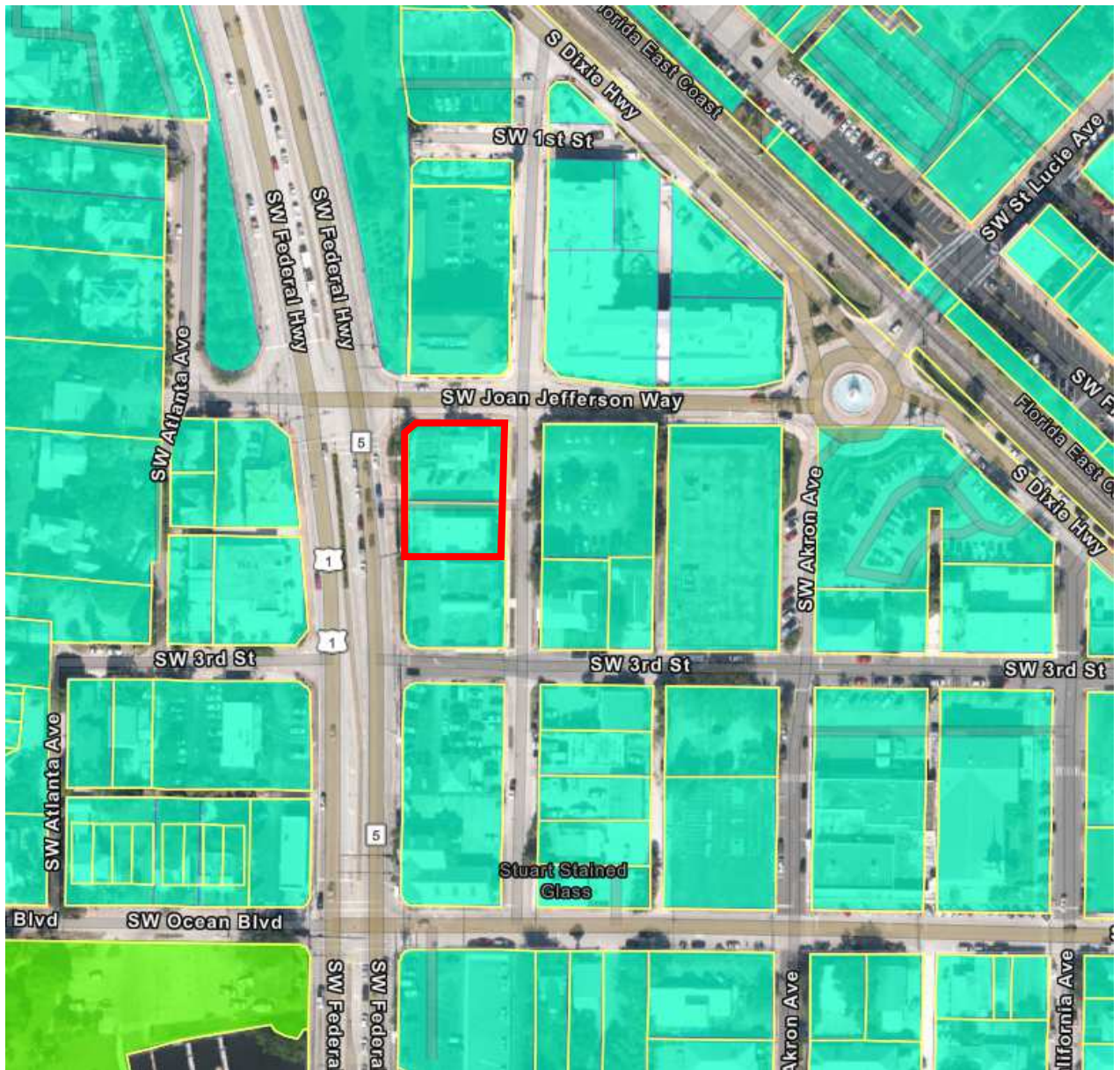
Description	Upload Date	Type
▣ Staff Report	5/27/2020	Staff Report
▣ Resolution 64-2020	5/27/2020	DRAFT RESOLUTION
▣ Streetscape Plan	5/27/2020	Exhibit
▣ Applicant Response to Staff Comments	5/27/2020	Attachment
▣ Application	5/27/2020	Attachment

Project Name: All American Eagle Properties, LLC MUCCU	Property Owners: All American Eagle Properties, LLC
Project No.: Z20050004	Applicant/Petitioner: All American Eagle Properties, LLC
Resolution No: 64-2020	Agent: McCarty and Associates
	Case Planner: Stephen Mayer
Location: PCN#: 05-38-41-014-009-00010-6 and 05-38-41-014-009-00020-4	

