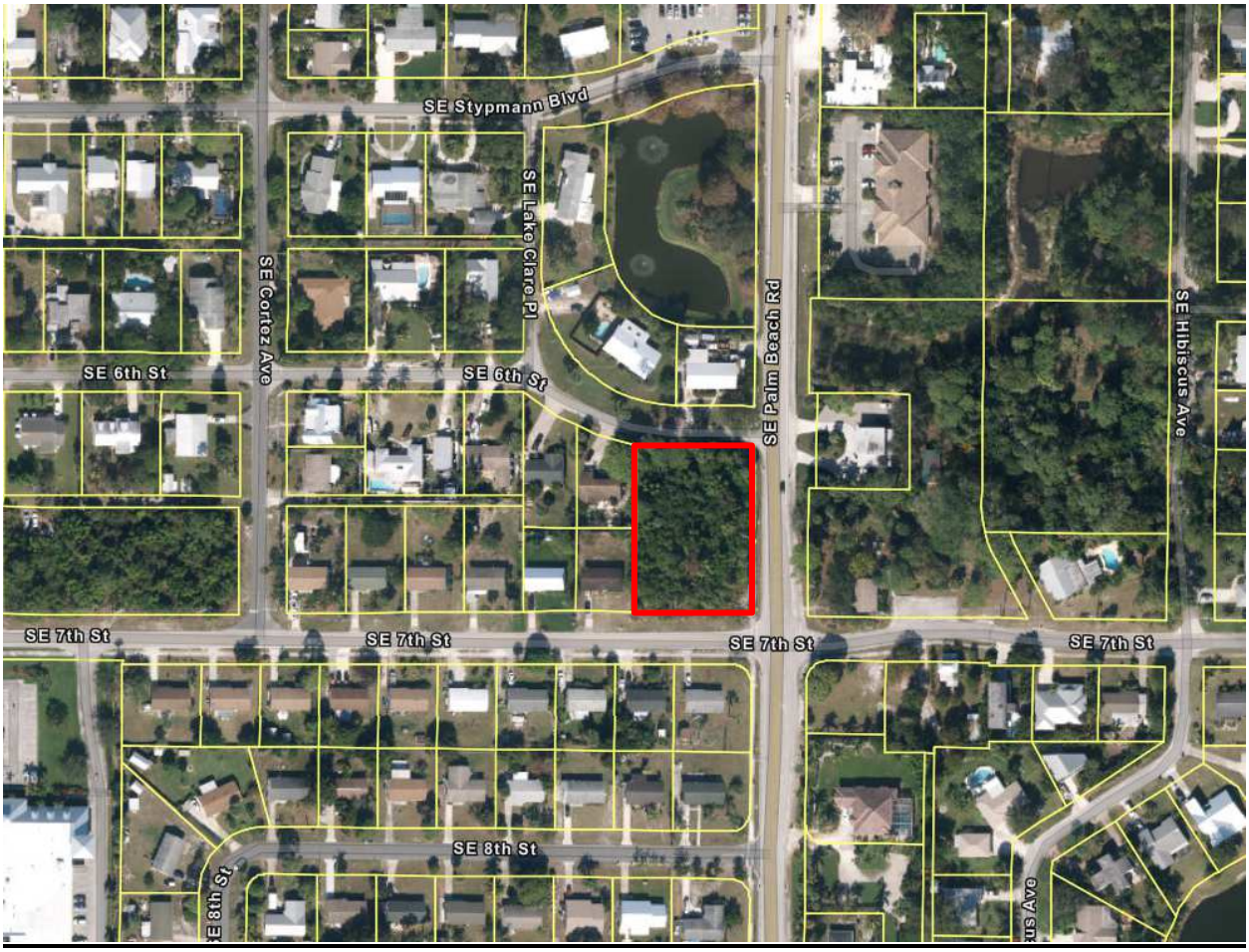
**CITY OF STUART**
**City Commission**
**August 24, 2020**

