

**MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
NOVEMBER 14, 2022
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

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

ADMINISTRATIVE

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

ROLL CALL

PRESENT: Mayor McDonald, Commissioner Bruner, Commissioner Rich
LATE: Commissioner Collins (arrived at 4:24 PM)
ABSENT: Commissioner Clarke

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

1. HOSPICE AND PALLIATIVE CARE MONTH - NOVEMBER 2022

April Price, Vice President of Clinical Service and Craig Perry, Community Outreach accepted the Proclamation and thanked the Commission.

2. 22ND ANNUAL BIBLE READING MARATHON - NOVEMBER 11-15, 2022

Pastor Donna Hilton, founder of the Bible Reading, thanked the City as well as Eddie and Joanne Rodrigues for taking over and continuing the annual event, then Dr. Julie Bujornson commented on the event, thanked Veterans and religious freedom.

3. WORLD PREMATURITY DAY - NOVEMBER 17, 2022

City Clerk to mail Proclamation to Infant Health Initiatives of March of Dimes.

4. SMALL BUSINESS SATURDAY - NOVEMBER 26, 2022

City Clerk to mail Proclamation to Pam Woo of Small Business Saturday Coalition

Women Impacting Public Policy.

5. WORLD AIDS DAY - DECEMBER 1, 2022

Richardo Jackson, CEO of Campbell Health Solutions Inc. and Nyaisha Cummings, CEO of Seaside Behavioral Health and Wellness Center accepted and thanked the Commission for the Proclamation and provided some statistical information.

PRESENTATIONS

6. SERVICE AWARDS NOVEMBER 2022

Matthew Clough	Fire Rescue	10 years	(Present)
Deborah Carrasco	Neighborhood Services	5 years	(Present)
Matthew Isham	Police	5 years	(Not Present)

COMMENTS BY CITY COMMISSIONERS

4:24 PM Commissioner Collins arrived late.

Commissioner Rich

- Commented on Stuart's growth being the #1 issue during his election campaign and on the Costco appeal, stated his interest in the City withdrawing the appeal and if it did, how would that affect the City? He felt there would be no risk and referred to a letter from Richard Grosso and asked Attorney Mike Mortell if he had received the letter.

Attorney Mortell commented that he heard about the letter but did not receive a copy, quoted the Florida Statute referring to the Comp Plan and noted the amendment is not in effect yet. The Commission voted on the appeal and would've had to reconsider the vote to appeal at the next meeting. Mortell reviewed the appeal for clarification. The ruling is in 3 weeks.

- Rich continued and debated the possibility of Cartwright appealing and the City fighting this for 1 to 2 more years. He read from the Comp Plan and quoted the judge from the report, and commented that he could not ask the staff involved in this as none of them are employed with the City any longer, quoted comments in the report about natural resources and would like the City to consider withdrawing the Costco appeal. Would like the City to follow the law instead of play politics. Would like to have the discussion.

Commissioner Rich made a motion.

PUBLIC COMMENT:

1. Robin Cartwright - Hibiscus Ave.; Commented the City should rescind the appeal and not waste tax payer dollars; supports the motion.
2. Linda Kay-Richards - Cabana Pt.; Encouraged City to listen to residents, support the motion and repeal the Ordinance of 2021.
3. Gil Smart - Ocean Blvd.; Commented on behalf of Friends of the Everglades, concerned over protection of the wetlands, in support of the motion.

4. Valerie Jones - 14th Ave.; Submitted handouts to the Clerk and commented on the growth in Stuart, supports the motion.
5. Jim Moir - Williams Way (?); Commented considering all the data and would like more discussion and debate so the river can be saved.
6. Helen McBride - Flamingo Ave.; Property used to be the City dump and the land isn't a pristine wetland as they're portraying it, City debated and decision made.
7. Walter Loyd - Cabana Point Ci.; Stated the land was never a dump and supports the motion to rescind the order.
8. Eve Samples - On behalf of Friends of the Everglades, commented on concerns on the wetlands and inaccurate testimony of Mr. Braughn.

5:16 PM City Attorney Mortell clarified the case and the City's position.

4:47 PM MOTION: We put on the Agenda, Nov. 28th, we discuss filing a notice to the governor and cabinet that the City withdrawal its exception to the ALJ's recommended order and that the City schedules a public hearing to consider an ordinance rescinding the plan amendment and related approvals.

MOVED BY: Campbell Rich

SECONDED BY: Christopher Collins

VOTE: Fail 5:23 PM

YES: Rich, Collins

NO: Bruner, McDonald

Commissioner Bruner

- Commented on her attendance at the Stuart Air Show and thanked all who worked on it.

