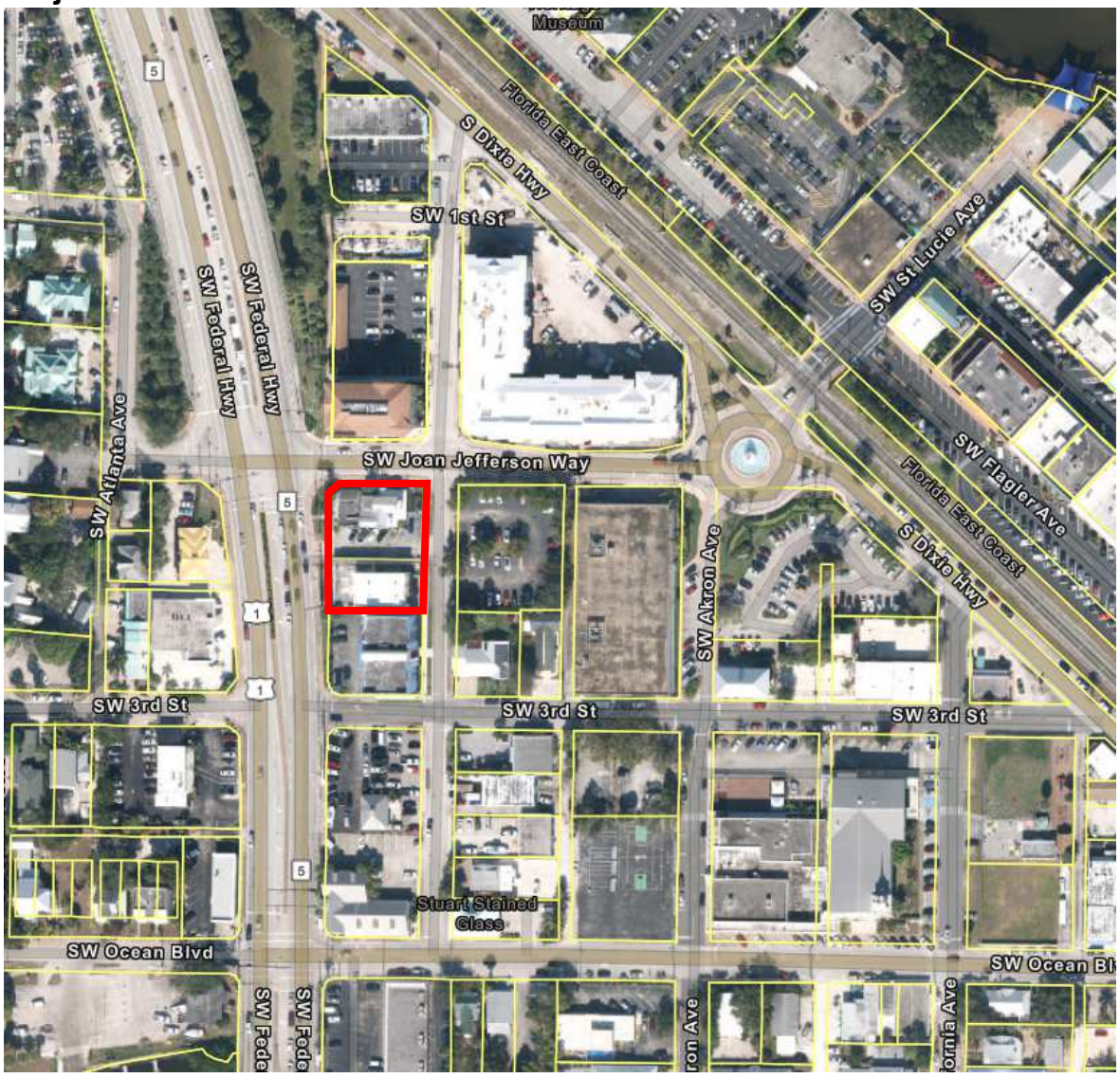
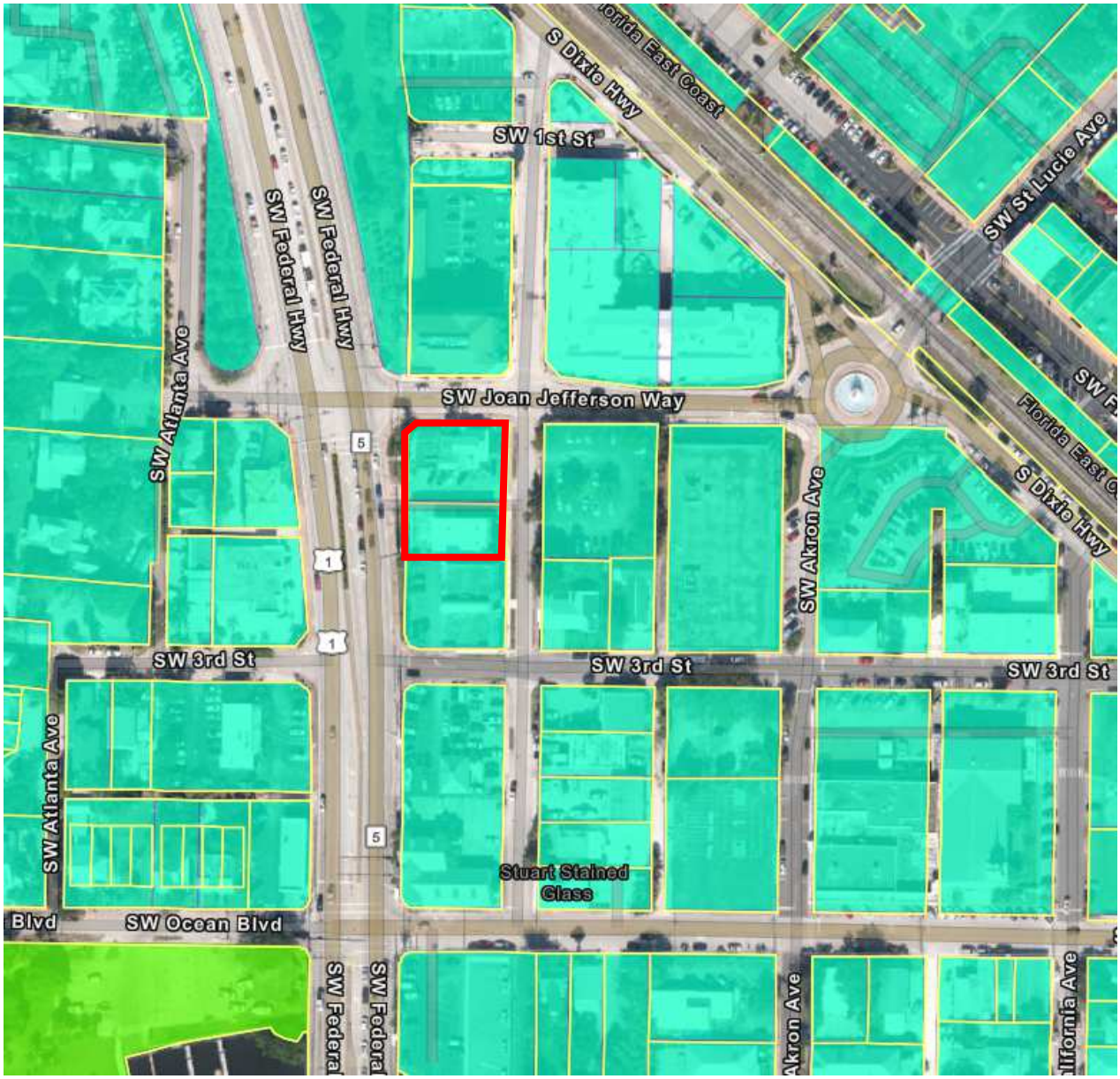
CITY OF STUART
Community Redevelopment Board
June 2, 2020

