CITY OF STUART
LOCAL PLANNING AGENCY
November 12, 2020

Project Name: Hidden Key RPUD - Rezoning	**Property Owner: MDL Holdings, LLC**
PCN #: 09-38-41-02-100-00002-00	**Applicant/Petitioner:**
Ordinance No: 2457-2020	**Agent/Representative:** Creech
	Case Planner: Stephen Mayer
Location: A parcel lying south of the Estates of Stuart, north of ARC of Martin County and east of Kanner Highway	

PROJECT SUMMARY		
Property Size (area)		1.36 Acres
Present Use		Undeveloped
Subject Property Land Use		Office/Residential
Adjacent FLU	*North*	Office/Residential
	South	**Office/Residential**
	East	Commercial
	West	Office/Residential
Subject Property Zoning		Multi-Family/Office (R-3)
Adjacent Zoning	*North*	R-3 (Estates of Stuart) - Apartments
	South	R-3 ARC of Martin County)
	East	B-2 (Unity Church)
	West	R-3 (Kanner Trust) Offices
Proposed Land Use Designation & Zoning District		Multi-family Density Residential (RPUD)
Proposed Zoning District		Residential Planned Unit Development RPUD
Proposed Use		28 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 Zoning designation of (RPUD) on the City of Stuart Zoning Map. The subject property is 1.36 acres. The property is currently undeveloped. The intent of this project is to allow 28 attached multi-family apartment homes within a 2-story building to be developed on the site while

	maintaining a 15-foot buffers and 20 units per acre.
Staff Recommendation: Staff recommends approval for the zoning district designation change from Residential Multi-Family/Office (R-3) 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: October 28, 2020

C. Mail Notice Postmark: October 28, 2020 to property owners within 300 feet

D. Publication Date: 10 days prior to Second Reading

II. MAP AMENDMENT ORDINANCE NO. 2457-2020

III. APPLICATION: Dated September 23, 2020

IV. HISTORY OF THE SITE

The applicant is requesting to assign a RPUD zoning district to establish a new site plan with three waivers, including density bonus, in order develop the property for 28 multi-family residential units. The property currently has a city minor site plan approval for 13 townhome units.

V. STAFF ANALYSIS

A. Site and Area Characteristics

The subject property consists of one parcel totaling 1.36 acres in size, located south of the Estates of Stuart, north of ARC of Martin County and east of Kanner Highway. The property is currently vacant and undeveloped with no wetlands. An environmental assessment shows a mix of exotic and native vegetation, including laurel oak and slash pines that will either be mitigated for or paid for thru the tree replacement fund.

B. Project Description

A Site Plan has been planned with 28 multi-family apartment flats within a two-story building. The property is much longer in width that it is in depth. This places site constraints on the property as it related to the usage of the front parking lot and the rear buffer area.

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 allowing 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 surrounding the project area consist of a mix of office, places of worship and multi-family residential. It is recommended to be adequately buffered to the existing multi-family use to the north in particular, while the sides and front property lines being adjacent to non-residential property, the proposed 15-foot bio-swale buffer is adequate.

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

   No, the proposed multifamily project will benefit the mix of nonresidential and residential development on the east side of Kanner Highway and is consistent with the residential nature of the adjacent property to the north. Please see the attached exhibit.

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;*

   No. The multifamily land use and the proposed project will rely on City of Stuart Utilities for services which have sufficient capacity to service the proposed project. The school capacity will be coordinated with the Martin County school board and concurrency will be reserved at the time of construction plan permitting. The streets have adequate capacity and the proposed improvements outlined in the proposed RPUD will improve the traffic patterns.

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

   The property will connect to the City’s sewage collection, treatment and disposal facilities. The property is within the City of Stuart’s service district.

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

All development on the site would be required to comply with applicable City of Stuart stormwater management requirements with review and permitting from the South Florida Water Management District.

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 apartment housing to support the local workforce and young professionals.

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 the north with an enhanced 15' foot landscape buffer around the entire site.

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 commercial to residential would likely result in an increase in property values in the adjacent area by allowing for a local customer base for the surrounding commercial properties.

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 multifamily units.

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.

The applicant is requesting the following two (2) waivers from the City's Land Development Code:

1. **Section 2.07.00 Density.** A RPUD with multi-family land use designation is permitted to have up to 15 units per acre. The applicant is requesting 28 units, or 20.6 units per acre.

   Request: A density bonus of approximately 5 units per acre is requested, for the 28 1,281 square foot 3-bedroom apartments. The infill project received a previous minor site plan approval for 13 townhome units and met all applicable code sections. However, the applicant desires to develop the property as an apartment flat style with one additional waiver to the northern transitional buffer (waiver request below). The applicant is providing 34% open space when the credit is given for the use of semi pervious brick pavers. The applicant is exceeding the landscape requirement and is providing a bioswale within the transitional buffers. The site plan consists of 83% native, including native grasses, with the only non-native planting being alexander and Sylvester Palm trees. The applicant is providing for new housing opportunities in a site that is currently an undeveloped infill lot. Staff recommends supporting the granting of the density bonus for this site.

2. **Section 6.04.06**. **Land Use Transitions and Landscape Buffers**. The buffer width requirement for a two-story multi-family use adjacent to multi-family use is 30' along the rear side.

   Request: The applicant is requesting a consistent 15' wide landscape buffer along the northern and eastern property lines, where the proposed multi-family use is abutting an existing multi-family community (Estates of Stuart), including a 6' high perimeter wall. Within this zone, there is a proposed bioswale. The applicant is required to install 39 shade trees. The applicant is preserving, relocating or planting 49 shade trees, not including the Queen myrtle and palm trees as understory trees.

Staff recommends that that prior to City Commission approval, the applicant shall provide a signed architectural elevation and a revised site plan showing bike rack location, EV parking space locations, and a double dumpster accepted by the City's Public Works Department.

VII. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)

Staff has determined that the proposed rezoning to RPUD and the attached site and landscape plans are 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.