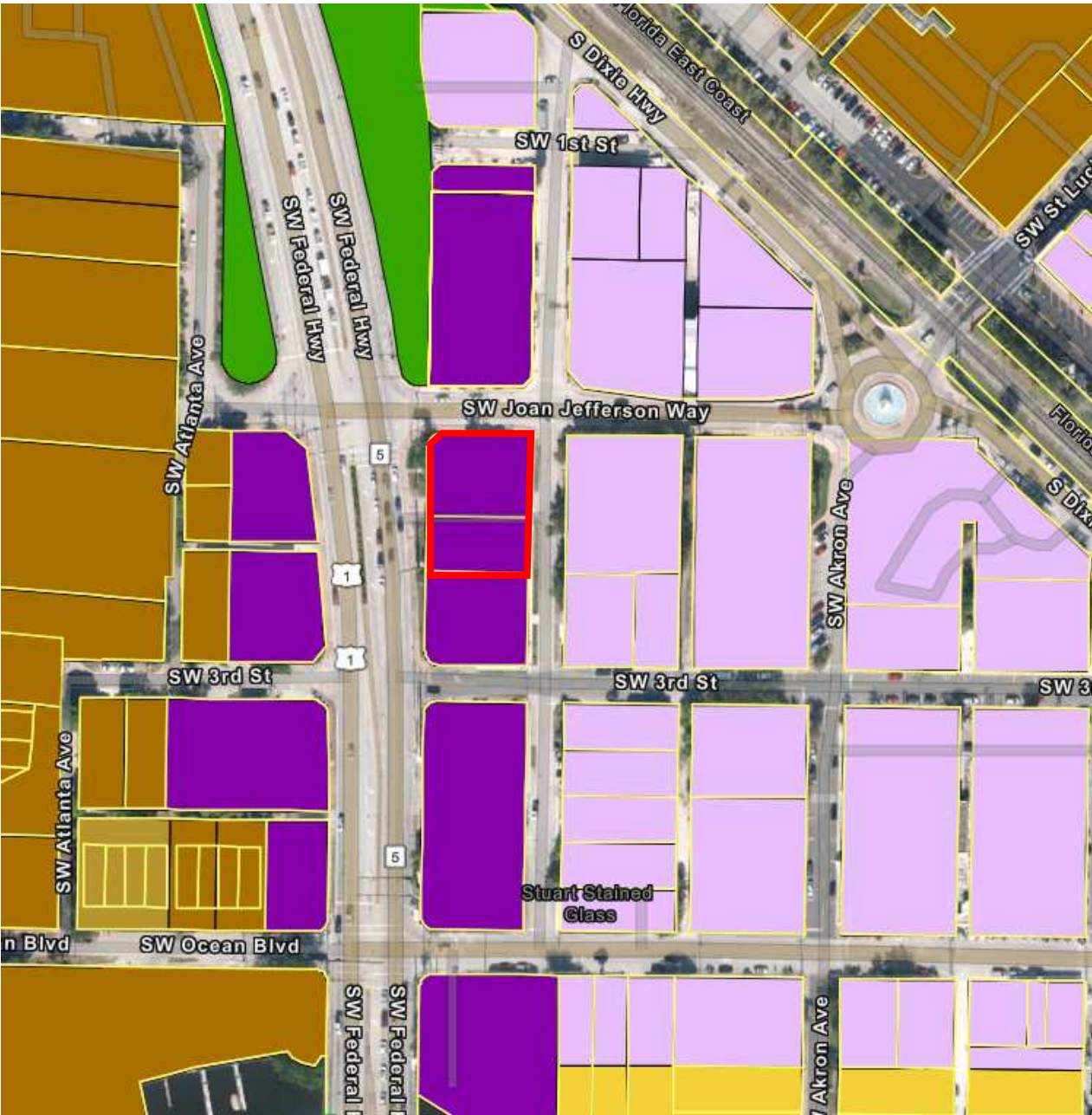
Project Location



Future Land Use Map Designations (Urban District)



Zoning District (Urban Highway)



I. APPLICATION SUMMARY

The applicant, All American Eagle Properties, LLC, is requesting a major urban code conditional use approval in accordance with Section 3.01.06 of the City of Stuart Land Development Code. The applicant is the owner of the property, located at between SW Federal Highway and SW Albany Avenue, south of SW Joan Jefferson Way, and if granted, the conditional use would allow deviations from the Urban Code, Chapter 3 of the City of Stuart's Land Development Code, to allow the construction of nine (9) new on-street parking spaces on the west side (south bound lane) of Albany Avenue.

