



City of Stuart

**AGENDA
LOCAL PLANNING AGENCY / PLANNING ADVISORY BOARD
TO BE HELD SEPTEMBER 5, 2019
AT 5:30 PM**

**COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

LOCAL PLANNING AGENCY

**Chair - Michael Herbach
Vice Chair - Ryan Strom
Board Member - Larry Massing
Board Member - Bill Mathers
Board Member - Christina de la Vega
Board Member - Li Roberts
Board Member - Campbell Rich
Ex Officio - Garret Grabowski**

ADMINISTRATIVE

**Development Director, Kev Freeman
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

Approval of LPA Minutes

COMMENTS FROM THE PUBLIC (5 min. max)

COMMENTS FROM THE BOARD MEMBERS

OTHER MATTERS BEFORE THE BOARD

1. REZONING TO URBAN PLANNED UNIT DEVELOPMENT

ORDINANCE No. 2412-2019: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF UPUD "URBAN PLANNED UNIT DEVELOPMENT" TO A PARCEL OF LAND TOTALING 0.29 ACRES, OWNED BY STUART HILLS PROPERTIES, LLC, LOCATED AT 801 S.E. OCEAN BLVD., BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "SADA INTERNATIONAL SALON" URBAN PLANNED UNIT DEVELOPMENT (UPUD) CONSISTING OF A TWO-STORY COMMERCIAL BUILDING TOTALING 3,485 SQUARE FEET, AND ALLOWING USES PERMITTED IN THE URBAN DISTRICT; PROVIDING FOR APPROVAL OF AN EXISTING SITE AND BUILDING; PROVIDING FOR DEVELOPMENT CONDITIONS; 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. (QUASI-JUDICIAL)

STAFF UPDATE

ADJOURNMENT

UPCOMING MEETINGS and EVENTS

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Local Planning Agency**

Meeting Date:9/5/2019

Prepared by:Jordan Pinkston

Title of Item:

Approval of LPA Minutes

Summary Explanation/Background Information on Agenda Request:

Approval of LPA Minutes.

Funding Source:

N/A

Recommended Action:

Approve.

ATTACHMENTS:

Description	Upload Date	Type
☐ LPA Minutes 8.15.19	8/29/2019	Cover Memo



MINUTES

**LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD
TO BE HELD AUGUST 15, 2019 AT 5:30PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FL 34994**

LOCAL PLANNING AGENCY

**Chair – Michael Herbach
Vice Chair – Ryan Strom
Board Member – Li Roberts
Board Member – Larry Massing
Board Member – Campbell Rich
Board Member – Bill Mathers
Board Member – Christina de la Vega**

ADMINISTRATIVE

**Development Director – Kev Freeman
Board Secretary – Jordan Pinkston**

CALL TO ORDER  **5:29 PM**

Present: Michael Herbach

Absent: Christina de la Vega, Ryan Strom, Li Roberts, Larry Massing, Campbell Rich, Bill Mathers

OTHER MATTERS BEFORE THE BOARD:

1. ORDINANCE No. 2412-2019: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF UPUD "URBAN PLANNED UNIT DEVELOPMENT" TO A PARCEL OF LAND TOTALING 0.29 ACRES, OWNED BY STUART HILLS PROPERTIES, LLC, LOCATED AT 801 S.E. OCEAN BLVD., BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "SADA INTERNATIONAL SALON" URBAN PLANNED UNIT DEVELOPMENT (UPUD) CONSISTING OF A TWO-STORY COMMERCIAL BUILDING TOTALING 3,485 SQUARE FEET, AND ALLOWING USES PERMITTED IN THE URBAN DISTRICT; PROVIDING FOR APPROVAL OF AN EXISTING SITE AND BUILDING; PROVIDING FOR DEVELOPMENT CONDITIONS; 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. (QUASI-JUDICIAL)

BOARD COMMENT:

Michael Herbach announced that due to lack of quorum the agenda item will be pushed to a Special LPA Meeting on September 5, 2019. The regular LPA meeting will still occur on September 19, 2019.

ADJOURNMENT **5:30 PM**

Motion: Action: Adjourn

Moved by: Michael Herbach

Seconded by: None needed due to lack of quorum.

Michael Herbach, Chair

Jordan Pinkston, Board Secretary

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST Local Planning Agency

Meeting Date:9/5/2019

Prepared by:Stephen Mayer

Title of Item:

REZONING TO URBAN PLANNED UNIT DEVELOPMENT

ORDINANCE No. 2412-2019: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF UPUD "URBAN PLANNED UNIT DEVELOPMENT" TO A PARCEL OF LAND TOTALING 0.29 ACRES, OWNED BY STUART HILLS PROPERTIES, LLC, LOCATED AT 801 S.E. OCEAN BLVD., BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "SADA INTERNATIONAL SALON" URBAN PLANNED UNIT DEVELOPMENT (UPUD) CONSISTING OF A TWO-STORY COMMERCIAL BUILDING TOTALING 3,485 SQUARE FEET, AND ALLOWING USES PERMITTED IN THE URBAN DISTRICT; PROVIDING FOR APPROVAL OF AN EXISTING SITE AND BUILDING; PROVIDING FOR DEVELOPMENT CONDITIONS; 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. (QUASI-JUDICIAL)

Summary Explanation/Background Information on Agenda Request:

The rezoning of a 0.29-acre property at 801 SE Ocean Boulevard from Residential/Office (R-3) to Urban Planned Unit Development (known as the Sada International Salon UPUD) is warranted to allow urban district uses, such as beauty salon, in an existing 3,485 square foot two-story medical office building. The proposed urban district uses of the Sada International Salon UPUD are compatible with the adjacent commercial uses on all four sides of the subject property. The existing building and improved site does not require additional improvements to continue with the uses of the Urban District. The site currently has 17 parking spaces installed, which would satisfy the parking requirements of the beauty salon use, which is parked at 2 parking spaces per station. Furthermore, retail space parked at 1 parking space per 300 square feet, would still have adequate parking should retail occupy the entire 3,485 square-foot building.

Please note that this is an existing improved site and building and this UPUD will accept the building and site, as is. The building was built in 1974 and was originally occupied with medical office uses, but is currently occupied with professional office and an interior decorator. The site plan and elevations referenced within this UPUD are accepted regardless of any changes of use to any other use that is permitted in the Urban District. This UPUD and the conditions therein, would run with the land and not be limited to the occupation of the building for Sada International salon only.

Funding Source:

N/A

Recommended Action:

Motion to recommend approval of Ordinance No. 2412-2019 for consideration by the City Commission.

ATTACHMENTS:

Description

Upload Date

Type

DRAFT

▣	Ordinance 2412-2019	8/5/2019
▣	UPUD Application	8/5/2019
▣	Survey	8/5/2019

ORDINANCE
Attachment
Exhibit



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

ORDINANCE NUMBER 2412-2019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY’S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF UPUD “URBAN PLANNED UNIT DEVELOPMENT” TO A PARCEL OF LAND TOTALING 0.29 ACRES, OWNED BY STUART HILLS PROPERTIES, LLC, LOCATED AT 801 S.E. OCEAN BLVD., BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED; ESTABLISHING THE “SADA INTERNATIONAL SALON” URBAN PLANNED UNIT DEVELOPMENT (UPUD) CONSISTING OF A TWO-STORY COMMERCIAL BUILDING TOTALING 3,485 SQUARE FEET, AND ALLOWING USES PERMITTED IN THE URBAN DISTRICT; PROVIDING FOR APPROVAL OF AN EXISTING SITE AND BUILDING; PROVIDING FOR DEVELOPMENT CONDITIONS; 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 Susan Demeo, Manager of Stuart Hills Properties, LLC (Owner) and Hisashi Tomosada, owner of Sada International Salon (Contract Purchaser) of a 0.29 acre parcel of developed land located at 807 S.E. Ocean Blvd (**Exhibit “D” – Aerial**), and

WHEREAS, the City of Stuart has determined the need to assign UPUD zoning to said lands; and

WHEREAS, the Local Planning Agency held a properly noticed hearing at a regularly scheduled meeting to consider amending the city’s official zoning map and approving the existing and recommended approval for the rezoning on August 15, 2019; and

WHEREAS, on September 9, 2019, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by the Owner and Contract Purchaser, amending the city’s official zoning map and approving the existing building and site, and

WHEREAS, at the hearing the applicant showed by substantial competent evidence that the application does not create any detrimental effects on adjacent land uses; and

WHEREAS, the owners have committed to the City that its development will comply with all development codes, plans, standards and conditions approved by the City Commission; and that it will bind its successors in title to any such commitments made upon this ordinance; and

WHEREAS, the City Commission, has considered the Owner’s voluntary request for a new zoning designation, and has also considered the recommendation of the City staff.

