



## **A G E N D A**

**REGULAR MEETING OF THE STUART CITY COMMISSION  
TO BE HELD July 8, 2019  
AT 5:30 PM Commission Chambers  
121 SW FLAGLER AVE.  
STUART, FLORIDA 34994**

### **CITY COMMISSION**

**Mayor Rebecca S. Bruner  
Vice Mayor Eula R. Clarke  
Commissioner Kelli Glass Leighton  
Commissioner Merritt Matheson  
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.*

#### **ROLL CALL**

#### **PLEDGE OF ALLEGIANCE**

1. ARTS MOMENT- GRACE LINN PRESENTING TAPESTRY ART

#### **PROCLAMATIONS**

2. TREASURE COAST WATERWAY CLEANUP WEEK - JULY 22-28, 2019

#### **PRESENTATIONS**

3. EMERGENCY MANAGEMENT PRESENTATION BY CAPTAIN DEREK ORTADO OF THE STUART POLICE DEPARTMENT.

#### **COMMENTS BY CITY COMMISSIONERS**

#### **COMMENTS BY CITY MANAGER**

#### **APPROVAL OF AGENDA**

#### **COMMENTS FROM THE PUBLIC (5 min. max)**

**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**

**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.*

4. APPROVAL OF 06/24/2019 SCM AND 06/24/2019 CCM MINUTES (RC)
5. PURCHASE OF NEW EMERGENCY GENERATORS (RC):

RESOLUTION No. 65-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 11 TO THE 2018-2019 WATER SEWER FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS TO PURCHASE NEW EMERGENCY GENERATORS FROM THE PROCEEDS OF THE SALE OF OBSOLETE GENERATORS PREVIOUSLY IDENTIFIED AS SURPLUS, IN THE AMOUNT OF



\$42,000.00. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

## **END OF CONSENT CALENDAR**

## **COMMISSION ACTION**

### **ORDINANCE FIRST READING**

#### **6. SEASIDE RPUD (QUASI-JUDICIAL)(RC):**

ORDINANCE No. 2410-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE KINGSPORT ESTATES RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR A 7.46 ACRE PROPERTY OWNED BY STUART DEVELOPMENT LLC, LOCATED ON THE SOUTH SIDE OF CENTRAL PARKWAY APPROXIMATELY MIDWAY BETWEEN ITS INTERSECTIONS WITH S. KANNER HIGHWAY TO THE WEST AND U.S. HIGHWAY ONE TO THE EAST, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE SEASIDE RPUD CONSISTING OF SEVENTY-FIVE (75) ATTACHED HOMES; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND 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.

### **ORDINANCE SECOND READING**

**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.*

## **DISCUSSION AND DELIBERATION**

## **ADJOURNMENT**

**CITY OF STUART, FLORIDA  
AGENDA ITEM REQUEST  
CITY COMMISSION**

**Meeting Date:** 7/8/2019

**Prepared by:** Melissa Warren

**Title of Item:**

ARTS MOMENT- GRACE LINN PRESENTING TAPESTRY ART

**Summary Explanation/Background Information on Agenda Request:**

Grace Linn will present various tapestry collection.

**Funding Source:**

N/A

**Recommended Action:**

Enjoy!

**CITY OF STUART, FLORIDA  
AGENDA ITEM REQUEST  
CITY COMMISSION**

**Meeting Date:** 7/8/2019

**Prepared by:** Ryanne Cavo

**Title of Item:**

TREASURE COAST WATERWAY CLEANUP WEEK - JULY 22-28, 2019

**Summary Explanation/Background Information on Agenda Request:**

The 12<sup>th</sup> Annual Treasure Coast Waterway Cleanup will be held on Saturday, July 27, 2019.

**Funding Source:**

N/A

**Recommended Action:**

Issue the Proclamation

**ATTACHMENTS:**

|   | <b>Description</b>                                                     | <b>Upload Date</b> | <b>Type</b>  |
|---|------------------------------------------------------------------------|--------------------|--------------|
| ▢ | Proclamation - Treasure Coast Waterway Cleanup Week - July 22-28, 2019 | 4/10/2019          | Proclamation |

**PROCLAMATION  
TREASURE COAST WATERWAY CLEANUP WEEK  
JULY 22–28, 2019**

**WHEREAS,** the Marine Industries Association of the Treasure Coast, Inc. and the Florida Inland Navigation District (F.I.N.D.) are deeply concerned with keeping the Treasure Coast waterways clean for all to enjoy, and;

**WHEREAS,** in 2018, we collected over 5.18 tons of trash from approximately 125 miles of waterways along the Martin, St. Lucie and Indian River Counties, and;

**WHEREAS,** the 12<sup>th</sup> Annual Treasure Coast Waterway Cleanup will be held on Saturday, July 27, 2019.

**NOW, THEREFORE,** I, REBECCA S. BRUNER, Mayor of the City of Stuart, Florida do hereby proclaim the week of July 22–28, 2019, as

**TREASURE COAST WATERWAY CLEANUP WEEK**

in the City of Stuart, Florida and urges our citizens to participate in this event.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the seal of the City of Stuart, Florida to be affixed this 8<sup>th</sup> day of July, 2019.

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REBECCA S. BRUNER  
MAYOR



# CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

**Meeting Date:** 7/8/2019

**Prepared by:** Mary Kindel, City Clerk

**Title of Item:**

EMERGENCY MANAGEMENT PRESENTATION BY CAPTAIN DEREK ORTADO OF THE STUART POLICE DEPARTMENT.

**Summary Explanation/Background Information on Agenda Request:**

N/A

**Funding Source:**

N/A

**Recommended Action:**

No action required.

**ATTACHMENTS:**

| Description                       | Upload Date | Type         |
|-----------------------------------|-------------|--------------|
| Emergency Management Presentation | 7/3/2019    | Presentation |



# **CITY OF STUART EMERGENCY PREPAREDNESS**



## 2019 Atlantic Hurricane Season Forecast

| ATLANTIC HURRICANE FORECAST |     |     |      | 2019 |
|-----------------------------|-----|-----|------|------|
|                             | AVG | CSU | 2018 |      |
| TOTAL NAMED STORMS          | 12  | 13  | 15   |      |
| HURRICANES                  | 6   | 5   | 8    |      |
| CATEGORY 3 OR HIGHER        | 3   | 2   | 2    |      |



## Emergency Management



### Goals

- Prepare
- Respond
- Return to normal as quickly as possible



## Public Notification/Social Media

- Pre Hurricane Season
- Pre Storm, During and Post Storm Updates
- Joint Information/County Wide Message
- AlertMartin





## Employee Notification

- Pre storm updates
- Employee Hotline





## Unified Command

- County Wide Staff
- Regularly scheduled Meetings with impending storm



### City EOC

- 24 hour Operation during activation
- 2 shifts – Alpha/Bravo
- Back up Radio System – 400mhz
- WEBEOC



## Evacuation/Search and Rescue

- Pre Storm
  - Assist with ordered evacuations/notifications
- Post Storm
  - Search and Rescue damaged areas



### Shelters

- Special Needs
- General Population
  - 1 within City limits



## Public Safety Response During Storm

- Police
  - Officers staged throughout City
- Fire
  - Fire personnel staged during the storm
- Dispatch
- Public Works
  - Personnel pre staged during the storm



## Damage Assessment

- Building Department
  - Begins at daylight post storm
  - Assets pre staged





## Debris Management

- Public Works
- Debris Management Contracts
  - Primary – Crowder Gulf
  - Secondary – DRC Emergency Services
- Debris Monitoring Contracts
  - Primary – Thompson Consulting
  - Secondary – Landfall Strategies



## Continuity of Operations

- Plan is continuously updated
- City Facility Preparations
- Includes backup EOC facility
- City Hall back up
- Succession Planning



## Emergency Planning

- Plans
- Training
- Cooperative Agreements
- Mitigation



City of Stuart

Emergency Management



Questions?

Thank You!

# CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

**Meeting Date:** 7/8/2019

**Prepared by:** Melissa Warren

**Title of Item:**

APPROVAL OF 06/24/2019 SCM AND 06/24/2019 CCM MINUTES (RC)

**Summary Explanation/Background Information on Agenda Request:**

N/A

**Funding Source:**

N/A

**Recommended Action:**

Approve Minutes

**ATTACHMENTS:**

|   | <b>Description</b>                        | <b>Upload Date</b> | <b>Type</b> |
|---|-------------------------------------------|--------------------|-------------|
| □ | 06/24/2019 SCM-Budget Workshop #1 Minutes | 6/28/2019          | Attachment  |
| □ | 06/24/2019 CCM Minutes                    | 6/28/2019          | Attachment  |

**MINUTES**  
**SPECIAL MEETING OF THE STUART CITY COMMISSION**  
**HELD June 24, 2019**  
**AT 4:00 PM Commission Chambers - BUDGET WORKSHOP #1**  
**121 SW FLAGLER AVE.**  
**STUART, FLORIDA 34994**

**CITY COMMISSION**

**Mayor Rebecca S. Bruner**  
**Vice Mayor Eula R. Clarke**  
**Commissioner Kelli Glass Leighton**  
**Commissioner Merritt Matheson**  
**Commissioner Mike Meier**

**ADMINISTRATIVE**

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

**ROLL CALL**

**4:00 PM Roll Call. Present: Mayor Bruner, Vice Mayor Clarke, Commissioner Glass Leighton, Commissioner Matheson, Commissioner Meier**

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

 **4:01 PM 1. FISCAL YEAR 2020 BUDGET PRESENTATION - WORKSHOP #1**

**Louis “Joly” Boglioli presented the department submitted FY19-20 budget. Budget Workshop #2 will be announced.**

**Commissioner Matheson inquired on the common class study finalization date. Roz Johnson, Human Resources Director responded the end of July.**

 **4:33 PM COMMENTS BY CITY COMMISSIONERS**

**Commissioner Matheson**

- **Asked Joly Boglioli the date he would need the millage rate direction from the Commission.**



**Vice Mayor Clarke**

- **Asked David Dyess, City Manager about the Capital Outlay for 2019, if it includes the potential City Hall move.**

**City Manager Dyess commented that the potential move would not be expected until 2021. Any revenues coming in from property sales are going into an Infrastructure Preserve Account.**

#### **COMMENTS BY CITY MANAGER**

#### **APPROVAL OF AGENDA**

 **4:35 PM Motion: Move approval of the Agenda as published.  
Moved by: Commissioner Glass Leighton  
Seconded by: Commissioner Meier  
Motion passed unanimously.**

#### **COMMENTS FROM THE PUBLIC (5 min. max)**

 **4:36 PM ADJOURNMENT**

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**Mary R. Kindel, City Clerk**

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**Rebecca S. Bruner, Mayor**

**Minutes to be approved at the Regular Commission  
Meeting this 8<sup>th</sup> day of July, 2019.**

**MINUTES**  
**REGULAR MEETING OF THE STUART CITY COMMISSION**  
**HELD June 24, 2019**  
**AT 5:30 PM Commission Chambers**  
**121 SW FLAGLER AVE.**  
**STUART, FLORIDA 34994**

**CITY COMMISSION**

**Mayor Rebecca S. Bruner**  
**Vice Mayor Eula R. Clarke**  
**Commissioner Kelli Glass Leighton**  
**Commissioner Merritt Matheson**  
**Commissioner Mike Meier**

**ADMINISTRATIVE**

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

**ROLL CALL**

 **5:30 PM Present: Mayor Bruner, Vice Mayor Clarke, Commissioner Glass Leighton, Commissioner Matheson, Commissioner Meier**

**PLEDGE OF ALLEGIANCE**

 **5:31 PM PROCLAMATIONS**

**1. PARK AND RECREATION MONTH - JULY 2019**

**Community Services Program Leader, Jessica Tharp accepted the Proclamation and spoke about the variety of activities offered and their benefits.**

**PRESENTATIONS**

**2. JUNE SERVICE AWARDS**

|                        |                 |
|------------------------|-----------------|
| <b>Robert Cummings</b> | <b>5 Years</b>  |
| <b>Corey Lee</b>       | <b>5 Years</b>  |
| <b>Tom Gillen</b>      | <b>10 Years</b> |

**Robert Green        10 Years**  
**Michael Marshall    15 Years**  
**Michael Woodside   15 Years**

 **5:38 PM 3. JUNE EMPLOYEE OF THE MONTH**

**Fire Chief, Vince Felicione introduced Robert Cummings as the June Employee of the Month.**

 **5:41 PM 4. LEGISLATIVE UPDATE REGARDING IMPACTS ON CITIES BY PATRICIA CHRISTENSEN.**

**Patricia Christiansen, Treasure Coast League of Cities Executive Director and Advocacy Consultant for the Florida League of Cities. Presented Commissioner Meier with the 2019 Home Rule Hero Award and provided a legislative update including the highlights of CSHB9 CRA bill, vegetable gardens, motorized scooters, etc.**

 **5:50 PM COMMENTS BY CITY COMMISSIONERS**

**Commissioner Glass Leighton**

- **Commented that she is thankful to the City residents for allowing her to continue as a Commissioner for another two years.**
- **Reported that she reached out to Congressman Mast, requesting that he speak to Governor DeSantis on the City's behalf for the Water Appropriation Bill, relaying the importance of the City's water supply. The Governor did not make cuts and she would like the City to send Mast a thank you letter for reaching out to DeSantis.**

 **5:51 PM Motion: I make a motion that the City, on behalf of all of us send a letter to Congressman Mast office, thanking him for reaching out to the Governor regarding our water appropriation.**

**Moved by: Commissioner Glass Leighton**

**Seconded by: Vice Mayor Clarke**

**Motion passed unanimously.**

**Commissioner Matheson**

- **Announced the upcoming Rivers Coalition Meeting at City Hall on June 27<sup>th</sup> at 11:00 a.m. and on July 10<sup>th</sup>, the South Florida Water Management District Workshop at 1 p.m.**

**Commissioner Meier**

- **Apologized for missing the last Commission Meeting as he was out of the Country.**
- **Commented that he was recently in Savannah, GA and noticed the trees, would like to keep shade trees a priority in Stuart.**

- Thanked the Mayor, City Manager, and Police Chief for being a part of the panel at the Community Empowerment Forum hosted by the NAACP and ACLU to discuss police and community relations. He heard from many in the audience that they were disappointed that not one of the people on the forum acknowledged that there is an issue between police and communities of color. He recognized there is an issue but the first forum was good and we have more planned, appreciates them taking the initiative to speak from the heart.

#### **Vice Mayor Clarke**

- Congratulated both Mayor Burner and Commissioner Glass Leighton on their next term.
- Commented that she is pleased that the Recreation Center received recognition and offers continued support.
- Reported that she attended the NAACP Meeting on June 20<sup>th</sup>, noting some issues that may need to be discussed and feels that the City's support of the local community groups is important.

#### **Mayor Bruner**

- Announced the July 4<sup>th</sup> Event



#### **6:01 PM COMMENTS BY CITY MANAGER**

- Congratulations to Both Commissioner Glass Leighton and Mayor Bruner for their next two year term.
- Introduced Darren Duke, the City's new Information Services Director.
- Commented that he would like to invite Ben Hogarth, Communications Liaison, to come forward during his comments to give a quick bullet point status of the river during the summer months of every commission meeting, keeping the Commission and community updated.

Ben Hogarth briefly commented on the height of Lake Okeechobee and discharges, there is a toxic algae bloom found in parts of the Lake, some blooms are not toxic. Announced upcoming River Cleanup on July 27<sup>th</sup> from 8 a.m. to 12 p.m. in Shepard Park, register by July 2<sup>nd</sup>. He also reported that Dr. Edith Widder recently discovered a juvenile giant squid 100 miles off the shores of New Orleans.

#### **APPROVAL OF AGENDA**

**6:10 PM Motion: I'll move approval of the Agenda.**

**Moved by: Commissioner Glass Leighton**

**Seconded by: Commissioner Meier**

**Motion passed unanimously.**



#### **6:11 PM COMMENTS FROM THE PUBLIC (5 min. max)**

- 1) **Helen McBride – Flamingo Avenue; Commented to encourage the commissioners to visit the East Stuart Recreation Center and observe the**



**children and senior citizen activities for consideration in the budget planning process. She commended the employees of the Center as well.**

## **CONSENT CALENDAR**

**Vice Mayor Clarke requested to pull Item #7 for explanation purposes.**

**5. APPROVAL OF 06/06/2019 SCM AND 06/10/2019 CCM MINUTES**

**6. ADVISORY BOARD APPOINTMENT OF CAMPBELL RICH TO THE LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD (LPA)**

**PULLED 7. BUILD ALTERNATIVE 1 US-1 AT SW JOAN JEFFERSON WAY:**

RESOLUTION No. 57-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, SUPPORTING THE IMPROVEMENTS AS DESCRIBED WITHIN THE FLORIDA DEPARTMENT OF TRANSPORTATION'S US-1 AT SW JOAN JEFFERSON WAY PLANNING STUDY FOR BUILD ALTERNATIVE 1, EXCEPT FOR THE IMPROVEMENT MODIFYING THE SAILFISH CIRCLE ROUNDABOUT INTO A SINGLE LANE ROUNDABOUT WITH TRUCK APRON; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**8. AWARD DOW NTOW N RIVERWALK DECKING PROJECT:**

RESOLUTION No. 60-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF ITB #2019-104, DOWNTOWN RIVERWALK DECKING REPLACEMENT PROJECT TO THE LOWEST, RESPONSIVE, RESPONSIBLE ALTERNATE BIDDER, BROTHERS' CONSTRUCTION, INC. OF STUART, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**9. BUDGET AMENDMENT No. 9, EARLY COMPLETION INCENTIVE FOR PFC TREATMENT SYSTEM:**

RESOLUTION No. 62-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 9 TO THE 2018-2019 WATER SEWER FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR A CHANGE ORDER WITH LAWRENCE LEE CONSTRUCTION SERVICES IN THE AMOUNT OF \$61,500.00 FOR MEETING THE EARLY COMPLETION INCENTIVE WITHIN ITB #2018-109 FOR THE PER-FLUORINATED CHEMICAL TREATMENT SYSTEM PROJECT. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**10. BUDGET AMENDMENT No. 10 SURFICIAL AQUIFER SYSTEM WELLFIELD EVALUATION:**

RESOLUTION No. 63-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 10 TO THE 2018-2019 WATER SEWER FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR A WORK AUTHORIZATION WITH KIMLEY HORN AND