The property has the following existing uses:

- Salon (1,300 square feet/ 5 stations)
- Residential apartments (6 studio or 1-bedroom units)
- Retail (1,500 square feet)
- Restaurant (40 seats)
- Personal service (1,300 square feet)

The applicant is required to request a Major Urban Code Conditional use due to the following deviations from the Urban Code:

- A. Parking Required. Section 3.01.03.F.2, which outlines the required number of parking spaces per the uses. A breakdown of the uses and the required parking is as follows:

<u>Use</u>	<u>Sqft./# of units</u>	<u>Required parking</u>	<u>Provided/Proposed Parking</u>
Salon (2/station)	1300/ 5 stations	10	
Residential apartments (1.5/unit-studios or 1 bedrooms)	6	9	
Zeke's Surf and Paddle-Retail (1/250 sqft , 1/employee)	1500	6	
Basil Garden-Restaurant Limited (1/4 seats, 1/employee)	40 seats+3 emplo	10	
Message Therapy- Palm Tree Message (1/300 sqft)	<u>1300</u>	<u>4.33</u>	
		39.33	22

Due to the above calculations, the applicant is requesting a waiver of 18 parking spaces, and requesting that 9 new on-street parking spaces be factored in the calculation. Therefore, the Major Urban Code Conditional Use relief is a net deficiency of nine spaces.

II. HISTORY

The property is currently mixed use and is located at 200 and 2005 SW Albany Avenue. The uses are historic and do not currently meet City regulations regarding parking. The existing parking on site is 22 spaces. However, the uses on the site would require 33 parking spaces. The applicant desires to approve the non-comforting uses, while providing an additional nine (9) on-street parking spaces for general public use on the west side of SW Albany Ave, between SW Joan Jefferson Way and SW 3rd Street.

III. ZONING AND LAND USE

Site Location	200 and 205 SW Albany Avenue
Parcel Size (area)	0.38 Acres
Subject Property Land Use	Downtown Redevelopment

Adjacent FLU (Future Land Use)			<i>North</i>	Downtown Redevelopment
			<i>South</i>	Downtown Redevelopment
			<i>East</i>	Downtown Redevelopment
			<i>West</i>	Downtown Redevelopment
Subject Zoning	Property	Overlay	Urban Highway	
			<i>North</i>	Urban Highway
			<i>South</i>	Urban Center
			<i>East</i>	Urban Highway
			<i>West</i>	Urban Highway
Proposed Use			Retail/Service, Residential and Restaurant	
Present Use			Retail/Service, Residential and Restaurant	
ROADWAY AND UTILITIES				
Street Functional Classifications			SW Albany is a two-way collector road	
Utilities			Existing	

IV. EXISTING CONDITIONS:



Source: googleearth

V. PUBLIC NOTIFICATION:

The legal notification requirements have been met for this request of a **Major Urban Code Conditional Use** approval. In accordance with the requirements set forth in Section 11 of the City of Stuart's Land Development Code. Documentation of the public notice is part of the record as well as on file within the City Development Department.

II. STANDARDS FOR URBAN CODE CONDITIONAL USE REVIEW: LAND DEVELOPMENT CODE – SECTION 6.00.04 and SECTION 3.01.06

The city commission may grant a major Urban Code conditional use and the city community redevelopment board may grant a minor Urban Code conditional use. The review of major and minor Urban Code conditional use applications shall follow the procedures set forth in section 11.01.10 relating to major conditional use approval review, including, but not limited to, required findings of fact, conditions, notice, public hearing, standards, burden of proof, revocation and expiration. Approval of an Urban Code conditional use shall only be granted if the applicant can demonstrate that the request is consistent with and will further the implementation of this Code, the CRA redevelopment plan, the city comprehensive plan and will measurably improve the form, function and traditional neighborhood characteristics of the Urban Code District. The procedure for a major Urban Code conditional use shall follow the procedures set forth at section 11.01.10 with respect to submittal information and required notice for a major conditional use approval. The procedure for a minor Urban Code conditional use shall follow the procedures set forth in section 11.01.10 with respect to submittal information and required notice for a major conditional use approval; however, mailed notice shall only be required to be provided to property owners which are directly abutting the subject property, and a minor Urban Code conditional use shall be granted by the city community redevelopment board.

1. Minor Urban Code conditional use. A minor Urban Code conditional use shall be required for relief from the following regulations of the Urban Code; public art, and architectural materials.

2. Major Urban Code conditional use. A major Urban Code conditional use shall be required for relief from the following regulations of the Urban Code; density, permitted uses, setbacks, **location and number of parking spaces**, location of buildings and structures, conflicts with utilities, curb cuts, historic buildings, pitched roofs in the Old Downtown District, number of stories, building height not to exceed 45 feet, parking located within a building envelope, location of a formula business, and architectural requirements. (bolded words added for emphasis)

a. Review. Upon submittal of an application for a major Urban Code conditional use the city development department shall review all applicable portions of this code and the comprehensive plan and shall make a recommendation to the community redevelopment board followed by a recommendation to the city commission. Prior to its consideration by the city commission, the city community redevelopment board shall review the application and make an advisory recommendation thereon to the city commission. A major Urban Code conditional use may be granted by the city commission upon a determination that

the design objectives set forth in this section and site qualitative design development standards set forth in section 6.00.04 have been substantially satisfied. Unless a longer timetable is granted by the community redevelopment board and city commission, a building permit shall be obtained no later than 12 months from the approval date of a major Urban Code conditional use. A certificate of occupancy shall be obtained no later than 30 months from the issuance of a building permit.

b. Design objectives. The design objectives established in this section are intended to promote superior site and building design and shall be applied by the city in the review of a development plan. In order to achieve substantial conformance with the design objectives the city commission may impose development conditions and operational requirements in order to satisfy the design objectives. A major Urban Code conditional use may be granted only when an applicant presents clear and convincing evidence that the proposed development will result in a superior product that is compatible with the surrounding neighborhood and achieves substantial conformance with the design objectives outlined in this section.