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, the Sada International Salon UPUD 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.

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 and development conditions attached hereto as **Exhibit “C”**; ;

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

SECTION 1: The following new documents are on file as public records of the City, at the office of the City Clerk in City Hall, and attached hereto as **Exhibit “D”**, hereinafter the “Development Documents”, shall be deemed a part of this ordinance:

- 1. Boundary Survey, Sheet 1, by Stephen J. Brown, Inc., Surveyors, Designers, Land Planners and Consultants dated 7.25.19.**
- 2. Aerial Photograph, prepared by McCarthy & Associates, dated 7.16.19**
- 3. Site Plan and Architecture, prepared by Richard Granfield, dated 11.26.73**

SECTION 2: The Zoning designation of the subject property shall be established as “UPUD” Urban Planned Unit Development on the City of Stuart’s Official Zoning Map.

SECTION 3: 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.

SECTION 4: 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 5: 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 6: 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 PUD property or any portion of the PUD 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 PUD 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 7: 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 8: 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, failing which this ordinance shall be void.

SECTION 9: 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 this 9th day of September 2019.

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 w

BECKY BRUNER, MAYOR
EULA R. CLARKE, VICE MAYOR
KELLI GLASS LEIGHTON, COMMISSIONER
MERRITT MATHESON, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this _____ day of _____, 2019.

ATTEST:

MARY R. KINDEL
CITY CLERK

Becky Bruner
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY

CITY'S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this
____ day of _____, 2019, by BECKY BRUNER, Mayor, and Mary Kindel,
City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

Notary Public, State of Florida, at large

My 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 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 URBAN PLANNED UNIT DEVELOPMENT 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:

**Stuart Hills Properties, LLC, a Florida
limited liability company**

Print Name: _____

By: _____
Susan Demeo, Manager

Print Name: _____

OWNER'S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this _____
day of _____, 2019, by Susan Demeo, Manager of Stuart Hills Properties, LLC,
a Florida limited liability company, on behalf of the Company.

Personally Known ____ OR Produced Identification ____ Type of Identification Produced

Notary Seal

Notary Public, State of Florida, at large
My Commission Expires:

Sada International Salon

WITNESSES:

Print Name: _____

Hisashi Tomosada, Owner

Print Name: _____

OWNER’S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this _____
day of _____, 2019, by Hisashi Tomosada, owner of Sada International Salon.

Personally Known ____ OR Produced Identification ____ Type of Identification Produced

Notary Seal

Notary Public, State of Florida, at large
My Commission Expires:

Exhibit “A”

LEGAL DESCRIPTION

LOTS 13 AND 14, BLOCK 10, HILDABRAD PARK,
ACCORDING TO THE PLAT THEREOF RECORDED IN
PLAT BOOK 2, PAGE 64, PUBLIC RECORDS OF
MARTIN COUNTY, FLORIDA.

EXHIBIT “B” – LOCATION MAP

Sada International Salon

04-38-41-007-010-00130-1
801 SE Ocean Blvd.
Stuart, Florida

McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

712.965.9322
www.McCartyLandPlanning.com
M&A@McCartyLandPlanning.com



Location Map



EXHIBIT “C” – DEVELOPMENT CONDITIONS

Approved Plans and Documents (Exhibit “D”)

- 1. Boundary Survey, Sheet 1, by Stephen J. Brown, Inc., Surveyors, Designers, Land Planners and Consultants dated 7.25.19.**
- 2. Aerial Photograph, prepared by McCarthy & Associates, dated 7.16.19**
- 3. Site Plan and Architecture, prepared by Richard Granfield, dated 11.26.73**

Development and Construction

1. Except as otherwise set forth in the Sada International Salon UPUD, development shall comply with the City Land Development Code. Any modifications to the Master Site Plan that exceeds 10% of the approved building footprint, building setbacks, gross square footage, building location, parking size, location and number of parking, drainage areas, and location of landscaping, may be approved by the City’s Development Director, provided however, the Development Director may refer the matter to the City Commission for approval via public hearing.
2. All applicable state or federal permits must be obtained before the commencement any development activities. Issuance of this development order/permit/approval by the City of Stuart does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Stuart for the issuance of this order/permit/approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Allowable Uses

3. All uses allowed in Section 3.01.03.F.2. of the City’s Land Development Code are permitted, however, the uses are restricted in accordance to the parking calculations within Section 3.01.03.F.2. As the date of this ordinance, the site has 17 parking spaces.

Prohibited

4. No temporary or modular buildings are permitted on the property except for permitted temporary construction/leasing trailers.
5. Billboards are prohibited on the property.
6. Banners and any other sign or advertising device not in accordance with the City's Land Development Regulations are prohibited.

Amendments

7. Any applications to amend this Ordinance shall be limited to the single Owner, successors or assigned of the parcel, or the Master's Owners Association, if applicable.

