



City of Stuart

A G E N D A
STUART COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION
BOARD
TO BE HELD DECEMBER 3, 2019 AT 4:00 PM

121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD

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

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

APPROVAL OF MINUTES

1. Approval of CRB Minutes

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (5 min. max)

COMMENTS FROM THE BOARD MEMBERS

COMMUNITY REDEVELOPMENT BOARD

1. R03-2020; Southwind Motel - Major Urban Code Conditional Use Density Increase for Apartment Use
2. R01-2020 600 S Colorado MUCCU

OTHER MATTERS BEFORE THE BOARD

HISTORIC PRESERVATION BOARD MATTERS

STAFF UPDATE

ADJOURNMENT

UPCOMING MEETINGS and EVENTS

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

Meeting Date: 12/3/2019

Prepared by: Jordan Pinkston

Title of Item:

Approval of November 6, 2019 CRB Minutes.

Summary Explanation/Background Information on Agenda Request:

Funding Source:

N/A

Recommended Action:

Approve.

ATTACHMENTS:

Description	Upload Date	Type
▢ CRB Minutes 11.6.19	11/26/2019	Cover Memo



MINUTES

COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION BOARD

NOVEMBER 6, 2019 AT 4:00PM

CITY COMMISSION CHAMBERS

121 S.W. FLAGLER AVE.

STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD MEMBERS

Chair – Chris Lewis

Vice Chair – Frank Wacha

Board Member – Faye James

Board Member – Tom Campenni

Board Member – Pete Walson

Board Member – Cristina Maldonado

Board Member – Nathan Ritchey

ADMINISTRATIVE

Development Director, Kev Freeman

CRA Administrator, Pinal Gandhi-Savdas

Board Secretary, Jordan Pinkston

CALL TO ORDER

ROLL CALL

Present: Pete Walson, Faye James, Tom Campenni, Nathan Ritchey, Cristina Maldonado, Chris Lewis

Absent: Frank Wacha

APPROVAL OF MINUTES

Motion: Action: Approve

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

APPROVAL OF AGENDA

Motion: Action: Approve

Moved by: Tom Campenni
Seconded by: Nathan Ritchey
Motion passed unanimously.

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

COMMENTS FROM THE BOARD MEMBERS:

Cristina Maldonado joined the meeting.

COMMUNITY REDEVELOPMENT BOARD

1. Resolution 11-2019 CRA - The Gilt Complex "The Artist's Manifesto" Mural

PRESENTATION  **4:03 PM**
Pinal Gandhi-Savdas, CRA Administrator

COMMENTS FROM THE BOARD MEMBERS:

Tom Campenni requested staff go through the conditions.

Pinal Gandhi-Savdas stated that the conditions are they would have to comply with the attached mural and the property owner would be responsible for maintenance of artwork.

COMMENTS FROM THE PUBLIC (5 min. max):

1. Duncan Heard (Colorado Avenue) – Owner of the complex the mural will be on and are very excited about the project.

COMMENTS FROM THE BOARD MEMBERS:

Pete Walson moved to approve both resolutions, 11-2019 and 12-2019 at the same time.

MOTION

Action: Approve.

Moved by: Pete Walson

Seconded by: Tom Campenni

Motion passed unanimously.

2. Resolution No. 12-2019 CRA - Mural Matching Grant Agreement between the CRA and The Gilt Complex

MOTION:

Action: Approve.

Moved by: Pete Walson

Seconded by: Tom Campenni

Motion passed unanimously.

3. Resolution No 103-2019: Southwind Motel - Major Urban Code Conditional Use Density Increase for Apartment Use

PRESENTATION **4:09 PM**

Kev Freeman, Development Director

Spiro Laskaris, Applicant

COMMENTS FROM THE BOARD MEMBERS:

Nathan Ritchey asked if the goal was a studio flat or size of hotel room.

Spiro Laskaris said they are around 600 square feet.

Chris Lewis asked if the applicant can foresee any stress on the neighborhood in the future.

Spiro Laskaris said no, if anything it should put their mind at ease for what is currently there and bringing long term tenants.

COMMENTS FROM THE PUBLIC (5 min. max):

1. Alan Friedrich (SW Federal Highway) – Owner of office building that joins the motel. Has had problems with the condition of the hotel but is concerned about the future plan and quality of people.
2. Burt Mautz (SW Channel Avenue) – Resident of Frasier Crescent. Opposed to every aspect of the project.
3. Pamela Orr (SW McPherson Street) Concerned about the traffic impact.
4. Curt Menlengracht (SW McPherson Street) – Resident for 25 years and would like to see improvements to the hotel but has concerns about the plan.
5. Janine Landaline (Benttree Drive) – Broker representing the seller. Shared her professional opinion on the site and plan.

Tom Campenni asked the staff if there was a site plan, parking plan or landscaping plan.

Kev Freeman said that we are requesting that as part of the conditions.

Tom Campenni said that staff is asking to make this a 24 unit per acre project a conditional use without any of the things the code requires for us to decide. He said that this project is not ready for us to decide, once this is granted it will become 24 units per acre and if it is knocked out tomorrow or years from now we are stuck with that density.

Mike Mortell said the conditional use approval runs with the land.

Tom Campenni said since there are no set back requirements in our approval, they could eventually build four stories and we would not have a say on the matter. He said he believes we should have more density than less but should not support a project that is not complete. He said this is not doing what the code says and we are not here to change the code, we are here to approve a project. He said that if he were to see a site, parking and landscape plan it might be the best project ever, but if it does not conform and we should not be giving a conditional use to one piece of property without doing it for everyone. He said that we do not want spot zoning.

Chris Lewis asked for clarification of what the board is approving.

Kev Freeman confirmed that the proposal is for the building as is, but it still needs to meet the urban code no matter what is decided tonight. There are applications that the board does not see because they meet urban code and that is the purpose of the code. He said the reason we are here tonight is because of increase in density. If the applicant comes in and designs something that is in compliance with the urban code with the additional density then you would need to have a site, landscape and parking plan. He said that the board has the option to say as a condition, please bring back these items for review.

Chris Lewis asked if the board decided on the density issue today, if they would be the end all be all for that decision.

Kev Freeman said the board makes recommendations to the Commission.

Nathan Ritchey said that no matter what is decided right now, we are going to have conditions.

Kev Freeman said if applications do not meet urban code then that is when it comes before the board. He said staff can add an additional condition that says this site plan will be brought back to the board and the neighborhood would be notified of that.

Tom Campenni said that if we make that a condition to have everything come back then why don't we have that initially. He said the purpose of this board is to vet things before the commission, if we don't what is the purpose of the board and if we leave it to staff then what is the purpose of the commission. He said if we believe we should increase density throughout the area then we need to have workshops, this is spot zoning and it is the worst thing to do. He said that he is not against it, anything is better than that motel, we should give this to the commission after we have complete information and input.

Spiro Laskaris said that he turned in a site plan for parking, but to make it clear there is a large investment going into this building and it requires a certain tenant to afford these rents. One-bedroom units will run about \$1,200 to \$1,300 to include utilities. He said he

is not interested in high maintenance tenants and he wants to put the neighborhood at ease with the type of tenants he wants. He offered to give out the management company's phone number.

Pete Walson asked if there was a reason, we were going through density first as opposed to the entire project.

Kev Freeman said that we have an existing motel there, which does not have density attached to it. He said the proposal is to change that existing use to residential, which creates the density issue. He said without that ability then there is no point in going forward with converting the property because the board would not be recommending a density increase.

Pete Walson said other than the density the board has no control over what happens other than the urban code. Pete Walson said there is no guarantee that the footprint will stay the same.

Kev Freeman said yes and at this time it could be built out to the urban code and could go four stories at the location.

Pete Walson said there is not a lot of control after we give up density, other than urban code. He asked if a CPUD would be appropriate.

Kev Freeman said in this case it would be an Urban PUD. He said if there is a site plan attached to this and everything worked out then the conditional use is in effect. He said the intent was to establish if the board would recommend that the density could be increased at this location. He said then from a staff point of view we would want it to meet urban code. He said if it needed exceptions it would come back to the board, but the other alternative is that it would come back to the board whatever it does.

Tom Campenni asked the applicant for a site plan, parking, landscape plan by the next CRB meeting, so that everyone can see and knows what is intended. He said that he does not believe there is a problem with the 24 units per acre, it what they will get with the 24 units per acre and what they will look like. He recommended having a meeting with the neighbors prior to next month. He believes staff made this problem and should have come to the board in a full application because once we see what the plan is and what we are approving there shouldn't be a problem.

Spiro Laskaris said he could have those ready by next CRB.

Chris Lewis asked how long the project was projected to take.

Spiro Laskaris said a few months.

Pete Walson said that he is all for improving our demographics, but Tom Campenni is right, and we need to see the basics I order for everyone to know what they are getting.

He would not approve it with the information he has now. He asked what the status is of McPherson and 6th.

Pinal Gandhi-Savdas said they just received the final engineering design review, comments have been sent to Captec, the budget was approved for construction and the final design is underway. She said McPherson will be one way and 6th Street will be two ways.

MOTION:

Action: Table to continue to next board meeting with applicant and staff providing a full application to the board.

Moved by: Pete Walson

Seconded by: Tom Campenni

Motion passed unanimously.

4. Resolution No. 09-2019 Certificate of Designation for the Hull/Lane House

 **4:54 PM**

PRESENTATION

 **4:56 PM**

Pinal Gandhi-Savdas, CRA Administrator

John Edgar Sherrard, John Edgar Sherrard, P.A.

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

MOTION:

Action: Approve.

Moved by: Tom Campenni

Seconded by: Nathan Ritchey

Motion passed unanimously.

BOARD COMMENT

Tom Campenni said that from the Roosevelt Bridge all the way to Colorado needs to be looked at by staff to see what we want there as a City.

Nathan Ritchey said if they give us a complete proposal then we are approving the project as is.

Pete Walson said that he would like an update on Aycok.

Kev Freeman said that it was gone.

Pete Walson asked if we needed him to go through a 500-page application or if there is something else he can do. He asked if it goes to CRA after or directly to City Commission.

Kev Freeman said that they will try to keep it as simple as possible with as much information as what they are requesting.

Mike Mortell said that it goes directly to City Commission. He described what the criteria in the code is and what qualifies the board to exceed 15 units per acre. He said that there has been a lot of discussion with staff that there may be certain areas within the CRA that should have more than 15 units per acre and should not cost as much as it does to have people do it. He said there are zero projects that come in below 15 units an acre in the multi-family business.

Tom Campenni asked for the detailed agenda to be updated with the criteria as well.

Pete Walson asked if they could send the project to the CRA.

Mike Mortell said that the CRB sends up a recommendation to Commission when it is a land use then the Commission takes the advice of the recommendation. If Pete Walson or Nathan Ritchey wanted to come the Commission meeting and speak then that would work. The CRA is for when you are putting regulations on the CRA and gave an example.

Pete Walson said his intent was that if they got a bare bones application at CRB, but then went to CRA it would allow the City Commission to review it without being at a Commission Meeting.

Mike Mortell said that a conditional use has one meeting and an ordinance is two. He said there is an efficiency of scale and he will mention it to the Commission.

OTHER MATTERS BEFORE THE BOARD: None.

STAFF UPDATE:

Kev Freeman would like to look more closely at the Kanner to Colorado corridor and wants to confirm it further south. He said he would like to get a workshop together to look at what we are facing, which is a form of development. He said we would look at incorporating a form-based code on that corridor.

Tom Campenni said that is a good idea, but we need to separate at Colorado.

Mike Mortell said he thinks Tom Campenni agrees with Kev Freeman, but he is just talking about terms now.

ADJOURNMENT  **4:14 PM**

Motion: Action: Approve

Moved by: Tom Campenni

Seconded by: Nathan Ritchey

Motion passed unanimously.

Chris Lewis, Chair

Jordan Pinkston, Board Secretary

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

Meeting Date: 12/3/2019

Prepared by: Kev Freeman

Title of Item:

CHANGE OF USE TO ALLOW THE CONVERSION TO RESIDENTIAL APARTMENTS AT SOUTHWIND MOTEL, 603 SW FEDERAL HIGHWAY. (QUASI-JUDICIAL)(RC):

RESOLUTION No. 03-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO IOANNA LAS LLC, (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 603 SW FEDERAL HWY, TO ALLOW A DENSITY OF 24 UNITS PER ACRE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

This item was presented to the Community Redevelopment Board on November 7th, 2019. The item was continued to this meeting to address Board comments such;

1. Site Plan confirming layout, parking and landscaping.
2. Renderings of proposed architectural elevations, confirming single story construction.

The property is subject to a contract to purchase and the applicant is seeking a determination of whether the density increase to allow conversion of use of the existing motel building for apartments is acceptable. Subsequent development improvements will be subject to building and site plan applications and permits.

This is a request to consider a Major Urban Code Conditional Use approval to allow a change of use from the existing 19 room hotel/motel use to 19 residential apartments. The conversion to residential will not increase the footprint of the building but will require an increase in density. Therefore, the applicant has requested a density of 24 units per acre. The maximum density allowed without City Commission approval is 15 dwelling units per acre.

The applicant is the contract purchaser of the property, located at 603 SW Federal Highway, and if granted, the conditional use would allow for the conversion of the existing hotel/motel use to residential apartments. Additional building permit and site plan application will be required to undertake construction and will need to comply with, fire, public works, building and zoning codes. These will be reviewed at staff level.

Funding Source:

N/A

Recommended Action:

Motion to find the application in compliance, subject to stated conditions or modifications, and forward the request to the City Commission for final action.