1. Location of Parking Spaces. The proposed nine (9) new on-street parking spaces are permitted to be included in the building calculations pursuant to Section 3.01.03.F.1.iii.d, which states, "Where it does not currently exist, on-street parking, constructed to city code, may be used to offset the required number of parking spaces. Such parking shall abut the proposed development. The cost of the pavement modifications shall be borne by the private development. An approved revocable permit from the City Commission is required for on-street parking.

The applicant is seeking the revocable permit to add said parking along SW Albany Avenue.

STAFF RECOMMENDS APPROVAL OF THE REVOCABLE PERMIT TO ALLOW THE NEW ON-STREET PARKING, WHICH ABUTS THE PROPERTY AND WILL BE PAID FOR BY THE PRIVATE PROPERTY OWNER. THE PARKING SPACES WILL BE FOR GENERAL PUBLIC USE.

2. Required Number of Parking Spaces. Based on the existing uses and the parking spaces provided on the site, the applicant is requesting relief from the non-conformity. The applicant will be providing nine additional on-street parking spaces, as described above, but will still fall short of the required parking spaces by nine spaces. The applicant is requesting the approval of a shared parking arrangement between the 200 and 205 SW Albany properties. The applicant's parking statement justifies the sharing of the uses due to the mix of uses (residential and commercial) as well as the mix of service, retail and restaurant uses generally having varied peak demands.

STAFF RECOMMENDS APPROVAL OF THE DEVIATION FROM CODE. ALLOWING THE EXISTING USES TO CONTINUE WITH NO OUTSTANDING NON-CONFORMING STATUS IN REGARD TO PARKING. THEREBY, THIS ALLOWS FOR POTENTIAL REDEVELOPMENT OF THE SITE SO LONG AS THE USES REMAIN THE SAME INTENSITY. STAFF NOTES THAT EXPANSION OF THE INTENSITY OF USES IS NOT RECOMMENDED WITHOUT A MORE EXTENSIVE PARKING STUDY.

The conceptual streetscape plan application has been reviewed by Fire Department and Public Works reviewers and is required to meet applicable access requirements. The reviewers provided comments that will impact the final engineered drawings but does not impact the development streetscape plan.

VIII. STAFF RECOMMENDATION

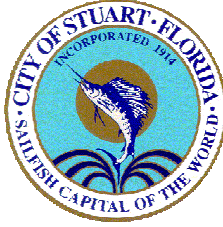
Based upon compliance with the City of Stuart's Comprehensive Plan and the pertinent standards found within Section 3.01.06 of the City of Stuart's Urban Code, staff recommends **APPROVAL** of the applicant's request to consider a **MAJOR URBAN CODE CONDITIONAL USE** to allow deviations from the Urban Code, Chapter 3 of the City of Stuart's Land Development Code, to allow the construction of nine (9) new on-street parking spaces, with the conditions attached the draft Resolution 64-2020.

Staff is recommending approval of this request with the following conditions of approval:

1. The All-American Eagle Properties MUCCU, specifically the construction of the nine additional on-street parking spaces, thereof shall comply with the following drawings:

Albany Avenue Streetscape Plan, Sheet S1 of 1, prepared by McCarty and Associates, dated 11.19.19, revised on 2.26.20.
--
2. All-American Eagle Properties attest the uses located at 200 and 205 SW Albany include the following maximum intensities regarding parking:

a. Salon (1,300 square feet/ 5 stations)
b. Residential apartments (6 studio or 1-bedroom units)
c. Retail (1,500 square feet)
d. Restaurant (40 seats)
e. Personal service (1,300 square feet)
3. The owner shall not exceed the maximum intensity of uses described above in Condition #2, which permits the inclusion of nine on-street parking spaces in the parking calculation and the deficiency of a total of nine parking spaces.
4. The nine on-street parking spaces constructed by the applicant are for general public use and may not be restricted for the use of tenants of any property. The City reserves the right to restrict and enforce temporary parking hours.
5. The project shall be completely installed and inspected by July 1, 2022, or this Major Urban Conditional Use shall be deemed void.



