



City of Stuart

Development Department

121 SW Flagler Avenue ~ Stuart, FL 34994

Phone: (772) 288-5326 ~ Fax: 288-5388

September 17, 2019

Department of Economic Opportunity
Att. Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC160
Tallahassee, Florida 32399

Dear Mr. Eubanks,

On Monday, January 14, 2019, the City Commission adopted Ordinance No. 2387-2019 (DEO# 18-03ESR) for the Watermark RPUD - Large Scale Future Land Use Map Change (FLUM) and Rezoning at second reading to allow 284 attached multi-family dwelling units on 11.34 acre property located on the east side of US Highway One, west of the Windemere Residential Planned Unit Development (PUD) and south of the Pineapple Commons Commercial PUD. The amendment to the Future Land use map change requires the local government to transmit this adopted amendment to your agency for your records.

No changes were made to the transmittal ordinance between first and second reading, other than the change from 2018 to 2019 in the ordinance title.

This package includes: (1 paper copy and 2 CD ROMS in PDF)

- Ordinance 2387-2019 (Adopted by the Stuart City Commission on January 14, 2019)
- Adopted land use and zoning maps
- Minutes from the January 14, 2019 City Commission meeting

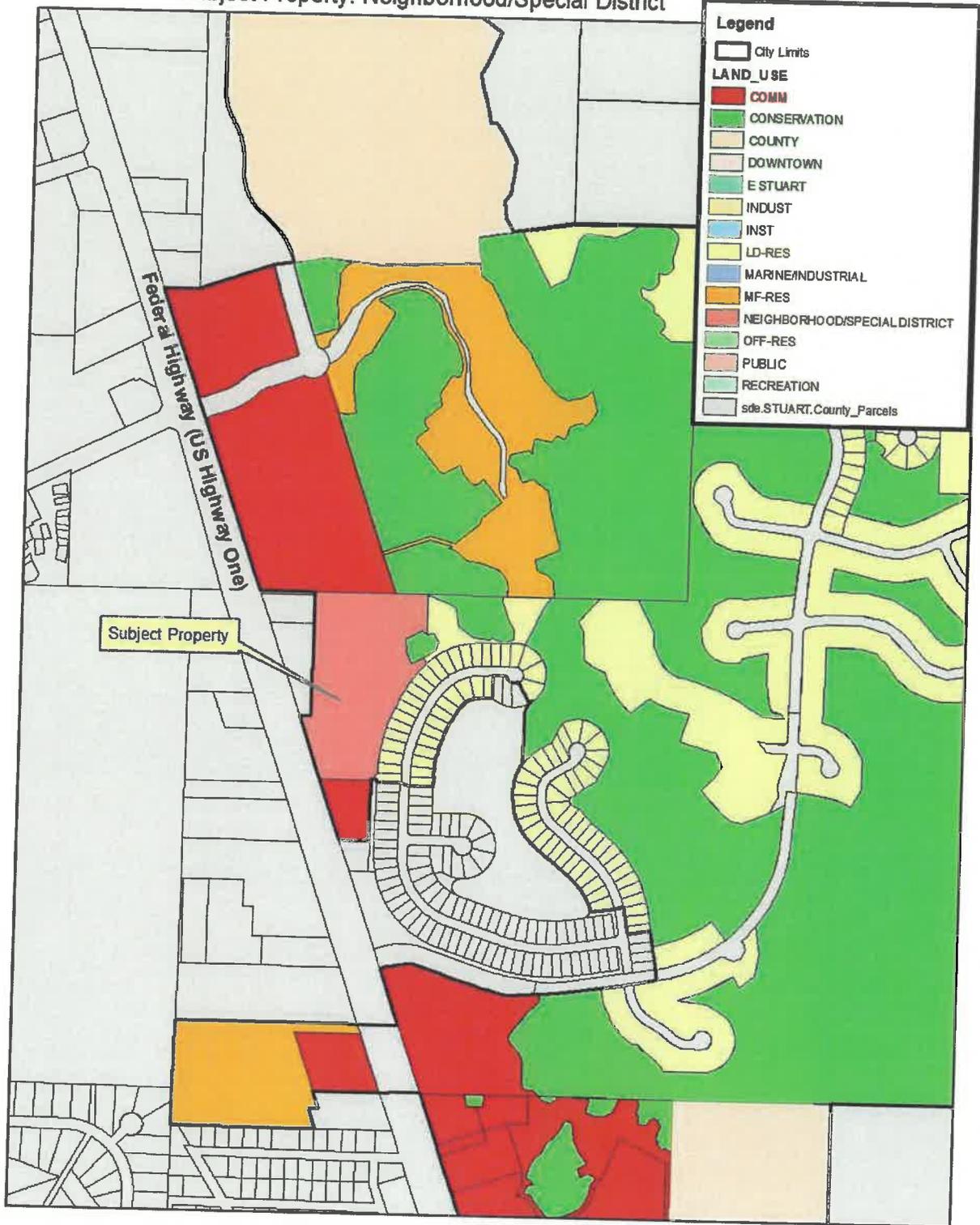
Regards,

Stephen Mayer

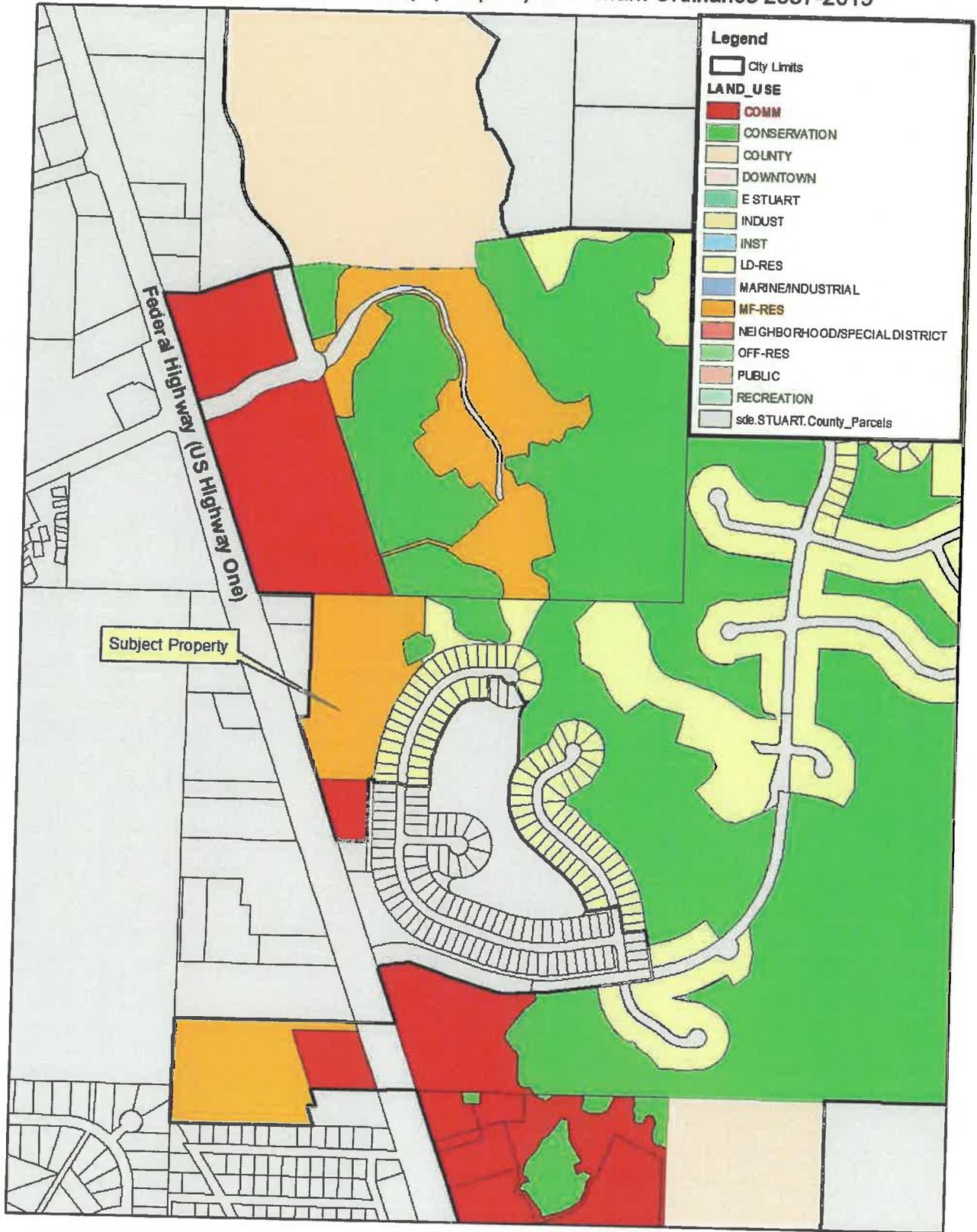
Stephen Mayer
Senior Planner
City of Stuart
121 SW Flagler Ave.
Stuart, Florida 34994

(Full packet including executed ordinance) www.cityofstuart.us/index.php/en/deo-transmittals

Future Land Use Map (EXISTING)
Subject Property: Neighborhood/Special District



Future Land Use Map (Adopted) Watermark Ordinance 2387-2019





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

ORDINANCE NUMBER 2387-2019

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 "NEIGHBORHOOD SPECIAL DISTRICT" TO "MULTI-FAMILY DENSITY RESIDENTIAL" FOR A 11.34 ACRE PARCEL ANNEXED BY ORDINANCE NO. 1548-97, OWNED BY CDAME, LLC, A FLORIDA LIMITED LIABILITY COMPANY (THE "OWNER"), FORMERLY REFERED TO AS PHASE VIII MULTI-FAMILY ON THE PINEAPPLE PLANTATION MASTER PLAN AND LOCATED ON THE EAST SIDE OF US HIGHWAY ONE, WEST OF THE WINDEMERE RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), AND SOUTH OF THE PINEAPPLE COMMONS COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD), SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE WATERMARK RESIDENTIAL RPUD CONSISTING OF TWO HUNDRED EIGHTY FOUR (284) MULTI-FAMILY UNITS WITHIN TWO FOUR-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTANT 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, AND FOR OTHER PURPOSES.

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by Thompson Thrift Development, Inc. (the “Developer” or “Applicant”), for a 11.34 acre parcel of land located on the east side of US Highway One, west of the Windemere RPUD, and south of the Pineapple Commons; and

WHEREAS, the City of Stuart has determined the need to change the Future Land Use and Land Development zoning district for said lands; and