ASSOCIATES, INC. IN THE AMOUNT OF \$54,942.00 FOR THE SURFICIAL AQUIFER SYSTEM WELLFIELD EVALUATION. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

## **END OF CONSENT CALENDAR**

 **6:13 PM Motion: I'll move approval of the Consent Agenda with Item #7 being pulled.**

**Moved by: Commissioner Glass Leighton**

**Seconded by: Commissioner Meier**

**Motion passed unanimously.**

### **7. BUILD ALTERNATIVE 1 US-1 AT SW JOAN JEFFERSON WAY:**

RESOLUTION No. 57-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, SUPPORTING THE IMPROVEMENTS AS DESCRIBED WITHIN THE FLORIDA DEPARTMENT OF TRANSPORTATION'S US-1 AT SW JOAN JEFFERSON WAY PLANNING STUDY FOR BUILD ALTERNATIVE 1, EXCEPT FOR THE IMPROVEMENT MODIFYING THE SAILFISH CIRCLE ROUNDABOUT INTO A SINGLE LANE ROUNDABOUT WITH TRUCK APRON; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**City Manager Dyess reported the MPO plan and alternatives and David Peters, Public Works Director stated that the schedule will be added to the City's website.**

**6:17 PM Motion: I'll move approval of Resolution 57-2019.**

**Moved by: Commissioner Glass Leighton**

**Seconded by: Commissioner Matheson**

**Motion passed unanimously.**

**Commissioner Meier congratulated Mr. Rich on his LPA appointment.**

## **6:19 PM COMMISSION ACTION**

### **11. AUTHORIZATION TO PERFECT REAL ESTATE CONTRACT FOR WELLS FARGO BANK BUILDING AND ADJACENT PROPERTIES:**

RESOLUTION No. 64-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER OR CITY ATTORNEY TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT AND COMPLIANCE WITH ALL REAL ESTATE CONTRACT TERMS AS THEY BECOME DUE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Commissioner Meier commented that we might be facing a recession in the near future and thinks that this is contingent on the path of moving City Hall, which he is in support of. Otherwise, this may not be the most prudent investment [movement].**



**Commissioner Matheson supports the decision.**

**Public Comment:**

- 1) Armond Pasquale – Seminole Street; Opposes City Hall moving from its current location. Commented on the expense of the new Azul Apartments and the price of the Wells Fargo property being too high.**



**6:19 AM Motion: Move approval.  
Moved by: Commissioner Glass Leighton  
Seconded by: Commissioner Matheson  
Motion passed 4/1.**

**Clarke – No  
Glass Leighton - Yes  
Bruner – Yes  
Meier – Yes  
Matheson – Yes**

**Commissioner Meier clarified for the record stating the Azul Apartments are considered luxury and the prices last listed for a 1 bedroom apartment is \$1,495.**

**City Manager Dyess confirmed for the record that there is no tax increase to pay for this building, it is out of property management fund and current leases of the building.**

**ORDINANCE FIRST READING**

**ORDINANCE SECOND READING**



**6:26 PM DISCUSSION AND DELIBERATION**

**12. RESIDENTIAL FENCE REGULATIONS SPECIFIC TO R-2 ZONED PROPERTY AND/OR DUPLEX HOUSING ONLY.**

**Stephen Mayer, Development Department Senior Planner, presented on current fence regulations and the aesthetic and safety reasons for regulations. Staff suggested a limited text amendment to change only open fences or fences of any type under 4 feet high in the front yard within the R-2 District if the property is used as a duplex.**

**Kevin Freeman, Development Director, added that the 4 feet would be a solid fence and the City would allow a 6 foot fence provided the additional 2 feet was open (trellis/lattice). This would be a minor change to the code; the remaining code stays the same.**

Discussion on duplex zoning, exceptions, properties in R-2 zoning that would be impacted and non-conforming by this regulation and aesthetics.

 6:33 PM Motion: Move that staff bring back an Ordinance to revise the code per your recommendation to allow an open type fence of 6 foot, but no higher than 4 feet of an opaque fence in the R-2 zoning district for duplexes. But I would also like to request that hedges/landscaping not be considered a closed fence.

Meier Restated Ordinance: Move that we have staff bring back an Ordinance per their recommendation for R-2 Duplex zoning if it's possible for us to, sounds like it's impossible for us to limit it to, attached duplex homes.

Moved by: Commissioner Meier

Seconded by: Commissioner Matheson

Motion passed 4/1

Bruner - Yes

Clarke - Yes

Glass Leighton - No

Matheson – Yes

Meier - Yes

 6:46 PM ADJOURNMENT

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Mary R. Kindel, City Clerk

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Rebecca S. Bruner, Mayor

Minutes to be approved at the Regular Commission  
Meeting this 8<sup>th</sup> day of July, 2019.

# CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

**Meeting Date:** 7/8/2019

**Prepared by:** David d. Peters

**Title of Item:**

PURCHASE OF NEW EMERGENCY GENERATORS (RC):

RESOLUTION No. 65-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 11 TO THE 2018-2019 WATER SEWER FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS TO PURCHASE NEW EMERGENCY GENERATORS FROM THE PROCEEDS OF THE SALE OF OBSOLETE GENERATORS PREVIOUSLY IDENTIFIED AS SURPLUS, IN THE AMOUNT OF \$42,000.00. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

Obsolete emergency generators were declared surplus and sold via govdeals.com.

This budget amendment authorizes the proceeds from the sale of those obsolete generators to purchase new emergency generators.

**Funding Source:**

|       |                                                      |             |
|-------|------------------------------------------------------|-------------|
| From: | Water / Sewer Miscellaneous Revenues                 | \$43,000.00 |
| To:   | Water Reclamation, Machinery and Equipment           | \$27,000.00 |
|       | Distribution and Collection, Machinery and Equipment | \$16,000.00 |

**Recommended Action:**

Motion to approve Resolution No. 65-2019; Budget Amendment No.110.

**ATTACHMENTS:**

|   | Description                                  | Upload Date | Type                      |
|---|----------------------------------------------|-------------|---------------------------|
| ▣ | R65-2019 BA#11 Purchase Emergency Generators | 7/2/2019    | Resolution add to Y drive |



**BEFORE THE CITY COMMISSION  
CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 65-2019**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 11 TO THE 2018-2019 WATER SEWER FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS TO PURCHASE NEW EMERGENCY GENERATORS FROM THE PROCEEDS OF THE SALE OF OBSOLETE GENERATORS PREVIOUSLY IDENTIFIED AS SURPLUS, IN THE AMOUNT OF \$42,000.00. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

\* \* \* \* \*

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:**

**SECTION 1:** The 2018-2019 Year Budget of the Water Sewer Fund of the City of Stuart, Florida, being Resolution No. 65-2019 of the City Commission of the City of Stuart, Florida, as amended, hereinafter the "Budget," is hereby further amended, as follows:

|                                                      |             |
|------------------------------------------------------|-------------|
| From: General Fund. Miscellaneous Revenues           | \$43,000.00 |
| To: Water Reclamation, Machinery and Equipment       | \$27,000.00 |
| Distribution and Collection, Machinery and Equipment | \$16,000.00 |

This is an authorization of the City Commission of the City of Stuart, Florida authorizing budget amendment no. 11 to the FY 2018-19 Annual Budget to appropriate and expend funds from the proceeds of the sale of obsolete generators previously identified as surplus, in the amount of \$43,000.00.

SECTION 2: Except as amended hereby, the FY 2018-2019 Annual Budget shall remain in full force and effect.

SECTION 3: This resolution shall take effect on adoption.

Commissioner \_\_\_\_\_ offered the foregoing resolution and moved its adoption.

The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a roll call vote, the vote was as follows:

REBECCA S. BRUNER, MAYOR  
EULA R. CLARKE, VICE MAYOR  
KELLI GLASS LEIGHTON, COMMISSIONER  
MERRITT MATHESON, COMMISSIONER  
MIKE MEIER, COMMISSIONER

| YES | NO | ABSENT | ABSTAIN |
|-----|----|--------|---------|
|     |    |        |         |
|     |    |        |         |
|     |    |        |         |
|     |    |        |         |
|     |    |        |         |

ADOPTED this 8<sup>th</sup> day of July, 2019.

ATTEST:

\_\_\_\_\_  
MARY R. KINDEL  
CITY CLERK

\_\_\_\_\_  
REBECCA S. BRUNER  
MAYOR

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_  
MICHAEL J. MORTELL  
CITY ATTORNEY



## CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

**Meeting Date:** 7/8/2019

**Prepared by:** Tom Reetz

**Title of Item:**

SEASIDE RPUD (QUASI-JUDICIAL)(RC):

ORDINANCE No. 2410-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE KINGSPOINT ESTATES RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR A 7.46 ACRE PROPERTY OWNED BY STUART DEVELOPMENT LLC, LOCATED ON THE SOUTH SIDE OF CENTRAL PARKWAY APPROXIMATELY MIDWAY BETWEEN ITS INTERSECTIONS WITH S. KANNER HIGHWAY TO THE WEST AND U.S. HIGHWAY ONE TO THE EAST, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE SEASIDE RPUD CONSISTING OF SEVENTY-FIVE (75) ATTACHED HOMES; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND 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.

**Summary Explanation/Background Information on Agenda Request:**

On June 20, 2019, the Local Planning agency unanimously approved the Seaside RPUD with the following recommendations: 1. Development Staff is to work closely with the Public Works Department expressing the boards strong support to allow individual trash pickup and water meters for each unit vs. community dumpsters and a master water meter for the community. 2. If all the mailboxes are in the pool clubhouse amenity area then additional parking needs to be added or redistributed to take care of off street parking that would occur. 3. Provide clarification concerning lighting at the project's common areas. 4. Make provision for a future pedestrian gate from the development to the future Willoughby Blvd. extension. 5. Provide language that describes maintenance of the existing wall and the proposed new wall and fencing. 6. Provide a condition regulating waste bins, on street parking, maintenance of the eco mat at the community lake, and regulating permits for guest parking. Staff has included these recommendations in the Conditions for Development of the approving Ordinance. Additionally, language has been added allowing law enforcement entry to the property and enforcement of state and city laws including traffic. See Ordinance No. 2410-2019 attached.

The 7.46 acre parcel of land located on the south side of Central Parkway approximately midway between it's intersections with S. Kanner Highway to the west and U.S. 1 to the east. A Master Site Plan for this project was originally approved in 2005 that included 67 Town Home units on an 8.14 acre parcel, since then the owner has donated a portion of the parcel along the eastern boundary toward the future extension of S.E. Willoughby Boulevard.

The current applicant, Meritage Homes is now proposing 75 two story attached townhouse units in thirteen buildings while maintaining preserve area and entry as was proposed in the previously approved Master Site Plan.

The developer's architect has submitted elevations for the Town Home community. Site elements such as a cabana and pool area with connecting sidewalks make for a pedestrian friendly neighborhood. Other amenities include a centrally located lake with upland buffer and littoral plantings at the lake's perimeter. A native landscape area with a precast wall will buffer the project from the existing multi-family to the west and a landscape area and PVC vinyl fence will buffer the project from the mobile community to the south. The preserve area will be augmented with native plantings that will count towards the projects required tree mitigation requirements.

If approved, the developer stands ready to obtain necessary permits with state agencies and the City 's Development department. The developer's traffic engineer has coordinated final plans with City of Stuart Public Works for access/egress improvements that include turning lanes into and out of the proposed project. City staff and professional consultants have reviewed and approved the project.

**Funding Source:**

N/A

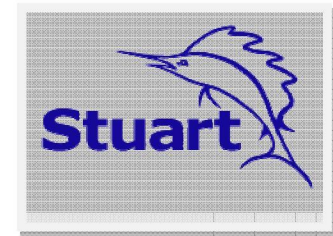
**Recommended Action:**

Motion to approve Ordinance No. 2410-2019 at first reading.

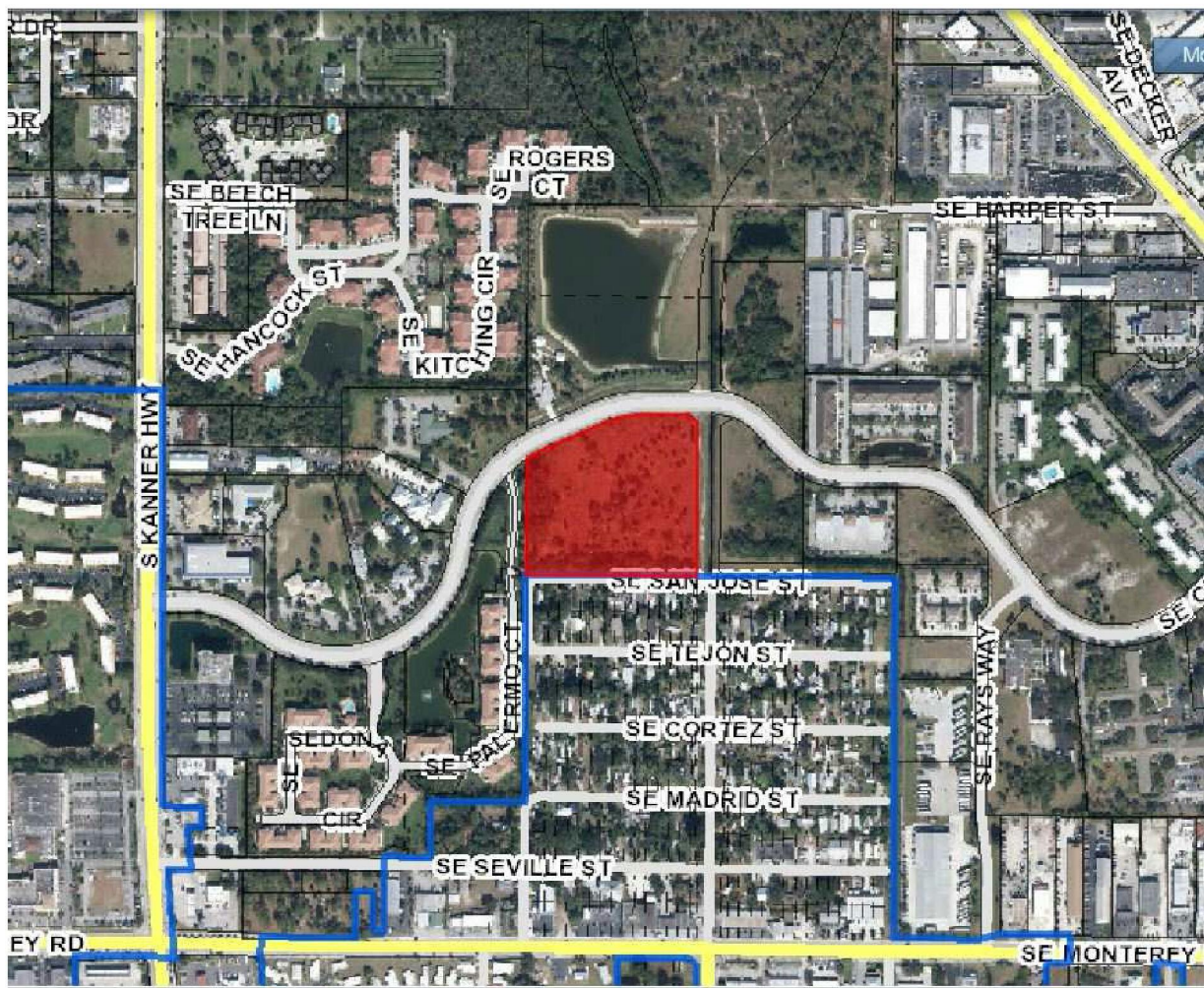
**ATTACHMENTS:**

| <b>Description</b>                 | <b>Upload Date</b> | <b>Type</b>              |
|------------------------------------|--------------------|--------------------------|
| ▣ Staff Report by Tom Reetz        | 6/30/2019          | Backup Material          |
| ▣ Ordinance 2410-2019              | 7/3/2019           | Ordinance add to Y drive |
| ▣ Ordinance 2410-2019 Exhibit D    | 7/3/2019           | Backup Material          |
| ▣ City review comments             | 6/12/2019          | Backup Material          |
| ▣ Consultant Review Comments       | 6/12/2019          | Backup Material          |
| ▣ Applicant's response to comments | 6/12/2019          | Backup Material          |
| ▣ LPA minutes from June 20, 2019   | 6/30/2019          | Backup Material          |





|                                                                                                                                                    |                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <b>Project Name:</b> Seaside Preserve - FLU & Zoning Change                                                                                        | <b>Property Owner:</b> Stuart Development LLC                     |
| <b>Project No.:</b> Z19020003                                                                                                                      | <b>Applicant/Petitioner:</b> Justin Cook<br>Meritage Homes        |
| <b>Ordinance No:</b> 2410-2019                                                                                                                     | <b>Agent/Representative:</b> Doug Fitzwater – Lucido & Associates |
|                                                                                                                                                    | <b>Case Planner:</b> Tom Reetz                                    |
| <b>Location:</b> South side of Central Parkway east of Vilabella Central Park Condominiums and west of the future extension of Willoughby Parkway. |                                                                   |



|                                                                                                                                                                |              |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PROJECT SUMMARY</b>                                                                                                                                         |              |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Property Size (area)</b>                                                                                                                                    |              | 7.46 Acres                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Present Use</b>                                                                                                                                             |              | Undeveloped                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Subject Property Land Use</b>                                                                                                                               |              | Multi-Family                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <i>Adjacent FLU</i>                                                                                                                                            | <i>North</i> | City of Stuart Conservation                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                | <i>South</i> | Martin County Mobile Home                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                | <i>East</i>  | City of Stuart Multifamily/ Office                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                | <i>West</i>  | City of Stuart Multifamily                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Subject Property Zoning</b>                                                                                                                                 |              | RPUD (Residential Planned Unit Development)                                                                                                                                                                                                                                                                                                                                                                                     |
| <i>Adjacent Zoning</i>                                                                                                                                         | <i>North</i> | RPUD (Residential Planned Unit Development)                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                | <i>South</i> | Martin County (Mobile Home)                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                | <i>East</i>  | RPUD (Residential Planned Unit Development) divided by land dedicated for the expansion of Green River Pkwy.                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                | <i>West</i>  | RPUD (Residential Planned Unit Development)                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Status Quo Land Use Designation &amp; Zoning District</b>                                                                                                   |              | Multi-Family Residential                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Proposed Use</b>                                                                                                                                            |              | Attached homes (up to 8) – See Ordinance 2410-2019                                                                                                                                                                                                                                                                                                                                                                              |
| <b>City Approvals</b>                                                                                                                                          |              | Building Department – No comments at this time.<br>Fire Department – See attached comments<br>Public Works – See attached comments                                                                                                                                                                                                                                                                                              |
| <b>Brief Explanation</b>                                                                                                                                       |              | The intent of this application is to request an amendment to the existing Kingsport Residential Planned Unit Development, The subject property is 7.46 acres. The property is currently undeveloped. The intent of this project is to allow 75 attached homes to be developed on the site while upgrading the drainage and enhancing the upland areas as buffers and creating a centrally located lake with Littoral plantings. |
| <b>Staff Recommendation:</b> Staff recommends approval for the major amendment to the Kingsport RPUD to allow for 75 attached residential units on 7.46 acres. |              |                                                                                                                                                                                                                                                                                                                                                                                                                                 |



## **STAFF REPORT AND RECOMMENDATION**

### **I. LEGAL NOTICE REQUIREMENTS**

**A. Requirements for Application** – The applications amendment to the RPUD have been noticed in accordance with the requirements set forth in Sections 11.01.02, 11.01.09, and 11.02.00 of the Land Development Regulations.

