CITY OF STUART
City Commission
October 22, 2018
Second Reading

Project Name: Kanner Hwy Assisted Living Facility RPUD FLUM Rezoning & Master Site Plan Approval	**Property Owners:** Richard Sowder manager of Stuart Commons 76
Project No.: Z18020008	**Applicant/Petitioner: Certus Stu Owner LLC**
Ordinance No: 2265-2018	**Agent:** Emma Sandell - Bowman Consulting
	Case Planner: Tom Reetz
Location: East Side of State Road 76, north of Indian Street 40-38-41-001-005-00008	

Location Map



PROJECT SUMMARY		
Property Size (area)		5.1 acres (lot 1)
Present Use		Undeveloped
Subject Property Land Use		Commercial
Adjacent FLU	*North*	Martin County (recently annexed into the city)
	South	Commercial`
	East	Multi-family
	West	County – Mobile home
Subject Property Zoning		CPUD
Adjacent Zoning	*North*	County – (recently annexed into the city)
	South	CPUD Martin Memorial Hospital
	East	RPUD (multi-family)
	West	Martin County – Mobile Home
Proposed Zoning District		RPUD 5.1 acres The remaining half remains CPUD
Proposed Use		Assisted Living Facility with memory care
City Approvals		Building Department – No comments at this time. Fire Department – Conceptual site plan approval Public Works – Conceptual site plan approval Police Department – Conceptual site plan approval
Brief Explanation		The subject property is 5.1 acres with future land use change to Institutional and a rezoning to RPUD with master site plan approval for an ALF with 64 beds. The remaining lot 2 to the north will remain as commercial CPUD for future development.
Staff Recommendation: Staff recommends approval of Ordinance 2373-2018, consisting of a FLUM change from Commercial to Institutional and rezoning to RPUD (Residential Planned Unit Development), with master site plan and conditions of approval including a timetable of development.		

STAFF REPORT AND RECOMMENDATION

I. LEGAL NOTICE REQUIREMENTS

A. Requirements for Application – The application for re-zoning district designation to RPUD have been noticed in accordance with the requirements set forth in Sections 11.01.06 of the Land Development Regulations.

B. Site Posting Date: 9-3-2018

C. Mail Notice Postmark: 9-3-2018 to property owners within 300 feet

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

II. RE-ZONING and Master Site Plan Approval, Ordinance. 2373-2018 (Attachment A)

III. APPLICATION (Attachment B): Dated February 21, 2018

IV. HISTORY OF THE SITE

The subject parcels previously approved in 2007 for a mixed use retail/office development with 2 outparcels for the 10.3 acre CPUD. To date, the property has remained vacant and undeveloped. Tonight, the applicant is proposing to change the future land use map from commercial to Institutional for 5.1 acres and rezone to RPUD with Master Site Plan approval for an ALF with memory care.

V. STAFF ANALYSIS

A. Site and Area Characteristics

The subject property consists of two parcels totaling 10.33 acres located on the east side of Kanner Hwy north of Indian Street. To the east is a multi-family condominium complex built in the early nineties and south is property being developed by Martin Memorial Hospital. The site was cleared previously and upland preserve was set aside as part of the Martin County master planning for the Crossings at Indian Run development agreement that preserved upland and wetlands on the Crossings multi-family development to the east.

B. Project Description

The applicant is proposing to rezone the 5.1 acre parcel for the purpose of developing a 64 bed Assisted Living Facility (ALF) with Memory Care known as Kanner Highway Assisted Living Facility. The ALF will be limited to one-story and 43,134 square feet in building area and proposes a 32,000 square foot retention area. The re-zoning to RPUD will allow greater flexibility of design. A traffic signal is will be installed when warranted by the D.O.T.

Landscaping & Tree Mitigation

Landscape buffers have been provided on all sides of the property, which includes a 23 foot-wide landscape buffer with a 4 foot high decorative wall on the eastern and property lines.

Of the total site area, approximately 54% will remain pervious, which includes open space & landscape buffers. Tree replacement will be required due to the proposed removal slash pines and hardwoods. Payment is based on a ratio of 1.5 to 1 for slash pines and 2.5 to 1 for hardwoods. See Landscape plan for numbers of each species.

The applicant shall pay $53,287.50 into the city's tree fund. These calculations were confirmed by the City's environmental consultant and will be recalculated at permitting before permits are released.

Access and Parking

The property will have one point of vehicular access from S.W. Kanner Hwy. The circulation has met EMS vehicle turning movement requirements. The existing curb cut at the northern lot 2 of the property will act as the main entrance leading to a covered drop-off area at the south end of Lot 1. The site includes internal courtyards and a connection with the new 8' wide sidewalk along the developments interior connecting road as well as on Kanner Hwy.

The applicant is providing 42 total parking spaces. The Assisted Living Facility is required to provide one parking space per four beds, or 16 parking spaces, plus one space per employee, or 20 parking spaces. Therefore, only 36 parking spaces are required. The applicant is proposing 100 additional square feet of landscaping for providing 6 more than required parking spaces.