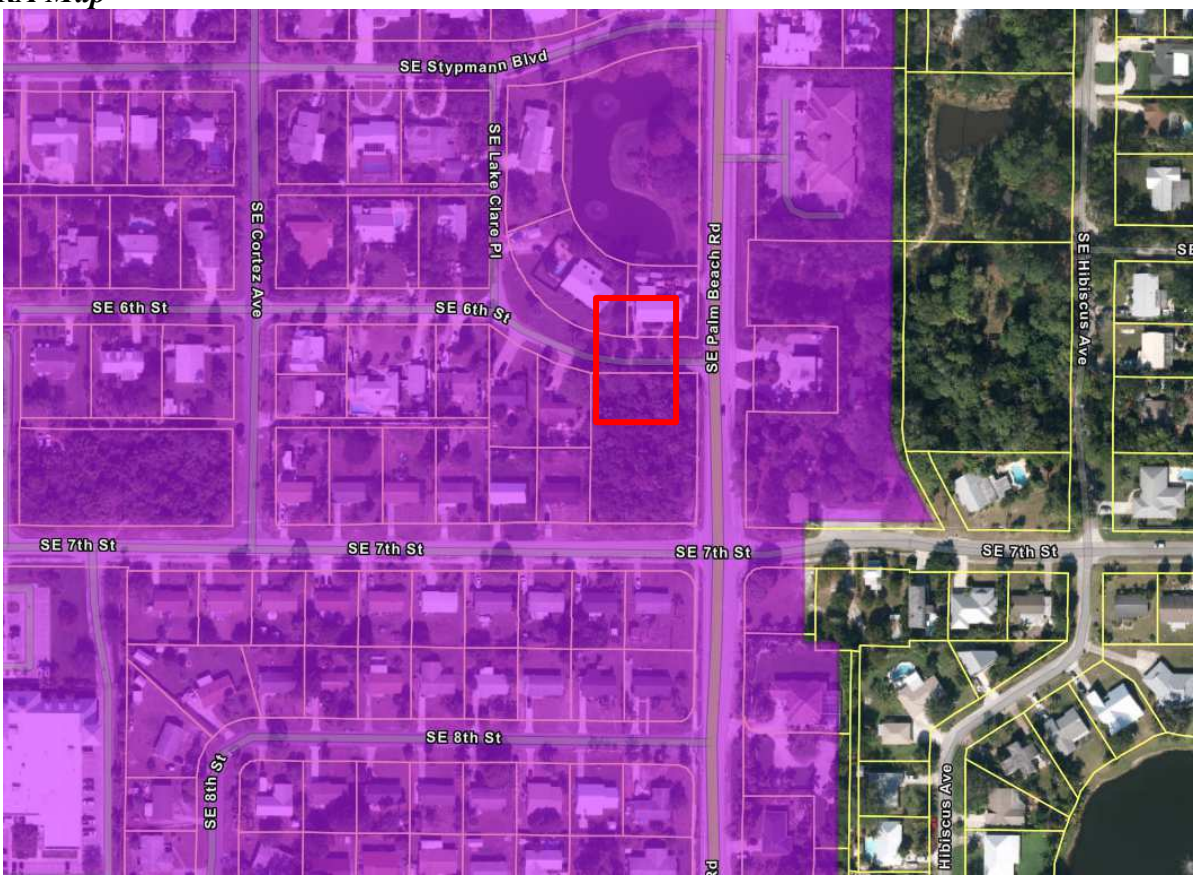
| | |
|---|---|
| **Project Name:** Lone Palm Property Investments, LLC Rezoning | **Property Owners:** Lone Palm Property Investments, LLC |
| **Project No.:** Z20050004 | **Applicant/Petitioner:** Lone Palm Property Investments, LLC |
| **Ordinance No:** 2439-2020 | **Agent:** Don Cuozzo, Cuozzo Planning Solutions, LLC |
| | **Case Planner:** Stephen Mayer |
| **Location:** PCN#: 04-38-41-011-004-00010-3 | |

