



City of Stuart

A G E N D A
STUART COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION
BOARD

TO BE HELD APRIL 6, 2021 AT 4:00 PM
COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD

Chairman - Chris Lewis
Vice Chairman - Tom Campenni
Board Member - Nina Dooley
Board Member - Katherine Makemson
Board Member - Nikolaus Schroth
Board Member - Frank Wacha
Board Member - Pete Walson

ADMINISTRATIVE

Development Director, Kev Freeman
CRA Administrator, Pinal Gandhi-Savdas
Board Secretary, Jordan Pinkston

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 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.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Approval of March 2, 2021 Minutes

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 min. max)

COMMENTS FROM THE BOARD MEMBERS

COMMUNITY REDEVELOPMENT BOARD

1. Ordinance 2464-2021 Sportfish Marina UPUD
2. Resolution 42-2021: Avonlea Parcel 2 and 12 Public Art
3. Presentation of Seminole Streetscape Design
4. Resolution No. 03-2021 Budget Amendment #02-2021 Guy Davis Community Park Design Phase 1

OTHER MATTERS BEFORE THE BOARD

HISTORIC PRESERVATION BOARD MATTERS

STAFF UPDATE

ADJOURNMENT

1.

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CRB/HPB Board**

Meeting Date:4/6/2021

Prepared by:Jordan Pinkston

Title of Item:

Approval of March 2, 2021 Minutes.

Summary Explanation/Background Information on Agenda Request:

N/A.

Funding Source:

N/A.

Recommended Action:

Approve.

ATTACHMENTS:

Description	Upload Date	Type
▣ CRB Minutes_3.2.2021	3/31/2021	Cover Memo



MINUTES

COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION BOARD

MARCH 2, 2021 AT 4:00PM
CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD MEMBERS

Chairman – Chris Lewis
Vice Chairman – Tom Campenni
Board Member – Nina Dooley
Board Member – Katherine Makemson
Board Member – Nikolaus Schroth
Board Member – Frank Wacha
Board Member – Pete Walson

ADMINISTRATIVE

Development Director, Kev Freeman
CRA Administrator, Pinal Gandhi-Savdas
Board Secretary, Jordan Pinkston

CALL TO ORDER

ROLL CALL

Present: Chris Lewis, Tom Campenni, Nina Dooley, Katherine Makemson, Frank Wacha, Pete Walson, Nikolaus Schroth

Absent: None.

PLEDGE OF ALLEGIENCE

APPROVAL OF MINUTES

Action: Approve February 2, 2021 minutes.

Moved by: Tom Campenni

Seconded by: Pete Walson

Motion passed unanimously.

APPROVAL OF AGENDA

Action: Approve.

Moved by: Tom Campenni

Seconded by: Frank Wacha

Motion passed unanimously.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS (3 min. max): None.

COMMENTS FROM THE BOARD MEMBERS ON NON-AGENDA ITEMS: None.

COMMUNITY REDEVELOPMENT BOARD

1. Presentation of New Applicants for the Business Improvement Reimbursement Program

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator  4:03 PM

COMMENTS FROM THE PUBLIC (3 min. max): None.

Nick Schroth arrived to the meeting.  4:07 PM

COMMENTS FROM THE BOARD MEMBERS:

Tom Campenni and Pete Walson agreed that it is not necessary for the city to front the bill for some of the applications, but they meet the application criteria.

Noble Shoes

Frank Wacha would like to see pictures of their proposal. He recommended renderings for all the improvement items brought forward.

Pete Walson agreed that a before and after image would have been good to see in the proposal.

Therapeutic Massage

Frank Wacha asked if the applicant could paint the fence.

Professional Condo Building Plaza

Frank Wacha asked if the applicant could attempt to protect the trees.

Monique Waters addressed the oak trees on her property.

MOTION

Action: Approve.

Moved by: Tom Campenni

Seconded by: Frank Wacha

Motion passed unanimously.

2. Discussion and Deliberation - Outdoor Dining Program Guidelines

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator

COMMENTS FROM THE PUBLIC (3 min. max):

1. Scott Tompkins (S. Colorado Avenue) – representing LouRonzo's. Is requesting that the board allow extended pergola structures to their Outdoor Dining Guidelines. Gave examples on why they are requesting an extended awning for their guests and staff.
2. Bob Raynes – Looking for guidelines to be expanded to allow for more structural options within the guidelines. Looking to extend the license agreements for outdoor dining to five years. Requested to the board specify the types of materials allowed.

COMMENTS FROM THE BOARD MEMBERS:

Mike Mortell explained the current policy and how the board should breakdown the discussion.

Nik Schroth asked about the license agreement terms.

Pinal Gandhi-Savdas explained that the owner pays a monthly rental fee for each parking space used. She said the term line item would change depending on board recommendation.

Kev Freeman explained what an agreement or obligation for a permanent structure would need to be.

Pinal Gandhi-Savdas explained what the current applicant's responsibilities are for outdoor dining permits.

Nik Schroth agreed that making the outdoor dining structures more permanent would be more esthetically pleasing to downtown.

Frank Wacha said that outdoor dining adds vitality to downtown and a structure makes it more feasible to use year-round.

COMMENTS FROM THE PUBLIC (3 min. max):

3. Michelle McCrane (California Avenue) – Explained that she frequently visits our downtown restaurants and likes the idea of cohesive structures for outdoor dining.

COMMENTS FROM THE BOARD MEMBERS:

Mike Mortell explained that the board can have open discussion, but staff will come back before the board seeking a motion. He explained that the current dining strategy was only supposed to be a pilot program and how the approval process would work.

Tom Campenni read his potential motion and said that staff needs to speak with the Building Department and come back before the board with more specifics and uniform.

Pinal Gandhi-Savdas explained that if the board approves sail shades and louvered pergolas then it can come back before the board as an agenda item.

Kev Freeman explained that the board needs to give direction on what they want to see come before them for a motion.

Nik Schroth and Mike Mortell discussed the verbiage of permanent structures within the guidelines.

Discussion about the license timeline occurred.

Tom Campenni said that only one structure should be allowed for outdoor dining.

Nik Schroth disagreed and said that we should still offer a few options to business owners with professional criteria.

Pete Walson requested a copy of Tom Campenni's proposed motion. He prefers awnings and would approve attaching them to the buildings. He does not think uniformity should be used downtown and gave examples. He recommended updating the guidelines allow umbrellas, sail shades, awnings, attachment to the building, and extended agreement timelines.

Scott Tompkins explained the reasons why he is looking for more of a permanent structure.

Pete Walson suggested extending the awning to his outdoor dining space.

Scott Tompkins addressed his suggestion.

Katherine Makemson said that she liked the look of it at LouRonzo's but is concerned about the same look in another location.

Michelle McCrane explained that each business has its own identity. The guidelines can be broadened and still be cohesive. She recommended staff use restaurant square footage when deciding what covering would be appropriate.

Frank Wacha explained his views on potential outdoor dining structures in each of the current lots. He said that he does not think everything should be uniform.

Pinal Gandhi-Savdas explained that staff inquired doing a rendering for each covering option, but it was expensive. She said that if the board approves a mixture of structures, she would like the applicant to provide a rendering.

Nik Schroth asked staff to work with the building department. He explained his views on conformity downtown and it should be the burden of applicant to show the board that the request looks good with each business location. It is the board's decision to approve each individual case.

Pinal Gandhi-Savdas said that staff has different options due to price points.

COMMENTS FROM THE PUBLIC (3 min. max):

4. Rick Wilson (Gafford) -- Thanked the board for approving their outdoor dining permit. He explained that he would prefer using a pergola over his outdoor dining space and a sail-shade would be his second option. Discussed uniformity downtown and said that most business owners with outdoor dining permits are happy with their outdoor covers and will not be requesting a change. Voiced his concerns without approving alternate cover options.

COMMENTS FROM THE BOARD MEMBERS:

Tom Campenni confirmed that staff will be coming back with covering options such as attachment to the building, sail shades, louvered pergola appropriate and speak about covering sidewalk, and extending the license agreement period.

COMMENTS FROM THE PUBLIC (3 min. max):

5. Sean Williams – Explained what LouRonzo's is proposing for their pergola. He described the material, functions, and benefits of the structure.

COMMENTS FROM THE BOARD MEMBERS:

Mike Mortell explained that he is hearing that staff should open the policy and come back before the board with those recommendations. He said anything can be modified and gave examples.

Pete Walson said that he does not want to be put in a position that these are suggestions for approval, but not guarantees. He asked about page 4 regarding an

empty bump out by the railroad. He requested palm trees between parking spaces and railroad tracks.

OTHER MATTERS BEFORE THE BOARD:

Discussion about parking spaces occurred amongst the board.

Nik Schroth asked that staff speak with Mulligans to see if they can include their restaurant parking into city parking.

HISTORIC PRESERVATION BOARD MATTERS: None.

STAFF UPDATE:

Pinal Gandhi-Savdas spoke about the Walk & Tour Vision Workshop on Saturday, March 13, 2021.

ADJOURNMENT:

MOTION

Action: Adjourn.

Moved by: Tom Campenni

Seconded by: Frank Wacha

Motion passed unanimously.

Chris Lewis, Chair

Jordan Pinkston, Board Secretary

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 4/6/2021

Prepared by: Kev Freeman

Title of Item:

SPORTFISH UPUD: REZONING TO UPUD (QUASI JUDICIAL)(RC)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF UPUD "URBAN PLANNED UNIT DEVELOPMENT" TO A PARCEL OF LAND TOTALING 0.63 ACRES, LOCATED AT 304 NE FLAGLER AVENUE, BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "SPORTFISH MARINA" URBAN PLANNED UNIT DEVELOPMENT (UPUD) CONSISTING OF A 37-ROOM BOUTIQUE HOTEL AND 49 SLIP MARINA, AND ALLOWING USES PERMITTED IN THE URBAN DISTRICT; PROVIDING FOR APPROVAL OF A SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS; DECLARING THE PROJECT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The intent of this application is a rezoning to an Urban Planned Unit Development from the existing zoning of Urban Waterfront. The property is located within the Community Redevelopment Area.

The proposed use of the site is for a three-story boutique hotel above two parking decks (partially below Finished First Floor Elevation). The Hotel proposes 25 single-bed rooms and 12 bedroom two-bed rooms, for a total of 37 rooms. The proposal will provide lodging and marina accommodations with 49 wet slips.

The property extends to the waterfront of the St. Lucie and adjacent to the Harborage residential condominiums to the north and a commercial building to the south. The shoreline has an existing and established mangrove growth that will be preserved and protected during construction activities.

The height of the building is proposed to comply with the maximum allowed to the eaves of 45 ft above lowest permissible finished floor level.

The request for departure from Land Development Code relates solely to allow parking within the building envelope.

The following documents form part of the attached Ordinance at Exhibit 'D'

- a. Site Plan: McCarty & Associates 12-07-2020
- b. Architectural Plan Set: Brent A. Wood Architecture LLC 12-08-2020
- c. Landscape Plan Set: McCarty & Associates 12-07-2020
- d. Drainage Statement: Captec Engineering Inc: 12-10-2020
- e. Traffic Statement: Captec Engineering 12-09-2020
- f. Utility Statement: Captec Engineering 12-09-2020
- g. Boundary and Topographic Survey: Northstar Geomatics 11-12-2020

Funding Source:

N/A

Recommended Action:

The proposal has been reviewed against the City's Comprehensive Plan and Land Development Code and is determined to be in compliance. Staff therefore recommends that the Board move the item to the City Commission for first public hearing.

ATTACHMENTS:

Description	Upload Date	Type
▣ A1. Ord 2464-2021 Sportfish Marina UPUD	3/31/2021	Ordinance add to Y drive
▣ A2. Exhibit D a.Site Plan	3/31/2021	Exhibit
▣ A2. Exhibit D to Ord 2464-2021 b1	3/31/2021	Exhibit
▣ A2. Exhibit D to Ord 2464-2021 b2	3/31/2021	Exhibit
▣ A2. Exhibit D to Ord 2464-2021 b3	3/31/2021	Exhibit
▣ A2. Exhibit D to Ord 2464-2021 b4	3/31/2021	Exhibit
▣ A2. Exhibit D to Ord 2464-2021 b5	3/31/2021	Exhibit
▣ A2. Exhibit D to Ord 2464-2021 b6	3/31/2021	Exhibit
▣ A2. Exhibit D to Ord 2464-2021 b7	3/31/2021	Exhibit
▣ A2. Exhibit D to Ord 2464-2021 b8	3/31/2021	Exhibit
▣ A2. Exhibit D to Ord 2464-2021 b9	3/31/2021	Exhibit
▣ A2. Exhibit D to 2464-2021 c	3/31/2021	Exhibit
▣ A2. Exhibit D to 2464-2021 d	3/31/2021	Exhibit
▣ A2. Exhibit D to 2464-2021 e	3/31/2021	Exhibit
▣ A2. Exhibit D to 2464-2021 f	3/31/2021	Exhibit
▣ A2. Exhibit D to 2464-2021 g	3/31/2021	Exhibit
▣ B1. Staff Report	3/31/2021	Staff Report
▣ B2. Staff Review	3/31/2021	Staff Report
▣ C1. Application	3/31/2021	Backup Material
▣ C2. Applicant Justification Statement	3/31/2021	Backup Material
▣ C3. Location Plan	3/31/2021	Backup Material
▣ C4. Aerial	3/31/2021	Backup Material



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

ORDINANCE NUMBER 2464-2021

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY’S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF UPUD “URBAN PLANNED UNIT DEVELOPMENT” TO A PARCEL OF LAND TOTALING 0.63 ACRES, LOCATED AT 304 NE FLAGLER AVENUE, BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED; ESTABLISHING THE “SPORTFISH MARINA” URBAN PLANNED UNIT DEVELOPMENT (UPUD) CONSISTING OF A 37-ROOM BOUTIQUE HOTEL AND 49 SLIP MARINA, AND ALLOWING USES PERMITTED IN THE URBAN DISTRICT; PROVIDING FOR APPROVAL OF A SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS; DECLARING THE PROJECT TO BE CONSISTENT WITH THE CITY’S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES.

*** * * * ***

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by Fernando Limon, Manager of LBS Power Holdings LLC (Applicant) and Ted Weitzel, President of Weitzel OZ LLC (Owner) of a 0.633 acre parcel of developed land located at 304 NE Flagler Avenue (**Exhibit “D” – Aerial**), and

WHEREAS, the City of Stuart has determined the need to assign UPUD zoning to said lands; and

WHEREAS, the Community Redevelopment Board (CRB) held a properly noticed hearing at a regularly scheduled meeting to consider amending the city’s official zoning map and approving the existing and recommended approval for the rezoning on April 6, 2021; and

WHEREAS, on April 22, 2021, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by the Owner and Applicant, amending the city’s official zoning map and approving the existing building and site, and

WHEREAS, at the hearing the Owner and Applicant showed by substantial competent evidence that the application does not create any detrimental effects on adjacent land uses; and

WHEREAS, the Owner and Applicant have 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 this ordinance; and

WHEREAS, the City Commission, has considered the Owner’s voluntary request for a new zoning designation, and has also considered the recommendation of the City staff.

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 Sportfish Marina UPUD development will be in harmony with surrounding properties and their anticipated development; and

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 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 this ordinance:

- a. **Site Plan: McCarty & Associates 12-07-2020**
- b. **Architectural Plan Set: Brent A. Wood Architecture LLC 12-08-2020**
- c. **Landscape Plan Set: McCarty & Associates 12-07-2020**
- d. **Drainage Statement: Captec Engineering Inc: 12-10-2020**
- e. **Traffic Statement: Captec Engineering 12-09-2020**
- f. **Utility Statement: Captec Engineering 12-09-2020**
- g. **Boundary and Topographic Survey: Northstar Geomatics 11-12-2020**

SECTION 2: The Zoning designation of the subject property shall be established as “UPUD” Urban Planned Unit Development on the City of Stuart’s Official Zoning Map.

SECTION 3: 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 4: 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 5: 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 6: Following the adoption and acceptance of this ordinance by the Owners, and in addition to any other action for failure to complete development or otherwise comply with the Development Documents, the City Development Director may obtain a hearing before the City Commission, and shall thereupon give at least five (5) days written notice of the time, date and location of the hearing, along with specific notice of the alleged breach. At the hearing before the City Commission the developer may appear and may contest the allegation of breach or explain the reason or reasons for the breach. Upon a finding of a material breach of the Development Documents and therefore, the Ordinance(s) adopting the same, the City Commission may impose or do any or all of the following:

- a. Initiate the process to amend or repeal this or any other ordinance pertaining to the development.
- b. Direct the City Development Director to initiate the process to rezone the PUD property or any portion of the PUD property.
- c. Impose an administrative penalty of up to \$1,000.00 for each violation, and up to \$5,000.00 for each repeat violation that occurs, along with all reasonable costs, including attorney's fees incurred by the City.

Any breach of any provision or condition of this PUD ordinance by the developer shall be considered a zoning violation subject to any remedies provided herein, or as otherwise provided by law. In the

event a violation found continues from day to day, each day the violation is found to continue shall be deemed a separate violation.

SECTION 7: This ordinance and agreement shall be effective upon the last of the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owners.

SECTION 8: 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 9: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owners, 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 ____ day of _____, 2021.

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:

EULA R. CLARKE, MAYOR

MERRITT MATHESON, VICE MAYOR

BECKY BRUNER, COMMISSIONER

TROY MCDONALD, COMMISSIONER

MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this _____ day of _____, 2021.

ATTEST:

MARY R. KINDEL
CITY CLERK

EULA R. CLARKE
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

CITY’S ACKNOWLEDGMENT

STATE OF FLORIDA,

COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means

of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2021,
by EULA R. CLARKE, Mayor, and Mary R. Kindel, City Clerk, respectively, of the City of
Stuart, Florida, a Florida municipal corporation.

Personally Known OR Produced Identification

Type of ID Produced _____

Signature of Notary Public: _____

Commission Expires:

Notary Seal:

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: Owner: LBS Power Holdings LLC,

Print Name: _____

By:

Print Name: _____

OWNERS ACKNOWLEDGMENT

STATE OF FLORIDA,

COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ line notarization, this _____ day of _____, 2021, by

Personally Known OR Produced Identification

Type of ID Produced _____

Signature of Notary Public: _____

Commission Expires:

Notary Seal:

Exhibit “A”
LEGAL DESCRIPTION

LOTS 1 ,2, AND 3, BLOCK 19, RIVERSIDE PARK, ACCORDING TO THE PLAT THEREOF FILED MARCH 26, 1925, RECORDED IN PLAT BOOK 4, PAGE 98, ST. LUCIE (NOW MARTIN) COUNTY , FLORIDA, TOGETHER WITH THE NORTHERLY ONE-HALF AND SOUTHERLY ONE-HALF OF THE ABANDONED STREET KNOWN AS THE EASTERNLY EXTENSION OF HIBISCUS AVENUE, LOCATED BETWEEN LOT 4, BLOCK 18, AND LOT 1, BLOCK 19, OF THE AFORESAID PLAT OF RIVERSIDE PARK.

SITUATE IN THE COUNTY OF MARTIN, STATE OF FLORIDA.

EXHIBIT “B”
LOCATION MAP



EXHIBIT “C”
DEVELOPMENT CONDITIONS

Approved Plans and Documents (Exhibit “D”)

- a. **Site Plan: McCarty & Associates 12-07-2020**
- b. **Architectural Plan Set: Brent A. Wood Architecture LLC 12-08-2020**
- c. **Landscape Plan Set: McCarty & Associates 12-07-2020**
- d. **Drainage Statement: Captec Engineering Inc: 12-10-2020**
- e. **Traffic Statement: Captec Engineering 12-09-2020**
- f. **Utility Statement: Captec Engineering 12-09-2020**
- g. **Boundary and Topographic Survey: Northstar Geomatics 11-12-2020**

Development and Construction

1. Except as otherwise set forth in the Sportfish Marina UPUD, development shall comply with the City Land Development Code. Any modifications to the Master 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 public hearing.
2. All applicable state or federal permits must be obtained before the commencement any development activities. Issuance of this development order/permit/approval by the City of Stuart does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Stuart for the issuance of this order/permit/approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
3. Existing Mangroves shall be maintained and protected during construction and thereafter. Any trimming shall only be permitted by the Florida Department of Environmental Protection.

Allowable Uses

4. All uses allowed in Section 3.01.03.F.2. of the City’s Land Development Code are permitted, however, the uses are restricted in accordance to the parking calculations within Section 3.01.03.F.2.

Prohibited

5. No temporary or modular buildings are permitted on the property except for permitted temporary construction/leasing trailers.
6. Billboards are prohibited on the property.
7. Banners and any other sign or advertising device not in accordance with the City’s Land Development Regulations are prohibited.
8. Live aboard vessels shall be moored and no residential activities permitted at any boat slips attached to this development.

Amendments

9. Any applications to amend this Ordinance shall be limited to the single Owner, successors or assigned of the parcel, or the Master Owners Association, if applicable.