Exhibit “D” Boundary Survey

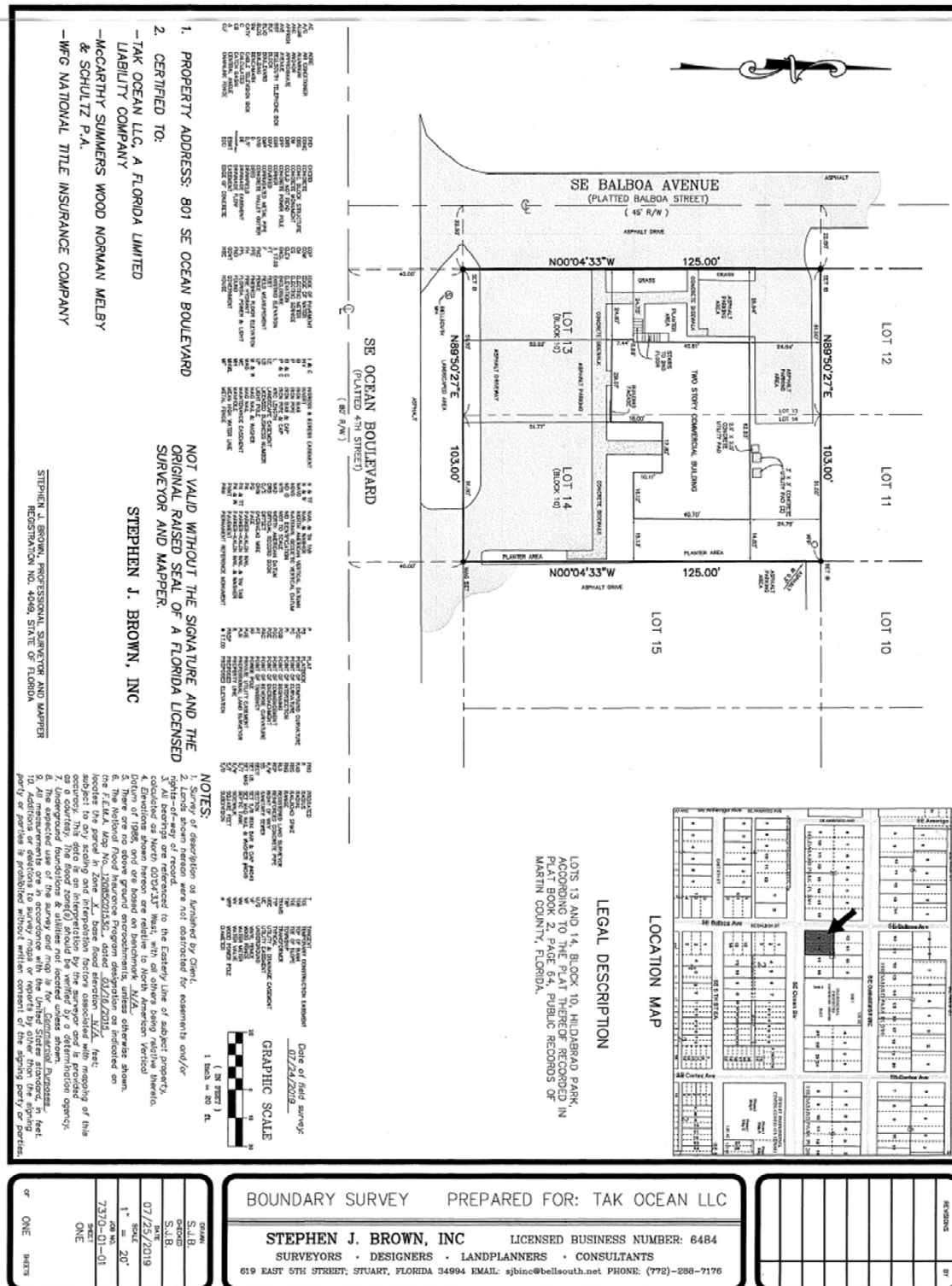


Exhibit “D”

Aerial

Sada International Salon

04-38-41-007-010-00130-1
801 SE Ocean Blvd.
Stuart, Florida

McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

TEL: 941.941.4142
www.McCartyLandPlanning.com
MCA@McCartyLandPlanning.com

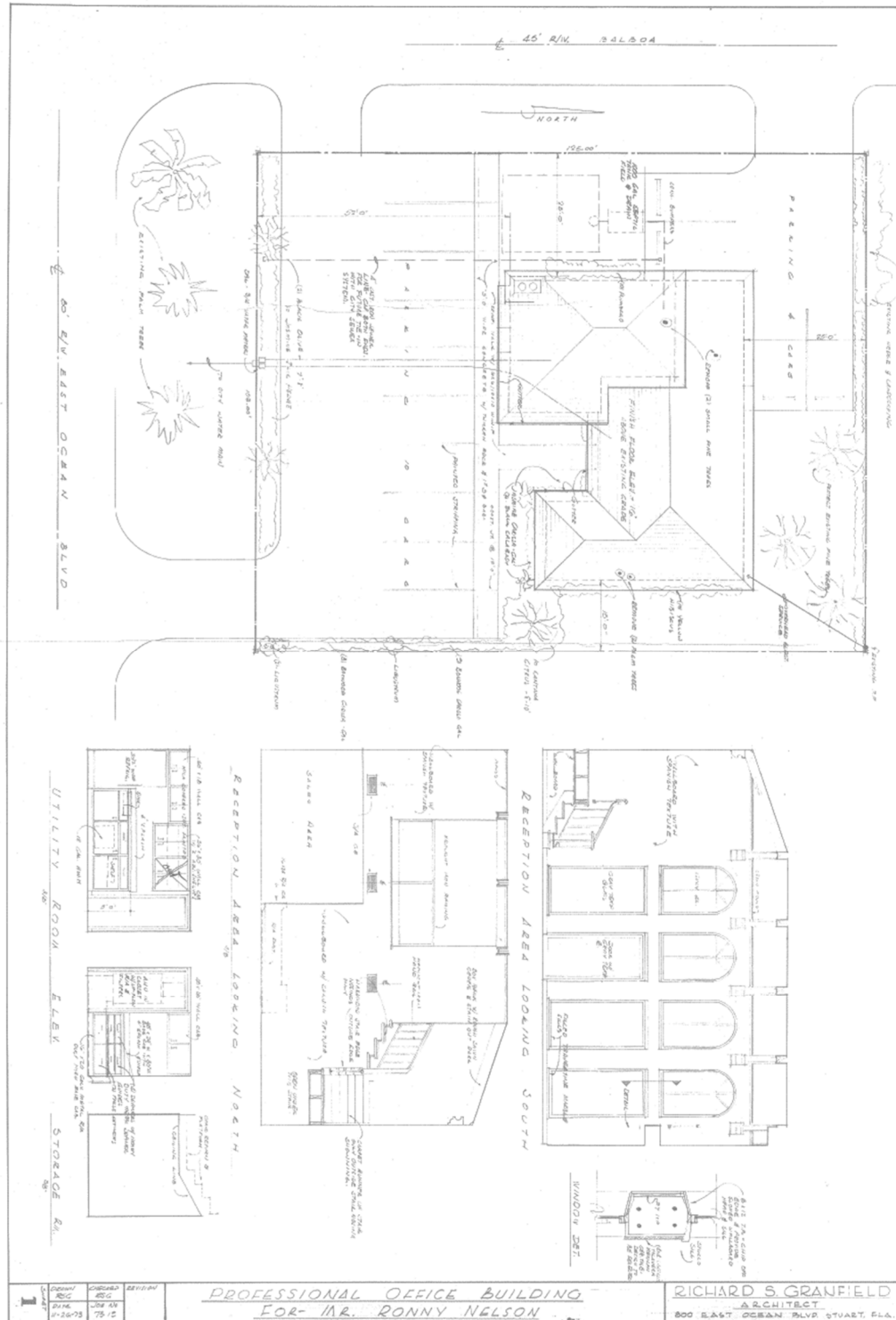


Aerial Photograph



07/16/2019

Exhibit "D" Site Plan and Architecture





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

July 16, 2019

SADA INTERNATIONAL SALON PUD APPLICATION



Prepared for:
Sada International Salon

Development Narrative

Introduction

The address of the subject property is 801 SE East Ocean Blvd in Stuart FL identified by PCN 04-38-41-007-010-00130-1 and consists of 0.29 Acres. The property is currently zoned R-3 residential multi-family/duplex with a future land use designation of office - residential. The property has an existing two story building consisting of 3,485 sqft with 17 parking spaces. The property was developed in 1974 as a medical office building and is now used as a professional office for an interior decorator. The applicant is proposing to utilize the existing building for a professional salon. The salon use is not permitted in the current R-3 zoning designation but can be permitted via PUD application.

Compatibility of Zoning

The proposed PUD is compatible with the surrounding uses and zoning designations within the area which are as follows:

- To the north- medical offices with R-3 Residential Multifamily/ Duplex
- To the east- medical offices with R-3 Residential Multifamily/ Duplex
- To the south- medical offices with R-3 Residential Multifamily/ Duplex
- To the west- medical offices with R-3 Residential Multifamily/ Duplex

Current Site Conditions:

The property has an existing two story building consisting of 3,485 sqft with 17 parking spaces. The property was developed in 1974 as a medical office building and is now used as a professional office for an interior decorator. The subject site is well maintained with attractive landscaping around the foundation of the building with shrubs, grass, ground cover, with of varying colors and textures which complement the surroundings.

Water and Waste Water:

The proposed use does not anticipate an increase in water or waste water services since the building was originally constructed for medical office. The current service provided by the City of Stuart is satisfactory for the proposed salon use.

Traffic:

The proposed salon use will generate less than the originally approved medical office. Therefore there will be no increase in trip generation on the surrounding road way network. The impacted roadway network is functioning at an acceptable level of service.