Project Name: All American Eagle Properties, LLC MUCCU	**Property Owners:** All American Eagle Properties, LLC
Project No.: Z20050004	**Applicant/Petitioner:** All American Eagle Properties, LLC
Resolution No: 64-2020	**Agent:** McCarty and Associates
	Case Planner: Stephen Mayer
Location: PCN#: 05-38-41-014-009-00010-6 and 05-38-41-014-009-00020-4	

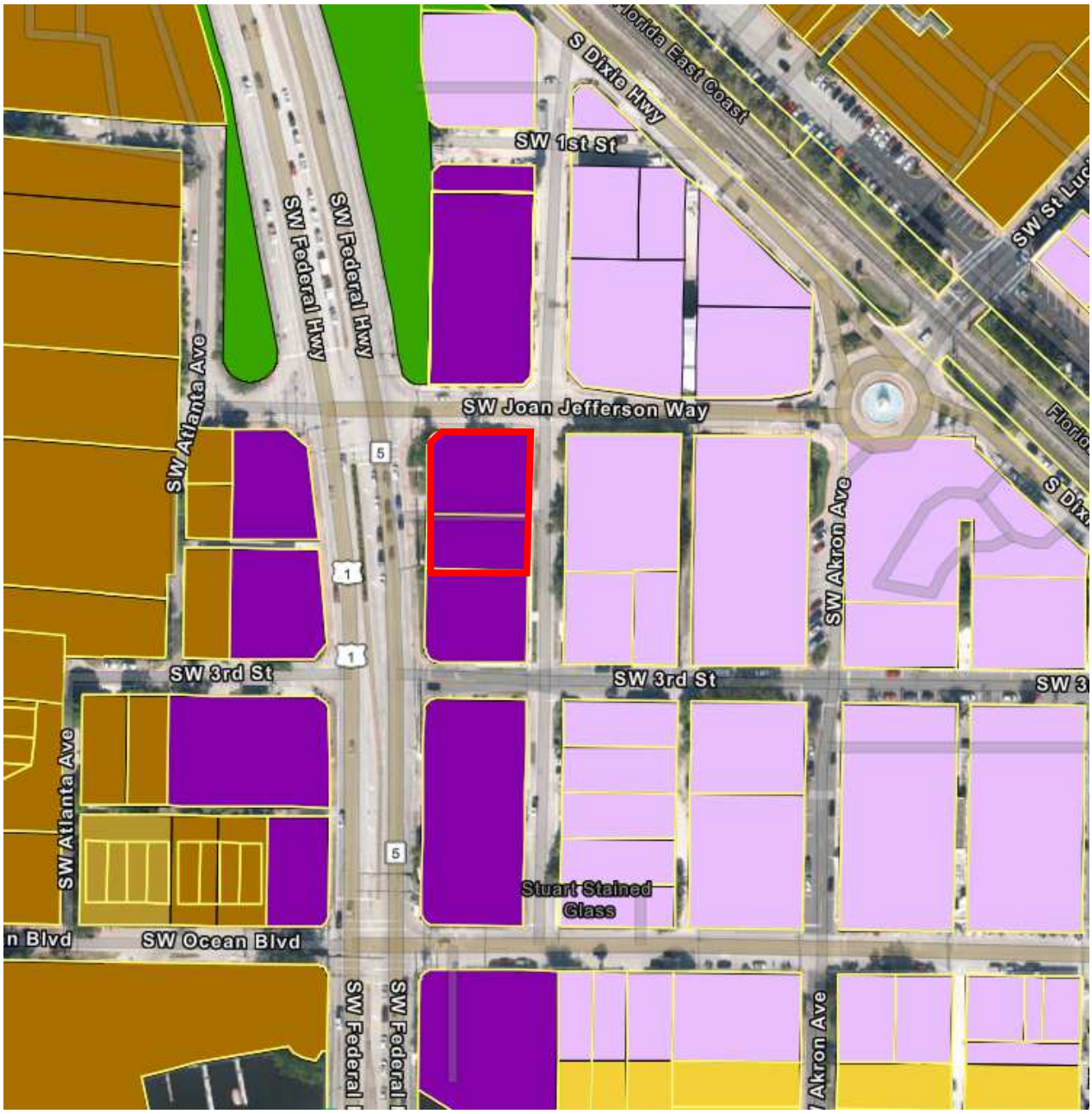
Project Location



Future Land Use Map Designations (Urban District)



Zoning District (Urban Highway)



I. APPLICATION SUMMARY

The applicant, All American Eagle Properties, LLC, is requesting a major urban code conditional use approval in accordance with Section 3.01.06 of the City of Stuart Land Development Code. The applicant is the owner of the property, located at between SW Federal Highway and SW Albany Avenue, south of SW Joan Jefferson Way, and if granted, the conditional use would allow deviations from the Urban Code, Chapter 3 of the City of Stuart's Land Development Code, to allow the construction of nine (9) new on-street parking spaces on the west side (south bound lane) of Albany Avenue.

The property has the following existing uses:

- Salon (1,300 square feet/ 5 stations)
- Residential apartments (6 studio or 1-bedroom units
- Retail (1,500 square feet)
- Restaurant (40 seats)
- Personal service (1,300 square feet)

The applicant is required to request a Major Urban Code Conditional use due to the following deviations from the Urban Code:

A. Parking Required. Section 3.01.03.F.2, which outlines the required number of parking spaces per the uses. A breakdown of the uses and the required parking is as follows:

Use	Sqft./# of units	Required parking	Provided/Proposed Parking
Salon (2/station)	1300/ 5 stations	10	
Residential apartments (1.5/unit-studios or 1 bedrooms)	6	9	
Zeke's Surf and Paddle-Retail (1/250 sqft , 1/employee)	1500	6	
Basil Garden-Restaurant Limited (1/4 seats, 1/employee)	40 seats+3 emplo	10	
Message Therapy- Palm Tree Message (1/300 sqft)	1300	4.33	
		39.33	22

Due to the above calculations, the applicant is requesting a waiver of 18 parking spaces, and requesting that 9 new on-street parking spaces be factored in the calculation. Therefore, the Major Urban Code Conditional Use relief is a net deficiency of nine spaces.

