



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

MAY 9, 2022

AT 4:00 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

**Mayor Merritt Matheson
Vice Mayor Troy McDonald
Commissioner Becky Bruner
Commissioner Eula R. Clarke
Commissioner Mike Meier**

ADMINISTRATIVE

**City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel**

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.

(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

WHAT IS CIVILITY? Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

PUBLIC COMMENT: If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.

CONSENT CALENDAR: Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.

QUASI-JUDICIAL HEARINGS: Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

ROLL CALL

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - "THE FOLDING CITY" - A PRESENTATION BY CARSON KATRI OF CLARK ADVANCED LEARNING CENTER
2. CERTIFICATE OF RECOGNITION FOR STEVAN WEISS

PROCLAMATIONS

3. MINORITY HEALTH MONTH - APRIL 2022
4. LETTER CARRIERS' *STAMP OUT HUNGER* FOOD DRIVE DAY - MAY 14, 2022
5. SAFE BOATING WEEK - MAY 17-22, 2022
6. FLORIDA EMANCIPATION DAY - MAY 20, 2022
7. HISTORIC PRESERVATION MONTH - MAY 2022
8. MENTAL HEALTH AWARENESS MONTH - MAY 2022; NATIONAL ALLIANCE ON MENTAL ILLNESS (NAMI)
9. MENTAL HEALTH AWARENESS MONTH - MAY 2022; NEW HORIZONS
10. GARDEN WEEK - JUNE 5-11, 2022

PRESENTATIONS

11. STUART MAIN STREET ANNUAL UPDATE

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

CONSENT CALENDAR

12. APPROVAL OF 04/25/2022 CCM MINUTES (RC)

13. BUDGET AMENDMENT FOR WALMART DONATION TO PUBLIC SAFETY (RC):

RESOLUTION NO. 09-2022; BA #3-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT NUMBER 3 TO THE 2022 OPERATING BUDGET; AUTHORIZING RECEIPT AND APPROPRIATION OF A DONATION FROM WALMART CORPORATION AUTHORIZING THE EXPENDITURE OF FUNDS FOR POLICE COMMUNITY EVENTS; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

14. AWARD OF ITB #2022-109: DOWNTOWN FLOATING DOCK REPLACEMENT PROJECT (RC):

RESOLUTION No. 51-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2022-109, DOWNTOWN FLOATING DOCK REPLACEMENT PROJECT TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$49,690.00 TO UNDERWATER ENGINEERING SERVICES, INC. OF FORT PIERCE, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

15. CITY OF STUART COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING REHABILITATION PROGRAM CONFLICT DISCLOSURE (RC)

16. LAND USE CHANGE TO CONSERVATION WITHIN AVONLEA (RC):

RESOLUTION No. 50-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO REQUEST AUTHORIZATION FOR STAFF TO COMMENCE A CITY INITIATED PROCESS TO DESIGNATE A CITY FUTURE LAND USE OF CONSERVATION ON CERTAIN TRACTS IDENTIFIED WITHIN THE NEW AVONLEA PLANNED UNIT DEVELOPMENT (PUD), PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

17. ATLANTIC POINT MARINA – MAJOR URBAN CODE CONDITIONAL USE APPROVAL – **(REQUEST FOR CONTINUANCE TO A DATE CERTAIN OF MAY 23, 2022 CCM)**

RESOLUTION No. 43-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL FOR MIDDLE ISLAND MANAGEMENT AND DEVELOPMENT, LLC

OWNER OF PROPERTY LOCATED AT 75 NW FLAGLER AVENUE, ADJACENT TO THE ST. LUCIE RIVER, PARALLEL TO NW FLAGLER AVENUE, NORTH DIXIE HIGHWAY, AND THE FEC RAILWAY, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; ALLOWING URBAN DESIGN VARIANCES TO THE URBAN WATERFRONT DISTRICT SUCH AS THE MAXIMUM CUMULATIVE FRONT BUILDING FAÇADE WIDTH OF 160 FEET, THE REQUIREMENT TO PROVIDE ADDITIONAL VISTA REQUIREMENTS FOR A BUILDING FAÇADE 100 FEET OR MORE IN WIDTH, MAXIMUM BUILDING HEIGHT OF THREE STORIES AND 35 FEET, THE REQUIREMENT TO PROVIDE BALCONIES ON THE WATERFRONT SIDE OF A BUILDING, FROM CERTAIN ARCHITECTURAL STANDARDS AND REGULATIONS AND SIDE SETBACKS OF NOT LESS THAN 10 FEET ON EACH SIDE; IN ORDER TO BUILD A BOAT BARN, RESTAURANT, SHIP STORE, BOAT SLIPS, AND ASSOCIATED MARINA USES. PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

18. INDIAN STREET SELF STORAGE DEVELOPMENT (RC):

ORDINANCE No. 2482-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A MAJOR AMENDMENT TO A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) FOR A 6.59-ACRE PROPERTY AT 1053 SOUTHEAST INDIAN STREET; LOCATED APPROXIMATELY ONE-HALF MILE EAST OF THE INTERSECTION AT WILLOUGHBY ROAD AND SE INDIAN STREET ON THE NORTH SIDE OF THE ROAD, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE BEE SAFE STORAGE CPUD CONSISTING OF ONE, THREE-STORY, 135,000-SQUARE-FOOT SELF STORAGE BUILDING AND EIGHT, ONE-STORY STORAGE BUILDINGS; PROVIDING FOR CERTAIN DEVELOPMENT DOCUMENTS AND CONDITIONS; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

19. ATLANTIC POINT MARINA - FUTURE LAND USE MAP CHANGE - MIDDLE ISLAND MANAGEMENT & DEVELOPMENT, LLC (RC):

ORDINANCE No. 2485-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "INDUSTRIAL" TO "MARINE INDUSTRIAL" FOR MIDDLE ISLAND MANAGEMENT AND DEVELOPMENT, LLC OWNER OF PROPERTY LOCATED AT 75 NW FLAGLER AVENUE, ADJACENT TO THE ST. LUCIE RIVER, PARALLEL TO NW FLAGLER AVENUE, NORTH DIXIE HIGHWAY, AND THE FEC RAILWAY, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

DISCUSSION AND DELIBERATION

ADJOURNMENT