



A G E N D A

**REGULAR MEETING OF THE STUART CITY COMMISSION
TO BE HELD September 26, 2016
AT 5:30 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor Jeffrey A. Krauskopf
Vice Mayor Eula Clarke
Commissioner Kelli Glass Leighton
Commissioner Tom Campenni
Commissioner Troy McDonald**

ADMINISTRATIVE

**City Manager, Paul J. Nicoletti
City Attorney, Michael J. Mortell
City Clerk, Cheryl White**

Agenda items are available on our website at <http://www.cityofstuart.us>

Phone: (772) 288-5306 .Fax: (772) 288-5305 .E-mail: cwhite@ci.stuart.fl.us

Special Needs: Participants with special needs can be accommodated by calling the City Clerk at least 5 working days prior to the Meeting excluding Saturday and Sunday. We can be reached by phone at (772)288-5306, by fax at (772)288-5305, or by email at cwhite@ci.stuart.fl.us. If you are hearing impaired, please contact us using the Florida Relay Service, Customer Service: Dial 711 or English: (V) 800-682-8706, (TTY) 800-682-8786 Spanish: (V, TTY) 1-800-855-2886 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.

ROLL CALL

PLEDGE OF ALLEGIANCE

1. Oath of Office Newly Elected City Commissioner

PROCLAMATIONS

PRESENTATIONS

2. Presentation of September 2016 Employee of the Month Recognition.

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (5 min. max)

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.*

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.*

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.*

CONSENT CALENDAR

3. Minutes of 8/22/2016, 9/12/2016 CCM, and 09/12/2016 SCM Tentative Budget for approval (RC)
4. Request item be continued to October 10, 2016.

ORDINANCE 2333-2016: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA DESIGNATING A PARCEL OF LAND CONSISTING OF 1.6 ACRES OWNED BY THE CITY OF STUART AND LEASED TO NEW URBAN COMMUNITIES, LLC A RE-ZONING FROM URBAN CENTER (UC) TO RESIDENTIAL PLANNED UNIT (RPUD); SAID PARCEL BEING GENERALLY LOCATED AT THE NORTHWEST CORNER OF JOAN JEFFERSON WAY AND SOUTH DIXIE

HIGHWAY, BEING MORE FULLY DESCRIBED BY EXHIBIT "A" ATTACHED; AUTHORIZING A CORRESPONDING CHANGE TO THE CITY'S OFFICIAL ZONING MAP; TO APPROVE A RPUD DEVELOPMENT FOR THE "STUART TRIANGLE PARCEL" PROJECT ALLOWING THE CONSTRUCTION OF A THREE-STORY APARTMENT COMPLEX CONSISTING OF 49 DWELLING UNITS; PROVIDING FOR APPROVAL OF A MASTER SITE PLAN; PROVIDING CONDITIONS FOR COMPLIANCE WITH APPLICABLE DESIGN STANDARDS; DECLARING THE PROPOSED RPUD DEVELOPMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; APPROVING CERTAIN DEVELOPMENT DOCUMENTS; APPROVING CERTAIN CONDITIONS OF DEVELOPMENT; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY THE APPLICANT; AND PROVIDING FOR DIRECTIONS TO THE CITY CLERK.