Summary

This is a zoning change request to (PUD) Planned Unit Development is to lawfully permit the applicant to operate a salon. The proposed use is compatible with the surrounding uses and will not have negative effect on the adjacent properties. The applicant is not proposing any changes to the site and intends to use the current improvements and structures as they exist with the exception of an interior renovation. Sada International Salon has been located in Stuart for over 20 years and continues to provide an important service to our community.

Please find attached the following documents for your review and consideration:

- PUD Application
- Location Map Exhibit
- Aerial Map Exhibit
- Future Land Use Map Exhibit
- Zoning Map Exhibit
- Site Plan
- Survey

If you have any questions or require any additional materials, please do not hesitate to contact our office. We thank you for your review on this project and look forward to working with you.

Very truly yours,

McCarty & Associates

Michael T. McCarty
Principal
Mike@McCartyLandPlanning.com

Cc: client



City of Stuart
121 SW Flagler Ave
Stuart, FL 34994

Received by: _____

Reviewed by: _____

Approved by: _____

(772) 288-5326

Application to Rezone Real Property (including Planned Unit Developments)

Project ID# _____
(Staff Entry)

Pre-App Conference Date: N/A	Application Date: 7-3-19
Project Name: Sada Information Salon	
Parcel ID# 04-38-41-007-010-00130-1	Project Address: 801 SE Ocean Blvd, Stuart FL 34994
Current Zoning: R-3 Residential - Multi Family/Duplex	Current Land Use: Office - Residential
Proposed Zoning: UPUD	Proposed Land Use: Office - Residential
Present Use: Interior decorator office	Site Area/Acreage: .2956
Fees (check box): This does not include fees that may be charged as a result of application review by the City's consultants	
Rezoning to CPUD UPUD \$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: (a) 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 (b) complies with the relevant development standards of the City of Stuart Land Development Code (include additional pages if needed).	

(over)

General Information

(Please Print or Type)

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

Name: Susan Demeo	City/State/Zip Code: Palm City, FL 34991
Title: MGR	Telephone Number: n/a
Company: Stuart Hills Properties LLC	Facsimile Number: n/a
Company Address: P.O. Box 912 Palm City FL 34991	Email Address (optional): n/a

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: Mike McCarty	City/State/Zip Code: Stuart FL 34994
Title: Principal	Telephone Number: 772-341-9322
Company: McCarty & Associates Land Planning and Design LLC	Facsimile Number: N/A
Company Address: 309 SE Osceola Street, Suite 109	Email Address (optional): mike@mccartylandplanning.com

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: Hisashi Tomosada	City/State/Zip Code: Stuart FL 34994
Title: Owner	Telephone Number: 772-223-1131
Company: Sada International Salon	Facsimile Number: n/a
Company Address: 11 SE Osceola St.	Email Address (optional): n/a