WHEREAS, the City Commission, has considered the Applicant's voluntary request for land use designations, a refresh of the existing RPUD, and has also considered the recommendation of the City staff.

WHEREAS, the Applicant has 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 approval of the refreshed RPUD; and

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

WHEREAS, the RPUD development will be in harmony with surrounding properties and their anticipated development;

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 including a timetable for construction of amenities 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 the development conditions, and shall supplement any earlier approvals:

- a. **The Site Plan, Sheet SP1, prepared by Bowman Consulting, dated 01.03.19.**
- b. **The ALTA/NSPS Land Title Survey – Watermark Apartments, by Bowman Consulting, Inc, dated 06.13.18**
- c. **The Landscape Plans, Sheet CV, LA-1 thru LA-10, prepared by Lucido & Associates, dated 10.08.18**
- d. **Architectural Floor Plans and Elevations, by Studio M, dated 10.12.18**
- e. **Preserve Area Management Plan to be provided prior to second reading**

SECTION 2: The Future Land Use designation in the City's Comprehensive Land Use Plan shall be established as "Multi-Family Density Residential". This ordinance may not become effective until 31 days after adoption. If challenged within 30 days after adoption, this ordinance may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted large scale land use amendment is in compliance as defined in s. 163.3184(1)(b).

SECTION 4: The Land Development (Zoning) District designation on the City of Stuart Official Zoning Map shall be established as "RPUD" Residential Planned Unit Development subject to the appeal period stated in Section 2, above.

SECTION 5: 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 6: 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 7: 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 8: This ordinance shall be effective upon the last of the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owner. However, the Future Land Use and Zoning Designations granted herein shall not be effective until thirty one (31) days after adoption, and as otherwise provided by law.

SECTION 9: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

Ordinance 2387-2019 – Watermark Residential RPUD - Large Scale FLUM & RPUD Site Plan

Passed on first reading the 13th day of November, 2018.

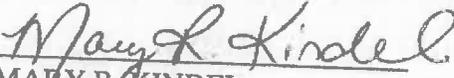
Commissioner CLARKE offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner GLASS LEIGHTON and upon being put to a roll call vote, the vote was as follows:

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

YES	NO	ABSENT	ABSTAIN
Y			
Y			
Y			
	N		
Y			

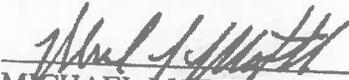
ADOPTED this 14th day of January, 2019.

ATTEST:


MARY R. KINDEL
CITY CLERK


REBECCA S. BRUNER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:


MICHAEL MORTELL
CITY ATTORNEY



ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN A RESIDENTIAL PLANNED UNIT DEVELOPMENT AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS RESIDENTIAL 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.