C. Future Land Use Amendment and Comprehensive Plan Consistency Review

A review of the Comprehensive Plan finds that the proposed use is consistent with the existing Downtown Redevelopment future land use designation.:

> *This land-use category allows multifamily (ALF) use and is compatible with the surrounding land uses.*

D. Rezoning and Land Development Code Consistency Review

The application has been reviewed for consistency with the City's LDC. The RPUD zoning would allow for the construction of a 64-bed Assisted Living Facility.

Section 11.01.02.7 Rezoning to RPUD 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 proposed land use pattern has been established as Institutional, which allows for an Assisted Living Facility (ALF).

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

   The proposed rezoning to RPUD would not create an isolated zoning classification in regard to nearby classifications of zoning.

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 an A.L.F. 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 traffic study reports that the existing roadway will handle the additional capacity. For the peak hour trips associated with an ALF.

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 Downtown Redevelopment future land use category 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 RPUD would likely result in an increase in property values in the adjacent area by having a facility availability.

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

    The rezoning to RPUD 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 an ALF due to the proximity to surrounding residential and family.

Signage

All signs throughout the RPUD will have a consistent treatment, as to number, location, size, height, lighting, and materials with a unified theme throughout the Planned Unit Development. The development's monument sign will adhere to the design standards in the City's Land Development Code.

Architecture

The style of the architecture Florida Vernacular.

SITE DESIGN QUALITATIVE DEVELOPMENT STANDARDS
The purpose of these standards is to insure that all site plan development complies with the Comprehensive Plan of the City and with the Stuart Land Development Regulations and to promote harmonious and compatible development within the City.
1. Harmonious and Efficient Organization
The proposed development is efficiently planned and through its design and layout takes account of existing and possible development in the immediate vicinity of the site. The proposal reflects its surroundings and pattern of development. All vehicular use areas have been designed so as not to adversely impact on the character of existing neighboring development. Site improvements required for construction should not negatively impact or have any harmful effects on adjacent properties.
2. Preservation of Natural Conditions
There are no wetlands on the site.
3. Screening and Buffering
The Landscape Plan for the subject site proposes to create screening, as much preserve area as possible given the small amount that remains, landscape buffering in locations along the sides, and rear portion of the subject property. The scope and extent of the screening and buffering proposed is considered to be more than adequate.
4. Enhancement of Residential Privacy
Landscaping and site layout is proposed in such a manner that existing and future abutting uses will not create a visual or auditory nuisance; in terms of potential impact upon the proposal.
5. Emergency Access and Access to Public and Private Ways
The proposed development provides adequate access for emergency vehicles. All elements of this proposal have been designed so as to incorporate safe and convenient access to all public and private ways throughout the site.
6. Pedestrian Circulation
A 8’ (foot) sidewalk will be provided along Kanner Highway
7. Location and Design of Access Drives
The site has one point of ingress and egress from Kanner Hwy. Adequate stacking spaces are provided within the ingress driveway as well as a covered drop off area.
8. Co-ordination of on-site and off-site circulation
Connection to the South once the hospital’s phase tow is applied for and easements are determined as well as connection to the north once a proposal is known for the remaining CPUD lot 2.
9. Location and Design of on-site ways
The on-site driveways and parking areas have been located and designed to be minimal in form and to occupy no more land than is required to provide safe and convenient vehicular and pedestrian circulation.
10. Drainage
The drainage will be addressed in full at final site plan submission. In accordance with the City’s Land Development Regulations, the site must provide water quality storage for the applicable run-off volume and limit post-development discharges at pre-development rates for all applicable design storm events. Drainage will be accommodated on site in a manner which shall not adversely affect nearby property or the public storm drainage system.
11. Exterior Lighting
The proposed development will provide decorative exterior lighting at 15ft in height in the vehicular and pedestrian use areas. The lighting does not conflict with the proposed landscaping and will not impact or produce glare on the nearby neighborhood or interfere with the aesthetics of the surrounding area or with public safety and convenience.

E. Technical Review by Other Agencies

The City Building, Public Works, Fire, and Police Departments have reviewed the applications and have offered their comments. Each department will provide specific comments at final site approval for permitting.

The applicant will be responsible to meet all federal, state and local permitting and environmental standards. Further, the applicant will also be required to demonstrate full compliance at all times.

VI. LOCAL PLANNING AGENCY BOARD RECOMMENDATION

The Local Planning Agency shall make an advisory recommendation to the City Commission as to the need and justification for the land use and zoning changes and as to the relationship of the proposed change to the goals, objectives and policies of the Comprehensive Plan and of the Land Development Code. The Local Planning Agency shall include in its recommendation to the City Commission any information which it deems is relevant to issues relating to the proposed amendment.

VII. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)

Staff has determined that the FLUM change and rezoning to RPUD 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 the RPUD to allowing an Adult Living Facility with memory care consisting of 64 beds to be developed on the site is consistent with the Land Development Code and recommends Ordinance No. 2373-2018 with conditions of approval.