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

4. Signed this 8 day of July, 2019

Susan DeMoe
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 8 day of

July by Susan DeMoe who is personally known to me, or who has produced

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

Marjorie Smith
Notary Signature

Commission Expires



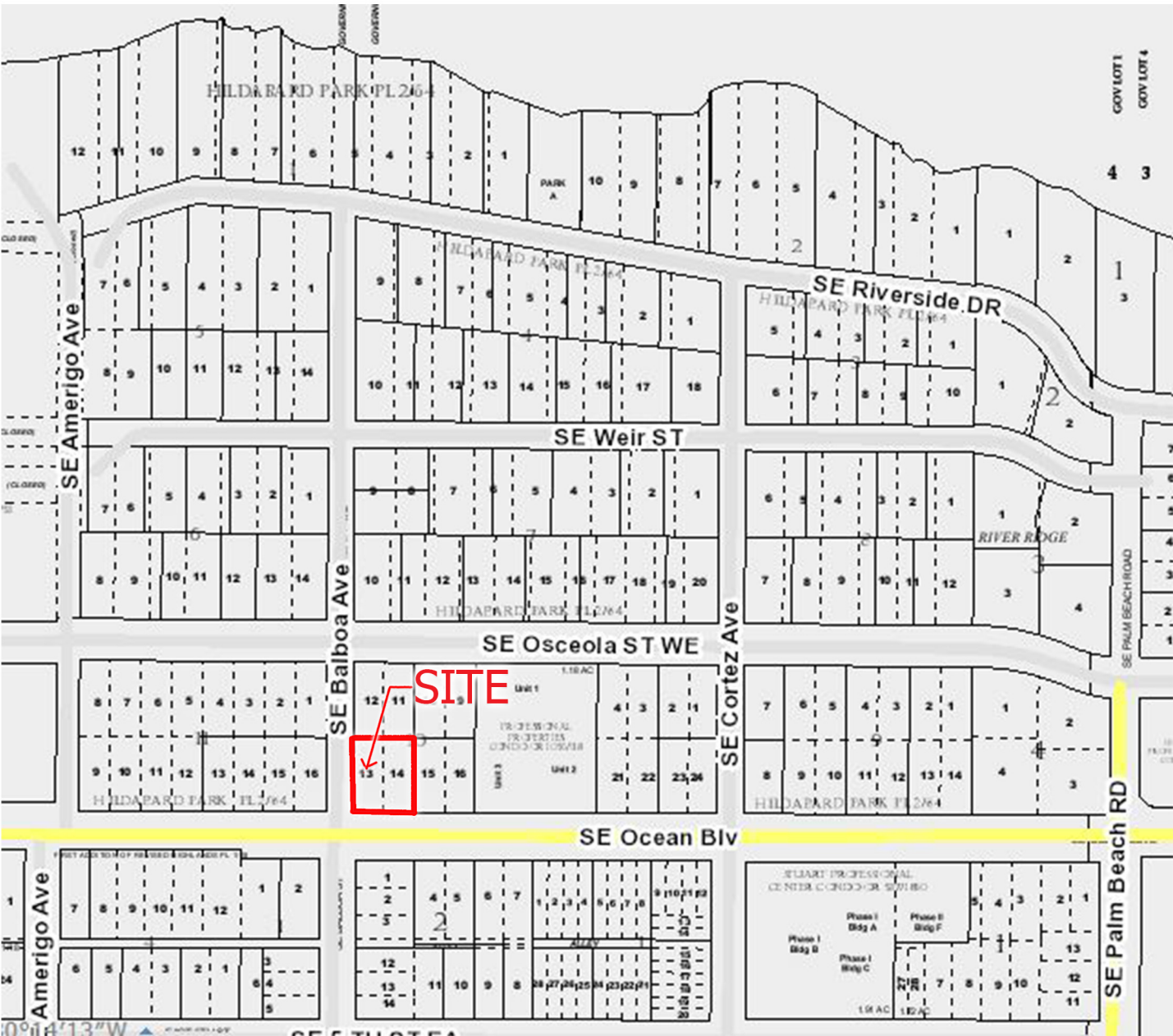
Sada International Salon

04-38-41-007-010-00130-1
801 SE Ocean Blvd.
Stuart, Florida

McCARTY & ASSOCIATES
LAND PLANNING
AND DESIGN
STUART • FT. PIERCE



Location Map



Sada International Salon

04-38-41-007-010-00130-1
801 SE Ocean Blvd.
Stuart, Florida

McCARTY & ASSOCIATES

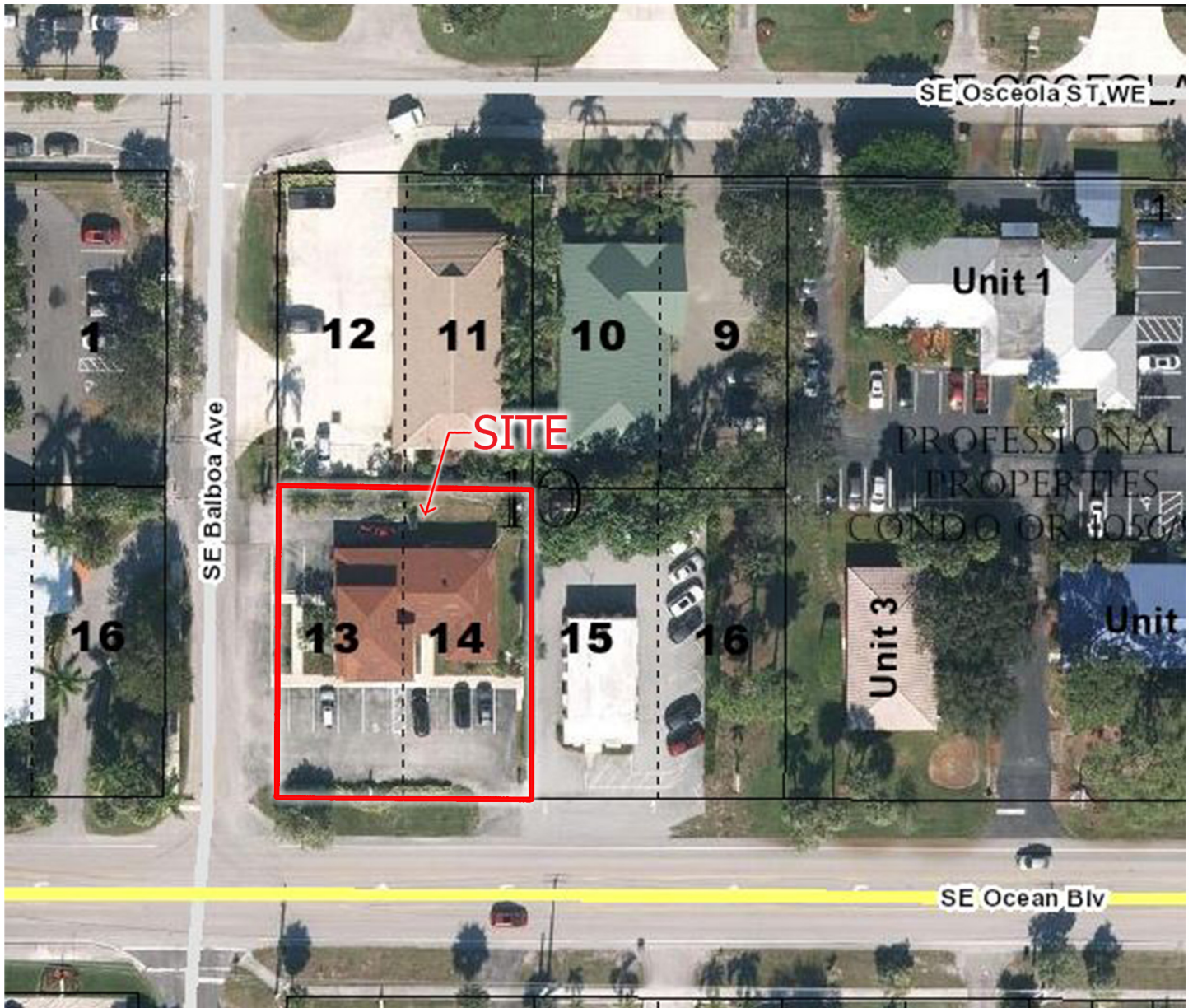
LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com