Prior to Issuance of Site Permits

10. Applicant shall provide a digital boundary survey and civil plan prior to the issuance of a site permit.
11. Civil Plans shall be reviewed and approved by all applicable City departments prior to the issuance of a site permit.
12. All regulatory agency permits, including but not limited to the South Florida Water Management District, Department of Environmental Protection 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.
13. All development activities shall comply with the City’s Concurrency Management System prior to the issuance of building permits.
14. A compliance with the City’s Public Art (Land Development Code 3.01.08) shall be required prior to issuance of Building Permit. The alternatives are an approval of a work of art on the

development site by the Community Redevelopment Board, or the contribution of a sum of one percent of the vertical construction cost into the public art trust fund.

15. An application for site plan approval for a dock shall be required to comply with the Land Development Code provisions of 5.06.02 (Shoreline Protection Zone Delineation) and shall be accompanied with valid permits from the South Florida Water Management District and/or the Florida Department of Environmental Protection.

The map shows a street grid with NW Oleander ST at the top, followed by NW Poinsettia ST, NW Fern ST, and NW Dixie Hwy running diagonally. NW Flinger Ave runs vertically on the right side. A shaded rectangular area is labeled 'SITE' with an arrow. The area to the left of NW Dixie Hwy is labeled 'DND'. The area to the right of NW Flinger Ave is labeled 'RIVERSIDE'.

LOTS 1, 2, AND 3, BLOCK 19, RIVERSIDE PARK, ACCORDING TO THE PLAT THEREOF FILED MARCH 26, 1925, RECORDED IN PLAT BOOK 4, PAGE 98, ST. LUCIE (NOW MARTIN) COUNTY, FLORIDA, TOGETHER WITH THE NORTHERLY ONE-HALF AND THE SOUTHERLY ONE-HALF OF THE ABANDONED STREET FORMERLY KNOWN AS THE EASTERLY EXTENSION OF HIBISCUS AVENUE, LOCATED BETWEEN LOT 4, BLOCK 18, AND LOT 1, BLOCK 19, OF THE AFORESAID PLAT OF RIVERSIDE PARK.

Site Data

32-37-41-004-019-00010-3			
ZONING	U/LW - URBAN WATERFRONT		
FUTURE LAND USE	MARINE & INDUSTRIAL		
EXISTING LAND USE	OFFICES/ MARINA		
PROPOSED USE	HOTEL		
	SF	AC	%
TOTAL SITE AREA (PER SURVEY PROPERTY LINE)	27,572	0.63	100.0%
IMPERVIOUS AREA	21,454	0.493	77.81%
PROPOSED BUILDING	20,100	0.46	72.9%
PARKING / VUA (NOT UNDER BUILDING)	442	0.01	1.6%
CONCRETE WALKS, RAMPS, ETC. ... (NOT UNDER BUILDING)	912	0.02	3.3%
PERVIOUS AREA	6,118	0.140	22.19%
LANDSCAPE AREA	6,118	0.140	22.2%
PARKING	REQ. 39	PROVIDED	
TOTAL		55	
HOTEL / SPACE PER RENTAL ROOM (37 ROOMS)	37		
2 SPACES PER 3 EMPLOYEES (3 EMPLOYEES)	2		
ADA ACCESSIBLE SPACES		3	
PROPOSED ROOMS		PROVIDED	
TOTAL		37	
1 BEDROOM (900 SF)		23	
2 BEDROOMS (1100 SF)		14	

BLOCK 18
 RIVERSIDE PARK
 (PLAT BOOK 4, PAGE 98)
 LOT 4

BLOCK WALL
 86°12'55"E - 91.54'
 CONC. BEAWALL
 CONNECTION TO NEW DOCK
 PAVER WALKWAY
 NEW BEAWALL
 EX. MANGROVES
 MEAN HIGH WATER LINE
 ELEV. +20.45 FEET
 (NAVD 88) 2014
 EX. MANGROVES
 PROPOSED EDGE OF MANGROVES
 EX. ROCK RIP RAP
 MEAN HIGH WATER LINE
 ELEV. +20.45 FEET
 (NAVD 88) 2014
 EX. MANGROVES
 PAVER WALKWAY
 CONNECTION TO NEW DOCK

NW FLAGLER AVENUE
 28' RIGHT-OF-WAY
 (ADJACENT PROPERTY)

LOT 1
 LOT 2
 LOT 3
 LOT 4

BLOCK 19
 RIVERSIDE PARK
 (PLAT BOOK 4, PAGE 98)
 PARKING 4
 IMPROVEMENTS
 UNDER BUILDING

ST. LUCIE RIVER

NORTH
 Scale: 1/16" = 1'
 0' 8' 16' 32'

LAND PLANNING
AND DESIGN

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Sportfish Marina Resort
304 NW Flagler Ave.
Stuart, Florida
Site Plan

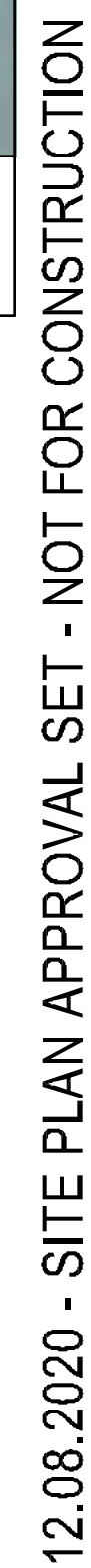


Drawn By _____ DMS
Checked By _____ MM
Scale _____ 1/16"=1'
Drawing Date _____ 12/7/2020

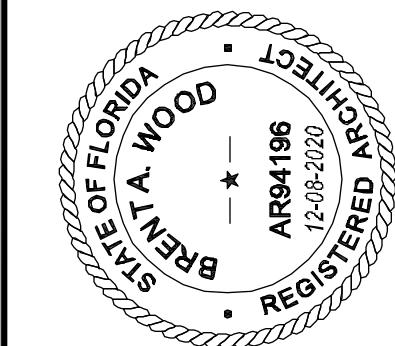
S-1

LOCATION PLAN

Map labels include: FEDERAL HWY 160, SE OCEAN BLVD, SE MACARTHUR BLVD, SEAWALL'S POINT, STILLITE BLVD, INDIAN STREET, MONTEREY ROAD, PALM CITY, and the SAN DIEGO RIVER.



Issue Description:		Date:
1.		
2.		
3.		
4.		
5.		
6.		
7.		



Architect:
BRENT A. WOOD
ARCHITECTURE LLC

BRENT A. WOOD, NCARB, AR94198
20 S.E. Ocean Blvd., Stuart, FL 34996
Tel. 772 220 1217 Fax 772 412 5061

Client: C/O: Mr. Ted Weitzel

201 NW 7th Street #401
Miami, Florida 33136

Project Name: **SPORTFISH MARINA RESORT
BOUTIQUE HOTEL**

304 NW Flagler Ave
Stuart, FL 34904

Sheet Number: Drawing Name: COVER SHEET

Project Number: 220070
Plot Date: 12-08-2020
© 2020 Brent A. Wood

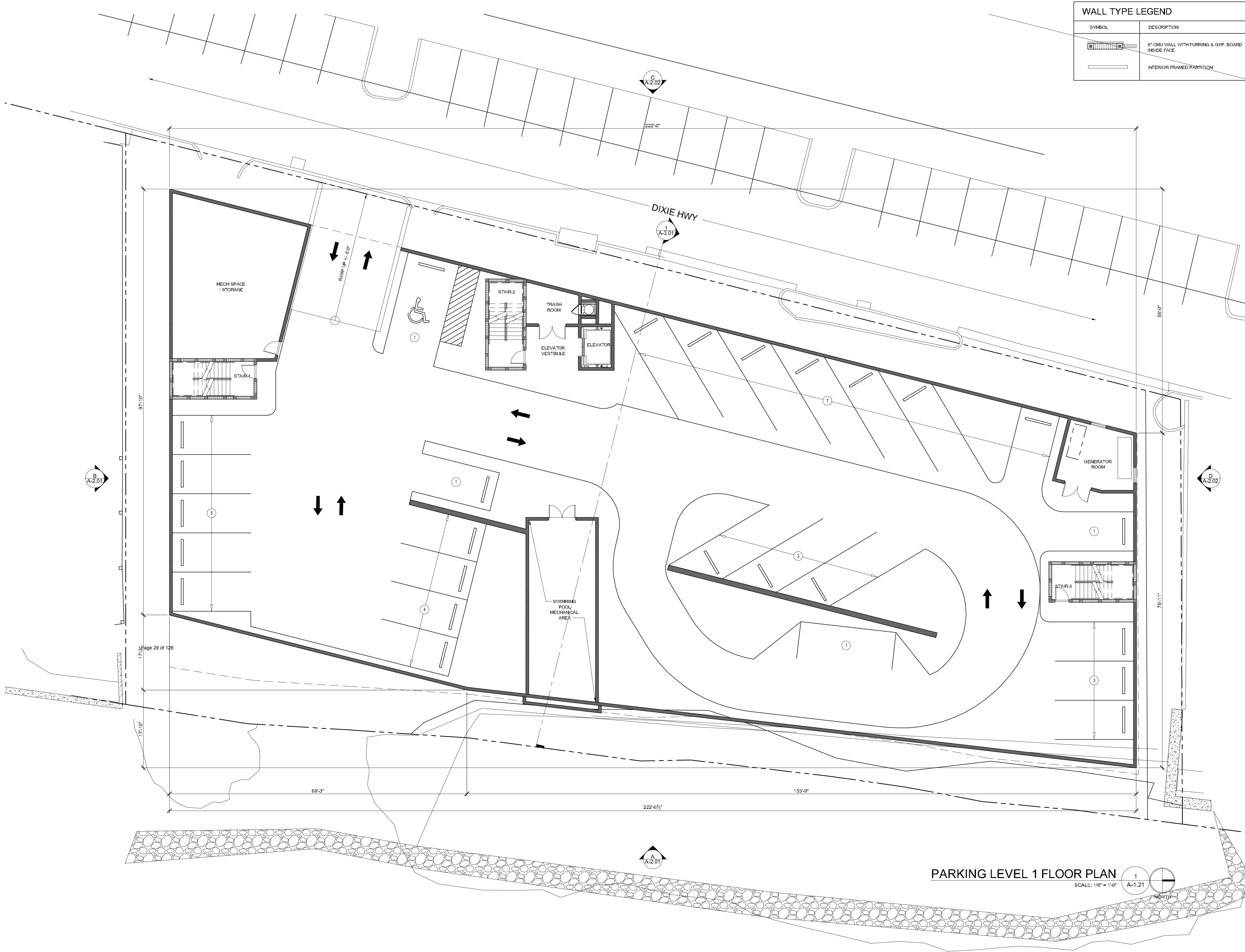
SITE DATA	
PROJECT ADDRESS:	304 NW FLAGLER AVE. STUART, FL 34996
ZONING DESIGNATION:	UW - URBAN WATERWAY
MUNICIPALITY:	CITY OF STUART

SINGLE BEDROOM HOTEL ROOMS (1046 s.f. - 1,130 s.f.):	25 ROOMS
2 BEDROOM SUITE HOTEL ROOMS (907 s.f. - 998 s.f.):	12 ROOMS
TOTAL HOTEL ROOMS:	37 ROOMS

- SCOPE OF WORK: - NEW 3 STORY BOUTIQUE HOTEL BUILDING w/ 2 LEVELS OF PARKING - 36 GUEST ROOMS TOTAL
DESIGN CRITERIA:
FLORIDA BUILDING CODE 2017
FLORIDA BUILDING CODE 2017, ACCESSIBILITY
FLORIDA FIRE PREVENTION CODE 2017
CITY OF STUART LAND DEVELOPMENT CODE

BUILDING AREA: (FIVE STORY STRUCTURE - 37 ROOMS TOTAL)	
TOTAL GUEST ROOM A/C AREA:	36,620 S.F.
COVERED BALCONY AREAS:	7,208 S.F.
COMMON AREAS (CORRIDORS, AMENITY DECK, POOL DECK, ETC):	10,548 S.F.
BACK OF HOUSE AREAS (LAUNDRY, ELECTRICAL, MECHANICAL, STORAGE, ETC):	5,415 S.F.
SNACK SHACK / ADMINISTRATIVE OFFICE A/C AREAS:	908 S.F.
OPEN GARAGE / PARKING AREAS:	34,401 S.F.
VERTICAL CIRCULATION AREA:	3,170 S.F.
GROSS BUILDING AREA (ALL FLOORS):	98,270 S.F.

SHEET #	SHEET TITLE	FIRST ISSUED	REVISION NUMBER	LATEST REVISION
ARCHITECTURAL				
CV-1	COVER SHEET, DRAWING INDEX, UNIT AREA CALCULATIONS CODE ANALYSIS & LOCATION MAP	12-08-20	-	-
A-1.11	BASEMENT PARKING LEVEL FLOOR PLAN / PARTIAL SITE PLAN	12-08-20	-	-
A-1.21	PARKING LEVEL 1 FLOOR PLAN	12-08-20	-	-
A-1.31	LIVING LEVEL 1 / AMENITY DECK FLOOR PLAN	12-08-20	-	-
A-1.41	LIVING LEVELS 2 & 3 FLOOR PLAN	12-08-20	-	-
A-1.51	ROOF PLAN	12-08-20	-	-
A-2.01	SOUTH & EAST BUILDING ELEVATIONS	12-08-20	-	-
A-2.02	NORTH & WEST BUILDING ELEVATIONS	12-08-20	-	-
A-3.01	BUILDING CROSS SECTION	12-08-20	-	-



WALL TYPE LEGEND	
SYMBOL	DESCRIPTION
	8" CMU WALL WITH FURRING & GYP. BOARD INSIDE FACE
	INTERIOR FRAMED PARTITION

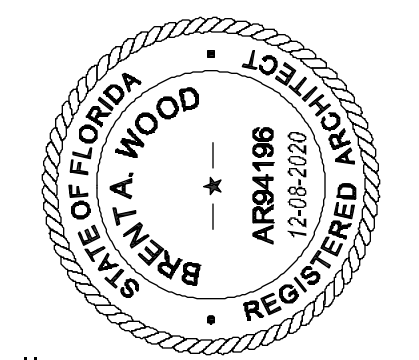
1. This plan shall be used in conjunction with the following sheets: 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09, 1.10, 1.11, 1.12, 1.13, 1.14, 1.15, 1.16, 1.17, 1.18, 1.19, 1.20, 1.21, 1.22, 1.23, 1.24, 1.25, 1.26, 1.27, 1.28, 1.29, 1.30, 1.31, 1.32, 1.33, 1.34, 1.35, 1.36, 1.37, 1.38, 1.39, 1.40, 1.41, 1.42, 1.43, 1.44, 1.45, 1.46, 1.47, 1.48, 1.49, 1.50, 1.51, 1.52, 1.53, 1.54, 1.55, 1.56, 1.57, 1.58, 1.59, 1.60, 1.61, 1.62, 1.63, 1.64, 1.65, 1.66, 1.67, 1.68, 1.69, 1.70, 1.71, 1.72, 1.73, 1.74, 1.75, 1.76, 1.77, 1.78, 1.79, 1.80, 1.81, 1.82, 1.83, 1.84, 1.85, 1.86, 1.87, 1.88, 1.89, 1.90, 1.91, 1.92, 1.93, 1.94, 1.95, 1.96, 1.97, 1.98, 1.99, 2.00, 2.01, 2.02, 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 2.09, 2.10, 2.11, 2.12, 2.13, 2.14, 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, 2.21, 2.22, 2.23, 2.24, 2.25, 2.26, 2.27, 2.28, 2.29, 2.30, 2.31, 2.32, 2.33, 2.34, 2.35, 2.36, 2.37, 2.38, 2.39, 2.40, 2.41, 2.42, 2.43, 2.44, 2.45, 2.46, 2.47, 2.48, 2.49, 2.50, 2.51, 2.52, 2.53, 2.54, 2.55, 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CITY OF STUART - COMMERCIAL DEVELOPMENT STANDARDS (SEC. 6.05.00.)	
SYMBOL	DESCRIPTION
①	OVER-HANGS
②	PEAKED ROOF FORMS
③	DECORATIVE LANDSCAPE PLANTERS, EITHER ATTACHED TO THE BUILDING OR LOCATED WITHIN TEN FEET OF THE BUILDING
④	WATER ELEMENTS, MINIMUM OF 150 SQUARE FEET IN AREA

WALL TYPE LEGEND	
SYMBOL	DESCRIPTION
	8\"/>
	INTERIOR FRAMED PARTITION

THIS PLAN IS THE PROPERTY OF BRENT A. WOOD ARCHITECTURE, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF BRENT A. WOOD ARCHITECTURE, LLC.

Official Stamp - SITE PLAN REVIEW - 12.08.2020	
Issue Description:	Date:
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LIVING LEVEL 1 / AMENITY DECK FLOOR PLAN
SCALE: 1/8" = 1'-0" 1 A-1.31 NORTH

12.08.2020 - SITE PLAN APPROVAL SET - NOT FOR CONSTRUCTION

Client: C/O. Mr. Ted Weitzel

Project Name: SPORTFISH MARINA RESORT BOUTIQUE HOTEL

Drawing Name: LIVING LEVEL 1 / AMENITY DECK FLOOR PLAN

Sheet Number: A-1.31

201 NW 7th Street #401
Miami, Florida 33135

304 NW Flamingo Ave
Stuart, FL 34994

Project Number: 220070
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WALL TYPE LEGEND	
SYMBOL	DESCRIPTION
	8" CMU WALL WITH FURRING & GYP. BOARD INSIDE FACE
	INTERIOR FRAMED PARTITION

1. This plan shall be used in conjunction with the site plan and other drawings for the project. It is not to be used for construction without the approval of the local authority having jurisdiction.

12.08.2020 - SITE PLAN APPROVAL SET - NOT FOR CONSTRUCTION

Architect:
BRENT A. WOOD
ARCHITECTURE LLC

Client:
C/O: Mr. Ted Weitzel

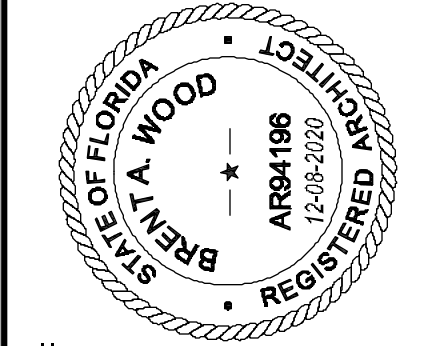
Project Name:
SPORTFISH MARINA RESORT
BOUTIQUE HOTEL

Drawing Name:
LIVING LEVELS 2 & 3 - TYPICAL FLOOR PLAN

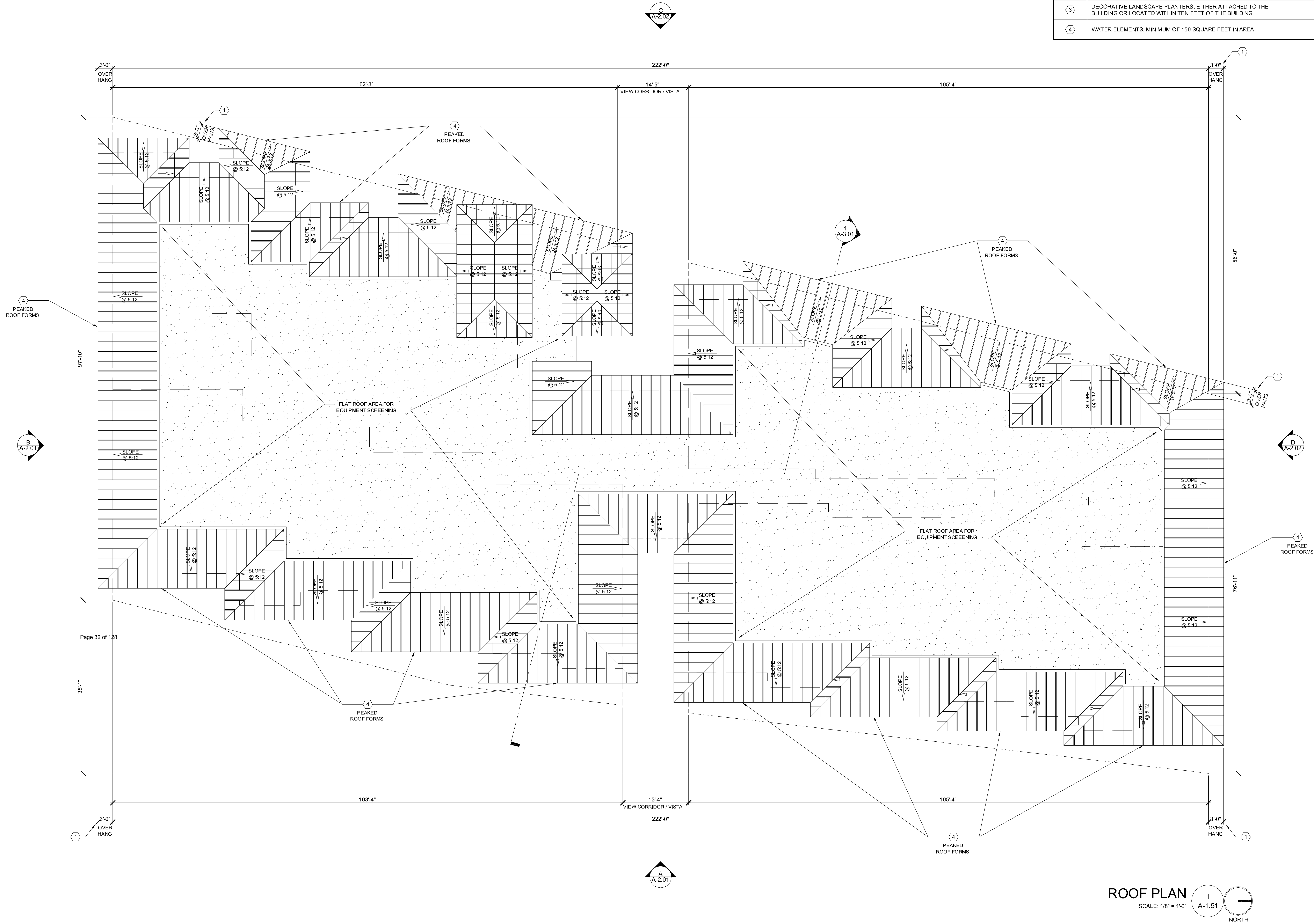
Sheet Number:
A-1.41

Project Number: 220070
200 NW 7th Street, Suite 301
Fort Lauderdale, FL 33304
© 2020 Brent A. Wood

