CITY OF STUART
CITY COMMISSION
February 8, 2021

Project Name: Hidden Key RPUD - Rezoning	**Property Owner: MDL Holdings, LLC**
PCN #: 09-38-41-02-100-00002-00	**Applicant/Petitioner:**
Ordinance No: 2457-2021	**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		Office/Residential – NO CHANGE
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 application for the zoning district designation to RPUD has 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 Code.

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. 2457-2021

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 two waivers, including an increase in density allocation, 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 Comprehensive Plan Consistency Review

A review of the Comprehensive Plan finds that the proposed use is consistent with the existing Office-Residential Land Use Designation:

This land-use category is a mixed-use category that allows offices and living residential quarters in the same building or in adjacent buildings. Zoning controls the compatibility of these buildings with adjacent land uses. Commercial uses are allowed. Also, public facilities and electric distribution substations are allowed.

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 the existing Office/Residential future land use designation is permitted to have up to 30 units per acre. The applicant is requesting 28 units, or 20.6 units per acre. The existing zoning of R-3 allows up to 11.62 units per acre, or 15 units.

   Request: An increased density allocation of approximately 13 units is requested, to accommodate the 28 1,281 square foot 2-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 along the sides and a full landscape buffer with two rows of plantings along the rear. 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 increased density allocation 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. 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 recommended 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. The applicant has not provided a signed architectural elevation. One would be required prior to final building permit approval, however. The applicant has provided a revised site plan showing the bike rack locations, EV parking spaces and a double dumpster.

VII. LPA AND 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.