Aerial Photograph



Sada International Salon

04-38-41-007-010-00130-1
801 SE Ocean Blvd.
Stuart, Florida

McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com



Future Land Use

Office - Residential



Sada International Salon

04-38-41-007-010-00130-1
801 SE Ocean Blvd.
Stuart, Florida

McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

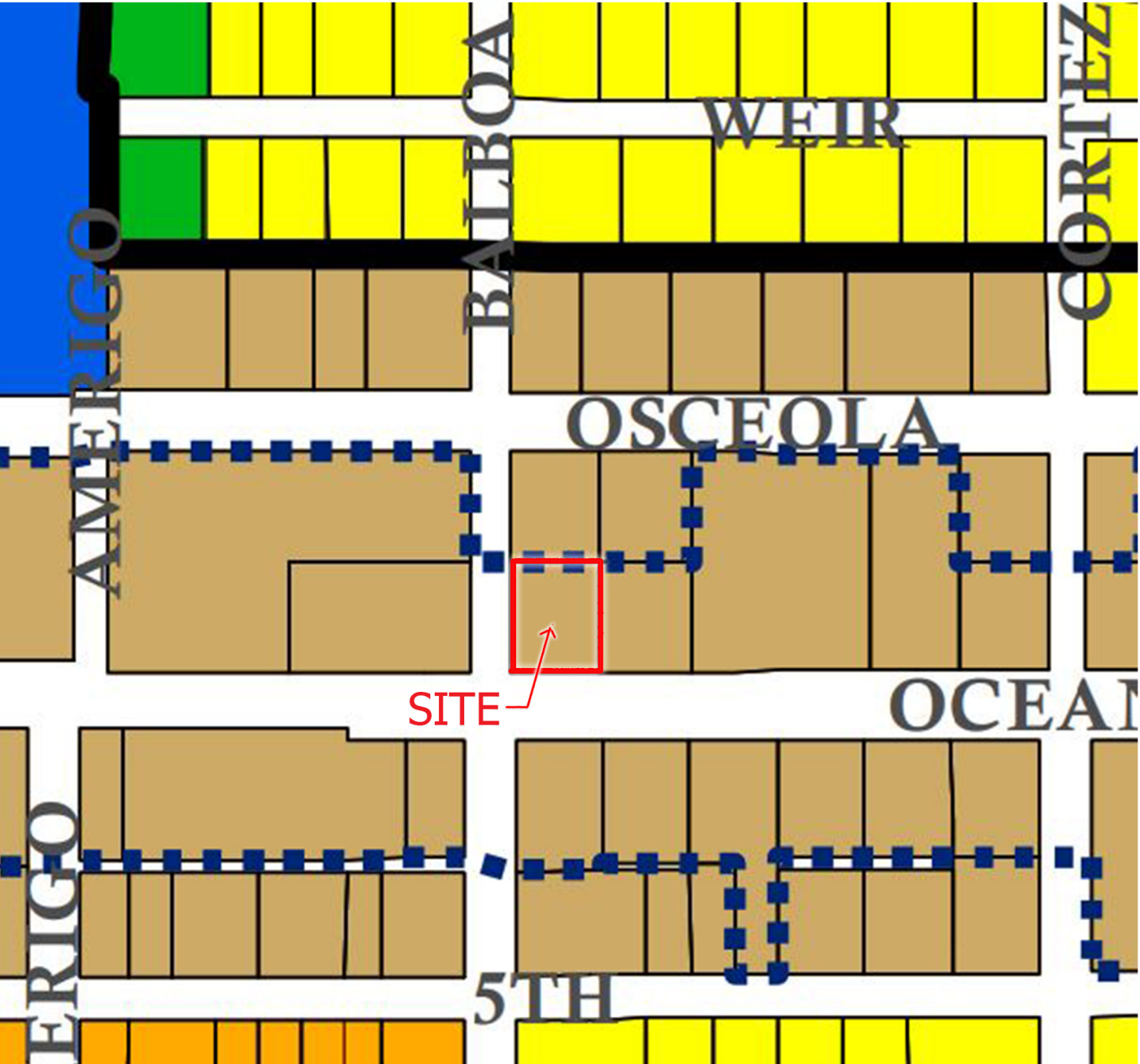
STUART • FT. PIERCE

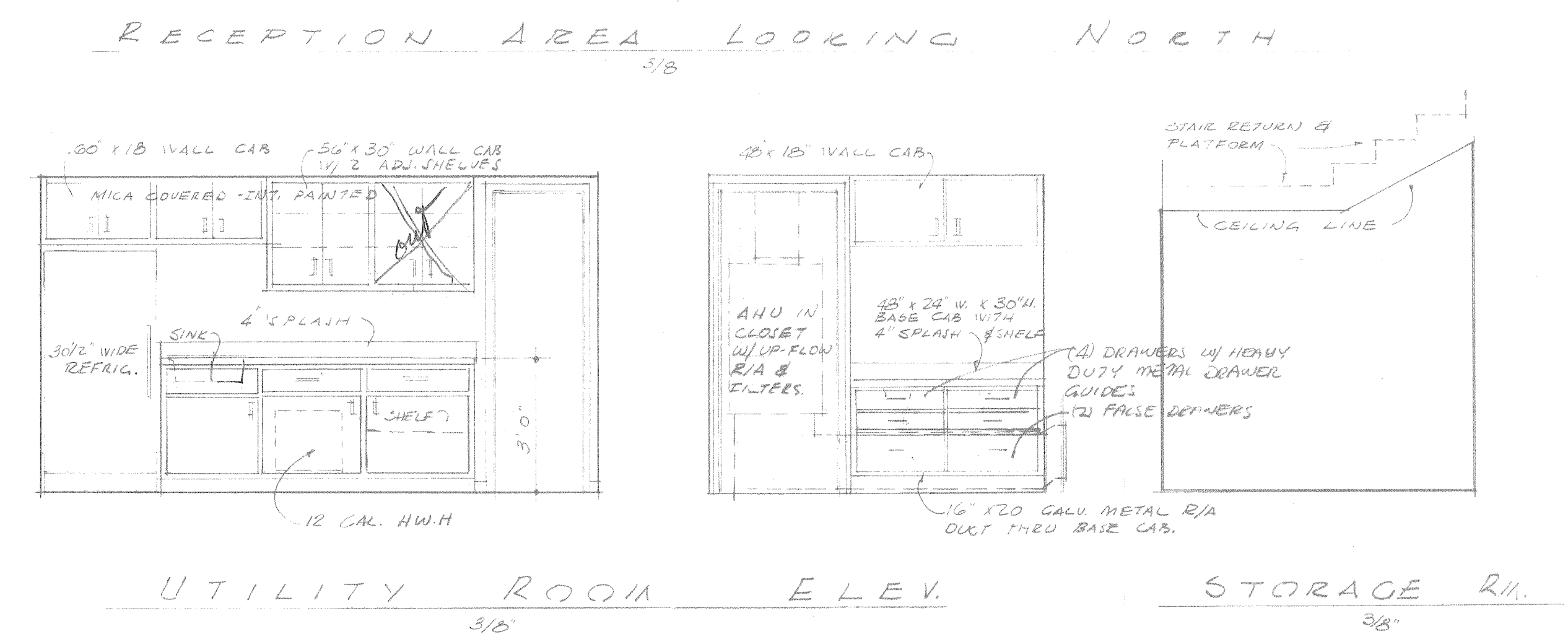
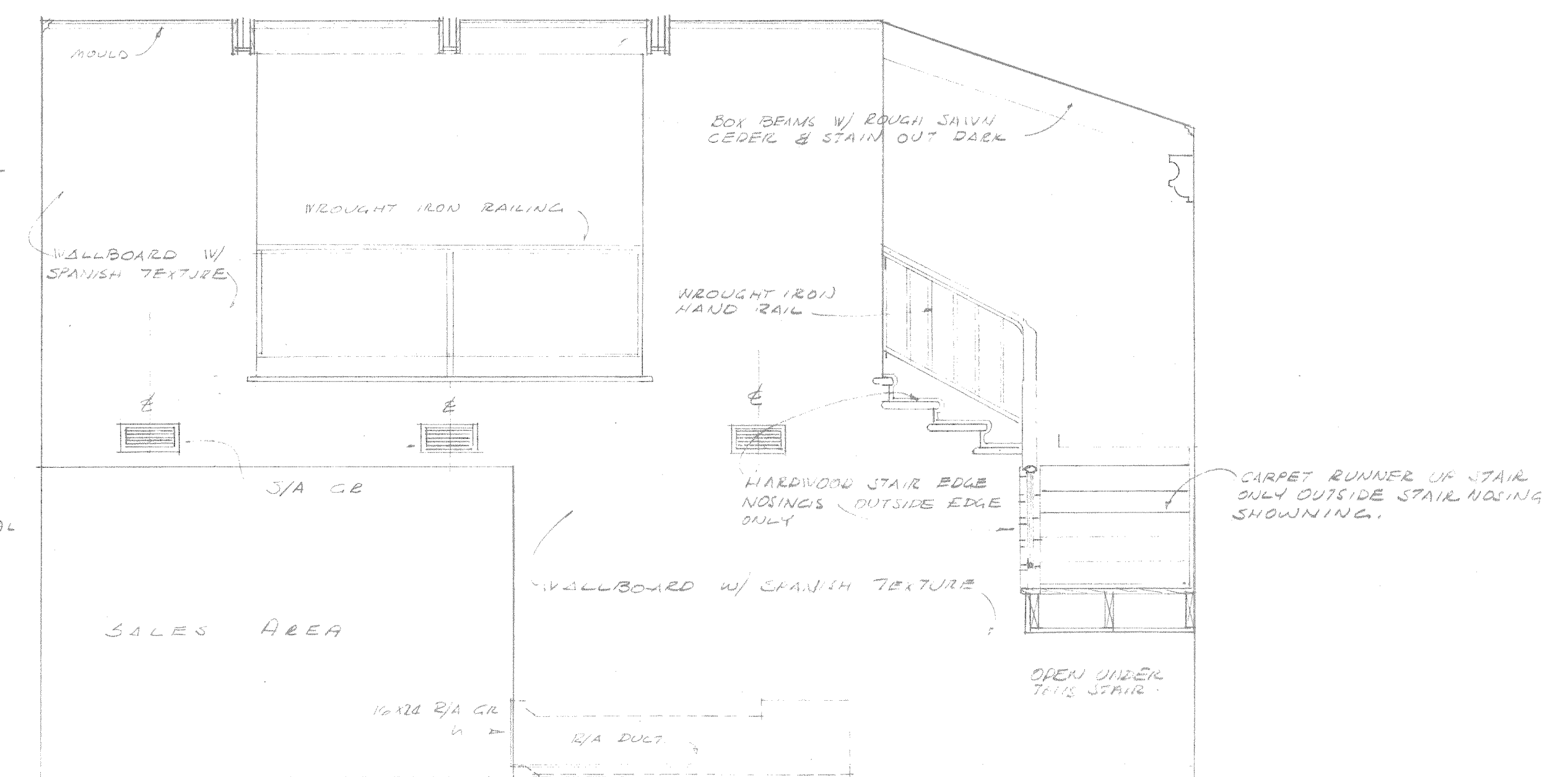
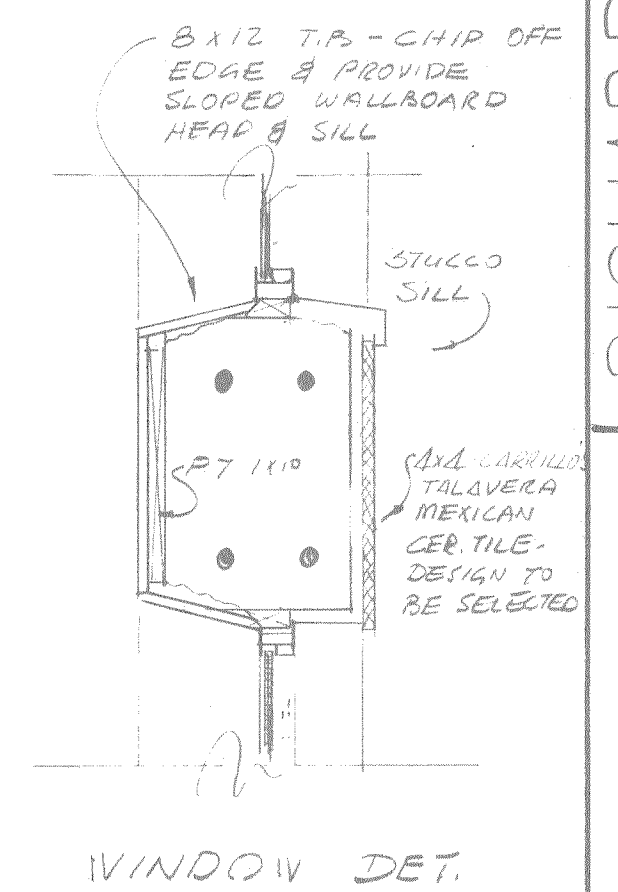
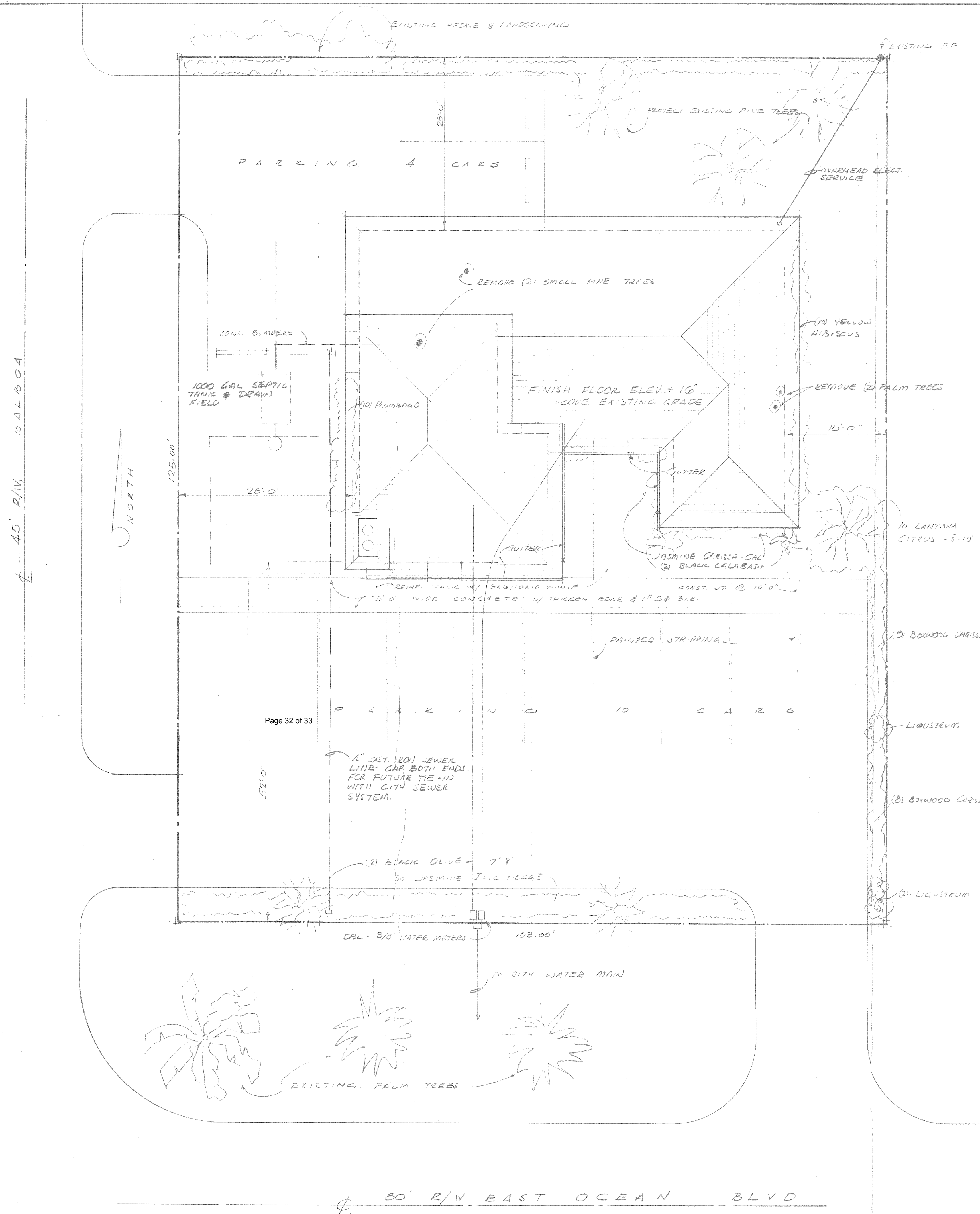
772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