ATTACHMENTS:

Description	Upload Date	Type
▢ Staff Report	11/26/2019	Staff Report
▢ MUCCU_603_Place_-_Southwind_Motel.pdf	11/26/2019	Cover Memo
		Backup

▢	Application Form	10/29/2019	Material
▢	Boundary Survey	11/1/2019	Backup Material
▢	Site Plan	11/25/2019	Backup Material
▢	Traffic Statement	11/25/2019	Backup Material
▢	Drainage Statement	11/25/2019	Backup Material
▢	Architectural Rendering - 1	11/25/2019	Backup Material
▢	Architectural Rendering - 2	11/25/2019	Backup Material

CITY OF STUART, FLORIDA
COMMUNITY REDEVELOPMENT BOARD
STAFF REPORT

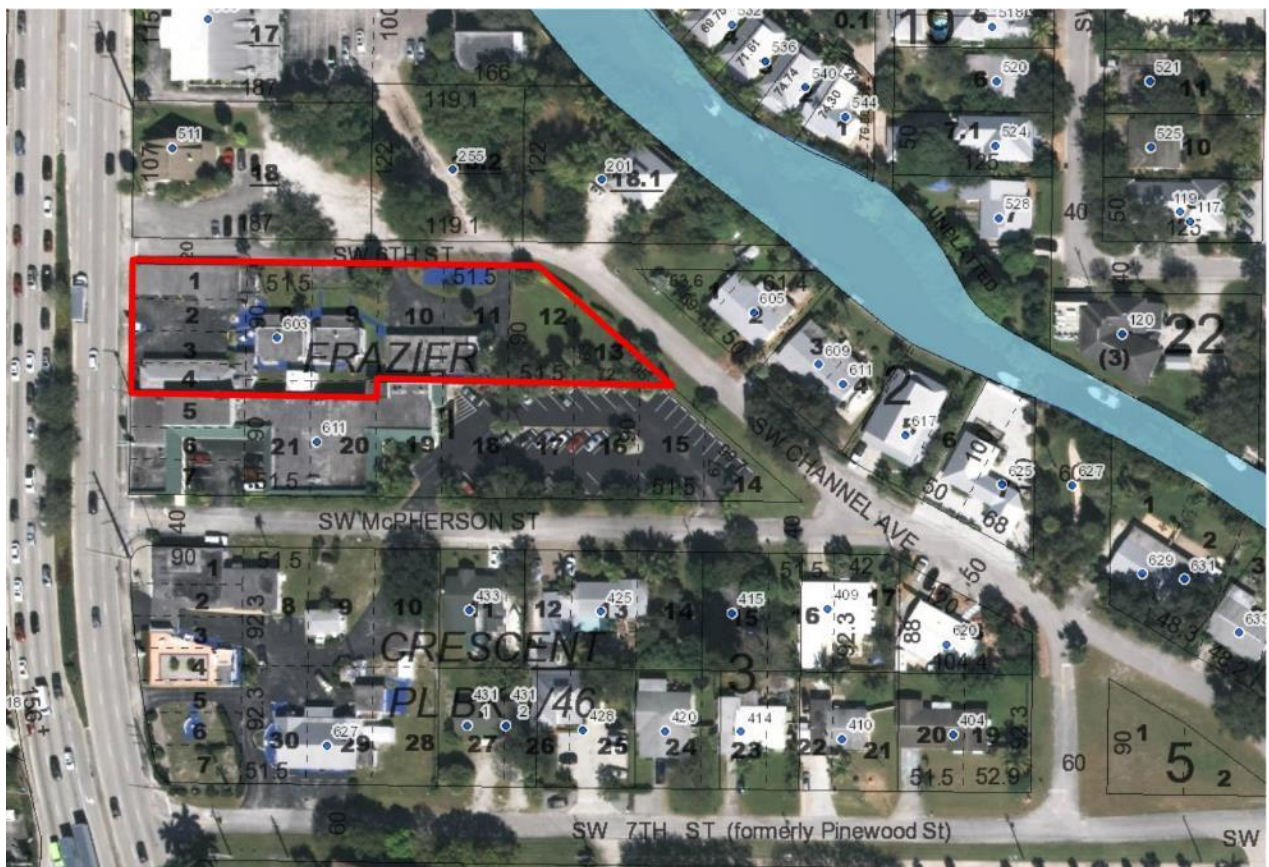
MEETING DATE: December 3rd, 2019

PREPARED BY: Kev Freeman
 Development Director

PROJECT NAME: 603 Place – IONANNA LAS LCC

TITLE OF ITEM:

Request to consider a Major Urban Code Conditional Use approval to allow a change of use from the existing 19 room hotel/motel use to 19 residential apartments. The conversion to residential will not increase the footprint of the building but will require an increase in density. Therefore, the applicant has requested a density of 24 units per acre. The maximum density allowed without City Commission approval is 15 dwelling units per acre.



LOCATION OF APPLICATION SITE

I. APPLICATION SUMMARY

The applicant, IOANNA LAS, LLC, is requesting a major urban code conditional use approval as per Section 3.01.06 of the City of Stuart Land Development Code. The applicant is the contract purchaser of the property, located at 603 SW Federal Highway, and if granted, the conditional use would allow for the conversion of the existing hotel/motel use to residential apartments.

The applicant is required to request a Major Urban Code Conditional use due to the resultant residential density of 24 units per acre.

II. HISTORY

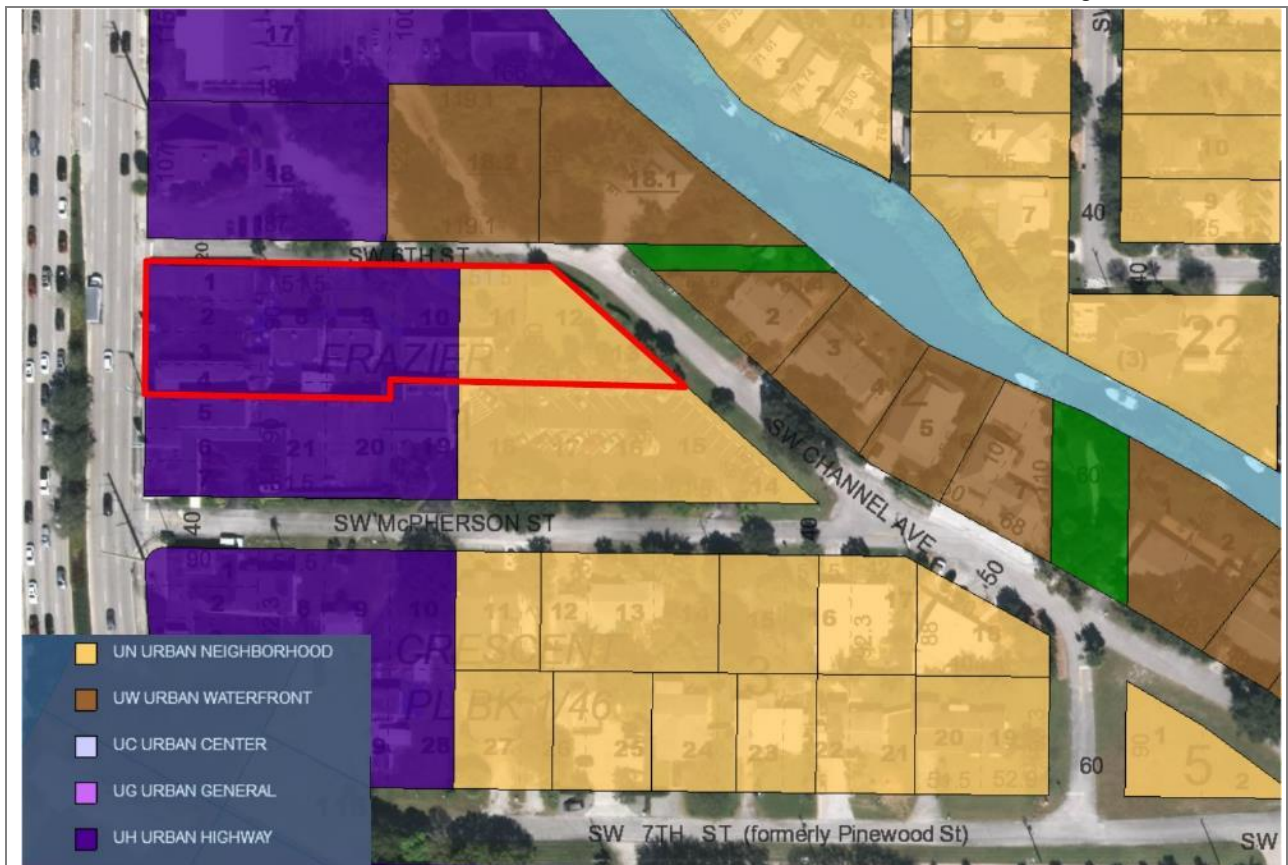
The property is currently known as the 'Southwind Motel'.

III. ZONING AND LAND USE

Site Location	603 SW Federal Hwy
Parcel Size (area)	0.82 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>	Commercial



Subject Zoning	Property	Overlay	Urban Highway/Urban Neighborhood
		<i>North</i>	Urban Neighborhood/Urban Waterfront
		<i>South</i>	Urban Highway/Urban Neighborhood
		<i>East</i>	Urban Waterfront/Public
		<i>West</i>	B-2 Business
Proposed Use			19 Residential apartments within the existing building footprint
Present Use			Hotel/Motel
Land Use Plan			Downtown Redevelopment
ROADWAY AND UTILITIES			
Street Functional Classifications			US-1
Utilities			The provision of water and sewer service to the new apartment use will be discussed at site plan review.

IV. EXISTING CONDITIONS:



VIEW FROM US-1



VIEW FROM SW 6th STREET

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

NOTE THAT THE REQUEST IS FOR AN ALLOCATION OF RESIDENTIAL DENSITY ONLY, AS SUCH THE PROPOSAL IS CONSIDERED TO BE A NON-SUBSTANTIAL RENOVATION.

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 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.

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. Building height. The proposed building is proportional and complimentary to surrounding buildings in the area. – **NO CHANGE – SINGLE STOREY BUILDING**

2. Additional building setbacks. Three- and four-story buildings have an additional five-foot setback on each side. – **NO CHANGE – NOT PART OF THIS REQUEST**

3. Mixed residential unit types. The proposed development includes a mix of one- and two-bedroom rental apartments 1,000 square feet or less of gross floor area. - **ALL RESIDENTIAL APARTMENTS WILL BE LESS THAN 1,000 Sq.ft OF GROSS FLOOR AREA**

4. Architectural treatments. Architectural treatments on the principal building facade should be continued around all sides of the building that are visible from the public realm. – **REFER TO ARCHITECTURAL REDERINGS**

5. Architectural features for mixed-use buildings. In mixed-use buildings, the ground floor shall be differentiated from upper floors through the use of strong cornice lines, awnings, distinct but compatible exterior colors or materials, exterior lighting, colonnades or overhangs that cover the sidewalk, increased setback for upper floors or similar treatments. – **NOT MIXED USE**

6. Defined entrance. The primary building entrance is a prominent feature that is well lit and visible and directly accessible from a public street. To the extent possible, the primary building entrance should be defined and articulated with pediments, pilasters, columns, porticoes, porches, overhangs, railings, or other architecturally compatible elements. – **REFER TO ARCHITECTURAL REDERINGS**

7. Pedestrian amenities. Pedestrian amenities in the form of benches, potted plants, flower boxes, outdoor patio area, murals, or other acceptable forms of amenities located adjacent to a public sidewalk and/or right-of-way. - **NO CHANGE**

8. Patio gardens. The proposed structure incorporates gardens which include a mixture of flower boxes, arbors, trellis, flowering vines, and other landscaping materials. – **NO CHANGE**

9. Varying roof lines. Roofs shall have three or more roof slope planes per primary facade, sloping roofs or have vertical roof changes with a minimum change in elevation of two feet. – **REFER TO ARCHITECTURAL REDERINGS**

10. Elevation plane variation. The elevation plane variation is identified as the exterior wall of a structure or building. For planes 50 feet or less, the secondary plane shall project at least two feet from the primary plane and make up at least five percent of the entire elevation. For planes larger than 50 feet, the secondary plane shall project at least two feet from the primary plane and make up at least 30 percent of the entire elevation. – **REFER TO ARCHITECTURAL REDERINGS**

11. Blank walls. Long, windowless, uninterrupted walls shall be avoided. Transparent windows or faux windows or shutters shall comprise at least 30 percent of street and water side exterior elevations and blank wall areas shall not exceed ten feet in vertical direction and 20 feet in horizontal direction of any facade. – **REFER TO ARCHITECTURAL REDERINGS**

12. Solar hot water, electric, or air. Installation of solar water heaters, photovoltaic panels, and/or solar space heating (either passive or active) systems. Solar facility shall be installed for each individual residential or non-residential unit through a common system supplying each residential or non-residential unit. The solar unit shall be designed to be the primary heat or electrical source for the residential or non-residential unit being served. – **NOT A SUBSTANTIAL RENOVATION**

13. Enhanced landscaping. Landscaping shall be planted over and above city code requirements with respect to size, quantity, and quality. – **REFER TO LANDSCAPE PLANS – ADDITIONAL TREE AND SHRUB PLANTING**

14. Improvements to the surrounding neighborhood. The applicant proposes to make improvements such as; burying utility lines, replacing existing sidewalks with stamped concrete or pavers, providing pedestrian walkways constructed of stamped concrete or pavers, or other improvements. – **NOT A SUBSTANTIAL RENOVATION**

15. Green Space. The development preserves open space – **NOT A SUBSTANTIAL RENOVATION**

a. A tot lot or park is provided on site.

b. Land is donated to the city to use as public green space.

c. A monetary contribution is made to the city public enhancement fund.

d. An additional vista(s) of at least five feet is provided in the Urban Waterfront Subdistrict.

16. Decorative paving. The development includes the use of brick pavers or stamped or color concrete, in accordance with city specifications, on the site. – **NOT A SUBSTANTIAL RENOVATION**

17. Historic preservation. For buildings identified in the City of Stuart update to the 1991 historic property survey dated April 2003 and any subsequent updates thereof; or any other structure which has local architectural, historical, or cultural significance, the following shall apply: - **NOT APPLICABLE**

a. The existing facades of historic structures are preserved and incorporated into the overall design of the proposed development.

b. Any expansion of an existing building is historically or architecturally consistent with the existing building.

c. Historic structures are relocated within the city limits, within Martin County, or outside Martin County.

d. A monetary contribution is made to the relocation of historic buildings fund.

Sec. 6.00.04. - Site design qualitative development standards.

A. Generally. The intent of these site design qualitative development standards is to establish qualitative standards to be applied by the city in the review of residential development plans, minor development plans and major development plans submitted to the city as required by this Code. The purpose of these standards is to insure that all site plan development complies with the comprehensive plan of the city and with the Stuart land development regulations and to promote harmonious and compatible development within the city.