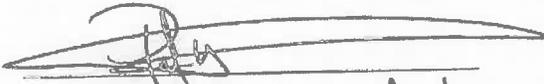
IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

CDAME, LLC


Print Name: Matthew King

By: Fred Quabile
Title: President


Print Name: Phil C. Winterorn

OWNERS ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this 21 day

of March, 2019, by Frank GIACOBBE



Sandra Frazier
Notary Public, State of Florida

My Commission Expires: 11/29/2022

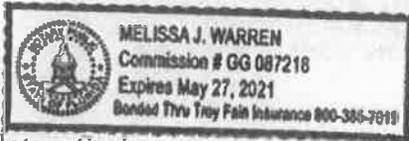
Notary Seal

Personally Known OR Produced Identification

Type of Identification Produced _____

CITY'S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this 22 day
of March, 2019, by REBECCA S. BRUNER, MAYOR, and Mary R. Kindel,
City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.



Melissa J. Warren
Notary Public, State of Florida

My Commission Expires: _____

Notary Seal

Personally Known OR Produced Identification

Type of Identification Produced _____

EXHIBIT A – LEGAL DESCRIPTION

LEGAL DESCRIPTION (FROM TITLE COMMITMENT)

A PARCEL OF LAND LYING IN A PORTION OF LOTS 5, 6 AND 8, BLOCK 2, AS SHOWN ON PLAT NO. 1, ST. LUCIE GARDENS, AS RECORDED IN PLAT BOOK 1, PAGE 35, PUBLIC RECORDS OF ST. LUCIE (NOW MARTIN) COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN AT THE NORTHWEST CORNER OF SAID LOT 6, BLOCK 2; PROCEED SOUTH 89 DEGREES 39 MINUTES 09 SECONDS EAST ALONG THE NORTH LINE OF SAID LOTS 5 AND 6, A DISTANCE OF 800.02 FEET TO A POINT ON A LINE 600 FEET EAST OF AND PARALLEL WITH AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID LOT 6; THENCE SOUTH 00 DEGREES 45 MINUTES 42 SECONDS WEST, DEPARTING SAID NORTH LINE AND ALONG SAID PARALLEL LINE, A DISTANCE OF 388.72 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 475.00 FEET, THE RADIUS POINT OF WHICH BEARS SOUTH 43 DEGREES 10 MINUTES 43 SECONDS EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11 DEGREES 00 MINUTES 01 SECONDS, A DISTANCE OF 91.19 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1020.87 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 25 DEGREES 19 MINUTES 17 SECONDS, A DISTANCE OF 451.16 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 625.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10 DEGREES 07 MINUTES 08 SECONDS, A DISTANCE OF 110.38 FEET; THENCE SOUTH 40 DEGREES 05 MINUTES 05 SECONDS WEST, A DISTANCE OF 47.17 FEET TO THE NORTHWEST CORNER OF PINEAPPLE PLANTATION PLAT NO. 1, AS RECORDED AT PLAT BOOK 14, PAGE 4, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE NORTH 89 DEGREES 36 MINUTES 25 SECONDS WEST, A DISTANCE OF 275.25 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 1 (S.R. 5) (A 200.00 FOOT RIGHT-OF-WAY); THENCE NORTH 18 DEGREES 41 MINUTES 27 SECONDS WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 349.23 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 8; THENCE SOUTH 89 DEGREES 36 MINUTES 25 SECONDS EAST ALONG THE SAID NORTHERLY LINE OF SAID LOT 8 AND DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 80.16 FEET TO A POINT ON SAID WESTERLY LINE OF LOT 6; THENCE NORTH 00 DEGREES 45 MINUTES 42 SECONDS EAST, ALONG SAID WESTERLY LINE OF LOT 6 A DISTANCE OF 885.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 493967 SQUARE FEET OR 11.34 ACRES, MORE OR LESS.

