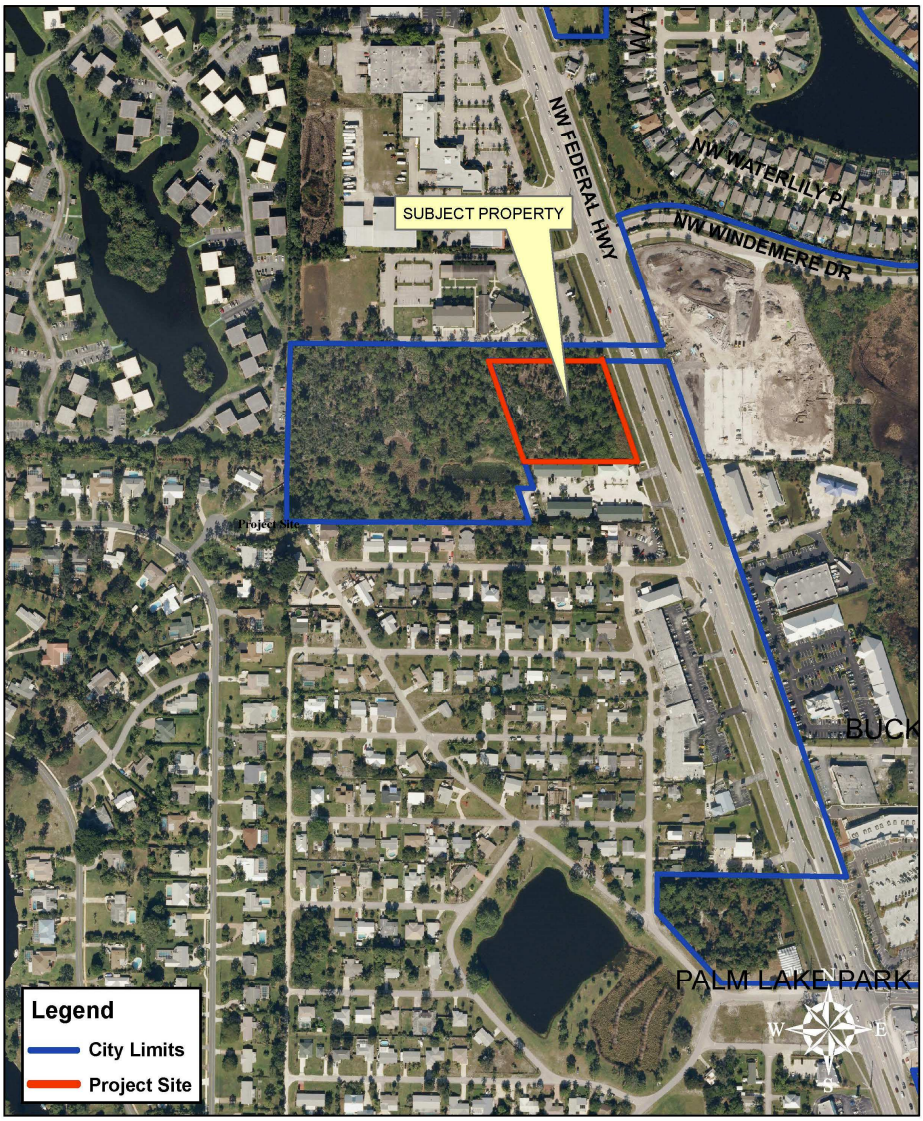
CITY OF STUART
CITY Commission
December 10, 2018

Project Name: Rooms to Go CPUD	**Property Owner:** Alan M. Kornbluh Revocable Trus and Sylvan H. Sarasohn Revocable Trust
Project No.: Z18080004	**Applicant/Petitioner:** Jeffrey H. Finkel, Florida Patio Partners, LLC
Ordinance No: 2394-2018	**Agent/Representative:** Tyler Spencer, Carter Associates, Inc.
Second Reading	**Case Planner:** Stephen Mayer
Location: Parcel fronting NW Federal Hwy, South of abutting North Stuart Baptist Church in unincorporated Martin County.	



PROJECT SUMMARY		
Property Size (area)		2.57 acres
Present Use		Undeveloped
Subject Property Land Use		Martin County – Commercial General
Adjacent FLU	*North*	Martin County – Commercial/Office/Residential and Medium Density
	South	Martin County – Commercial General
	East	City of Stuart - Commercial
	West	City of Stuart- Annexed in March 2017 – Undeveloped- Likely Multi-Family Residential, Limited Commercial; Martin County Land Use is Medium Density
Subject Property Zoning		Martin County – General Commercial District
Adjacent Zoning	*North*	Martin County – COR-2; B-1 Business; RS-6 Medium Density Residential and R-2 Single Family Residential
	South	Martin County – B-1 Business and General Commercial District
	East	City of Stuart –CPUD
	West	City of Stuart – Annexed in March 2017 - Undeveloped - Likely RPUD; Martin County Zoning is RS-6 Medium Density Residential
Proposed Land Use Designation & Zoning District		Commercial and Commercial Planned Unit Development (CPUD)
Proposed Use		Commercial – Retail building
City Approvals		• Building Department – No comments at this time. • Fire Department – Approved • Public Works – Approved with Comments - See attached comments. • Police Department – Approved • Engineering, Environmental and Traffic (Kimley-Horn) – See attached comments.
Brief Explanation		The intent of this application is to amend the active Kornbluh CPUD, modifying the approved site plan to arrange the retail commercial building. The project was approved for a 16,800 sf building. The amended site plan allows for the construction of 15,000 sf of retail in two phases. The subject property is 2.57 acres. The property is currently undeveloped.
Staff Recommendation: Subject to the attached development conditions staff offers no objection to the major amendment of the Kornbluh Commercial Planned Unit Development (CPUD) on 2.57 acre parcel located on the west side of the U.S.1 (across from Windemere Point retail plaza).		