201 NW 7th Street #401
Miami, Florida 33136
Tel: 772.220.1217 Fax: 772.415.5061



LIVING LEVELS 2 & 3 - TYPICAL FLOOR PLAN
SCALE: 1/8" = 1'-0"
1
A-1.41
NORTH



CITY OF STUART - COMMERCIAL DEVELOPMENT STANDARDS (SEC. 6.05.00.)	
SYMBOL	DESCRIPTION
①	OVERHANGS
②	PEAKED ROOF FORMS
③	DECORATIVE LANDSCAPE PLANTERS, EITHER ATTACHED TO THE BUILDING OR LOCATED WITHIN TEN FEET OF THE BUILDING
④	WATER ELEMENTS, MINIMUM OF 150 SQUARE FEET IN AREA

12.08.2020 - SITE PLAN APPROVAL SET - NOT FOR CONSTRUCTION

Sheet Number:
A-1.51

Drawing Name:
ROOF PLAN

Project Name:
**SPORTFISH MARINA RESORT
BOUTIQUE HOTEL**

Client:
C/O: Mr. Ted Weitzel

Architect:
**BRENT A. WOOD
ARCHITECTURE LLC**

Official Stamp: SITE PLAN REVIEW 12.08.2020

Issue Description:

Issue	Date
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Project Number: 220070
Project Name: Sportfish Marina Resort
© 2020 Brent A. Wood

Project Name: SPORTFISH MARINA RESORT
BOUTIQUE HOTEL

Client: C/O: Mr. Ted Weitzel

Architect: BRENT A. WOOD
ARCHITECTURE LLC

Official Stamp: SITE PLAN REVIEW 12.08.2020

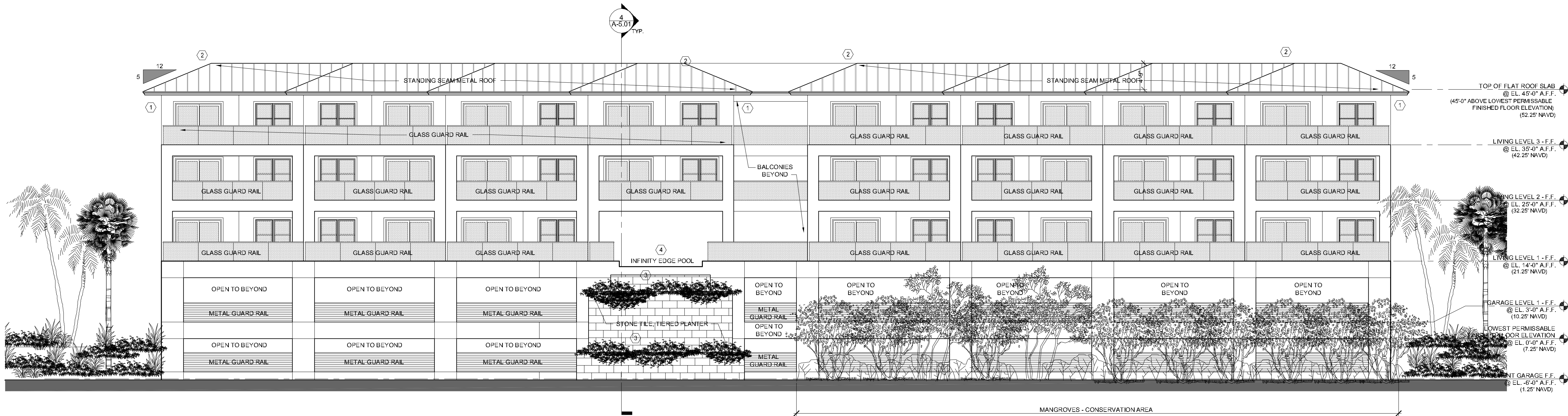
Issue Description:

Issue	Date
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Project Number: 220070
Project Name: Sportfish Marina Resort
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CITY OF STUART - COMMERCIAL
DEVELOPMENT STANDARDS (SEC. 6.05.00.)

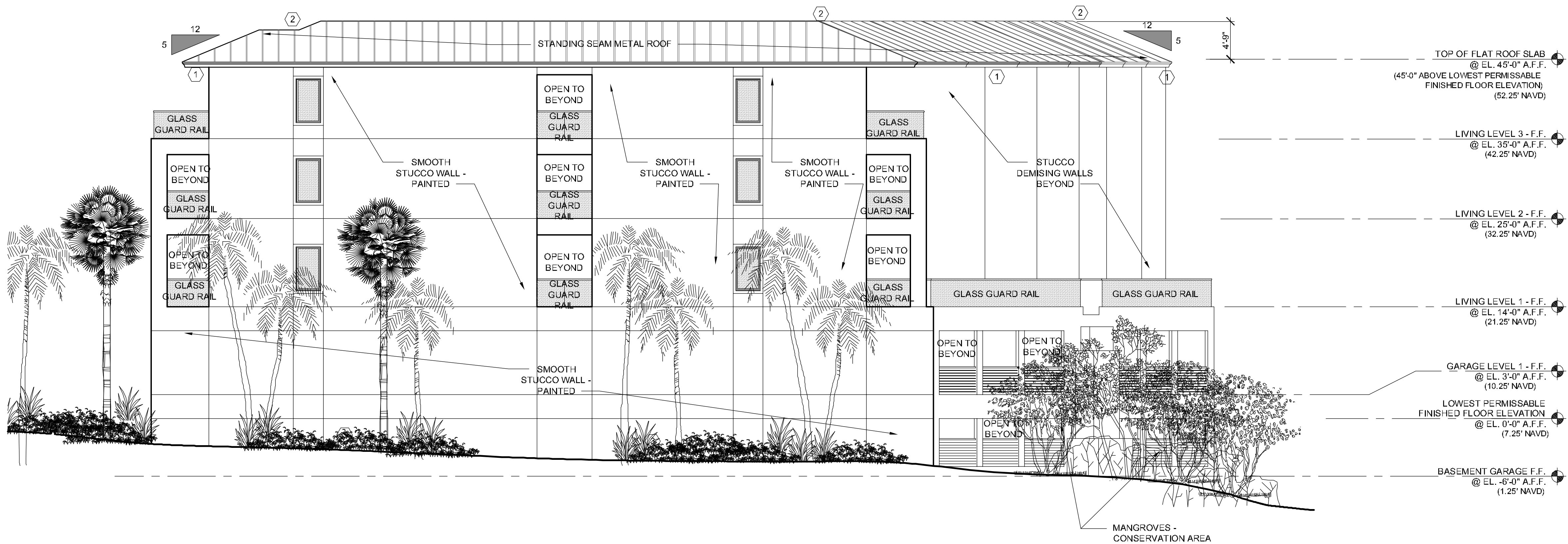
SYMBOL	DESCRIPTION
①	OVERHANGS
②	PEAKED ROOF FORMS
③	DECORATIVE LANDSCAPE PLANTERS, EITHER ATTACHED TO THE BUILDING OR LOCATED WITHIN TEN FEET OF THE BUILDING
④	WATER ELEMENTS, MINIMUM OF 150 SQUARE FEET IN AREA



EAST BUILDING ELEVATION

SCALE: 1/8" = 1'-0"

A
A-2.01



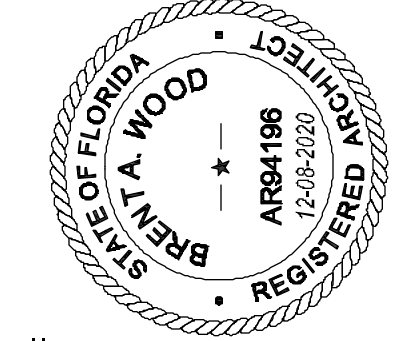
SOUTH BUILDING ELEVATION

SCALE: 1/8" = 1'-0"

B
A-2.01

12.08.2020 - SITE PLAN APPROVAL SET - NOT FOR CONSTRUCTION

Official Issue: SITE PLAN REVIEW		12.08.2020
Issue Description:		Date:
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Architect:
BRENT A. WOOD
ARCHITECTURE LLC

BRENT A. WOOD, NCARB AIA 04108
20 S.E. Ocean Blvd., Stuart, FL 34906
Tel. 772.220.1217 Fax 772.410.5061

Client:
C/O. Mr. Ted Weitzel

Project Name:
**SPORTFISH MARINA RESORT
BOUTIQUE HOTEL**

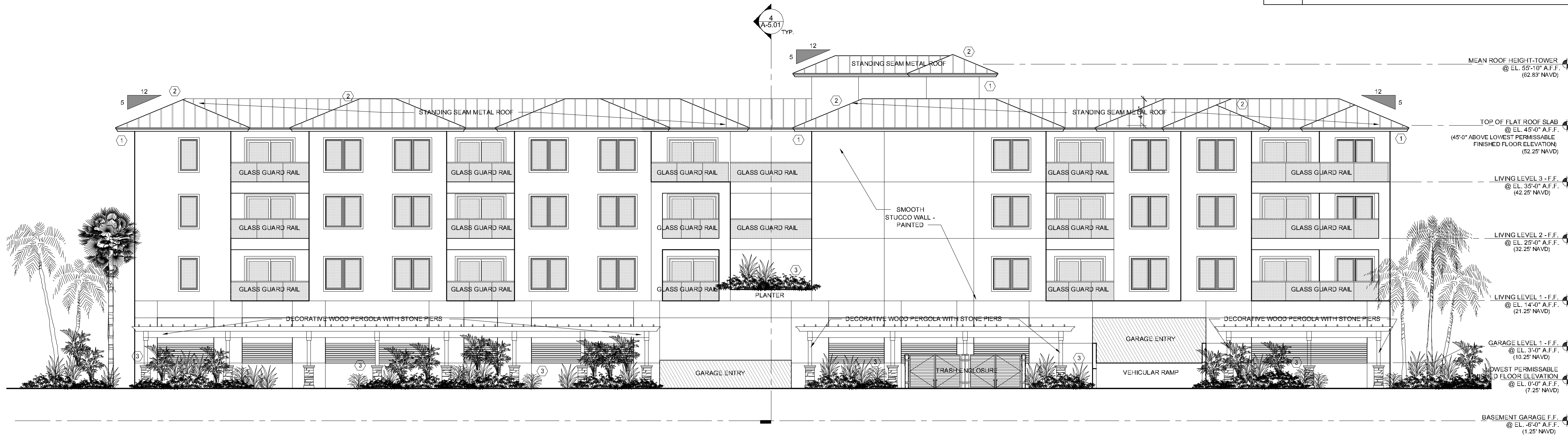
Drawing Name:
BUILDING ELEVATIONS

Sheet Number:
A-2.01

Project Number: 220070
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CITY OF STUART - COMMERCIAL
DEVELOPMENT STANDARDS (SEC. 6.05.00.)

SYMBOL	DESCRIPTION
①	OVER-HANGS
②	PEAKED ROOF FORMS
③	DECORATIVE LANDSCAPE PLANTERS, EITHER ATTACHED TO THE BUILDING OR LOCATED WITHIN TEN FEET OF THE BUILDING
④	WATER ELEMENTS, MINIMUM OF 150 SQUARE FEET IN AREA



WEST BUILDING ELEVATION C
SCALE: 1/8" = 1'-0" A-2.02

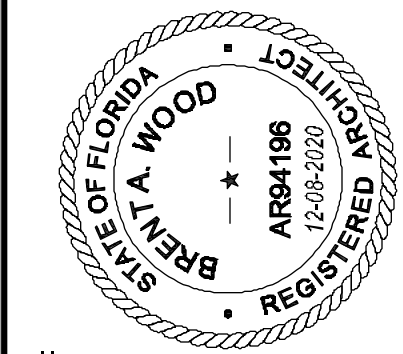
Page 34 of 128



NORTH BUILDING ELEVATION D
SCALE: 1/8" = 1'-0" A-2.02

12.08.2020 - SITE PLAN APPROVAL SET - NOT FOR CONSTRUCTION

SYMBOL	DESCRIPTION
①	OVER-HANGS
②	PEAKED ROOF FORMS
③	DECORATIVE LANDSCAPE PLANTERS, EITHER ATTACHED TO THE BUILDING OR LOCATED WITHIN TEN FEET OF THE BUILDING
④	WATER ELEMENTS, MINIMUM OF 150 SQUARE FEET IN AREA



Architect: BRENT A. WOOD
ARCHITECTURE LLC
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Tel. 772.220.1217 Fax 772.415.5061

Client: C/O: Mr. Ted Weitzel

Project Name: SPORTFISH MARINA RESORT
BOUTIQUE HOTEL

Drawing Name: NORTH & WEST BUILDING ELEVATIONS

Sheet Number: A-2.02

201 NW 7th Street #401
Miami, Florida 33136

304 NW Flamingo Ave
Stuart, FL 34904

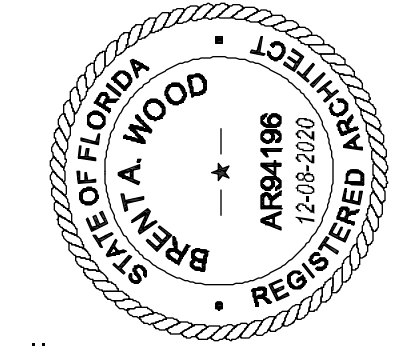
Project Number: 220070
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CITY OF STUART - COMMERCIAL
DEVELOPMENT STANDARDS (SEC. 6.05.00.)

SYMBOL	DESCRIPTION
①	OVER-HANGS
②	PEAKED ROOF FORMS
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12.08.2020 - SITE PLAN APPROVAL SET - NOT FOR CONSTRUCTION

Official Stamp: SITE PLAN REVIEW 12.08.2020	
Issue Description:	Drawn
1	2
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9	10



Architect:
BRENT A. WOOD
ARCHITECTURE LLC

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20 S.E. Ocean Blvd., Stuart, FL 34906
Tel. 772.220.1217 Fax 772.415.5061

Client:
C/O: Mr. Ted Weitzel

Project Name:
SPORTFISH MARINA RESORT
BOUTIQUE HOTEL

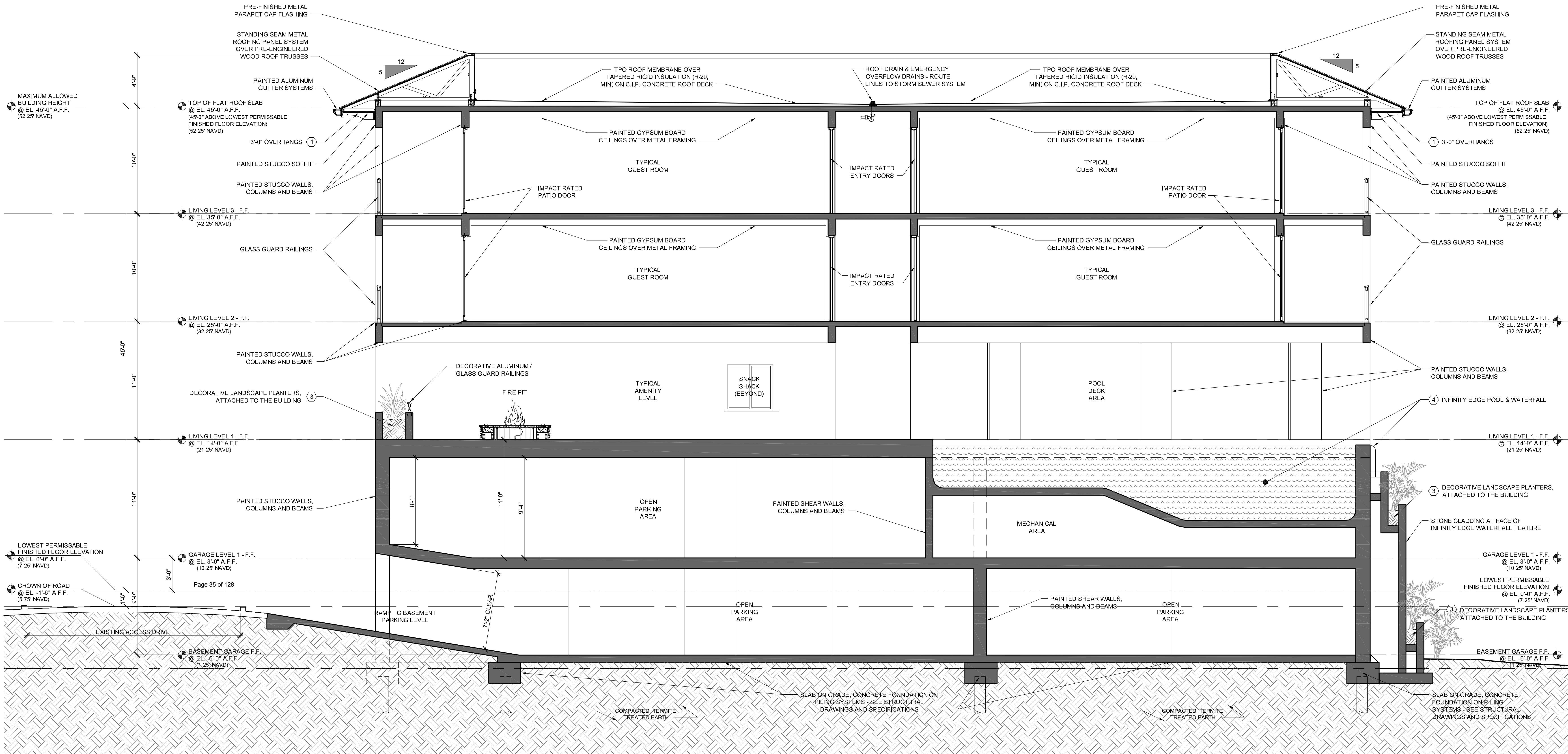
Drawing Name:
BUILDING CROSS SECTION

Sheet Number:
A-3.01

Project Number: 220070
City of Stuart, Florida
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201 NW 7th Street #401
Miami, Florida 33135

304 NW Flamingo Ave
Stuart, FL 34904



BUILDING CROSS SECTION

SCALE: 1/4" = 1'-0"

1
A-3.01

Location Map



Legal Description

LOTS 1, 2, AND 3, BLOCK 19, RIVERSIDE PARK, ACCORDING TO THE PLAT THEREOF FILED MARCH 26, 1925, RECORDED IN PLAT BOOK 4, PAGE 98, ST. LUCIE (NOW MARTIN) COUNTY, FLORIDA, TOGETHER WITH THE NORTHERLY ONE-HALF AND THE SOUTHERLY ONE-HALF OF THE ABANDONED STREET FORMERLY KNOWN AS THE EASTERLY EXTENSION OF HIBISCUS AVENUE, LOCATED BETWEEN LOT 4, BLOCK 18, AND LOT 1, BLOCK 19, OF THE AFORESAID PLAT OF RIVERSIDE PARK.

SITUATE IN THE COUNTY OF MARTIN, STATE OF FLORIDA.

Landscape Notes

1. PLANT AND LANDSCAPE MATERIALS SHALL CONFORM TO THE STANDARDS FOR FLORIDA NO. 1, AS GIVEN IN THE GRADES AND STANDARDS FOR NURSERY PLANTS, PARTS I & II, AS PREPARED BY THE FLORIDA DEPT. OF AGRICULTURE AND CONSUMER SERVICES.