B. Standards.

1. Harmonious and efficient organization. All elements of a development plan shall be organized harmoniously and efficiently in relation to topography, the size and type of the subject property, the character and development of nearby property, and the type and size of buildings. Site improvements shall be arranged to have minimal effects on nearby property and in a manner that will not impede the development of nearby property for uses permitted by the Stuart Comprehensive Plan and this Code. – **NO CHANGE TO EXISTING LAYOUT – NOT PART OF THIS REQUEST**

2. Preservation of natural conditions. The landscape shall be preserved in its natural state to the maximum degree practical by minimizing tree and soil removal and by other appropriate site planning techniques. Terrain and vegetation shall not be disturbed in a manner likely to increase soil erosion in or near the site or to harm endangered or threatened plant or animal populations. **MINIMAL IMPACT ON EXISTING SITE CONDITIONS**

3. Screening and buffering. Fences, walls, or vegetative screening shall be provided where needed to protect the occupants of the site from undesirable views, lighting, noise or other adverse effects of nearby property, and to protect the occupants of nearby

property from like adverse effects produced by the development of the site. **NO CHANGE**

4. Enhancement of residential privacy. The development plan shall provide reasonable visual and auditory privacy for all dwelling units located within and near the site. Fences, walls, barriers and vegetation shall be arranged to protect and enhance the appearance of the site and the privacy of the occupants. **NO CHANGE**

5. Emergency access. Buildings, walls, landscaping and other site features shall be arranged and constructed to permit access by emergency vehicles to all buildings. **NO CHANGE**

6. Access to public and private ways. All buildings, dwelling units and other facilities designed or intended for occupancy or assembly shall have safe and convenient access to public and private ways including streets, sidewalks and parking areas, and to other areas on the site designed or intended for common use. **NO CHANGE**

7. Pedestrian circulation. For developments which include residential units, the pedestrian circulation system shall be separated to the maximum extent possible from the vehicular circulation system. Sidewalks shall be provided if desirable for pedestrian safety and shall be constructed in accordance with city standards. - **NO CHANGE**

8. Location and design of access drives. Access drives to the site shall be located and designed to maximize public safety and convenience and to minimize negative traffic impacts on property. Access improvements located both on and off the site shall be provided if desirable for public safety. - **NO CHANGE**

9. Coordination of on-site and off-site circulation. The arrangement of on-site public and private ways including streets, sidewalks, bicycle paths and parking areas for vehicular and pedestrian circulation shall be coordinated with the existing and planned pattern of off-site public and private ways for vehicular and pedestrian circulation. - **NO CHANGE**

10. Location and design of on-site ways. On-site public and private ways including streets, sidewalks, bicycle paths and parking areas shall be located and designed to occupy no more land than is required to provide safe and convenient vehicular and pedestrian circulation. Such ways shall not unnecessarily fragment development into small areas or segments. - **NO CHANGE**

11. Drainage. Stormwater drainage shall be accommodated on the site or shall be removed from the site in a manner which does not adversely affect nearby property or the public storm drainage system. The necessary facilities, including grading, gutters, piping and the treatment of soil, shall be provided to accommodate stormwater retention, percolation and drainage, and to prevent erosion and the formation of silt. – **MINIMAL IMPACT REFER TO DRAINAGE STATEMENT**

12. Exterior lighting. Exterior lighting shall not produce glare on nearby property or otherwise interfere with the quiet enjoyment of nearby property or with public safety and convenience. – **LIGHTING WILL BE REVIEWED AT BUILDING SITE PLAN**

The resultant site plan application will be reviewed by Fire Department and Public Works reviewers and will be required to meet applicable access requirements.

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 an increase in density to 24 dwelling units per acre in accordance with the conditions attached the draft Resolution 01-2020 (amended from 103-2019).

Staff is requesting the Community Redevelopment Board consider the merits of the proposal and recommend the application be forwarded to the City Commission for final action.



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

RESOLUTION NUMBER 03-2020

RESOLUTION NUMBER 03-2020: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO IOANNA LAS LLC, (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 603 SE FEDERAL HWY, TO ALLOW A DENSITY OF 24 UNITS PER ACRE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; 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, Spiro Laskaris of IOANNA LAS, LLC (The “Contract Purchaser”) filed an application on October 3rd, 2019, for a Major Urban Code Conditional Use Permit to allow a residential density of twenty-four (24) dwelling units per acre for the purpose of a change the use from hotel to residential apartments at the property known as Southwind Motel and located at 603 SE Federal Highway, Stuart, Florida.

WHEREAS, the City Commission held a properly noticed hearing on _____, to consider the application for an increase in residential density 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: The City Commission hereby grants a Major Urban Code Conditional Use Approval to IOANNA LAS, LLC, as the contract purchaser of the property known as Southwind Motel at 603 SE Federal Highway, Stuart, Florida. The Major Urban Code Conditional Use is hereby conditionally granted by the City to the Applicant in accordance with the Final Site Plan prepared by Gzelka Engineering, Inc, dated November 2019 attached hereto. This conditional use shall run with the land and any modification shall require further commission action.

SECTION 2: A legal description of the Property is set forth in **Exhibit A** of this Resolution. A map depicting the property and location of the property is attached hereto as **Exhibit B** and made a part hereof by reference; and

SECTION 3: The site is defined on the attached boundary survey dated October 12th, 2019 by Cristian Fenex and Associates, LLC and attached hereto as **Exhibit C**.

SECTION 4: This resolution shall take effect upon adoption.

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

REBECCA S. BRUNER,
EULA R. CLARKE,
KELLI GLASS LEIGHTON,
MERRITT MATHESON,
MIKE MEIER,

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 _____

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:

IOANNA LAS, LLC

Print Name:_____

By:_____
Spiro Lazkaris

Print Name:_____

OWNERS ACKNOWLEDGMENT

The above Acceptance and Agreement of Resolution No. 103-2019 was acknowledged before me this ____ day of _____, 2019, IOANNA LAS, LLC.

Notary Public, State of Florida

My Commission Expires:
Notary Seal

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

Exhibit A – Legal Description

Lots 1, 2, 3, 4, 8, 9, 10, 11, 12, AND 13, AND THE NORTH 12.5 FEET OF LOTS 20 AND 21, BLOCK 1 FRAZIER CRESCENT SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 46, MARTIN COUNTY, FLORIDA PUBLIC RECORDS.

Exhibit B
Location Map

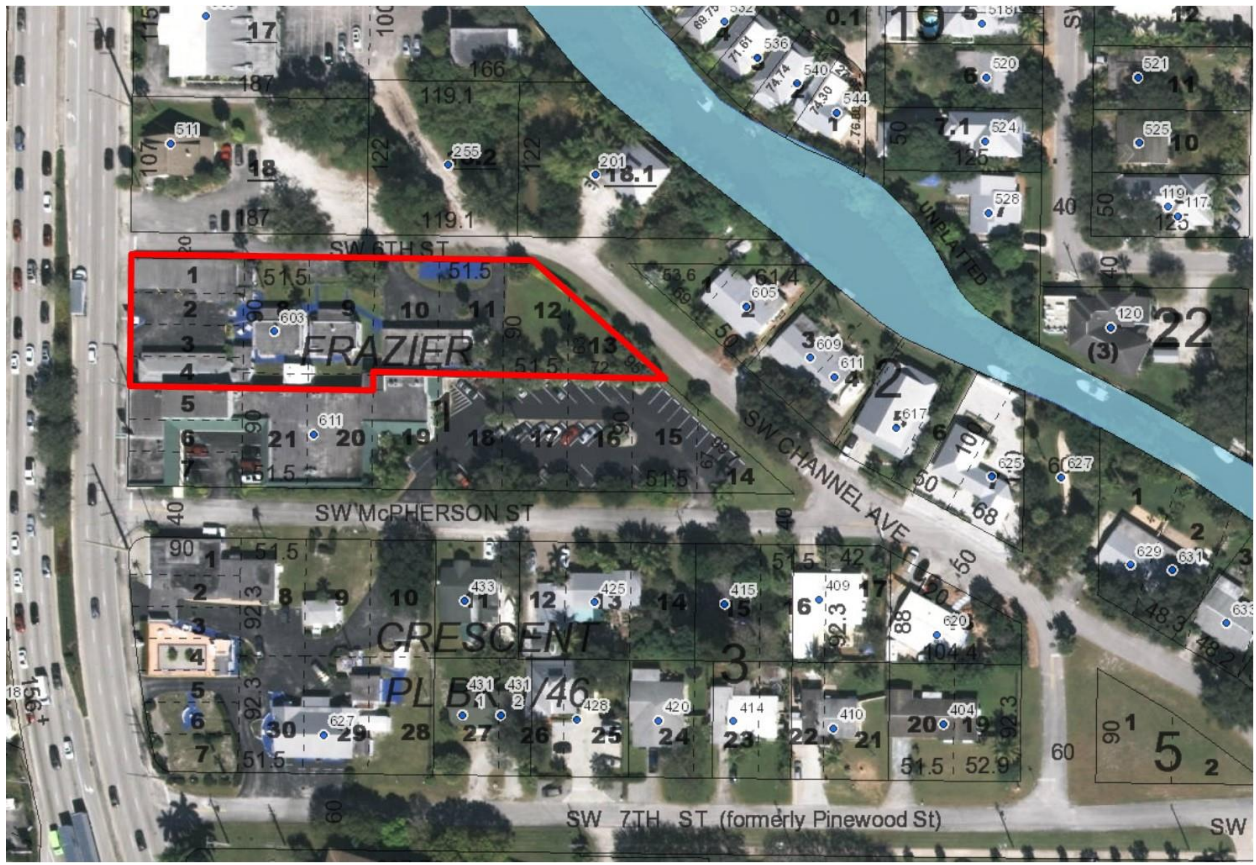


Exhibit C

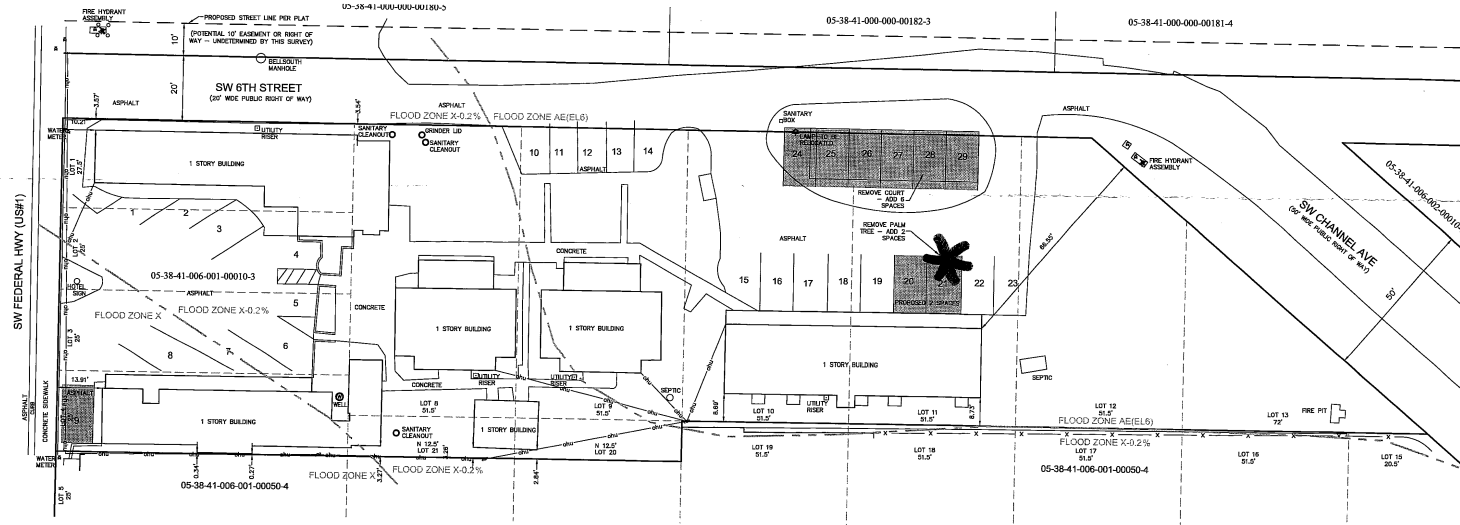
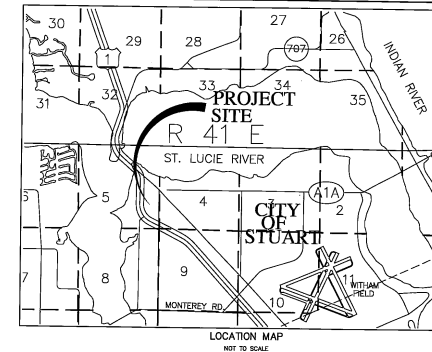
Conditions of Approval

1. The use of the site will be for residential apartments at a maximum density of 24 units per acre.
2. The following documents and plans are attached to this Major Urban Code Conditional Use:
 - a. Site Plan by Gzelka Engineering Inc, dated November 2019, sheet 1 of 2.
 - b. Landscape Plan by Grzelka Engineering Inc, dated November 2019, sheet 2 of 2.
 - c. Traffic Statement by Grzelka Engineering Inc, dated November 22nd 2019.
 - d. Drainage Statement by Grzelka Engineering Inc, dated November 22nd 2019.
 - e. Architectural Renderings (2 sheets) by N2 Architectural Design.
3. Building permits will not be issued until building permit applications, deemed sufficient for permit review under City codes and standards, for building improvements has been submitted.
4. Interior build-out construction plans will be subject to compliance with fire codes and standards.
5. A building permit shall be obtained no later than 12 months from the approval date of the major urban code conditional use and a certificate of occupancy shall be obtained no later than 30 months from the issuance of a building permit.
6. Prior to the certificate of occupancy, a dumpster enclosure will be required which will include provision for recycling. Detailed plans and location for the dumpster shall be delineated on the site plan.

Exhibit D

BOUNDARY SURVEY

SOUTHWIND MOTEL
603 SW FEDERAL HWY



PARKING SPACE NOTES:

THERE ARE 20 DESIGNATED PARKING SPACES, THERE IS 1 SPACE NOT DESIGNATED. THERE ARE 8 SPACES PROPOSED. THIS GIVES 29 TOTAL SPACES.
EXISTING SPACES 1 THROUGH 8, 10 THROUGH 19, 22 & 23.
NOT DESIGNATED, BUT EXISTING IS SPACE 9 (SHADED).
PROPOSED SPACES 20 & 21, 24 THROUGH 29 (SHADED).

SURVEYOR'S NOTES:

1. BEARINGS REFER TO STATE PLANE FLORIDA EAST ZONE 901, NAD83.
2. (P)=PLAT MEASUREMENT; (M)=FIELD MEASUREMENT; (C)=CALCULATED MEASUREMENT
3. PROPERTY LIES IN FLOOD ZONE X, X-0.2%, & AE(2) PER FEMA MAP #22080C0134G, 3-16-15.
4. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAYS, EASEMENTS, OR OTHER ENCUMBRANCES BY THIS FIRM.
5. UNDERGROUND UTILITIES WERE NOT LOCATED.
6. U. = ELEVATION. ELEVATIONS REFER TO NAVD83.
7. E. = CENTERLINE OF ROAD; R/W = RIGHT-OF-WAY; PB, PG. = PLAT BOOK & PAGE
8. B. = UTILITY RISER; R. = WATER METER/VALVE; NAD83 = NORTH AMERICAN DATUM 1983
9. "C" = WOOD POWER POLE & (UT) = OVERHEAD UTILITIES.

