CITY OF STUART, FLORIDA
CITY COMMISSION
STAFF REPORT

MEETING DATE: December 4, 2018 **PREPARED BY:** Tom Reetz
Senior Planner

PROJECT NAME: West Ocean Townhomes – 513,517,523 SW Ocean Blvd.

TITLE OF ITEM:
Request to consider an application to rezone real property located in the Urban Waterfront zoning district to a residential planned unit development (RPUD) allowing two multi-family residential buildings with four units each.



I. APPLICATION SUMMARY

The applicants, Gary and Karol Hufnagel, are requesting a rezoning from Urban Waterfront to residential planned unit development (RPUD) on three separate parcels with three single family homes, two of which have been converted to multi-family use. Mr. Huffnagel and his wife have owned the existing multi-family residence at 513 SW Ocean for 25 years. It is a 4 unit, 2 story wood framed stucco cladded building. The building is still habitable; however is still termite ridden, despite the owners tenting the property numerous times. The single family home located at 517 SW Ocean Blvd. (the middle one) has been in the family for 12 years and could be saved if someone has a lot and is willing to pay for the move. The third property, 521 SW Ocean was most recently purchased and has been vacant for most of the last 25 years. It was converted to 3 apartments at some point in history. It is the largest of the three structures and moving this house is mostly impartible. Mr. Hufnagel has applied for demolition permits for all three properties and has received no interest from the community to relocate any of the buildings.

If granted, the rezoning would allow for the construction of two multifamily buildings with four units each with less than 10 foot side setbacks (7.7 feet and 7.5 feet) than would be required in the Urban Waterfront zoning district.

The design meets all other applicable Urban Waterfront (UW) design requirements.

II. HISTORY

The properties (3) currently have older homes that are mostly currently vacant and planned for demolition in the interest of redevelopment. The homes have no historical know historical significance. The owner has sent a letter to the Stuart Heritage Foundation to see if they or anyone would be interested in moving any of the houses to a new location. **See Gary Hufnagel letter dated 4/2/18 attached.**

III. ZONING AND LAND USE

Site Location	513 517 and 521 SW Ocean Blvd	
Parcel Size (area)	.565 Acres (total, all three parcels)	
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Subject Property Land Use	Downtown Redevelopment	
Adjacent FLU (Future Land Use)	*North*	Downtown Redevelopment
	South	Downtown Redevelopment
	East	Downtown Redevelopment
	West	Downtown Redevelopment
Subject Property Overlay Zoning	Urban Waterfront	
	North	Urban Waterfront & Urban Highway
	South	Urban Waterfront
	East	Urban Highway
	West	Urban Waterfront
Proposed Use	Multi Family Townhomes	
Present Use	Single family and Multifamily and vacant	

Land Use Plan	Downtown Redevelopment
ROADWAY AND UTILITIES	
Street Functional Classifications	The property is located in the Kitching's Addition across from Shepard's Park in the City's CRA.
Utilities	Sewer and Water are provided by the City of Stuart.

IV. CITY DEPARTMENTAL REVIEWS	
Public Works (Marc Rogolino)	Approved with conditions by public works and the applicant agreeing on the location for the Dumpster in lieu of sanitation carts.
Fire/Building	Approved
Police (Joe Hogan)	Approved

V. EXISITING CONDITIONS:



VI. PUBLIC NOTIFICATION:

The legal notification requirements have been met for this request of a **Rezoning** request. 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 applied to rezoning to RPUD.

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

   The Future Land Use of all of the properties within proximity to the site is Downtown Redevelopment and the property is situated within the City of Stuart Community Redevelopment Area (CRA). The list of permitted uses included in the Urban Code are applicble to all property situatued within the CRA, and include multifamily residential uses. The proposed multi family buildings complies with the list of uses list 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 multifamily which will not increase demand from the previous indentical use.

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 rezoning to RPUD would not be contrary to the adopted land use plan or other relevant goals, objectives, and policies concerning multi-family use. The Downtown Future Land Use references individual projects and sites consisting of this use. A multifamily building 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 multi-family use will rely on on existing infrastructure to accommodate the vehicular traffic flow utilizing the site. In addition the applicant will provide an 8 foot sidewalk and landscaping along S W Ocean Blvd in addition to the existing sidewalk in the City's R.O.W.

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, 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 two story multi-family buildilngs 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.**

   The use is 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 multi-family buildilngs are in scale with the uses permitted by right in the Community Redevelopment Area district. The proposal is a multi-family buildings (2) with a contemporary design, 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 Rezoning is most appropriate to allow flexibilty in the desgn for the multi-family building allowing for lessend side setbacks in the Urban Waterfront 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) applied to a rezoning to RPUD.

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 has been reviewed by the Fire and Public Works Departments who have no objections to the proposed use. Additionally, the public works department has worked with the applicant to allow the platted alley way at the rear of the property to be used for access/egress to and from the property.

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. The required parking 2 paking space are in the garage. The applicant has proposed generous landscaping at the property. See Mike Flaugh landscape plans.

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 dumpster location agreed to 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 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 proposes adequeate landscaping within the site as per the lanscaping shown on the conceptual landscape plan, elevations and rendering.

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 two multi-family buildings on the property at a maximum height of two stories or 35 feet 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 ***Rezoning to RPUD*** to allow multi-family townhomes in accordance with the conditions attached the draft Ordinance 2395-2018.

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.