## Location Map

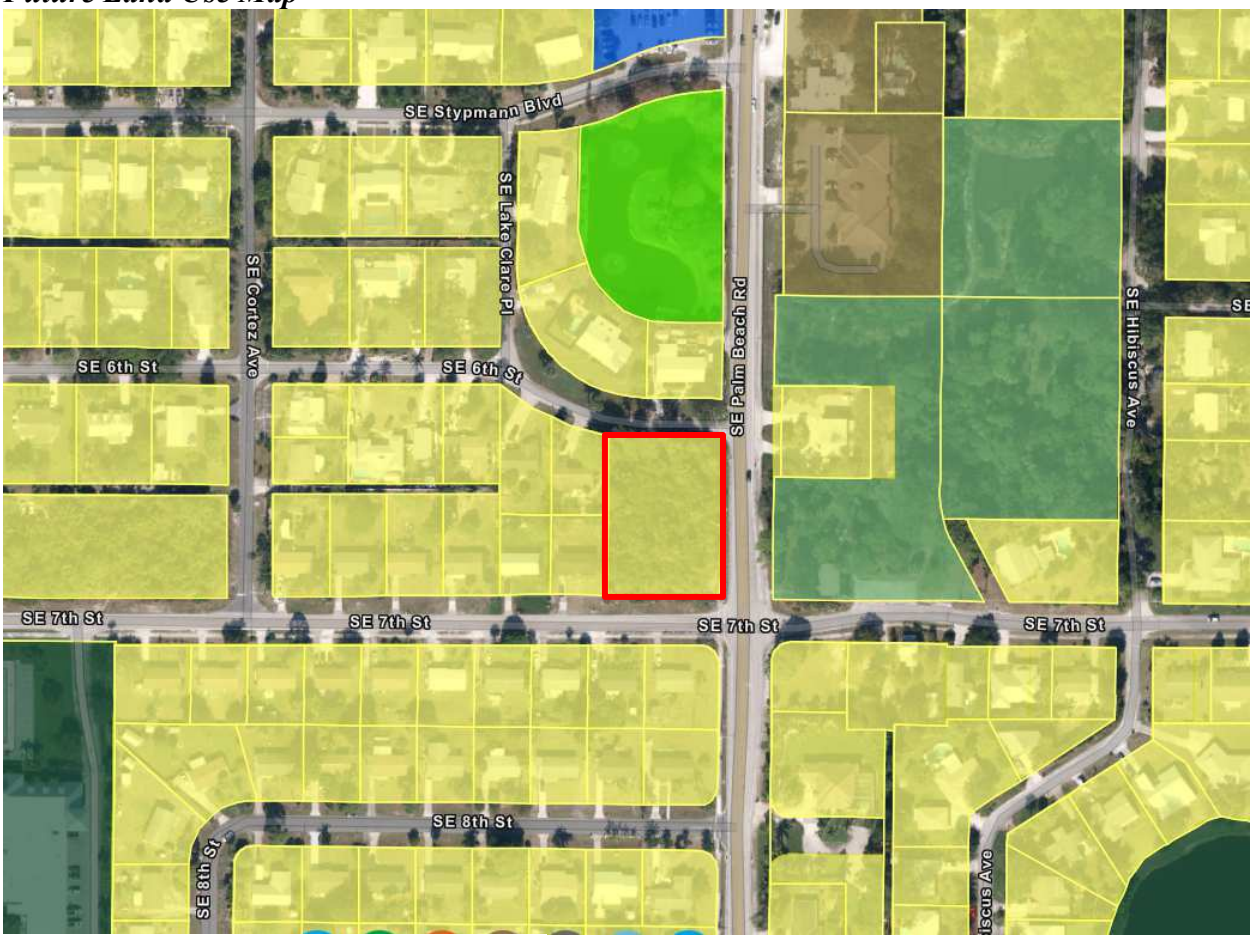


| **PROJECT SUMMARY** | | |
|---|---|---|
| ***Property Size (area)*** | | 0.72 acres |
| ***Present Use*** | | Undeveloped |
| ***Subject Property Land Use*** | | Residential Low Density |
| *Adjacent FLU* | *North* | Low Density Residential |
| | *South* | Low Density Residential |
| | *East* | Low Density Residential |
| | *West* | Low Density Residential and Public |
| ***Subject Property Zoning*** | | R-1 within the Community Redevelopment Agency (CRA) |
| *Adjacent Zoning* | *North* | R-1 |
| | *South* | R-1 |
| | *East* | R-1 |
| | *West* | R-1 |
| ***Proposed Zoning District*** | | East Stuart/ Single Family and Duplex (SFD) subdistrict |
| ***Proposed Land Use*** | | East Stuart |
| ***Proposed Use*** | | Residential, Single Family and Duplex |
| ***City Approvals*** | | Building Department – No comments at this time.<br>Fire Department – No comments at this time<br>Public Works – No comments at this time<br>Police Department – No comments at this time |
| ***Brief Explanation*** | | The subject property is .72 acres. The applicant is requesting a rezoning the subject property within the Community Redevelopment Agency (CRA) boundary from Single-Family, General (R-1) zoning to East Stuart, with a subdistrict designation of Single Family and Duplex |
| ***Staff Recommendation:*** Staff recommends approval of Ordinance 2439-2020, consisting of a future land use map amendment to East Stuart, rezoning to Single Family and Duplex (SFD) and a Major Urban Code Conditional Use approval. | | |