LEGAL DESCRIPTION

LOTS 1, 2, 3, 4, 5, 6, 9, 10, 11, 12 AND 13, AND THE NORTH 12.5 FEET OF LOTS 20 AND 21, BLOCK 1, FRAZIER CRESCENT SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 46, MARTIN COUNTY, FLORIDA PUBLIC RECORDS.

NOTES TO SCHEDULE B.II OF TITLE COMMITMENT #784709.

EFFECTIVE DATE 10/12/2019 at 11:00PM

- ITEMS 1 THROUGH 5: NOT A MATTER OF SURVEY
- ITEM 6: MATTERS OF PLAT SHOWN ON SURVEY
- ITEM 7: VARIANCE PER Q.R. BOOK 1556, PAGE 2405 DOES NOT AFFECT SUBJECT PROPERTY. VARIANCE PER Q.R. BOOK 1757, PAGE 2841 REFERS TO PROPOSED SECOND STORY ADDITION NOT PRESENT.
- ITEM 8: NOT A MATTER OF SURVEY

CERTIFIED TO

KOL HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY
JOSEPH D. GROSSO, JR., P.E.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
CAMDEN GROUP, LLC

CHRISTIAN FENEX AND ASSOCIATES, LLC
PROFESSIONAL SURVEYING AND MAPPING
ENVIRONMENTAL CONSULTING
3401 SW 72ND AVE., PALM CITY, FLORIDA
P.O. BOX 2533, PALM CITY, FL 34901
PH: (772) 283-2977 EMAIL: FENEX@FENEXSOUTH.NET
LICENSED BUSINESS # 6858

FLORIDA REGISTRATION #5102
CHRISTIAN FENEX

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



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

Reviewed By: _____

Application must be legible with all relevant fields completed.

Project ID# 219100001
(Staff Entry)

Pre-App Conference Date:	Application Date:
Project Name: <u>603 PLACE</u>	
Parcel ID# <u>05-38-41-006-001-00010-3</u>	Project Address: <u>603 SW Federal Hwy</u>
Zoning/CRA Sub-district:	
Subdivision:	Lot(s): <u>FRAZIER CRESCENT LOTS 1104 LOT 8013 10E + N 12.5' of LOTS 20+21</u>
Fee: \$1,574.00 – Major Urban Code Conditional Use Permit (Community Redevelopment Board and City Commission Approval) Fee: \$524.00 – 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). Allow a density increase to 24 dwelling units per acre to allow a Change of use from motel/hotel use to residential apartments	
(over)	

General Information
(Please Print or Type)

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

Name:	SPIRO LASKARIS
Title:	
Company:	IOANNA LAS LLC
Company Address:	1177 NE KUBIN AVE

City/State/Zip Code:	JENSEN BEACH FL 34957
Telephone Number:	772-260-6925
Facsimile Number:	772-934-6491
Email Address (optional):	SPIRO.LASKARIS@gmail.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:	
Title:	
Company:	
Company Address:	

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:	SPIRO LASKARIS
Title:	
Company:	IOANNA LAS LLC
Company Address:	1177 NE KUBIN AVE

City/State/Zip Code:	JENSEN BEACH FL 34957
Telephone Number:	772-260-6925
Facsimile Number:	
Email Address (optional):	SPIRO.LASKARIS@gmail.com

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

4. Signed this 3 day of Oct, 2019.

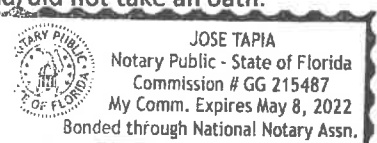
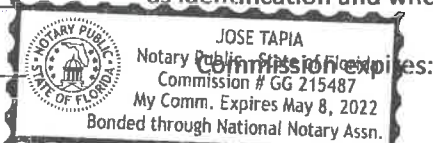
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

State of Florida, Martin County The foregoing instrument was acknowledged before me on this 3 day of Oct by Spiro Laskaris who is personally known to me, or who has produced

Known

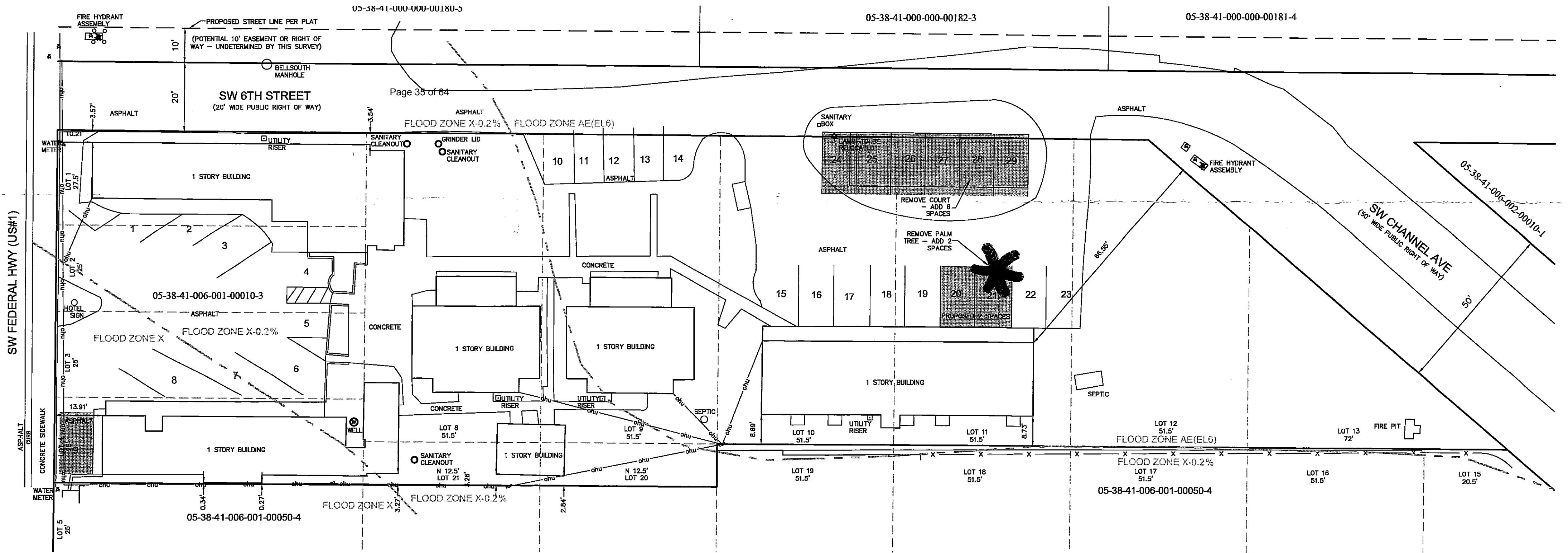
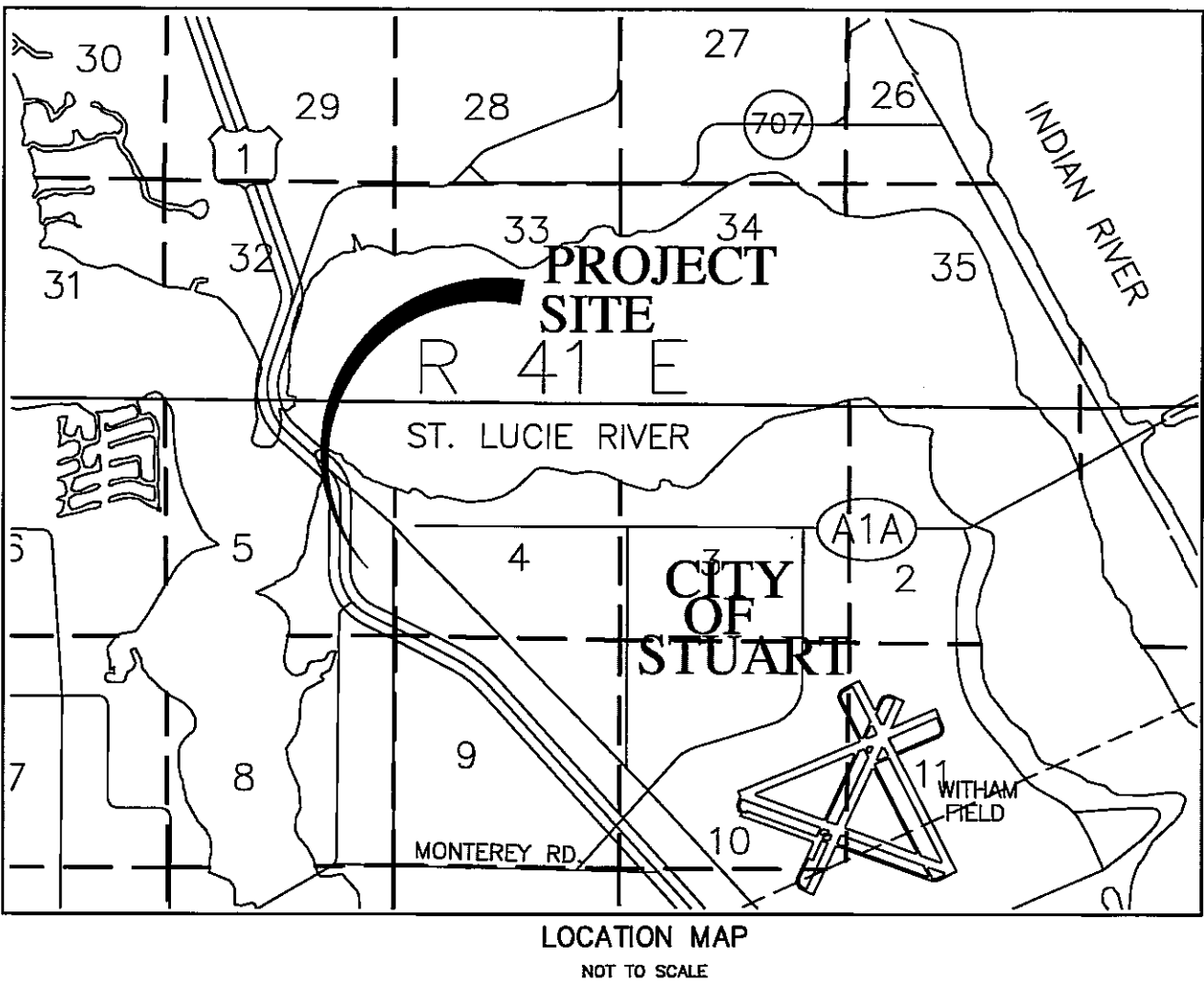
as identification and who did/did not take an oath.

Notary Signature



BOUNDARY SURVEY

SOUTHWIND MOTEL
603 SW FEDERAL HWY



PARKING SPACE NOTES:

THERE ARE 20 DESIGNATED PARKING SPACES. THERE IS 1 SPACE NOT DESIGNATED. THERE ARE 8 SPACES PROPOSED. THIS GIVES 29 TOTAL SPACES.
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NOT DESIGNATED, BUT EXISTING IS SPACE 9 (SHADED).
PROPOSED SPACES 20 & 21, 24 THROUGH 29 (SHADED).

SURVEYOR'S NOTES:

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2. (P)=PLAT MEASUREMENT; (M)=FIELD MEASUREMENT; (C)=CALCULATED MEASUREMENT
3. PROPERTY LIES IN FLOOD ZONE X, X(0.2%), & AE(6) PER FEMA MAP #12085C0134G, 3-16-15.
4. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAYS, EASEMENTS, OR OTHER ENCUMBRANCES BY THIS FIRM.
5. UNDERGROUND UTILITIES WERE NOT LOCATED.
6. EL = ELEVATION; ELEVATIONS REFER TO NAVD83.
7. C = CENTERLINE OF ROAD; R/W = RIGHT-OF-WAY; PB. PG. = PLAT BOOK & PAGE
8. U = UTILITY RISER; W = WATER METER/VALVE; NAD83 = NORTH AMERICAN DATUM 1983
9. W = WOOD POWER POLE & GUY; --OHU-- = OVERHEAD UTILITIES.

LEGAL DESCRIPTION

LOTS 1, 2, 3, 4, 8, 9, 10, 11, 12 AND 13, AND THE NORTH 12.5 FEET OF LOTS 20 AND 21, BLOCK 1, FRAZIER CRESCENT SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 46, MARTIN COUNTY, FLORIDA PUBLIC RECORDS.

NOTES TO SCHEDULE BII OF TITLE COMMITMENT #784709.

EFFECTIVE DATE 10/12/2019 at 11:00PM

- ITEMS 1 THROUGH 5: NOT A MATTER OF SURVEY
ITEM 6: MATTERS OF PLAT SHOWN ON SURVEY
ITEM 7: VARIANCE PER O.R. BOOK 1626, PAGE 2405 DOES NOT AFFECT SUBJECT PROPERTY; VARIANCE PER O.R. BOOK 1757, PAGE 2841 REFERS TO PROPOSED SECOND STORY ADDITION NOT PRESENT.
ITEM 8: NOT A MATTER OF SURVEY

CERTIFIED TO

KDL HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY
JOSEPH D. GROSSO, JR., P.A.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
CAMDEN GROUP, LLC

CHRISTIAN FENEX AND ASSOCIATES, LLC

PROFESSIONAL SURVEYING AND MAPPING
ENVIRONMENTAL CONSULTING
3401 SW 72ND AVE., PALM CITY, FLORIDA
P.O. BOX 2533, PALM CITY, FL 34991
PH.(772)283-2977 EMAIL FENEX@BELLSOUTH.NET
LICENSED BUSINESS # 6858
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

FLORIDA REGISTRATION #5102
CHRISTIAN FENEX

Site Data

Total Site Area: 35,695 sf. (0.82 Ac.)
Developable Area: 35,695 sf. (0.82 Ac.)
Impervious Area: 21,117 sf. (0.48 Ac.) (59.2%)
Buildings: ROOF 8,623 sf. (0.20 Ac.)
Vehicular Use Area: 10,594 sf. (0.24 Ac.)
Sidewalks and Pedestrian Access Areas: 1,900 sf. (0.04 Ac.)
Pervious Area: 14,578 sf. (0.34 Ac.) (40.9%)
Landscape Area: 14,578 sf. (0.34 Ac.)
Existing Zoning: UH & UN
Future Land Use: DOWNTOWN REDEVELOPMENT
Existing Use: HOTEL / MOTEL