Mayor McDonald

- Commented on the hurricane (Ian) and how well the staff did, complimented the Building Department, the new employee Val for the great job in keeping City Hall and the Annex so clean, and thanked all City employees for doing a great job during the storm. Wished the City Manager a Happy Birthday.

COMMENTS BY CITY MANAGER

No Comments.

APPROVAL OF AGENDA

5:26 PM MOTION: Approve

MOVED BY: Campbell Rich

SECONDED BY: Becky Bruner

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

1. Bert Mautz - Channel Ave.; Commented to oppose the Dog's World project, concerned with the barking and traffic.
2. Caryn Hall Yost-Rudge - Palm City Rd.; Reviewed handouts provided to Mayor about

property on Palm City Road.

3. Robin Cartwright - Hibiscus Ave.; Lawsuit from a petitioner looks like, neighborhood special district, to remove special

4. Marck Brechbill - Osceola St. - Commented that Commission should listen to the citizens and must support staff, even if you weren't a Commissioner at the time; see's a trend of Commissioners using staff as a whipping board.

5. Ted Astolfi - Coconut Ave.; Commented on a live wire down and the fast response of Milton Leggett and his team, thanked them.

6. Linda Kay-Richards - Cabanna Point Ci.; Concerned that Commissioners did not vote to agree to a discussion.

CONSENT CALENDAR

7. APPROVAL OF 10/24/2022 CCM MINUTES & 11/02/2022 SCM ZONING IN PROGRESS MINUTES (RC)

8. EASEMENT WITH FECR, L.L.C. FOR UNDERGROUND UTILITIES (RC):

RESOLUTION No. 99-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AN EASEMENT AGREEMENT BETWEEN THE CITY OF STUART AND THE FLORIDA EAST COAST RAILWAY, L.L.C. ("FECR") FOR TWO (2) TEN (10) FOOT WIDE EASEMENTS RELATED TO THE PLACEMENT OF UNDERGROUND UTILITIES AS DEPICTED IN SCHEDULE A, RESCINDING ALL RESOLUTIONS IN CONFLICT, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9. ADOPTION OF FISCAL POLICY (RC)

RESOLUTION No. 100-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY OF STUART FISCAL POLICY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

10. ADOPTION OF PROCUREMENT AND P-CARD POLICY (RC)

RESOLUTION No. 101-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING THE PROCUREMENT POLICY AND PURCHASING CARD POLICY FOR THE CITY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

11. FLORIDA DEPARTMENT OF TRANSPORTATION GRANT FOR PURCHASE OF A NEW TRAM (RC)

RESOLUTION No. 107-2022; A RESOLUTION OF THE CITY COMMISSION OF

THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE A THREE (3) YEAR 50% MATCHING PUBLIC TRANSPORTATION GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR TRAM PURCHASE OF ONE VEHICLE AND RELATED EQUIPMENT PROVIDING FOR THE EFFECTIVE DATE AND OTHER PURPOSES.

12. FLORIDA DEPARTMENT OF TRANSPORTATION TRAM EXPANSION GRANT (RC)

RESOLUTION No. 108-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE A THREE (3) YEAR 50% MATCHING PUBLIC TRANSPORTATION GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR FUNDING OF THE OPERATION OF TRANSIT SERVICE EXPANSION PROVIDING FOR THE EFFECTIVE DATE AND OTHER PURPOSES.

13. AUTHORIZATION TO NEGOTIATE RFQL# 2022-400 PROFESSIONAL ENGINEERING SERVICES (RC)

RESOLUTION No. 110-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA REQUESTS AUTHORIZATION TO NEGOTIATE FOR RFQL #2022-400, PROFESSIONAL ENGINEERING SERVICES TO THE SIX MOST QUALIFIED FIRMS, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

14. SECURE CODE ENFORCEMENT LEIN (RC)

RESOLUTION No. 115-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY ATTORNEY TO TAKE STEPS NECESSARY TO SECURE CODE ENFORCEMENT LEIN AND FILE CLAIM TO SURPLUS PROCEEDS FROM TAX DEED SALE, IF ANY, WITH THE MARTIN COUNTY CLERK OF CIRCUIT COURT AND COMPTROLLER, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

**5:39 PM MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Campbell Rich
Motion approved unanimously.**

COMMISSION ACTION

15. RENEWAL OF FLAGLER CENTER LEASE WITH STUART MAIN STREET ASSOCIATION, INC. (RC)

RESOLUTION No. 106-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AUTHORIZE A THIRTY-SIX (36) MONTH ABSOLUTE TRIPLE NET – UNSUBORDINATED LEASE AGREEMENT RENEWAL BETWEEN THE CITY OF STUART AND STUART MAIN STREET ASSOCIATION, INC. FOR THE “FLAGLER CENTER” LOCATED AT 121 SW FLAGLER AVENUE, STUART; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager Dyess provided a brief history of the Stuart Main Street (SMS) Lease Agreement.