5. RESOLUTION No. 98-2016; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF STUART AND TREASURE COAST SAILING ADVENTURES, LLC.; STUART GREEN MARKET, INC. AND WIND CHASE FARM COMBINED DRIVING LLC. GRANTING A NON-EXCLUSIVE LICENSE TO BERTH "THE LILY" A 42 FOOT SAILING VESSEL AT THE CITY DOCK LOCATED ON THE ST. LUCIE RIVER BEHIND CITY HALL; A LICENSE AGREEMENT FOR THE WEEKLY GREEN MARKET; AND A REVOCABLE PERMIT FOR HORSE AND CARRIAGE TOURS PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (RC)
6. RESOLUTION No. 101-2016; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT #21 TO THE 2015-2016 GENERAL FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE BAKER ROAD SIDEWALK AND LANDSCAPING PROJECT. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (RC)
7. RESOLUTION No. 102-2016; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "SHOPPES AT MONTEREY AND KANNER REPLAT", PREPARED BY DEWBERRY ENGINEERS INC.; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (RC)
8. RESOLUTION No. 103-2016; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZATION TO NEGOTIATE FOR RFP #2016-163, ANNUAL CONTRACT FOR DEMOLITION SERVICES TO THE TOP RANKED FIRM, ONE CALL PROPERTY SERVICES, INCORPORATED OF STUART, FLORIDA, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.(RC)
9. RESOLUTION No. 104-2016; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A NEW SIGN UP AND SAVE INCENTIVE DISCOUNT TO UNSEWERED PROPERTIES IN THE MANOR, RIVERVIEW, PELICAN, STYPMANN, OSCEOLA, CABANA POINT, AND HIBISCUS SEWER BASINS FOR THE PERIOD BEGINNING OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017. PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.(RC)

END OF CONSENT CALENDAR

COMMISSION ACTION

10. A Quasi-Judicial Appeal and Request for De Novo Hearing by Giant Oil, Inc. of the denial by the Development Director for a Legal Non-Conforming Use designation on property located at 728 NW Dixie Highway, Stuart, Florida. (QJ)(Continued from 3/14/2016)
11. Consider appointment by Commissioner Troy McDonald of Mac Stout to the Community Redevelopment Board filing a vacant position. (RC)

ORDINANCE FIRST READING

12. ORDINANCE No. 2332-2016; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING CHAPTER 2, SECTION 2.07.00.D.4, "DENSITY" AND SECTION 2.03.00, TABLE 5 "MAXIMUM DWELLING UNITS PER ACRE" OF THE CITY'S LAND DEVELOPMENT CODE, PROVIDING THAT, IN ADDITION TO THE "URBAN CODE CONDITIONAL USE APPROVAL" PROCESS, THE CITY

COMMISSION MAY ALSO GRANT UP TO (30) THIRTY RESIDENTIAL DWELLING UNITS PER ACRE WITHIN THE "DOWNTOWN REDEVELOPMENT" LAND USE DISTRICT BY THE PROCESS OF REZONING TO "RESIDENTIAL PLANNED UNIT DEVELOPMENT" (R-PUD) (RC)

ORDINANCE SECOND READING

13. **(SECOND READING) (QJ)** ORDINANCE NO. 2331-2016; AN ORDINANCE OF THE CITY OF STUART, FLORIDA GRANTING A SECOND MAJOR AMENDMENT TO ORDINANCE NO. 2297-2014, AKA THE 7.24-ACRE, 4-LOT WAWA GAS STATION & CONVENIENCE STORE MASTER COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD), THEREBY PROVIDING FOR THE RECONFIGURATION OF LOTS 2 & 3, MORE SPECIFICALLY DECREASING LOT 2 FROM 1.63 ACRES TO 1.22 ACRES AND INCREASING LOT 3 FROM 1.33 ACRES TO 1.74 ACRES; APPROVING A MASTER DEVELOPMENT PLAN FOR LOT 2 CONSISTING OF A 4,442 SQUARE FOOT CULVER'S BUTTERBURGER & FROZEN CUSTARD DRIVE-THRU AND SIT-DOWN RESTAURANT; PROVIDING FOR NEW, RESTATED, AND AMENDED DEVELOPMENT CONDITIONS, INCLUDING A TIMETABLE FOR DEVELOPMENT AND A REQUIREMENT FOR PLATTING; SAID PROPERTY BEING GENERALLY LOCATED AT THE SOUTH EAST CORNER OF SR 76 & S.E. MONTEREY ROAD, BEING MORE FULLY DESCRIBED BY EXHIBIT "A" ATTACHED; DECLARING THE PROPOSED DEVELOPMENT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; ACCEPTANCE BY THE APPLICANTS; AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (RC)

DISCUSSION AND DELIBERATION

ADJOURNMENT