Proposed Use

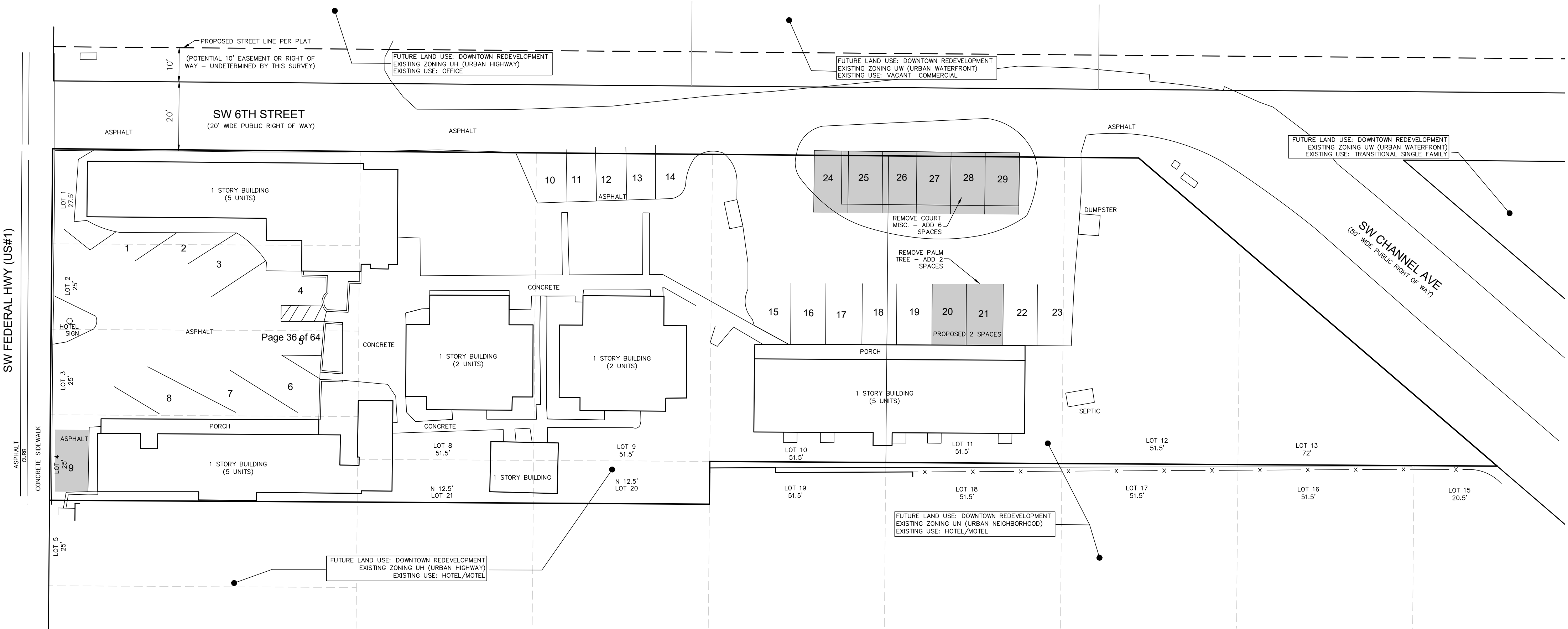
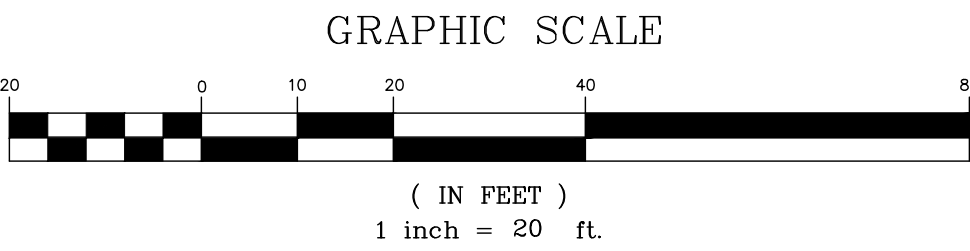
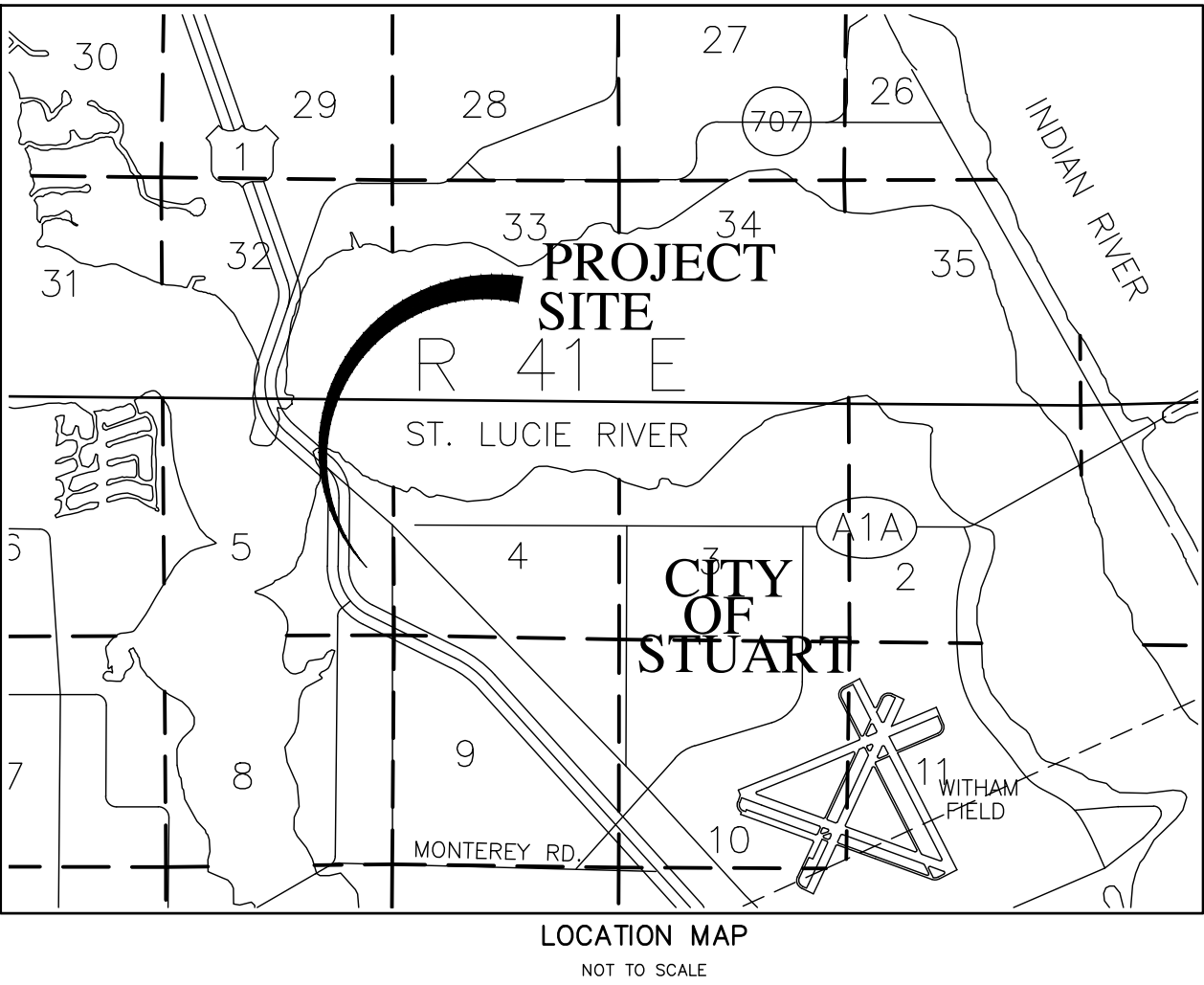
18 efficiency apartments
1 one-bedroom apartment
Density: 23.2 UNITS/ACRE

Building Data

Gross Floor Area: 5,928 s.f.
Maximum Height: 30 Feet (one story)
Building Coverage: 17%
Open Space: 41%

Parking Requirements

Parking Required: 29 Spaces
1.5 space per 1 bedroom unit @ 19 units = 29 spaces.
Parking Provided: 29 Spaces



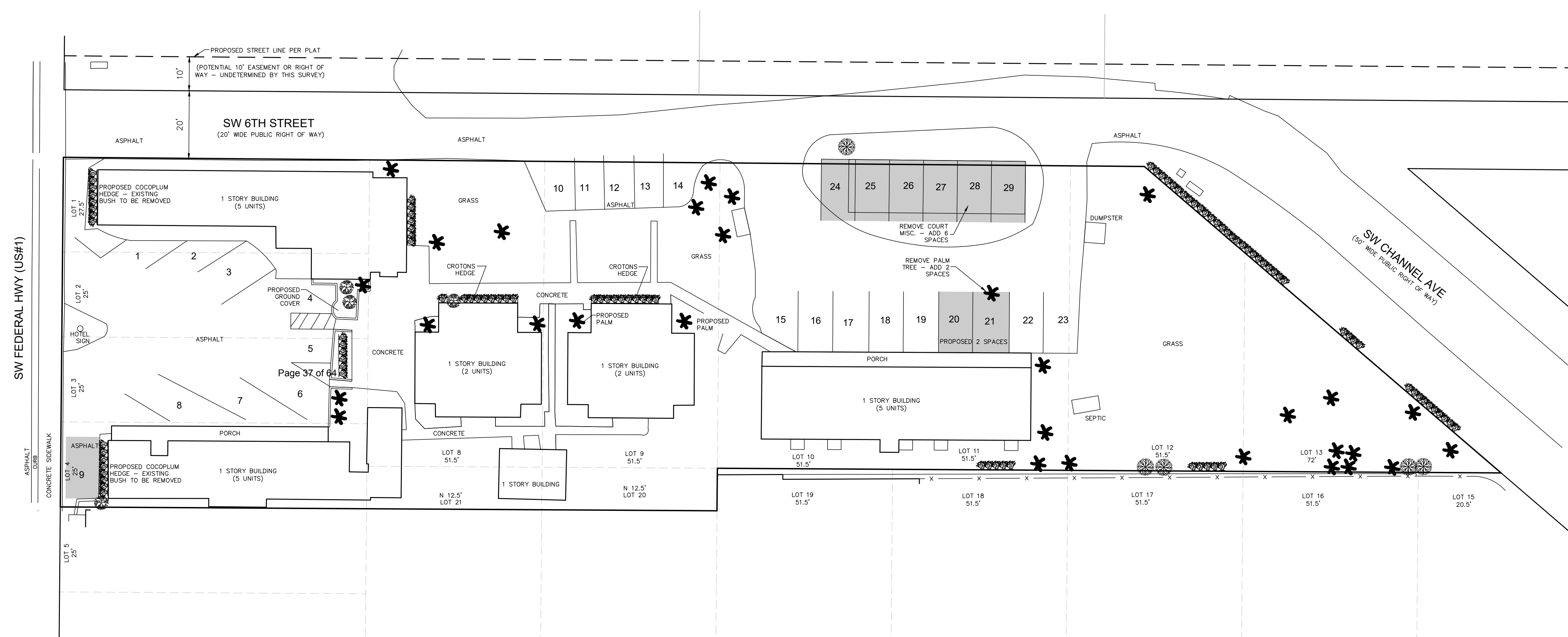
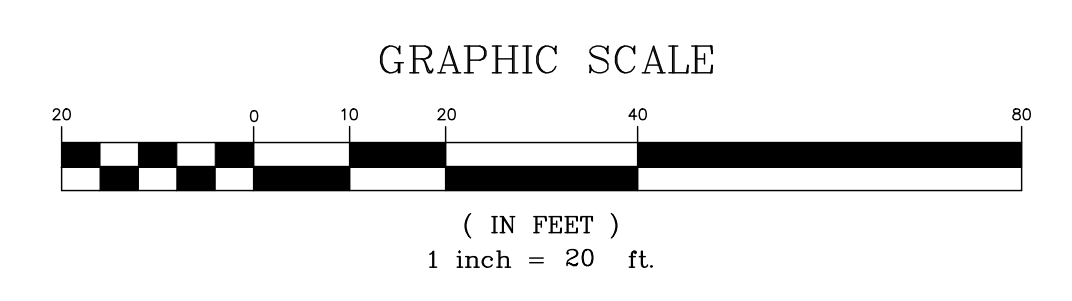
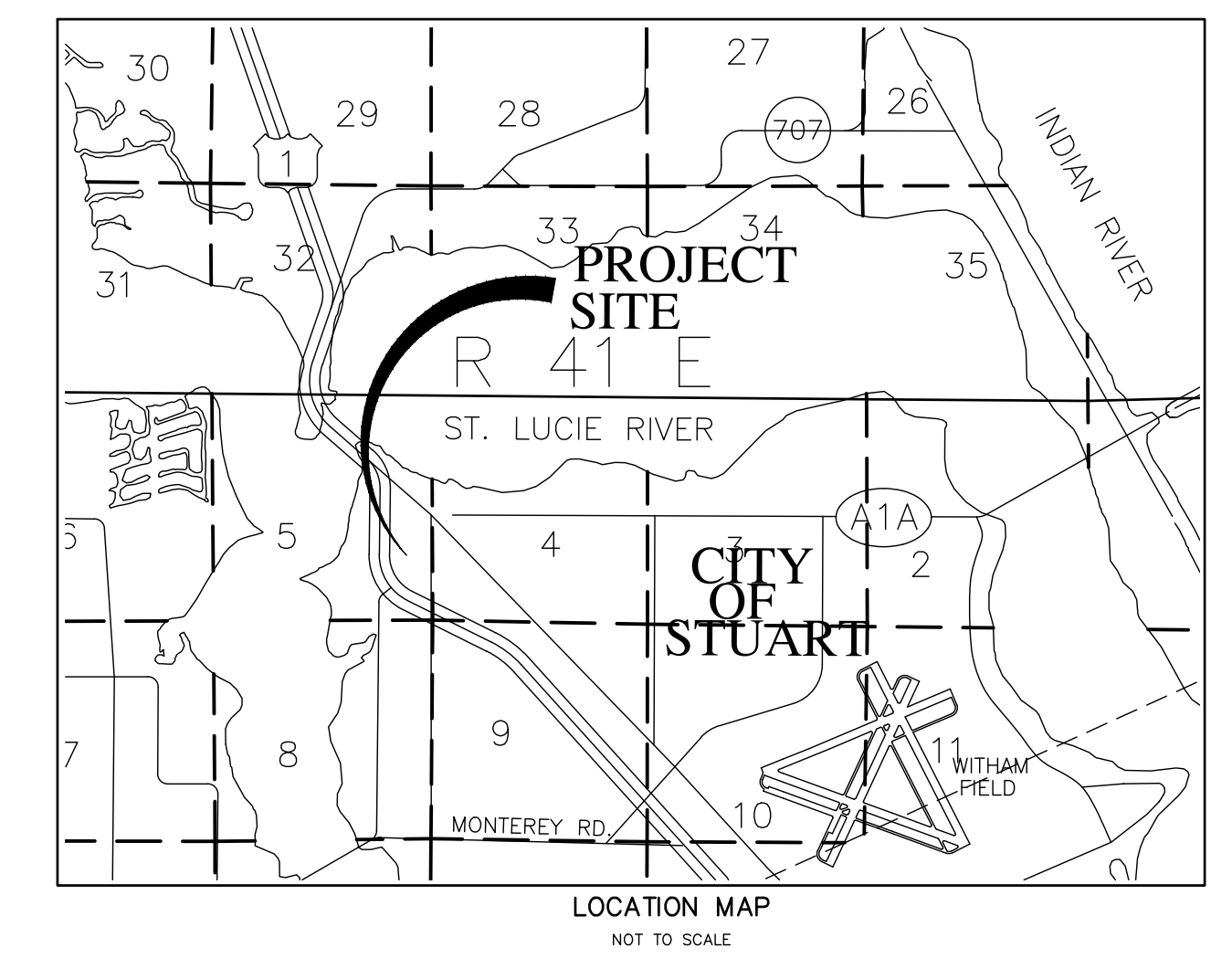
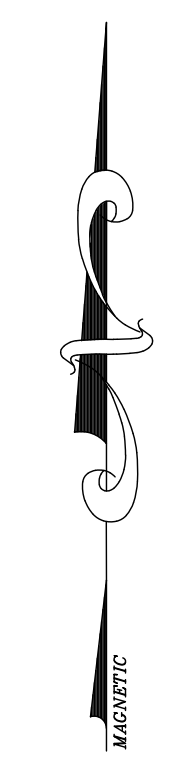
NOTE: PROJECT IS A CONVERSION OF AN EXISTING MOTEL TO APARTMENTS AND WILL MAKE USE OF EXISTING STRUCTURES AND WILL NOT ALTER BUILDING FOOTPRINT