EXHIBIT B – LOCATION MAP

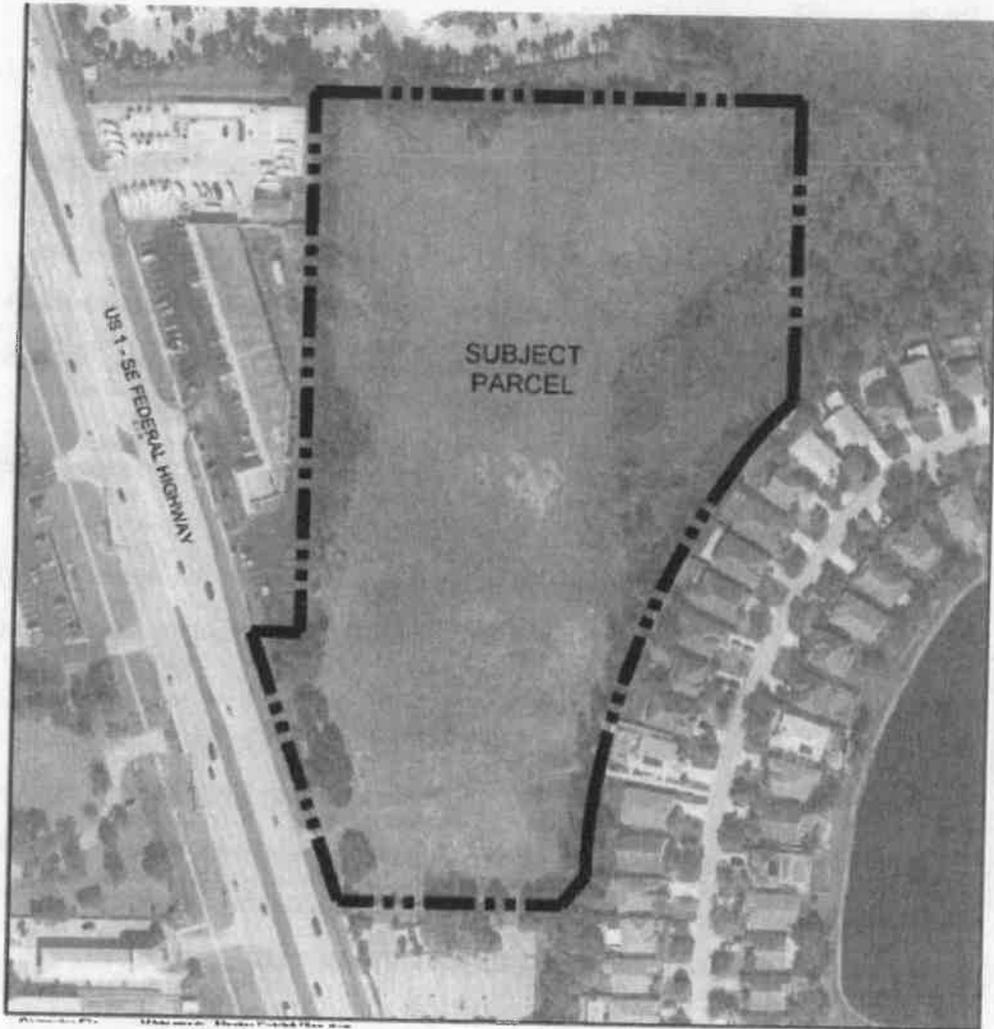


EXHIBIT C – DEVELOPMENT CONDITIONS

Approved Plans and Documents

2. The Watermark Apartments RPUD project and use thereof shall comply with the following drawings:
 - a. **The Site Plan, Sheet SP1, prepared by Bowman Consulting, dated 01.03.19.**
 - b. **The ALTA/NSPS Land Title Survey – Watermark Apartments, by Bowman Consulting, Inc, dated 06.13.18**
 - c. **The Landscape Plans, Sheet CV, LA-1 thru LA-10, prepared by Lucido & Associates, dated 10.08.18**
 - d. **Architectural Floor Plans and Elevations, by Studio M, dated 10.12.18**
 - e. **Preserve Area Management Plan to be provided prior to second reading**
3. Any modifications to the Master RPUD 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 a public hearing.
4. Development of the Subject Property as a RPUD shall include an impervious area of no more than (80%) impervious coverage for the RPUD. The maximum building height within the RPUD shall be 4 stories or 45'. Height shall be measured from the lowest permissible finished first floor elevation to the surface of a flat roof and to the eave of a pitched roof.
5. Notwithstanding any presence of premium parking consisting of carports/garages, at no time shall any parking space be deemed unavailable for use due to an absence of a lease agreement for the use of said space.

6. Garages shall not be used for storage to the exclusion of a vehicle.
7. Prior to certificate of occupancy of the last building, the Applicant shall provide an engineer's written confirmation attesting that the RPUD's storm water system is in place and functioning in compliance with all approved plans and specifications.
8. Erosion and dust control measures to be implemented during construction shall be provided on the civil plans and submitted during site permit review. Water trucks shall be provided by the Applicant as necessary during construction in order to reduce dust generated on-site.

Landscaping

9. The common areas including the projects cabana and pool area shall be provided with landscaping with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition.
10. The City's landscape inspector shall have the opportunity to inspect all trees and/or landscape material with the landscape architect prior to installation. The Developer shall bear the pass-thru fee for landscape consulting fees not to exceed \$1,500.00.
11. A Landscape maintenance plan, executed in accordance with the Land Development Regulations, shall be submitted to the Development Department and approved prior to the issuance of a certificate of occupancy.

Required Open Space and Native Preserve Area

12. Open Space. Not less than 33% of the RPUD shall be open space as depicted on the Site Plan by Bowman Consulting as described in Exhibit C. Required open space may include native vegetation areas and landscape buffers between the CPUD and adjacent property; however, other required landscaping shall not count towards the open space requirement.

13. Excluding wetlands defined by the South Florida Water Management District, not less than 20% of the total development site shall remain as undeveloped and recreated native vegetation area. The required native vegetation area may include open space areas and the landscape buffer between the site and adjacent property; however, other required landscaping shall not count towards the native vegetation requirement. The location of the native vegetation shall comply with the project's landscape plan, by Lucido and Associates. The project shall adhere to the Preserve area mitigation and monitoring plan (to be prepared prior to second reading). The Owner and Developer shall adhere to the provisions of the Wetland Maintenance and Monitoring Plan and permanent maintenance will be the responsibility of the HOA.

Tree Mitigation

14. The project shall comply with Section 5.05.02 of the "Tree replacement and protection requirements" of the City's Land Development Code.

Prior to Issuance of Site Permits

15. Applicant shall provide a digital boundary survey and civil plan prior to the issuance of a site permit.
16. Civil Plans shall be reviewed and approved by all applicable City departments prior to the issuance of a site permit.
17. All regulatory agency permits, including but not limited to the South Florida Water Management District and Army Corp of Engineers, shall be obtained by the Applicant and copies provided to the City prior to the commencement of any development activities.
18. All development activities shall comply with the City's Concurrency Management System prior to the issuance of building permits.

Development and Construction

19. The Developer shall construct the project's infrastructure in one phase.
20. The Developer shall install landscaping (and gate if proposed) at the development's entry as shown on the landscaping plan prior to the first certificate of occupancy for a residential unit. The entry gate (if applicable) shall be made operational prior to issuance of a certificate of occupancy.
21. The property owner shall provide easements for licensed television services. Preserve area easements shall be dedicated to state agencies with the City of Stuart having the option to have those same easements.
22. In the event of any conflict in the provisions of Exhibit 'C' Development Conditions and attached exhibits, Exhibit 'C' shall prevail.
23. Prior to certificate of occupancy of the last building, the Applicant shall provide an engineer's written confirmation attesting that the RPUD's storm water system is in place and functioning in compliance with all approved plans and specifications.
24. Erosion and dust control measures to be implemented during construction shall be provided on the civil plans and submitted during site permit review. Water trucks shall be provided by the Applicant as necessary during construction in order to reduce dust generated on-site.
25. All utility improvements constructed by the Developer within Florida's Department of Transportation's right-of-way, shall be constructed in a manner and form acceptable to the FDOT. The Developer shall grant any such utility easements necessary for this site as may be required by the FDOT.
26. The projects turn lanes as described on the project's Master Site plan shall be completed before the first Certificate of Occupancy from either building is issued.
27. The project's storm water facilities, specifically the Native Planting schemes at the detention/retention areas/wetlands, will be designed using Low Impact Development

“(LID) Techniques as described in the University of Florida IFSA Extension publication LID Practices: Integration Wetlands and Enhancing Storm water Basins”. The proposed dry retention shall have native grasses along the edges of the retention area are to become part of the stormwater filtration process.

28. Temporary or freestanding storage units are prohibited on the property once construction is complete.
29. Site work including but not limited to land preparation, lake excavation, clearing and grading, drainage and water, sewer and irrigation lines, and private road shall be reviewed approved by the city’s public works department and the city’s engineering consultant prior to permitting.

Signage

30. All signs throughout the PUD must have a consistent treatment, as to number, location, size, height, lighting, and materials with a unified theme throughout the Planned Unit Development. The development’s monument sign shall adhere to the Proposed Entry Monument Sign drawing by Lucido and Associates.

