MINUTES
SPECIAL COMMISSION MEETING OF THE STUART CITY COMMISSION
EAST STUART ZONING
APRIL 16, 2025
AT 5:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Campbell Rich
Vice Mayor Christopher Collins
Commissioner Eula R. Clarke
Commissioner Laura Giobbi
Commissioner Sean Reed

ADMINISTRATIVE

City Manager, Michael J. Mortell
City Attorney, Lee J. Baggett
City Clerk, Mary R. Kindel

ROLL CALL

PRESENT: Mayor Rich, Vice Mayor Collins, Commissioner Clarke, Commissioner Giobbi, and Commissioner Reed

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

5:03 PM MOTION: Approve to allow public comments to 4 minutes and have questions and answers.
MOVED BY: Laura Giobbi
SECONDED BY: Eula Clarke
Motion approved unanimously.

Commissioner Clarke

- Commented that she is happy to see the participation of all the residents.

Vice Mayor Collins

- Commented that the City received a letter of objection from a legal firm representing Olden Development, LLC, McHardy Investments, LLC and Taylor Family Trust and found this interesting because in December there was another letter received from the same firm representing Marcela Camblor. He provided some history with a previous

charrette and the planner was Marcela. Reiterated what the Commission is trying to do.

Mayor Rich

- Commented he is happy to see everyone here this evening.
- Stated that he feels there is no need to make drastic changes to the code to make it harder for their own residents to build on their land.
- Commented on some rumors that were evolving on social media that included the Costco, City Hall site, and East Stuart.
- Explored the different options for affordable housing within East Stuart.

COMMENTS BY CITY MANAGER

- Commented on a letter from a legal firm representing Olden Development, LLC, McHardy Investments, LLC and Taylor Family Trust regarding East Stuart and the Zoning in Progress, stated City Attorney Lee Baggett and himself had a conference meeting with them this afternoon and expressed that the issue the commission has outstanding is the conditional usage in the community.
- Advised the Commission to state the scope of the meeting.
- Provided a conditional use chart and would like feedback from neighbors on Item 2, street by street.

APPROVAL OF AGENDA

5:25 PM MOTION: Approve.
MOVED BY: Eula Clark
SECONDED BY: Christopher Collins
Motion approved unanimously.

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

1. Jimmy Smith - Stuart: Commented on the Costco project and how great it has come together. Commended the Commission for working together and doing a great job.
2. Kimberly McHardy - Stuart; Addressed Vice Mayor Collins' comment suggesting that the law firm of the letter sent to the City had underlying motives.

ORDINANCE SECOND READING

1. ZONING IN PROGRESS LAND DEVELOPMENT CODE TEXT AMENDMENTS IMPLEMENTATION (LEGISLATIVE) (RC):

   ORDINANCE No. 2539-2025; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY, CHAPTER III SPECIAL ZONING CODES, CHAPTER V RESOURCE PROTECTION RELATED DEVELOPMENT STANDARDS, AND CHAPTER VI ON-SITE AND OFF-SITE DEVELOPMENT STANDARDS WHICH WERE DETERMINED DURING THE "ZONING IN PROGRESS" UNDER SECTION 1.04.04, STUART LAND DEVELOPMENT

CODE; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Lee Baggett, City Attorney, addressed the Commissioners to clarify scrivener errors in permitted uses.

5:47 PM Motion made by Vice Mayor Collins and seconded by Commissioner Giobbi for discussion. Motion as stated: Within the ESN 08 Chart and mentioned scrivener errors on ESN 09. Table 5, be kept under the conditional use process, multi-family, mixed-use, hotels and motels, bed and breakfast inns, governmental buildings, assisted living facilities, banks, financial institutions, bars, office business professional, medical or veterinary office buildings, rooftop dining, theaters, public & utilities facilities, telecommunication towers, government private and public parking garages, those uses would be included in conditional use. Excluded and what can be sold by right is (not conditional use) single-family duplex, ADU's/accessory dwelling units, family daycare, home occupation, room and boarding houses, adult/child daycare centers, community centers, funeral homes, libraries, museums, religious institutions, art shops/galleries, barber shops, beauty salons, catering shops, massage therapy, restaurants, and convenient/general stores, public parks and community gardens.

PUBLIC COMMENT:

1. Kimberly McHardy - Stuart; Commented on the letter her attorney and other families submitted and how these changes would diminish their rights as property owners.
2. Paul Sayers - Stuart; Apologized for his behavior from the last meeting and asked if there are other three-story buildings in East Stuart, and why are we disparaging our neighboring city, Abacoa, when they have done nice things that this community can do as well.
3. Johnnie Bell - Stuart; Commented on East Stuart Form Based Code and stated he only went to two meetings and never received notification of any further meetings.
4. Roderick Peterson - Stuart; Thanked Commissioner Reed, Giobbi, and Collins for how they are handling the community. Asked why are they trying to change East Stuart.
5. Albert Brinkley - Stuart; Commented on the noise from the gutter company near his house early in the morning and stated there was a tractor trailer running through his yard; does not believe that a tractor trailer should be in a residential neighborhood. He also stated that it was mentioned in a previous meeting to combine the creek district and East Stuart.
6. Nathaniel Green - Fort Lauderdale; Agrees with Mr. Bell and Ms. McHardy and would like to pause this item; the community needs to understand the conditional use process.
7. Jimmy Smith - Stuart; Commented on East Stuart as a historic community.
8. Evelyn Harris - Stuart; Commented on density and daycare exceptions and wanted clarification on the chart being discussed among the Commissioners.