48 HOURS BEFORE DIGGING
CALL TOLL-FREE
1-800-432-4770
SUNSHINE STATE ONE CALL
OF FLORIDA, INC.
UNDERGROUND UTILITIES NOTIFICATION CENTER

NOTE: SITE PLAN BASED OF SURVEY BY
CHRISTIAN FENEX AND ASSOCIATES, LLC
PROFESSIONAL SURVEYING AND MAPPING
ENVIRONMENTAL CONSULTING
3401 SW 72ND AVE., PALM CITY, FLORIDA
P.O. BOX 2533, PALM CITY, FL 34691
PH.(772)283-2977 EMAIL: FENEX@BELL.SOUTH.NET
LICENSED BUSINESS # 6858

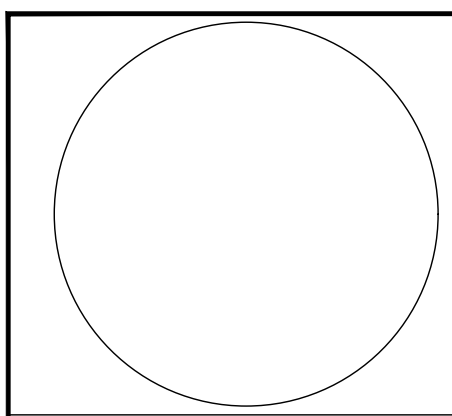
	UNAUTHORIZED USE OF ELECTRONIC FILES WITHOUT CONSENT OF GEI IS PROHIBITED. THESE FILES ARE FOR REFERENCE PURPOSES ONLY, NOT FOR CONSTRUCTION. THESE DRAWINGS ARE NOT VALID WITHOUT SIGNATURE, SEAL, AND DATE AFFIXED BY THE ENGINEER OF RECORD.				2740 SW Martin Downs Boulevard Suite 418 Palm City, FL 34990 Phone: (772) 485-0615 Cell: 30511			
					603 PLACE 603 SW FEDERAL HWY, STUART, FL SITEPLAN			
MICHAEL J. GRZELKA, P.E. FLORIDA REGISTRATION NO. 46609		DATE	REVISIONS	BY	DWN: EM SCALE: 1"=20'	CHECKED: MJG FILE: S.WIND	DATE: NOV.2019	SHEET 1 of 2

- = PALM
- = OAK
- = MISC.
- = HEDGE
- = LOBLOLLY PINE



48 HOURS BEFORE DIGGING
CALL TOLL-FREE
1-800-432-4770
SUNSHINE STATE ONE CALL
OF FLORIDA, INC
UNDERGROUND UTILITIES NOTIFICATION CENTER

NOTE: SITE PLAN BASED OF SURVEY BY
CHRISTIAN FENEX AND ASSOCIATES, LLC
PROFESSIONAL SURVEYING AND MAPPING
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3401 SW 72ND AVE., PALM CITY, FLORIDA
P.O. BOX 2533, PALM CITY, FL 34991
PH.(772)283-2977 EMAIL FENEXC@BELL-SOUTH.NET
LICENSED BUSINESS # 6856



UNAUTHORIZED USE OF ELECTRONIC FILES WITHOUT CONSENT OF GEI IS PROHIBITED. THESE FILES ARE FOR REFERENCE PURPOSES ONLY, NOT FOR CONSTRUCTION. THESE DRAWINGS ARE NOT VALID WITHOUT SIGNATURE, SEAL, AND DATE AFFIXED BY THE ENGINEER OF RECORD.		

0	DATE	REVISIONS	BY

**Grzelka
Engineering
Inc.**

2740 SW Martin Downs Boulevard
Suite 418
Palm City, FL 34990
Phone: (772) 485-0615
CA# 30511

603 PLACE

603 SW FEDERAL HWY STUART, FL

LANDSCAPE PLAN

DWN: EM	CHECKED: MJG	DATE: NOV.2019	SHEET 2 of 2
SCALE: 1"=20'	FILE: S.WIND		

November 22, 2019

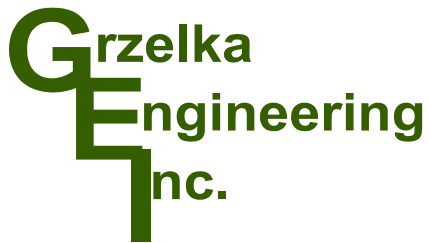
***603 Place
Stuart, Florida***

Traffic Impact Statement

603 Place is currently known as the Southwind Motel and contains 9 motel rooms, 9 one room efficiency rooms and 1 one-bedroom apartment. The proposed switch to apartments is to convert the 9 motel rooms into one room efficiency apartments so that the entire facility can be rented as long-term apartments rather than as single night stays. Since the number of rooms are remaining the same and the actual number of beds are being reduced no significant additional traffic is expected with this change

Prepared by:
Grzelka Engineering, Inc.
2740 SW Martin Downs Blvd
418
Palm City, Florida 34990
CA # 30511

By: Michael J Grzelka, P.E.
Florida Reg. No. 46609
Date: 22 November 2019



603 Place Drainage Statement

This property was previously developed in the 1940's and has not had any substantial improvements over the years. This project consists of removing one palm tree which has existing pavement completely around it with only a small circle planter and patching the planter with asphalt to create 2 additional parking stalls as well as removing two concrete shuffleboard courts and replacing them with six asphalt parking spaces. This change only adds 260 sf of additional impervious parking and does not significantly change the stormwater runoff for the site. Therefore, this property will continue to function as intended with no adverse effects.

Prepared by:

Grzelka Engineering, Inc.
2740 SW Martin Downs Blvd
418
Palm City, Florida 34990
CA # 30511

By: Michael J Grzelka, P.E.

Florida Reg. No. 46609

Date: 22 November 2019



603 PLACE



Page 41 of 64

603 PLACE

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

Meeting Date: 12/3/2019

Prepared by: Kev Freeman

Title of Item:

RES 01-2020; USE APPROVAL FOR COFFEE RETAIL:

RESOLUTION NUMBER 01-2020: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ROBERT LEVY (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 600 S COLORADO AVE, TO ALLOW REDUCTION OF REQUIRED PARKING TO 5 STALLS AT 600 S COLORADO AVE, TO ALLOW A USE OF COFFEE RETAIL SALES, ROASTING OF COFFEE AND COFFEE BAR; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES. (RC)

Summary Explanation/Background Information on Agenda Request:

The applicant 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 contract purchaser of the property, located at 600 S Colorado Ave, and if granted, the conditional use would allow for the reduction of parking provision to allow for the use of the building for retail of coffee, coffee roasting and coffee bar.

The building is currently vacant with the previous use of the building as a retail flower store (Slocum-Weber Florist). The proposed use will not increase the footprint of the building but will require it to meet the provisions of the Urban Code for parking.

In its current configuration the property does not have any formally marked parking stalls on or adjacent to the site, a retail unit of 1,200 sq ft would require at minimum of 4 spaces. In this case, with the uses proposed, the parking for the use breakdown would be as follows: Coffee Retail 600 sq.ft = 2 spaces required Coffee Roasting 600 sq.ft = 1 (employee) + 2 spaces required Coffee Bar 8 seats = 2 spaces (1 per 4 seats) required Total required = 7 parking spaces.

The site can accommodate three defined parking stalls (1 ADA space) with two additional spaces allocated in the adjacent right of way on SW 6th Street, for a total of five (5) spaces. The applicant is required to request a Major Urban Code Conditional use due to the reduction of required parking from 7 spaces to 5 spaces.

Funding Source:

N/A

Recommended Action:

Motion to move to the City Commission with a recommendation of approval.

ATTACHMENTS:

Description	Upload Date	Type
▢ Staff Report	11/25/2019	Staff Report
▢ Parking Plan	11/25/2019	Attachment
▢ R01-2020 MUCCU 600 S Colorado	11/25/2019	DRAFT

CITY OF STUART, FLORIDA
COMMUNITY REDEVELOPMENT BOARD
STAFF REPORT

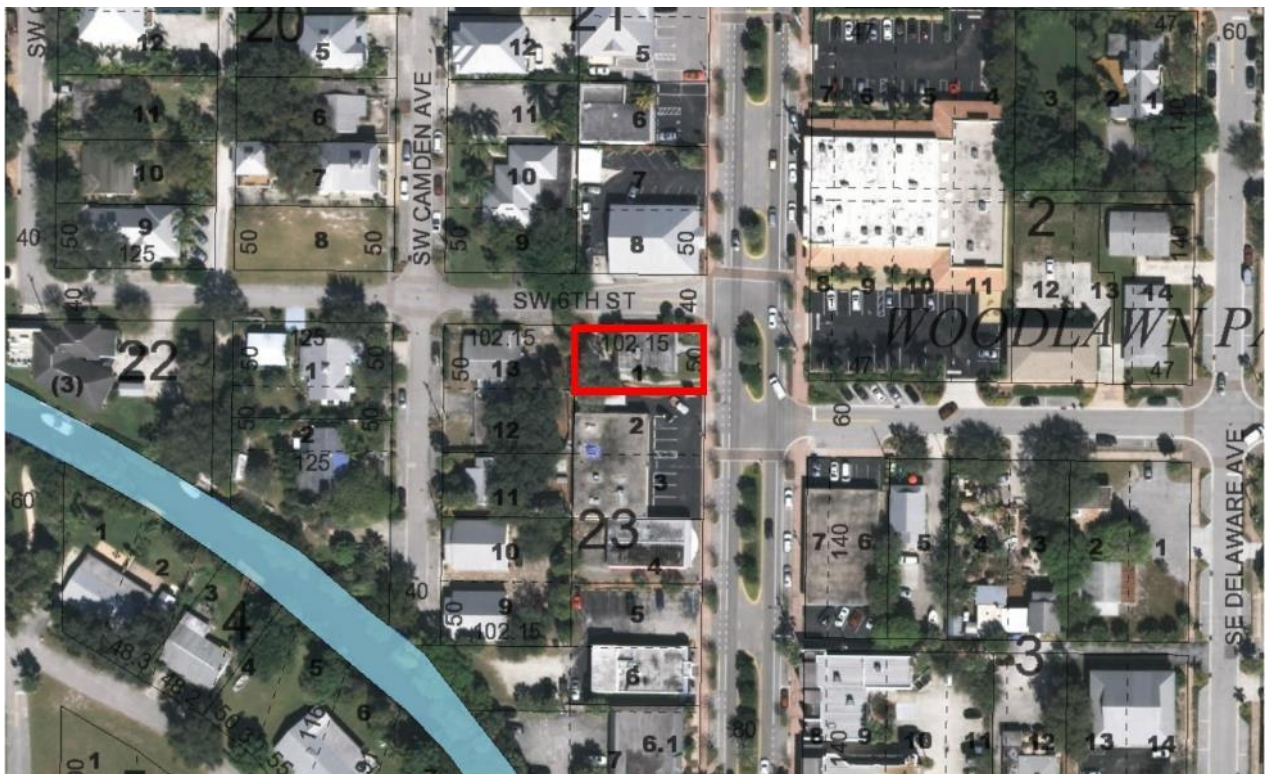
MEETING DATE: December 3rd, 2019

PREPARED BY: Kev Freeman
Development Director

PROJECT NAME: 600 S Colorado Ave

TITLE OF ITEM:

Request to consider a Major Urban Code Conditional Use approval to allow a reduction of required parking to 5 stalls to allow a use of coffee retail sales, roasting of coffee and coffee bar.



LOCATION OF APPLICATION SITE

I. APPLICATION SUMMARY

The applicant, Robert Levy, 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 contract purchaser of the property, located at 600 S Colorado Ave, and if granted, the conditional use would allow for the reduction of parking provision to allow for the use of the building for retail of coffee, coffee roasting and coffee bar.

The building is currently vacant with the previous use of the building as a retail flower store (Slocum-Weber Florist). The proposed use will not increase the footprint of the building but will require it to meet the provisions of the Urban Code for parking.

In its current configuration the property does not have any formally marked parking stalls on or adjacent to the site, which existing retail unit of 1,200 sq ft would require at minimum of 4 spaces. In this case the proposed use breakdown would be as follows:

Coffee Retail 600 sq.ft = 2 spaces required
 Coffee Roasting 600 sq.ft = 1 (employee) + 2 spaces required
 Coffee Bar 8 seats = 2 spaces (1 per 4 seats) required

Total required = 7 parking spaces.

The site can accommodate three defined parking stalls with two spaces allocated in the adjacent right of way on SW 6th Street, for a total of five (5) spaces.