2. A 3" THICK LAYER OF ORGANIC NON-CYPRESS MULCH SHALL BE APPLIED TO ALL LANDSCAPE AND PLANTING AREAS.

3. ALL EXOTIC VEGETATION TO BE REMOVED FROM DEVELOPMENT AREA.

4. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED THAT IS CAPABLE OF PROVIDING 100% COVERAGE TO ALL LANDSCAPE AND PLANTING AREAS AND HAVE AN AUTOMATIC MOISTURE SENSOR.

5. IRRIGATION SOURCE TO BE POTABLE WATER. IRRIGATION PLANS SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT.

6. EXISTING TREES THAT ARE TO REMAIN SHALL BE BARRICADED ACCORDING TO CITY OF STUART ORDINANCES.

7. THIS PLAN HAS BEEN DESIGNED TO MEET WITH THE TREE PLANTING REQUIREMENTS CONTAINED WITHIN THE FPL DOCUMENT ENTITLED "PLANT THE RIGHT TREE IN THE RIGHT PLACE."

8. FOR EXISTING OR PROPOSED UTILITIES, NO TREE SHALL BE PLANTED WHERE IT COULD, AT MATURE HEIGHT, CONFLICT WITH OVERHEAD POWER LINES. LARGE TREES [HEIGHT AT MATURITY OF MORE THAN THIRTY (30) FEET] SHALL BE PLANTED NO CLOSER THAN A HORIZONTAL DISTANCE OF THIRTY (30) FEET FROM THE NEAREST OVERHEAD POWER LINE. MEDIUM HEIGHT TREE [HEIGHT AT MATURITY BETWEEN TWENTY (20) AND THIRTY (30) FEET] SHALL BE OFFSET AT LEAST TWENTY (20) FEET AND SMALL TREES [HEIGHT AT MATURITY OF LESS THAN (20) FEET] REQUIRE NO OFFSET.

9. NO TREE, SHRUBS, HEDGES OR VINES SHALL BE PLANTED WITHIN FIVE (5) FEET OF ANY EXISTING OR PROPOSED UTILITY POLE, GUY WIRE OR-PAD MOUNTED TRANSFORMER. PALMS SHOULD BE PLANTED AT A DISTANCE EQUAL TO OR GREATER THAN THE AVERAGE FRONT LENGTH PLUS TWO (2) FEET FROM POWER LINES.

Site Data

PCN	32-37-41-004-019-00010-3		
ZONING	UW - URBAN WATERFRONT		
FUTURE LAND USE	MARINE & INDUSTRIAL		
EXISTING LAND USE	OFFICES/ MARINA		
PROPOSED USE	HOTEL		

	SF	AC	%
TOTAL SITE AREA (PER SURVEY/ PROPERTY LINE)	27,572	0.63	100.0%
IMPERVIOUS AREA	21,454	0.493	77.81%
PROPOSED BUILDING	20,100	0.46	72.9%
PARKING / VUA (NOT UNDER BUILDING)	442	0.01	1.6%
CONCRETE WALKS, RAMPS, ETC., (NOT UNDER BUILDING)	912	0.02	3.3%

PERVIOUS AREA	6,118	0.140	22.19%
LANDSCAPE AREA	6,118	0.140	22.2%

	REQ.	PROVIDED
PARKING	39	55
TOTAL		
HOTEL, 1 SPACE PER RENTAL ROOM (37 ROOMS)	37	
2 SPACES PER 3 EMPLOYEES (3 EMPLOYEES)	2	
ADA ACCESSIBLE SPACES		3

	PROVIDED
PROPOSED ROOMS	37
TOTAL	
1 BEDROOM (900 SF)	23
2 BEDROOMS (1100 SF)	14

Plant List

Key	Qty	Scientific Name	Common Name	Size	Spacing
TREES, PALMS & CYCADS					
CES*	9	Conocarpus erectus 'Sericeus'	Silver Buttonwood	2" CAL., 12"x 6", standards	AS
PL	15	Polyalthia longifolia 'Pendula'	Mast Tree	12' OA, matching, FTB	AS
SP*	12	Sabal Palmetto	Sabal Palm	staggered heights, 8' CT, 14' CT, 20' CT	AS
VA1	9	Veitchia arecina 'Montgomeryana'	Montgomery Palm, single	26' OA, single, FF, matching	AS

SHRUBS & GROUNDCOVERS					
AO	6	Alcantarea odorata	Odorata Bromeliad	36"x 30"	AS
AZV	70	Alpinia zerumbet 'Variegata'	Variegated Shell Ginger	7g, 24"x 30"	36" OC
NCR	135	Neomarica caerulea 'Regina'	Giant Apostle's Iris	3g, 30"x 24"	30" OC
PM6	51	Podocarpus macrophyllus 'Maki'	Podocarpus	6'x 2.5' min., matching, FTB	36" OC
SA	31	Schefflera arboricola	Green Dwarf Schefflera	7g, 36"x 20"	36" OC
SB*	202	Spartina bakeri	Sand Cordgrass	3g, 36"x 30"	36" OC
TA	225	Trachelospermum asiaticum	Asiatic Jasmine Minima	1g, 6"x 12", full pots	12" OC

*DENOTES FLORIDA NATIVE PLANT MATERIAL
ALL PLANT MATERIAL SHALL BE MINIMUM FLORIDA #1 GRADE PER THE FLORIDA GRADES & STANDARDS FOR NURSERY PLANTS 2015 EDITION

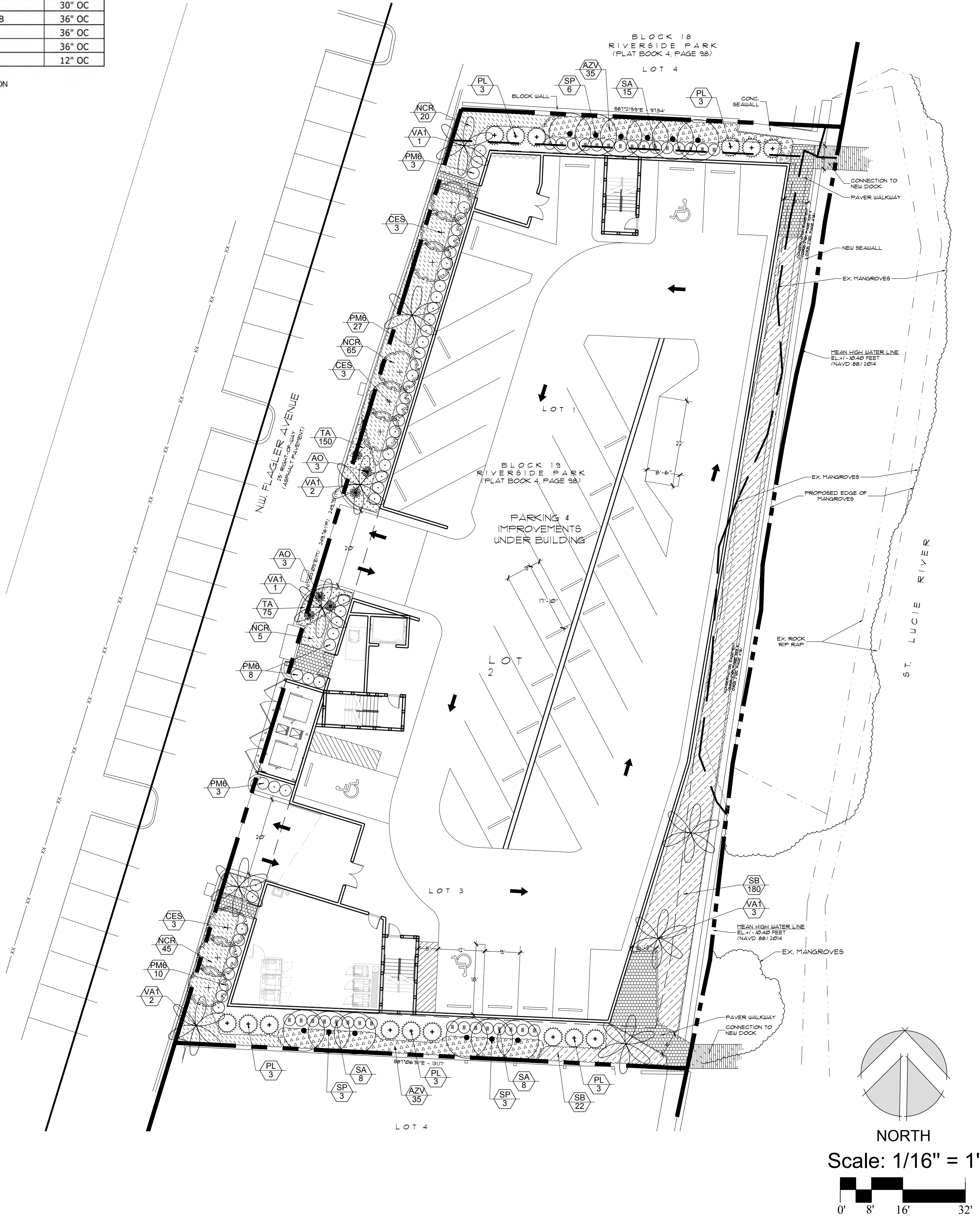
Xeriscape Table

(A total of 50 pts. are required)

3. 51% OR MORE OF THE GRASS AREAS ARE MADE UP OF A DROUGHT TOLERANT SPECIES FROM THE LIST.	10 pts.
4. 51% OR MORE OF THE REQUIRED SHRUBS ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST.	10 pts.
5. 51% OR MORE OF THE REQUIRED TREES ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST.	10 pts.
7. SOD AREA LESS THAN 50% OF LANDSCAPE AREA	10 pts.
8. UTILIZATION OF COMPACTED MULCH BEDS AT LEAST THREE INCHES DEEP IN ALL PLANTED AREAS EXCEPT GROUND COVER.	10 pts.

TOTAL PROVIDED POINTS	50 pts.
-----------------------	---------

Page 36 of 128



McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Sportfish Marina Resort

304 NW Flagler Ave.

Stuart, Florida

Landscape Plan

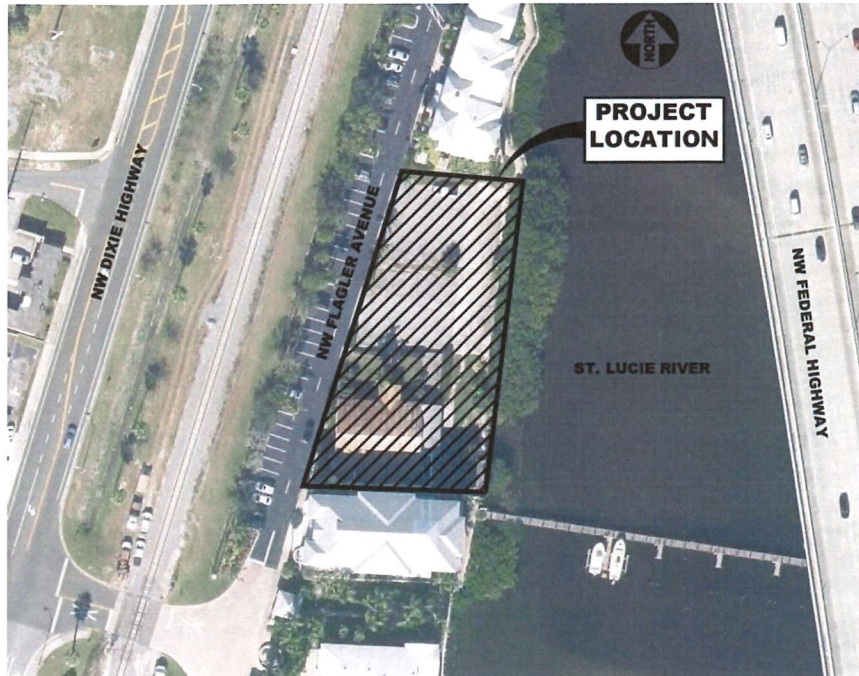


Drawn By _____ DMS
Checked By _____ MM
Scale _____ 1/16"=1'
Drawing Date _____ 12/7/2020

Sportfish Marina Resort

304 NW Flagler Avenue, Stuart FL 34994

Project No. 1992



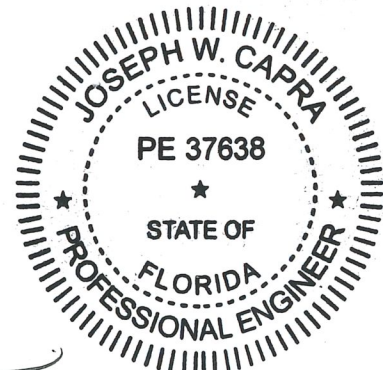
Drainage Statement:

Currently, the site consists of an abandoned building and accompanying parking lot. There are no South Florida Water Management District Permits applicable to the site. Proposed Water Quality for the site will be provided in exfiltration trenches that will be installed under the parking areas in accordance with City of Stuart Land Development Code Section 3.01.03.F.11. Storm water discharge will drain to the exfiltration system / control structure in the lower level and ultimately into the adjacent St. Lucie River, as it currently discharges. The exfiltration system will treat and store 0.24 Ac-Ft (380 lf) prior to discharging into the St. Lucie River. The required water quality treatment into the St. Lucie River is 0.08 Ac-Ft.



PREPARED BY:
Joseph Capra, P.E. #37638
CAPTEC Engineering, Inc.
301 NW Flagler Avenue
Stuart, Florida 34994
(772) 692-4344
EB-0007657
December 2020

[Handwritten signature]
12/10/20



CAPTEC Engineering, Inc.**Sportfish Marina Resort****Project No. 1992****Drainage Calculations****Site Data****Calculate Basin Area**

Total Site Area	=	0.63 Ac.
-----------------	---	-----------------

Wetland Area	=	0.00 Ac.
--------------	---	-----------------

<u>Non Contributing Site Area</u>	=	0.00 Ac.
-----------------------------------	---	-----------------

Total Proposed Developed Basin Area	=	0.63 Ac.
--	---	-----------------

Calculate Impervious Area

Building	=	0.46 Ac.
----------	---	-----------------

Other Impervious Areas	=	0.03 Ac.
------------------------	---	-----------------

Total Impervious Area	=	0.49 Ac.
------------------------------	---	-----------------

Total Pervious Area	=	0.14 Ac.
----------------------------	---	-----------------

Calculate CN

The proposed DCIA area	=	0.00 Ac.
------------------------	---	-----------------

Remaining Site Area	=	0.63 Ac.
---------------------	---	-----------------

CAPTEC Engineering, Inc.
Sportfish Marina Resort
Project No. 1992

Drainage Calculations



Water Quality Storage

South Florida Water Management District

1.) Required Water Quality Treatment Volume

- a) First inch of runoff
 $V_a = 0.63 * 1 \text{ In.} * (1 \text{ Ft./12 In.}) = 0.05 \text{ Ac.-Ft.}$
- b) Runoff from 2.5 * % net impervious
 $\text{Runoff} = 2.5 * (\text{Impervious Area}) / (\text{Basin-Bldg. Area-Lake Area})$
 $= 2.5 * (0.03 / (0.63 - 0.46)) = 0.4610 \text{ In.}$
 $V_b (\text{sfwmd}) = (0.63) * 0.46 * (1 \text{ Ft./12 In.}) = 0.0200 \text{ In.}$
- c) Since $V_b (\text{sfwmd}) > V_a$ the water quality volume required = **0.05 Ac.-Ft.**
- d) Discharge is to the St. Lucie River, the required Volume (150%) = **0.08 Ac.-Ft.**

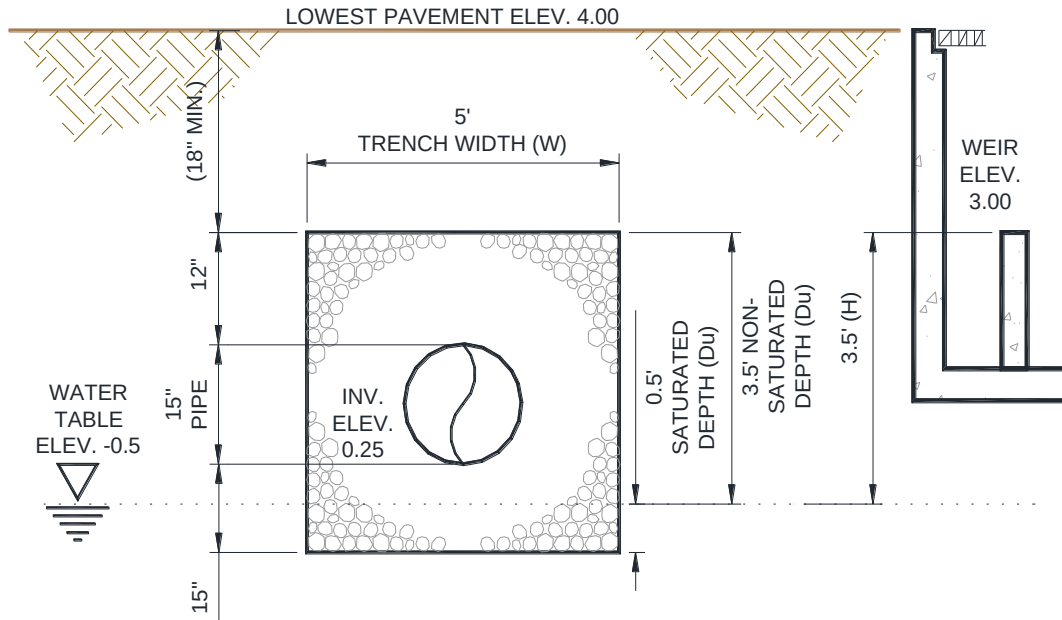
2.) Provided Water Quality Treatment Volume

Wet Retention (Exfiltration) * = **0.24 Ac.-Ft.** 100% Required = **0.24 Ac.-Ft.**

Total Provided: 0.24 Ac.-Ft.

Exfiltration Design

a)
$$V = L * (k * (H * W + 2 * H * D_U - D_U * D_U + 2 * H * D_S) + (0.000139 * W * D_U)) / FS$$



Where:

V = Volume (Ac.-In.)

FS = Factor of Safety

L = Length of Exfiltration (FT.)

k = Hydraulic Conductivity (cfs/Ft²-Ft-Hd) *

H = Water Table Depth

W = Width of Trench

D_U = Unsaturated Depth

D_S = Saturated Depth

$$\begin{aligned}
 &= 2.00 \\
 &= 380.00 \text{ Ft.} \\
 &= 1.50E-04 \\
 &= 3.50 \text{ Ft.} \\
 &= 5.00 \text{ Ft.} \\
 &= 3.50 \text{ Ft.} \\
 &= 0.50 \text{ Ft.}
 \end{aligned}$$

$$\begin{aligned}
 V &= 380 * (0.000150 * (3.5 * 5 + 2 * 3.5 * 3.5 \\
 &\quad - 3.5^2 + 2 * 3.5 * 0.5) + (0.000139 * 5 * 3.5)) \\
 &= 2.82 \text{ Ac.-In.}
 \end{aligned}$$

$$\begin{aligned}
 \text{Exfiltration Trench Volume Provided:} &= 2.82 \text{ Ac.-In.} \\
 &= 0.24 \text{ Ac.-Ft.}
 \end{aligned}$$

* Note: Hydraulic Conductivity value taken from neighboring property.

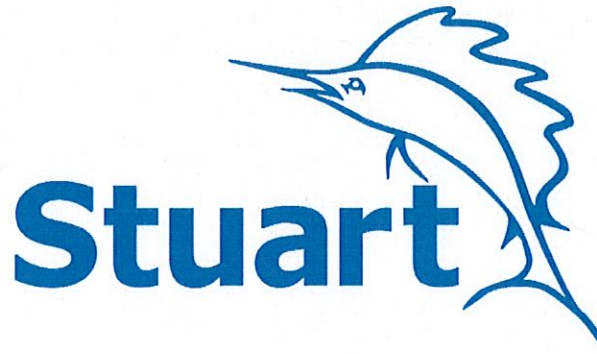
SPORTFISH MARINA RESORT

Project No. 1992

CITY OF STUART, FLORIDA

TRAFFIC STATEMENT

Prepared for:



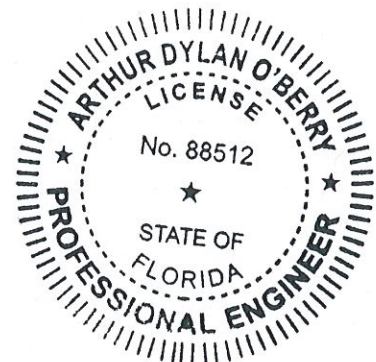
By



Civil Engineering Professionals
Engineering Business No. EB-0007657

CAPTEC ENGINEERING, INC.
301 NW FLAGLER AVENUE
STUART, FLORIDA 34994
(772) 692-4344 OFFICE
(772) 692-4341 FAX

December 9, 2020




A. DYLAN O'BERRY, P.E.
FLORIDA P.E. # 88512

12/9/2020

Traffic Statement

Introduction

The **Sportfish Marina Resort** project is located at 304 NW Flagler Avenue located within the City of Stuart in Martin County, Florida. CAPTEC Engineering, Inc. CAPTEC Engineering, Inc., has prepared this traffic statement to determine the impact associated with this project. The **37-Room Resort** will primarily be used as a luxury style resort. The preliminary plans depict three levels of resort hotel and two levels of parking garage.