*****6:55 PM Recess*****
*****7:13 PM Reconvened*****

9. Kodey Johnson - Stuart; Commented on East Stuart and its historic designation. Commissioners discussed what happens to a community with the historic designation.
10. Joseph Cooper - Stuart; Began with scripture and stated not to revoke their rights;

the people are confused and divided.
Commissioner Clarke stated that a charrette needs to occur to ensure that what the community wants is actually done.

11. Selena Davis - Stuart; Named different streets and asked how they are going to fix the traffic coming on East Avenue.
12. Althea W. Stoudemire - Stuart; Stated how hard it was to work with the City and feels the Commissioners are feeding off the confusion, stated the businesses are needed in their community to be self-sufficient.
    Commissioner Reed asked Jodi to present the ESN 08 table and map and pointed out where the conditional use would apply and Vice Mayor Collins explained the meaning behind the conditional use.
13. Bernice Simpson - Stuart; Asked the height restriction on these properties and explained why her family tore down their building.
    Vice Mayor Collins responded that the height could be up to 35 feet.
14. Jimmy Wilson - Stuart; Commented that the City has disrespected the East Stuart Community.
15. Bonnie Moser - Stuart; Commented that the Commission has not given the community a fair shot to understand and provide feedback. Provided examples of how communities become gentrified and she does not feel ZIP is doing anything to help.
    Commissioner Clarke stated she asked before to divorce the current Ordinance of the East Stuart urban code to give it the proper notice and work it needs.
16. Rosi Shepard - Stuart; Commented on the process of a client of hers and their project not being able to get a Certificate of Occupancy.
    City Manager Mortell used Ms. Shepard's client as an example of a conditional use process and provided history. Mr. Leonard and Mr. Mortell went into a discussion about his specific project.
17. Claudis Taylor - Port St. Lucie; Provided history on his family's property.
    City Manager Mortell provided the information on the Taylor property and the project they would like to put on the site.
18. Beverly Bellamy - Stuart; Stated East Stuart needs growth and housing and not in favor of putting asphalt down in Guy Davis on the ballfield?
    City Manager Mortell went into detail on the plan for Guy Davis Park.
19. James Christie - Stuart; Commented on the Willie Gray property and asked why the Commission doesn't let East Stuart write their own code and make their own decisions on the sites in East Stuart.
20. Frederick James - Stuart; Commented that professionals should handle East Stuart.
21. Frank McChrystal - Stuart; Thanked staff for their hard work. Stated Ms. Moser triggers him every time she talks about her professional experience, because those professionals are the devil. The majority of the Commission is this neighborhood's friend.
22. Aaron Hawkins - Stuart; Asked if the City has talked about the special taxing district.

9:11 PM

Jodi Kugler, Development Director, presented the chart showing ESN08 and the zoning district in East Stuart.

9:25 PM Commissioner Collins clarified his thoughts on the motion. Beyond what is

already under conditional use, we would be adding,
multi-family dwelling units CU (BMU & GRO)
mixed use CU (BMU & GRO)
hotels/motels CU (BMU & GRO)
bed and breakfast CU (BMU & GRO)
governmental buildings CU (BMU & GRO)
assisted living facilities CU (BMU & GRO)
banks/financial institutions CU (BMU & GRO)
office business professional CU(BMU & GRO)
theater CU (BMU &GRO)
public facilities CU (BMU & GRO)
public utilities CU (BMU & GRO)
public communication towers CU (BMU & GRO)
public parking garages government/private CU (BMU & GRO)

The question of commercial vehicles in East Stuart was addressed. Commissioner Reed read the parking code on commercial vehicles.

9:49 MOTION: Approve to reopen public comment.
MOVED BY: Sean Reed
SECONDED BY: Laura Giobbi
Motion approved unanimously.

1. Joe Cooper - Stuart; Commented that we should not be restricting people's rights.
2. Kimberly McHardy - Stuart; Asked to table this item, stated she is drained of this process, and it needs to be tabled; we need to take our time.
3. Paul Sayers - Stuart; Commented on the density.
4. Frank McChrystal - Stuart; Stated the majority of the Commission has East Stuart's best interest in mind.

5:47 PM MOTION: Motion that within the ESN 08 Chart and mentioned scrivener errors on ESN 09. Table 5, be kept under the conditional use process, multi-family, mixed-use, hotels and motels, bed and breakfast inns, governmental buildings, assisted living facilities, banks, financial institutions, bars, office business professional, medical or veterinary office buildings, rooftop dining, theaters, public & utilities facilities, telecommunication towers, government private and public parking garages, those uses would be included in conditional use. Excluded and what can be sold by right is (not conditional use) single-family duplex, ADU's/accessory dwelling units, family daycare, home occupation, room and boarding houses, adult/child daycare centers, community centers, funeral homes, libraries, museums, religious institutions, art shops/galleries, barber shops, beauty salons, catering shops, massage therapy, restaurants, and convenient/general stores, public parks and community gardens.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Motion approved 3/2 at 10:19 PM
Yes: Christopher Collins, Laura Giobbi, Sean Reed
No: Eula Clarke, Campbell Rich

DISCUSSION AND DELIBERATION

2. DISCUSSION REGARDING PROPOSED ZONING MAP CHANGES FOR EAST STUART

10:22 PM MOTION: Approve to table the D&D on Proposed Zoning Changes for East Stuart to May 12, 2025 City Commission Meeting.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

ADJOURNMENT

10:22 PM

Mary R. Kindel, City Clerk

Campbell Rich, Mayor

Minutes to be approved at the Regular Commission Meeting this 12th day of May, 2025.