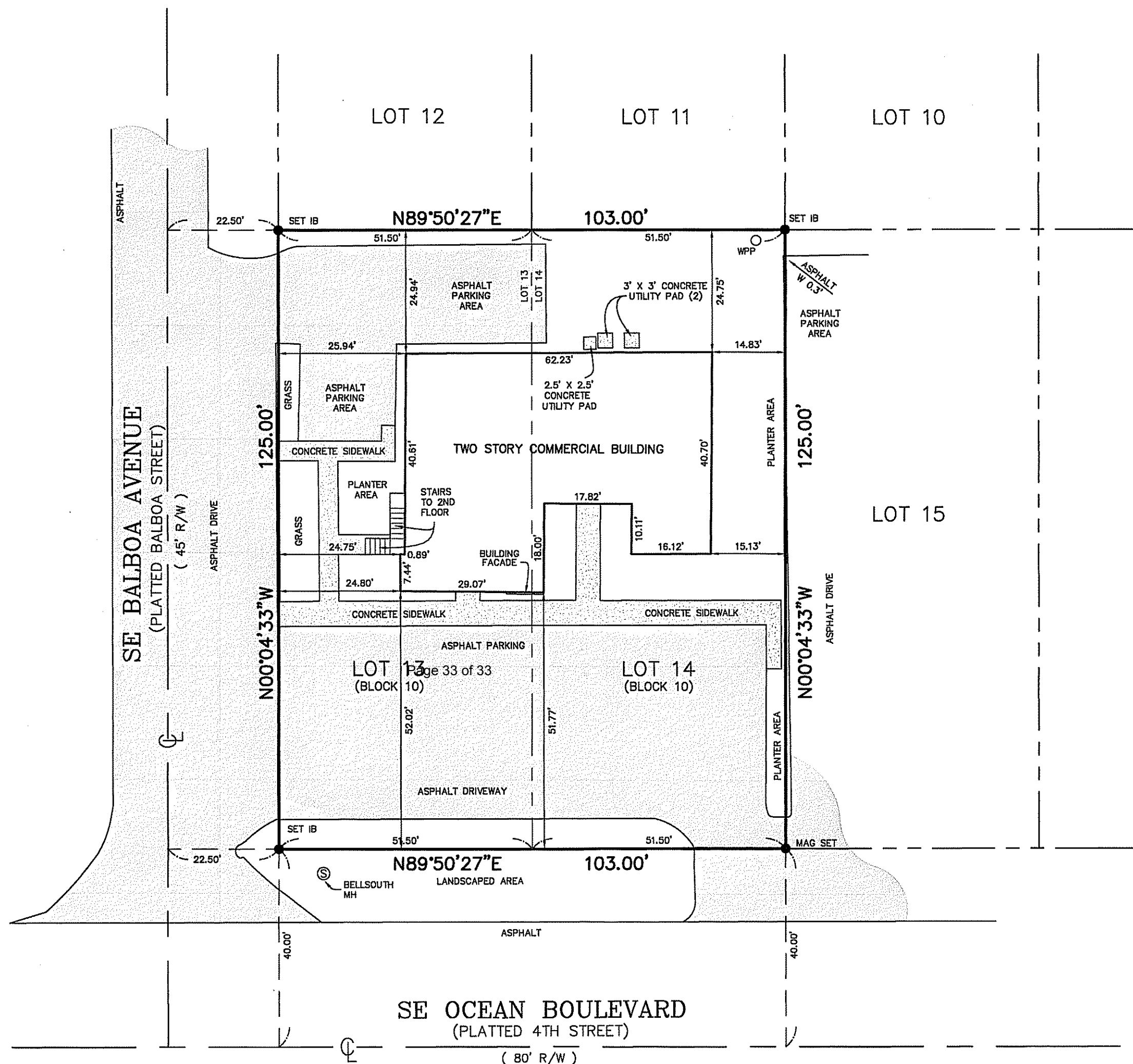


Zoning Map

R3 Residential Multi-Family / Duplex







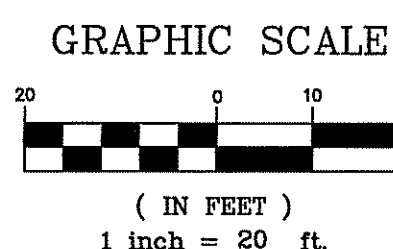
LOCATION MAP

LEGAL DESCRIPTION

LOTS 13 AND 14, BLOCK 10, HILDABRAD PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 64, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