**B. Site Posting Date:** 6-05-2019

**C. Mail Notice Postmark:** 6-05-2019 to property owners within 300 feet

**D. Publication Date:** 10 days prior to Second Reading

### **II. MAJOR AMENDMENT TO THE RPUD ORDINANCE NO. 2310-2019**

**III. APPLICATION:** Dated February 13, 2019

### **IV. HISTORY OF THE SITE**

The +/-7.46-acre site is located on the south side of Central Parkway, west of Poppleton Creek, north of SE San Jose Street, east of SE Palermo, lying in Section 9, Township 38 South, Range 41 East. The development is proposed for 13 multi-family buildings consisting of 75 individual residences considered Multifamily Housing. Access to the proposed development is a single entrance via Central Parkway. The site is accessed via Central Parkway. Central Parkway is a City of Stuart-maintained roadway with a 80 foot-wide right of way. It is a four-lane, median separated section with no bike lane or paved shoulder, but does provide 5' sidewalks on both sides of the roadway.

### **V. STAFF ANALYSIS**

#### **A. Site and Area Characteristics (Attachment C)**

The subject property consists of one parcel totaling 7.46 acres in size, located on the south side of Central Parkway approximately midway between it's intersections with S. Kanner Hwy. to the west and U.S.1 to the east.

#### **B. Project Description**

The site is located midtown in the city limits. The parcel to the west has been developed with a multi-family neighborhoods in a similar fashion to the current proposal.

A Master Site Plan has been laid out with 75 attached units strategically placed around a centrally located lake with native plantings. The site includes a gated entry with generous landscaping a decorative fence at the projects entrance. A pool and cabana is nestled at



the project's entrance and surrounded by native landscaping. The developer has submitted attractive two story townhome models for this community. Site elements such as a streetscape scheme including foxtail palms which allows the private road to be lined with decorative trees and sidewalk on both sides. Other amenities include a lake with littoral and buffer plantings and upland preserve creating a natural buffer between existing communities and roadways.

### **C. Future Land Use Amendment and Comprehensive Plan Consistency Review**

A review of the Comprehensive Plan finds that the proposed list of uses that are consistent with the proposed Low Density Future Land Designation:

*This land-use category is allows for one or two dwelling units per building. Includes single family detached, duplex/townhomes, patio homes, garden homes, and adult living facilities, foster homes and zero-lot-line residences. Also public facilities, churches day care centers, schools and electric distribution substations are allowed.*

Section 11.01.05G.1 (large-Scale Comprehensive Plan Amendments) of the Land Development Code requires the Local Planning Agency to consider the following criteria prior to making an advisory recommendation to the City Commission:

*1. The existing land use pattern;*

The existing land use pattern on SE Central Parkway consists of privately owned property that has been improved as residential neighborhoods that includes Villabella Condominiums to the west and the Willoughby Extension to the West.

*2. The possible creation of an isolated land use classification unrelated to adjacent and nearby classifications;*

The demand for residential uses for the this area has been verified by the applicant. See uses in 1. Above.

*3. The population density pattern of the area and possible increase or overtaxing of the load on public facilities such as schools, utilities and streets;*

The intended use of the subject property or other uses permitted in the multi-family land use classification and the RPUD zoning district would not encourage the type and intensity of development that would result in overtaxing of schools, utilities, or streets.

*4. The possible overloading of the City's sewage collection, treatment and disposal facilities;*

The type and intensity of development that is feasible is not anticipated to overload the City's system when the site was hooked up to Martin County Utilities.

5. *The possible overloading of the City's drainage system;*

All development to the site would be required to comply with applicable stormwater management requirements of the City of Stuart with input from the South Florida Water Management District and the Army Core of Engineers.

6. *The existing classification boundaries in relation to existing conditions on the subject property;*

There are no issues in this regard.

7. *The existence of changed or changing conditions which make the passage of the proposed amendment necessary or appropriate;*

The county/city has shown a trend toward development of residential uses and the need for single family housing.

8. *The impact of the proposed amendment upon living conditions in the adjacent neighborhood;*

The type and intensity of development that would be feasible on the subject property would not create an adverse impact to nearby neighborhoods. The site is buffered from abutting neighborhoods to the west with preserve and to the north by a major roadway and to the east with ROW dedicated to the expansion of Willoughby Blvd.

9. *The impact of the amendment upon the flow of light and air to adjacent areas;*

The type and intensity of development that would be feasible on the subject property would not create an adverse impact upon the flow of light and air to adjacent areas.

10. *The impact of the proposed amendment upon property values in the adjacent area;*

The change in land use designation from commercial to residential would likely result

In an increase in property values in the adjacent area by allowing for properties to be developed with similar use and newer product.

*The impact of the proposed amendment upon improvement or development of adjacent property in accordance with existing regulations;*

There is no change in land use designation from multifamily land use designation.

11. *The existence of other adequate sites in the City for the proposed land use classifications already permitting such use.*

The goal of the proposed amendment is to allow for uses that are in demand. The subject location is ideal for attached housing.

#### **D. Technical Review by Other Agencies**

The City Building, Public Works, Fire, and Police Departments have reviewed the applications and have offered their comments. Each department will provide specific comments at final site approval for permitting.

The applicant will be responsible to meet all federal, state and local permitting and environmental standards. Further, the applicant will also be required to demonstrate full compliance at all times.

#### **VI. LOCAL PLANNING AGENCY BOARD RECOMMENDATION**

The Local Planning Agency shall include in its recommendation to the City Commission any information which it deems is relevant to issues relating to the proposed amendment to the RPUD.

#### **VII. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)**

Staff has determined that the proposed major amendment to the RPUD is consistent with the goals, objectives and policies of the Comprehensive Plan and the regulations in the Land Development Code. Staff offers no objection to the requests.



**BEFORE THE CITY COMMISSION  
CITY OF STUART, FLORIDA**

**ORDINANCE NUMBER 2410-2019**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE KINGSPORT ESTATES RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR A 7.46 ACRE PROPERTY OWNED BY STUART DEVELOPMENT LLC, LOCATED ON THE SOUTH SIDE OF CENTRAL PARKWAY APPROXIMATELY MIDWAY BETWEEN ITS INTERSECTIONS WITH S. KANNER HIGHWAY TO THE WEST AND U.S. HIGHWAY ONE TO THE EAST, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED; ESTABLISHING THE SEASIDE RPUD CONSISTING OF SEVENTY-FIVE (75) ATTACHED HOMES; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND 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.**

**\* \* \* \* \***

**WHEREAS,** the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by Lucido and Associates and Meritage Homes representing Stuart Development, LLC (owner), for a 7.46 acre parcel of land located on



the south side of Central Parkway approximately midway between its intersections with S. Kanner Highway to the west and U.S. 1 to the east; and

**WHEREAS**, the City of Stuart has determined the need to amend the existing RPUD; and

**WHEREAS**, the City Commission, has considered the Petitioner's voluntary request for a Major Amendment to the RPUD, and has also considered the recommendation of the City staff.

**WHEREAS**, the Applicant has committed to the City that its development will comply with all development codes, plans, standards and conditions approved by the City Commission; and that it will bind its successors in title to any such commitments made upon approval of the RPUD; and

**WHEREAS**, at the hearing the applicant showed by substantial competent evidence that the application is consistent with the Stuart Comprehensive Plan, and the Land Development Code of the City, and with the procedural requirements of law; and

**WHEREAS**, the RPUD development will be in harmony with surrounding properties and their anticipated development;

**WHEREAS**, the foregoing recitals are true and adopted as findings of fact and conclusions of law.

**WHEREAS**, the property is legally described in “**Exhibit A**” of this ordinance. A map depicting the property is attached hereto as **Exhibit “B”** and made a part hereof by reference; and development conditions including a timetable for construction attached hereto as **Exhibit “C”**;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:**

**SECTION 1:** The following new documents are on file as public records of the City, at the office of the City Clerk in City Hall, and attached hereto as **Exhibit “D”**, hereinafter the



“Development Documents”, shall be deemed a part of the development conditions, and shall supplement any earlier approvals:

- a. **The Master Site Plan, Sheet SP-1, prepared by Lucido & Associates, dated 02.13.19, last revised on 07.01.19 (Response to LPA comments).**
- b. **The Stuart Central ALTA/NSPS Land Title & Topographic Survey, Sheets 1 & 2 of 3, by Caulfield and Wheeler, Inc, dated 11.28.18.**
- c. **The Stuart Central ALTA/NSPS Land Title Tree Survey, Sheet 3 of 3, by Caulfield and Wheeler, Inc, dated 11.28.18.**
- d. **The Landscape Plan & Plant Schedule, Sheets LA1, LA2, LA3, & LA4 of 4, prepared by Lucido & Associates, dated 02.13.19, and response to comments dated 05.30.28.19, last revised on 07.01.19 (Response to LPA comments).**
- e. **Architectural Floor Plans, Roof Plan and Elevations for Front Load Townhomes, Sht. A2.2 Sheet A2.3, Sheet A2.4, and 3.1, by Meritage Homes, dated December 14, 2018.**

SECTION 2: The Future Land Use designation in the City's Comprehensive Land Use Plan shall remain "Multi-Family Residential". The Land Development (Zoning) District designation on the City of Stuart Official Zoning Map shall remain "RPUD" Residential Planned Unit Development amended by this ordinance to allow for 75 attached townhome units.

SECTION 4: This ordinance becomes effective upon adoption.

SECTION 5: Except as otherwise provided herein, no development permits, site permits, or building permits shall be issued by the City except in compliance with the City's Land Development Code.

SECTION 6: All ordinances or parts of ordinances in conflict with this ordinance or any

part thereof is hereby repealed to the extent of such conflict. If any provision of this ordinance conflicts with any contractual provision between the City and the developer of the site, this ordinance shall prevail.

SECTION 7: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 8: This ordinance shall be effective upon the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owner.

SECTION 9: The complete execution and recording of this Ordinance by the City Clerk shall occur no later than 60 days from the date of this approval, failing which this ordinance shall be void.

SECTION 10: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

Passed on first reading the 8 day of July, 2019.

Commissioner \_\_\_\_\_ offered the foregoing Ordinance and moved its adoption.

The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a roll call vote, the vote was as follows:

REBECCA S. BRUNER, MAYOR

EULA R. CLARKE, VICE MAYOR

KELLI GLASS LEIGHTON, COMMISSIONER

MERRITT MATHESON, COMMISSIONER

MIKE MEIER, COMMISSIONER

| YES | NO | ABSENT | ABSTAIN |
|-----|----|--------|---------|
|     |    |        |         |
|     |    |        |         |
|     |    |        |         |
|     |    |        |         |
|     |    |        |         |

ADOPTED on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
MARY R. KINDEL  
CITY CLERK

\_\_\_\_\_  
REBECCA S. BRUNER  
MAYOR

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_

MICHAEL MORTELL  
CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN A RESIDENTIAL PLANNED UNIT DEVELOPMENT AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS RESIDENTIAL PLANNED UNIT DEVELOPMENT ACCORDING TO THIS ORDINANCE, ITS CONDITIONS, AND THE DEVELOPMENT PLANS AND DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS ORDINANCE MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ACTIONS MAY BE TAKEN AGAINST THE UNDERSIGNED BY THE CITY, INCLUDING BUT NOT LIMITED TO CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING REVOCATIONS, AND ALL APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

Mark Spirtis, Managing member  
Stuart Development LLC,

\_\_\_\_\_  
By: \_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

OWNERS ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019, by Mark Spirtis, Stuart Development LLC managing member.

\_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires:

Notary Seal

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

CITY'S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019, by REBECCA S. BRUNER, MAYOR , and Mary R. Kindel,  
City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

\_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires:

Notary Seal

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



**EXHIBIT A – LEGAL DESCRIPTION**

**Seaside RPUD**

A parcel of land lying in Section 9, Township 38 South, Range 41 East, Martin County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter of said Section 9; thence South 00°22'03" West along the East line of said Southwest Quarter a distance of 746.37 feet to a point on the South Right-of-Way of Central Parkway and the Point and Place of Beginning. Thence continuing South 00°22'03" West a distance of 580.16 feet to a point on the North Right-of-Way of San Jose Street; thence North 89°16'18" West a distance of 660.71 feet to a point; thence North 00°21'26" East a distance of 414.03 feet to a point of curve and the South Right-of-Way of Central Parkway, said curve being concave to the South having a radius of 445.00 feet, a central angle of 10°59'51"; thence in a clockwise direction along the arc of said curve and Right-of-Way a distance of 85.41 feet to a point; thence North 66°34'15" East a distance of 204.53 feet to a point of curve, said curve being concave to the South, having a radius of 445.00 feet, a central angle of 23°49'37"; thence in a clockwise direction along the arc of said curve a distance of 185.06 feet to a point; thence South 89°36'08" East continuing along said South Right-of-Way a distance of 219.46 feet to the Point and Place of Beginning.

LESS AND EXCEPT the lands conveyed to the City of Stuart in Special Warranty Deed recorded in Official Records Book 2363, Page 1504.





## **EXHIBIT C – DEVELOPMENT CONDITIONS**

### **Approved Plans and Documents**

2. The Seaside RPUD project and use thereof shall comply with the following drawings:
  - a. **The Master Site Plan, Sheet SP-1, prepared by Lucido & Associates, dated 02.13.19, last revised on 07.01.19 (Response to LPA comments).**
  - b. **The Stuart Central ALTA/NSPS Land Title & Topographic Survey, Sheets 1 & 2 of 3, by Caulfield and Wheeler, Inc, dated 11.28.18.**
  - c. **The Stuart Central ALTA/NSPS Land Title Tree Survey, Sheet 3 of 3, by Caulfield and Wheeler, Inc, dated 11.28.18.**
  - d. **The Landscape Plan & Plant Schedule, Sheets LA1, LA2, LA3, & LA4 of 4, prepared by Lucido & Associates, dated 02.13.19, and response to comments dated 05.30.28.19, last revised on 07.01.19 (Response to LPA comments).**
  - e. **Architectural Floor Plans, Roof Plan and Elevations for Front Load Townhomes, Sht. A2.2 Sheet A2.3, Sheet A2.4, and 3.1, by Meritage Homes, dated December 14, 2018.**
3. Any modifications to the Master RPUD Site Plan that exceeds 10% of the approved building footprint, building setbacks, gross square footage, building location, parking size, location and number of parking, drainage areas, and location of landscaping may be approved by the City's Development Director, provided however, the Development Director may refer the matter to the City Commission for approval via a public hearing.
4. Development of the Subject Property as a RPUD shall include an impervious area of not more than 187,514 sf or 4.31 acres within the RPUD. The maximum building height within the RPUD shall be 2 stories or 30 feet. Height shall be measured from the lowest permissible finished first floor elevation to the surface of a flat roof or to the eave of a

pitched roof. The peak of a pitched roof may not exceed 15 feet above the maximum building height.

5. If all the mailboxes are in the pool clubhouse amenity area then additional parking needs to be added or redistributed to take care of off street parking that would occur.

### **Landscaping**

6. The common areas including the projects cabana and pool area shall be provided with landscaping with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition.
7. The City's landscape inspector shall have the opportunity to inspect all trees and/or landscape material with the landscape architect prior to installation. The developer shall bear the pass-thru fee for landscape consulting fees not to exceed \$1,500.00.
8. A Landscape maintenance plan, executed in accordance with the Land Development Regulations, shall be submitted to the Development Department and approved prior to the issuance of a certificate of occupancy.

### **Required Pervious and Native Preserve Area**

9. Not less than 42.3% of the RPUD shall be pervious area (Landscape area and Native Landscape area) as depicted on the Master Site Plan by Lucido and Associates as described in Exhibit C. Required Pervious Area may include native vegetation areas and landscape buffers between the CPUD and adjacent property.
10. Excluding wetlands defined by the South Florida Water Management District, not less than 21% of the total development site shall be native vegetation area. The required native vegetation area may include open space areas and the landscape buffer between the site and adjacent property. The location of the native vegetation shall comply with the project's landscape plan, Shts. LA-1 of 4 & 2 of 4 by Lucido and Associates.

**Tree Mitigation**

11. The project shall comply with project's tree mitigation plan, Sht. LA-2 of 4 by Lucido and Associates.

**Prior to Issuance of Site Permits**

12. Applicant shall provide a digital boundary survey and civil plan prior to the issuance of a site permit.
13. Civil Plans shall be reviewed and approved by all applicable City departments prior to the issuance of a site permit.
14. All regulatory agency permits, including but not limited to the South Florida Water Management District and Army Corp of Engineers, shall be obtained by the applicant and copies provided to the City prior to the commencement of any development activities.
15. All development activities shall comply with the City's Concurrency Management System prior to the issuance of building permits.

**Development and Construction**

16. The Developer shall construct the project's infrastructure in one phase and is required to control the sales of lots in blocks and will create a lot sales and construction plan which shall be provided to the City's Development Department for review and approval prior to application for the first building permit. The last building's townhouse unit shall obtain a certificate of occupancy by June 30 of 2023.
17. The Developer shall install landscaping and gates at the development's entry as shown on the landscaping plan prior to the first certificate of occupancy for a residential unit. The entry gates shall be made operational with gate code coordination for accessibility by the City's Public Works Department for trash pickup and meter reading prior to issuance of the third certificate of occupancy.