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 64-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW THE DEVIATION OF REQUIREMENTS REGARDING THE NUMBER OF PARKING SPACES REQUIRED AND ALLOW THE CONSTRUCTION OF NINE (9) NEW ON-STREET PARKING SPACES WITHIN THE URBAN HIGHWAY ZONING DISTRICT; PROVIDING FOR A REVOCABLE PERMIT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission of Stuart, Florida, has adopted and administers Section 3.01.06 of the Land Development Code; and

WHEREAS, the applicant, All American Eagle Properties, LLC (The “Owner”) filed an application for a Major Urban Code Conditional Use Permit to allow deviation from the Urban Code, Chapter 3 of the City of Stuart’s Land Development Code regarding the number of required parking spaces and to allow the construction of nine (9) new on-street parking spaces for public benefit to be considered in the required parking space calculations, Stuart, Florida.

WHEREAS, the City Commission held a properly noticed hearing on June 22, 2020, to consider the application for a reduction of required parking as a conditional use; and

WHEREAS, at a public hearing the applicant has shown by substantial competent evidence that the proposed use does not create any detrimental effects on adjacent properties, within three hundred (300) feet of the proposed location; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: Subject to the conditions attached hereto, the City Commission hereby grants a Major Urban Code Conditional Use Approval to John Martino, Manager of All-American Eagle Properties, owner of property at 200 and 205 SW Albany Avenue, Stuart, Florida, with the PCN Number of 05-38-41-014-009-00010-6 and 05-38-41-014-009-00020-4. This conditional use runs with the land; and

SECTION 2: A legal description of the Property is set forth in **Exhibit A** of this Resolution. A survey depicting the property and location of the property is attached hereto as **Exhibit B**. Development conditions including a timetable for construction attached hereto as **Exhibit C** and made a part hereof by reference; and

SECTION 3: The streetscape plan is attached hereto as **Exhibit D**; and

SECTION 4: This resolution shall take effect upon adoption; and

SECTION 5: The City Commission approves a revocable permit, to be signed by the City Manager, which permits the private development of new on-street parking within the SW Albany Avenue right of way. The pavement modifications shall be completely installed and inspected by July 1, 2022, or this Major Urban Conditional Use and said revocable permit shall be deemed void.

Commissioner _____ offered the foregoing Ordinance and moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

MICHAEL J. MEIER, MAYOR

EULA R. CLARKE, VICE MAYOR

BECKY BRUNER, COMMISSIONER

KELLI GLASS LEIGHTON, COMMISSIONER

MERRITT MATHESON, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2020.

ATTEST:

MARY R. KINDEL
CITY CLERK

MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY

STATE OF _____

COUNTY OF _____

CITY'S ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2020, by MICHAEL J. MEIER, Mayor, and Mary R. Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

Personally Known OR Produced Identification

Type of ID Produced _____

Signature of Notary Public: _____

Commission Expires:

Notary Seal:

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN THE FOREGOING RESOLUTION, AND ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE FOREGOING RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ADMINISTRATIVE ACTIONS AND PENALTIES MAY BE TAKEN AGAINST THE UNDERSIGNED, ITS SUCCESSORS OR ASSIGNS, BY THE CITY, INCLUDING BUT NOT LIMITED TO SANCTIONS DESCRIBED IN THIS RESOLUTION, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

All-American Eagle Properties, LLC

Print Name: _____

By: _____
John Martino, Manager

Print Name: _____

OWNERS ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2020, by _____

Personally Known OR Produced Identification

Type of ID Produced _____

Signature of Notary Public: _____

Commission Expires: _____

Notary Seal:

Exhibit A – Legal Description

Applicant is requested to provide legal description on the survey prior to City Commission hearing

Exhibit B
Legal Survey

Applicant is requested to provide survey prior to City Commission hearing

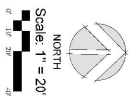
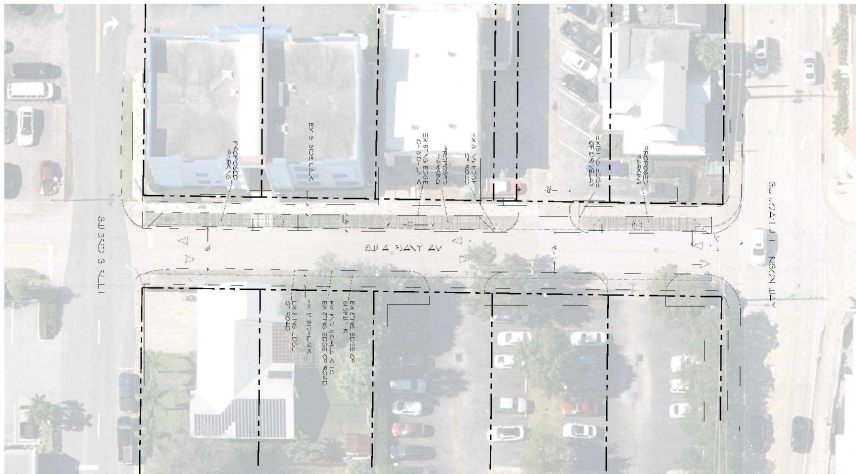
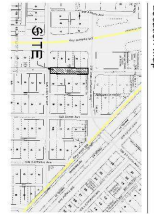
EXHIBIT C – DEVELOPMENT CONDITIONS

