CITY OF STUART
CITY COMMISSION
January 14, 2019

Project Name: Watermark Residential - FLU & Zoning Change	**Property Owner:** Frank Giacobbe
Project No.: Z18020007	**Applicant/Petitioner:** Jesse Houghtalen, Watermark Residential
Ordinance No: 2387-2018 (Second Reading)	**Agent/Representative:** Steven Garrett, Lucido and Associates
	Case Planner: Stephen Mayer
Location: East of US 1 and West of Windemere RPUD PCN: 29-37-41-004-002-00050-0	





PROJECT SUMMARY		
Property Size (area)		11.34 Acres
Present Use		Undeveloped
Subject Property Land Use		Neighborhood Special District
Adjacent FLU	*North*	Commercial
	South	Commercial
	East	Low Density Residential
	West	Martin County Commercial General
Subject Property Zoning		
Adjacent Zoning	*North*	B-2
	South	B-2
	East	RPUD (Pineapple Plantation)
	West	Martin County B-1
Proposed Land Use Designation &		Multi-family Density Residential (RPUD)

Zoning District	
Proposed Use	284 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 Large scale future land use map (FLUM) amendment to the City's Comprehensive Plan Residential Planned Unit Development assigning a "Multi-Family Density Residential" land use, and a Zoning designation of (RPUD) on the City of Stuart Zoning Map. The subject property is 11.34 acres. The property is currently undeveloped. The intent of this project is to allow 284 attached multi-family apartment homes to be developed on the site while upgrading the drainage and enhancing the upland and wetland preserve.
Staff Recommendation: Staff recommends approval for the Future Land Use designation to Multi-Family Density Residential and zoning district designation to RPUD (Residential Planned Unit Development).	

STAFF REPORT AND RECOMMENDATION

I. LEGAL NOTICE REQUIREMENTS

A. Requirements for Application – The applications for the Future Land Use amendment to Multi-Family Density Residential, and zoning district designation to RPUD 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.

B. Site Posting Date: 10-10-2018

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

D. Publication Date: 10 days prior to Second Reading

II. LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND ZONING MAP AMENDMENT ORDINANCE NO. 2371-2018

III. APPLICATION: Dated July 18, 2018

IV. HISTORY OF THE SITE

The 11.34 acre parcel formerly referred to as Phase VIII Multi Family on the Pineapple Plantation Master Plan, is currently designated with the Neighborhood Special District Future land use and has a Residential Planned Unit Development (RPUD) zoning district. The applicant is requesting to amend the RPUD zoning district to establish a new site plan and is requesting to change the Future Land Use designation to Multi-Family Residential in order to remove the requirement for mixed use that is a requirement of the Neighborhood Special District.

V. STAFF ANALYSIS

A. Site and Area Characteristics (Attachment C)
The subject property consists of one parcel totaling 11.34 acres in size, located east of US Highway 1 and west of the Windemere RPUD.

B. Project Description

A Master Site Plan has been laid out with 284 multi-family apartments within two four-story apartment buildings strategically placed to avoid the South Florida Water Management District wetland taking while enhancing the existing upland preserve. The site includes a gated entry with generous landscaping.

C. Future Land Use Amendment and Comprehensive Plan Consistency Review

A review of the Comprehensive Plan finds that the proposed list of uses that are consistent with the proposed Multi Density Future Land Designation:

This land-use category is allows for two or more dwelling units per building. Includes single family detached, duplex/townhomes, apartments, condominiums, patio homes, garden homes, and adult living facilities, foster homes and zero-lot-line residences. Also public facilities, churches day care centers, schools and electric distribution substations are allowed.

Section 11.01.05G.1 (large-Scale Comprehensive Plan Amendments) 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 existing land use pattern along US Highway One is almost exclusively commercial. However, this site will only access US Highway One in a narrow section and will be separated from the highway by a commercial strip plaza. This property serves as an adequate transition between the Highway, the commercial plaza and the single-family residential adjacent and to the east of the property.

2. *The possible creation of an isolated land use classification unrelated to adjacent and nearby classifications;*

   The demand for residential uses for this area has been verified by the applicant and is a justification for the application of a density bonus.

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 or other uses permitted in the multi-family density land use classification and the RPUD zoning district would not encourage the type and intensity of development that would result in overtaxing of schools, utilities, or streets. The applicant has applied for an achieved a concurrency letter from the Martin County School Board.

