**CITY OF STUART, FLORIDA**
**COMMUNITY REDEVELOPMENT BOARD**
**STAFF REPORT**

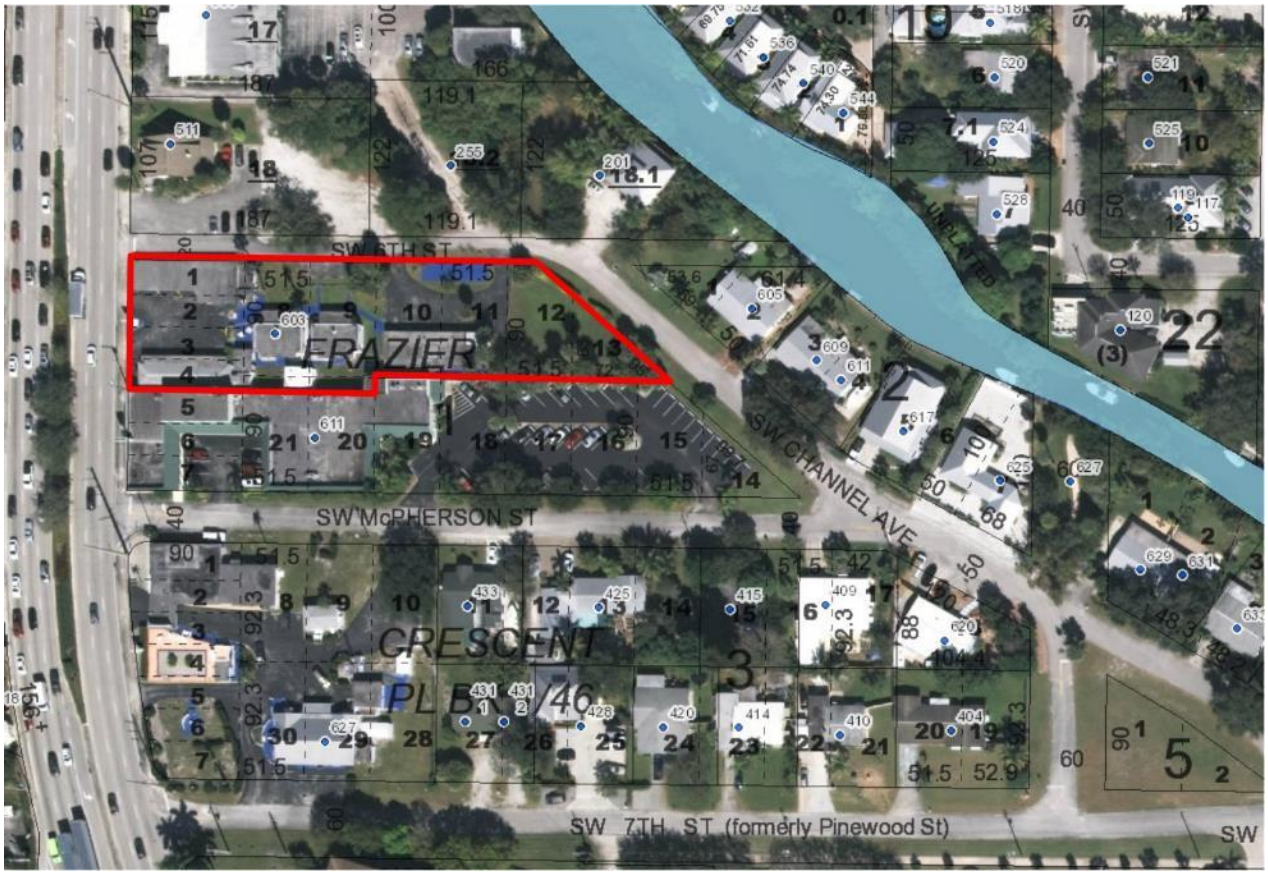
**MEETING DATE:** December 3rd, 2019

**PREPARED BY:** Kev Freeman
Development Director

**PROJECT NAME:** 603 Place – IONANNA LAS LCC

**TITLE OF ITEM:**

Request to consider a Major Urban Code Conditional Use approval to allow a change of use from the existing 19 room hotel/motel use to 19 residential apartments. The conversion to residential will not increase the footprint of the building but will require an increase in density. Therefore, the applicant has requested a density of 24 units per acre. The maximum density allowed without City Commission approval is 15 dwelling units per acre.




LOCATION OF APPLICATION SITE

## I. APPLICATION SUMMARY

The applicant, IOANNA LAS, LLC, is requesting a major urban code conditional use approval as per Section 3.01.06 of the City of Stuart Land Development Code. The applicant is the contract purchaser of the property, located at 603 SW Federal Highway, and if granted, the conditional use would allow for the conversion of the existing hotel/motel use to residential apartments.