II. HISTORY

The property is currently mixed use and is located at 200 and 2005 SW Albany Avenue. The uses are historic and do not currently meet City regulations regarding parking. The existing parking on site is 22 spaces. However, the uses on the site would require 33 parking spaces. The applicant desires to approve the non-comforting uses, while providing an additional nine (9) on-street parking spaces for general public use on the west side of SW Albany Ave, between SW Joan Jefferson Way and SW 3rd Street.

III. ZONING AND LAND USE

Site Location	200 and 205 SW Albany Avenue
Parcel Size (area)	0.38 Acres
Subject Property Land Use	Downtown Redevelopment

Adjacent FLU (Future Land Use)	*North*	Downtown Redevelopment
	South	Downtown Redevelopment
	East	Downtown Redevelopment
	West	Downtown Redevelopment
Subject Property Overlay Zoning	Urban Highway	
	North	Urban Highway
	South	Urban Center
	East	Urban Highway
	West	Urban Highway
Proposed Use	Retail/Service, Residential and Restaurant	
Present Use	Retail/Service, Residential and Restaurant	
ROADWAY AND UTILITIES		
Street Functional Classifications	SW Albany is a two-way collector road	
Utilities	Existing	

IV. EXISITING CONDITIONS:



Source: googleearth

V. PUBLIC NOTIFICATION:

The legal notification requirements have been met for this request of a **Major Urban Code Conditional Use** approval. In accordance with the requirements set forth in Section 11 of the City of Stuart's Land Development Code. Documentation of the public notice is part of the record as well as on file within the City Development Department.

II. STANDARDS FOR URBAN CODE CONDITIONAL USE REVIEW: LAND DEVELOPMENT CODE – SECTION 6.00.04 and SECTION 3.01.06

The city commission may grant a major Urban Code conditional use and the city community redevelopment board may grant a minor Urban Code conditional use. The review of major and minor Urban Code conditional use applications shall follow the procedures set forth in section 11.01.10 relating to major conditional use approval review, including, but not limited to, required findings of fact, conditions, notice, public hearing, standards, burden of proof, revocation and expiration. Approval of an Urban Code conditional use shall only be granted if the applicant can demonstrate that the request is consistent with and will further the implementation of this Code, the CRA redevelopment plan, the city comprehensive plan and will measurably improve the form, function and traditional neighborhood characteristics of the Urban Code District. The procedure for a major Urban Code conditional use shall follow the procedures set forth at section 11.01.10 with respect to submittal information and required notice for a major conditional use approval. The procedure for a minor Urban Code conditional use shall follow the procedures set forth in section 11.01.10 with respect to submittal information and required notice for a major conditional use approval; however, mailed notice shall only be required to be provided to property owners which are directly abutting the subject property, and a minor Urban Code conditional use shall be granted by the city community redevelopment board.

1. Minor Urban Code conditional use. A minor Urban Code conditional use shall be required for relief from the following regulations of the Urban Code; public art, and architectural materials.

2. Major Urban Code conditional use. A major Urban Code conditional use shall be required for relief from the following regulations of the Urban Code; density, permitted uses**,** setbacks, **location *and number of parking* spaces**, location of buildings and structures, conflicts with utilities, curb cuts, historic buildings, pitched roofs in the Old Downtown District, number of stories, building height not to exceed 45 feet, parking located within a building envelope, location of a formula business, and architectural requirements. (bolded words added for emphasis)

a. Review. Upon submittal of an application for a major Urban Code conditional use the city development department shall review all applicable portions of this code and the comprehensive plan and shall make a recommendation to the community redevelopment board followed by a recommendation to the city commission. Prior to its consideration by the city commission, the city community redevelopment board shall review the application and make an advisory recommendation thereon to the city commission. A major Urban Code conditional use may be granted by the city commission upon a determination that

the design objectives set forth in this section and site qualitative design development standards set forth in section 6.00.04 have been substantially satisfied. Unless a longer timetable is granted by the community redevelopment board and city commission, a building permit shall be obtained no later than 12 months from the approval date of a major Urban Code conditional use. A certificate of occupancy shall be obtained no later than 30 months from the issuance of a building permit.

b. Design objectives. The design objectives established in this section are intended to promote superior site and building design and shall be applied by the city in the review of a development plan. In order to achieve substantial conformance with the design objectives the city commission may impose development conditions and operational requirements in order to satisfy the design objectives. A major Urban Code conditional use may be granted only when an applicant presents clear and convincing evidence that the proposed development will result in a superior product that is compatible with the surrounding neighborhood and achieves substantial conformance with the design objectives outlined in this section.