Trip Generation

The AM peak-hour and PM peak hour trips for this site were derived from the Institute of Transportation Engineers (ITE) Trip Generation 10th Edition Manual (ITE Land Use Code 330). The **Sportfish Marina Resort** is expected to generate the following peak hour trips:

AM Peak Hour of Adjacent Street

Calculated Trip Ends:

Average Rate: 12 (Total), 9 (Entry), 3 (Exit)

Fitted Curve: Not Available

PM Peak Hour of Adjacent Street

Calculated Trip Ends:

Average Rate: 15 (Total), 6 (Entry), 9 (Exit)

Fitted Curve: Not Available

Results

The adjacent roadway, NW Flagler Avenue, ultimately lets out onto NW Dixie Highway. The current condition of NW Dixie Highway is Level of Service "C". The peak hour service capacity is 750 with a current PM Peak Volume of 235. The greatest peak hour peak direction impact is **1.20% (9/750)** which is below the 5.00% threshold set forth by the City of Stuart Land Development Code 4.05.02.

Conclusion

This report has found that the proposed project provides sufficient traffic facilities which satisfy the requirements for LOS, volumes, impacts, traffic study and circulation analysis set forth by the City Code and requests traffic concurrency be issued for the project.

Appendix

Land Use: 330 Resort Hotel

Description

A resort hotel is similar to a hotel (Land Use 310) in that it provides sleeping accommodations, restaurants, cocktail lounges, retail shops, and guest services. The primary difference is that a resort hotel caters to the tourist and vacation industry, often providing a wide variety of recreational facilities/programs (golf courses, tennis courts, beach access, or other amenities) rather than convention and meeting business. Hotel (Land Use 310), all suites hotel (Land Use 311), business hotel (Land Use 312), and motel (Land Use 320) are related uses.

Additional Data

Nine studies provided information on room occupancy at the time of data collection. The average occupancy rate for these sites was approximately 88 percent.

Some properties contained in this land use provide guest transportation services such as airport shuttles, limousine service, or golf course shuttle service, which may have an impact on the overall trip generation rates.

The sites were surveyed in the 1980s and the 1990s in California, Florida, and South Carolina.

For all lodging uses, it is important to collect data on occupied rooms as well as total rooms in order to accurately predict trip generation characteristics for the site.

Source Numbers

270, 381, 436

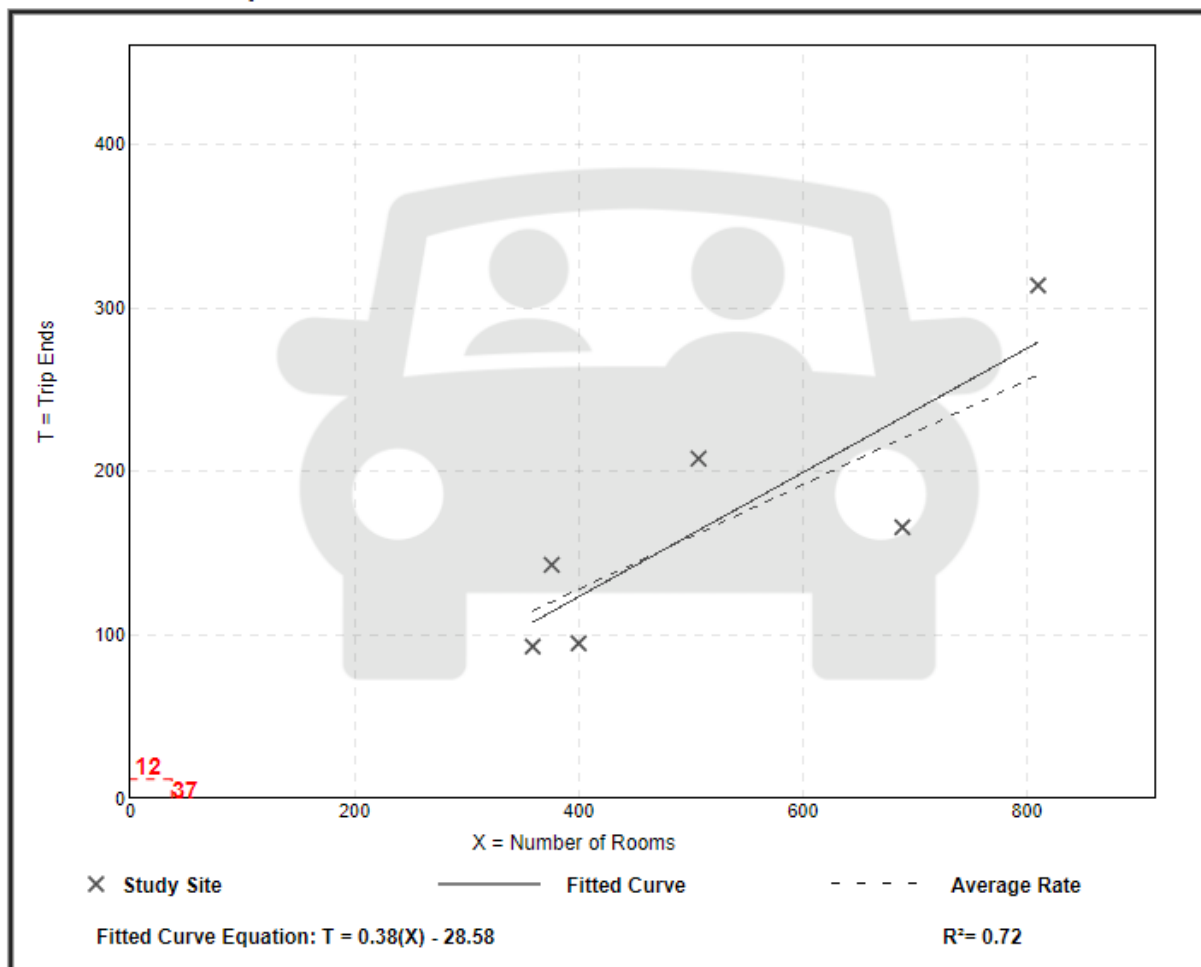
Resort Hotel (330)

Vehicle Trip Ends vs: Rooms
On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 6
 Avg. Num. of Rooms: 524
 Directional Distribution: 72% entering, 28% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.32	0.24 - 0.41	0.08

Data Plot and Equation



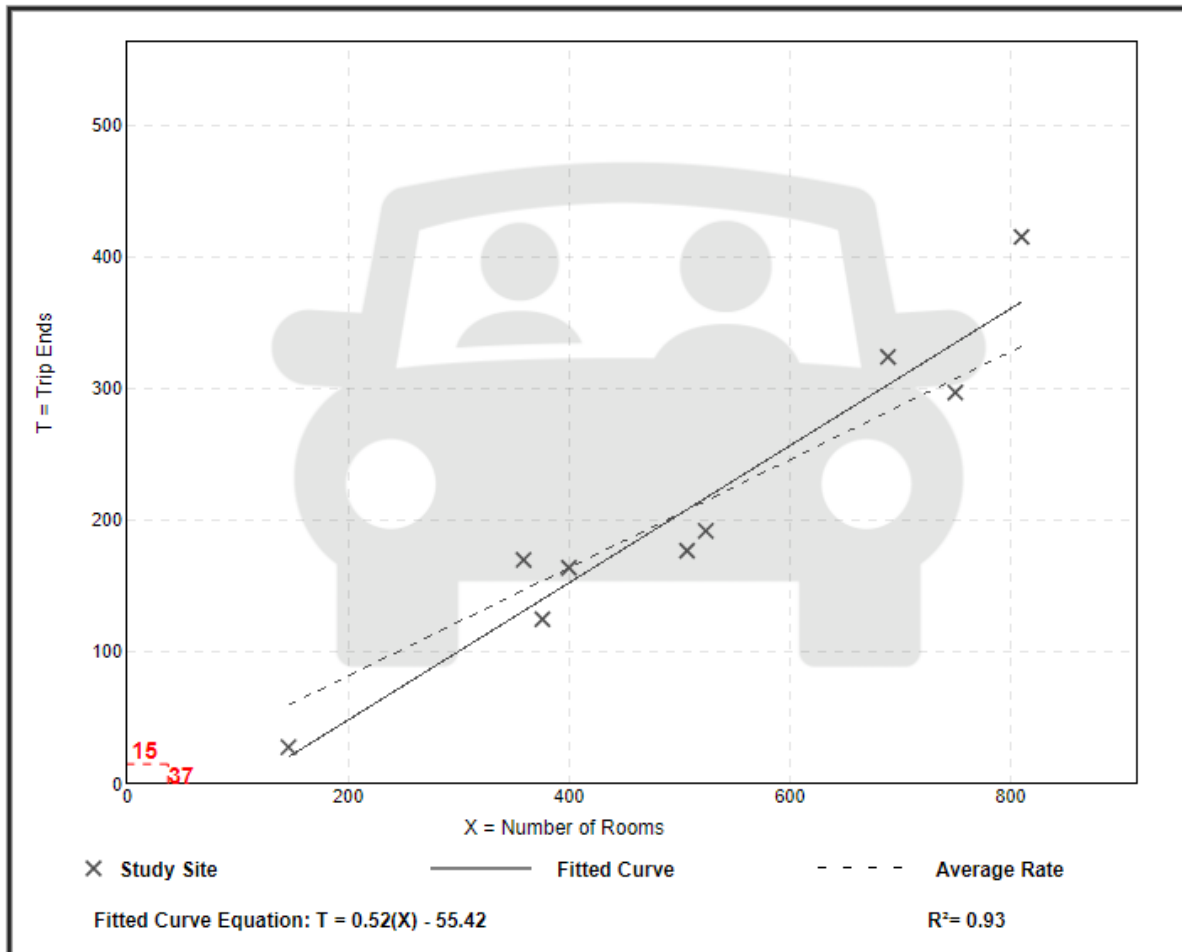
Resort Hotel (330)

Vehicle Trip Ends vs: Rooms
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 9
 Avg. Num. of Rooms: 507
 Directional Distribution: 43% entering, 57% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.41	0.19 - 0.51	0.08

Data Plot and Equation



Martin County 2019 Roadway Level of Service Inventory Report

Road Name	From	To	Type	Generalized Service Capacity	2019 Average Annual Daily Traffic	2019 Peak Hour Directional Volume	2019 Generalized LOS	Avg. Annual Growth Rate
Baker Rd	SR-5	CR-723	Class II: 2-Ln Undivided	750	5,349	243	C	1.8%
Berry Ave	Golden Bear Wy	CR-714	Class II: 2-Ln Undivided	750	3,487	177	C	1.3%
Berry Ave	CR-714	Sunset Tr	Class II: 2-Ln Undivided	750	1,809	97	C	0.5%
Britt Rd	Pine Lake Dr	SR-5	Class II: 2-Ln Undivided	750	4,565	212	C	0.6%
Citrus Blvd.	CR-714 (Martin Hwy)	Port St. Lucie Blvd.	Transitional 2-Ln Uninter /Undivided Flow	1200	5,391	469	C	7.0%
Commerce Ave	Salerno Rd	Monroe St	Class II: 2-Ln Undivided	750	6,156	393	D	3.1%
Commerce Ave	Monroe St	Indian St	Class II: 2-Ln Undivided	750	6,704	366	C	0.7%
Country Club Dr	Palm Beach County	Island Way	Class II: 2-Ln Undivided	750	2,827	134	C	0.5%
Country Club Dr	Island Way	Little Club Dr	Class II: 2-Ln Undivided	750	3,512	159	C	1.9%
County Line Rd	Little Club Dr	SR-5	Class II: 2-Ln Undivided	750	2,703	124	C	2.9%
Cove Rd	SR-76	Willoughby Blvd	Class I: 2-Ln Undivided	880	13,855	749	C	1.5%
Cove Rd	Willoughby Blvd	SR-5	Class I: 2-Ln Undivided	880	15,446	699	C	0.9%
Cove Rd	SR-5	CR-A1A	Class II: 2-Ln Undivided	750	13,161	586	D	2.5%
Cove Rd	CR-A1A	End	2-Ln Undivided Non- State	675	5,739	322	C	1.7%
CR-609 (Allapattah Rd)	SR-710	CR-714	Uninterrupted Rural Hwy: 2-Ln Undivided	740	1,892	109	A/B	3.5%
CR-609 (Allapattah Rd)	CR-714	St Lucie County	Uninterrupted Rural Hwy: 2-Ln Undivided	740	1,786	88	A/B	2.9%
CR-707 (Beach Rd)	Palm Beach County	CR-708	2-Ln Undivided Non- State	675	1,782	116	C	1.4%
CR-707 (Dixie Hwy)	CR-723CR-707	CR-707 (Indian River Dr)	Class II: 2-Ln Undivided	750	5,383	235	C	0.8%
CR-707 (Indian River Dr)	CR-707 (Dixie Hwy)	CR-707A (Jensen Beach Blvd.)	2-Ln Undivided Non- State	675	10,521	601	D	0.5%
CR-707 (Indian River Dr)	CR-707A	SR-732	Class II: 2-Ln Undivided	750	6,007	336	C	8.0%
CR-707 (Indian River Dr)	SR-732	St. Lucie County	2-Ln Undivided Non- State	675	6,615	351	D	8.0%

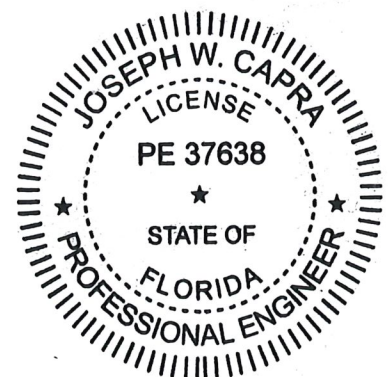
Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/MSB) and Murphy Rd (PM/MB).



SPORTFISH MARINA RESORT

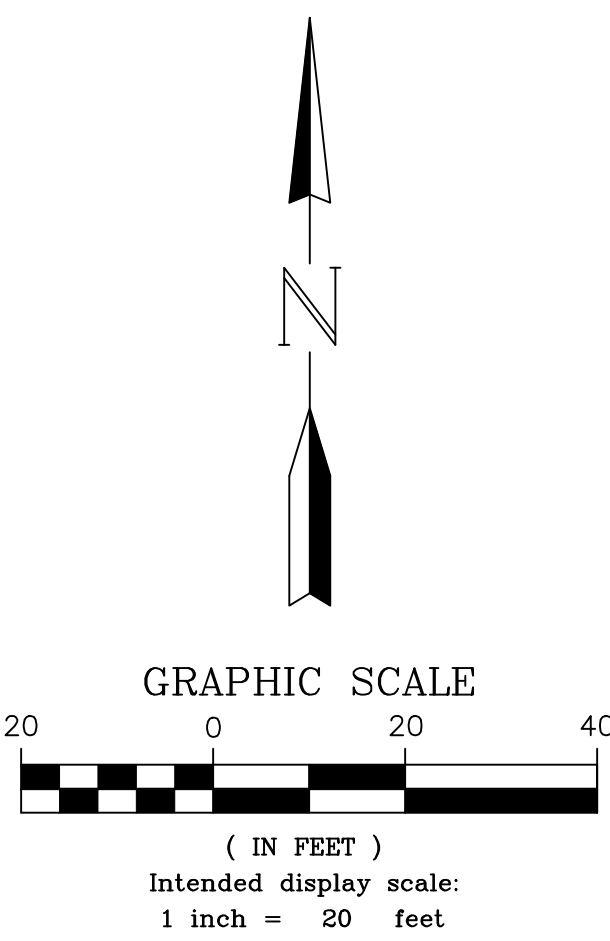
UTILITY STATEMENT

The proposed site is located within the City of Stuart Utility Department service area at 304 NW Flagler Avenue. Potable water supply for domestic water, fire service, and dock service will be provided by connection to the existing water main within the NW Flagler Avenue right-of-way. The sanitary sewer service will be via connection to the 8" line within NW Flagler Avenue.




12/10/20

BOUNDARY & TOPOGRAPHIC SURVEY FOR
WEITZEL OZ LLC



LEGEND

- BM = BENCHMARK
CB = CATCH BASIN
C.B.S. = CONCRETE BLOCK ON SLAB
CONC. = CONCRETE
DMH = DRAINAGE MANHOLE
EL. = ELEVATION
F.F.E. = FINISHED FLOOR ELEVATION
FND = FOUND
H.D.P.E. = HIGH DENSITY POLYETHYLENE PIPE
INV. = INVERT
IRR. = IRRIGATION
LB = LICENSED SURVEYING BUSINESS
(M) = FIELD MEASUREMENT
NAVD88 = NORTH AMERICAN VERTICAL DATUM OF 1988
(M) = OFFICIAL RECORDS BOOK
O.R.B. = OFFICIAL RECORDS BOOK
PK = PARKER/KAYLON (BRAND OF NAIL)
PVC = POLYVINYLCHLORIDE PIPE
R.C.P. = REINFORCED CONCRETE PIPE
(P) = PLAT MEASUREMENT
X 14.2 = EXISTING ELEVATION
(xxxxx) = POINT NUMBER REPRESENTING A COORDINATE PAIR
⊙ = BENCHMARK (AS LABELED)
• = BORE HOLE
⊙ = DRAINAGE MAN HOLE
⊙ = SANITARY MAN HOLE
⊙ = WATER VALVE
— ELEC — = BURIED ELECTRIC LINE
— TV — = BURIED TELEVISION LINE



TITLE COMMITMENT SCHEDULE B, PART II EXCEPTIONS REPORT						
EXCEPTION NUMBER	RECORDING INFO.	AFFECTS PROPERTY	PLOTTABLE	BLANKET IN NATURE	SURVEY SHEET NO.	NOTES
9	PLAT BOOK 4, PAGE 98	YES	YES	YES	1	QUIT CLAIM FOR RIGHT-OF-WAY
10	O.R.B. 1196, PAGE 1689	YES	YES	NO	1	
11	O.R.B. 2272, PAGE 2474	YES	YES	NO	1	AGREEMENT TO PERMIT ENCROACHMENT AND EASEMENT
12	O.R.B. 2272, PAGE 2479	YES	YES	NO	1	AGREEMENT TO PERMIT ENCROACHMENT INTO RIPARIAN RIGHTS
13	O.R.B. 2701, PAGE 339 & O.R.B. 2702, PAGE 478	YES	YES	NO	1	CONSERVATION EASMENT

LEGAL DESCRIPTION

LOTS 1, 2, AND 3, BLOCK 19, RIVERSIDE PARK, ACCORDING TO THE PLAT THEREOF FILED MARCH 26, 1925, RECORDED IN PLAT BOOK 4, PAGE 98, ST. LUCIE (NOW MARTIN) COUNTY, FLORIDA, TOGETHER WITH THE NORTHERLY ONE-HALF AND THE SOUTHERLY ONE-HALF OF THE ABANDONED STREET FORMERLY KNOWN AS THE EASTERLY EXTENSION OF HIBISCUS AVENUE, LOCATED BETWEEN LOT 4, BLOCK 18, AND LOT 1, BLOCK 19, OF THE AFORESAID PLAT OF RIVERSIDE PARK.

SITUATE IN THE COUNTY OF MARTIN, STATE OF FLORIDA.

SURVEYOR'S NOTES

- THE EXPECTED USE OF THIS SURVEY IS FOR DUE DILIGENCE PURPOSES.
- ALL MEASUREMENTS SHOWN HEREON ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD AND ARE IN FEET.
- ADDITIONS OR DELETIONS TO THE SURVEY MAP AND/OR REPORT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES AND RENDERS THE SURVEY INVALID.
- THIS SURVEY CANNOT BE TRANSFERRED OR ASSIGNED WITHOUT THE SPECIFIC WRITTEN PERMISSION OF THE SURVEYOR HEREON.
- THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- THIS SURVEY MEETS OR EXCEEDS APPLICABLE ACCURACY REQUIREMENTS AND IS PREPARED ACCORDING TO THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA ADMINISTRATIVE CHAPTER 5J-17 AS CODE, ADOPTED BY THE BOARD OF PROFESSIONAL SURVEYOR AND MAPPERS.
- THERE WAS NO ATTEMPT TO LOCATE ANY UNDERGROUND UTILITIES, EXCEPT AS SHOWN.
- LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
- SYMBOLS SHOWN HEREON ARE NOT TO SCALE.