18. The proposed cabana and pool landscaping shall be completed before the certificate of occupancy has been issued for the 10<sup>th</sup> residential unit or within 12 months from the start of any development activity.
19. The developer shall eradicate all invasive vegetation for the entire site to be completed and inspected prior the first building permit being issued.
20. The property owner shall provide easements for licensed television services. Preserve area easements shall be dedicated to state agencies with the City of Stuart having the option to have those same easements.
21. Water and Sewer Services shall be provided by City of Stuart utilities. Additionally the development shall use reclaimed water (Purple Pipe) for watering common areas and make available to individual lots if made available by Martin County.
22. The Developer shall provide a 6 foot tall decorative aluminum fence acceptable to the Development Department at the projects entry connecting both to the proposed 6' high precast wall to the east and the existing west wall at the Villa Bella development. The community's Home Owners Association shall maintain all the new walls and give easement to Villa Bella Condominium to maintain the existing wall at the project's west property line.
23. In the event of any conflict in the provisions of Exhibit 'C' Development Conditions and attached exhibits, Exhibit 'C' shall prevail.
24. Prior to certificate of occupancy of the last building, the applicant shall provide an engineer's written confirmation attesting that the RPUD's storm water system is in place and functioning in compliance with all approved plans and specifications.
25. Erosion and dust control measures to be implemented during construction shall be provided on the civil plans and submitted during site permit review. Water trucks shall be provided by the applicant as necessary during construction in order to reduce dust generated on-site.

26. All utility improvements constructed by the developer within City's right-of-way, shall be constructed in a manner and form acceptable to the City Public Works department.
27. The projects turn lanes as described on the project's Master Site plan shall be completed before the first certificate of occupancy is issued.
28. The project's Native Planting schemes at the lake will be designed using Low Impact Development "(LID) Techniques as described in the University of Florida IFSA Extension publication LID Practices: Integration Wetlands and Enhancing Storm water Basins".
29. Temporary or freestanding storage units are prohibited on the property once construction is complete.
30. The installation of a Knox key switch to operate the gate is required for City of Stuart fire rescue and Martin County Fire Rescue and the gate codes are to be posted with the City's Police Department.
31. A lighting plan shall be included on the Landscape plan for the community's common areas including any street lighting. All lights at the common areas shall be limited to 15 feet in height and shielded from neighboring property.
32. Site work including but not limited to land preparation, lake excavation, clearing and grading, drainage and water, sewer and irrigation lines, and private road shall be reviewed approved by the City's Public Works department and the city's engineering consultant prior to permitting. Specifically,
  - a. Private Road & R.O.W. including pedestrian sidewalk

- b. Proposed Lake
  - c. Cabana and Pool
  - d. Upland Preserve
33. The developer shall make provision for a future pedestrian gate from the development to the future Willoughby Blvd. extension before the final Certificate of occupancy is issued.

**Signage**

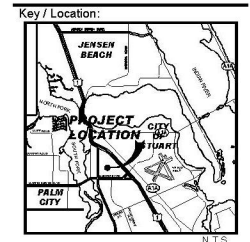
34. All signs throughout the PUD must have a consistent treatment, as to number, location, size, height, lighting, and materials with a unified theme throughout the Planned Unit Development. The development's monument sign shall adhere to the City of Stuart Land Development Code.

**Platting- HOA Requirements & Future Amendments**

35. Plat approval per Section 11.01.06.1 shall occur prior to any future development permit for any development activity, no permit for development including site work and infrastructure, shall be issued by the City unless and until a plat has been approved by the City Commission and recorded in the public records.
36. The PUD may be conveyed to 75 separate home owners without further amendment to this Ordinance. Prior to application for any development, the applicant/developer shall form a HOA (Homeowners Association) or other similar entity acceptable to the City Attorney, which shall be singularly responsible for the perpetual maintenance of the common site features and include restrictions regarding boats, boat trailers, sheds, etc.
37. If there are any encroachments into the preserve area, at common areas a notice of violation shall be issued to the developer or Home Owners Association which will be responsible for remedying the violation.

38. City of Stuart waste receptacles, including recycle shall be stored in garages only. The developer shall pay for initial bins (one trash bin and one recycle bin) for each unit including the clubhouse for a total of 76 trash bins and 76 recycle bins at the time of permitting. The receptacles at the amenity areas shall be stored inside the clubhouse or outside in an approved enclosure.
39. The developer shall pay for individual water meters for each unit including clubhouse at the time of permitting.
40. There shall be no on street parking on trash/recycle collection days. The developer and home owners association shall request and consent to law enforcement entry to property and enforcement of state and city laws to include traffic enforcement. Additionally, the City of Stuart Police Department shall have authority to enforce city laws and all conditions of development of Ordinance 2410-2019.
41. No yard waste shall be placed in the street.
42. All new fences and walls shall be maintained by the Seaside Home Owners Association. Both sides of the existing wall at the Villa Bella separating the two communities shall be maintained by the Villa Bella Home Owners Association. Seaside shall grant easement to Villa Bella for maintenance of the existing wall separating the two communities.
43. Any applications to amend this Ordinance shall be limited to the developer or the Home Owners Association.
44. The Home Owner's Association shall regulate any permits for guest parking.
45. The Home Owners Association shall maintain the eco-mat at the lake per the manufactures specifications.





**Project Team:**  
 Client & Property Owner: Montage Homes  
 5227 Malabar Lakes Blvd, Suite 410  
 Orlando, Florida 32835  
 Land Planner / Landscape Architect: Lucido & Associates  
 701 East Ocean Boulevard  
 Stuart, Florida 34904  
 Engineer: The Minor Group, Inc.  
 10275 SE Federal Highway  
 Suite 100  
 Boca Raton, Florida 33434  
 Surveyor: Carfield & Whitfield, Inc.  
 7800 States Road, Suite 100  
 Boca Raton, Florida 33434

## Seaside RPUD (fka Kingsport Estates RPUD)

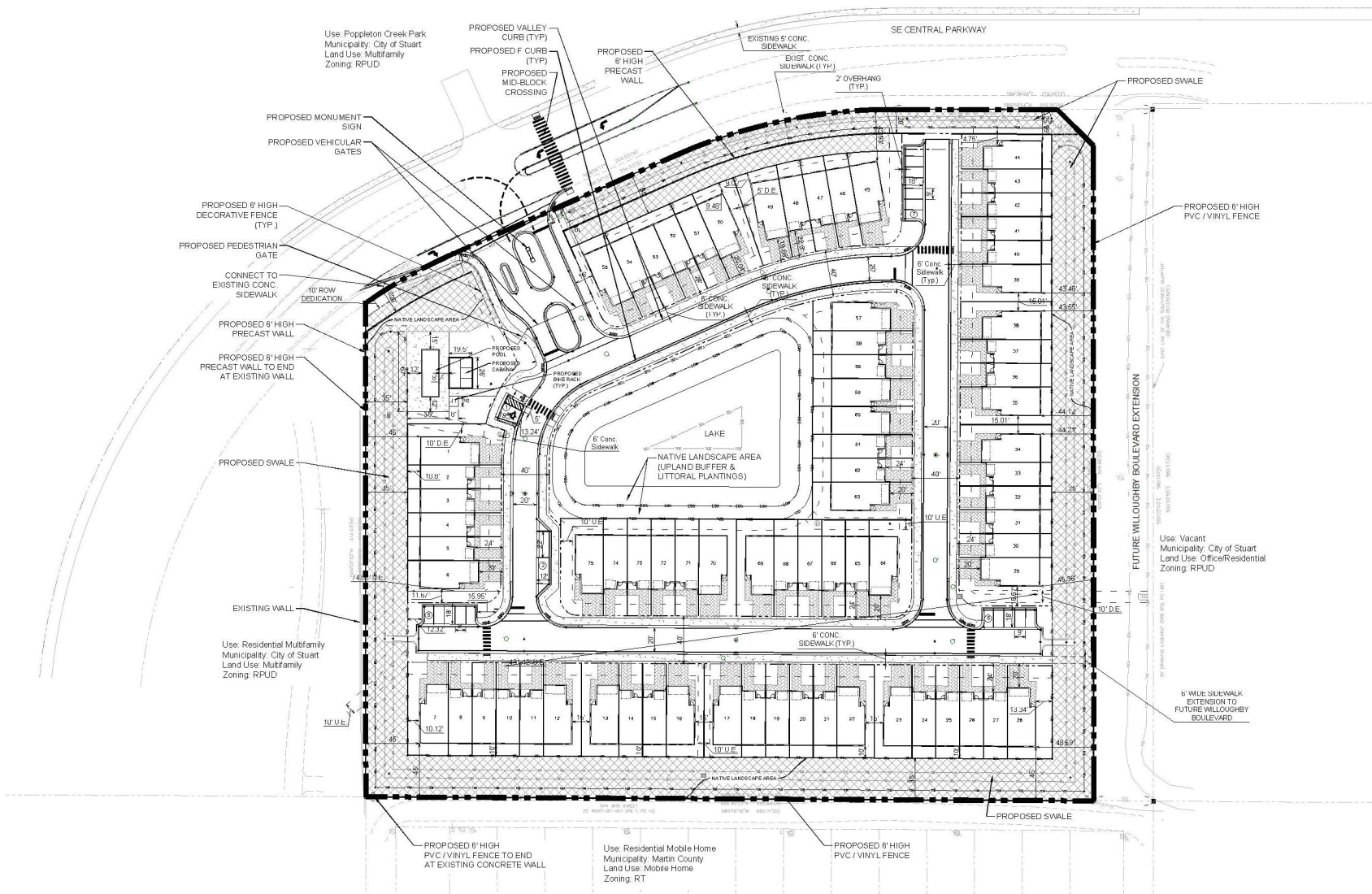
City of Stuart, Martin County, Florida

## Master Site Plan

| Date       | By   | Description              |
|------------|------|--------------------------|
| 02/13/2019 | J.J. | Initial Submittal        |
| 04/30/2019 | J.J. | Response to Comments     |
| 05/30/2019 | J.J. | Response to Comments     |
| 07/01/2019 | J.J. | Response to LPA Comments |

|                  |                                                    |       |
|------------------|----------------------------------------------------|-------|
|                  |                                                    |       |
| Designer         | JJ                                                 | Sheet |
| Manager          | DF                                                 |       |
| Project Number   | 18-1065                                            |       |
| Municipal Number | ---                                                |       |
| Computer File    | 18-1065 Montage Homes Central Pkwy - Site Plan.dwg |       |

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### General Notes:

- Refer to Landscape Plan for landscape details and specifications.
- A Certificate of Occupancy (Planning Plan) will be provided with the first plan application.
- The applicant will be required to verify prior to any plan closing that all signage has been properly installed on the site.
- All signs will be reviewed for compliance with the applicable regulations at the time the sign permit is issued.
- The property owner shall be required to provide adequate easements to ensure non-exclusive access to utility and cable television services to persons residing in the development. The easement shall specifically provide for the use by the franchisee/cable television system.
- The parking areas shown herein are private and will be owned and maintained by the homeowners' association.
- Water and sewer service shall be provided by Martin County Utilities.
- Photometric site lighting plans shall be provided to the City of Stuart for review and approval prior to site development permit approval.

### Building Data:

Product Type: Townhomes  
 Maximum Height: 2 Stories - 30'  
 Building Coverage: 24%

### Parking Calculations:

**Total Parking Spaces Required 150 Spaces**  
 75 - Two bedroom or greater units @ 2 Spaces per unit: 150 Spaces

**Total Parking Spaces Provided 170 Spaces**  
 Standard Spaces: 20 Spaces  
 Garage Spaces: 103 Spaces  
 Driveway Spaces: 47 Spaces

### Site Data:

**Existing Future Land Use:** Multifamily  
**Existing Zoning:** RPUD  
**Total Units:** 75 Units  
**Gross Density:** 10.05 DU/Ac.  
**Area (Total Site):** 325,105 sf 7.46 ac.  
 Impervious Area: 189,396 sf 4.35 ac. (58.3%)  
 Buildings: 78,944 sf 1.81 ac.  
 Paved/Impervious (VMA, Curbs, Driveways, & Sidewalks): 88,772 sf 2.00 ac.  
 Wetland: 21,780 sf 0.50 ac.  
 Previous Area: 135,708 sf 3.12 ac. (41.7%)  
 Native Landscape Area: 65,206 sf 1.57 ac.  
 Landscape Area: 27,411 sf 0.63 ac.

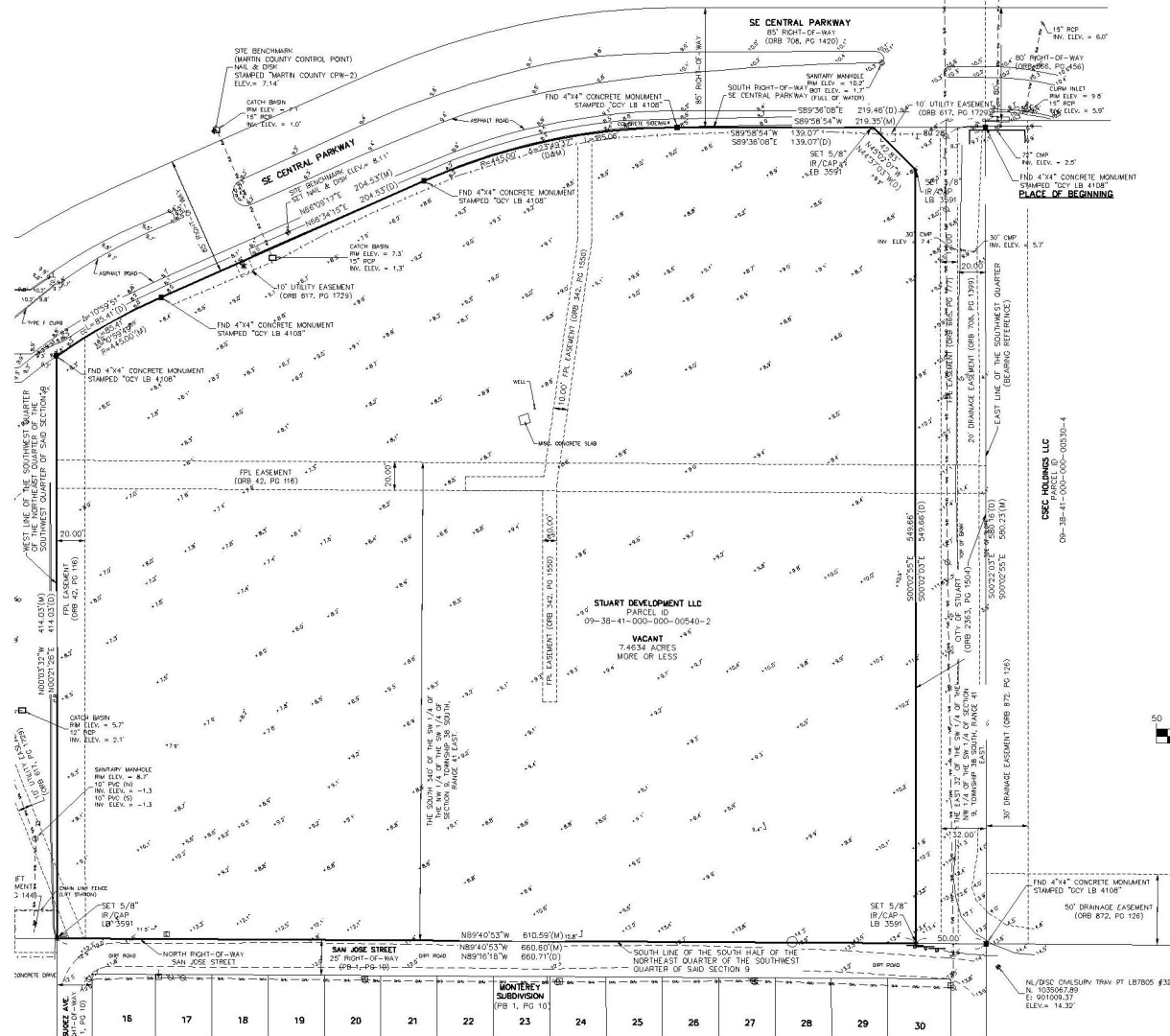




# TOPOGRAPHIC SURVEY

STUART CENTRAL

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 38 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA,

[illegible]

**CAULFIELD & WHEELER, INC.**  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE - SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561) 392-1991 / FAX (561) 750-4452

STUART CENTRAL  
ALTA/NSPS LAND TITLE  
& TOPOGRAPHIC SURVEY

|           |          |
|-----------|----------|
| DATE      | 11/28/18 |
| DRAWN BY  | RLP      |
| F.B./ PG. | ELECT    |
| SCALE     | AS SHOWN |

JOB # 8396  
SHT. NO. 2  
OF 3 SHEETS

STUART CENTRAL

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 38 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA.