The applicant is required to request a Major Urban Code Conditional use due to the resultant residential density of 24 units per acre.

## II. HISTORY

The property is currently known as the 'Southwind Motel'.

## III. ZONING AND LAND USE

| | | |
|---|---|---|
| ***Site Location*** | 603 SW Federal Hwy | |
| ***Parcel Size (area)*** | 0.82 Acres | |




| | | |
|---|---|---|
| ***Subject Property Land Use*** | Downtown Redevelopment | |
| ***Adjacent FLU (Future Land Use)*** | *North* | Downtown Redevelopment |
| | *South* | Downtown Redevelopment |
| | *East* | Downtown Redevelopment |
| | West | Commercial |




| | | |
|---|---|---|
| ***Subject Property Overlay Zoning*** | Urban Highway/Urban Neighborhood | |
| | *North* | Urban Neighborhood/Urban Waterfront |
| | *South* | Urban Highway/Urban Neighborhood |
| | *East* | Urban Waterfront/Public |
| | *West* | B-2 Business |
| ***Proposed Use*** | 19 Residential apartments within the existing building footprint | |
| ***Present Use*** | Hotel/Motel | |
| ***Land Use Plan*** | Downtown Redevelopment | |
| **ROADWAY AND UTILITIES** | | |
| ***Street Functional Classifications*** | US-1 | |
| ***Utilities*** | The provision of water and sewer service to the new apartment use will be discussed at site plan review. | |

## IV. EXISITING CONDITIONS:




VIEW FROM US-1



VIEW FROM SW 6th STREET

## V. PUBLIC NOTIFICATION:

The legal notification requirements have been met for this request of a **Major Urban Code Conditional Use** approval. 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.






## II. STANDARDS FOR URBAN CODE CONDITIONAL USE REVIEW: LAND DEVELOPMENT CODE – SECTION 6.00.04 and SECTION 3.01.06

**NOTE THAT THE REQUEST IS FOR AN ALLOCATION OF RESIDENTIAL DENSITY ONLY, AS SUCH THE PROPOSAL IS CONSIDERERED TO BE A NON-SUBSTANTIAL RENOVATION.**

The city commission may grant a major Urban Code conditional use and the city community redevelopment board may grant a minor Urban Code conditional use. The review of major and minor Urban Code conditional use applications shall follow the procedures set forth in section 11.01.10 relating to major conditional use approval review, including, but not limited to, required findings of fact, conditions, notice, public hearing, standards, burden of proof, revocation and expiration. Approval of an Urban Code conditional use shall only be granted if the applicant can demonstrate that the request is consistent with and will further the implementation of this Code, the CRA redevelopment plan, the city comprehensive plan and will measurably improve the form, function and traditional neighborhood characteristics of the Urban Code District. The procedure for a major Urban Code conditional use shall follow the procedures set forth at section 11.01.10 with respect to submittal information and required notice for a major conditional use approval. The procedure for a minor Urban Code conditional use shall follow the procedures set forth in section 11.01.10 with respect to submittal information and required notice for a major conditional use approval; however, mailed notice shall only be required to be provided to property owners which are directly abutting the subject property, and a minor Urban Code conditional use shall be granted by the city community redevelopment board.

1. Minor Urban Code conditional use. A minor Urban Code conditional use shall be required for relief from the following regulations of the Urban Code; public art, and architectural materials.

2. Major Urban Code conditional use. A major Urban Code conditional use shall be required for relief from the following regulations of the Urban Code; **density**, permitted uses, setbacks, location of parking, location of buildings and structures, conflicts with utilities, curb cuts, historic buildings, pitched roofs in the Old Downtown District, number of stories, building height not to exceed 45 feet, parking located within a building envelope, location of a formula business, and architectural requirements.

a. Review. Upon submittal of an application for a major Urban Code conditional use the city development department shall review all applicable portions of this code and the comprehensive plan and shall make a recommendation to the community redevelopment board followed by a recommendation to the city commission. Prior to its consideration by the city commission, the city community redevelopment board shall review the application and make an advisory recommendation thereon to the city commission. A major Urban Code conditional use may be granted by the city commission upon a determination that the design objectives set forth in this section and site qualitative design development standards set forth in section 6.00.04 have been substantially satisfied. Unless a longer timetable is granted by the community redevelopment board and city commission, a building permit shall be obtained no later than 12 months from the approval date of a major Urban Code conditional use. A

certificate of occupancy shall be obtained no later than 30 months from the issuance of a building permit.

b. Design objectives. The design objectives established in this section are intended to promote superior site and building design and shall be applied by the city in the review of a development plan. In order to achieve substantial conformance with the design objectives the city commission may impose development conditions and operational requirements in order to satisfy the design objectives. A major Urban Code conditional use may be granted only when an applicant presents clear and convincing evidence that the proposed development will result in a superior product that is compatible with the surrounding neighborhood and achieves substantial conformance with the design objectives outlined in this section.

