



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

FEBRUARY 13, 2023

AT 4:00 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

Mayor Troy McDonald

Vice Mayor Becky Bruner

Commissioner Eula R. Clarke

Commissioner Christopher Collins

Commissioner Campbell Rich

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

INVOCATION – PASTOR JIM BROCIOS – STUART ALLIANCE CHURCH

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - GERTRUDE WALDEN CHILDCARE CENTER STUDENT PERFORMANCE IN HONOR OF BLACK HISTORY MONTH

PROCLAMATIONS

2. BLACK HISTORY MONTH - FEBRUARY 2023
3. 211 AWARENESS MONTH - FEBRUARY 2023
4. VIETNAM WAR VETERANS DAY - MARCH 29, 2023
5. HONORING THE LIFE OF ALICE LOUISE (KERSHAW) LUCKHARDT

PRESENTATIONS

6. SERVICE AWARD - FEBRUARY 2023

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

CONSENT CALENDAR

7. APPROVAL OF 01/17/2023 SCM - FORM BASED CODE AND 01/23/2023 CCM MINUTES (RC)
8. ADOPTING NEW FEE SCHEDULE OF THE INTERLOCAL AGREEMENT WITH COUNTY FOR FIRE RESCUE (RC):

RESOLUTION No. 12-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO ADOPT THE NEW FEE SCHEDULE WITHIN THE LETTER OF UNDERSTANDING OF THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF STUART ("CITY") AND MARTIN COUNTY ("COUNTY") FOR FIRE SUPPRESSION AND EMERGENCY MEDICAL SERVICES; AND PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

9. BUDGET AMENDMENT #7 STYPMANN NEIGHBORHOOD DRAINAGE IMPROVEMENTS PROJECT (RC):

RESOLUTION No. 15-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 7 TO THE 2022-2023 STORMWATER FUND BUDGET; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE STYPMANN NEIGHBORHOOD DRAINAGE PROJECT; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

10. ARPA SUPPORT REQUEST - SAFESPACE INC (RC):

RESOLUTION No. 10-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE AWARD OF A SUBRECIPIENT AGREEMENT TO SAFESPACE, INC. FOR SUPPORT OF RESPONSE TO DOMESTIC VIOLENCE AT A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$500,000 THROUGH DECEMBER 31, 2024; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EXECUTE THIS TRANSACTION; APPROVING A SUPPELEMENTAL APPROPRIATION IN THE AMOUNT OF \$500,000 FROM THE UNAPPROPRIATED BALANCE OF THE AMERICAN RESCUE PLAN ACT FUND TO RESPONSE TO DOMESTIC VIOLENCE/DOMESTIC VIOLENCE PREVENTION AND PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

11. GREEN REUSE AREA DESIGNATION (RC):

RESOLUTION No. 09-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED AT 980, 1050, AND 1120 SE MONTEREY ROAD EXTENSION, STUART, FLORIDA, IDENTIFIED BY MARTIN COUNTY FOLIO NUMBERS 16-38-41-000-000-00013-0, 16-38-41-000-000-00014-0, AND 16-38-41-000-000-00016-0 (COLLECTIVELY, THE "SUBJECT PROPERTY"), AS FURTHER IDENTIFIED BY THE ATTACHED MAPS, COMMONLY REFERRED TO AS "THE LANDFILL", PURSUANT TO SECTION 376.80, FLORIDA STATUTES OF FLORIDA'S BROWNFIELD DEVELOPMENT ACT FOR THE PURPOSE OF ENVIRONMENTAL

REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC DEVELOPMENT; AUTHORIZING THE CITY CLERK TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING FOR IMPLEMENTATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

12. EAST STUART HISTORICAL ADVISORY COMMITTEE (RC):

RESOLUTION No. 11-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RATIFYING AND REINSTATING THE EAST STUART HISTORICAL ADVISORY COMMITTEE; MAKING FINDINGS OF NECESSITY; APPROVING BY-LAWS; PROVIDING FOR CONFLICTS; SEVERABILITY AND AN EFFECTIVE DATE.

ORDINANCE SECOND READING

13. EAST STUART NEIGHBORHOOD - ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2499-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "EAST STUART NEIGHBORHOOD" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

14. EAST STUART NEIGHBORHOOD - LAND DEVELOPMENT CODE AMENDMENT (RC):

ORDINANCE No. 2507-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER III SPECIAL ZONING CODES FOR THE "EAST STUART NEIGHBORHOOD"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

15. THE CREEK DISTRICT - ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2501-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "THE CREEK DISTRICT" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH THE FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

16. THE CREEK DISTRICT - LAND DEVELOPMENT CODE AMENDMENT (RC):

ORDINANCE No. 2498-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY; CHAPTER III SPECIAL ZONING CODES FOR "THE CREEK DISTRICT"; AND CHAPTER XII DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND

FOR OTHER PURPOSES.

ORDINANCE FIRST READING

17. STUART AUTO VAULT, LLC., PETITION FOR VOLUNTARY ANNEXATION ON MONTEREY ROAD (RC):

ORDINANCE No. 2510-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ANNEXING A PARCEL OF LAND FRONTING SE MONTEREY ROAD, CONSISTING OF 0.34-ACRES, SAID PARCEL BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

18. STUART AUTO VAULT, LLC., PETITION FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT ON MONTEREY ROAD (RC):
(THIS IS A SINGLE READING ITEM)

ORDINANCE No. 2511-2023; AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT AS DEFINED IN F.S.§163.3187; AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP FOR AN APPROXIMATELY 0.34-ACRE PARCEL FROM THE FUTURE LAND USE OF GENERAL COMMERCIAL (COUNTY) TO THE FUTURE LAND USE OF COMMERCIAL (CITY); AMENDING THE FUTURE LAND USE MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

19. STUART AUTO VAULT, LLC., PETITION FOR REZONE TO THE OFFICIAL ZONING ATLAS ON MONTEREY ROAD (RC):

ORDINANCE No. 2512-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP; TO REZONE A 0.34-ACRE PARCEL; LOCATED ON THE SOUTH SIDE OF SE MONTEREY ROAD; BEING MORE DESCRIBED IN EXHIBIT "A" ATTACHED, FROM B-1 BUSINESS (COUNTY) ZONING DESIGNATION TO B-4 LIMITED BUSINESS/MANUFACTURING (CITY) ZONING DESIGNATION; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

20. 751 SE CENTRAL PARKWAY - SMALL-SCALE FUTURE LAND USE MAP AMENDMENT (QUASI-JUDICIAL) (RC):
(THIS IS A SINGLE READING ITEM)

ORDINANCE No. 2486-2023; 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 "COMMERCIAL" TO "MULTI-FAMILY RESIDENTIAL" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT 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.

21. 751 SE CENTRAL PARKWAY - REZONING FROM COMMERCIAL TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2487-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO REZONE REAL PROPERTY FROM COMMERCIAL PLANNED UNIT DEVELOPMENT "CPUD" TO RESIDENTIAL PLANNED UNIT DEVELOPMENT "RPUD" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY; SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE SAILFISH CAY RPUD CONSISTING OF SIXTY (60) TOWNHOUSE UNITS; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT 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

Note: Any invocation that may be offered at the opening of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.