HOA Requirements & Future Amendments

31. Owner shall not subject the Property to any condominium conversion and neither shall any portion of the Property be converted to units for sale in connection with a condominium conversion nor shall the title to any such units be transferred to any party other than being held as a single parcel for the purposes of apartment rental unless owner amends this restriction through a minor PUD amendment process.
32. Any applications to amend this Ordinance shall be made by the owner of the property which is the subject matter of the amendment.
33. The City may elect at any time to assign a future land use designation of “Conservation” to the PUD’s preserve areas without objection by the owners. Further,

the City may at its discretion, take over maintenance of the preserve area(s) without objection by the owners.

34. Timetable for development shall be as follows:

Site and building permit application deemed sufficient for permit review under city codes and standards.	September 1, 2019
Final Certificate of Occupancy for all site and building improvements.	January 1, 2023

Allowable Uses

35. The following uses shall be permitted:

- a. Multi-Family Residential
- b. Home Occupations in accordance with the City's Land Development Code.



City of Stuart

Melissa "Joy" Warren | Assistant to the City Clerk
121 SW Flagler Ave. Stuart FL 34994
Phone: 772.288.3599

April 1, 2019

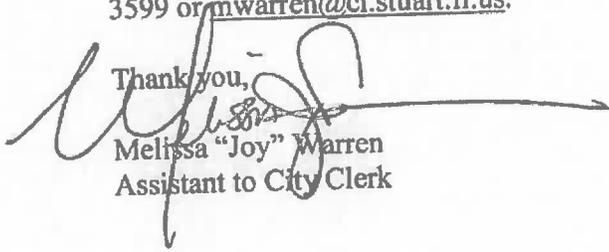
Clerk of the Circuit Court
Attn: Recording
P.O. Box 9016
Stuart, FL 34995

RE: PLEASE RECORD:
ORDINANCE No. 2387-2019- WATERMARK RESIDENTIAL RPUD

Please record the above named documents into the public records of Martin County. Upon completion, please return the original document back to my attention via inter-office mail.

Should you have any questions or comments, please do not hesitate to contact me at 772-288-3599 or mwarren@ci.stuart.fl.us.

Thank you,


Melissa "Joy" Warren
Assistant to City Clerk

Enc.



**CITY OF STUART
CITY COMMISSION**
January 14, 2019



Project Name: Watermark Residential - FLU & Zoning Change	Property Owner: Frank Giacobbe
Project No.: Z18020007	Applicant/Petitioner: Jesse Houghtalen, Watermark Residential
Ordinance No: 2387-2018 (Second Reading)	Agent/Representative: Steven Garrett, Lucido and Associates
	Case Planner: Stephen Mayer
Location: East of US 1 and West of Windemere RPUD PCN: 29-37-41-004-002-00050-0	





PROJECT SUMMARY		
Property Size (area)		11.34 Acres
Present Use		Undeveloped
Subject Property Land Use		Neighborhood Special District
Adjacent FLU	<i>North</i>	Commercial
	<i>South</i>	Commercial
	<i>East</i>	Low Density Residential
	<i>West</i>	Martin County Commercial General
Subject Property Zoning		
Adjacent Zoning	<i>North</i>	B-2
	<i>South</i>	B-2
	<i>East</i>	RPUD (Pineapple Plantation)
	<i>West</i>	Martin County B-1
Proposed Land Use Designation &		Multi-family Density Residential (RPUD)

Zoning District	
Proposed Use	284 Multi-family Apartments
City Approvals	Building Department – No comments at this time. Fire Department – No comments at this time Public Works – No comments at this time Police Department – No comments at this time
Brief Explanation	The intent of this application is to request a Large scale future land use map (FLUM) amendment to the City’s Comprehensive Plan Residential Planned Unit Development assigning a “Multi-Family Density Residential” land use, and a Zoning designation of (RPUD) on the City of Stuart Zoning Map. The subject property is 11.34 acres. The property is currently undeveloped. The intent of this project is to allow 284 attached multi-family apartment homes to be developed on the site while upgrading the drainage and enhancing the upland and wetland preserve.
Staff Recommendation: Staff recommends approval for the Future Land Use designation to Multi-Family Density Residential and zoning district designation to RPUD (Residential Planned Unit Development).	

STAFF REPORT AND RECOMMENDATION

I. LEGAL NOTICE REQUIREMENTS

A. Requirements for Application – The applications for the Future Land Use amendment to Multi-Family Density Residential, and zoning district designation to RPUD have been noticed in accordance with the requirements set forth in Sections 11.01.02, 11.01.09, and 11.02.00 of the Land Development Regulations.

B. Site Posting Date: 10-10-2018

C. Mail Notice Postmark: 10-10-2018 to property owners within 300 feet

D. Publication Date: 10 days prior to Second Reading

II. LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND ZONING MAP AMENDMENT ORDINANCE NO. 2371-2018

III. APPLICATION: Dated July 18, 2018

IV. HISTORY OF THE SITE

The 11.34 acre parcel formerly referred to as Phase VIII Multi Family on the Pineapple Plantation Master Plan, is currently designated with the Neighborhood Special District Future land use and has a Residential Planned Unit Development (RPUD) zoning district. The applicant is requesting to amend the RPUD zoning district to establish a new site plan and is requesting to change the Future Land Use designation to Multi-Family Residential in order to remove the requirement for mixed use that is a requirement of the Neighborhood Special District.

V. STAFF ANALYSIS

A. Site and Area Characteristics (Attachment C)

The subject property consists of one parcel totaling 11.34 acres in size, located east of US Highway 1 and west of the Windemere RPUD.

B. Project Description

A Master Site Plan has been laid out with 284 multi-family apartments within two four-story apartment buildings strategically placed to avoid the South Florida Water Management District wetland taking while enhancing the existing upland preserve. The site includes a gated entry with generous landscaping.

C. Future Land Use Amendment and Comprehensive Plan Consistency Review

A review of the Comprehensive Plan finds that the proposed list of uses that are consistent with the proposed Multi Density Future Land Designation:

This land-use category is allows for two or more dwelling units per building. Includes single family detached, duplex/townhomes, apartments, condominiums, patio homes, garden homes, and adult living facilities, foster homes and zero-lot-line residences. Also public facilities, churches day care centers, schools and electric distribution substations are allowed.

Section 11.01.05G.1 (large-Scale Comprehensive Plan Amendments) of the Land Development Code requires the Local Planning Agency to consider the following criteria prior to making an advisory recommendation to the City Commission:

1. *The existing land use pattern;*

The existing land use pattern along US Highway One is almost exclusively commercial. However, this site will only access US Highway One in a narrow section and will be separated from the highway by a commercial strip plaza. This property serves as an adequate transition between the Highway, the commercial plaza and the single-family residential adjacent and to the east of the property.