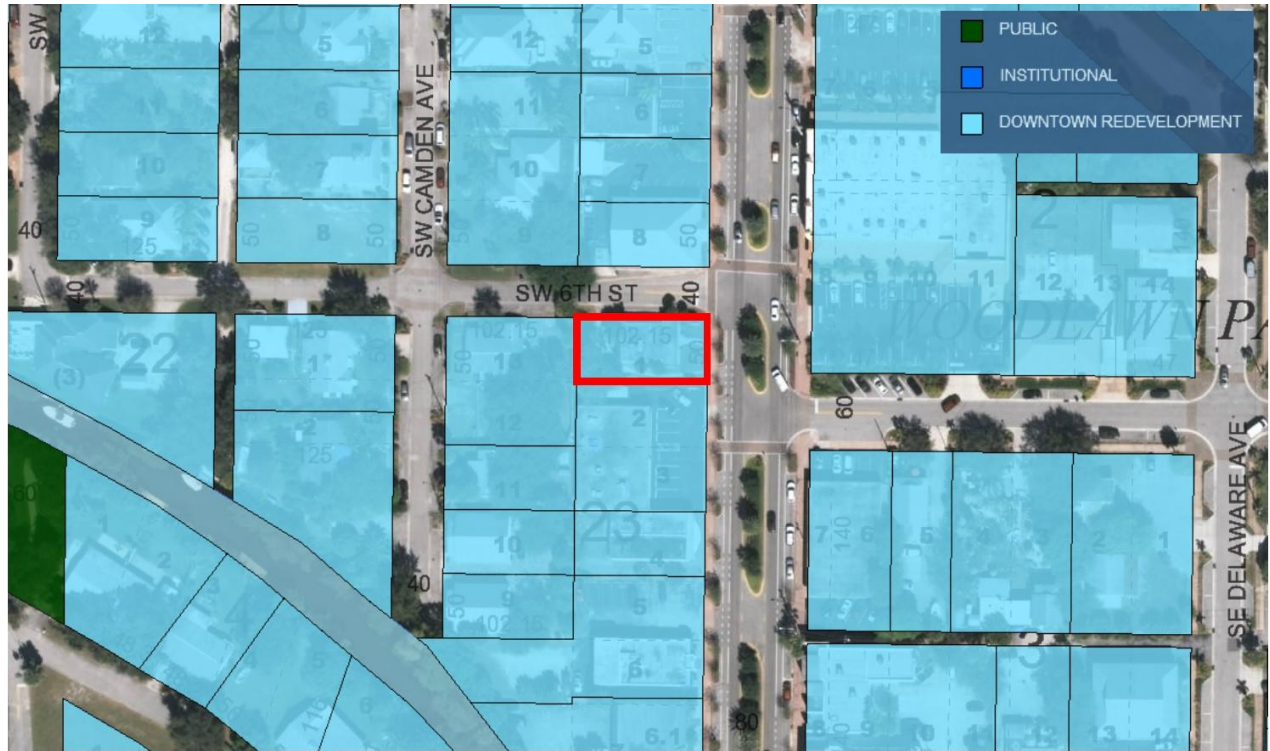
The applicant is required to request a Major Urban Code Conditional use due to the reduction of required parking from 7 spaces to 5 spaces.

II. HISTORY

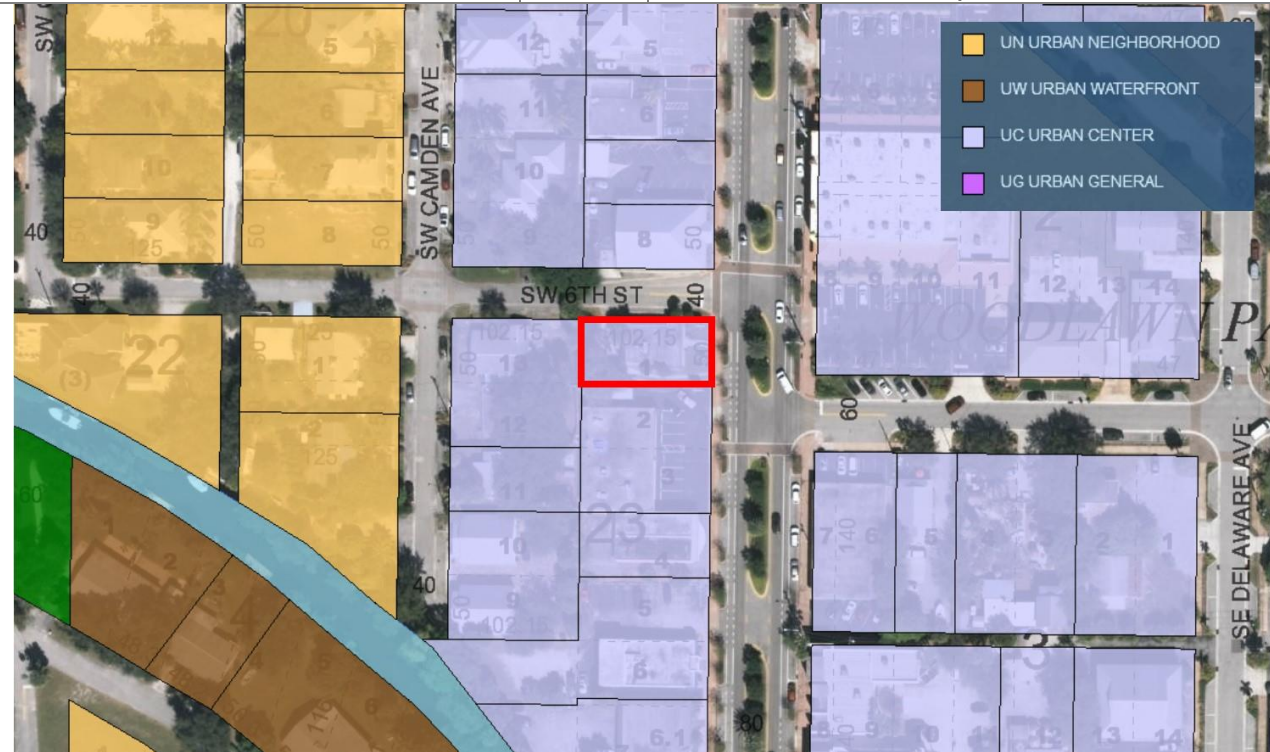
The property is currently known as the Slocum-Weber Florist.

III. ZONING AND LAND USE

Site Location	600 S Colorado Ave
Parcel Size (area)	0.12 Acres



Subject Property Land Use	Downtown Redevelopment	
Adjacent FLU (Future Land Use)	<i>North</i>	SW 6th Street/Downtown Redevelopment
	<i>South</i>	Downtown Redevelopment
	<i>East</i>	S Colorado/Downtown Redevelopment
	<i>West</i>	Downtown Redevelopment



Subject Zoning	Property	Overlay	Urban Center
		<i>North</i>	SW 6 th Street/Urban Center
		<i>South</i>	Urban Center
		<i>East</i>	S Colorado Ave/Urban Center
		<i>West</i>	Urban Center
Proposed Use			Retail sales of coffee, coffee roasting and coffee bar.
Present Use			Vacant/Flower store
ROADWAY AND UTILITIES			
Street Functional Classifications			Collector
Utilities			Existing

IV. EXISTING CONDITIONS:



© Google Earth

VIEW FROM S COLORADO

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

NOTE THAT THE REQUEST IS FOR AN ALLOCATION OF RESIDENTIAL DENSITY ONLY, AS SUCH THE PROPOSAL IS CONSIDERED TO BE A NON-SUBSTANTIAL RENOVATION.

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 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.

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. Building height. The proposed building is proportional and complimentary to surrounding buildings in the area. – **NO CHANGE – SINGLE STOREY BUILDING**

2. Additional building setbacks. Three- and four-story buildings have an additional five-foot setback on each side. – **NO CHANGE – NOT PART OF THIS REQUEST**

3. Mixed residential unit types. The proposed development includes a mix of one- and two-bedroom rental apartments 1,000 square feet or less of gross floor area. – **NOT MIXED USE**

4. Architectural treatments. Architectural treatments on the principal building facade should be continued around all sides of the building that are visible from the public realm. – **NO CHANGE – NOT PART OF THIS REQUEST**

5. Architectural features for mixed-use buildings. In mixed-use buildings, the ground floor shall be differentiated from upper floors through the use of strong cornice lines, awnings, distinct but compatible exterior colors or materials, exterior lighting, colonnades or overhangs that cover the sidewalk, increased setback for upper floors or similar treatments. – **NOT MIXED USE**

6. Defined entrance. The primary building entrance is a prominent feature that is well lit and visible and directly accessible from a public street. To the extent possible, the primary building entrance should be defined and articulated with pediments, pilasters, columns, porticoes, porches, overhangs, railings, or other architecturally compatible elements. – **NO CHANGE – NOT PART OF THIS REQUEST**

7. Pedestrian amenities. Pedestrian amenities in the form of benches, potted plants, flower boxes, outdoor patio area, murals, or other acceptable forms of amenities located adjacent to a public sidewalk and/or right-of-way. - **NO CHANGE**

8. Patio gardens. The proposed structure incorporates gardens which include a mixture of flower boxes, arbors, trellis, flowering vines, and other landscaping materials. – **NO CHANGE**

9. Varying roof lines. Roofs shall have three or more roof slope planes per primary facade, sloping roofs or have vertical roof changes with a minimum change in elevation of two feet. **– NO CHANGE – NOT PART OF THIS REQUEST**

10. Elevation plane variation. The elevation plane variation is identified as the exterior wall of a structure or building. For planes 50 feet or less, the secondary plane shall project at least two feet from the primary plane and make up at least five percent of the entire elevation. For planes larger than 50 feet, the secondary plane shall project at least two feet from the primary plane and make up at least 30 percent of the entire elevation. **– NO CHANGE – NOT PART OF THIS REQUEST**

11. Blank walls. Long, windowless, uninterrupted walls shall be avoided. Transparent windows or faux windows or shutters shall comprise at least 30 percent of street and water side exterior elevations and blank wall areas shall not exceed ten feet in vertical direction and 20 feet in horizontal direction of any facade. **– NO CHANGE – NOT PART OF THIS REQUEST**

12. Solar hot water, electric, or air. Installation of solar water heaters, photovoltaic panels, and/or solar space heating (either passive or active) systems. Solar facility shall be installed for each individual residential or non-residential unit through a common system supplying each residential or non-residential unit. The solar unit shall be designed to be the primary heat or electrical source for the residential or non-residential unit being served. **– NO CHANGE – NOT PART OF THIS REQUEST**

13. Enhanced landscaping. Landscaping shall be planted over and above city code requirements with respect to size, quantity, and quality. **– APPLICANT TO DISCUSS**

14. Improvements to the surrounding neighborhood. The applicant proposes to make improvements such as; burying utility lines, replacing existing sidewalks with stamped concrete or pavers, providing pedestrian walkways constructed of stamped concrete or pavers, or other improvements. **– NOT A SUBSTANTIAL RENOVATION**

15. Green Space. The development preserves open space **– NOT A SUBSTANTIAL RENOVATION**

a. A tot lot or park is provided on site.

b. Land is donated to the city to use as public green space.

c. A monetary contribution is made to the city public enhancement fund.

d. An additional vista(s) of at least five feet is provided in the Urban Waterfront Subdistrict.

16. Decorative paving. The development includes the use of brick pavers or stamped or color concrete, in accordance with city specifications, on the site. **– NOT A SUBSTANTIAL RENOVATION**

17. Historic preservation. For buildings identified in the City of Stuart update to the 1991 historic property survey dated April 2003 and any subsequent updates thereof; or any other structure which has local architectural, historical, or cultural significance, the following shall apply: - **NOT ON LIST**

- a. The existing facades of historic structures are preserved and incorporated into the overall design of the proposed development.
- b. Any expansion of an existing building is historically or architecturally consistent with the existing building.
- c. Historic structures are relocated within the city limits, within Martin County, or outside Martin County.
- d. A monetary contribution is made to the relocation of historic buildings fund.

Sec. 6.00.04. - Site design qualitative development standards.

A. Generally. The intent of these site design qualitative development standards is to establish qualitative standards to be applied by the city in the review of residential development plans, minor development plans and major development plans submitted to the city as required by this Code. The purpose of these standards is to insure that all site plan development complies with the comprehensive plan of the city and with the Stuart land development regulations and to promote harmonious and compatible development within the city.

B. Standards.

1. Harmonious and efficient organization. All elements of a development plan shall be organized harmoniously and efficiently in relation to topography, the size and type of the subject property, the character and development of nearby property, and the type and size of buildings. Site improvements shall be arranged to have minimal effects on nearby property and in a manner that will not impede the development of nearby property for uses permitted by the Stuart Comprehensive Plan and this Code. – **NO CHANGE TO EXISTING LAYOUT – NOT PART OF THIS REQUEST**

2. Preservation of natural conditions. The landscape shall be preserved in its natural state to the maximum degree practical by minimizing tree and soil removal and by other appropriate site planning techniques. Terrain and vegetation shall not be disturbed in a manner likely to increase soil erosion in or near the site or to harm endangered or threatened plant or animal populations. **MINIMAL IMPACT ON EXISTING SITE CONDITIONS**

3. Screening and buffering. Fences, walls, or vegetative screening shall be provided where needed to protect the occupants of the site from undesirable views, lighting, noise or other adverse effects of nearby property, and to protect the occupants of nearby

property from like adverse effects produced by the development of the site. -

APPLICANT TO DISCUSS

4. Enhancement of residential privacy. The development plan shall provide reasonable visual and auditory privacy for all dwelling units located within and near the site. Fences, walls, barriers and vegetation shall be arranged to protect and enhance the appearance of the site and the privacy of the occupants. - **APPLICANT TO DISCUSS**

5. Emergency access. Buildings, walls, landscaping and other site features shall be arranged and constructed to permit access by emergency vehicles to all buildings. - **NO CHANGE**

6. Access to public and private ways. All buildings, dwelling units and other facilities designed or intended for occupancy or assembly shall have safe and convenient access to public and private ways including streets, sidewalks and parking areas, and to other areas on the site designed or intended for common use. - **NO CHANGE**

7. Pedestrian circulation. For developments which include residential units, the pedestrian circulation system shall be separated to the maximum extent possible from the vehicular circulation system. Sidewalks shall be provided if desirable for pedestrian safety and shall be constructed in accordance with city standards. - **NO CHANGE**

8. Location and design of access drives. Access drives to the site shall be located and designed to maximize public safety and convenience and to minimize negative traffic impacts on property. Access improvements located both on and off the site shall be provided if desirable for public safety. - **NO CHANGE**

9. Coordination of on-site and off-site circulation. The arrangement of on-site public and private ways including streets, sidewalks, bicycle paths and parking areas for vehicular and pedestrian circulation shall be coordinated with the existing and planned pattern of off-site public and private ways for vehicular and pedestrian circulation. – **THE PROPOSED NEW PARKING LAYOUT WILL BE FACILITATED BY THE USE OF AN EXISTING DRIVEWAY, WHICH WILL PROVIDE ONE WAY CIRCULATION FROM SW 6TH STREET TO S COLORADO AVE – REFER TO PARKING PLAN.**