FLOOD HAZARD MAP INFORMATION:

- FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), BY GRAPHIC PLOTTING ONLY, INDICATES SAID PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION OF "AE" WITH 6 BASE FLOOD ELEVATION AND ZONE "X" ON FLOOD RATE MAP NO. 12085C0134H, WITH A REVISION DATE OF FEBRUARY 19, 2020 AS SHOWN.
- DATE OF LAST FIELD SURVEY: NOVEMBER 11, 2020.
- THIS SURVEY IS INTENDED TO BE DISPLAYED AT THE SCALE SHOWN ON THE SCALE BAR.
- BEARINGS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD83), ADJUSTMENT OF 2011, FLORIDA STATE PLANE EAST ZONE AND THE SOUTH LINE OF LOT 3, BLOCK 19, RIVERSIDE PARK AND IS ASSUMED TO BEAR SOUTH 87°06'51" EAST. TRIMBLE "VRS" WAS USED AS HORIZONTAL CONTROL WITH GPS RTK WITH REDUNDANT MEASUREMENTS. HORIZONTAL ACCURACY IS 0.10 FOOT, PLUS OR MINUS.
- ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), AS ESTABLISHED BY MARTIN COUNTY BENCHMARK "D-3" WITH A PUBLISHED ELEVATION OF 6.24. ELEVATIONS DEPICTED ON THIS SURVEY WERE OBTAINED USING REAL TIME KINEMATIC (RTK) GPS METHODS WITH AN EXPECTED ACCURACY OF +/- 0.2'.
- EDGE OF MANGROVES WAS DETERMINED FROM MARTIN COUNTY AERIAL PHOTOGRAPHY.
- TITLE EXCEPTIONS INFORMATION UTILIZED FOR THIS SURVEY WAS PROVIDED BY WFG NATIONAL TITLE INSURANCE COMPANY, COMMITMENT DATE SEPTEMBER 14, 2020.
- MEAN HIGH WATER LINE SHOWN IS BASED ON A PREVIOUS MEAN HIGH WATER LINE SURVEY PREPARED BY THIS FIRM IN 2014.

SURVEYOR'S CERTIFICATION

(THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED EMBOSSED SEAL OF GREGORY S. FLEMING, FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.)

I HEREBY CERTIFY THAT THE BOUNDARY AND TOPOGRAPHIC SURVEY OF THE PROPERTY SHOWN AND DESCRIBED HEREON WAS COMPLETED UNDER MY DIRECTION AND SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

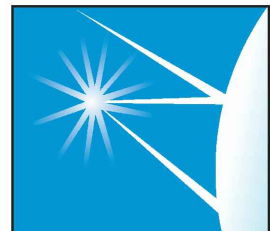
I FURTHER CERTIFY THAT THIS BOUNDARY AND TOPOGRAPHIC SURVEY MEETS THE STANDARDS OF PRACTICE FOR SURVEYS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATE STATUTES. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE. THIS SURVEY IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE

NORTHSTAR GEOMATICS, INC.

DATE

GREGORY S. FLEMING
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 4350

NORTHSTAR
GEOMATICS



617 NW BAKER ROAD, STUART, FLORIDA 34994
PO BOX 2371, STUART, FLORIDA 34995
(772)781-6400 (772)781-6462 FAX
LICENSED BUSINESS NO. 7217

REVISIONS

DATE

DATE 11/12/2020

SCALE 1"=20'

FIELD BK. 118

DWG. BY JHY

CHECKED BY GSF

BOUNDARY AND TOPOGRAPHIC SURVEY FOR
WEITZEL OZ LLC

RIVERSIDE PARK SUBDIVISION
STUART, FLORIDA

SHEET NO. 1

OF 4 SHEETS

PROJECT NO.
14-040.3

LEGEND

- BM = BENCHMARK
- CB = CATCH BASIN
- C.B.S. = CONCRETE BLOCK ON SLAB
- CONC. = CONCRETE
- DMH = DRAINAGE MANHOLE
- EL. = ELEVATION
- F.F.E. = FINISHED FLOOR ELEVATION
- FND = FOUND
- H.D.P.E. = HIGH DENSITY POLYETHYLENE PIPE
- INV. = INVERT
- IRR. = IRRIGATION
- LB = LICENSED SURVEYING BUSINESS
- (M) = FIELD MEASUREMENT
- NAVD88 = NORTH AMERICAN VERTICAL DATUM OF 1988
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- PVC = POLYVINYLCHLORIDE PIPE
- R.C.P. = REINFORCED CONCRETE PIPE
- (P) = PLAT MEASUREMENT
- X 14.2 = EXISTING ELEVATION
- (xxxxxx) = POINT NUMBER REPRESENTING A COORDINATE PAIR
- ⊙ = BENCHMARK (AS LABELED)
- ⊙ = BORE HOLE
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- ⊙ = SANITARY MAN HOLE
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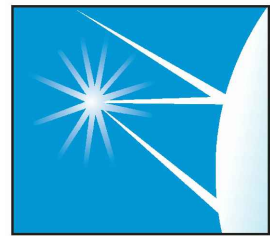
MATCH LINE "B" - SEE SHEET 3

ELEVATIONS SHOWN ARE REFERENCED TO THE
NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)

TOPOGRAPHIC SURVEY

**NORTHSTAR
GEOMATICS**

617 NW BAKER ROAD, STUART, FLORIDA 34994
PO BOX 2371, STUART, FLORIDA 34995
(772)781-6400 (772)781-6462 FAX
LICENSED BUSINESS NO. 7217



DATE	REVISIONS

DATE	11/12/2020
SCALE	1"=10'
FIELD BK.	118
DWG. BY	JHY
CHECKED BY	GSF

BOUNDARY AND TOPOGRAPHIC SURVEY FOR
WEITZEL OZ LLC

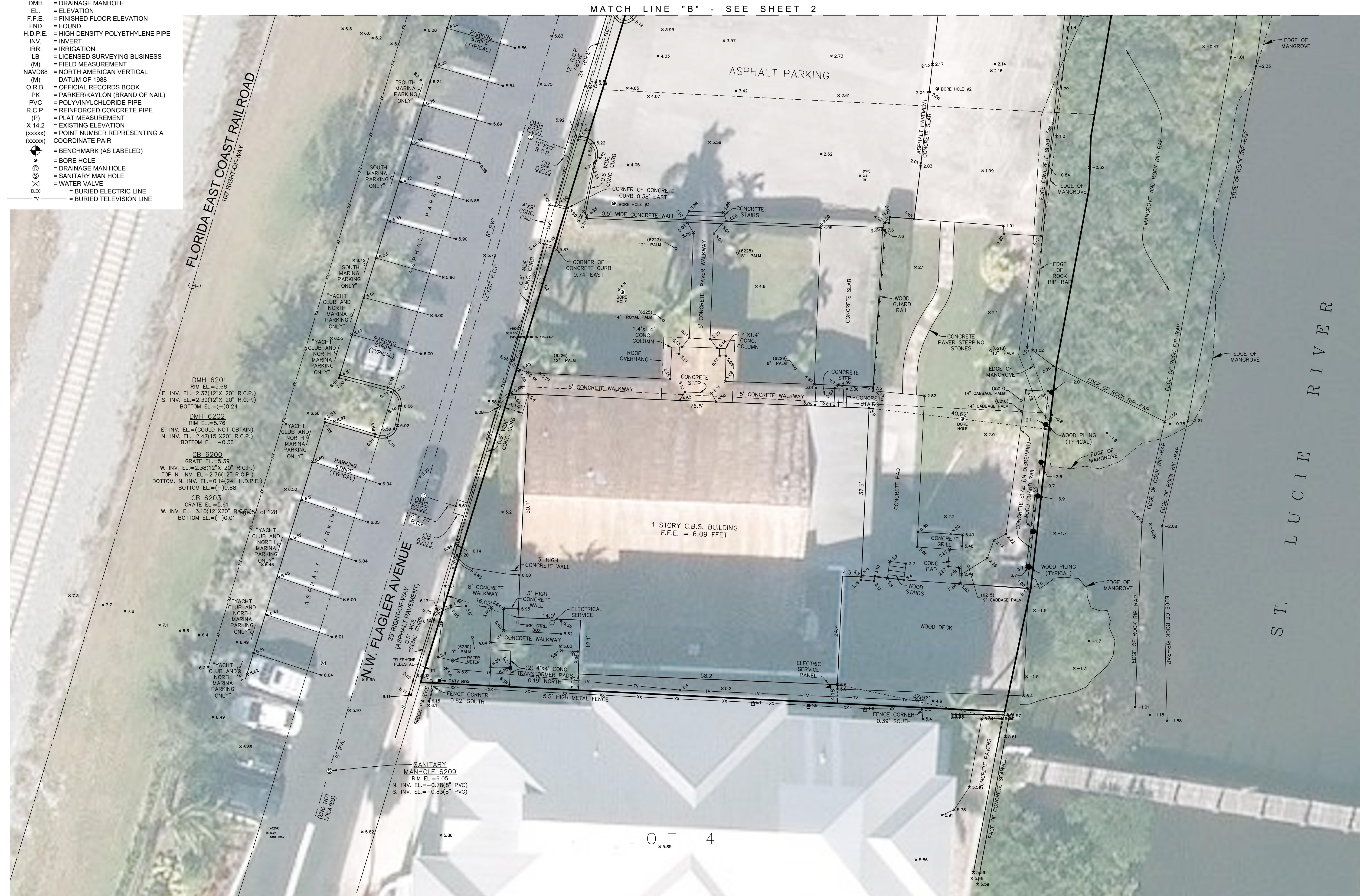
RIVERSIDE PARK SUBDIVISION
STUART, FLORIDA

SHEET NO. 2

OF 4 SHEETS

PROJECT NO.
14-04.0.3

BM	=	BENCHMARK
CB	=	CATCH BASIN
C.B.S.	=	CONCRETE BLOCK ON SLAB
CONC.	=	CONCRETE
DMH	=	DRAINAGE MANHOLE
EL.	=	ELEVATION
F.F.E.	=	FINISHED FLOOR ELEVATION
FN	=	FOUND
H.D.P.E.	=	HIGH DENSITY POLYETHYLENE PIPE
INV.	=	INVERT
I.R.R.	=	IRRIGATION
LB	=	LICENSED SURVEYING BUSINESS
(M)	=	FIELD MEASUREMENT
NAVDM8	=	NORTH AMERICAN VERTICAL DATUM OF 1988
O.R.B.	=	OFFICIAL RECORDS BOOK
PK	=	PARKER/KAYLON (BRAND OF NAIL)
PVC	=	POLYVINYLCHLORIDE PIPE
R.C.P.	=	REINFORCED CONCRETE PIPE
(PL)	=	PLAT MEASUREMENT
X 14.2	=	EXISTING ELEVATION
(xxxxxx)	=	POINT NUMBER REPRESENTING A COORDINATE PAIR
	=	BENCHMARK (AS LABELED)
⊗	=	BORE HOLE
⊗	=	DRAINAGE MAN HOLE
⊗	=	SANITARY MAN HOLE
⊗	=	WATER VALVE
ELEC	=	BURIED ELECTRIC LINE
TV	=	BURIED TELEVISION LINE



TOPOGRAPHIC SURVEY

**NORTHSTAR
GEOMATICS**
BAKER ROAD, STUART, FLORIDA 34994

617 NW BAKER ROAD, STUART, FLORIDA 34994
PO BOX 2371, STUART, FLORIDA 34995
(772)781-6400 (772)781-6462 FAX
LICENSED BUSINESS NO. 7217

DATE	11/12/2020
SCALE	1"=10'
FIELD BK.	118
DWNG. BY	JHY
CHECKED BY	GSF
REVISIONS	

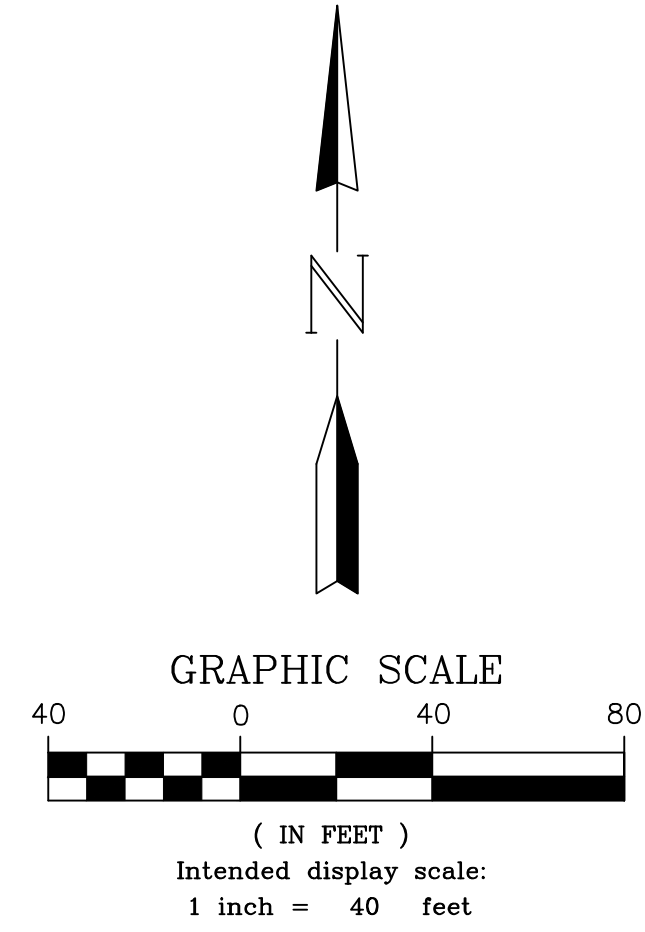
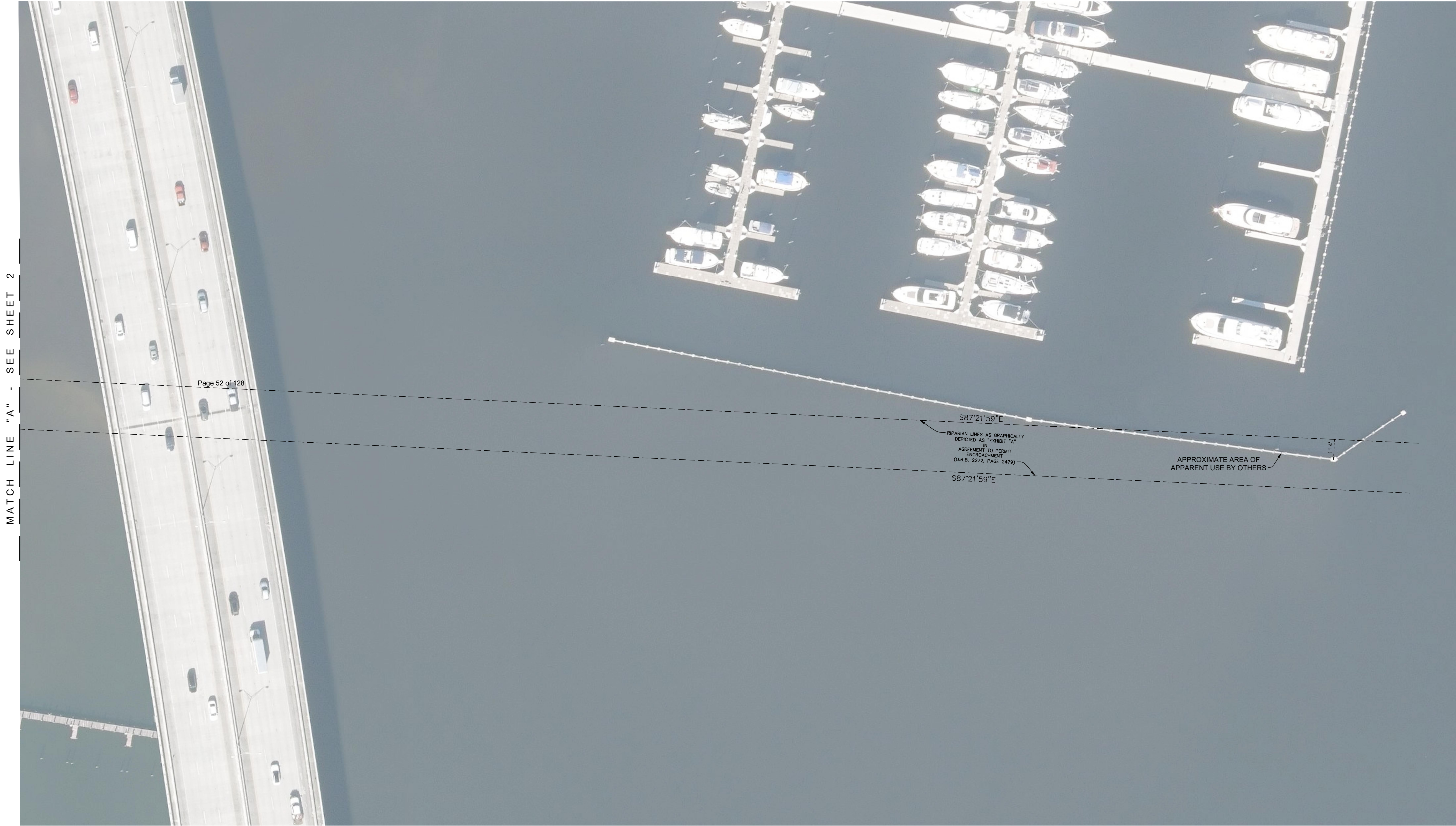
BOUNDARY AND TOPOGRAPHIC SURVEY FOR
WEITZEL OZ LLC

RIVERSIDE PARK SUBDIVISION
STUART, FLORIDA

SHEET NO. 3

OF 4 SHEETS

PROJECT NO.
14-040.3



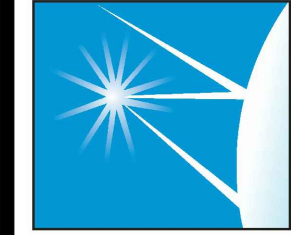
RIPARIAN LINE EXHIBIT

BOUNDARY AND TPOGRAPHIC SURVEY FOR
WEITZEL OZ LLC

RIVERSIDE PARK SUBDIVISION
STUART, FLORIDA

DATE	11/12/2020
SCALE	1"=10'
FIELD BK.	118
DWG. BY	JHY
CHECKED BY	GSF

DATE	REVISIONS



**NORTHSTAR
GEOMATICS**
617 NW BAKER ROAD, STUART, FLORIDA 34994
PO BOX 2371, STUART, FLORIDA 34995
(772)781-6400 (772)781-6462 FAX
LICENSED BUSINESS NO. 7217

SHEET NO. 4

OF 4 SHEETS

PROJECT NO.
14-040.3



Staff Report

A. Application

Project

Applicant	Ted Weitzel, Weitzel OZ LLC
Property Owner	LBS Power Holdings LLC
Agent for Applicant	McCarty & Associates Land Planning & Design LLC
Project Manager	Mike McCarty
Date of Report	March 30, 2021

B. Project Description

The intent of this application is a rezoning to an Urban Planned Unit Development from the existing zoning of Urban Waterfront. The property is located within the Community Redevelopment Area.

The proposed use of the site is for a three-story boutique hotel above two parking decks (partially below FFE). The Hotel proposes 25 single-bed rooms and 12 bedroom two-bed rooms, for a total of 17 rooms.

The property extends to the waterfront of the St. Lucie and adjacent to the Harborage residential condominiums to the north and a commercial building to the south. The shoreline has an existing and established mangrove growth that will be preserved and protected during construction activities.