AC	ACRE	CHD	CHORD	EOP	EDGE OF PAVEMENT	I & E	INGRESS & EGRESS EASEMENT	N & TT	NAIL & TIN TAB	P	PLAT	PRO	PRORATED	T	TANGENT
A/C	AIR CONDITIONER	CONC	CONCRETE	EDW	EDGE OF WATER	INV	INVERT	N & W	NAIL & WASHER	PB	PLATBOOK	R	RADIUS	TCE	TEMPORARY CONSTRUCTION EASEMENT
ALUM	ALUMINUM	CBS	CONC. BLOCK STRUCTURE	EM	ELECTRIC METER	IB	IRON BAR	NAV	NORTH AMERICAN VERTICAL DATUM	PC	POINT OF CURVATURE	RAD	RADIAL	TOB	TOP OF BANK
ANC	ANCHOR	CM	CONCRETE MONUMENT	ES	ELECTRIC SERVICE	IP	IRON PIPE	NGVD	NATIONAL GEODETIC VERTICAL DATUM	PC	POINT OF INTERSECTION	RRS	RAILROAD SPIKE	TOE	TOE OF SLOPE
APPROX	APPROXIMATE	CNR	COULD NOT READ	ELEV	ELEVATION	IB & C	IRON BAR & CAP	NO ID	NO IDENTIFICATION	PI	POINT OF BEGINNING	RNG	RANGE	TWP	TOWNSHIP
AVE	AVENUE	CPP	CONCRETE POWER POLE	ENCL	ENCLOSURE	IP & C	IRON PIPE & CAP	NTS	NOT TO SCALE	POB	POINT OF BEGINNING	RLS	REGISTERED LAND SURVEYOR	TRANS	TRANSFORMER
BST	BELLSOUTH TELEPHONE BOX	COR	CORNER	EXIST	EXISTING ELEVATION	L	ARC LENGTH	NAD	NORTH AMERICAN DATUM	POE	POINT OF ENCROACHMENT	RCP	REINFORCED CONCRETE PIPE	TYP	TYPICAL
BLK	BLOCK	COV	COVERED	FEET	FEET	LE	LANDSCAPE EASEMENT	ORB	OFFICIAL RECORD BOOK	PRC	POINT OF REVERSE CURVATURE	R/W	RIGHT OF WAY	UDE	UTILITY & DRAINAGE EASEMENT
BLVD	BOULEVARD	CMP	CORRUGATED METAL PIPE	F	FIELD MEASUREMENT	LB	LICENSED BUSINESS NUMBER	O/S	OFFSET	PT	POINT OF TANGENCY	SS	SECTION	UE	UTILITY EASEMENT
BLDG	BUILDING	CVG	CONCRETE VALLEY GUTTER	FNC	FENCE	LP	LIGHT POLE	OHW	OVERHEAD WIRE	PP	POWER POLE	SECT	SECTION	U/G	UNDERGROUND
BN	BENCHMARK	D	DEED	FT	FINISHED FLOOR ELEVATION	M & W	MAG NAIL & WASHER	PO	PAGE	SET I.B.	SET 5/8 IRON BAR & CAP #4049	SET MAG	SET MAG NAIL & WASHER #4049	VF	VINYL FENCE
CATV	CABLE TELEVISION BOX	D/F	DRAINFIELD	F	FIRE HYDRANT	MAG	MAG NAIL	PK	PARKER-KALON NAIL	PUE	PRIVATE UTILITY EASEMENT	S/T	SEPTIC TANK	WM	WOOD FENCE
C	CALCULATED	DE	DRAINAGE EASEMENT	FTE	FLORIDA POWER & LIGHT	ME	MAINTENANCE EASEMENT	PK & TT	PARKER-KALON NAIL & TIN TAB	PLS	PROFESSIONAL LAND SURVEYOR	S/W	SIDEWALK	WM	WOOD FENCE
CB	CATCH BASIN	ESMT	DRAINAGE FLOW	FPL	FLORIDA POWER & LIGHT	MH	MANHOLE	PK & W	PARKER-KALON NAIL & WASHER	R	PROPERTY LINE	S/F	SQUARE FEET	WV	WATER VALVE
A	CENTRAL ANGLE	ESMT	EASEMENT	FND	FOUND	MHNL	NEAR HIGH WATER LINE	PVMT	PAVEMENT	PROP	PROPOSED	S/D	SUBDIVISION	WPP	WOOD POWER POLE
CLF	CHAINLINK FENCE	EOC	EDGE OF CONCRETE	HSE	HOUSE	MF	METAL FENCE	PRM	PERMANENT REFERENCE MONUMENT	• 17.00	PROPOSED ELEVATION				DIAETER

Date of field survey:
07/24/2019



1. PROPERTY ADDRESS: 801 SE OCEAN BOULEVARD
2. CERTIFIED TO:
 - TAK OCEAN LLC, A FLORIDA LIMITED LIABILITY COMPANY
 - McCARTHY SUMMERS WOOD NORMAN MELBY & SCHULTZ P.A.
 - WFG NATIONAL TITLE INSURANCE COMPANY

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

STEPHEN J. BROWN, INC

STEPHEN J. BROWN, PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 4049, STATE OF FLORIDA

- NOTES:
1. Survey of description as furnished by Client.
 2. Lands shown hereon were not abstracted for easements and/or rights-of-way of record.
 3. All bearings are referenced to the Easterly Line of subject property, calculated as North 00°04'33" West, with all others being relative thereto.
 4. Elevations shown hereon are relative to North American Vertical Datum of 1988, and are based on benchmark N/A.
 5. There are no above ground encroachments, unless otherwise shown.
 6. The National Flood Insurance Program designation as indicated on the F.E.M.A. Map No. 12085C0153G, dated 03/16/2015, locates the parcel in Zone X, base flood elevation N/A feet; subject to any scaling and interpolation factors associated with mapping of this accuracy. This data is an interpretation by the surveyor and is provided as a courtesy. The flood zone(s) should be verified by a determination agency.
 7. Underground foundations & utilities not located unless shown.
 8. The expected use of the survey and map is for Commercial Purposes.
 9. All measurements are in accordance with the United States standard, in feet.
 10. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

REVISIONS	BY

BOUNDARY SURVEY PREPARED FOR: TAK OCEAN LLC

STEPHEN J. BROWN, INC LICENSED BUSINESS NUMBER: 6484
SURVEYORS • DESIGNERS • LANDPLANNERS • CONSULTANTS
619 EAST 5TH STREET, STUART, FLORIDA 34994 EMAIL: sjbinc@bellsouth.net PHONE: (772)-288-7176

DRAWN	S.J.B.
CHECKED	S.J.B.
DATE	07/25/2019
SCALE	1" = 20'
JOB NO.	7370-01-01
SHEET	ONE

OF ONE SHEETS