Commissioner Collins initiated a discussion with Jim Chrulski, Community Services Director and Candace Callahan, Director of Stuart Main Street about the financial support and services provided to the City. Programs and events were reviewed and, as a private non-profit, quarterly reports are provided to the City.

Commissioners commented on the reasons the City has supported the SMS and the benefits/positive effects on the community.

Mike McCarty, Design Planning Chair of the SMS Board came forward and commented on the thousands of hours spent to give back to the community and all funds go back into the downtown.

Reports and forms requested by Commissioner Collins will be provided to Commissioner Collins by Jim Chrulski as requested.

PUBLIC COMMENT:

1. Ann MacMillan - Harbor Point Dr.; Supports Stuart Main Street.
2. Katie Crews - Racquet Club Dr.; Supports Stuart Main Street.
3. Cherie White - (Did not speak.)
4. Tom Whittington - Woodcrete Dr.; Commented on how different the Flagler Center is compared to the past and supports Stuart Main Street
5. Mark Brechbill - Osceola St.; Main Streets are typically supported in one-thirds and the organization is not supposed to fund itself, supports SMS.
6. Helen McBride - Flamingo Ave.; Feels SMS is a benefit to the City.
7. Bob Massey - Commented in support of SMS. (No Comment Card submitted)

Bruner made a motion, Collins seconded.

Bruner amended the motion, Collins withdrew his Second.

McDonald passed the gavel and seconded the amended Motion.

6:30 PM MOTION: Approve for 1-year

AMENDED MOTION: Approve for 3-years (lease starting January 1, 2023)

MOVED BY: Becky Bruner

SECONDED BY: Christopher Collins

VOTE: 3/1, Clarke absent

YES: Becky Bruner, Troy McDonald, Campbell Rich

NO: Christopher Collins

16. STUART BOAT SHOW ROAD CLOSURE (RC):

RESOLUTION No. 112-2022: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A ROAD CLOSURE FOR THE 49TH ANNUAL STUART BOAT SHOW FROM TUESDAY, JANUARY 10TH 5:00 AM THROUGH MONDAY, JANUARY 16TH AT 5:00 PM 2023, ALONG NW DIXIE HIGHWAY (FORMERLY SR 707) FROM ALBANY AVENUE SOUTH OF THE OLD ROOSEVELT BRIDGE TO FERN STREET AT THE FEC RR CROSSING, NORTH OF THE ST. LUCIE RIVER DRAW BRIDGE, SUBJECT TO FLORIDA DEPARTMENT OF TRANSPORTATION APPROVAL; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager Dyess briefly provided the details of this Resolution and noted that no complaints were received from the traffic from last year's boat show road closure.

PUBLIC COMMENT:

1. Tom Whittington - President of Boat Club, commented on the work they have done to make all run smoothly.

6:40 PM MOTION: Approve
MOVED BY: Christopher Collins
SECONDED BY: Becky Bruner
Motion approved unanimously.

17. IMPACT FEE UPDATE STUDY (RC)

RESOLUTION No. 105-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ACCEPTING THE CONSULTANT STUDY OF UPDATED IMPACT FEE OPTIONS AS CONTRACTED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Consultant, Mr. Ben Griffin of TischlerBise presented on Impact Fees.

7:14 PM MOTION: Approve Motion to accept using the maximum allowable.
MOVED BY: Christopher Collins
SECONDED BY: Becky Bruner
Motion approved unanimously.

18. ADOPT MPO VISION ZERO PLAN

RESOLUTION No. 109-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING THE MARTIN MPO VISION ZERO PLAN TO ELIMINATE ALL TRAFFIC RELATED FATALITIES AND SERIOUS INJURIES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mayor McDonald reported on the Resolution as a Board Member of the MPO, describing the goal for safer roads.

PUBLIC COMMENT:

1. Curt Meulengracht - McPherson St.; Commented on traffic and speeders, lost a child

years ago in a car accident and feels something has to be done to cut down on the speeding traffic.

7:18 PM MOTION: Approve
MOVED BY: Christopher Collins
SECONDED BY: Becky Bruner
Motion approved unanimously.