1. Building height. The proposed building is proportional and complimentary to surrounding buildings in the area. – **NO CHANGE – SINGLE STOREY BUILDING**

2. Additional building setbacks. Three- and four-story buildings have an additional five-foot setback on each side. – **NO CHANGE – NOT PART OF THIS REQUEST**

3. Mixed residential unit types. The proposed development includes a mix of one- and two-bedroom rental apartments 1,000 square feet or less of gross floor area. - **ALL RESIDENTIAL APARTMENTS WILL BE LESS THAN 1,000 Sq.ft OF GROSS FLOOR AREA**

4. Architectural treatments. Architectural treatments on the principal building facade should be continued around all sides of the building that are visible from the public realm. **– REFER TO ARCHITECTURAL REDERINGS**

5. Architectural features for mixed-use buildings. In mixed-use buildings, the ground floor shall be differentiated from upper floors through the use of strong cornice lines, awnings, distinct but compatible exterior colors or materials, exterior lighting, colonnades or overhangs that cover the sidewalk, increased setback for upper floors or similar treatments. **– NOT MIXED USE**

6. Defined entrance. The primary building entrance is a prominent feature that is well lit and visible and directly accessible from a public street. To the extent possible, the primary building entrance should be defined and articulated with pediments, pilasters, columns, porticoes, porches, overhangs, railings, or other architecturally compatible elements. **– REFER TO ARCHITECTURAL REDERINGS**

7. Pedestrian amenities. Pedestrian amenities in the form of benches, potted plants, flower boxes, outdoor patio area, murals, or other acceptable forms of amenities located adjacent to a public sidewalk and/or right-of-way. **- NO CHANGE**

8. Patio gardens. The proposed structure incorporates gardens which include a mixture of flower boxes, arbors, trellis, flowering vines, and other landscaping materials. **– NO CHANGE**

9. Varying roof lines. Roofs shall have three or more roof slope planes per primary facade, sloping roofs or have vertical roof changes with a minimum change in elevation of two feet. **– REFER TO ARCHITECTURAL REDERINGS**

10. Elevation plane variation. The elevation plane variation is identified as the exterior wall of a structure or building. For planes 50 feet or less, the secondary plane shall project at least two feet from the primary plane and make up at least five percent of the entire elevation. For planes larger than 50 feet, the secondary plane shall project at least two feet from the primary plane and make up at least 30 percent of the entire elevation. **– REFER TO ARCHITECTURAL REDERINGS**

11. Blank walls. Long, windowless, uninterrupted walls shall be avoided. Transparent windows or faux windows or shutters shall comprise at least 30 percent of street and water side exterior elevations and blank wall areas shall not exceed ten feet in vertical direction and 20 feet in horizontal direction of any facade. **– REFER TO ARCHITECTURAL REDERINGS**

12. Solar hot water, electric, or air. Installation of solar water heaters, photovoltaic panels, and/or solar space heating (either passive or active) systems. Solar facility shall be installed for each individual residential or non-residential unit through a common system supplying each residential or non-residential unit. The solar unit shall be designed to be the primary heat or electrical source for the residential or non-residential unit being served. **– NOT A SUBSTANTIAL RENOVATION**

13. Enhanced landscaping. Landscaping shall be planted over and above city code requirements with respect to size, quantity, and quality. **– REFER TO LANDSCAPE PLANS – ADDITIONAL TREE AND SHRUB PLANTING**

14. Improvements to the surrounding neighborhood. The applicant proposes to make improvements such as; burying utility lines, replacing existing sidewalks with stamped concrete or pavers, providing pedestrian walkways constructed of stamped concrete or pavers, or other improvements. **– NOT A SUBSTANTIAL RENOVATION**

15. Green Space. The development preserves open space **– NOT A SUBSTANTIAL RENOVATION**

a. A tot lot or park is provided on site.

b. Land is donated to the city to use as public green space.

c. A monetary contribution is made to the city public enhancement fund.

d. An additional vista(s) of at least five feet is provided in the Urban Waterfront Subdistrict.

