CITY OF STUART
LOCAL PLANNING AGENCY
December 12, 2019

Project Name: Haney Creek Trust Commercial Property	**Property Owner:** City of Stuart
Project No.:	**Applicant/Petitioner:** City of Stuart
Ordinance No: 2421-2020	**Agent/Representative:** City of Stuart
Location: 1001 NW Federal Highway	



PROJECT SUMMARY

Property Size (area)		1.97 Acres
Present Use		Undeveloped
Subject Property Land Use		Downtown Redevelopment
Adjacent FLU	*North*	Conservation
	South	Conservation
	East	Conservation
	West	Downtown Redevelopment
Subject Property Zoning		Commercial Planned Unit Development
Adjacent Zoning	*North*	Public
	South	Public
	East	Public
	West	Urban Highway
Proposed Use		Commercial – Bank, Pharmacy, or similar use
Brief Explanation		The intent of this application is to approve a Ordinance 2421-2020 for the 1.97 acre parcel owned by the City for purposes of leasing to a private commercial enterprise.
Staff Recommendation: Subject to the attached development conditions staff recommends approval of Ordinance 2421-2020, to refresh the CPUD and a Urban Planned Unit Development (UPUD) and extend the timeline of development.		

STAFF REPORT AND RECOMMENDATION

I. LEGAL NOTICE REQUIREMENTS (Attachment A)

A. Requirements for Application – The application for a major amendment to the CPUD has been noticed in accordance with the requirements set forth in Sections 11.01.03 and 11.02.00 of the Land Development Regulations.

B. Site Posting Date: 11-19-2019

C. Mail Notice Postmark: 11-19-2019 to property owners within 300 feet

D. Publication Date: N/A

II. HISTORY OF THE SITE

On January 22, 2007, the City Commission adopted Ordinance Number 2095-07, which approved the former "Harbour Walk Preserve Commercial Planned Unit Development" (CPUD) project on 52.93 acres. The project was never initiated and ultimately, the owner declared bankruptcy.

In July of 2011, the City of Stuart and Martin County jointly purchased 50.96 acres of the former "Harbour Walk Preserve Commercial Planned Unit Development" property for purposes of adding it to the Haney Creek Watershed Preserve. Additionally, the City exchanged for its flag lot, the 1.97-acre portion of the Harbour Walk PUD for purposes of leasing to a private commercial enterprise to generate revenues for maintenance and improvements to the expanded Haney Creek Preserve and other City-owned lands, acquisition of additional environmental lands and repayment of funds originally invested.

On December 12, 2011, the City Commission adopted Ordinance Number 2235-2011, which approved a major amendment to Ordinance Number 2095-07 to change the zoning and land use to Public and Conservation, respectively, for the 50.96 acres, while retaining the CPUD zoning and Downtown Redevelopment future land use designations on the 1.97-acre parcel. Ordinance 2235-2011 required that future development of the 1.97-acre parcel would require a major amendment to Ordinance 2095-07.

On November 25, 2013, the City Commission directed staff to prepare a major amendment to Ordinance Number 2095-07 to provide for a prototype site plan to be reviewed and approved at the administrative level to make the site more marketable to potential developers.

Staff has recently discovered that the CPUD expired on March 12, 2019. **It is the purpose of this amendment to make the site more marketable and City permit-ready for development. The City Commission would review a specific use at the time of lease assignment.**

III. STAFF ANALYSIS

A. Site and Area Characteristics (Attachment B)

The subject property consists of one undeveloped parcel totaling 1.97 acres in size located at 1001 NW Federal Highway at the east corner of U.S. 1 and North Shores Boulevard, approximately 600 feet north of Wright Boulevard.

Direction	Current Use	Zoning	Future Land Use
North	Undeveloped; Haney Creek Preserve Area	Public	Conservation
South	Undeveloped; Haney Creek Preserve Area	Public	Conservation
East	Undeveloped; Haney Creek Preserve Area	Public	Conservation
West	Furniture retail store, crematorium and funeral home, retail shopping center	Urban Highway	Downtown Redevelopment

B. Project Description

The subject property consists of 1.97 acres and is located at 1001 NW Federal Highway at the east corner of U.S. 1 and North Shores Boulevard, approximately 600 feet north of Wright Boulevard. The subject property has approximately 275.41 feet of frontage along U.S. 1.