**LEGEND**

ALUM = ALUMINUM  
C = CENTERLINE  
CLF = CHAIN LINK FENCE  
C- = CONCRETE  
(D) = DEED RECORD DIMENSION  
DE = DRAINAGE EASEMENT  
ELE = ELEVATION  
ESMT = EASEMENT  
EXIST = EXISTING  
FND = FOUND  
FPL = FLORIDA POWER & LIGHT  
INV = INVERT  
R/W = IRON ROD & CAP  
L = ARC LENGTH  
LB = LICENSE BUSINESS  
(M) = MEASURED  
ORD = OFFICIAL RECORD BOOK  
(P) = PLAT RECORD DIMENSION  
PB = PLAT BOOK  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
PG = PAGE(S)  
PP = PERMANENT REFERENCE MONUMENT  
PROP = PROPOSED  
R = RADIUS  
RB = RADIAL BEARING  
RCE = RANGE  
R/W = RIGHT-OF-WAY  
SEC = SECTION  
SO FT = SQUARE FEET  
TWP = TOWNSHIP  
TYP = TYPICAL  
Δ = DELTA (CENTRAL ANGLE)  
± = SET 5/8" IR/CAP LB 3591  
Δ & DSK LB 3591  
Δ = FOUND FDOT CONC MON BLC POINT  
Δ = CONCRETE POWER POLE  
TS = WOOD POWER POLE  
ANCHOR  
— = ELECTRICAL WIRES OVERHEAD  
— = EXISTING ELEVATION  
— = TRAFFIC SIGN  
— = ELECTRIC HAND HOLE  
— = LIGHT POLE  
— = NAIL BOX  
— = FIRE HYDRANT  
— = WATER VALVE  
— = TELEPHONE Riser  
○ = TREE LOCATION

[illegible]

**CAULFIELD & WIEELER, INC.**  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE - SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452

STUART CENTRAL  
ALTA/NSPS LAND TITLE  
TREE SURVEY

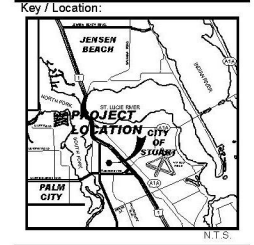
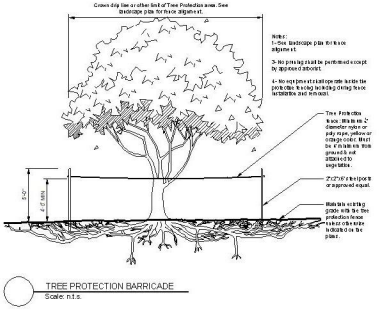
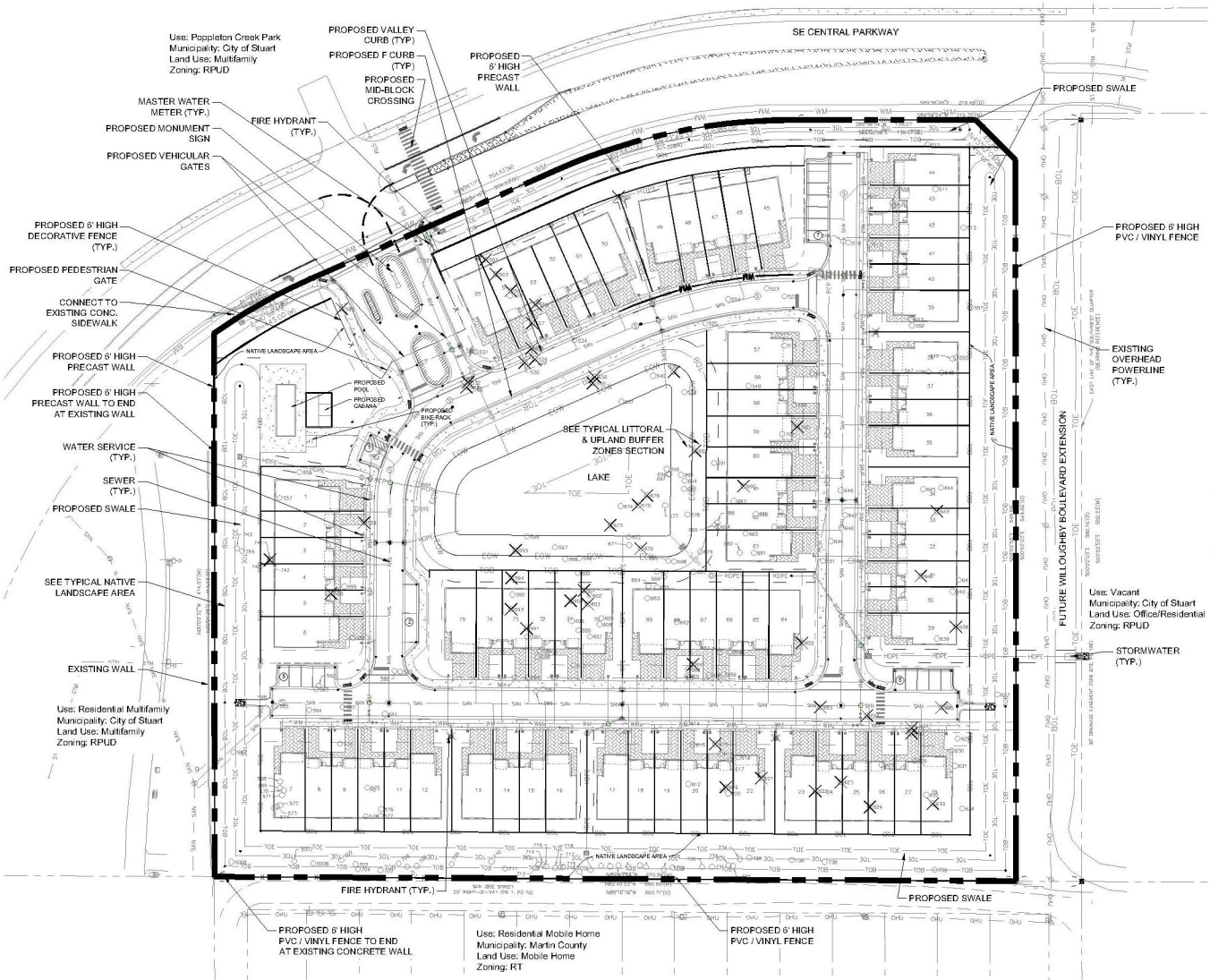
|           |          |
|-----------|----------|
| DATE      | 11/28/18 |
| DRAWN BY  | RLF      |
| F.B./ PG. | ELECT    |
| SCALE     | AS SHOWN |

|             |
|-------------|
| JOB # 8396  |
| SHT. NO. 3  |
| OF 3 SHEETS |









**Project Team:**  
 Client & Property Owner: Melinda Homes, 5227 Melinda Lakes Blvd., Suite 410, Orlando, Florida 32835  
 Land Planner / Landscape Architect: Lucido & Associates, 725 East Ocean Boulevard, Stuart, Florida 34954  
 Engineer: The Miller Group, Inc., 9005 SE Federal Highway, Suite 100, Boca Raton, Florida 33434  
 Surveyor: C. J. Smith & Associates, Inc., 7800 Glades Road, Suite 100, Boca Raton, Florida 33434

## Seaside RPUD (fka Kingsport Estates RPUD)

City of Stuart, Martin County, Florida

## Tree Mitigation Plan

| Date       | By   | Description              |
|------------|------|--------------------------|
| 02/13/2019 | J.J. | Initial Submittal        |
| 04/30/2019 | J.J. | Response to Comments     |
| 05/30/2019 | J.J. | Response to Comments     |
| 07/01/2019 | J.J. | Response to LPA Comments |

### EXISTING TREE INVENTORY (ELIGIBLE FOR MITIGATION)

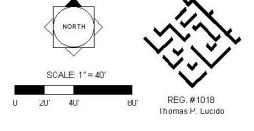
| Tree ID | Species       | DBH (in) | Height (ft) | Health | Notes |
|---------|---------------|----------|-------------|--------|-------|
| 001     | Q. virginiana | 12       | 25          | Good   |       |
| 002     | A. rubrum     | 10       | 20          | Good   |       |
| 003     | W. batardata  | 8        | 15          | Good   |       |
| 004     | Q. virginiana | 15       | 30          | Good   |       |
| 005     | A. rubrum     | 12       | 25          | Good   |       |
| 006     | W. batardata  | 10       | 20          | Good   |       |
| 007     | Q. virginiana | 18       | 35          | Good   |       |
| 008     | A. rubrum     | 15       | 30          | Good   |       |
| 009     | W. batardata  | 12       | 25          | Good   |       |
| 010     | Q. virginiana | 20       | 40          | Good   |       |
| 011     | A. rubrum     | 18       | 35          | Good   |       |
| 012     | W. batardata  | 15       | 30          | Good   |       |
| 013     | Q. virginiana | 22       | 45          | Good   |       |
| 014     | A. rubrum     | 20       | 40          | Good   |       |
| 015     | W. batardata  | 18       | 35          | Good   |       |
| 016     | Q. virginiana | 25       | 50          | Good   |       |
| 017     | A. rubrum     | 22       | 45          | Good   |       |
| 018     | W. batardata  | 20       | 40          | Good   |       |
| 019     | Q. virginiana | 28       | 55          | Good   |       |
| 020     | A. rubrum     | 25       | 50          | Good   |       |
| 021     | W. batardata  | 22       | 45          | Good   |       |
| 022     | Q. virginiana | 30       | 60          | Good   |       |
| 023     | A. rubrum     | 28       | 55          | Good   |       |
| 024     | W. batardata  | 25       | 50          | Good   |       |
| 025     | Q. virginiana | 32       | 65          | Good   |       |
| 026     | A. rubrum     | 30       | 60          | Good   |       |
| 027     | W. batardata  | 28       | 55          | Good   |       |
| 028     | Q. virginiana | 35       | 70          | Good   |       |
| 029     | A. rubrum     | 32       | 65          | Good   |       |
| 030     | W. batardata  | 30       | 60          | Good   |       |

### TREE MITIGATION CALCULATIONS

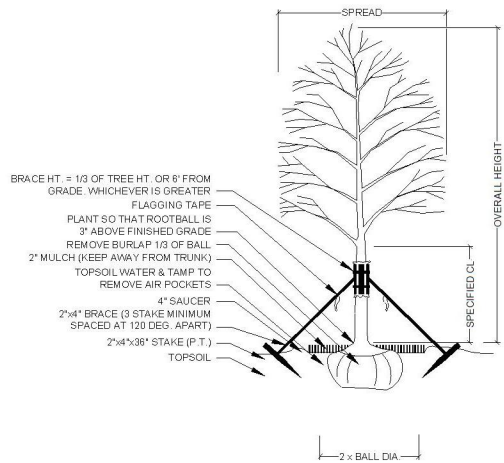
| Hardwood Calculation                   |            |     |         |
|----------------------------------------|------------|-----|---------|
| 238                                    | inches (x) | 2.5 | = 595.0 |
| Total Inches Required (4.5" DBH min)   |            |     |         |
| Total Inches Provided for Mitigation:  |            |     |         |
| Quercus virginiana (4.5" DBH)          |            |     |         |
| Acer rubrum (4.5" DBH)                 |            |     |         |
| Woodsia batardata (14" for 14' height) |            |     |         |
| Pine Calculation                       |            |     |         |
| 375                                    | inches (x) | 1.5 | = 562.5 |
| Total Inches Required (2.5" DBH min)   |            |     |         |
| Total Inches Provided for Mitigation:  |            |     |         |
| Pinus elliotii var. densa (2.5" DBH)   |            |     |         |
| Ilex xantheum 'Expensive' (2.5" DBH)   |            |     |         |
| Taxodium distichum (2.5" DBH)          |            |     |         |
| Conocarpus erectus (2.5" DBH)          |            |     |         |
| Ravensara togo (14" for 14' height)    |            |     |         |

### TREE MITIGATION LEGEND

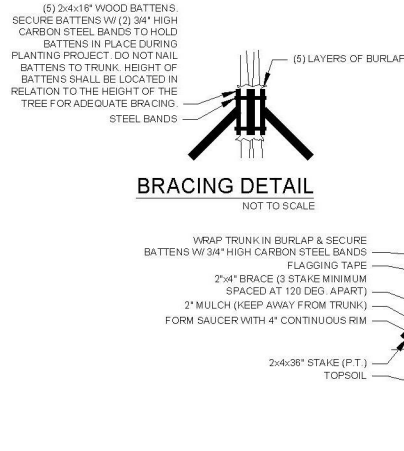
- Tree Protection Barrier
- Tree to be Relocated On-Site
- Tree to be Removed
- Existing Tree (Not Required for Mitigation)



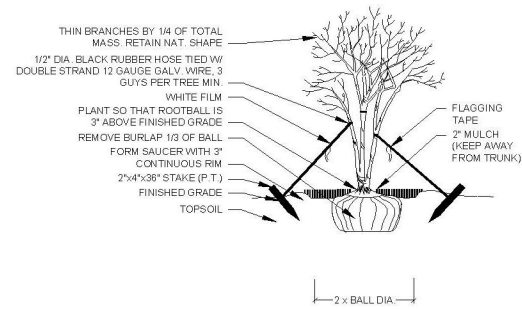
Designer: J.J. Sheet  
 Manager: DF  
 Project Number: 18-1055  
 Municipal Number: ---  
 Computer File: 18-1055 Melinda Homes Central Plenary - Landscape PI



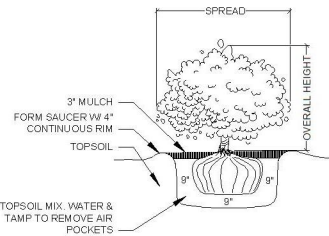
**TREE PLANTING & STAKING**  
 NOT TO SCALE



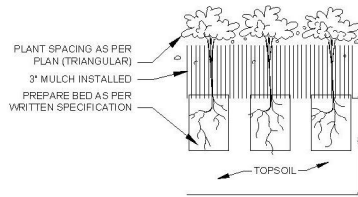
**PALM PLANTING - ANGLE STAKE**  
 NOT TO SCALE



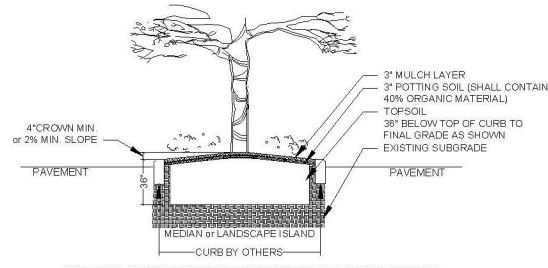
**MULTI-TRUNK PLANTING & GUYING**  
 NOT TO SCALE



**SHRUB PLANTING**  
 NOT TO SCALE



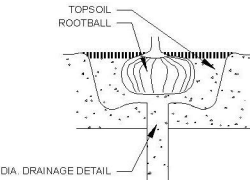
**GROUNDCOVER PLANTING DETAIL**  
 NOT TO SCALE



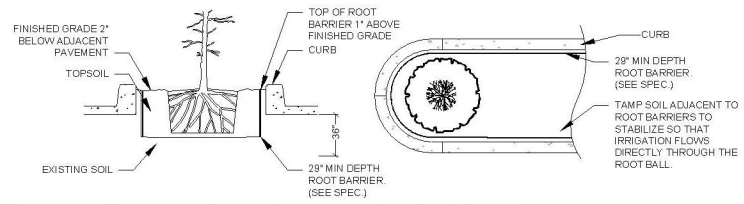
THIS DETAIL, SHOWN DEPICTS A MEDIAN AND/OR LANDSCAPE ISLAND AND IS FOR GRAPHIC PURPOSES ONLY. SOIL PREPARATION SHALL APPLY TO ALL TREE, SHRUB, & GROUND COVER AREAS. THIS DOES NOT INCLUDE SOD AREAS

**LANDSCAPE AREA PREPARATION DETAIL**  
 NOT TO SCALE

- \* TOPSOIL SHALL BE NATURAL, FRABLE, FINE LOAMY SOIL POSSESSING CHARACTERISTICS OF REPRESENTATIVE TOPSOIL IN THE VICINITY OF THE PROJECT SITE, THAT PRODUCES HEAVY GROWTH.
- \* TOPSOIL SHALL HAVE A PH RANGE OF 5.5-7.4, FREE FROM SUBSOIL, WEEDS, LITTER, SODS, CLAY, STONES, STUMPS, ROOTS, TRUNKS, HERBICIDES, TOXIC SUBSTANCES, OR ANY OTHER MATERIAL, WHICH MAY BE HARMFUL TO PLANT GROWTH, OR HINDER PLANTING OPERATIONS.
- \* TOPSOIL SHALL CONTAIN A MINIMUM OF 2% ORGANIC MATERIAL.
- \* TOPSOIL MUST PERCOLATE WATER AT A RATE OF 1" PER HOUR (SEE ALSO DRAINAGE TESTING DETAIL FOR TREES)
- \* LANDSCAPE AREA SOILS SHALL BE APPROVED BY LANDSCAPE ARCHITECT BEFORE PLANTING

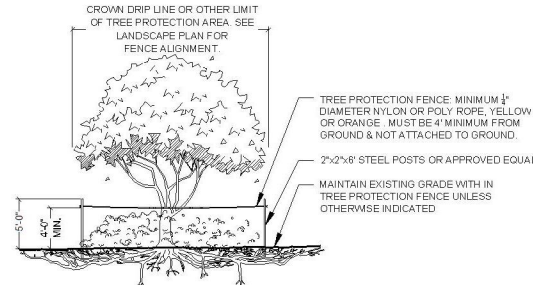


**DRAINAGE TESTING DETAIL**  
 NOT TO SCALE



**SPECIAL APPLICATIONS ROOT BARRIER DETAIL**  
 NOT TO SCALE

- NOTES:  
 1- ROOT BARRIER SHALL BE "BIO-BARRIER 29" DEPTH OR APPROVED EQUAL.  
 2- ROOT BARRIER SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.



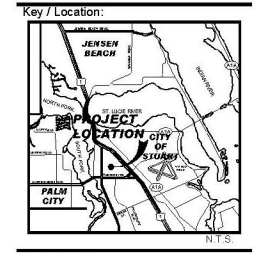
**TREE PROTECTION BARRICADE**  
 NOT TO SCALE

- NOTES:  
 1- SEE LANDSCAPE PLAN FOR FENCE ALIGNMENT.  
 2- NO PRUNING SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST.  
 3- NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING INCLUDING DURING FENCE INSTALLATION AND REMOVAL.

## DRAINAGE TESTING/DRAINAGE CHANNEL REQUIREMENTS.

BEFORE PLANTING, ALL PLANTING PITS SELECTED FOR TESTING SHALL BE TESTED IN THE FOLLOWING MANNER:

- DIG EACH PLANTING PIT TO THE MINIMUM SPECIFIED SIZE.
- FILL PLANTING PIT WITH TWELVE INCHES (12") OF WATER. IF THE WATER LEVEL DROPS FOUR (4") OR MORE WITHIN FOUR (4) HOURS, THE DRAINAGE IS SUFFICIENT AND A DRAINAGE CHANNEL IS NOT REQUIRED. IF THE WATER LEVEL DROPS LESS THAN FOUR INCHES (4") WITHIN THE FOUR (4) HOUR PERIOD, A DRAINAGE CHANNEL IS REQUIRED.
- WHERE REQUIRED, THE DRAINAGE CHANNEL MUST EXTEND DOWN THROUGH THE NON POROUS SOIL AND INTO POROUS SOIL. (SEE DETAIL)
- ALL MATERIAL REMOVED FROM THE DRAINAGE CHANNEL SHALL BE DISCARDED.
- WHEN BACKFILLING PLANTING PITS WITH NATIVE TOPSOIL, CARE MUST BE TAKEN TO KEEP THE CONSISTENCY OF THE SOIL MIX THE SAME THROUGHOUT THE PLANTING PIT AND DRAINAGE CHANNEL.