1. ***Location of Parking Spaces.*** The proposed nine (9) new on-street parking spaces are permitted to be included in the building calculations pursuant to Section 3.01.03.F.1.iii.d, which states, "Where it does not currently exist, on-street parking, constructed to city code, may be used to offset the required number of parking spaces. Such parking shall abut the proposed development. The cost of the pavement modifications shall be borne by the private development. An approved revocable permit from the City Commission is required for on-street parking.

The applicant is seeking the revocable permit to add said parking along SW Albany Avenue.

STAFF RECOMMENDS APPROVAL OF THE REVOCABLE PERMIT TO ALLOW THE NEW ON-STREET PARKING, WHICH ABUTS THE PROPERTY AND WILL BE PAID FOR BY THE PRIVATE PROPERTY OWNER. THE PARKING SPACES WILL BE FOR GENERAL PUBLIC USE.

2. ***Required Number of Parking Spaces.*** Based on the existing uses and the parking spaces provided on the site, the applicant is requesting relief from the non-conformity. The applicant will be providing nine additional on-street parking spaces, as described above, but will still fall short of the required parking spaces by nine spaces. The applicant is requesting the approval of a shared parking arrangement between the 200 and 205 SW Albany properties. The applicant's parking statement justifies the sharing of the uses due to the mix of uses (residential and commercial) as well as the mis of service, retail and restaurant uses generally having varied peak demands.

STAFF RECOMMENDS APPROVAL OF THE DEVIATION FROM CODE. ALLOWING THE EXISTING USES TO CONTINUE WITH NO OUTSTANDING NON-CONFORMING STATUS IN REGARD TO PARKING. THEREBY, THIS ALLOWS FOR POTENTIAL REDEVELOPMENT OF THE SITE SO LONG AS THE USES REMAIN THE SAME INTENSITY. STAFF NOTES THAT EXPANSION OF THE INTESNITY OF USES IS NOT RECOMMENDED WITHOUT A MORE EXTENSIVE PARKING STUDY.

The conceptual streetscape plan application has been reviewed by Fire Department and Public Works reviewers and is required to meet applicable access requirements. The reviewers provided comments that will impact the final engineered drawings but does not impact the development streetscape plan.

VIII. STAFF RECOMMENDATION

Based upon compliance with the City of Stuart's Comprehensive Plan and the pertinent standards found within Section 3.01.06 of the City of Stuart's Urban Code, staff recommends ***APPROVAL*** of the applicant's request to consider a ***MAJOR URBAN CODE CONDITIONAL USE*** to allow deviations from the Urban Code, Chapter 3 of the City of Stuart's Land Development Code, to allow the construction of nine (9) new on-street parking spaces, with the conditions attached the draft Resolution 64-2020.

Staff is recommending approval of this request with the following conditions of approval:

1. The All-American Eagle Properties MUCCU, specifically the construction of the nine additional on-street parking spaces, thereof shall comply with the following drawings:

   Albany Avenue Streetscape Plan, Sheet S1 of 1, prepared by McCarty and Associates, dated 11.19.19, revised on 2.26.20.

2. All-American Eagle Properties attest the uses located at 200 and 205 SW Albany include the following maximum intensities regarding parking:

   a. Salon (1,300 square feet/ 5 stations)
   b. Residential apartments (6 studio or 1-bedroom units)
   c. Retail (1,500 square feet)
   d. Restaurant (40 seats)
   e. Personal service (1,300 square feet)

3. The owner shall not exceed the maximum intensity of uses described above in Condition #2, which permits the inclusion of nine on-street parking spaces in the parking calculation and the deficiency of a total of nine parking spaces.

4. The nine on-street parking spaces constructed by the applicant are for general public use and may not be restricted for the use of tenants of any property. The City reserves the right to restrict and enforce temporary parking hours.

5. The project shall be completely installed and inspected by July 1, 2022, or this Major Urban Conditional Use shall be deemed void.