The purpose of Ordinance 2275-2014 was to approve a prototype site plan and development conditions (Exhibit D and B, respectively, in Ordinance 2421-2020) to promote leasing of the site to a private commercial enterprise. This Ordinance keeps the conditions of the prior CPUD intact.

Exhibit B of Ordinance 2421-2020 includes potential acceptable uses such as restaurants, veterinarian offices, retail sales, etc. A list of prohibited uses is also included. Additionally, proposed development conditions include submittal of architectural plans, tree survey and mitigation, lighting plan, and landscape plan during site plan review.

It is the purpose of this amendment to make the site more marketable and City permit-ready for development. The City Commission would review a specific use at the time of lease assignment.

C. Comprehensive Plan Consistency Review

A review of the Comprehensive Plan finds that the application is consistent with the applicable objectives and policies of the plan.

Element I: Future Land Use **Objective A.3. Environmentally Sensitive Issues** Environmentally sensitive natural resources shall be protected including native vegetative communities, listed wildlife species and associated habitat. Development shall be directed away from resource. Impacts shall be compensated for or minimized.	The protection of native vegetative communities is deemed to be satisfied through the preservation of the Haney Creek Preserve. Additionally, a listed species survey, tree survey and mitigation plan, and a 100% native landscaping requirement are included in the development conditions of Ord. 2421-2020. Revenues generated from leasing of the subject property are to assist in the operation and maintenance costs of the Haney Creek Preserve. There are no wetlands on the subject property and a 55-foot buffer for the off-site wetland is indicated on the conceptual plans.
Element I: Future Land Use **Objective A.7. Future Land Use Categories**	The subject property has a Future Land Use designation of Downtown Redevelopment, which allows commercial uses. Future development would be reviewed for compliance with the density and intensity requirements of the Downtown Redevelopment FLU designation.
Element I: Future Land Use **Objective B2. Provision of facilities and services.**	Any future development would be serviced by City of Stuart water and sewer lines and is anticipated to be within adopted Level of Service standards. Additionally, impact fees would be required to offset impacts to services.
Element I: Future Land Use **Policies B3.9 and B3.10** The City shall implement architectural and site design requirements for commercial development that utilize "Crime Prevention Through Environmental Design" principles... All commercial buildings shall be designed to maintain and enhance the attractiveness of the streetscape and promote the architectural heritage of the City...	City of Stuart Police Department would review the project for CPTED principles during the site plan review process. Plans depicting architectural and site design features in accordance with LDC Section 6.05.00 (Commercial Development Standards) and Sections 3.01.04.A (Building walls), 3.01.04.B (Roofs and gutters), 3.01.04.D (Windows and doors), and 3.01.04.N (Screens) are required during the site plan review process – see Ord. 2421-2020, Exhibit B, Development Condition #12.
Element II: Transportation	The subject property is within the Traffic Concurrency Exception Area, therefore level of service standards do not apply.
Element IV: Infrastructure **Objective A4D. Drainage**	Ord. 2421-2020, Exhibit B, Development Condition #11, 23, 24, and 25 are included to ensure consistency with the applicable Comprehensive Plan objectives related to drainage and stormwater runoff.

Element IV: Infrastructure **Objective A5. Potable water and sanitary sewer**	The City of Stuart Utilities will supply water and sewer service. Water and sewer lines currently exist in the U.S. 1 right-of-way.
Element V: Conservation **Objective A.1. Surface Water Quality**	Ord. 2421-2020, Exhibit B, Development Condition #8, 9, and 10 are included to ensure consistency with the applicable Comprehensive Plan objectives related to drainage and stormwater runoff.
Element V: Conservation **Objective A.5. Natural Systems**	See discussion for Element I: Future Land Use Objective A.3. Environmentally Sensitive Issues
Element V: Conservation **Objective A.6. Wildlife Protection**	A Preliminary Wetland and Upland Permitting Investigation Report was conducted by Miller Legg Associates in 2004 for the former Harbour Walk development site. It indicated presence of gopher tortoise burrows and suitable habitat for scrub jays. A development condition is included in Ord. 2420-2020 requiring a listed species survey prior to site plan approval.