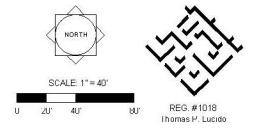
**Project Team:**  
 Client: 6  
 Property Owner: 6327 Marine Lake Blvd., Suite 410, Orlando, Florida 32835  
 Land Planner / Landscape Architect: Lucido & Associates, 701 East Ocean Boulevard, Stuart, Florida 34954  
 Engineer: The Miller Group, Inc., 9005 SE Federal Highway, Suite 100, Boca Raton, Florida 33434  
 Surveyor: C. J. & W. J. Whelan, Inc., 7800 Glades Road, Suite 100, Boca Raton, Florida 33434

## Seaside RPUD (fka Kingsport Estates RPUD)

City of Stuart, Martin County, Florida

## Landscape Details

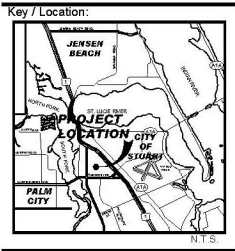
| Date       | By   | Description              |
|------------|------|--------------------------|
| 02/13/2019 | J.J. | Initial Submittal        |
| 05/30/2019 | J.J. | Response to Comments     |
| 07/01/2019 | J.J. | Response to LPA Comments |
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Designer: J.J. Sheet  
 Manager: D.F.  
 Project Number: 18-1055  
 Municipal Number: ---  
 Computer File: 18-1055 Heritage Homes Central Planting - Landscape PI



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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LANDSCAPE SPECIFICATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| PART 1: GENERAL CONDITIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 1.01 SCOPE:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2.02 INSPECTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| A. The landscape contract includes the supplying and planting of all trees, shrubs, vines, and ground cover together with all necessary labor, equipment, tools and materials needed for the successful completion, execution and maintenance of the landscape plans.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | A. The Landscape Architect and Owner may inspect trees and shrubs at place of growth or at site before planting, for compliance with requirements for genus, species, variety, size and quality. The Landscape Architect and Owner retain the right to further inspect trees and shrubs for size and condition of balls and root systems, insects, injuries and latent defects, and to reject unsatisfactory or defective material at any time during progress of work. Rejected plant material shall be immediately removed from project site.                                                                                                                                                                                                                                                                                                                                                                                                                                     | I. All plants shall be set to ultimate finished grade. No filling will be permitted around trunks or stems. All ropes, wire, stakes, etc., shall be removed from sides and top of the ball and removed from hole before filling.                                                                                                                                                                                                              |
| 1.02 AGENCY STANDARDS:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2.03 PROTECTION OF PLANT MATERIALS:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | J. All flagging ribbon shall be removed from trees and shrubs before planting.                                                                                                                                                                                                                                                                                                                                                                |
| A. Grades and standards for plant materials to be used shall be true to name, size, condition and graded Florida #1 or better as stated in: Grades and Standards of Florida Plant Materials published by the State of Florida Department of Agriculture, Tallahassee, Florida.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | A. Balled and burlapped plants (B & B) shall be dug with firm natural balls of earth of sufficient diameter and depth to encompass the fibrous and feeding root system necessary for full recovery of the plant. Balls shall be firmly wrapped with burlap similar materials and bound with cork, rope, or wire mesh. All collected plants shall be balled and burlapped.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | K. Excess excavation (fill) from all holes shall be removed from the site, at no additional expense to Owner.                                                                                                                                                                                                                                                                                                                                 |
| 1.03 SITE EXAMINATION:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | B. Plants with broken, damaged or insufficient rootballs will be rejected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | L. All palms shall be backfilled with sand, thoroughly washed in during planting operations and with a shallow saucer depression left at the soil line for future watering. Saucer areas shall be top-dressed two (2") inches deep with topsoil/raked and left in a neat, clean manner.                                                                                                                                                       |
| A. The Landscape Contractor shall personally examine the site and fully acquaint him/herself with all of the existing conditions in order that no mis-understanding may afterwards arise as to the character or extent of the work to be performed, and, additionally, in order to acquaint him/herself with all precautions to be taken in order to avoid injury to property or persons. No additional compensation will be granted because of any unusual difficulties which may be encountered in the execution or maintenance of any portion of the work.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | C. All plant material shall be protected from possible bark injury or breakage of branches. All plants transported by open trucks shall be adequately covered to prevent windburn, drying or damage to plants.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 3.04 PRUNING:                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 1.04 ERRORS AND OMISSIONS:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | D. Plants which cannot be planted immediately on delivery to the site shall be covered with moist soil, mulch or other protection from the drying of wind and sun. All plant material shall be watered as necessary by the Landscape Contractor until planted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | A. Remove dead and broken branches from all plant material. Prune to retain typical growth habit of individual plants with as much height and spread as possible in a manner which will preserve the plant's natural character.                                                                                                                                                                                                               |
| A. The plant list is a part of the drawings and is furnished as a convenience. The plant list indicates the name, size and quantities of specific plant materials as called for and is located on the drawings. The Landscape Contractor is responsible for his/her own quantity count, and any discrepancy between drawings and plant list shall be considered as correct on the drawings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2.04 STORAGE:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | B. Make all cuts with sharp instruments flush with trunk or adjacent branch, in such a manner as to insure elimination of stubs. Cuts made at right angles to line of growth will not be permitted.                                                                                                                                                                                                                                           |
| B. The Landscape Contractor shall not take advantage of errors or omissions in the specifications or contract drawings. Full instruction will be given if such errors are discovered. Upon the discovery of any discrepancies in, or omissions from the drawings or documents, or should the Landscape Contractor be in doubt as to their meaning, the Landscape Architect shall be notified and will determine the actions necessary to each query.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | A. All plant materials shall be stored on the site in designated areas, specified by the Landscape Architect or Owner's agent.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | C. Trees shall not be piled or topped.                                                                                                                                                                                                                                                                                                                                                                                                        |
| C. If plans and specifications are found to disagree after the contract is awarded, the Landscape Architect shall be the judge as to which was intended.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | B. No plant material shall be stored longer than seventy-two (72) hours unless approved by Landscape Architect and/or owner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | D. Remove all trimming from site.                                                                                                                                                                                                                                                                                                                                                                                                             |
| 1.05 EXECUTION OF THE WORK:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | C. The Landscape Architect reserves the right to reject any plant materials not in conformance with these specifications.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 3.05 GUYING:                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| A. The Landscape Contractor shall have his labor crews controlled and directed by a Foreman well versed in plant materials, planting methods, reading plans, and coordination between jobs and nursery in order to execute installation correctly and in a timely manner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | D. All rejected material shall be immediately removed from the site and replaced with acceptable material at no cost to the Owner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | A. All trees over six (6) feet in height shall, immediately after setting to proper grade, be guyed with three sets of two strands, No. 12 gauge malleable galvanized iron, in tripod fashion. See Detail.                                                                                                                                                                                                                                    |
| B. The Landscape Contractor shall provide a competent English-speaking Foreman on the project at all times, who shall be fully authorized as the Contractor's agent on the job. The Foreman shall be capable of reading and thoroughly understanding the Plans, Specifications and other Contract Documents. If the Superintendent is deemed incompetent by the Landscape Architect, he (the superintendent) shall be immediately replaced.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2.05 PROTECTION DURING PLANTING:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | B. Wires shall not come in direct contact with the tree but shall be covered with an approved protection device at all contact points. Wires shall be fastened in such a manner as to avoid pulling catches apart.                                                                                                                                                                                                                            |
| C. The Landscape Contractor shall be available for any meetings with the Owner and/or Landscape Architect during implementation of the job. Any additional work or changes required as a result of failure to communicate with the Owner or Landscape Architect during implementation will be the responsibility of the Landscape Contractor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | A. Trees moved by winch or crane shall be thoroughly protected from chain marks, grinding or bark stripping by means of burlap, wool batters or other approved methods. Batters shall NOT be attached to the tree with nails.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | C. Stake & Brace all trees larger than 12" o.d. See detail. Stakes shall be 2" x 2" lumber of sufficient length to satisfactorily support each tree.                                                                                                                                                                                                                                                                                          |
| 1.06 PROTECTION OF PUBLIC AND PROPERTY:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2.06 TOP SOIL:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | D. Turnbuckles for guying trees shall be galvanized or cadmium plated and shall be of adequate size and strength to properly maintain tight guy wires.                                                                                                                                                                                                                                                                                        |
| A. The Landscape Contractor shall protect all materials and work against injury from any cause and shall provide and maintain all necessary safeguards for the protection of the public. He shall be held responsible for any damage or injury to persons or property which may occur as a result of his fault or negligence in the execution of the work, i.e. damage to underground pipes or cables.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | A. Planting soil for all plantings shall consist of topsoil and be natural, friable, fertile, fine loamy soil possessing characteristics of representative topsoil in the vicinity of the project site that produces heavy growth. Topsoil shall have a PH range of 5.5-7.4, free from subsoil, weeds, litter, sods, clay, stones, dumps, rocks, trash, herbicides, toxic substances, or any other material which may be harmful to plant growth, or hinder planting operations. Topsoil shall contain a minimum of 3% organic material. Topsoil must percolate water at a rate of 1" per hour. (See also drainage testing detail for trees)                                                                                                                                                                                                                                                                                                                                        | 3.06 WATER:                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 1.07 CHANGES AND EXTRAS:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | B. Landscape Area Preparation. The intent of this section is to ensure a healthy growing environment for all planting material in all landscaped areas. Landscape Contractor to examine existing soils prior to planting to ensure conformance to all definitions of "Topsoil" (see Landscape Area Preparation Detail). In addition, a 3" layer of high organic (min 40%) potting soil shall be added to the topsoil and mixed in at time of planting. <i>Eco Code Recycling Inc.</i> is a recommended source for imported Topsoil (if needed) as well as the top 3" layer of potting soil.                                                                                                                                                                                                                                                                                                                                                                                         | A. Each plant or tree shall be thoroughly watered in after planting. Watering of all newly installed plant materials shall be the responsibility of the Landscape Contractor until final acceptance by the Landscape Architect.                                                                                                                                                                                                               |
| A. The Contractor shall not start work on any changes or "extras" in the project until a written agreement setting forth the adjusted prices has been executed by the Owner and the Contractor. Any work performed on changes or "extras" prior to execution of a written agreement may or may not be compensated for by the Owner at his discretion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | C. Existing soils must meet all definitions of "Topsoil" as described above in all planting areas throughout the site. If existing soils do not meet all definitions of Topsoil, please refer to the Landscape Area Preparation detail. Examination may require existing soils to be tested by an accredited testing laboratory. Should a soil test be necessary, Contractor shall contact soil testing lab directly to confirm such lab's soil collection and transmittal protocol; all costs if any shall be borne by the Contractor. Contractor shall provide to Landscape Architect for review the results of the soil test if conducted. Contractor shall schedule an on-site meeting with Landscape Architect to review existing and/or imported soils prior to planting. The Landscape Area Preparation is the responsibility of the Landscape Contractor. Heretofore shall except all responsibility of planting soils and shall honor all guarantee items in section 1.08. | B. Prior to installing any irrigation system components, the contractor shall obtain a water sample from the proposed water supply and conduct a particle size and count analysis on the sample using the services of a reputable lab certified in such analyses. Submit the test results to the owner/owner's representative for review and approval. Do not proceed further with system installation until given written approval to do so. |
| 1.08 GUARANTEE:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 2.07 FERTILIZER:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 3.07 SOO:                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| A. The Landscape Contractor shall furnish a written guarantee warranting all materials, workmanship and plant materials, except sod, for a period of 18 MONTHS from the time of completion and acceptance by the Landscape Architect and Owner. Sod shall be guaranteed to 90 calendar days after acceptance by the Landscape Architect and Owner. All plant material shall be alive and in satisfactory condition and growth for each specific kind of plant at the end of the guarantee period. The guaranteeing of plant material shall be construed to mean complete and immediate replacement with plant material of the same variety, type, size, quality and grade as that of the originally specified material. During the guarantee period it shall be the Landscape Contractor's responsibility to immediately replace any dead or unhealthy material as determined by the Landscape Architect. The guarantee will be null and void if plant material is damaged by lightning, hurricane force winds, or any other acts of God, as well as vandalism or lack of proper maintenance. | A. Commercial fertilizer shall comply with the state and local fertilizer laws. Nitrogen shall not be less than 40% from organic source. Inorganic chemical nitrogen shall not be derived from the sodium form of nitrate. Fertilizers shall be delivered to the site in unopened original containers, each bearing the manufacturer's guaranteed analysis. Any fertilizer that becomes caked or otherwise damaged shall be rejected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | A. The Landscape Contractor shall soil all areas indicated on the drawings.                                                                                                                                                                                                                                                                                                                                                                   |
| B. At the end of the specified guarantee period, any plant required under this contract that is dead or not in satisfactory condition, as determined by the Landscape Architect, shall be replaced. The Landscape Contractor shall be responsible for the full replacement cost of plant materials for the first replacement and share subsequent replacement (5) costs equally with the Owner, should the replacement plant fail to survive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | B. Thoroughly mixed 3 lbs. of commercial fertilizer to each cubic yard of planting soil.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | B. It shall be the responsibility of the Landscape Contractor to fine grade all landscape areas, eliminating all bumps, depressions, sticks, stones, and other debris.                                                                                                                                                                                                                                                                        |
| 1.09 CARE AND MAINTENANCE:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | C. Tableted fertilizer shall be Agriplan planting tablets 20-10-5 formula, 21 gram or equal. All trees and shrubs shall be fertilized with tableted fertilizer as follows: While backfilling plant holes, fertilizer tablets shall be equally spaced and placed adjacent to the ball mid-way in depth in accordance with the following rates:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | C. The sod shall be firm, tough texture, having a compacted growth of grass with good root development. It shall contain no noxious weeds, or any other objectionable vegetation, fungus, insects, or disease. The soil embedded in the sod shall be good clean earth, free from stones and debris.                                                                                                                                           |
| A. The Landscape Contractor shall be responsible for the care and maintenance of all plant materials and irrigation when applicable until final acceptance by the Owner or Landscape Architect.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 1 gallon container - 1 tablet<br>3 gallon container - 2 tablets<br>5 gallon container - 3 tablets<br>7 gallon container - 4 tablets                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | D. Before being cut and lifted, the sod shall have been mowed at least three times with a lawn mower, with the final mowing not more than seven days before the sod is cut. The sod shall be carefully cut into uniform dimensions.                                                                                                                                                                                                           |
| B. The Owner agrees to execute the instructions for such care and maintenance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | A. Large tubs, wire baskets, grow bags, and balled and burlapped material shall have 1 tablet for each 1/2 inch of trunk diameter (measured 3 feet from ground) or for each foot of height or spread of larger trunk material. The Landscape Architect reserves the right to inspect and review the application of fertilizer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | E. 6-6-6 fertilizer with all trace elements is to be applied at the rate of 40 lbs. per 1,000 sq. ft. prior to laying sod.                                                                                                                                                                                                                                                                                                                    |
| 1.10 SAFETY:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2.08 MULCH:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | F. Solid sod shall be laid with closely abutting, staggered joints with a tamped or rolled, even surface.                                                                                                                                                                                                                                                                                                                                     |
| A. It shall be the responsibility of the Landscape Contractor to protect all persons from injury and to avoid property damage. Adequate warning devices shall be placed and maintained during the progress of the work.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | A. Mulch material shall be clean, dry, free of weeds, seeds and pests, moistened at the time of application to prevent wind displacement. Cypress Red Kier mulch is prohibited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | G. The finished level of all sod areas after settlement shall be one (1") inch below the top of abutting curbs, walks, paving and wood borders to allow for building turf.                                                                                                                                                                                                                                                                    |
| B. It shall be the Contractor's responsibility to conform to all local, state, and federal safety laws and codes including the Federal Occupational Safety and Health Act (O.S.H.A.).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | B. All trees and shrub beds shall receive 3" mulch immediately after planting and thoroughly watered. Apply 2" max on tree & palm rootballs, keep 6" away from tree & palm trunks as so required by local jurisdiction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | H. If in the opinion of the Landscape Architect, top dressing is necessary after rolling, clean yellow sand will be evenly applied over the entire surface and thoroughly washed in.                                                                                                                                                                                                                                                          |
| 1.11 CONTRACTOR QUALIFICATION:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 3.09 A. CLEANING UP:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 3.08 SEEDING:                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| A. The Owner may require the apparent contractor (s) to qualify him/herself to be a responsible entity by furnishing any or all of the following documentary data:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | A. The contractor shall at all times keep the premises free from accumulations of waste materials or rubbish caused by his employees or work. He shall leave all paved areas "room clean" when completed with his work.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | A. The Landscape Contractor shall remove all vegetation and rocks larger than 1" in diameter from areas to be seeded, scarify the area, then apply fertilizer at a rate of 500 lbs. per acre.                                                                                                                                                                                                                                                 |
| 1. A financial statement showing assets and liabilities of the company current to date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3.10 MAINTENANCE:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | B. Application: Argentine Bahia Grass seed-200 Pounds per acre mixed with common hull'd Bermuda seed- 30 lbs. per acre. All other seed mixtures shall be applied per the manufacturer's instructions.                                                                                                                                                                                                                                         |
| 2. A listing of not less than (3) completed projects of similar scope and nature.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | A. Maintenance shall begin immediately after each plant is installed and shall continue until all planting has been accepted by the Owner or Landscape Architect. Maintenance shall include watering, weeding, removal of dead materials, resetting plants to proper grades or upright positions, spraying, restriction of planting access and/or any other necessary operations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | C. Roll immediately after seeding with a minimum 500 pound roller, then apply straw mulch at the rate of 2,500 pounds per acre.                                                                                                                                                                                                                                                                                                               |
| 3. Permanent name and address of place of business.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | B. Proper protection to lawn areas shall be provided and any damage resulting from planting operations shall be repaired promptly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | D. Apply fertilizer at the rate of 150 lbs. per acre 45-60 days after seeding.                                                                                                                                                                                                                                                                                                                                                                |
| 4. The number of regular employees of the organization and length of time the organization has been in business under the present name.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | C. Replacement of plants during the maintenance period shall be the responsibility of the Contractor, excluding vandalism or damage on the part of others, lighting, or hurricane force winds, until final acceptance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | E. In the event that weeds or other undesirable vegetation become prevalent, it shall be the Contractor's responsibility to remove them.                                                                                                                                                                                                                                                                                                      |
| 1.12 INSURANCE AND BONDING:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | D. Trees or other plant material which fail or are blown over during the maintenance period will be reset by the Contractor at no additional expense to the Owner, the only exception being hurricane force winds.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 3.11 COMPLETION, INSPECTION AND ACCEPTANCE:                                                                                                                                                                                                                                                                                                                                                                                                   |
| A. The contractor (s) shall submit proof of insurance for this job for the time period that the work is done. The minimum amount of insurance shall be \$300,000.00 per person and \$300,000.00 per aggregate or as required by owner and agreed to in the contract. The successful bidder shall be required to have this coverage in effect before beginning work on the site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | E. All trees & shrubs shall be straight and in correct position per the landscape plans, details and specifications. All nursery, shipping and identification tags & ribbons shall be removed from trees & shrubs immediately after planting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | A. Completion of the work shall mean the full and exact compliance and conformity with the provisions expressed or implied in the Drawings and in the Specifications, including the complete removal of all trash, debris, soil or other waste created by the Landscape Contractor.                                                                                                                                                           |
| B. The Owner shall have the right to require the Contractor to furnish bonds covering faithful performance of the Contract and payment obligations arising thereunder as stipulated in bidding requirements or specifically required in the Contract Documents on the date of execution of the Contract.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 3.02 GRADING:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | B. Inspection of work to determine completion of contract, exclusive of the possible replacement of plants, will be made by the Owner and/or Landscape Architect at the conclusion of all planting and at the request of the Landscape Contractor.                                                                                                                                                                                            |
| 1.13 PERMITS AND CERTIFICATES:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | A. Grading for drainage, swales, etc. to within 4 inches of the finished grade to be provided by others.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | C. All plant material shall be alive and in good growing condition for each specific kind of plant at the time of acceptance. The rating of each plant according to Florida Grades and Standards shall be equal to or better than that called for on the plans and in these Specifications at the time of final inspection and acceptance.                                                                                                    |
| A. All contractors shall secure and pay for all permits and certificates required for his/her class of work.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | B. It shall be the responsibility of the Landscape Contractor to provide the final grading during the course of landscape installation so as to bring sod and planting areas to their proper elevations in relation to walks, paving, drain structures, and other site conditions. The site grading plan must be checked prior to installation of sod to insure that drainage and other conditions will NOT be modified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | D. After inspection, the Landscape Contractor will be notified by the Owner of the acceptance of all plant material and workmanship, exclusive of the possible replacement of plants subject to guarantee.                                                                                                                                                                                                                                    |
| PART 2: MATERIALS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 3.03 PLANTING:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | E. All trees & shrubs shall be straight and in correct position per the landscape plans, details and specifications. All nursery, shipping and identification tags & ribbons shall be removed from trees & shrubs immediately after planting.                                                                                                                                                                                                 |
| 2.01 PLANT MATERIALS:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | A. Planting shall take place during favorable weather conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| A. A complete list of plants is shown on the drawings, including a schedule of quantities, sizes, and such other requirements deemed necessary. In the event discrepancies occur, the specifications on the drawings shall govern.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | B. The Contractor shall call for utility locations and ascertain the location of all utilities and easements so proper precautions can be taken to not damage or encroach on them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| B. Substitutions: Substitutions of plant materials or changes in size or spacing of materials will be permitted ONLY upon written authorization by the Owner or the Landscape Architect. If plant material is not of sufficient size to meet applicable codes, a letter of variance from the appropriate agency must be obtained by the Contractor prior to issuance of any change order. If material of smaller size is to be accepted, the quantity of material shall be increased, at no additional cost to the Owner, to meet the intent of the drawings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | C. Tree Planting shall be located where it is shown on the plan. No planting holes shall be dug until the proposed locations have been staked on the ground by the Contractor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| C. All plant materials shall have a habit of growth that is normal for the species and shall be healthy, vigorous and equal to or exceed the measurements specified in the plant list, which are the minimum acceptable sizes. Plants shall be measured before pruning with branches in normal position. Any necessary pruning shall be done at the time of planting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | D. Excavation of holes shall extend to the required subgrade as specified on the planting diagrams located in the landscape plans. Plant pits shall be circular in outline and shall have a profile which conforms to the aforementioned "Tree and Shrub Planting Diagrams".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| D. All plant materials shall be nursery grown, unless otherwise noted, Florida #1 or better and shall comply with all required inspections, grading standards and plant regulations as set forth by the Florida Department of Agriculture's Grades and Standards for Nursery Plants, most current edition and Grades and Standards for Nursery Plants, most current edition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | E. A representative number of planting pits (a minimum of one in every 25 feet throughout the entire site) shall be tested for proper drainage. See Landscape Details for complete testing methods and requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| E. Plants that do not have the normal balance of height and spread typical for the respective plant shall not be acceptable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | F. Planting pits shall be excavated to the following dimensions and backfilled with Topsoil- see Landscape Area Preparation Detail:<br>1 Gallon material (1 gal.) 12" x 12" x 12" min.<br>3 Gallon material (3 gal.) 20" x 20" x 18" min.<br>Larso material (6 gal.) 30" x 30" x 24" min.<br>Field grown material and trees: 1-1/2 times width of ball and depth of ball plus 12" min.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| F. The Landscape Contractor shall install each plant to display its best side. Adjustments may be required if plants are not installed properly and/or approved by the Landscape Architect at no additional cost to owner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | G. No planting or laying of sod shall be initiated until the area has been cleaned of existing sod or other plant materials, rough grass, weeds, debris, stones etc. and the ground has been brought to an even grade, with positive drainage away from buildings and towards drain inlets and swales and approved by Landscape Architect or owner's rep.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | H. Each plant shall be planted in an individual hole as specified for trees, shrubs, and vines.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                               |