4. *The possible overloading of the City's sewage collection, treatment and disposal facilities;*

   The type and intensity of development that is feasible is not anticipated to overload the City's system when the site was hooked up to Martin County Utilities.

5. *The possible overloading of the City's drainage system;*

   All development to the site would be required to comply with applicable stormwater management requirements of Martin County with input from the South Florida Water Management District and the Army Core of Engineers.

6. *The existing classification 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 amendment necessary or appropriate;*

   The county/city has shown a trend toward development of residential uses and the need for multi-family housing.

8. *The impact of the proposed amendment upon living conditions in the adjacent neighborhood;*

   The type and intensity of development that would be feasible on the subject property would not create an adverse impact to nearby neighborhoods. The site is buffered from abutting neighborhoods to the east with preserve and to the south, north and west is surrounded by commercial or highway.

9. *The impact of the amendment 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 amendment upon property values in the adjacent area;*

    The change in land use designation from special district to residential would likely result in an increase in property values in the adjacent area by allowing for properties to be developed with similar use and newer product.

    The impact of the proposed amendment upon improvement or development of adjacent property in accordance with existing regulations;

    The change in land use designation from Special District to Multifamily would not impact adjacent properties to improve or develop in accordance with existing regulations.

11. *The existence of other adequate sites in the City for the proposed land use classifications already permitting such use.*

    The goal of the proposed amendment is to allow for uses that are in demand. The subject location is ideal for apartment housing.

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.

E. Technical Review by Other Agencies

The City Building, Public Works, Fire, and Police Departments have reviewed the applications and have offered their comments. See attachment B to this staff report. 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 change 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.

The LPA had the following concerns:

- Automobile stacking distance seems very short from the privacy gate off US-1
- What are the parking rates based on, please provide justification/examples
- What is the response from the Department of Transportation regarding the traffic turning movements on US-1
- What is the reason for the construction methodology to be wood frame – although meeting the building standards per Steve Nicolosi, wood frame is not required by the building code.
- Could the project support workforce housing?
- Wetlands – Must delineate and confirm that the wetland in north/east corner is taken into account. And the reason why there is a differentiation in the SFWMD and Army Corp wetland designations.
- Confirmation of wetland maintenance agreement PAMP arrangements etc.
- Provide better explanation of the bus stops and pedestrian connections.
- Setback to single family from multi-family – ensure that the code is being applied
- Provide bike racks.
- Provide a condition of approval that will limit the condo conversion by deed restriction.

The applicant is prepared to answer these concerns in their presentation.

Public Comment: Staff has received public comment from Brian DiVentura, a resident in the vicinity of the development. His email has been made an attachment to this agenda. The specific concern addressed in the email is the transfer of development rights from environmentally sensitive lands. However, the applicant is not requesting a transfer of density. The net density was established by removing the acres of all wetlands. The number of units that are permitted without a density bonus is156 dwelling units, and that

is based on 15 dwelling units per acre and the definition of net density, which lesses out all of the dedicated wetlands (15 x 10.43 acres.) The requested 284 units or 27.23 dwelling units per acre (284 units 284/10.43 = 27.23). Therefore, the applicant is requesting a net density of 27.23 dwelling units per acre. The requirement for this density bonus is to allow an additional 128 units.

VII. TRANSMITTAL OF LARGE SCALE COMPREHENSIVE PLAN AMENDMENT

Pursuant to Florida Statute, the City transmitted the large scale comprehensive plan amendment to the Department of Economic Development (DEO) and 9 other agencies on November 27, 2018. During the review period, staff has received one public comment (attached as Public Comment 2 in agenda), and responses from most of the agencies that were given the opportunity to provide comments. In particular, the comments from FDOT and DEO are noted by staff and will be addressed in follow up workshops on transit and in the EAR update to the Comprehensive Plan. Specifically, staff will add the planning horizon to the Future Land Use Element, and staff will plan a systematic coordination with Martin County on bus stop locations. It is noted that there is a bus stop location at the property adjacent and to the north of the subject property. The public comment regarding wetland mitigation has been addressed by legal review in the past public hearings. Staff will be prepared to provide additional response on the January 14th second reading.

VIII. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)

Staff has determined that the proposed future land use amendment to Multi-Family Density Residential and rezoning to RPUD is 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.