D. Land Development Code Standards

The application has been reviewed for consistency with the City's LDC.

Chapter 2 – Zoning Districts Uses Allowed, Density, Intensity	Modifications to the open space and native vegetation requirements in Section 2.07.00.E.4 may be considered by the City Commission depending on the specific future use, which is acceptable since the subject property was purchased to generate revenues for operation and maintenance of the adjacent Haney Creek Preserve.
Chapter 3 – Urban Code	The subject property is within the Community Redevelopment Area and has a Future Land Use designation of Downtown Redevelopment and a zoning district designation of Commercial Planned Unit Development. The CPUD zoning allows for variation from strict adherence to those regulations with Chapter 3.
Chapter 4 – Concurrency Determinations	The subject property is within the Traffic Concurrency Exception Area, therefore level of service standards do not apply. Nevertheless, an engineer's traffic study will be required prior to development approval to address off-site roadway improvements as needed.
Chapter 5 – Resource Protection	The protection of native vegetative communities is deemed to be satisfied through the preservation of the Haney Creek Preserve. Additionally, a listed species survey, tree survey and mitigation plan, and a 100% native landscaping requirement are included in the development conditions of Ord. 2421-2020. Revenues generated from leasing of the subject property are to assist in the operation and maintenance costs of the Haney Creek Preserve. There are no wetlands on the subject property and a 55-foot buffer for the off-site wetland is indicated on the conceptual plans.

	A Preliminary Wetland and Upland Permitting Investigation Report was conducted by Miller Legg Associates in 2004 for the former Harbour Walk development site. It indicated presence of gopher tortoise burrows and suitable habitat for scrub jays. A development condition is included in Ord. 2421-2020 requiring a listed species survey prior to site plan approval.
Chapter 6 – On-Site and Off-Site Development Standards	Proposed parking numbers and drive aisles on the conceptual plans meet the standards in Sec. 6.01.00. These standards would also be reviewed during site plan review for a specific user. Several development conditions are included for stormwater (#11, 23-25), landscaping (#15-21), commercial development (#12), lighting (#13), solid waste collection devices (#30), and signage (#28) requirements.

E. Technical Review by Other Agencies

The future developer (lessee) will be responsible to meet all federal, state and local permitting and environmental standards prior to the issuance of any building permits. Further, the future developer (lessee) will also be required to demonstrate full compliance at all times. This agenda item has been provided to Martin County for its review and comment.

IV. UPUD ORDINANCE NO. 2421-2020 (Attachment C)

V. OTHER RELEVANT DOCUMENTS

None.

VI. LOCAL PLANNING AGENCY BOARD RECOMMENDATION

TBD

VII. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)

Subject to the conditions contained in the attached Ordinance and consideration before the LPA, staff offers no objection to the proposed Ordinance 2421-2020