**Project Team:**  
Client & Property Owner: Melinda Homes  
5837 Marina Lake Blvd., Suite 410  
Orlando, Florida 32839

Land Planner / Landscape Architect: Lucido & Associates  
701 East Ocean Boulevard  
Stuart, Florida 34954

Engineer: The Miller Group, Inc.  
1005 SE Federal Highway  
Boca Raton, Florida 33485

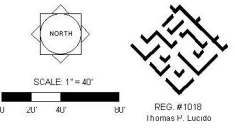
Surveyor: Carlisle & Wheeler, Inc.  
7800 Ocean Road, Suite 100  
Boca Raton, Florida 33434

## Seaside RPUD (fka Kingsport Estates RPUD)

City of Stuart, Martin County, Florida

## Landscape Specifications

| Date       | By           | Description              |
|------------|--------------|--------------------------|
| 02.13.2019 | J.J. Initial | Initial Submittal        |
| 05.30.2019 | J.J.         | Response to Comments     |
| 07.01.2019 | J.J.         | Response to LPA Comments |
|            |              |                          |
|            |              |                          |
|            |              |                          |
|            |              |                          |
|            |              |                          |
|            |              |                          |
|            |              |                          |



|                  |                                                     |       |
|------------------|-----------------------------------------------------|-------|
| Designer         | JF                                                  | Sheet |
| Manager          | DU                                                  |       |
| Project Number   | 18-1055                                             |       |
| Municipal Number | ---                                                 |       |
| Computer File    | 18-1055 Mortgage Homes Central Flwry - Landscape PI |       |

**LA-4 of 4**

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## SOUTH FLORIDA REGIONAL TOWNHOMES



COASTAL ELEVATION

BUILDING EGFH



## SOUTH FLORIDA REGIONAL TOWNHOMES



COASTAL ELEVATION

BUILDING EGFH

## SOUTH FLORIDA REGIONAL TOWNHOMES



COASTAL ELEVATION

BUILDING MONP

## SOUTH FLORIDA REGIONAL TOWNHOMES



COASTAL ELEVATION

BUILDING MONP



DATE: 06/12/2019  
TIME: 12:06:22

CITY OF STUART  
PLAN REVIEW STOP REPORT

PAGE NUMBER: 1  
MODULE : zdplnrevrpt

SELECTION CRITERIA: appl\_no='Z19020003'

PROJECT NO.: Z19020003                      APPLICANT NAME: COOK, JUSTIN  
OWNER NAME: EDENS CONSTRUCTION COMP      APPLICATION DATE: 02/14/19  
PROJECT TYPE: MAJOR RPUD - MAJOR RESIDENTIAL PLANNED UNIT DEVELOPME  
PARCEL: 0538410320000002000000 S COLORADO AVE VACANT

---

REVIEW STOP:      F - FIRE PROTECTION SYSTEMS  
REV NO: 2    STATUS:              F              DATE:              CONT ID:  
REVIEW SENT BY:              DATE:              TIME:              TIME SPENT: 0.00  
REV RECEIVD BY:              DATE:              TIME:              SENT TO:

06/07/2019      NFPA 1, 18.2.3.4.1.1 Fire department access roads shall  
have an unobstructed width of not less than 20ft.  
Use Stuart Fire Rescue truck specifications on Autoturn  
as stated in previous comment.

---

REVIEW STOP:      F - FIRE PROTECTION SYSTEMS  
REV NO: 1    STATUS:              F              DATE: 03/07/19              CONT ID:  
REVIEW SENT BY: mcawley      DATE: 03/07/19      TIME: 08:57      TIME SPENT: 0.00  
REV RECEIVD BY: mcawley      DATE: 02/27/19      TIME: 16:13      SENT TO:

03/07/2019      Submit Autoturn using Stuart Fire Rescue truck  
specifications. Contact mcawley@ci.stuart.fl.us for  
specs.  
All work must conform to the most current edition of  
the Florida Fire Prevention Code.

---

REVIEW STOP:      POLICE - Police Department Review  
REV NO: 1    STATUS:                           DATE:              CONT ID:  
REVIEW SENT BY:              DATE:              TIME:              TIME SPENT: 0.00  
REV RECEIVD BY: treetz      DATE: 02/27/19      TIME: 16:13      SENT TO:

REVIEW NOTES:      \*\*\* NONE \*\*\*

---

REVIEW STOP:      PW - PUBLIC WORKS  
REV NO: 2    STATUS:              C              DATE: 06/11/19              CONT ID:  
REVIEW SENT BY: mrogolin      DATE: 06/11/19      TIME: 3:00      TIME SPENT: 0.00  
REV RECEIVD BY: mrogolin      DATE:              TIME:              SENT TO:

06/11/2019      Date: 6-11-2019

To: Tom Reetz

Subject: Seaside/ SE Central Pkwy. Major RPUD Permit  
#Z19020003

In reviewing the above referenced project, this  
Department does approve the proposed RPUD contingent  
upon the use of dumpsters or compactors. Please address  
the following comments:

M-^U SANITATION-

After further review of the proposed site, the Public  
Works Dept. Director mandates the use of three double



DATE: 06/12/2019  
TIME: 12:06:22

CITY OF STUART  
PLAN REVIEW STOP REPORT

PAGE NUMBER: 2  
MODULE : zdplnrevrpt

SELECTION CRITERIA: appl\_no='Z19020003'

dumpster enclosures (located at each dead-end) or a centralized compactor due to the fact individual M-^Ssanitation onlyM-^T accounts cannot be established with the tenants. Master water metered accounts and sanitation accounts are billed directly to the property owner and for projects of this nature are typically dumpsters/compactors billed to the property owner.

M-^U Further review will be required.

Please forward comments to applicant. If there are any questions, please contact me at your earliest convenience at (772) 221-4700.

---

REVIEW STOP: PW - PUBLIC WORKS  
REV NO: 1 STATUS: F DATE: 03/11/19 CONT ID:  
REVIEW SENT BY: mrogolin DATE: 03/11/19 TIME: TIME SPENT: 0.00  
REV RECEIVD BY: mrogolin DATE: 02/27/19 TIME: 16:13 SENT TO:

03/11/2019 Memorandum  
To: Tom Reetz  
From: Marc Rogolino  
Date: 3-11-2019  
Re: Seaside/ SE Central Pkwy. Major RPUD Permit  
#Z19020003

In reviewing the above mentioned, this Department does not approve the proposed RPUD.

Please address the following comments:

M-^U Items requiring clarification/ corrections;  
WATER-

M-^U Site must be designed with a City of Stuart approved master meter assembly. The Master meter assembly must be located within the SE Central Pkwy. R.O.W.

M-^U All proposed infrastructure and fire hydrants within the site will remain privately owned and maintained.

SANITARY SEWER-

M-^U The proposed connection to the City of Stuart sanitary collection system must take place at the City of Stuart owned lift station wet-well.

M-^U Please confirm and provide documentation demonstrating the existing City of Stuart owned lift station equipment (pumps, impellers, etc.) are of adequate size to accommodate the additional flows.

SANITATION-

M-^U Sanitation service will be provided via carts, two carts per unit. Carts must be housed/screened from public eye.

M-^U City of Stuart Utility (water/ sewer) Availability Fees- Please provide quantity and square footage of proposed one, two & three bedroom units.

M-^U Please provide square footage of the proposed Cabana.

M-^U Further review will be required for approval.

DATE: 06/12/2019  
TIME: 12:06:22

CITY OF STUART  
PLAN REVIEW STOP REPORT

PAGE NUMBER: 3  
MODULE : zdplnrevrpt

SELECTION CRITERIA: appl\_no='Z19020003'

All construction pertinent to this Department shall be installed, inspected and tested in accordance with the City of Stuart Minimum Design and Construction Standards latest edition and the City of Stuart Specifications and Ordinances where applicable. In case of discrepancies between the construction plans and afore mentioned manuals, the most restrictive shall apply.

All plans to be reviewed by this Department shall be routed through the Permit Technician in the Development Department. Approval by this department shall not be construed to be a license to proceed with work and shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of the City Code. Approval shall not prevent this department from thereafter requiring a correction of errors in plans, construction or violation of City Code.

Please forward comments to applicant.

If there are any questions, I may be contacted at (772) 221-4700.

---

|                        |                |   |             |  |                  |
|------------------------|----------------|---|-------------|--|------------------|
| REVIEW STOP:           | Z - ZONING     |   |             |  |                  |
| REV NO: 1              | STATUS:        | F | DATE:       |  | CONT ID:         |
| REVIEW SENT BY:        | DATE:          |   | TIME:       |  | TIME SPENT: 0.00 |
| REV RECEIVD BY: treetz | DATE: 02/27/19 |   | TIME: 16:13 |  | SENT TO:         |

03/18/2019 Architectural Design Standards:

1. Incorporate vertical elements with varying heights including roof variation into the Architectural Elevations to emphasize individual units.

2. In addition to varying the heights of vertical elements, use paint colors and texture change, to distinguish one unit from another.

3. Vary blocks of units (5-8) from another block of units by applying architectural features, ie; window shutters, light fixtures, etc.

4. Add bike racks per new code.

5. Mirror two northern buildings to face Central Pkwy.

---



To: Tom Reetz  
Senior Planner  
City of Stuart Development Department

From: Kevin Roberson, P.E.  
Kimley-Horn and Associates, Inc.

Date: May 22, 2019

Re: **Seaside RPUD Multi-family– Stuart, Florida**  
**RPUD Amendment Application Review – Engineering and Landscape**

---

Dear Mr. Reetz,

Kimley-Horn has reviewed the submittal of the RPUD Amendment Application and associated documents, dated April 30, 2019, provided to Kimley Horn on May 3, 2019, prepared by Lucido and Associates for the proposed Seaside RPUD development in Stuart, Florida. Please find below our review comments pertaining to the following items listed within the application:

Master Site Plan

1. Paths are not shown connecting the front doors of the units to the driveways. Please show on the site plan and update the impervious area calculation.

Landscape Comments

1. Tree specifications do not match between the Tree Mitigation Plan and Landscape Plan. Per section 5.05.02.A.1.g all required trees shall be a minimum of 4.5" DBH or 14' CT to count towards mitigation. Update tree/palm specifications.



## Memorandum

To: Tom Reetz, Senior Planner, City of Stuart  
From: Shelby Oenbrink, Environmental Scientist  
Date: May 13, 2019  
Subject: Seaside – Application for Major Residential Planned Unit Development (RPUD)  
Amendment – 2<sup>nd</sup> Review of Response to Comments

Kimley-Horn has reviewed the response letter and resubmittal documents associated with Seaside RPUD, prepared by Lucido and Associates dated April 30, 2019 and supplemental information provided by Universal Engineering Services. Please find below our review comments pertaining to the following items listed within the application:

**Section 5.02.00** – Environmental Assessment Report - The assessment appears to have changed the FLUCFCS characterization of the site to reflect 100% cover of disturbed lands (FLUCFCS 740) across the site. A FLUCFCS map has still not been provided, but if the entire site is only one FLUCFCS code then the City may consider this ok.

The response regarding providing correspondence from the Florida Fish and Wildlife Conservation Commission (FWC) or the US Fish and Wildlife Service (USFWS) remains incomplete. Though we do agree that the project is not federally funded and as stated before we understand the agencies may not respond to the request, the City code, Chapter V. Section 5.02.00 *Environmental Assessment Report for Sites with Wetlands of Greater Than One Acre*, D. 2., states that “copies of correspondence with FWC and USFWS shall be provided”. In other reviews, we have seen the letters sent to agencies included in the documentation even if a response is not received. However, we also agree that the USFWS laPc provided could be considered correspondence with USFWS. There is detailed discussion of the potential species occurrence on the site and a complete review of databases provided in the assessment; thus, the City may choose to consider this sufficient to meet the requirement.

We would suggest the following condition be included if the RPUD is approved by the City:

*The Applicant should provide a copy of the pre-construction gopher tortoise survey and copy of the FWC Gopher Tortoise Relocation permit, if applicable at the time of construction, as well as any correspondence received from FWC during the Environmental Resource Permit application process.*

**Section 5.04.00** – Environmentally Sensitive Lands - The assessment has clarified that there is no naturally-defined vegetative communities and that the project site has been cleared in the past. With this information, the required 25-foot native buffer along the perimeter of the site is sufficient and there are no further comments regarding Section 5.04.00.



Thank you for the opportunity to assist the City of Stuart in reviewing the noted project. Please contact us if you have any questions or need additional information.

Sincerely,

Kimley-Horn and Associates, Inc.

A handwritten signature in blue ink, appearing to read "Kevin M. Roberson", is centered within a light gray rectangular box.

Kevin M. Roberson, P.E.  
Vice President



To: Tom Reetz  
Senior Planner  
City of Stuart Development Department

From: Kevin Roberson, P.E.  
Kimley-Horn and Associates, Inc.

