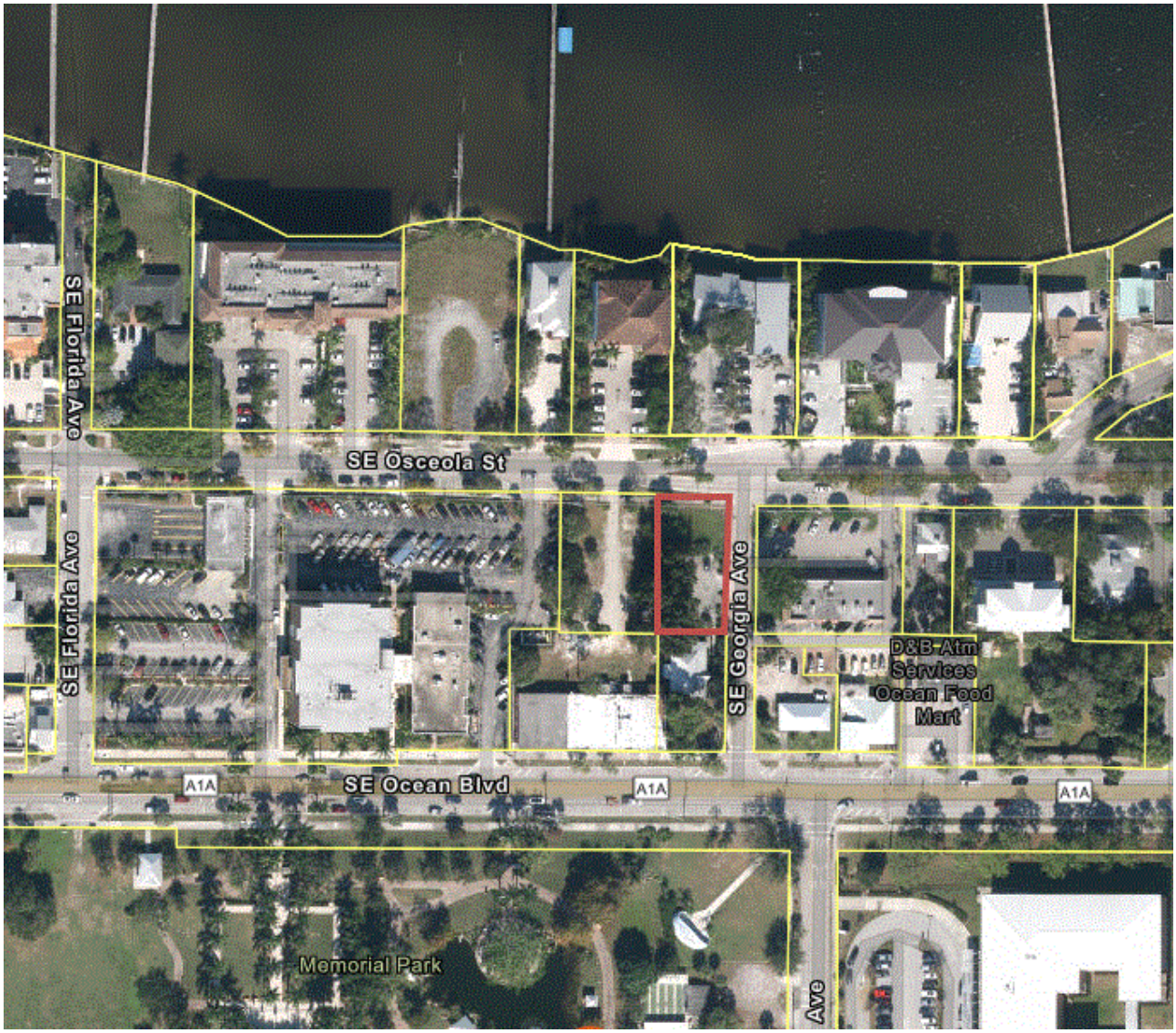
CITY OF STUART, FLORIDA
COMMUNITY REDEVELOPMENT BOARD
STAFF REPORT

MEETING DATE: December 1, 2020

PREPARED BY: Tom Reetz
Senior Planner

PROJECT NAME: Cottage Home – Tom Lucido – Georgia Avenue

TITLE OF ITEM: Request to consider a Major Urban Code Conditional Use approval to allow a single-family residence on a corner lot for property located in the Urban General (UG) zoning district within the City's Community Redevelopment Area.



I. APPLICATION SUMMARY

The applicant, Tom Lucido, is requesting a major urban code conditional use approval as per Section 3.01.06 of the City of Stuart Land Development Code. The applicant has owned the property for many years and if approved with requested variances, will allow If granted, the conditional use would allow for the development of a single family residence in the City's Urban General zoning district and for Mr. Lucido to develop additional residences in the future for the remaining portion of the property, providing adequate square footage for each home.

The applicant is required to request a Major Urban Code Conditional Use allowing the The rear setback to be less than fifteen (15) feet, an overhang to project more than three (3) feet into the required five (5) foot side setback, and for parking to be located at the front of the building for property located in the Urban General zoning district within the City's Community Redevelopment Area (CRA).

The design meets all other Urban General (UG) design requirements.

II. HISTORY

The property is currently vacant and will be developed on a portion of the north 1/2 of the described property on a survey by Stephen Brown dated 11.19.91. Mr. Lucido will provide a sketch and legal description for a 47-foot-wide portion for the new cottage home prior to being heard by the City Commission.