VIII. ATTACHMENTS

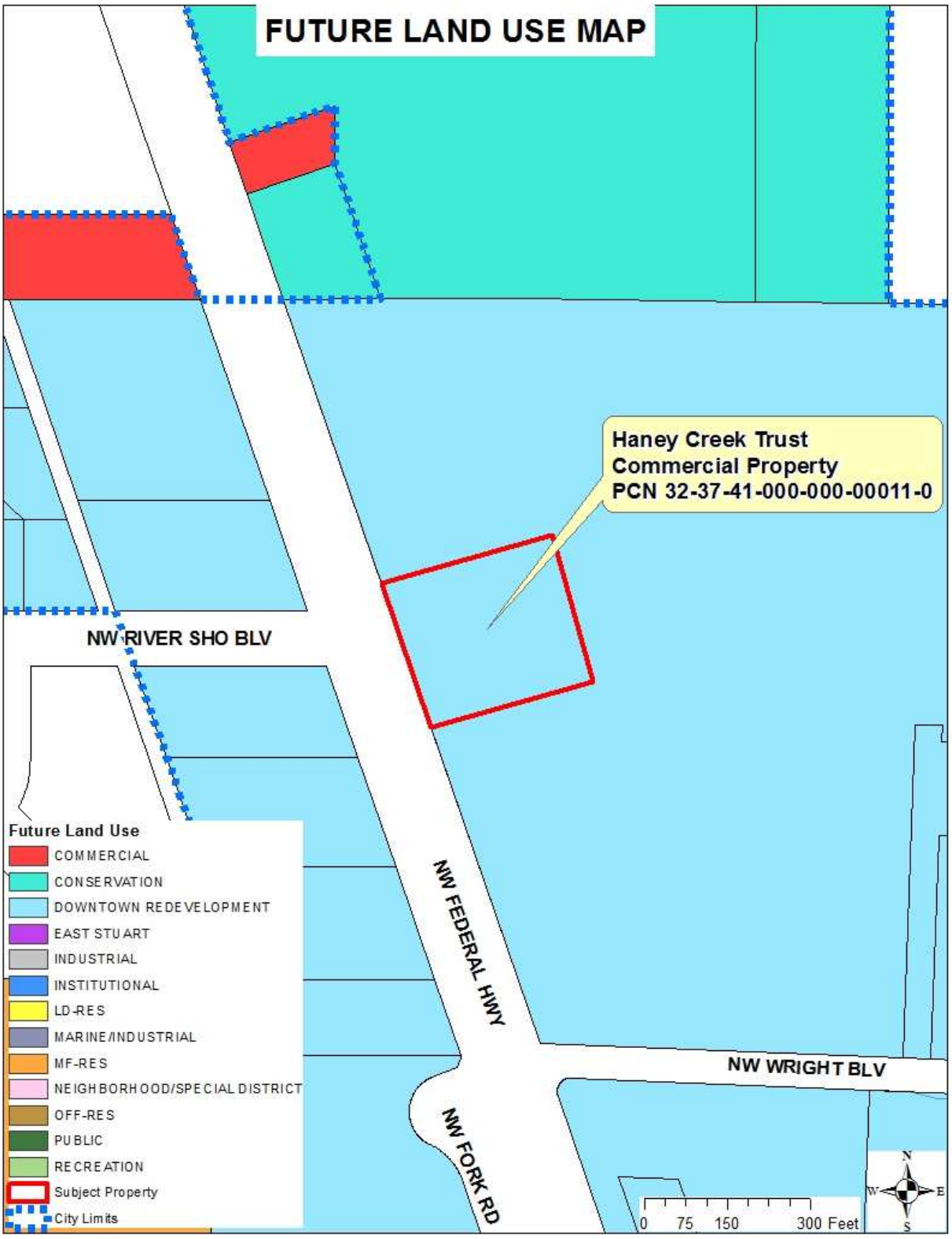
Attachment A: Site and Area Characteristics