Date: May 22, 2019

Re: **Seaside RPUD Multi-family– Stuart, Florida**  
**RPUD Amendment Application Review – Engineering and Landscape**

---

Dear Mr. Reetz,

Kimley-Horn has reviewed the submittal of the RPUD Amendment Application and associated documents, dated April 30, 2019, provided to Kimley Horn on May 3, 2019, prepared by Lucido and Associates for the proposed Seaside RPUD development in Stuart, Florida. Please find below our review comments pertaining to the following items listed within the application:

Master Site Plan

1. Paths are not shown connecting the front doors of the units to the driveways. Please show on the site plan and update the impervious area calculation.

Landscape Comments

1. Tree specifications do not match between the Tree Mitigation Plan and Landscape Plan. Per section 5.05.02.A.1.g all required trees shall be a minimum of 4.5" DBH or 14' CT to count towards mitigation. Update tree/palm specifications.



June 3, 2019

Hand Delivery

Tom Reetz, Senior Planner  
City of Stuart Development Department  
121 SW Flagler Avenue  
Stuart, FL 34994

**RE: Seaside RPUD**  
**Our reference number: 18-1065**

Dear Tom:

Please accept this correspondence as our formal resubmittal in response to the staff comments received on May 23, 2019. Please find enclosed the original resubmittal packet containing the revised documents and plans referenced below, a CD with PDF copies of the resubmitted materials, and an additional copy of the 24 x 36 plans. The responses to the environmental comments will be submitted under separate cover.

The enclosed revised materials are listed as follows:

1. Response letter for site planning, landscape architecture and engineering;
2. Updated site plan;
3. Updated landscape plan;

**Itemized responses:**

**Engineering Review- Kimley Horn**

**Master Site Plan**

Paths are not shown connecting the front doors of the units to the driveways. Please show on the site plan and update the impervious area calculation.

***Response:***

***The site plan has been updated to show the path connecting to the front door.***

***The parking requirement is met by a combination of garage and parking spaces. All driveways have sufficient length for a car to park without impeding the proposed sidewalk.***

**Landscape Comment**

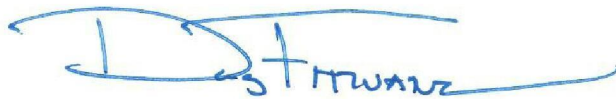
Tree specifications do not match between the Tree Mitigation Plan and Landscape Plan. Per section 5.05.02.A.1.g all required trees shall be a minimum of 4.5" DBH or 14' CT to count towards mitigation. Update tree/palm specifications.

***Response:***

***The tree specification has been updated to show all required trees used for mitigation credits at 4.5" DBH.***

Please feel free to contact me if you have any questions or need any additional materials.

Sincerely,



Doug Fitzwater  
Copy to team



## Memorandum

To: Tom Reetz, Senior Planner, City of Stuart  
From: Shelby Oenbrink, Environmental Scientist  
Date: May 13, 2019  
Subject: Seaside – Application for Major Residential Planned Unit Development (RPUD)  
Amendment – 2<sup>nd</sup> Review of Response to Comments

Kimley-Horn has reviewed the response letter and resubmittal documents associated with Seaside RPUD, prepared by Lucido and Associates dated April 30, 2019 and supplemental information provided by Universal Engineering Services. Please find below our review comments pertaining to the following items listed within the application:

**Section 5.02.00** – Environmental Assessment Report - The assessment appears to have changed the FLUCFCS characterization of the site to reflect 100% cover of disturbed lands (FLUCFCS 740) across the site. A FLUCFCS map has still not been provided, but if the entire site is only one FLUCFCS code then the City may consider this ok.

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We would suggest the following condition be included if the RPUD is approved by the City:

*The Applicant should provide a copy of the pre-construction gopher tortoise survey and copy of the FWC Gopher Tortoise Relocation permit, if applicable at the time of construction, as well as any correspondence received from FWC during the Environmental Resource Permit application process.*

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Thank you for the opportunity to assist the City of Stuart in reviewing the noted project. Please contact us if you have any questions or need additional information.

Sincerely,

Kimley-Horn and Associates, Inc.

A handwritten signature in blue ink, appearing to read "Kevin M. Roberson", is centered within a light gray rectangular box.

Kevin M. Roberson, P.E.  
Vice President



## MINUTES

**LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD  
TO BE HELD JUNE 20, 2019 AT 5:30PM  
COMMISSION CHAMBERS  
121 SW FLAGLER AVE.  
STUART, FL 34994**

### LOCAL PLANNING AGENCY

**Chair – Michael Herbach  
Vice Chair – Vacant  
Board Member – Li Roberts  
Board Member – Larry Massing  
Board Member – Ryan Strom  
Board Member – Bill Mathers  
Board Member – Christina de la Vega**

### ADMINISTRATIVE

**Development Director – Kev Freeman  
Board Secretary – Jordan Pinkston**

#### **CALL TO ORDER 5:27 PM**

**Present:** Li Roberts, Michael Herbach, Cristina de la Vega, Ryan Strom.

**Absent:** William Mathers, Larry Massing.

#### **BOARD REORGANIZATION**

**Motion:** Appoint Ryan Strom as Vice Chair

**Action:** Approve

**Moved by:** Li Roberts

**Second by:** Christina de la Vega

Motion passed unanimously.

#### **APPROVAL OF MINUTES:**

**Motion: Action:** Approve.

**Moved by:** Li Roberts

**Seconded by:** Christina de la Vega

Motion passed unanimously.



**COMMENTS FROM THE PUBLIC:** None.

**COMMENTS FROM THE BOARD MEMBERS:**

Christina de la Vega asked about the right of way swale proposed in the project. She made recommendations for retention ponds to be more eco-friendly.

**COMMENTS FROM STAFF:**

Tom wanted clarification that her recommendation was not for right-of-way swales, but for private property.

Christina de la Vega said that would be great to include right-of way swales. She would like our town to make it a requirement for all new developments.

Kev Freeman said that they are continuing to work on a complete eco-friendly system. They are encouraging things such as bio swales and a more complete system. We are encouraging this when we get a PUD, but it is not in the plan development code at the moment although we are working on ways to get that formalized. We are trying to negotiate with new applicants to generate additional landscaping. We need to look at right-of-ways and the maintenance responsibilities that come with that. There are a lot of alley ways in the city that are a nightmare and could be put to better use.

Li Roberts asked about private residences in the land development code that specifies sod is needed. She questioned whether sod was the appropriate cover for these pieces of property.

Christina de la Vega requested having an award for yards in the city that do not have sod and are eco-friendly.

Li Roberts said to not have those areas sodded is illegal and would advise not to encourage someone doing something that goes against code. She recommended starting with the code before giving an award.

**OTHER MATTERS BEFORE THE BOARD**

1. ORDINANCE No. 2410-2019: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE KINGSPOINT ESTATES RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR A 7.46 ACRE PROPERTY OWNED BY STUART DEVELOPMENT LLC, LOCATED ON THE SOUTH SIDE OF CENTRAL PARKWAY APPROXIMATELY MIDWAY BETWEEN ITS INTERSECTIONS WITH S. KANNER HIGHWAY TO THE WEST AND U.S. HIGHWAY ONE TO THE EAST, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE SEASIDE RPUD CONSISTING OF SEVENTY-FIVE (75) ATTACHED HOMES; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND 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.

**PRESENTATION**  **5:36 PM:** Tom Reetz, Senior Planner  
Donte F., Meritage Homes  
Doug Fitzwater, Lucido & Associates  
Melissa Corbett, MilCor Group

**BOARD COMMENT**  **6:00 PM:**

Ryan Strom asked questions about parking at the pool and cabana.

Donte F. said they provided sidewalks on both sides, but looked at it as a small walkable community that was accessible for everyone.

Ryan Strom asked about mailboxes and where they plan to be located.

Donte F. said the mail kiosk will be located in the amenity center for residents to walk or ride their bike. It has been cleared with post office.

Ryan Strom asked about double dumpster enclosures.

Doug Fitzwater said they still need to discuss this with public works at the city because of the fitting issues in the small space. Parking is important and they do not want to take away parking spaces.

Donte F. said they city does not allow you do individual meters and they have to go with a master meter, therefore will not do individual sanitization pickup. They are caught between a rock and a hard place when having to meet the requirement of dumpsters. There are additional costs for the other alternatives. One is to add a sub meter, then you have to pay a company to read those meters and then they send you an invoice every month. This is an additional expense that is given to the HOA. However, that means we would not be able to have individual meters, which mean no individual pickup. These are fee simple townhomes and are not for rent. They are different from a condo or apartment complex. They have been working with staff trying to meet requirements. We would love to do individual pickup and meters, but it doesn't appear that will happen. We do not want to negatively impact residents around it.

Ryan Strom said that it would impact parking spaces because of the gates. He mentioned that he did not see a condition for boat or RV storage. He also asked what the price point was.

Doug Fitzwater said that they have those in their CCRS. They do not allow a commercial vehicle, boats, trailers, sheds, RVs, etc. The price point is \$250 to \$269 range. Our designers have put together packages to customize each base home to each resident who wants to

purchase a home. These are personalized packages, but they also offer upgrades to packages. They are excited about this project and the finishes selected for it.

Ryan Strom said the site plan proposed a 6ft. vinyl fence, but the the development commission its said aluminum. He also asked about site lighting.

Donte F. clarified the type of fencing. The lighting is part of the final plan with FPL and they have already begun discussing this with FPL and it is a process. They would like to use the standard black pole with an LED light. Each pole is about 16 feet tall and is for the internal components of the community. The entrance will have minimal up lighting to illuminate the sign as well as the pedestrian gate.

Ryan Strom said that when comparing site plans, there are questions about the dry retention areas.

Melissa Corbett explained how the swale system worked. She did not bring specific calculations, but they are making an attractive bio-swale with all of the calculations done. They have taken advantage of the entire perimeter and directing water to where the vegetation is.

Li Roberts asked staff if numbering can be clarified on the master site plan and it include everything on it. She also asked staff to clarify meter and trash pickup.

Tom Reetz said that Dave Peters from Public Works would be the best person to explain. We are not like the county, where they get one bill for trash and one bill for water. The city combines water and recycling in their billing system and one is dependent on the other. Public Works has requested that it be a master meter and if the development chooses to submeter from that they can for individual prices per unit. Trash will be billed to the HOA. The HOA will need to step in and help with rules and procedures.

Li Roberts asked if normally you contract with the city to have trash picked up. She asked why an HOA can't contract with the city to get trash picked up in front of 75 places. She was looking at old development conditions and it said the HOA will have a deed restriction for the placement of waste bins.

Kev Freeman said that the contracts are typically for commercial use. He explained that the old development conditions were at the time that individual trash pickup was going to occur, but that has changed. There are a number of issues if we are moving to that system. One of the issues is the size of the dumpster's enclosure which is designed for commercial not small residential parcels. I am hoping to work with public works to redesign them if we are forcing residents to use them.

Li Roberts said she truly did not understand why this was in the plan. She gave examples of why this does not make sense.



Kev Freeman agreed and said a single family home or townhome should not be responsible for their own trash pickup. Contracting the dumpsters out should be discussed with public works.

Melissa Corbett said she asked the opposite question and requested to not do the master meter because they want to keep homes at a specific price point. She wants to get rid of the master meter, but Public Works said this is the direction they are going in for this style community and it is mandatory.

Li Roberts said this does not make any sense and needs to be fixed by the city.

Ryan Strom said that it goes a step further. He said if you have a master meter with 75 individual owners, and one person doesn't conserve than the others are paying for him.

Kev Freeman said development agrees. It degrades the marketability of the product and it takes it into a multi-family arena, where we are trying to encourage single home ownership at a low price point.

Li Roberts asked how we can convey that as this moves through the system.

Kev Freeman said that he would take the recommendation from the LPA for the Development Department to discuss with Public Works of how we can better manage these things and resolve them in the best way possible.

Michael Herbach asked how they handle recyclables.

Li Roberts gave examples of how each resident would have to recycle.

Ryan Strom said it is three big footprints for the dumpsters that are being required.

Li Roberts mentioned she was concerned about on-street parking.

Tom Reetz said that it is not public right of way and is private property. If conditioned it has to be controlled by the HOA.

Li Roberts talked about the former development conditions. She thinks it would be appropriate to say that the HOA will incorporate a deed restriction that prohibits off street parking. The trash bin location should also be included with rv parking and waste bins. She asked if there was a slab behind the houses and what are they expected to include such as a screen.

Donte F. confirmed that they do have a deed restriction that prohibits off street parking. There will be landscaping along the buildings, but we do not prohibit additions.

Li Roberts said this language helps the HOA by putting it in the plan.

Donte F. said that there will be some type of slab that is outside the back patio, but no type of screen or roof will be done due to maintenance.

Michael Herbach asked about fencing between the townhome patios.

Donte F. said they may in the future.

Li Roberts recommended that all street lighting should be consistent in design and in the language.

Ryan Strom explained that these are fee-simple.

Li Roberts said they own the land the building sits on, but they do not own the drive way or site lighting so that needs to be put in the language.

Donte F. said there is a 10ft utility easement, typically everything is consistent.

Li Roberts assumed they fix the meters and dumpsters, but where will the mail be delivered.

Donte F. said every new community will have mail kiosk delivery. They may decide to break them up, but as of now it is a single kiosk.

Li Roberts said that she was concerned about parking to get her mail on her way home from work and there not being enough parking to accommodate her.

Donte F. said they discussed this with the post office. Before the dumpster location was discussed they had alternative options; however the kiosk was put in the amenity center to accommodate the dumpsters. The staff has been great to work with, but this was a curve ball and was not the ultimate situation.

Li Roberts said that the parking needs to be addressed if kiosk is currently in the center. She read the Master Drainage Report and Calculations referring to constraints restrictions and the first page in Appendix B.

Melissa Corbett said this was the geotechnical report and she brought it for the record. The recommendations in the report are completely valid. This was the first concept, if we had changed the plan around then you would be accurate. It's specifically referring to that lake.

Li Roberts said as long as staff is happy with that, I am happy with that. She asked questions about the walls and fences and who was maintaining them.

Donte F. confirmed the locations of the walls and fences. He said that the community will be gated and providing a transparent fence would give it a nice feel.

Li Roberts said that once with Willoughby extension comes through that whatever wall is on Central Parkway, should also be on Willoughby.



Doug Fitzwater thinks there is enough separation and landscaping and they are confident in their design and they considered everything. He said they like this community because it is pedestrian friendly with walkability and having a direct connection to the Willoughby extension is a plus.

Li Roberts asked if it would be put in the master site plan as a future gate for the Willoughby extension.

Donte F. said they have been working on where to put the sidewalk and it is still in the works, but it will be in the plan. The process to submit to the Water Management District is extensive with a maintenance section. HOA maintains it, we irrigate everything. It is covered in our CCRs.

Christina de la Vega said that parking will be very difficult. She asked if there were a family with multiple drivers, how they will be accommodated.

Donte F. said that the driveway can be used by tenants. If it is a one car garage there would be one in driveway one in garage and same for a two garage home. He explained that there is also some overflow parking. The buyer profile is a mix of residents that want to live in a gated community with amenities, but there are also some families that may have four drivers. If we were to try to accommodate everyone then there may be an empty lot with tons of spaces. Since the community is such a small parcel, all parking spaces scattered about can be used by the whole community. We would love to have more parking, but we just do not have enough room.

Christina de la Vega asked about pervious paver driveways and if they could increase the pervious area.

Melissa Corbett said there were restrictions on parking because the SFWM has restrictions on the size of the lake. This lake is the minimum size you can have.

Christina de la Vega asked about landscaping and lighting.

Donte F. said they preferred using brown mulch or pine needles to be Florida friendly. He said he can ask if the staff will provide what the light will be. At the front entrance the concept is an illuminated address with a led light. We will also have low landscape led lighting pointing down at the sidewalk.

Ryan Strom asked about the landscape maintenance.

Donte F. said it is fee-simple so they will take care of everything. The HOA will cover the cost of plant beds, grass and irrigation. The buyer profile is mixed for these types of communities.

Li Roberts asked about parking being restricted for residents.

Donte F. said there are guest spaces that can temporarily be parked in, but are not allowed for permanent resident parking.

Michael Herbach suggested a 6ft high precast wall on the south side. That road has a house keeping problem and he thinks that a high wall is needed.

Donte F. said the reason they did not end up including a 6ft wall on the north end because it is a high traffic road way and cost \$82 a foot. Due to this and trying to manage our price point, it is an additional expense that the cost would go to the end user. We want to have affordable housing.

Michael Herbach does not think a vinyl wall is sufficient.

Donte F. said there are areas that are problematic when there is no growth in that area. Our hope is that crime rates will go down due to development and more activity.

Michael Herbach said that lower income areas continue to be lower income areas. He asked about bike racks.

Donte F. said there will be bike racks and trash receptacles next to them.

Michael Herbach mentioned that they might need to use language that is a specific description of what a commercial vehicle is.

Donte F. said that they cover specific details of what commercial vehicles are.

Michael Herbach does not think the gate on Willoughby will ever happen.

Donte F. said that everything will be identified on the site plan. When Willoughby does come through everyone will know that it is on the approved site plan.

Kev Freeman confirmed that he was talking about a vehicle connection.

Donte F. confirmed that this was only a pedestrian walkway and not a roadway for the extension.

## **MOTION:**

**Action:** Approval with the following additions.

First, I ask that the City work with Public Works to express this board's strong feelings about meters and trash pickup. Second, if the mailboxes are all placed in amenity area then additional parking is added or redistributed to take care of off street parking in that area. Third, the language about signage in the proposed plan needs to add the words "in common areas" after lighting. Fourth, would be to include a future gate in the master site plan at the Willoughby extension. Fifth, is another restriction that talks about maintaining the wall and fencing. Sixth, include language about the following: waste bins, restrictions on vehicles, off



street parking; maintenance of the bio mat, regulating permits for guest parking spaces, and pool fencing.

**Moved by:** Li Roberts

**Second by:** Christina de la Vega

Motion passed unanimously.

#### **PUBLIC COMMENTS:**

- 1) Barbara Grass said that she was extremely happy about this going residential. She said that Central Parkway does not have good sidewalks and this project would provide that. She recommended individual meters because she does not want to spend her money on other people that do not pay their bills. She is in favor of this project.

#### **ADJOURNMENT** **7:13 PM:**

**Motion: Action:** Adjourn

**Moved by:** Li Roberts

**Seconded by:** Ryan Strom

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Michael Herbach, Chair

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Jordan Pinkston, Board Secretary