



City of Stuart

## **AGENDA**

### **REGULAR MEETING OF THE STUART CITY COMMISSION**

**MAY 23, 2022**

**AT 5:30 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](mailto: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**

## **COMMENTS BY CITY COMMISSIONERS**

## **COMMENTS BY CITY MANAGER**

## **APPROVAL OF AGENDA**

## **COMMENTS FROM THE PUBLIC (3 Minutes Max.)**

## **CONSENT CALENDAR**

1. APPROVAL OF 05/09/2022 CCM MINUTES (RC)
2. STATE REVOLVING FUND AMENDMENT #1 TO LOAN AGREEMENT DW430450 (RC):

RESOLUTION No. 47-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING AMENDMENT 1 TO THE STATE OF FLORIDA DRINKING WATER STATE REVOLVING FUND LOAN PROGRAM FOR THE ALTERNATIVE WATER SUPPLY PROJECT DW430450; AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 1; DESIGNATING AUTHORIZED REPRESENTATIVE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

3. AUTHORIZING AN APPLICATION TO FDOT TO ILLUMINATE THE ROOSEVELT BRIDGE FOR INDEPENDENCE DAY (RC):

RESOLUTION No. 54-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING AN APPLICATION TO THE FLORIDA

DEPARTMENT OF TRANSPORTATION REQUESTING PERMISSION TO ILLUMINATE THE ROOSEVELT BRIDGE IN STUART WITH RED, WHITE, AND BLUE LIGHTING FOR THE WEEK OF JULY 4<sup>TH</sup>, 2022 IN CELEBRATION OF INDEPENDENCE DAY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

4. BA #14-2022; KIWANIS CLUB DONATION FOR PARK IMPROVEMENTS (RC):

RESOLUTION No. 55-2022; BUDGET AMENDMENT No. 14; RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. 14-2022 TO THE 2021-2022 FISCAL YEAR BUDGET; APPROVING A DONATION FROM THE KIWANIS CLUB OF STUART, FLORIDA IN THE AMOUNT OF \$2,534.85 TO THE GENERAL FUND REVENUES, 'DONATION TO RECREATION' FOR KIWANIS PARK IMPROVEMENTS; AND AUTHORIZING PARKS AND GROUNDS MAINTENANCE TO EXPEND \$2,534.85 FOR A BUTTERFLY SIGN AT KIWANIS PARK.

#### **END OF CONSENT CALENDAR**

#### **COMMISSION ACTION**

5. APPOINT VOTING DELEGATE TO FLORIDA LEAGUE OF CITIES (RC)
6. CITY OF STUART COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING REHABILITATION PROGRAM POTENTIAL CONFLICT DISCLOSURE (RC)
7. PALM CITY RD TRAFFIC CONTROL DEVICE (RC):

RESOLUTION No. 53-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE INSTALLATION OF A 4-WAY STOP INTERSECTION ON PALM CITY RD; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

#### **ORDINANCE SECOND READING**

8. INDIAN STREET SELF STORAGE DEVELOPMENT (QUASI JUDICIAL)(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.

9. ATLANTIC POINT MARINA - FUTURE LAND USE MAP CHANGE - MIDDLE ISLAND MANAGEMENT & DEVELOPMENT, LLC (QUASI-JUDICIAL)(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.

**10. ATLANTIC POINT MARINA - MAJOR URBAN CODE CONDITIONAL USE APPROVAL (QUASI JUDICIAL)(RC):**

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; REQUIRING SPECIFIC POLICIES TO BE CONSIDERED INCLUDING LAND USES, PARKING PROVISIONS, LANDSCAPE BUFFER WIDTHS, BUILDING WALL MATERIALS, ROOF PITCH, ROOF MATERIALS, ARCADES, PORCHES, OUTBUILDINGS AND BALCONIES ALLOWING FOR 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 FIRST READING**

**11. STUART COURTHOUSE UPUD (QUASI-JUDICIAL) (RC):**

ORDINANCE No. 2489-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A REZONING FROM URBAN CENTER TO URBAN PLANNED UNIT DEVELOPMENT (UPUD) LOCATED AT 151 & 191 S.E. OCEAN BLVD, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE STUART COURTHOUSE UPUD CONSISTING OF FIFTY TWO NEW (52) RESIDENTIAL UNITS AND 5,778 SQUARE FEET OF OFFICE/COMMERCIAL USE IN ACCORDANCE WITH SECTION 2.07.00 OF THE STUART LAND DEVELOPMENT CODE; ALLOWING A DENSITY OF 29.7 DWELLING UNITS PER ACRE ON A 1.06 ACRE SITE; APPROVING A FINAL SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTANT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**DISCUSSION AND DELIBERATION**

**ADJOURNMENT**