**** 7:24 PM RECESS MEETING ****
**** 7:32 PM RESUME MEETING ****

ORDINANCE SECOND READING

- 19. MAJOR AMENDMENT TO THE JOHNSON HONDA CPUD (QUASI-JUDICIAL)(RC):**

ORDINANCE No. 2504-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A MAJOR AMENDMENT TO A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) FOR A 5.83-ACRE PROPERTY OWNED BY TURQUOISE MOON LLC AT 4200 SOUTHEAST FEDERAL HIGHWAY; SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING MODIFICATIONS TO THE EXISTING JOHNSON HONDA AUTOMOBILE DEALERSHIP CPUD TO ADD TWO (2) PARKING GARAGES; PROVIDING FOR CERTAIN DEVELOPMENT DOCUMENTS AND CONDITIONS; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Three sworn; 2 City Staff and 1 Applicant; Jodi Nentwick, Bonnie Landry, and Applicant.

7:34 PM MOTION: Approve
MOVED BY: Christopher Collins
SECONDED BY: Becky Bruner
Motion approved unanimously.

- 20. MAJOR AMENDMENT TO THE WALLACE VOLVO PUD (QUASI-JUDICIAL)(RC):**

ORDINANCE No. 2505-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A MAJOR AMENDMENT TO A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) FOR A 5.78-ACRE PROPERTY OWNED BY WALLACE J 2755 SE FEDERAL HIGHWAY, LLC AT 2675 SE FEDERAL HIGHWAY; SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING MODIFICATIONS TO THE EXISTING PUD TO DEMOLISH ONE SINGLE-STORY BUILDING AND ADD A SHOWROOM WITH OFFICE AND GENERAL STORAGE SPACE, AUTO REPAIR BAYS, OUTDOOR DISPLAY AREA, AND ADDITIONAL PARKING INCLUDING ELECTRIC VEHICLE CHARGING STATIONS; PROVIDING FOR CERTAIN DEVELOPMENT DOCUMENTS AND CONDITIONS; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN;

PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Three people sworn; Jodi Nentwick, Bonnie Landry, and Scott Montgomery, Project Engineer.

Commissioner Collins requested clarification on the Site Plan of the parking lot and noted the opportunity for a more permeable surface instead of asphalt.

Mr. Montgomery, Project Engineer, reviewed the percentage of permeable surface and it will be considered if they expand in the future.

7:41 PM MOTION: Approve
MOVED BY: Becky Bruner
SECONDED BY: Campbell Rich
Motion approved unanimously.

21. DOGSWORLD URBAN CODE CONDITIONAL USE (QUASI-JUDICIAL)(RC)
(THIS IS A SINGLE READING ITEM)

RESOLUTION No. 73-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO JUSTIN PHILLIPS, (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 400 SW 7TH STREET, CONSISTING OF APPROXIMATELY 1.62 ACRES; TO ALLOW THE USE OF KENNELS FOR DOGSWORLD; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Ten (10) people sworn; Jodi Nentwick, Bonnie Landry, and Applicant representatives. Commissioners reported their ex-parte communications for the record.

Bonnie Landry, Planning Consultant, presented the DogsWorld Urban Code Conditional Use presentation.

Terry McCarthy, on behalf of the applicant, briefly talked about his experience in being familiar with the running of a shelter and introduced expert and contract purchaser, Justin Philips and partner, Katie Bural. Mr. Philips presented on the luxury pet resort operations and business plan.

Mr. Scott Learned, a Licensed Professional Engineer in FL from Connecticut, designs animal care facilities all over the U.S., noted the evaluations done and the dramatic changes in the field to make these facilities controlled and stress free.

Commission and applicant discussion on number of dogs allowable in particular areas, chemicals used, and the wall height/zoning.

PUBLIC COMMENT:

1. Garry Slauson - Channel Ave.; Commented on the street water that ran down his driveway and into his drain field and wonders about their runoff, would like an

investigation to be done.

2. Ellen Walden - Lee St., Dog's World customer in Jupiter and her dog is very happy, supports the service here in Stuart.
3. Courtney Caslow - Meridian Way; Dogs World customer, is very happy with their service and temperament of the dogs in their care, supports the business.
4. Kristina Maralino - Triste Way; Her pet is like her child and supports DogsWorld coming to Stuart.
5. Taylor Casey - Did not speak
6. Sheri Quinn - Dune Dr.; Supports Dogs World in Stuart and still drives to Jupiter to use their facility; in support of project.
7. Thomas Hornaman - Channel Ave.; Property neighbor and supports the project and requests the commission approve the project; commented on the changes to the area and encouraged the Commission to embrace the change.
8. Curt Mealeagracht - McPherson St.; Commented on the Urban Code District and there is no way to police this once approved, great idea, just not right area; also up against The Creek District.
9. Tracy Barnes - Channel Ave.; On behalf of her and her sister; commented on points made in her letter submitted to the Commission on noise decibels concerning dogs barking and increased traffic; opposes project in that location.