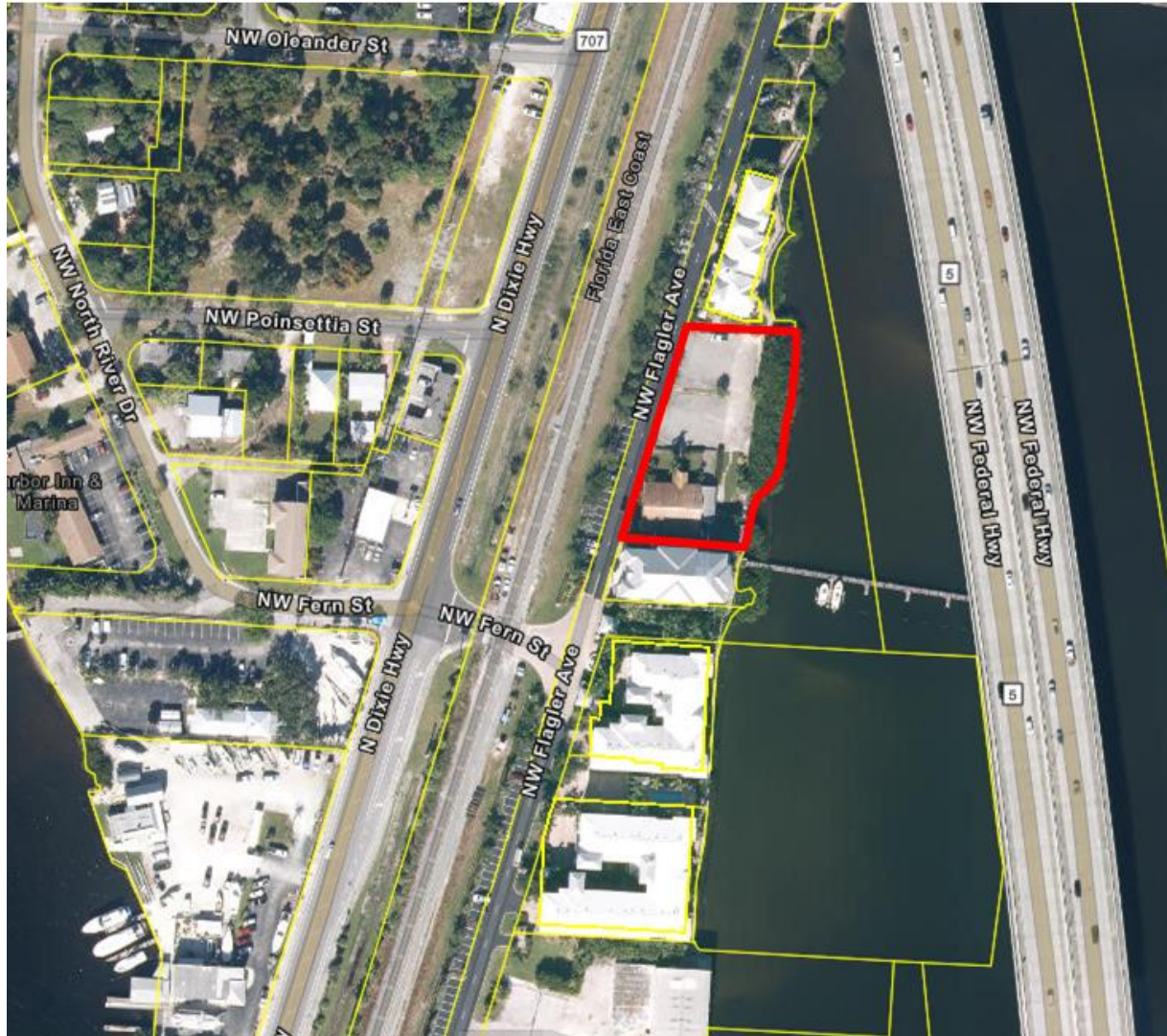
The height of the building is proposed to comply with the maximum allowed to the eaves of 45 ft above lowest permissible finished floor level.

The request for departure from Land Development Code relates solely to allow parking within the building envelope.

C. Location and site information

Address	304 Flagler Ave
Parcel Number(s)	32-37-41-004-019-00010-3
Existing Zoning	Urban Waterfront
Future Land Use	Marine Industrial
Site Area (acres)	0.73 Acres
Present Use	Commercial Office
Subject Property Land Use	Marine Industrial
Proposed Land Use Designation	Marine Industrial
Proposed Zoning District	UPUD
Proposed Use	Hotel
City Approvals	BUILDING– No comments. FIRE - All work shall conform with the 7th edition of the Florida Fire Prevention Code. NFPA 1, 1.14.4 Review and approval by the AHJ shall not relieve the applicant of the responsibility of compliance with this Code. SANITATION- As discussed with the site Architect. The proposed dumpster enclosure must have the ability to accommodate the following: 2-4CY Garbage receptacles, 2-4CY Cardboard receptacles, multiple co-mingled recycling carts. This will allow for the desired roll-out receptacles for servicing. POLICE – No comments.
Staff Recommendation	The proposal has been reviewed against the City's Comprehensive Plan and Land Development Code and is determined to be in compliance.

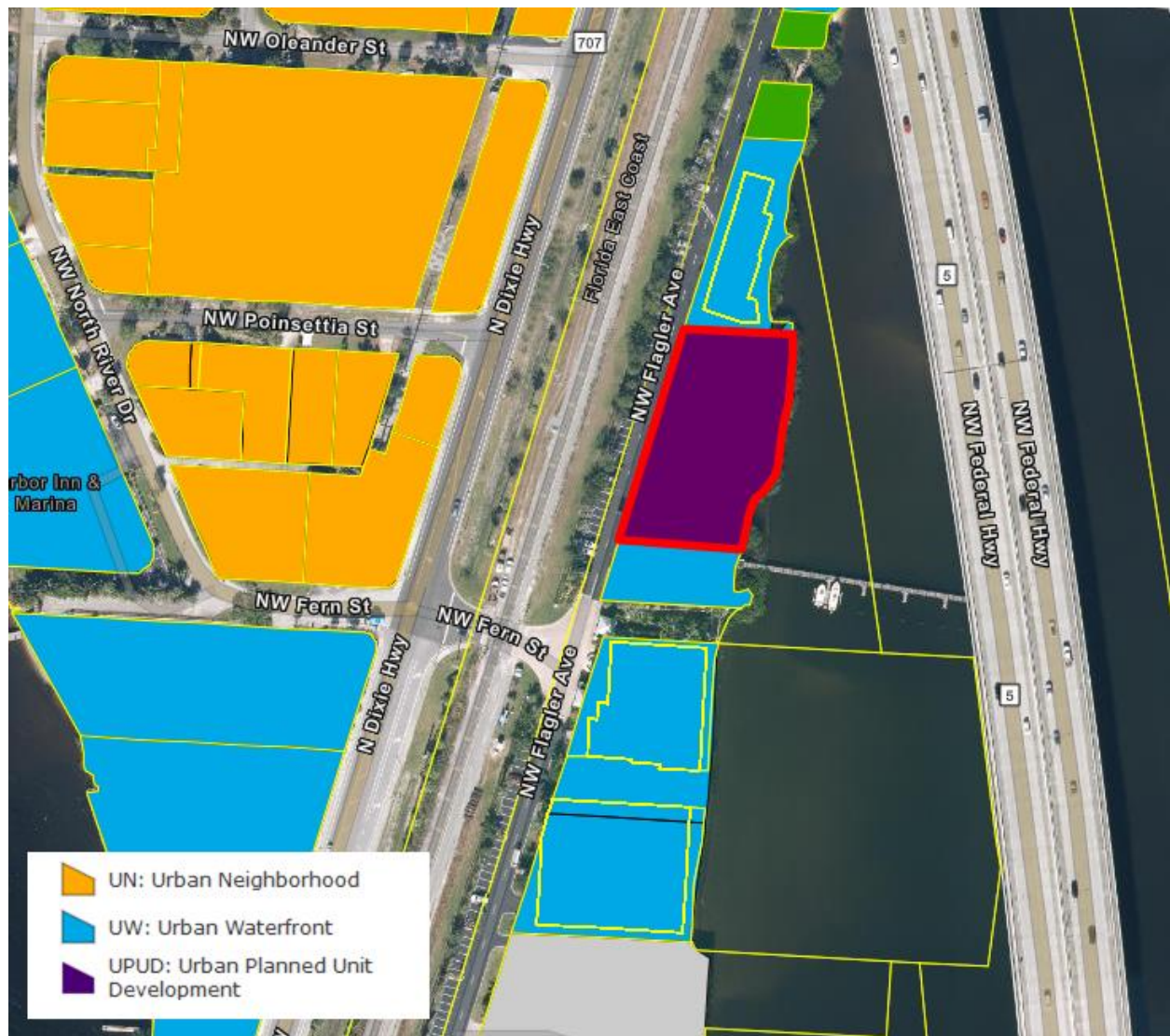
Aerial Map



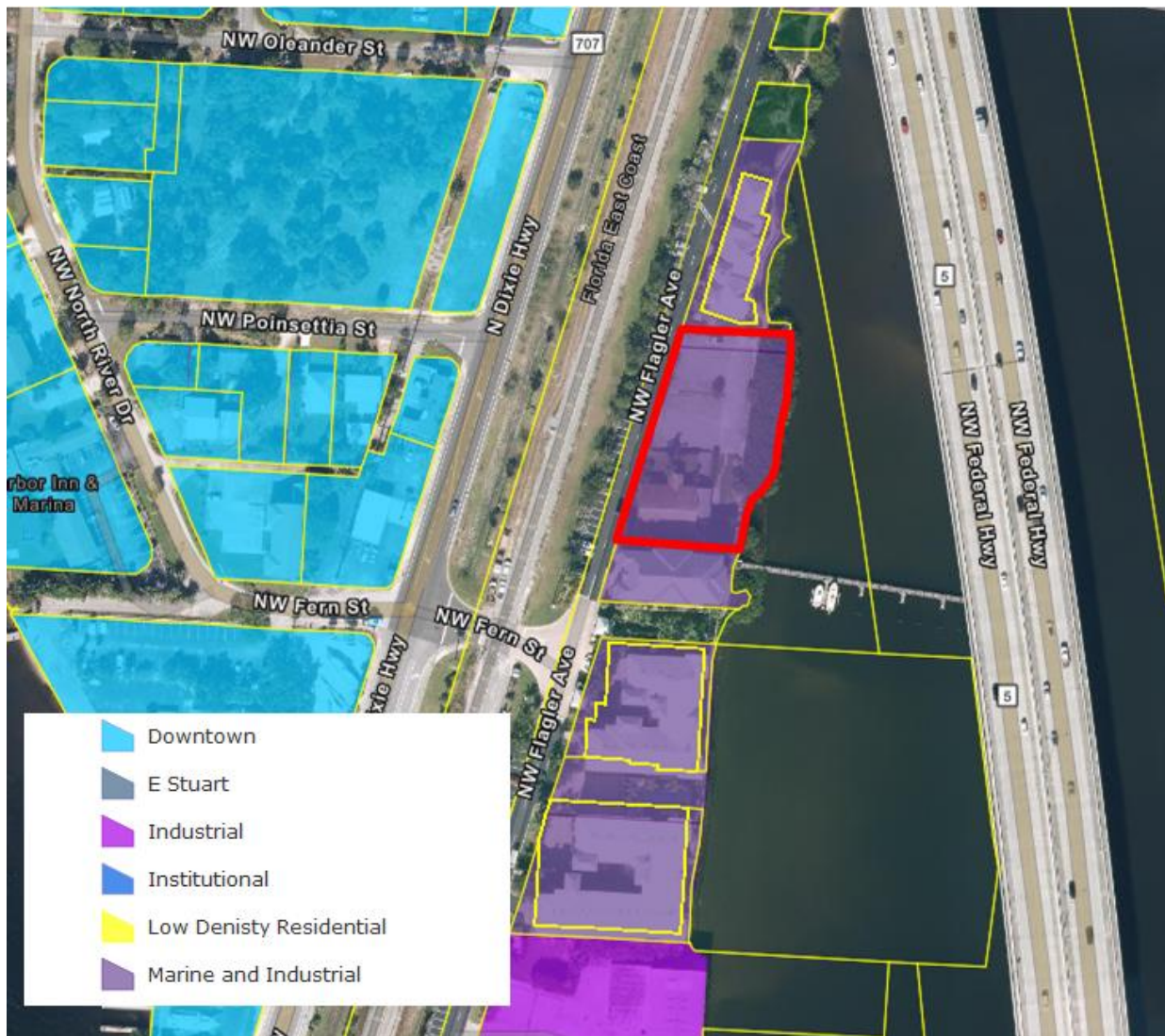
Existing Zoning



Proposed Zoning



Existing Future Land Use



D. Determination of compliance with Comp Plan

The proposal complies with the following Policies of the City of Stuart Comprehensive Plan:

Future Land Use

Marine/Industrial: Waterfront district which permits continuation of industrial/marine uses while encouraging mixed use development including multi-family residential; commercial; office; lodging; marinas; and civic uses. Also, public facilities and electric distribution substations are allowed

E. Review Comments**1. Documents and Plans Reviewed**

- a. Site Plan Set: Brent A. Wood Architecture LLC 12-08-2020
- b. Landscape Plan Set: McCarty & Associates 12-07-2020
- c. Drainage Statement: Captec Engineering Inc: 12-10-2020
- d. Traffic Statement: Captec Engineering 12-09-2020
- e. Boundary and Topographic Survey: Northstar Geomatics 11-12-2020

2. Zoning and Site Design

The proposal is located within the Community Redevelopment Area.

The designation of an Urban planned unit development is permitted within the Community Redevelopment Area.

2.07.00 I. Urban planned unit development (UPUD) districts.

- a. Location. A UPUD may be located only within the defined community redevelopment area of the city.

The proposed building consists of three habitable floors, being used as a Boutique Hotel, standing above two decks of parking. The height of the building to the eaves is maintained below the allowable 45ft above the lowest permissible finished first floor elevation. Which is compatible to the existing buildings adjacent to the site.

Parking within a building envelope is permitted subject to recommendation of the Community Redevelopment Board and City Commission.

Please refer to the attached zoning review checklist.

The Urban District code provides in 3.01.08 that public art (or contribution) will be required to be approved by the Community Redevelopment Board prior to issuance of building permit:

1. Provide work of art on the development site provided the work is an original and must be created individually by a professional artist or team of artists. Bronze sculptures in limited editions of not more than 50 in all sizes and materials by a single artist are allowed. The value of the work of art shall not be less than one percent of the vertical construction cost of the development. The nature of the work of art shall be proposed by the developer and shall be submitted to the city's community redevelopment board which shall review the proposal for conformity with the public art standards set forth below. An approved work of art shall be incorporated into the site plan, public lobby floor plan or the landscape plan for the development as part thereof.

2. Contribute an amount equal to or greater than one percent of the vertical construction cost in lieu of providing a work of art, a developer may pay the sum of one percent of the vertical construction cost into the public art trust fund described below. Such payment shall be made prior to issuance of a building permit for any portion of the development.

3. Architectural Design

The Proposal meets the requirements of the City architectural/facade design standards as set out in LDC 6.05.02 (Commercial development Standards) and LDC 3.01.06 (Urban Code Conditional Use Requirements).

4. Engineering – Drainage/Stormwater

The development will incorporate measures to reduce/eliminate sheet flow from the property into the St. Lucie Estuary. Full compliance with LDC 6.03.00 (Stormwater Management) will be required at building permit.

5. Environmental and Landscaping

The proposal meets the City's landscaping requirements and will ensure that existing mangroves are retained and protected during construction activities. Any trimming of mangroves will be subject to permit approval from Florida DEP. Full compliance with LDC 5.06.00 (Mangrove & Shoreline) and LDC 5.07.00 (Floodplain Management) will be required at building permit.

6. Traffic and Transportation

The proposal indicates in a traffic statement that peak hour traffic movements will be 12 total a.m. and 15 total p.m. Which meets City Level of Service for volumes, impacts and circulation.

7. School District

No residential units are proposed.

Attached:

Zoning Review Checklist

UPUD

Project:	Sportfish UPUD
Date	3.18.21

Adjacent N	Harborage
Adjacent S	Captec Building
Adjacent E	St. Lucie River
Adjacent W	Flagler Ave/FEC RR and Dixie Highway
Total Floor Space (sq.ft)	20,100 Square feet

LDR Reference	Land Development Regulations	RPUD REVIEW STATUS
2.07.00 D.1	Land Use Designation Ord. 2423-2020	COMPLY
2.07.00 D.2 a	Uses Ord. 2423-2020	COMPLY
2.07.00 D.2 b	Compatible Residential Uses	COMPLY
2.07.00 D.2 c	Commercial (<30%)	COMPLY
2.07.00.D.2.d	Commercial Uses (<30%) vertical	COMPLY
2.07.00.D.3	Density Ord. 2423-2020	NOT APPLICABLE
2.07.03 D.4.b	Open Space (>30%)	COMPLY
2.07.03 D.4.c	FAR Ord. 2423-2020	COMPLY
2.07.03.D.4.d	Native Vegetaion (>25%)	NOT APPLICABLE

AREA, IMPERVIOUS SURFACE, SETBACK AND HEIGHT

2.04.03	Supplemental impervious surface	NOT APPLICABLE
2.04.04	Supplemental setback requirements	COMPLY
2.04.05	Waterfront setbacks	COMPLY
2.04.06	Certain street setbacks	COMPLY
2.04.07	Supplemental building height	COMPLY
2.06.00	Supplemental Use standards	NOT APPLICABLE
3.01.01	Generally	COMPLY
3.01.03E.1a	Principal building placement	COMPLY
3.01.03E.1b	side setbacks	COMPLY
3.01.03E.1c	rear setbacks	COMPLY
3.01.03E.1d	vista	COMPLY
3.01.03E.1e	front building façade	COMPLY
3.01.03E.2	Principal building height	COMPLY
3.01.03E.3	Principal building parking	COMPLY
3.01.03E.4	Architectural requirements	COMPLY

3.01.03E.5	Outbuildings	COMPLY
3.01.03E.6	Curbscuts	COMPLY
3.01.04 A-K	Architectural Standards and Regulations	COMPLY
3.01.04 L	Parking located within a building envelope	EXCEPTION REQUESTED
4.04.01	Traffic Concurrency	COMPLY
4.09.00	School Concurrency	TO BE REVIEWED

RESOURCE PROTECTION

5.02.00	Environmental Assessment	NOT APPLICABLE
5.03.02	Wetland Protection	NOT APPLICABLE
5.04.00	Environmentally sensitive lands	NOT APPLICABLE
5.04.03	Monitoring & Maintenance	REVIEWED AT SITE PLAN
5.05.01	Tree Survey	NOT APPLICABLE
5.05.02	Tree removal	NOT APPLICABLE
5.06.00	Mangrove & Shoreline	NOT APPLICABLE
5.07.00	Floodplain Management	TO BE REVIEWED
Comp Plan	Comprehensive Plan	COMPLY

TRANSPORTATION

6.01.04	Sidewalks/bikeways	COMPLY
6.01.05	Bike Ped (LCD)	COMPLY
6.01.06	Access	COMPLY
6.01.07	Drive-through	NOT APPLICABLE
6.01.08	Vehicular Access	NOT APPLICABLE
6.01.09	Parking Code	COMPLY
6.01.18	Off-Street Loading	NOT APPLICABLE
6.01.19	PILOP	TO BE REVIEWED

STORMWATER

6.03.01	Generally	COMPLY
6.03.04	Management	COMPLY
6.03.08	Erosion	TO BE REVIEWED

LANDSCAPING

6.04.02	General Standards	COMPLY
6.04.02 A.1	Native Landscaping	COMPLY
6.06.02 A.2	Shade Trees Required	COMPLY
6.06.02 A.4	Banyan, Fiscus & Rubber Trees	COMPLY
6.06.02 A.5	Proximity to power lines	COMPLY

6.06.02 A.6	Shrubs	COMPLY
6.06.02 A.7	Hedges	COMPLY
6.06.02 A.8	Vines	NOT APPLICABLE
6.06.02 A.9	Ground cover	COMPLY
6.06.02 A.10	Grass Area	COMPLY
6.06.02 B	Irrigation	REVIEWED AT SITE PLAN

LANDSCAPE DESIGN

6.04.03 A	Utility Lines (Existing and Proposed)	COMPLY
6.04.03 B.1	Landscaped Area >20%	COMPLY
6.04.03 B.2	Interior landscaping >50%	COMPLY
6.04.03 B.3	location of impervious	COMPLY
6.04.03 B.4	Mulch	COMPLY
6.04.03 B.5	Shoreline protection	COMPLY
6.04.03 B.8	Visibility triangles	COMPLY
6.04.06	Land Use Transitions	NOT APPLICABLE

LANDSCAPING - PARKING AREAS

6.04.07 A.1	Landscaped strip adjacent to street	COMPLY
6.04.07 A.2	Landscaped strip length linear feet	COMPLY
6.04.07 A.2a	Parking area adjacent to street	COMPLY
6.04.07 A.2b	Hedge/wall/berm on outside of strip	COMPLY
6.04.07 A.2c	Other Landscaping	COMPLY
6.06.07 A.2d	Grass	COMPLY
6.04.07 A.3	Shrubs/ground cover	COMPLY
6.04.07 B	parking screened from private property	COMPLY
6.04.07 B.1	Landscaped strip adjacent to private property	COMPLY
6.04.07 B.2a	Parking area adjacent to private property	COMPLY
6.04.07 B.2b	Hedge/wall/berm on outside of strip	COMPLY
6.04.07 B.2c	Other Landscaping	NOT APPLICABLE
6.04.07 B.2d	Grass	NOT APPLICABLE
6.04.07 B.3	Shrubs/ground cover	COMPLY
6.04.07 C.1	Parking Area (Major Dev't only)	COMPLY
6.04.07 C.2	Parking area rear and sides of building	COMPLY
6.04.07 C.3	Interior trees	COMPLY
6.04.07 C.4	Vehicle encroachment	COMPLY
6.04.07 C.5	Interior landscaped islands	COMPLY
6.04.07 C.6	Terminal landscaped islands	COMPLY
6.04.07 C.7	Interior landscaped medians	COMPLY

6.04.07 C.8	Interior shade trees	COMPLY
6.04.07 D	Visibility triangles	REVIEWED AT SITE PLAN
6.04.08	Tree Requirements	COMPLY
6.04.10	Loading Storage	NOT APPLICABLE

COMMERCIAL DEVELOPMENT STANDARDS

6.05.02 B	Building Location	COMPLY
6.05.02 C	Building Orientation	COMPLY
6.05.02 D	Façade Design	COMPLY
6.05.02 E	Massing	COMPLY
6.05.02 F	Other Features	COMPLY
6.05.02 G	Transitional Elevations	COMPLY
6.05.03 B	Blank Wall Area	COMPLY
6.05.03 C	Repeating Façade	COMPLY
6.05.04	Additional Façade	COMPLY
6.05.05	Roof Treatments	COMPLY
6.05.06	Entryways and customer entrance	COMPLY
6.05.07	Materials and Color	COMPLY
6.06.00	Green Development	COMPLY
6.07.00	Lighting	TO BE REVIEWED
6.08.00	Dumpster & Recycling	COMPLY
6.09.05	Fences	COMPLY
6.11.00	Signs	TO BE REVIEWED



**CITY OF STUART, FLORIDA
DEVELOPMENT DEPARTMENT
REZONE REAL PROPERTY APPLICATION
(including Planned Unit Developments)**

Reviewed By: _____

Application must be legible with all relevant fields completed.