***CRA Map***


SE Stypmann Blvd
SE Lake Clare Pl
SE Cortez Ave
SE 6th St
SE 6th St
SE Palm Beach Rd
SE Hibiscus Ave
SE 7th St
SE 7th St
SE 7th St
SE 7th St
SE 8th St
SE 8th St
Hibiscus Ave

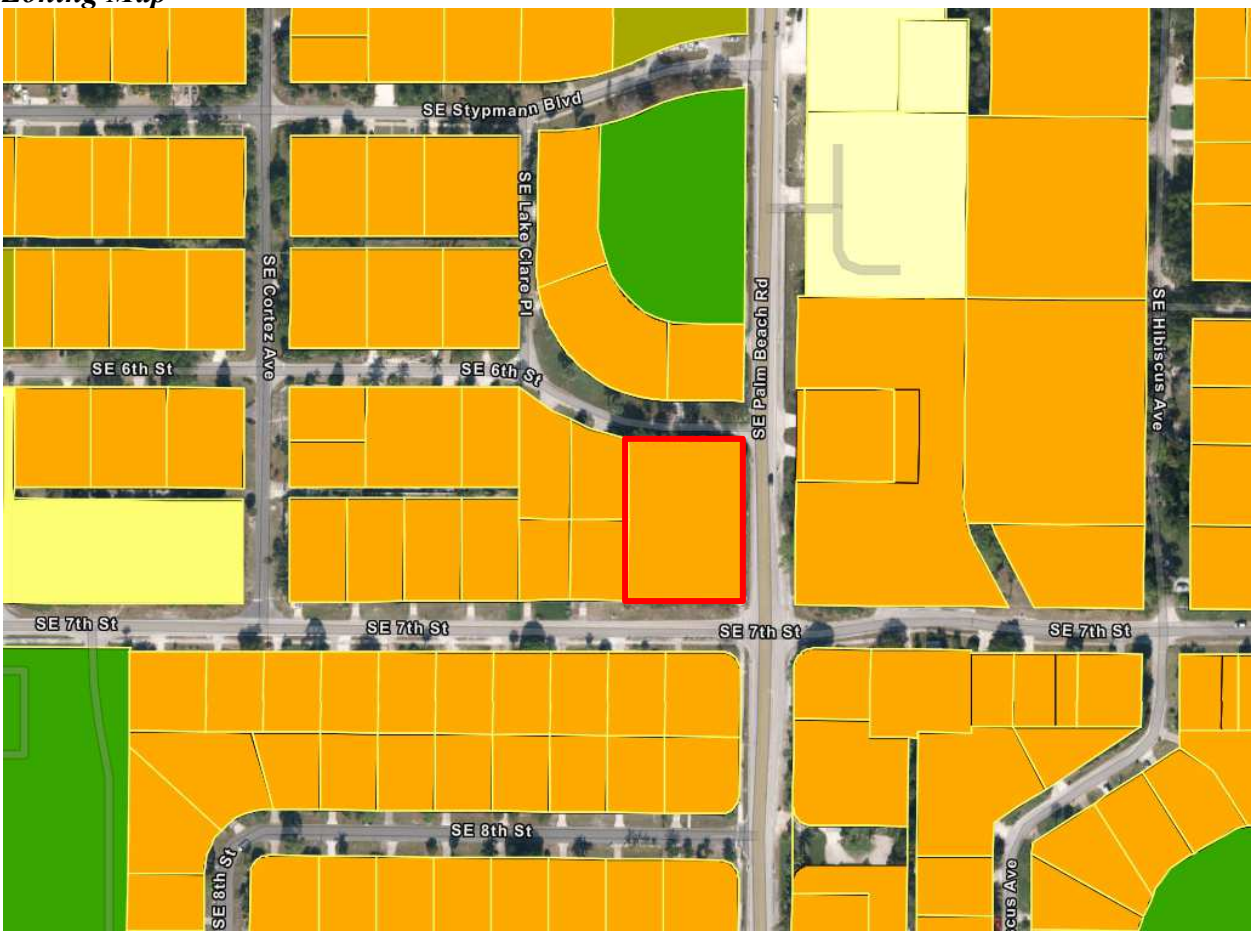
***Future Land Use Map***




**Future Land Use**

- Commercial
- Conservation
- Annexed with Martin County Future Land Use
- Downtown
- E Stuart
- Industrial
- Institutional
- Low Denisty Residential
- Marine and Industrial
- Neighborhood/Special
- Office- Residential
- Public
- Recreation
- Multi-Family Residential