2. *The possible creation of an isolated land use classification unrelated to adjacent and nearby classifications;*

The demand for residential uses for this area has been verified by the applicant and is a justification for the application of a density bonus.

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

The intended use of the subject property or other uses permitted in the multi-family density land use classification and the RPUD zoning district would not encourage the type and intensity of development that would result in overtaxing of schools, utilities, or streets. The applicant has applied for an achieved a concurrency letter from the Martin County School Board.

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

The type and intensity of development that is feasible is not anticipated to overload the City's system when the site was hooked up to Martin County Utilities.

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

All development to the site would be required to comply with applicable stormwater management requirements of Martin County with input from the South Florida Water Management District and the Army Core of Engineers.

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

There are no issues in this regard.

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

The county/city has shown a trend toward development of residential uses and the need for multi-family housing.

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

The type and intensity of development that would be feasible on the subject property would not create an adverse impact to nearby neighborhoods. The site is buffered from abutting neighborhoods to the east with preserve and to the south, north and west is surrounded by commercial or highway.

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

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

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

The change in land use designation from special district to residential would likely result in an increase in property values in the adjacent area by allowing for properties to be developed with similar use and newer product.

The impact of the proposed amendment upon improvement or development of adjacent property in accordance with existing regulations;

The change in land use designation from Special District to Multifamily would not impact adjacent properties to improve or develop in accordance with existing regulations.

11. *The existence of other adequate sites in the City for the proposed land use classifications already permitting such use.*

The goal of the proposed amendment is to allow for uses that are in demand. The subject location is ideal for apartment housing.

D. Rezoning and Land Development Code Consistency Review

The application has been reviewed for consistency with the City's LDC. Approval of the rezoning to RPUD would allow for attached housing to be constructed at the site.

E. Technical Review by Other Agencies

The City Building, Public Works, Fire, and Police Departments have reviewed the applications and have offered their comments. See attachment B to this staff report. Each department will provide specific comments at final site approval for permitting.

The applicant will be responsible to meet all federal, state and local permitting and environmental standards. Further, the applicant will also be required to demonstrate full compliance at all times.

VI. LOCAL PLANNING AGENCY BOARD RECOMMENDATION

The Local Planning Agency shall make an advisory recommendation to the City Commission as to the need and justification for the change and as to the relationship of the proposed change to the goals, objectives and policies of the Comprehensive Plan and of the Land Development Code. The Local Planning Agency shall include in its recommendation to the City Commission any information which it deems is relevant to issues relating to the proposed amendment.

The LPA had the following concerns:

- Automobile stacking distance seems very short from the privacy gate off US-1
- What are the parking rates based on, please provide justification/examples
- What is the response from the Department of Transportation regarding the traffic turning movements on US-1
- What is the reason for the construction methodology to be wood frame – although meeting the building standards per Steve Nicolosi, wood frame is not required by the building code.
- Could the project support workforce housing?
- Wetlands – Must delineate and confirm that the wetland in north/east corner is taken into account. And the reason why there is a differentiation in the SFWMD and Army Corp wetland designations.
- Confirmation of wetland maintenance agreement PAMP arrangements etc.
- Provide better explanation of the bus stops and pedestrian connections.
- Setback to single family from multi-family – ensure that the code is being applied
- Provide bike racks.
- Provide a condition of approval that will limit the condo conversion by deed restriction.

The applicant is prepared to answer these concerns in their presentation.

Public Comment: Staff has received public comment from Brian DiVentura, a resident in the vicinity of the development. His email has been made an attachment to this agenda. The specific concern addressed in the email is the transfer of development rights from environmentally sensitive lands. However, the applicant is not requesting a transfer of density. The net density was established by removing the acres of all wetlands. The number of units that are permitted without a density bonus is 156 dwelling units, and that

is based on 15 dwelling units per acre and the definition of net density, which lesses out all of the dedicated wetlands (15 x 10.43 acres.) The requested 284 units or 27.23 dwelling units per acre (284 units 284/10.43 = 27.23). Therefore, the applicant is requesting a net density of 27.23 dwelling units per acre. The requirement for this density bonus is to allow an additional 128 units.

VII. TRANSMITTAL OF LARGE SCALE COMPREHENSIVE PLAN AMENDMENT

Pursuant to Florida Statute, the City transmitted the large scale comprehensive plan amendment to the Department of Economic Development (DEO) and 9 other agencies on November 27, 2018. During the review period, staff has received one public comment (attached as Public Comment 2 in agenda), and responses from most of the agencies that were given the opportunity to provide comments. In particular, the comments from FDOT and DEO are noted by staff and will be addressed in follow up workshops on transit and in the EAR update to the Comprehensive Plan. Specifically, staff will add the planning horizon to the Future Land Use Element, and staff will plan a systematic coordination with Martin County on bus stop locations. It is noted that there is a bus stop location at the property adjacent and to the north of the subject property. The public comment regarding wetland mitigation has been addressed by legal review in the past public hearings. Staff will be prepared to provide additional response on the January 14th second reading.

VIII. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)

Staff has determined that the proposed future land use amendment to Multi-Family Density Residential and rezoning to RPUD is consistent with the goals, objectives and policies of the Comprehensive Plan and the regulations in the Land Development Code. Staff offers no objection to the requests.

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD January 14, 2019
AT 5:30 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Rebecca S. Bruner
Vice Mayor Eula R. Clarke
Commissioner Kelli Glass Leighton
Commissioner Merritt Matheson
Commissioner Mike Meier

ADMINISTRATIVE

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

ROLL CALL

 **5:30 PM Present: Mayor Bruner, Vice Mayor Clarke, Commissioner Glass Leighton, Commissioner Matheson, Commissioner Meier.**

PLEDGE OF ALLEGIANCE

1. Arts Moment - Song by Semere Lewis

Miss Semere Lewis, 13, sang "Colors of the Wind".

PROCLAMATIONS

2. Reverend Martin Luther King, Jr. Celebration - January 21, 2019

Thelma Washington accepted the Proclamation and announced information on the upcoming Martin Luther King Day celebration.

3. Arbor Day - January 18, 2019

Christi Li Roberts came forward with several members of the Garden Club of Stuart to accept the Proclamation and announced the various activities and achievements of the Garden Club.

PRESENTATIONS

4. 2018 Employee of the Year and Runner Up

Employee of the Year Runner Up – Chalimar Gregory

Employee of the Year – Milton Leggett, Deputy Public Works Director

5. US-1 at SW Joan Jefferson Way Planning Study presented by The Florida Department of Transportation.

Tim Voelker, City Engineer and Assistant Public Works Director introduced Mr. Ron Kareiva, P.E. and Alexander Estrada, P.E. of Florida Department of Transportation (FDOT) to present on the planning study.