III. ZONING AND LAND USE

Site Location	South West corner of SE Osceola Street and SE Georgia Avenue.	
Parcel Size (area)	.08 acres	
Subject Property Land Use	Downtown Redevelopment	
Adjacent FLU (Future Land Use)	*North*	Downtown Redevelopment
	South	Downtown Redevelopment
	East	Office Residential
	West	Downtown Redevelopment
Subject Property Overlay Zoning	Urban Neighborhood	
	North	Urban Waterfront
	South	Urban Genaeral
	East	Urban General
	West	R-3 Residential /Office
Proposed Use	Single Family Residence	
Present Use	Undeveloped	
Land Use Plan	Downtown Redevelopment	
ROADWAY AND UTILITIES		
Street Functional Classifications	The property is in the Urban General zoning district in the City's CRA.	
Utilities	Sewer and Water are provided by the City of Stuart.	

IV. CITY DEPARTMENTAL REVIEWS	
Public Works (Marc Rogolino)	No objection
Fire/Building (Matt Cawley)	Reviewed at permitting
Police (Brian Bossio)	Reviewed at permitting

V. EXISITING CONDITIONS:



VI. 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.

VII. STANDARDS FOR URBAN CODE CONDITIONAL USE REVIEW: LAND DEVELOPMENT CODE – SECTION 3.01.06

1. **The proposed use is not contrary to the established land uses in the immediate area.**

   The Future Land Use of properties within proximity to the site is Downtown Redevelopment and R-3 zoning. The property is situated within the City of Stuart Community Redevelopment Area (CRA). The list of permitted uses include residential. The proposed single family residence complies with the list of uses in the Urban Code and is therefore consistent with the established land uses.

2. **The proposed use would not significanly depart from the densities or intensities of use in the surrounding area and thereby increase or overtax the load on public facilities such as schools, utilities, and streets and other public infrastructure.**

   Approval of the urban code conditional use would allow for a single family home which will have a diminimus if any increase demand on the local school district.

3. **The proposed use will not be contrary to the proposed land use plan and will not have an adverse effect on the goals, policies and objectives of the comprehensive plan.**

   Approval of the urban code conditional use would not be contrary to the adopted land use plan or other relevant goals, objectives, and policies concerning single family use. The Downtown Future Land Use references individual projects and sites consisting of single uses. A single family home is consistent with this language and would not detract from the mixture of residential and professional office uses that exist in the neighborhood.

4. **The existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

   There are no proposed changes to the existing district boundary.

5. **The proposed use will not create or excessively increase traffic congestion or otherwise affect public safety.**

   The proposed single family use will rely on on existing infrastructure to accommodate the vehicular traffic flow utilizing the site.

6. **The proposed use will not create drainage or a storm water quality problem.**

   The development of the site will be performed in accordance with approved building permits, and the drainage statement provided by Scott Montgomery which will ensure that the required drainage and stormwater quality is obtained.

7. **The proposed use will not significantly reduce light or air to adjacent areas.**

   The proposed single story home will not reduce light of air to adjacent areas.

8. **The proposed use is less burdensome on neighboring properties and on public infrastructure than uses permitted by right in the district.**

   A single family home is the least burdensome of uses permitted throughout the CRA district.

9. **The proposed use is not out of scale with the uses permitted by right in the district and with the existing uses in the neighborhood.**

   The proposed single family home is in scale with the uses permitted by right in the Community Redevelopment Area district. The proposal is a single family home with an Old Florida bungalow design (looks historic), as demonstrated by the illustrative elevations, and is consistent with the intent and quality of construction the City desires of the Community Redevelopment Area.

10. **There are no other adequate sites for the proposed use in districts in which the proposed use is permitted by right within the city.**

    A major urban code conditinal use is required for the single family home in the Urban General Community Redevelopment Area and is a permitted use within Section 3 of the Urban Code.

IX. CONDITIONAL USE REVIEW FACTORS TO BE CONSIDERED BY THE DECISION MAKER: SEC. 11.01.10(G)(6)

In applying the above standards, the decision-maker will consider each of the following factors:

1. **Ingress and egress to the property and the proposed structures to be located thereon, if any, including considerations of automotive and pedestrian safety and convenience, of traffic flow and control, and of access in case of fire or catastrophe.**

   The proposal will be reviewed by the Fire and Public Works Departments at permitting and who have no objections to the proposed use at this time.

2. **Off-street parking and loading areas including consideration of the economic impact thereof on adjacent properties and of any noise and glare cerated by the location of offstreet parking and loading areas on adjacent and nearby properties.**

   The proposal does not have any off-street parking. One of the two parking spaces required is in the garage. The second parking space stacks in front of the garage. (Variance requested)

3. **Refuse and service areas including consideration of the economic impact**

thereof on adjacent properties and of any noise and odor created by the location of refuse and service areas on adjacent and nearby properties.

The applicant will use the refuse and service areas provided by the City and acceptable to the City's Public Works Department.

4. **Utlitites including condideration of hook-up locations and availability and compatbility of utilites for the proposed uses.**

   Public Works has initially reviewed the proposal and have no objections in regard proposed connections to utilities.

5. **Screening and buffering including consideration of the type, dimensions, and character thereof to preserve and improve compatibility and harmony amoung the proposed uses and structures specially permitted and the uses and structures of adjacent and nearby properties.**

   The applicant will propose more than adequeate landscaping within the site.

6. **Signage and exterior lighting including consideration of glare, traffic safety, and economic effects thereof on adjacent and nearby properties.**
   NA

7. **Required yards and open spaces.**
   NA

8. **Height of proposed structures including consideration of the effects thereof on adjacent and nearby properties.**
   The applicant is permitted to construct a single family home on the property at a maximum height of three stories or 35 feet in height. The total height of the proposed single family home is two stories and 28' 0"+- in height.

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 the single family home in accordance with the conditions attached to Resolution No. 127-2020.

Staff is requesting the Community Redevelopment Board consider the merits of the proposal and recommend the application be forwarded to the City Commission for final action of approval.