10. Location and design of on-site ways. On-site public and private ways including streets, sidewalks, bicycle paths and parking areas shall be located and designed to occupy no more land than is required to provide safe and convenient vehicular and pedestrian circulation. Such ways shall not unnecessarily fragment development into small areas or segments. – **REFER TO PARKING PLAN.**

11. Drainage. Stormwater drainage shall be accommodated on the site or shall be removed from the site in a manner which does not adversely affect nearby property or the public storm drainage system. The necessary facilities, including grading, gutters, piping and the treatment of soil, shall be provided to accommodate stormwater retention, percolation and drainage, and to prevent erosion and the formation of silt. – **MINIMAL IMPACT**

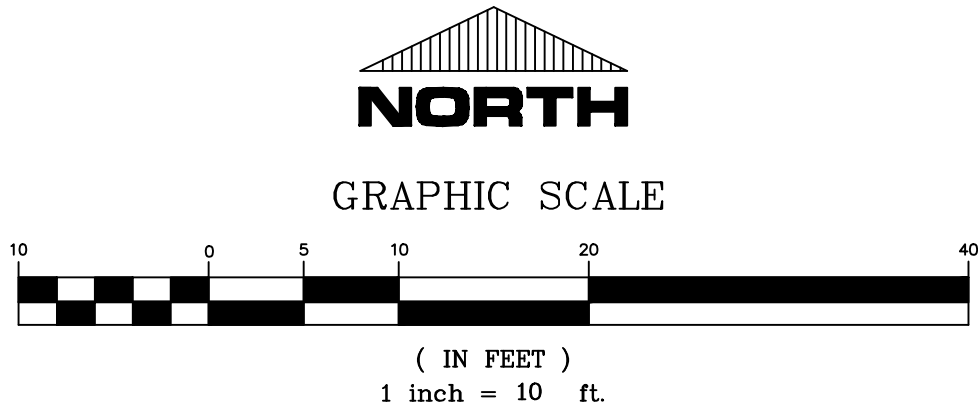
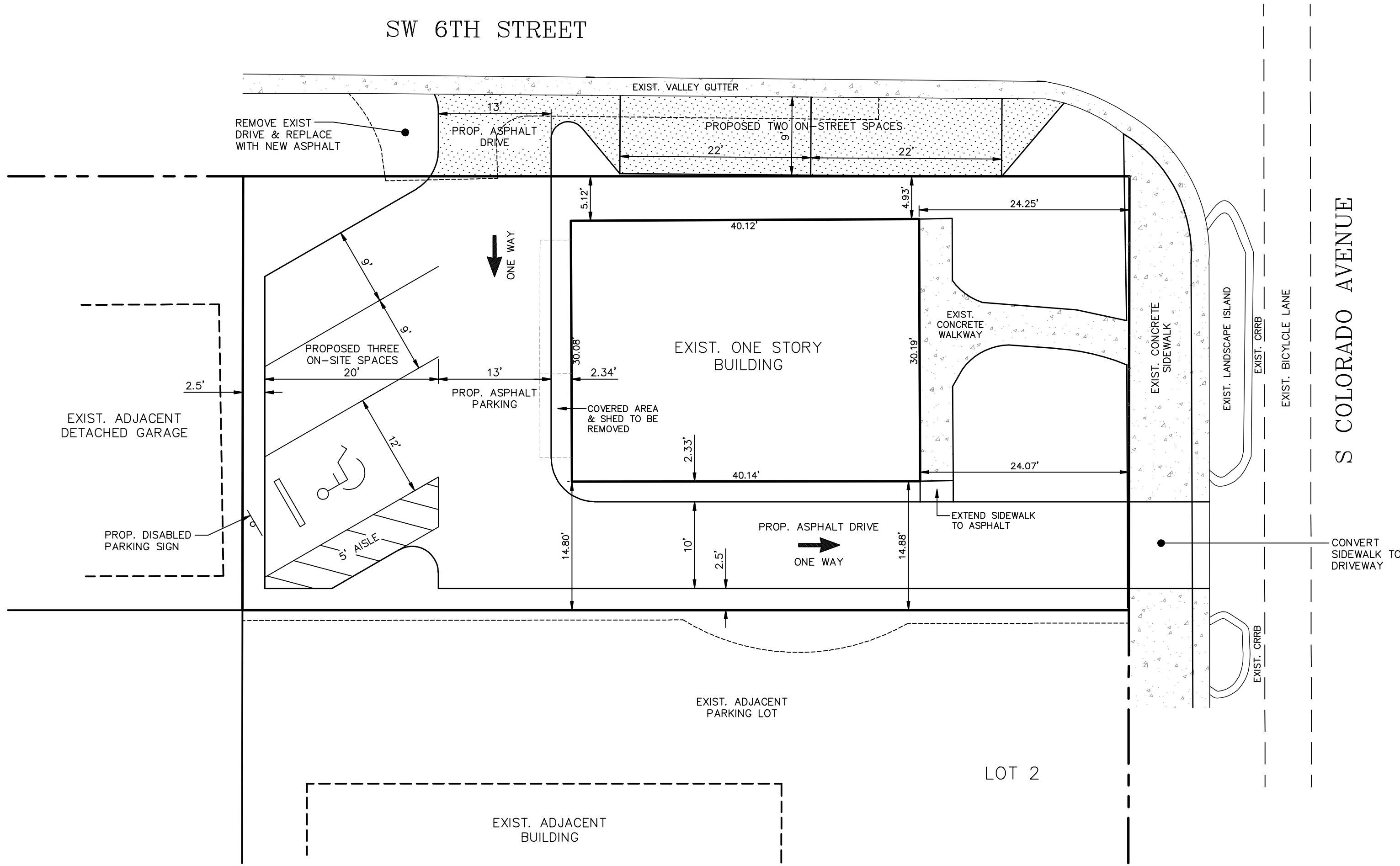
12. Exterior lighting. Exterior lighting shall not produce glare on nearby property or otherwise interfere with the quiet enjoyment of nearby property or with public safety and convenience. – **LIGHTING WILL BE REVIEWED AT BUILDING SITE PLAN**

The resultant site plan application will be reviewed by Fire Department and Public Works reviewers and will be required to meet applicable access requirements.

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 a reduction in required parking from 7 spaces to 5 spaces to accommodate retail of coffee, coffee roasting and coffee bar in accordance with the conditions attached the draft Resolution 01-2020.

Staff is requesting the Community Redevelopment Board consider the merits of the proposal and recommend the application be forwarded to the City Commission for final action.



DATE	REVISIONS

600 COLORADO AVENUE
CITY OF STUART, FLORIDA

PARKING PLAN

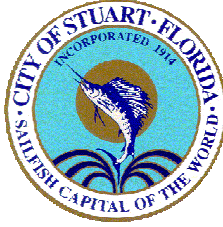
2431 SE DIXIE HIGHWAY
STUART, FL 34996

MATHERS ENGINEERING CORPORATION
CIVIL

PHONE: (772) 287-0525
EB 0004456

WILLIAM J. MATHERS, P.E.
FL. REG. # 19656

DRAWN D.H.A.
CHECKED W.J.M.
DATE NOVEMBER 2019
SCALE 1" = 10'
JOB NO. 3822-01
SHEET 1
OF 1 SHEETS



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

RESOLUTION NUMBER 01-2020

RESOLUTION NUMBER 01-2020: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW A REDUCTION OF REQUIRED PARKING TO 5 STALLS AT 600 S COLORADO AVE, TO ALLOW A USE OF COFFEE RETAIL SALES, ROASTING OF COFFEE AND COFFEE BAR; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; 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, Robert Levy (The “Contract Purchaser”) filed an application on November 8th, 2019, for a Major Urban Code Conditional Use Permit to allow a reduction of required parking to 5 stalls to allow a use of coffee retail sales, roasting of coffee and coffee bar at at 600 S Colorado Ave, Stuart, Florida.

WHEREAS, the City Commission held a properly noticed hearing on _____, 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 Robert Levy, as the contract purchaser of 600 S Colorado Ave, Stuart, Florida. This conditional use is not assignable or transferable.

SECTION 2: A legal description of the Property is set forth in **Exhibit A** of this Resolution. A map depicting the property and location of the property is attached hereto as **Exhibit B** and made a part hereof by reference; and

SECTION 3: The site layout and parking locations are defined on the attached site plan dated November, 2019 by Mathers Engineering Corporation and attached hereto as **Exhibit C**.

SECTION 4: This resolution shall take effect upon adoption.

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

REBECCA S. BRUNER,
EULA R. CLARKE,
KELLI GLASS LEIGHTON,
MERRITT MATHESON,
MIKE MEIER,

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 _____

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:

OWNER

Print Name: _____

By: _____
Robert Levy

Print Name: _____

OWNERS ACKNOWLEDGMENT

The above Acceptance and Agreement of Resolution No. 103-2019 was acknowledged before me this ____ day of _____, 2019, Robert Levy.

Notary Public, State of Florida

My Commission Expires:
Notary Seal

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

Exhibit A – Legal Description

**Lot 1, BLOCK 23 FRAZIER ADDITION, ACCORDING TO PLAT THEREOF, AS
RECORDED IN PLAT BOOK 2, PAGE 66, PALM BEACH (now MARTIN COUNTY),
FLORIDA PUBLIC RECORDS.**

Exhibit B
Location Map

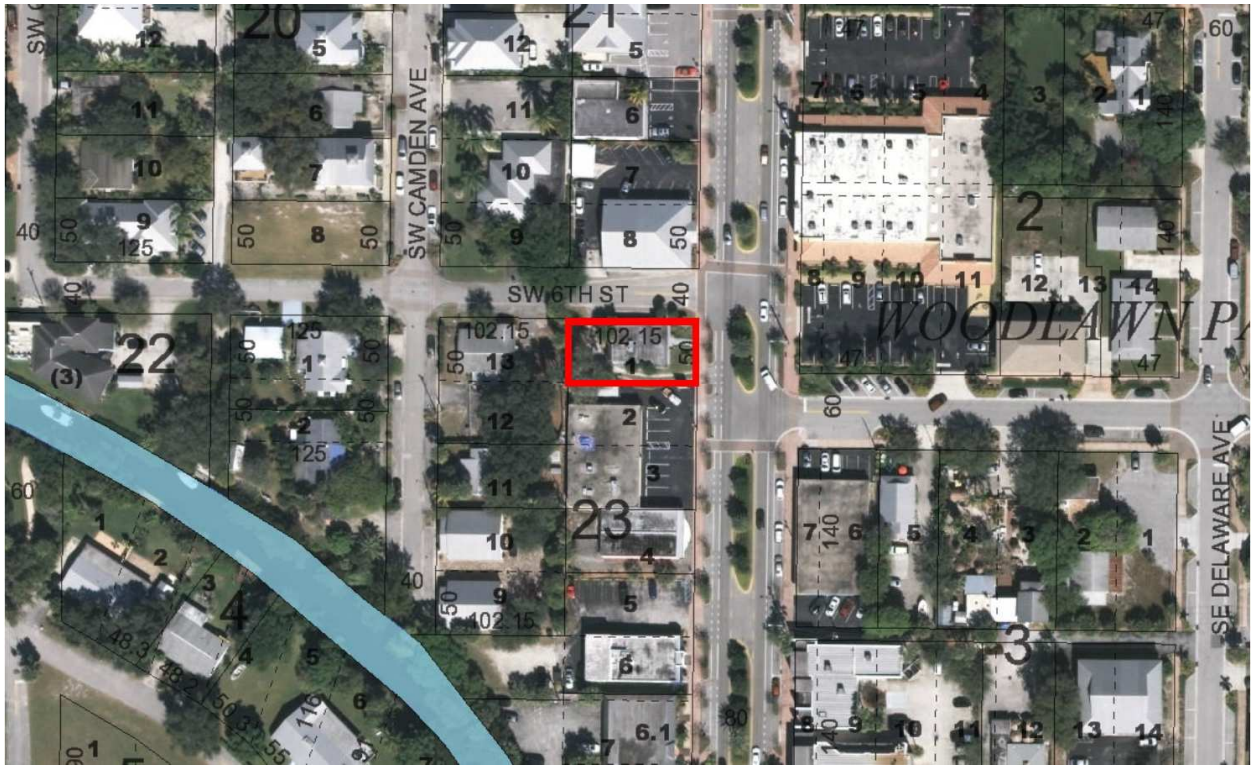
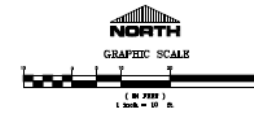
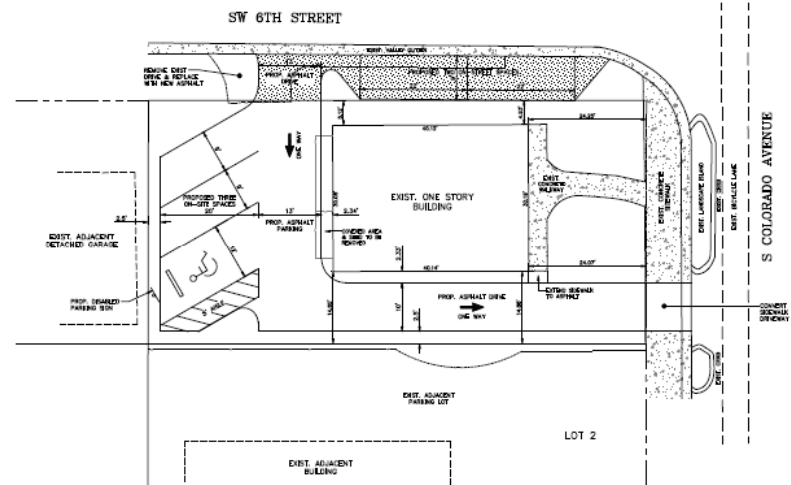


Exhibit C

Conditions of Approval

1. The use of the site will be for Coffee Retail Sales, Roasting of Coffee and Coffee Bar as described in the application.
2. Building permits will not be issued until building permit applications, deemed sufficient for permit review under City codes and standards, for building improvements has been submitted.
3. The parking and access construction will require the approval of a parking/stripping site plan permit.
4. Interior build-out construction plans will be subject to compliance with fire codes and standards.
5. A building permit shall be obtained no later than 12 months from the approval date of the major urban code conditional use and a certificate of occupancy shall be obtained no later than 30 months from the issuance of a building permit.

Exhibit D

[illegible][illegible]

3600 COLORADO AVENUE
CITY OF STUART, FLORIDA
PARKING PLAN

WILLIAM J. WATKINS, P.E.
FL. REG. # 12000

PLANT
D.M.A.
CORPORATION
W.D.M.
DATA
MATERIALS
NAME
F' = 10'
FOR FID.
SAND-GL
CONCRETE
1
ON 1 CONCRETE