***Zoning Map***




- BMU: East Stuart Business and Mixed Use
- County Zoning
- CPUD: Commercial Planned Unit
- GRO: East Stuart General Residential and Office
- H: Hospital
- I: Industrial
- IPUD: Industrial Planned Unit Development
- MXPUD: Mixed- Use Planned Development
- PSPUD: Public Service Unit Development
- P: Public
- R-1A: Residential- Single Family Estate
- R1: Single Family- General
- R-2: Duplex
- R-3: Multifamily/Office
- RPUD: Residential Planned Unit
- SFD: East Stuart Single Family & Duplex
- Urban Code: Urban Center
- Urban Code: Urban General
- Urban Code: Urban Highway
- Urban Code: Urban Neighborhood
- Urban Code: Urban Waterfront
- UPUD: Urban Planned Unit Development

# STAFF REPORT AND RECOMMENDATION

## I. LEGAL NOTICE REQUIREMENTS

**A. Requirements for Application** – The application for future land use change to Downtown Development, re-zoning district designation to Single Family and Duplex (SFD) and MUCCU have been noticed in accordance with the requirements set forth in Sections 11.01.06 of the Land Development Regulations.

**B. Site Posting Date:** 7/20/2020

**C. Mail Notice Postmark:** 7/20/2020 to property owners within 300 feet

**D. Publication Date:** 10 days prior to the adoption hearing, Section 11.01.06

## II. RE-ZONING/FLUM AMENDMENT AND MUCCU, Ordinance. 2439-2020 (Attachment A)

## III. APPLICATION (Attachment B): Dated May 15, 2020, reapplication July 20, 2020

## IV. HISTORY OF THE SITE

The subject property is located undeveloped land located between Martin Luther King Jr. Blvd and SE 6th Street, west of Palm Beach Road. The applicant/owner is Lone Palm Property Investments, LLC. The applicant is requesting a change to the Future Land Use Map and Zoning Map designation from Residential Low/Residential, Single Family (R-1) to Downtown Development/Urban Neighborhood (UN) subdistrict, within the Urban District. On February 8, 2016, the City Commission voted to include the property within the CRA via Ordinance 2320-2016. The property is undeveloped and vacant. The current owner has purchased the property with the intent to divide the 0.72-acre lot into two conforming East Stuart/ SFD properties and build three (3) single family residences in 50' lot width configuration or two (2) duplex homes (total of four units) in 75' lot configurations, for a total of seven (7) units. These units will face SE 6th Street and Martin Luther King Jr. Boulevard as shown on the site plan.

## V. STAFF ANALYSIS

### A. Site and Area Characteristics

The subject property totaling 0.72 acres located between Martin Luther King Jr. Blvd and SE 6th Street, west of Palm Beach Road. To the north, south, and west adjacent to the property, are single family homes zoned R-1. To the east across from Palm City Road is an existing Audubon office. The property is within the CRA and is illegible for the East Stuart regulations. The applicant desires to develop the property in a similar manner as the East Stuart district. The applicant will build in accordance with the City's Land Development Code, under Single Family and Duplex (SFD). The future land use must change to East Stuart in order to utilize the SFD zoning and apply the MUCCU. Within the conditions of approval attached, the applicant shall subdivide the property thru a plat

approved by the City Commission. This plat must comply with the site plan approved in the conditions of approval.

**B. Land Use Change, Rezoning and Land Development Code Consistency Review**

The application has been reviewed for consistency with the City's Comprehensive Plan. Under the current zoning, the property could be subdivided into four (4) single family homes. The rezoning would allow for the construction of a total of seven (7) single family and duplex homes. The density of this subdivision would be less than 8.7 units per acre for the single-family portion, and less than 11.2 units per acre for the duplex portion, which is currently allowed in the Residential Low designation. The overall density is 10 units per acre.

