BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 01-2020

RESOLUTION NUMBER 01-2020: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW A REDUCTION OF REQUIRED PARKING TO 5 STALLS AT 600 S COLORADO AVE, TO ALLOW A USE OF COFFEE RETAIL SALES, ROASTING OF COFFEE AND COFFEE BAR; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission of Stuart, Florida, has adopted and administers Section 3.01.06 of the Land Development Code; and

WHEREAS, the applicant, Robert Levy (The "Contract Purchaser") filed an application on November 8th, 2019, for a Major Urban Code Conditional Use Permit to allow a reduction of required parking to 5 stalls to allow a use of coffee retail sales, roasting of coffee and coffee bar at at 600 S Colorado Ave, Stuart, Florida.

WHEREAS, the City Commission held a properly noticed hearing on _____, to consider the application for a reduction of required parking as a conditional use; and

WHEREAS, at a public hearing the applicant has shown by substantial competent evidence that the proposed use does not create any detrimental effects on adjacent properties, within three hundred (300) feet of the proposed location; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: Subject to the conditions attached hereto, the City Commission hereby grants a Major Urban Code Conditional Use Approval to Robert Levy, as the contract purchaser of 600 S Colorado Ave, Stuart, Florida. This conditional use may be assigned to tenants of the property to undertake the use hereby approved but otherwise this conditional use is non-transferable.

SECTION 2: A legal description of the Property is set forth in **Exhibit A** of this Resolution. A map depicting the property and location of the property is attached hereto as **Exhibit B** and made a part hereof by reference; and

SECTION 3: The site layout and parking locations are defined on the attached site plan dated November, 2019 by Mathers Engineering Corporation and attached hereto as **Exhibit C**.

SECTION 4: This resolution shall take effect upon adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

Resolution #01-2020
600 S COLORADO Ave
Conditional Use Approval

	YES	NO	ABSENT	ABSTAIN
MICHAEL J. MEIER, MAYOR				
EULA R. CLARKE, VICE MAYOR				
BECKY BRUNER, COMMISSIONER				
KELLI GLASS LEIGHTON, COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				

ADOPTED this ___ day of _____, 2020.

ATTEST:

_____ _____

MARY R. KINDEL
CITY CLERK

MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____

MICHAEL MORTELL
CITY ATTORNEY

STATE OF _____

COUNTY OF _____

Resolution #01-2020
600 S COLORADO Ave
Conditional Use Approval

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN THE FOREGOING RESOLUTION, AND ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE FOREGOING RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ADMINISTRATIVE ACTIONS AND PENALTIES MAY BE TAKEN AGAINST THE UNDERSIGNED, ITS SUCCESSORS OR ASSIGNS, BY THE CITY, INCLUDING BUT NOT LIMITED TO SANCTIONS DESCRIBED IN THIS RESOLUTION, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

_____
Print Name:_____

_____
Print Name:_____

OWNER

By:_____
Robert Levy

OWNERS ACKNOWLEDGMENT

The above Acceptance and Agreement of Resolution No. 01-2020 was acknowledged before me this _____ day of _____, 2019, Robert Levy.

_____

Notary Public, State of Florida

My Commission Expires:
Notary Seal

Personally Known _____ OR Produced Identification _____
Type of Identification Produced ____

Exhibit A – Legal Description

Lot 1, BLOCK 23 FRAZIER ADDITION, ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 66, PALM BEACH (now MARTIN COUNTY), FLORIDA PUBLIC RECORDS.