Approved Plans and Documents

1. The All-American Eagle Properties MUCCU, specifically the construction of the nine additional on-street parking spaces, thereof shall comply with the following drawings:
 - a. **Albany Avenue Streetscape Plan, Sheet S1 of 1, prepared by McCarty and Associates, dated 11.19.19, revised on 2.26.20.**
2. All-American Eagle Properties attest the uses located at 200 and 205 SW Albany include the following maximum intensities regarding parking:
 - a. Salon (1,300 square feet/ 5 stations)
 - b. Residential apartments (6 studio or 1-bedroom units)
 - c. Retail (1,500 square feet)
 - d. Restaurant (40 seats)
 - e. Personal service (1,300 square feet)
3. The owner shall not exceed the maximum intensity of uses described above in Condition #2, which permits the inclusion of nine on-street parking spaces in the parking calculation and the deficiency of a total of nine parking spaces.
4. The nine on-street parking spaces constructed by the applicant are for general public use and may not be restricted for the use of tenants of any property. The City reserves the right to restrict and enforce temporary parking hours.
5. The project shall be completely installed and inspected by July 1, 2022, or this Major Urban Conditional Use shall be deemed void.

Exhibit D

Approval Documents



S1 of 1

Drawn By	DMS
Checked By	MM
Scale	1"=20'
Drawing Date	11/19/2019
	1/22/2020
12/13/2019	2/26/2020



Albany Avenue Streetscape
Albany Avenue
Stuart, Florida
Conceptual Site Plan

LAND PLANNING
AND DESIGN
STUART • FT. PIERCE

SIUAKI • FT. PIERCE

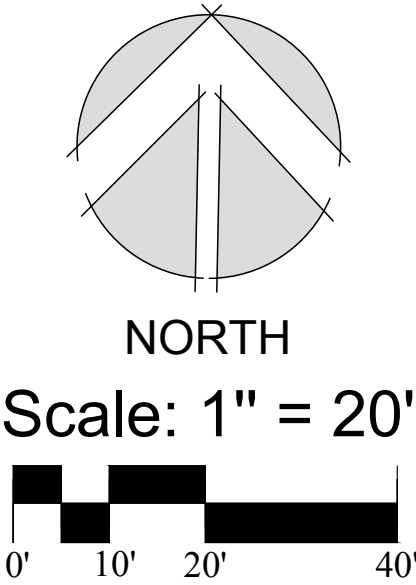
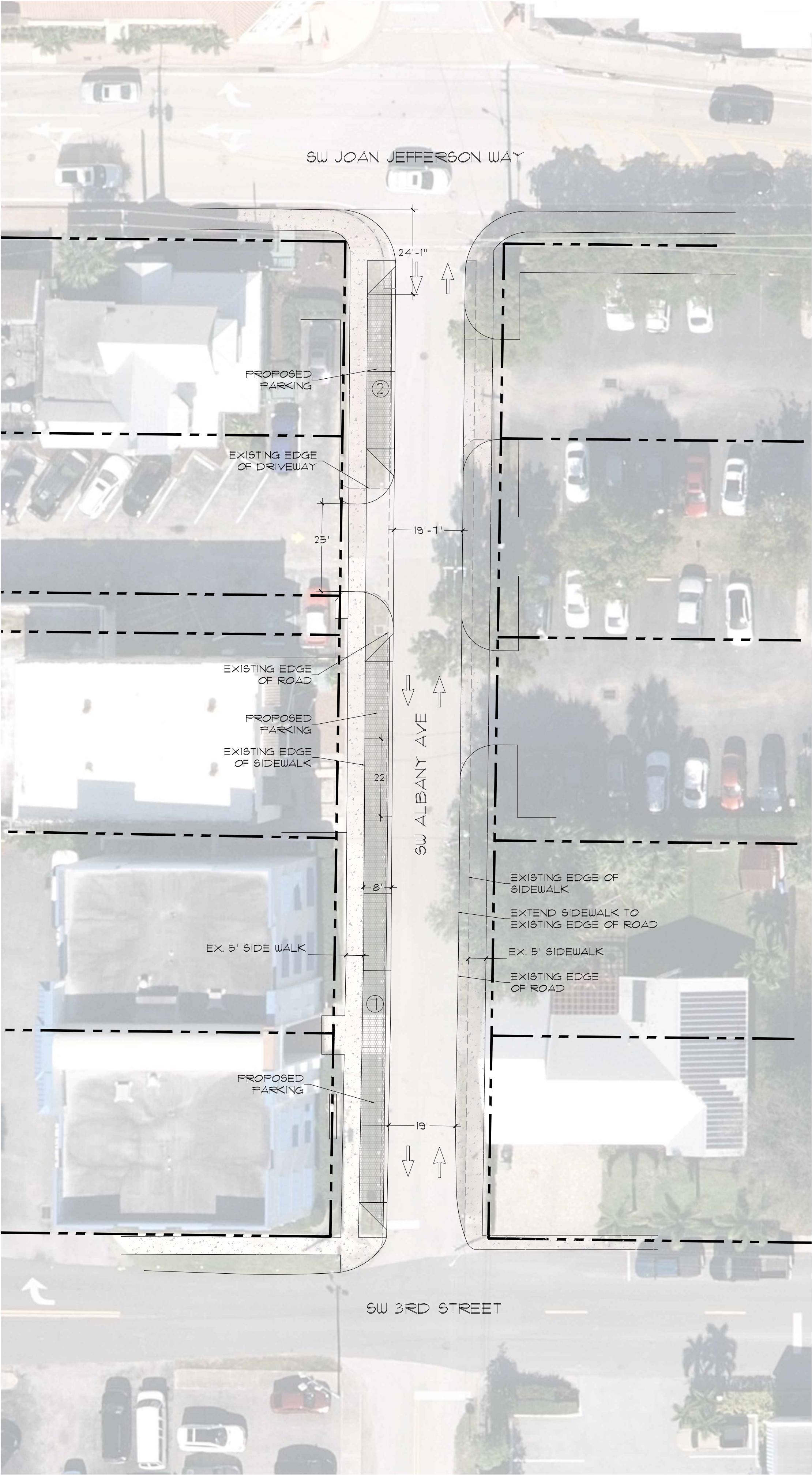


McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

SILVARI • H. J. PERCEC

Location Map



McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Albany Avenue Streetscape

Albany Avenue
Stuart, Florida

Conceptual Site Plan



Drawn By _____ DMS
Checked By _____ MM
Scale _____ 1"=20'
Drawing Date _____ 11/19/2019
12/13/2019 1/22/2020
2/26/2020



McCarty & Associates
Land Planning and Design LLC
www.McCartyLandPlanning.com
309 SE Osceola St. Suite 104
Stuart FL 34994
772-341-9322

February 24, 2020

Attn: Stephen Mayer
City of Stuart
Development Department
121 SW Flagler Ave
Stuart FL 34994
Phone: 772-288-5300

RE: All American Eagle Properties–Urban Code Conditional Use -Response to Comments

Dear Stephen Mayer:

We receive your staff comments dated February 13, 2020 via e-mail. In response to the comments we have provided a response in **bold** following each comment.

1. The City would like to enforce temporary parking on the new on-street spaces during normal business hours.
Response: The applicant agrees a three-hour limit during business hours would help ensure the spaces turn over which will better serve the businesses during the day and prevent long term parking.
2. Public works suggests a 20-foot separation from the intersection and the nearest parking space, to ensure they can get their equipment turning on to the street. It does not seem like we have this separation and it may affect the number of spaces that can be provided.
Response: The applicant has revised the proposed street scape layout to provide the 20 ft separation from the intersection. Please see the attached revised street scape design layout.
3. We need a list of the designated uses and the number of spaces that would require by code. We should have the conditional use request a waiver for the number of spaces that are deficient. There may be a need to justify thru a statement why that will work (i.e.: a mix of uses sharing the parking, a system of parking sharing with the uses, etc).

Response: Below is a list of the uses and building square footages/units/seats with the required parking calculations.

<u>Use</u>	<u>Sqft./# of units</u>	<u>Required parking</u>	<u>Provided/Proposed Parking</u>
Salon (2/station)	1300/ 5 stations		10
Residential apartments (1.5/unit-studios or 1 bedrooms)	6		9
Zeke's Surf and Paddle-Retail (1/250 sqft , 1/employee)	1500		6
Basil Garden-Restaurant Limited (1/4 seats, 1/employee)	40 seats+3 emplo		10
<u>Message Therapy- Palm Tree Message (1/300 sqft)</u>	<u>1300</u>		<u>4.33</u>
			39.33

22

We believe the uses have different peak time demands with regard to parking so the parking can be shared. The proposed street scape improvements with the on-street parking will help alleviate the parking issue for the property and surrounding properties. The applicant is also requesting an exemption for the 18 parking spaces deficiency.

- I have visited the site and noticed that there is a space used to store a vehicle that is mostly used for the paddleboard rental, and not really used as a rotating parking spot. If this is going to be used as a loading zone and not available as a parking spot, then we shouldn't include it in the parking spaces available.

Response: The landlord has the ability to enforce parking restrictions as they see fit. We have brought this to the landlord's attention and they will have the tenant remove the vehicle so the space can be counted toward the parking provided and used by all patrons.

- General question: would the owner consider assigning parking spaces to assure each use/resident has a dedicated space on site?

Response: Assigning parking is not a realistic solution given the parking is to be shared and the tenants have varying hours of operation.

Let us know if you have any additional comments or questions.

Sincerely,

McCarty & Associates

Michael T. McCarty
Principal
Mike@McCartyLandPlanning.com



**CITY OF STUART, FLORIDA
DEVELOPMENT DEPARTMENT
URBAN CODE CONDITIONAL USE APPLICATION**

Reviewed By: SM

Application must be legible with all relevant fields completed.