STAFF REPORT AND RECOMMENDATION

I. LEGAL NOTICE REQUIREMENTS

A. Requirements for Application – The applications for annexation, Future Land Use amendment to Commercial, and zoning district designation to CPUD 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, as well as applicable sections in F.S. Ch. 163, Part II and Ch. 171, Part II.

B. Site Posting Date: 10-30-2018

C. Mail Notice Postmark: 10-30-2018 to property owners within 300 feet

II. MAJOR PUD AMENDMENT OF ORDINANCE 2350-2017 – ORDINANCE NO. 2394-2018

III. APPLICATION See Attachment to this report.

IV. STAFF ANALYSIS

A. Site and Area Characteristics

The subject property consists of one lot totaling 2.57 acres in size, located on the west side of NW Federal Highway, just south of abutting North Stuart Baptist Church in unincorporated Martin County.

Direction	Current Use	Zoning	Future Land Use
North	North Stuart Baptist Church (Martin County)	COR-2, B-1 Business, RS-6 Medium Density and R-2 Single Family	Commercial Office Residential/Medium Density
South	Retail plaza (Martin County)	B-1 Business and General Commercial	Commercial General
East	Windemere Point Retail Plaza (City of Stuart)	CPUD	Commercial
West	Undeveloped (recently annexed into the City – Land Use and Zoning to be determined)	Martin County: RS-6 Medium Density	Martin County: Medium Density

B. Project Description

The subject property, consisting of one undeveloped parcel, is 2.57 acres in size. The subject property is located on the west side of the U.S.1 (across from Windemere Point retail plaza). There is approximately 334 feet of frontage along U.S. 1. The site was recently annexed into the City in 2017.

The previously approved project is a stand-alone 16,800 square foot office/retail building. The applicant is requesting to modify the site plan and corresponding documents to allow 15,000 square foot retail located more centrally on the site. Specifications regarding site and building design are discussed below in the applicable sections. The project is intended to be developed in two phases.

C. Land Development Code Consistency Review

The application has been reviewed for consistency with the City's LDC. Approval of the rezoning to CPUD would allow for Rooms to Go and a future retail building to locate at this site. The applicant is encouraged to provide greater articulation in the building elevations, particularly horizontal, but also greater vertical articulation of the relatively flat roof.

D. PUD Waivers. The applicant is not applying for any new PUD waivers that have not already been granted by the original PUD approval in 2017. Staff notes two waivers to the code that were granted at that time, they include:

i. **Reduction of the buffer distance from a designated wetland from 50 to 25 feet.** The buffer distance from the 839 square foot designated wetland was previously 25 feet at minimum, with an average distance of 50 feet. This mitigation was permitted by Land Development Code. The isolated wetland is being preserved, but due to its location, applying the full 50 feet buffer distance would prevent the full circulation of traffic around the proposed building. Staff notes that amended site plan does locate the dumpster and building farther away from the wetland than previously approved.

ii. **Reduction of the required width of the sidewalks from 8' to 6'**. The proposed site plan retains the approved PUD waiver to allow 6' internal sidewalks. The applicant is providing pedestrian connectivity to existing sidewalks along US Highway One to the building façade and to the access drive to the north of the property (which may connect with the proposed Savona development).

Staff notes that the current approval was approved with 6' sidewalks. Existing 6' sidewalks along the US Highway One right-of-way are also constrained by storm water features and there are no immediate examples of 8' sidewalks along the right of way. Staff also notes that although the shape and location of the open space, landscaping and native upland is changing from the approved site plan, the sizes and quantities are not significantly changing. Staff notes that the applicant has divided the landscape plan into two phases. The first phase of development includes 49,538 square feet of landscaping. The entire site was approved with 58,370 square feet of landscaping. The site plan and landscape plan for the future phase of development must be approved via a major PUD amendment and will be required to show equivalent landscaping to make up this

difference. The applicant is encouraged to utilize Low Impact Development (LID) planting in the retention area, such as littoral planting, or bio swales. Staff has provided a condition of approval; however, staff recommends the applicant provide a landscape detail showing the dedication toward this goal of enhanced water quality.

The upland preservation area was approved with .64 acres. The applicant is maintaining the same size, but with a slight change in the shape of the preservation area, especially around the southwestern portion of the property adjacent to the retention area. The size of the retention area also remains equivalent, but the shape has changed slightly. Also, the applicant has provided an updated tree mitigation and relocation plan given the minor changes in the location of impervious areas.

E. Technical Review by Other Agencies and Other Relevant Documents (Attachment D)

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.

The Public Works, Fire, and Police Departments and Zoning have reviewed the applications and have offered their comments as well as City's professional consultant – Kimley-Horn. Each department will provide specific comments at final site approval for permitting.

F. Local Planning Agency

The application was presented to the Local Planning Agency (LPA) on November 15th 2018. The LPA unanimously approved the proposal having comments that related to limiting outdoor storage and sales (additional language added to conditions within PUD agreement) and that DOT approval should be confirmed regarding access conditions relative to US-1

V. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)

Subject to the conditions contained in the attached Ordinance and consideration before the City Commission, staff offer no objection to the major amendment to the Kornbluh "Commercial Planned Unit Development (CPUD)" in order to allow the construction of a Rooms to Go and a future phase on the 2.57 acre parcel located on the west side of the U.S.

VI. ATTACHMENTS

- Proposed Ordinance No. 2394-2018
- Application and Documents, Site plans, Landscape Plans and associated documents
- Prior Ordinance 2350-2017 – Kornbluh CPUD