Commissioner discussion included peak hours and traffic study,

No motion made by the Commission.

22. FIRE STATION 3 - REZONE FROM CPUD TO PUBLIC (QUASI-JUDICIAL)(RC):

ORDINANCE No. 2506-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP; TO REZONE A 1.78-ACRE PARCEL; LOCATED AT 3473 NW GREEN RIVER PARKWAY; BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; FROM COMMERCIAL PLANNED UNIT DEVELOPMENT "CPUD" TO PUBLIC; DEVELOPING THE SITE FOR A NEW FIRE STATION WITH 6,523 SQ FT TO SERVE THE NORTHERN PART OF THE CITY; DECLARING THE PROJECT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

9:19 PM MOTION: Approve
MOVED BY: Christopher Collins
SECONDED BY: Becky Bruner
Motion approved unanimously.

Clerk's Note: The following Items were all requested to be "Continued to Date Certain of December 12, 2022 City Commission Meeting" and approved with one Motion:
Item #23, Item #24, Item #25, Item #26, Item #27, and Item #28.

23. EAST STUART NEIGHBORHOOD - SMALL-SCALE FUTURE LAND USE MAP AMENDMENT
CONTINUED TO DATE CERTAIN DECEMBER 12, 2022 CITY COMMISSION

(THIS IS A SINGLE READING ITEM)

ORDINANCE No. 2500-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "LOW DENSITY" TO "EAST STUART" FOR 8.60 ACRES OF LAND; "OFFICE-RESIDENTIAL" TO "EAST STUART" FOR 1.93 ACRES OF LAND; "MULTI-FAMILY" TO "EAST STUART" FOR 4.50 ACRES OF LAND; "PUBLIC" TO "EAST STUART" FOR .53 ACRES OF LAND; AND "EAST STUART" TO "PUBLIC" FOR 5.16 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

- 24. THE CREEK DISTRICT - SMALL-SCALE FUTURE LAND USE AMENDMENT
CONTINUED TO DATE CERTAIN DECEMBER 12, 2022 CITY COMMISSION**
(THIS IS A SINGLE READING ITEM)

ORDINANCE No. 2502-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND DESIGNATION FROM "COMMERCIAL" TO "DOWNTOWN" FOR 20.07 ACRES OF LAND AND "DOWNTOWN" TO "RECREATION" FOR .25 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE FIRST READING

- 25. EAST STUART NEIGHBORHOOD - ZONING MAP AMENDMENT
CONTINUED TO DATE CERTAIN DECEMBER 12, 2022 CITY COMMISSION**

ORDINANCE No. 2499-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "EAST STUART NEIGHBORHOOD" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

- 26. THE CREEK DISTRICT - ZONING MAP AMENDMENT
CONTINUED TO DATE CERTAIN DECEMBER 12, 2022 CITY COMMISSION**

ORDINANCE No. 2501-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "THE CREEK DISTRICT" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH THE FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

27. EAST STUART NEIGHBORHOOD - LAND DEVELOPMENT CODE AMENDMENT

CONTINUED TO DATE CERTAIN DECEMBER 12, 2022 CITY COMMISSION

ORDINANCE No. 2507-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER III SPECIAL ZONING CODES FOR THE "EAST STUART NEIGHBORHOOD"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

28. THE CREEK DISTRICT - LAND DEVELOPMENT CODE AMENDMENT
CONTINUED TO DATE CERTAIN DECEMBER 12, 2022 CITY COMMISSION

ORDINANCE No. 2498-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY; CHAPTER III SPECIAL ZONING CODES FOR "THE CREEK DISTRICT"; AND CHAPTER XII DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

9:21 PM MOTION: Motion to continue items read by Mr. Mortell to December 12, 2022 CCM. (Items include: Ordinance No.'s 2500-2022, 2502-2022, 2499-2022, 2501-2022, 2507-2022, and 2498-2022.)

MOVED BY: Campbell Rich

SECONDED BY: Christopher Collins

Motion approved unanimously.

Per Commissioner Collins request after recess, a review of Item #8 was held.

Item #8 - Easement with FERC, L.L.C. for Underground Utilities. This item was approved under Consent Calendar and Attorney Mortell read the Resolution title for the record. City Manager Dyess provided the background and a brief discussion of negotiation options and the potential outcomes. No action was taken.

DISCUSSION AND DELIBERATION

ADJOURNMENT

9:31 PM

Mary R. Kindel, City Clerk

Troy McDonald, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 12th day of December, 2022.**