Beth Beltran of Martin County MPO came forward to clarify the history of the roadway and stated that the MPO will address their upcoming priorities in June, and funding may come from state and federal funds through FDOT to this area. MPO will only approve after consensus on a local level.

There was a brief discussion among FDOT, MPO and the Commission.

6. Palm City Road Update

Tim Voelker, City Engineer and Assistant Public Works Director presented on Palm City Road.

Commissioner's addressed this issue and inquired how long it would take if on the MPO prioritized list. Beth Beltran of Martin County MPO came forward stating that such funding would take approximately 5 years. Attorney Mortell clarified that Palm City Road is a County Road and the City has an Interlocal Agreement that allows the City to regulate the road.

Public Comment:

- 1) Steve Cucci, Palm City Road. – Windjammer resident and President of the Board. Supports the pedestrian activated crosswalks.**
- 2) Sally Franklin, Manor Drive – Thanked the City for fixing the sidewalks and addressing this problem.**
- 3) Greg Fedele, North Carolina Drive – Supports the pedestrian activated crosswalks and inquired how the City can coordinate with the County to address the number of signs posted and beautification of the roadway.**
- 4) Amanda Dutton, N. Riverpoint – Suggests the upcoming changes address the traffic issue on Palm City Rd. rather than sidewalks/crosswalks.**

- 5) **Stephanie Loyd, South Carolina Drive – Supports the pedestrian activated crosswalks for safety, she personally suffered a loss of a loved one being hit by a car.**

 **6:44 PM Motion: For the City to move forward with the proposal [for four additional raised crosswalks] and also examine the possibility of making them pedestrian activated, and that the City find funding for that.**

Motion by: Commissioner Matheson

Seconded by: Commissioner Meier

Motion passed unanimously.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton

- **Hopeful that 2019 will bring progress for our river with the new Governor and what he has been working to put in place and that legislature will follow suit.**

Vice Mayor Clarke

- **Announced the upcoming MLK events coming up on Jan. 20th at 4 p.m. at St. Monica's Episcopal Church, and on Jan. 21, 2019, an event at Memorial Park.**
- **Commented that on tonight's agenda, she is relinquishing her position to Mayor Bruner on the Arts Council. Thanked the Council and in addition, hopes that all enjoy the Arts Moments that she brings to the Commission Meetings.**

Commissioner Meier

- **Feels that 2019 brings a growing sense of cooperation and collaboration between the City and County.**
- **Commented on the toxic algae issue and reminds all of the funding for environmental causes set up as a river defense fund. Met with Jim Sullivan, Director of Harbor Branch and provided each commissioner with a Harbor Branch Executive Summary, The Florida Center for Coastal and Human Health. Would like the Commission to consider signing a letter of support to help in their efforts, especially leading up to legislative session.**
- **Announced that he received a call from ORCA (Ocean Research Conservation Agency) about a potential grant from Impact 100. Interested in partnering with the City of Stuart to be a location for their living shoreline and buffer zone project. Meier is requesting a letter from the City stating our support and interest in the project.**

 **7:09 PM Motion: We direct staff to write that letter.**

Motion by: Commissioner Meier

Seconded by: Commissioner Glass Leighton

Motion passed unanimously.

Commissioner Matheson

- **Commented on Amendment 4 which restores the voting rights to non-violent felons and discovered that within 24 hours of that change, 23 new voter registrations came in to Martin County Supervisor of Elections.**

- Thanked Commissioner Glass Leighton for her leadership in initiating a letter that called for the resignations of members of the South Florida Water Management District.

 7:12 PM Motion: Motion that we write a letter thanking our new Governor as well as thanking our local congressman who had his ear during the transition and he chairs their environmental transition team, and I believe without Congressman Mast's support, Governor DeSantis may not have done this. And unfortunately, we may not have gotten the invite to their press release, so perhaps in the future our letter could say they might welcome us there, but I would make a motion that we thank both Congressman Mast and Governor DeSantis for their decisive action.

Motion by: Commissioner Matheson

Seconded by: Commissioner Glass Leighton

Motion passed unanimously.

Vice Mayor Clarke announced that she will not be present at the Legislative Session tomorrow.

Mayor Bruner

- Congratulated Governor DeSantis.

COMMENTS BY CITY MANAGER

 7:14 PM City Manager Dyess

- Commented on the change in the agenda format, stating that there is now a legible title for each item so items can be more easily identified at a glance. The Mayor will read the title and the City Attorney will read the legal language.
- Living Shoreline has been discussed by staff and the Commission will hear more about it on January 22nd at the Special Commission Meeting, is in support of finding a funding source for the project.
- Referred the next issue to Attorney Mortell.

Attorney Mortell reported that the City is being defended by Attorney Jeff Blake and has been presented a settlement proposal in which he would need to review with the Commissioners. He requested a Shade Meeting be scheduled for January 22, 2019 at 12:30 p.m. All agreed.

APPROVAL OF AGENDA

 7:17 PM Motion: Move approval of Agenda.

Motion by: Commissioner Glass Leighton

Seconded by: Vice Mayor Clarke

Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max)

No Comments.

CONSENT CALENDAR

7. Approval of 11/26/2018 CCM and 12/10/2018 CCM Minutes.
8. APPOINTMENT OF CITY OF STUART MAGISTRATES:
RESOLUTION No. 01-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPOINTING PAUL J. NICOLETTI AS A MAGISTRATE FOR THE CITY AND THOMAS J. BAIRD AS CODE ENFORCEMENT MAGISTRATE ALTERNATE; AND PROVIDING FOR AN EFFECTIVE DATE.
9. SELECTION OF NEW EMPLOYEE HEALTH CENTER:
RESOLUTION No. 02-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A MEDICAL SERVICE AGREEMENT WITH EMPLOYEE WELLNESS OF STUART, FLORIDA, BASED ON THEIR SUBMITTAL RESPONSE TO AN RFP; MEDICAL SERVICE AGREEMENT WILL ALLOW CITY EMPLOYEES AND THEIR DEPENDENTS AND ELIGIBLE RETIREES TO PARTICIPATE IN EMPLOYEE HEALTH CENTER SERVICES, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
10. ROCK'N RIVERWALK AGREEMENT:
RESOLUTION No. 04-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AMENDED AGREEMENT BETWEEN THE CITY OF STUART AND STUART MAIN STREET ASSOCIATION, INC. AND DOWNTOWN BUSINESS ASSOCIATION OF STUART, INC.; GRANTING A NON-EXCLUSIVE LICENSE TO OPERATE A WEEKLY OUTDOOR CONCERT SERIES ON THE RIVERWALK STAGE AND ADJACENT PARK AREA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
11. FACSIMILE SIGNATURE BANK:
RESOLUTION No. 05-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE USE OF FACSIMILE SIGNATURES ON CHECKS ISSUED BY THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
12. AUTHORIZE LOAN AGREEMENT FOR PFC WATER TREATMENT:
RESOLUTION No. 06-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RELATED TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE MAYOR TO EXECUTE THE DRINKING WATER FACILITIES STATE REVOLVING FUND LOAN AGREEMENT FOR THE CONSTRUCTION OF THE PER-FLUORINATED CHEMICAL TREATMENT SYSTEM PROJECT; DESIGNATING AUTHORIZED REPRESENTATIVES; ESTABLISHING PLEDGED REVENUES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; SEVERABILITY; AND EFFECTIVE DATE.