Exhibit B
Location Map

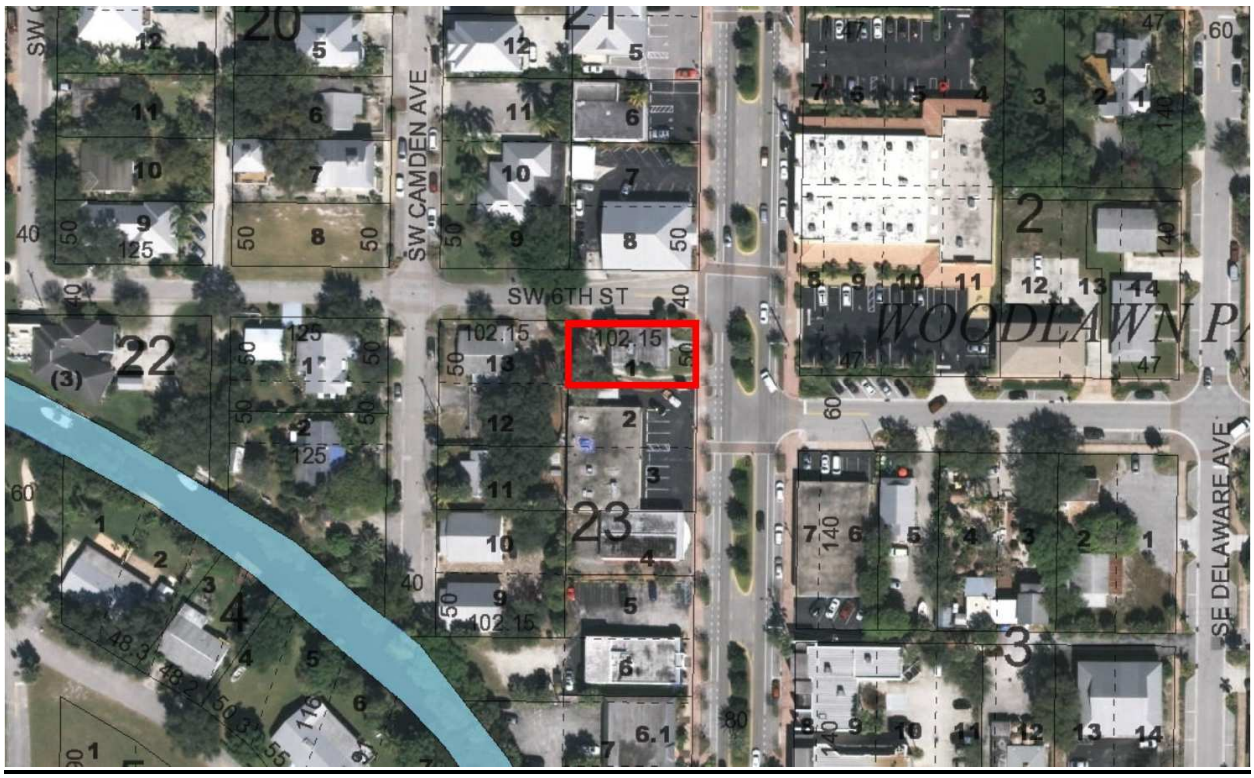


Exhibit C

Conditions of Approval

1. The use of the site will be for Coffee Retail Sales, Roasting of Coffee and Coffee Bar as described in the application.

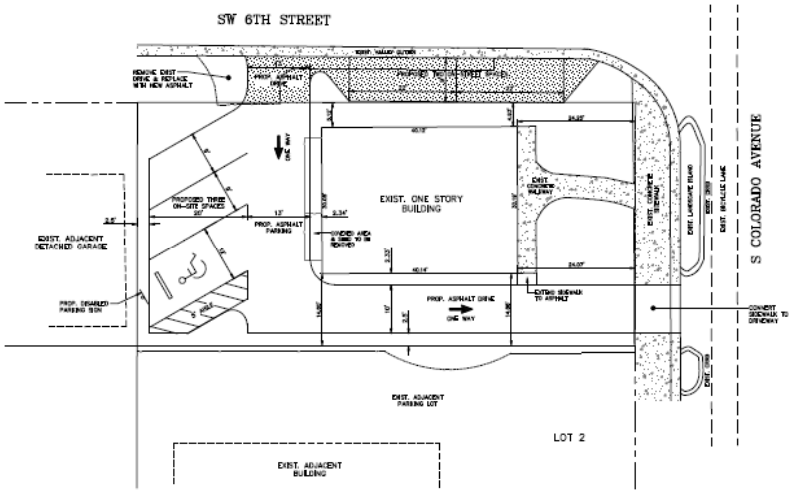
2. Building permits will not be issued until building permit applications, deemed sufficient for permit review under City codes and standards, for building improvements has been submitted.

3. The parking and access construction will require the approval of a parking/striping site plan permit.

4. Interior build-out construction plans will be subject to compliance with fire codes and standards.

5. A building permit shall be obtained no later than 12 months from the approval date of the major urban code conditional use and a certicate of occupancy shall be obtained no later than 30 months from the issuance of a building permit.

Exhibit D



NORTH

GRAPHIC SCALE

600 COLORADO AVENUE
CITY OF STUART, FLORIDA

PARKING PLAN

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