It is important to note that the property is a combination of six (6) 50' wide platted lots that fall under the code as having the same owner of adjacent platted lots. The Lake Clare plat is attached, and the platted lots are lot numbers 1,2,3,10,11, and 12. The applicant is requesting the use of lots #1, #2 and #3 to be subdivided again just as they were platted, while combining lots #10, #11 and #12 into two 75 foot lots.

As a neighborhood that was built upon plats that allowed 50-foot lots, there are several examples of 50' lots in the Lake Clare Plat, as well as adjacent plats west of the property, along SE 5th Street, SE Stypmann Boulevard and SE 6th Street. The applicant has provided an analysis of surrounding uses along Martin Luther King Jr. Blvd as well, which includes commercial and multi-family uses in the vicinity.

Furthermore, the applicant is providing supply for smaller homes that would be market rate and affordable. They will abide by the East Stuart zoning regulations, which promote walkability and a high standard of architecture.

Section 11.01.02.7 Rezoning to Single Family and Duplex of the Land Development Code requires the CRB to consider the following criteria prior to making an advisory recommendation to the City Commission.

1. *The existing land use pattern;*

   The proposed land use pattern has been established as Residential. The rezoning and land use change is consistent with this pattern. It is important to note that the East Stuart district does not restrict uses to residential only, but the SFD zoning district does limit to residential single family and duplex only. Adopting the MUCCU conditions of approval shall restrict the uses to residential only as well.

2. *The possible creation of an isolated district unrelated to adjacent and nearby districts;*

   The proposed rezoning to SFD would create an isolated zoning classification regarding adjacent classifications of zoning. However, the property is within the CRA, and in proximity to East Stuart zoning district. Ultimately the whole of the

expanded CRA area will need to be rezoned at some time in the future. The East Stuart SFD zoning district allows for up to 17 units per acre, and lots that are 50' in width.

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 as seven (7) single family homes and duplex units would not encourage the type and intensity of development that would result in overtaxing of schools, utilities, or streets.

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

   The type and intensity of development is not anticipated to overload the City's utility services.

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

   The type and intensity of development that is feasible is not anticipated to overload the City's utility services.

6. *The existing district 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 rezoning necessary or appropriate;*

   The levels of service on the roadways will handle the additional capacity of an additional three homes. The rezoning is anticipated to result in a de minimus increase in traffic.

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

   The type and intensity of development is feasible and would not create an adverse impact to nearby neighborhoods and is consistent with the goals of development, the CRA and the design principles of the area that will continue to surround the site.

9. *The impact of the rezoning 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 rezoning upon property values in the adjacent area;*

The rezoning to SFD would likely result in an increase in property values in the adjacent area by having new housing stock nearby, rather than an empty lot.

*11. The impact of the proposed rezoning upon improvement or development of adjacent property in accordance with existing regulations; and*

The rezoning to SFD would not impact adjacent properties to improve or develop in accordance with existing regulations.

*12. The existence of other adequate sites in the City for the proposed use in districts already permitting such use.*

The subject location is ideal for single family or duplex residences due to the proximity to surrounding residential and family.

## VI. PRIOR CRB HEARING AND PUBLIC COMMENT

This application was previously heard at the June 2, 2020 CRB hearing as a rezoning only. The CRB voted 4 to 2 to deny the application. Residents in the area of the proposed site expressed concern for additional traffic on the roads, additional driveways, and greater density above the four single family lots that the property is permitted to build. The residents were opposed to allowing duplexes and opposed to any additional units being allowed through the original rezoning application. The applicant has met with staff and public officials regarding the project. The applicant has hired a planning consultant and has reapplied for a comprehensive future land use change, rezoning and a MUCCU, which would restrict the uses, the density and lot configuration as shown on the site plan.

On August 4, the CRB voted 4 to 2 to approve the new application, which includes a Future Land Use Map Amendment to East Stuart, a rezoning change to Single Family and Duplex (SFD), and to add a condition of approval to make a 3 to 4 foot hedge mandatory along all the front yards, and along the side yards of those lots adjacent to R-1 property.

## VII. STAFF RECOMMENDATION (APPROVAL)

Staff has determined that the future land use change to East Stuart, rezoning to Single Family and Duplex (SFD) and the approval of the Major Urban Code Conditional Use is consistent with the goals, objectives and policies of the Comprehensive Plan and the regulations in the Land Development Code. Furthermore, staff has determined that allowing an additional three single-family residences/duplex units over the existing

property rights on the site is consistent with the Land Development Code and recommends Ordinance No. 2439-2020.