13. AWARD GRINDER PUMP BID:
RESOLUTION No. 07-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF ITB #2019-101, GRINDER PUMP SYSTEM TO THE LOWEST, RESPONSIVE, RESPONSIBLE BIDDER AT THE UNIT PRICE TOTAL OF \$280,975.00 TO PSI TECHNOLOGIES, INC. OF RIVIERA BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

14. AWARD RFQL 2019-301, ENGINEERING SERVICES:
RESOLUTION No. 08-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AWARD RFQL #2019-301, PROFESSIONAL ENGINEERING SERVICES FOR 1.0 MGD REVERSE OSMOSIS WATER TREATMENT PLANT TO THE TOP RANKED FIRM, KIMLEY-HORN OF WEST PALM BEACH, FLORIDA, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

15. TERMINATION OF INTERLOCAL AGREEMENT:
RESOLUTION No. 09-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO TERMINATE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF STUART AND MARTIN COUNTY REGARDING CONVEYANCE OF RIGHT OF WAY, AND FOR CONSTRUCTION OF WILLOUGHBY BOULEVARD EXTENSION; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

 **7:18 PM Motion: Move approval of Consent**
Motion by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

COMMISSION ACTION

16. ARTS COUNCIL APPOINTMENT:
APPOINT MAYOR BRUNER TO THE ARTS COUNCIL IN PLACE OF PREVIOUS VOTE OF VICE MAYOR CLARKE.

 **7:19 PM Motion: Motion that we approve Item #16.**
Motion by: Vice Mayor Clarke
Seconded by: Commissioner Glass Leighton
Motion passed unanimously.

17. RFP #2018-204 CONE OF SILENCE:
REMOVAL OF THE CONE OF SILENCE COVERING RFP #2018-204, THE SALE AND DEVELOPMENT OF TWO CITY-OWNED PARCELS KNOWN AS THE 7.27-ACRE SAILFISH BALLFIELD AND ADJOINING 3.48-ACRE CITY GARAGE PROPERTIES.

Attorney Mortell reported on the purpose of the "cone of silence" and why it is being requested to be removed.

 **7:21 PM Motion: I'll move that we adopt the recommended action and move to end the cone of silence from RFP#2018-204.**

Motion by: Commissioner Glass Leighton

Seconded by: Commissioner Matheson

Motion passed unanimously.

**18. NEGOTIATE SALE OF STUART TRAILER TOWN:
RESOLUTION No. 10-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A REAL ESTATE SALE AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

Attorney Mortell reviewed Resolution No. 10-2019.

 **7:26 PM Motion: Move approval of Resolution No. 10-2019.**

Motion by: Commissioner Glass Leighton

Seconded by: Commissioner Matheson

Abstain: Commissioner Meier

Motion passed.

ORDINANCE FIRST READING

ORDINANCE SECOND READING

**19. SECOND READING OF WATERMARK RPUD (QUASI-JUDICIAL):
ORDINANCE No. 2387-2019; 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 "NEIGHBORHOOD SPECIAL DISTRICT" TO "MULTI-FAMILY DENSITY RESIDENTIAL" FOR A 11.34 ACRE PARCEL ANNEXED AND FORMERLY REFERED TO AS PHASE VIII MULTI-FAMILY ON THE PINEAPPLE PLANTATION MASTER PLAN AND LOCATED ON THE EAST SIDE OF US HIGHWAY ONE, WEST OF THE WINDEMERE RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), AND SOUTH OF THE PINEAPPLE COMMONS COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD), SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE WATERMARK RESIDENTIAL RPUD CONSISTING OF TWO HUNDRED EIGHTY FOUR (284) MULTI-FAMILY UNITS WITHIN TWO FOUR-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT.**

Quasi-Judicial

Sworn – 6 people; Kevin Freeman and Stephen Mayer of the City of Stuart, Steve Garrett of Lucido and Associates, Jesse Houghtalen of Watermark LLC, Chris Sopotnick of Ecological Consultants of Florida, and Howard Ehram of Bowman Consulting.

Stephen Mayer presented on the changes made to the Watermark Residential RPUD.

 **7:38 PM Motion: Move that Ordinance No. 2387-2019 be approved as recommended by staff.**

Motion by: Vice Mayor Clarke

Seconded by: Commissioner Glass Leighton

Motion passed 4/1.

Bruner	YES
Clarke	YES
Glass Leighton	YES
Matheson	NO
Meier	YES

20. SECOND READING OF FRAZIER CREEK TOWNHOMES RPUD (QUASI-JUDICIAL): ORDINANCE No. 2395-2019; 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 RPUD "RESIDENTIAL PLANNED UNIT DEVELOPMENT" TO THREE PARCELS OF LAND TOTALING 0.565 ACRES, OWNED BY FRAZIER CREEK LLC, FRAZIER CREEK TWO LLC, GARY L. HUFNAGEL AND KAROL HUFNAGEL, LOCATED AT 513, 517, AND 521 S.W. OCEAN BLVD., BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "TOWNHOMES AT FRAZIER CREEK" RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF TWO MULTI-FAMILY BUILDINGS WITH FOUR UNITS EACH IN THE URBAN WATERFRONT ZONING DISTRICT; ALLOWING BOTH BUILDINGS TO BE CONSTRUCTED WITH LESS THAN THE REQUIRED 10 FOOT SIDE SETBACK; PROVIDING FOR APPROVAL OF A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMETABLE OF DEVELOPMENT, 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.

 **7:43 PM Motion: Move that at Second Reading, approval of Ordinance No. 2395-2019.**

Motion by: Vice Mayor Clarke

Seconded by: Commissioner Meier

Motion passed unanimously.

Vice Mayor Clarke commented on what a nice job all did at the Police Chief Ceremony.

DISCUSSION AND DELIBERATION

 **7:45 PM ADJOURNMENT**

Mary R. Kindel, City Clerk

Rebecca S. Bruner, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 28th day of January, 2019.**