Project ID# 219120003
(Staff Entry)

Pre-App Conference Date: December 12, 2019	Application Date:
Project Name: All American Eagle Properties LLC	
Parcel ID# 05-38-41-014-009-00010-6, 05-38-41-014-009-00020-4	Project Address: 200 & 205 SW ALBANY AVE, STUART
Zoning/CRA Sub-district: Urban Highway	
Subdivision: Potsdam	Lot(s): 1,2,3
Fee: \$1,536.00 – Major Urban Code Conditional Use Permit (Community Redevelopment Board and City Commission Approval) Fee: \$512.00 – Minor Urban Code Conditional Use Permit (Community Redevelopment Board) (This does not include fees that may be charged as a result of application reviews by the City's consultants or any required recording fees)	
A Minor Urban Code Conditional Use Permit shall be required for relief from the following regulations of the urban code; paint colors; public art, and architectural materials. A Major Urban Code Conditional Use Permit shall be required for relief from the following regulations of the urban code; density, permitted uses, setbacks, location of parking, location of buildings and structures, conflicts with utilities, curb cuts, historic buildings, pitched roofs in the old downtown district, number of stories, building height not to exceed 45 feet, parking located within a building envelope, location of a formula business, and architectural requirements.	
Submittal Requirements: A completed application form, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, the payment of fees, and pertinent information per application type as determined by the Development Director.	
Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application for the Community Redevelopment Board (CRB) public hearing followed by a recommendation to the City Commission.	
Justification: Please provide justification supporting the request for an Urban Code Conditional Use Permit (include additional pages if needed). The owner of the subject property is proposing to improve Albany Ave from SW Joan Jefferson Way south to SW 3rd Rd. The improvements proposed consist of on-street parallel parking that will be double loaded on both, the east and west, sides of the street. Albany Ave is proposed to be a one way street. The applicant would install these improvements as specifically detailed by the attached Albany Street streetscape plan. These improvements would provide an additional 14 parking spaces that would be credited to the subject property and run with the land perpetuity. The applicant would also request an exemption of an additional 6 parking spaces for the property to justify and incentivise the capital investment with the public right of way to provide additional parking and improve the streetscape. These improvements will support and encourage future redevelopment of the subject property.	

(over)

General Information
(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

Name: John Martino
Title: Manager
Company: All American Eagle Properties LLC
Company Address: PO Box 318 Malverne NY

City/State/Zip Code:
Telephone Number:
Facsimile Number:
Email Address (optional):

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

Name: Michael McCarty
Title: Principal
Company: McCarty & Associates Land Planning and Design LLC
Company Address: 309 SE Osceola St. Suite 104 Stuart FL 34994

City/State/Zip Code:
Telephone Number:
Facsimile Number:
Email Address (optional):

3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name:
Title:
Company:
Company Address:

City/State/Zip Code:
Telephone Number:
Facsimile Number:
Email Address (optional):

I hereby certify that all information contained herein is true and correct.

4. Signed this 19 day of December, 2019.

Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

State of Florida, Martin County The foregoing instrument was acknowledged before me on this 19th day of

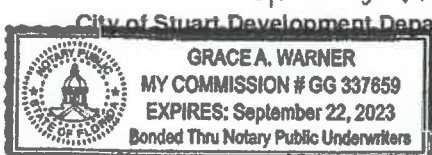
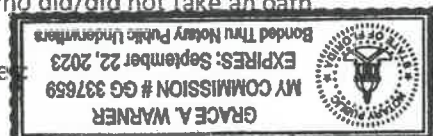
December by John Martino who is personally known to me, or who has produced

as identification and who did/did not take an oath

Grace A. Warner
Notary Signature

Commission expires:

Sept 22, 2023



City of Stuart Development Department, 121 SW Flagler Ave. Stuart, FL 34994 Phone: (772) 288-5326 Fax: (772) 288-5388

Commission # GG 337659



McCarty & Associates
Land Planning and Design LLC
309 SE Osceola Street, Suite 104
Stuart FL 34994
www.McCartyLandPlanning.com
772/341-9322

TRANSMITTAL

Date: 12-20-19

Deliver To: Kev Freeman- Planning Director

Company: City of Stuart Plannning Department

Project #: TBD

From: McCarty & Associates Land Planning and Design LLC/ Michael McCarty

Re: 200 & 205 SW Albany Ave – Major Urban Code Conditional Use

Comments:

Dear: Mr. Freeman,

Please find attached 1 copy and 1 CD of the following materials for the above referenced project:

- Major Urban Code Conditional Use application
- Check in the amount of \$1,536.00 made payable to the City of Stuart
- Albany Avenue Streetscape Conceptual Plan

Let us know if you have any questions.

Sincerely,

McCarty & Associates
Michael T. McCarty
Principal
Mike@McCartyLandPlanning.com