16. Decorative paving. The development includes the use of brick pavers or stamped or color concrete, in accordance with city specifications, on the site. **– NOT A SUBSTANTIAL RENOVATION**

17. Historic preservation. For buildings identified in the City of Stuart update to the 1991 historic property survey dated April 2003 and any subsequent updates thereof; or any other structure which has local architectural, historical, or cultural significance, the following shall apply: **- NOT APPLICABLE**

a. The existing facades of historic structures are preserved and incorporated into the overall design of the proposed development.

b. Any expansion of an existing building is historically or architecturally consistent with the existing building.

c. Historic structures are relocated within the city limits, within Martin County, or outside Martin County.

d. A monetary contribution is made to the relocation of historic buildings fund.

**Sec. 6.00.04. - Site design qualitative development standards.**

A. Generally. The intent of these site design qualitative development standards is to establish qualitative standards to be applied by the city in the review of residential development plans, minor development plans and major development plans submitted to the city as required by this Code. 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.

B. Standards.

1. Harmonious and efficient organization. All elements of a development plan shall be organized harmoniously and efficiently in relation to topography, the size and type of the subject property, the character and development of nearby property, and the type and size of buildings. Site improvements shall be arranged to have minimal effects on nearby property and in a manner that will not impede the development of nearby property for uses permitted by the Stuart Comprehensive Plan and this Code. – **NO CHANGE TO EXISTING LAYOUT – NOT PART OF THIS REQUEST**

2. Preservation of natural conditions. The landscape shall be preserved in its natural state to the maximum degree practical by minimizing tree and soil removal and by other appropriate site planning techniques. Terrain and vegetation shall not be disturbed in a manner likely to increase soil erosion in or near the site or to harm endangered or threatened plant or animal populations. **MINIMAL IMPACT ON EXISTING SITE CONDITIONS**

3. Screening and buffering. Fences, walls, or vegetative screening shall be provided where needed to protect the occupants of the site from undesirable views, lighting, noise or other adverse effects of nearby property, and to protect the occupants of nearby

property from like adverse effects produced by the development of the site. **NO CHANGE**

4. Enhancement of residential privacy. The development plan shall provide reasonable visual and auditory privacy for all dwelling units located within and near the site. Fences, walls, barriers and vegetation shall be arranged to protect and enhance the appearance of the site and the privacy of the occupants. **NO CHANGE**

5. Emergency access. Buildings, walls, landscaping and other site features shall be arranged and constructed to permit access by emergency vehicles to all buildings. **NO CHANGE**

6. Access to public and private ways. All buildings, dwelling units and other facilities designed or intended for occupancy or assembly shall have safe and convenient access to public and private ways including streets, sidewalks and parking areas, and to other areas on the site designed or intended for common use. **NO CHANGE**

7. Pedestrian circulation. For developments which include residential units, the pedestrian circulation system shall be separated to the maximum extent possible from the vehicular circulation system. Sidewalks shall be provided if desirable for pedestrian safety and shall be constructed in accordance with city standards. - **NO CHANGE**

8. Location and design of access drives. Access drives to the site shall be located and designed to maximize public safety and convenience and to minimize negative traffic impacts on property. Access improvements located both on and off the site shall be provided if desirable for public safety. - **NO CHANGE**

9. Coordination of on-site and off-site circulation. The arrangement of on-site public and private ways including streets, sidewalks, bicycle paths and parking areas for vehicular and pedestrian circulation shall be coordinated with the existing and planned pattern of off-site public and private ways for vehicular and pedestrian circulation. - **NO CHANGE**

10. Location and design of on-site ways. On-site public and private ways including streets, sidewalks, bicycle paths and parking areas shall be located and designed to occupy no more land than is required to provide safe and convenient vehicular and pedestrian circulation. Such ways shall not unnecessarily fragment development into small areas or segments. - **NO CHANGE**

11. Drainage. Stormwater drainage shall be accommodated on the site or shall be removed from the site in a manner which does not adversely affect nearby property or the public storm drainage system. The necessary facilities, including grading, gutters, piping and the treatment of soil, shall be provided to accommodate stormwater retention, percolation and drainage, and to prevent erosion and the formation of silt. **– MINIMAL IMPACT REFER TO DRAINAGE STATEMENT**

12. Exterior lighting. Exterior lighting shall not produce glare on nearby property or otherwise interfere with the quiet enjoyment of nearby property or with public safety and convenience. **– LIGHTING WILL BE REVIEWED AT BUILDING SITE PLAN**

*The resultant site plan application will be reviewed by Fire Department and Public Works reviewers and will be required to meet applicable access requirements.*

## 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 ***MAJOR URBAN CODE CONDITIONAL USE*** to allow an increase in density to 24 dwelling units per acre in accordance with the conditions attached the draft Resolution 01-2020 ( amended from 103-2019).

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.