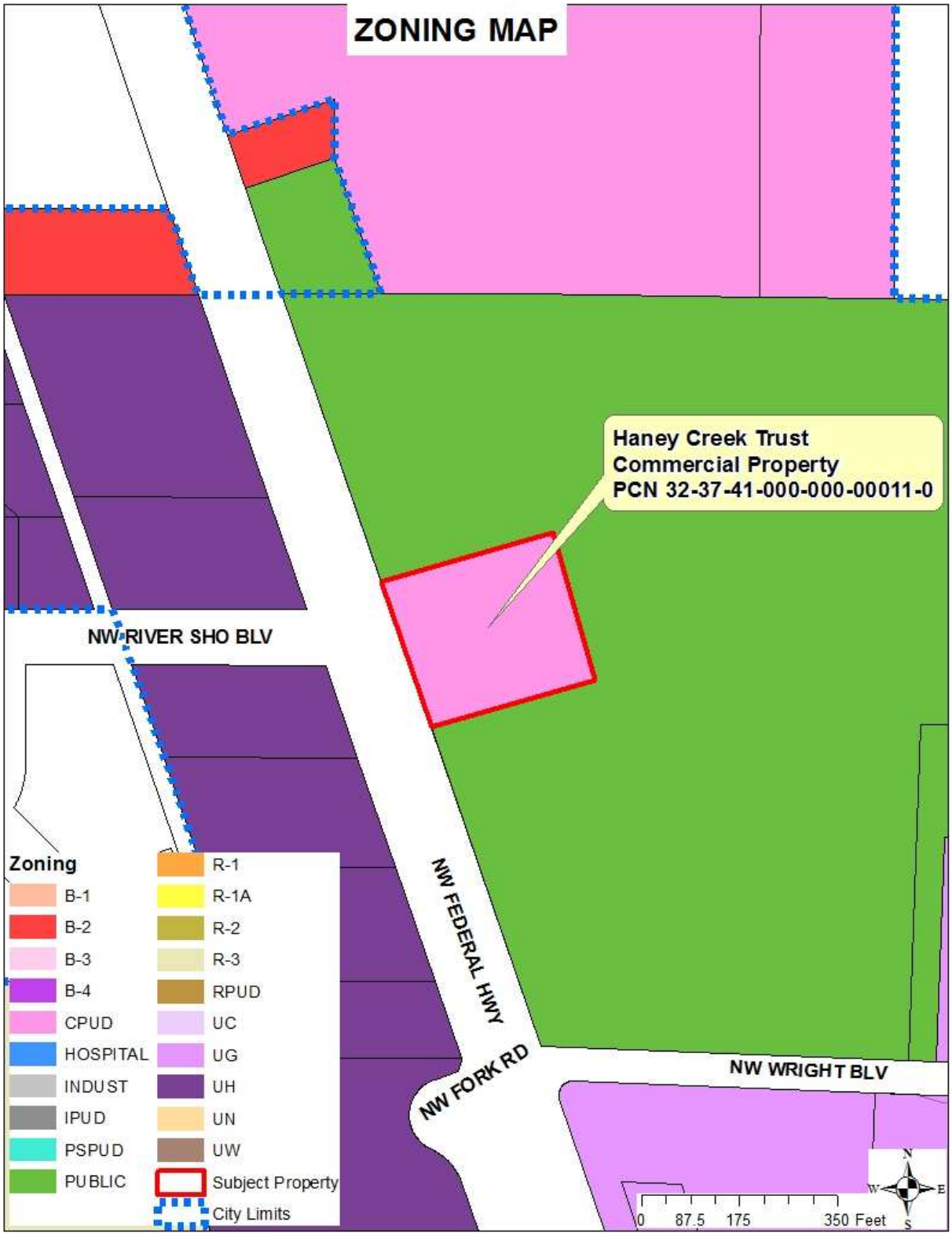
City of Stuart Future Land Use Map
City of Stuart Zoning Map

Aerial Map

Attachment B: **Proposed Ordinance 2421-2020**
Adopted (Defunct) Ordinance No. 2275-2014

ATTACHMENT B
SITE AND AREA CHARACTERISTICS




ZONING MAP
Haney Creek Trust
Commercial Property
PCN 32-37-41-000-000-00011-0
NW RIVER SHO BLV
NW FEDERAL HWY
NW FORK RD
NW WRIGHT BLV
Zoning
B-1
B-2
B-3
B-4
CPUD
HOSPITAL
INDUST
IPUD
PSPUD
PUBLIC
R-1
R-1A
R-2
R-3
RPUD
UC
UG
UH
UN
UW
Subject Property
City Limits
0 87.5 175 350 Feet
N
W
E
S


AERIAL MAP
NW 14 TH ST
NW BAKER RD
NW 13 TH TER
NW ANTOCH AVE
NW 12 TH TER
NW 11 TH TER
NW RIVER SHO BLV
NW 10 TH TER
NW FORK RD
NW FEDERAL HWY
US1 OFF@ DIXIE
NW WRIGHT BLV
NW DIXIE HWY
Haney Creek Trust
Commercial Property
PCN 32-37-41-000-000-00011-0
Subject Property
City Limits
0 125 250 500 Feet
N
W
E
S