Project ID# _____
(Staff Entry)

Pre-App Conference Date:		Application Date: November 30, 2020	
Project Name: Weitzel OZ			
Parcel ID# 32-37-41-004-019-00010-3		Project Address: 304 Flagler Ave	
Current Zoning: Urban Waterfront		Current Land Use: Marine and Industrial	
Proposed Zoning: UPUD		Proposed Land Use: Multifamily Residential	
Present Use: Commercial office		Site Area/Acreage: 0.73 acres	
Fees (check box): This does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees.			
Rezoning to CPUD	\$3,584.00	☒	Site space must be greater than 20,000 sq. ft.
Rezoning to RPUD	\$3,584.00	☐	Site area must be greater than .5 acre
Rezoning to MXPUD	\$3,584.00	☐	Site area must be greater than .5 acre
Rezoning to Industrial IPUD	\$3,584.00	☐	Site area must be greater than 1 acre
Rezoning to Public Service PSPUD	\$3,584.00	☐	Site area must be greater than 2.5 acres
Non-PUD District Rezoning	\$1,433.00	☐	
Submittal Requirements: A completed application form, the payment of fees, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, and a site plan. (Note: A concept plan may, at the discretion of the applicant, be submitted instead of a site plan. However, in doing so the applicant acknowledges that a site plan will need to be submitted for City Commission approval prior to making application for a development permit.) The data requirements for a site plan and a concept plan are available at the Development Department.			
Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application. The Local Planning Agency (LPA) is required to hold an advertised public hearing and formulate a recommendation to the City Commission. The City Commission is also required to hold an advertised public hearing after which it may approve, approve with conditions, or deny the application.			
Written justification supporting the application and demonstrating how the application: ➤ Is consistent with the relevant components of the City of Stuart Comprehensive Plan including concurrency with adopted levels-of-service for utilities/facilities and compatibility with existing/planned uses and ➤ Complies with the relevant development standards of the City of Stuart Land Development Code (include additional pages if needed). The applicant is proposing a UPUD to accommodate a multifamily 4 story building consisting of 37 residential units with amenities including a wet slip marina. The proposed development is in compliance with the LDRs and the City of Stuart's Urban Waterfront zoning district.			

(over)

General Information
(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

Name: Fernando Limon
Title: Manager
Company: LBS Power Holdings LLC
Company Address: 415 NW Flagler Ave #301

City/State/Zip Code: Stuart FL 34994
Telephone Number: N/A
Facsimile Number:
Email Address (optional):

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

Name: Mike McCarty
Title: Principal
Company: McCarty & Associates Land Planning and Design LLC
Company Address: 309 SE Osceola Street #104

City/State/Zip Code: Stuart FL 34994
Telephone Number: 772-341-9322
Facsimile Number:
Email Address (optional): mike@mccartylandplanning.com

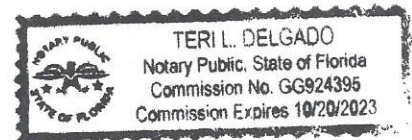
3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name: Ted Weitzel
Title: President
Company: Weitzel OZ LLC
Company Address: 201 NW 7th Street

City/State/Zip Code: Miami FL 33136
Telephone Number: 305-979-1792
Facsimile Number:
Email Address (optional):

I hereby certify that all information contained herein is true and correct.

4. Signed this 30 day of November, 2020.



Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

State of Florida, Martin County The foregoing instrument was acknowledged before me on this 30 day of November 2020 by Fernando Limon who is personally known to me, or who has produced _____ as identification and who did/did not take an oath.

Teri Delgado
Notary Signature

Commission expires: 10/20/2023
66 924 395



McCarty & Associates
Land Planning and Design
www.McCartyLandPlanning.com
309 SE Osceola St. Suite 104
Stuart FL 34994
772-341-9322

Sportfish Marina Resort
Justification Statement

The proposed Sportfish Marina Resort is located 304 SE Flagler in Stuart FL. The property is comprised of +/- 0.633 acres and is identified by Parcel ID number 32-37-41-004-019-00010-3. The Sportfish Marina Resort will be a 37-room boutique hotel that will provide lodging and marina accommodations with 49 wet slips. The project will provide a pool, grilling area, laundry facilities and balcony/terrace with views of the St. Lucie River and Roosevelt bridge. This will be one of the first boutique hotel destinations in the Stuart downtown.

The subject property is located within the Urban Waterfront CRA zoning district which permits a wide variety of uses, one of which is a hotel/motel and marina. The proposed use is consistent with the development pattern and uses located along the waterfront of downtown. The Sportfish Marina Resort will complement the downtown and draw people to our quaint city.

As per the City of Stuart Development Department Rezone Real Property Application, the applicant must provide written justification supporting the application and demonstrating how the application complies with the following:

-Is consistent with the relevant components of the City of Stuart Comprehensive Plan including concurrency with adopted levels-of-service for utilities/facilities and compatibility with existing/planned uses and

Response: The proposed marina resort is consistent with the Comprehensive Plan of the City of Stuart. The project is compatible and compliments the existing uses in the immediate area and downtown. The surrounding properties consist of uses that are compatible with the proposed use. Utilities and public services are available with adequate capacity and levels-of-service to accommodate the proposed project.

-Complies with the relevant development standards of the City of Stuart Land Development Code

Response: The proposed UPUD significantly complies with the City of Stuart Land Development Code. Please refer to the proposed site plan, landscapes and architectural plans for further details demonstrating compliance with the LDRs.

Sportfish Marina Resort

32-37-41-004-019-00010-3

304 NW Flagler Ave.
Stuart, Florida

McCARTY & ASSOCIATES

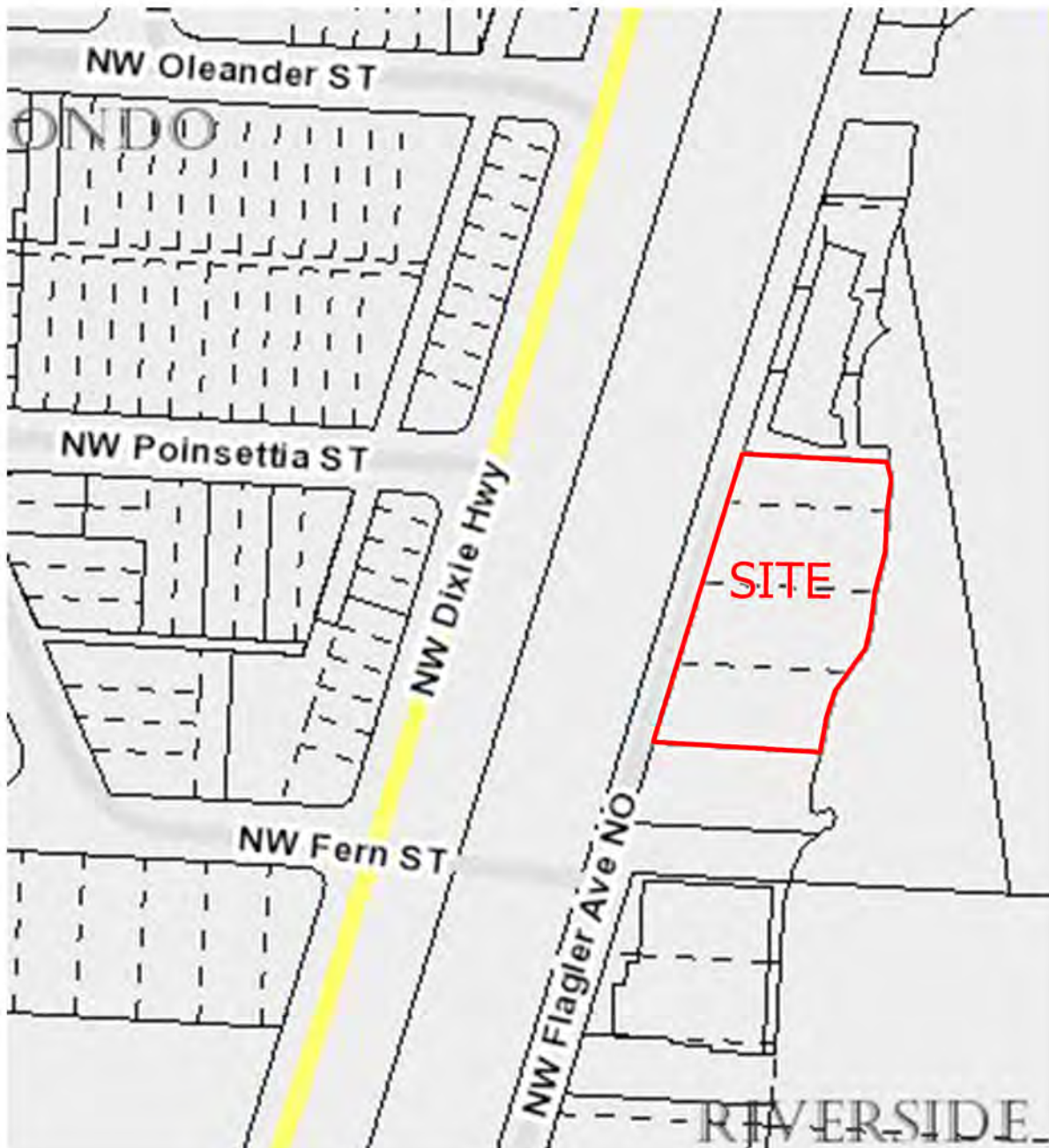
LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com



Aerial Photograph



Sportfish Marina Resort

32-37-41-004-019-00010-3

304 NW Flagler Ave.
Stuart, Florida

McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

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Mike@McCartyLandPlanning.com



Aerial Photograph



CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 4/6/2021

Prepared by: Kev Freeman

Title of Item:

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR URBAN CODE CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK REQUIRED AS A CONDITION OF DEVELOPMENT FOR THE NEW AVONLEA PUD PARCEL 2 AND 12 RESIDENTIAL DEVELOPMENT FOR PROPERTY LOCATED ON THE NORTH AND SOUTH SIDE OF BAKER ROAD, WEST OF CARDINAL AVENUE IN THE CITY OF STUART, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO LOCATE THE AVONLEA GATEWAY PIECE BY ARTIST DALE ROGERS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES. (RC)

Summary Explanation/Background Information on Agenda Request:

The applicant is proposing gateway entry feature art designed by Dale Rogers, in the total amount of \$134,695, to fulfill the projects public art requirement as a Minor Urban Code Conditional Use Approval. The project consists of pieces of stainless-steel art representing a wetland motif. A palm frond and several native wetland birds are proposed to be installed near the entry signage of the residential developments. The application was reviewed by the City's art consultant, Nancy K. Turrell. Her review, dated March 18, is attached hereto.

Funding Source:

N/A.

Recommended Action:

Recommend approval of Resolution 42-2021.

ATTACHMENTS:

Description	Upload Date	Type
❑ A1. Resolution 42-2021	3/22/2021	DRAFT RESOLUTION
❑ A2. Exhibit - Art Application	3/22/2021	Exhibit
❑ A3. Exhibit D - Landscape Plan Parcel 2	3/22/2021	Exhibit
❑ A4. Exhibit D - Landscape Plan Parcel 12	3/22/2021	Exhibit
❑ A5. Exhibit D - Art Concept Parcel 2	3/22/2021	Exhibit
❑ A6. Exhibit D - Art Concept Parcel 12	3/22/2021	Exhibit
❑ C1. Applicant Request	3/22/2021	Backup Material
❑ C2. Artist Letter	3/22/2021	Backup Material
❑ D1. Consultant Review	3/22/2021	Backup Material



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

RESOLUTION NUMBER 42-2021

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR URBAN CODE CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK REQUIRED AS A CONDITION OF DEVELOPMENT FOR THE NEW AVONLEA PUD PARCEL 2 AND 12 RESIDENTIAL DEVELOPMENT FOR PROPERTY LOCATED ON THE NORTH AND SOUTH SIDE OF BAKER ROAD, WEST OF CARDINAL AVENUE IN THE CITY OF STUART, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO LOCATE THE AVONLEA GATEWAY PIECE BY ARTIST DALE ROGERS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, pursuant to Section 3.01.08 of the Land Development Regulations of City of Stuart, Avonlea JV Stuart, LLC (The “Applicant & Owner”) filed an application on March 18, 2021, for a Minor Urban Code Conditional Use permit to allow the Applicant to locate stainless steel pieces of art evoking the spirit of the wetlands as a gateway feature at the front entrance of the residential development, fulfilling the projects public art requirement located in the within the City’s Community Redevelopment Area (CRA); and

WHEREAS, the Community Redevelopment Board held a properly noticed hearing on April 6, 2021, to consider the application for the public artwork consisting of a stainless steel statue of a palm frond and bird sculptures to fulfill the projects public art requirement as a Minor Urban Code Conditional Use Approval; and

WHEREAS, at a public hearing the applicant has shown by substantial competent evidence that the proposed development does not create any detrimental effects on adjacent properties, within three hundred (300) feet of the proposed location; and

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

SECTION 1: Subject to the conditions attached hereto, the Community Redevelopment Board.

hereby grants a Minor Urban Code Conditional Use Approval to Avonlea JV Stuart, LLC, owner of the property located at the New Avonlea Parcel 2 and 12.

SECTION 2: A legal description of the Property is set forth in **“Exhibit A”** of this Resolution.

A map depicting the property and location of the public artwork consisting of a stainless-steel art pieces of a palm frond and wetland birds is attached hereto as; **“Exhibit B”** and made a part hereof by reference; and

SECTION 3: The Applicant shall operate in accordance with all conditions set forth in **“Exhibit C”**, as attached.

SECTION 4: The Community Redevelopment Board approves the stainless-steel art pieces of a palm frond and wetland birds in a location along Baker Road, shown in a Landscape Plan by Cotleur and Hearing, Sheet 1 and 2, and conceptual design by Cotleur and Hearing, attached hereto as **“Exhibit D”**, as attached.

SECTION 5: This resolution shall take effect immediately upon its adoption.

Board Member _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Board Member _____, and upon being put to a roll call vote, the vote was as follows:

FRANK WACHA, CHAIR
 NATHAN RICHEY, VICE CHAIR
 CHRISTINA MALDONADO, BOARD MEMBER
 CHRIS LEWIS, BOARD MEMBER
 TOM CAMPENNI, BOARD MEMBER PETE
 WALSON, BOARD MEMBER FAYE
 JAMES, BOARD MEMBER

YES	NO	ABSENT

ADOPTED this ____ day of _____,
 2021. ATTEST:

 JORDAN PINKSTON
 BOARD SECRETARY

 FRANK WACHA,
 CHAIRMAN

APPROVED AS
 TO FORM AND
 CORRECTNES
 S:

 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 THE FOREGOING RESOLUTION, AND 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 FOREGOING RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ADMINISTRATIVE ACTIONS AND PENALTIES MAY BE TAKEN AGAINST THE UNDERSIGNED, ITS SUCCESSORS OR ASSIGNS, BY THE CITY, INCLUDING BUT NOT LIMITED TO SANCTIONS DESCRIBED IN THIS RESOLUTION, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS.

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

WITNESSES:

Owner

Print Name: _____

By: _____
Nik Schroth, Manager

Print Name: _____

OWNERS ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ____ physical presence or ____ online notarization, this ____ day of _____, 2021, by _____

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary: _____

Notary Seal:

EXHIBIT A – LEGAL DESCRIPTION

Parcel 2

LOT 2 NEW AVONLEA PUD ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 35 PUBLIC RECORDS MARTIN COUNTY FLORIDA

Parcel 12

LOT 12 NEW AVONLEA PUD ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 35 PUBLIC RECORDS MARTIN COUNTY FLORIDA

Exhibit B – Location Map

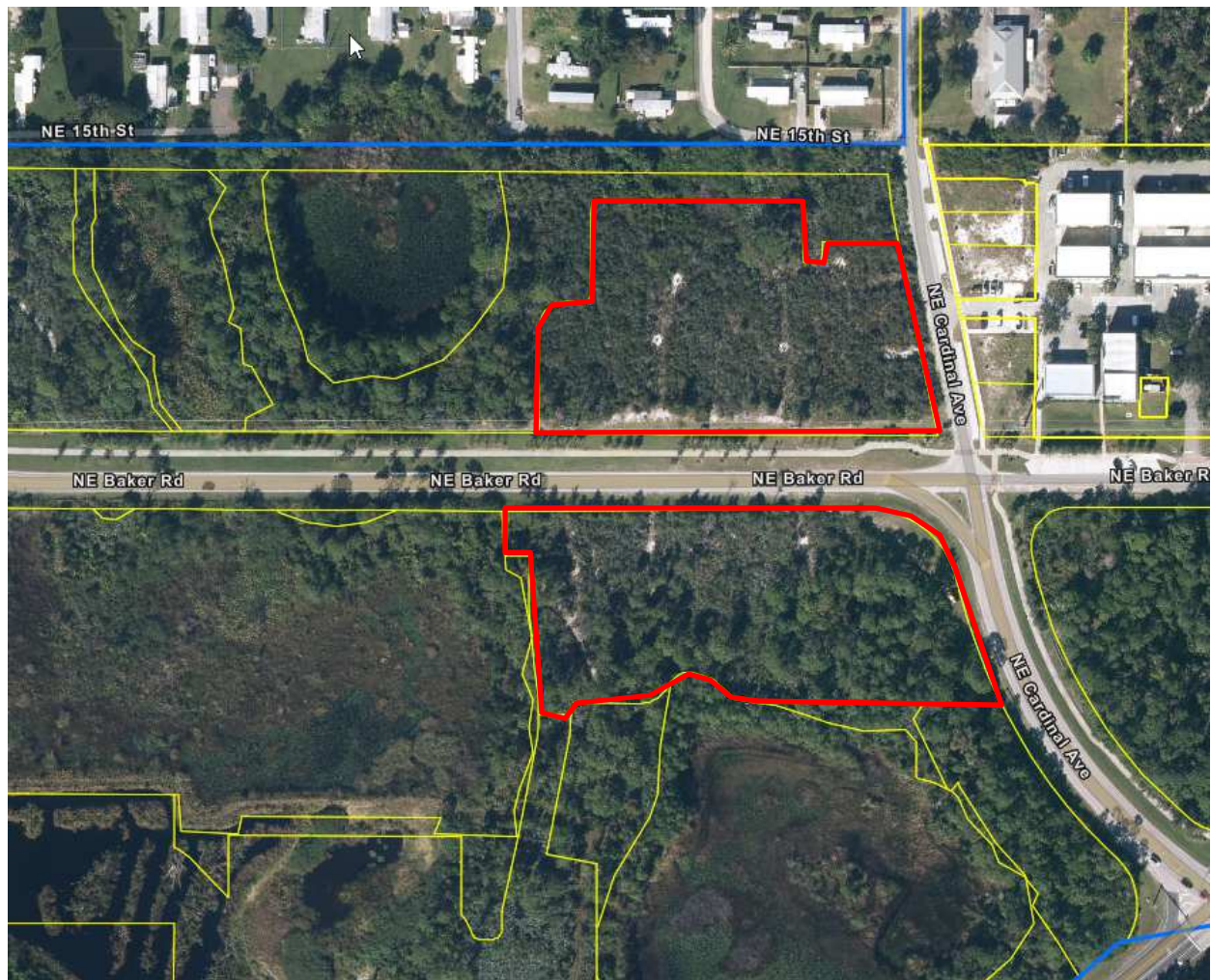


Exhibit C - Conditions

- 1) Avonlea JV Stuart, LLC shall be responsible for maintenance of the artwork (stainless-steel art pieces of a palm frond and wetland birds) at the entrance areas.
- 2) The City shall bear no cost for the installation of any artwork.
- 3) The owner shall apply for and obtain an approved construction permit which includes review by the City's Planning and Zoning department before installation of the artwork.
- 4) Any proposal to change the approved art shall require a minor conditional use approval by the CRB.
- 5) The applicant has provided a performance security bond or other surety acceptable to the city in the amount of \$44,695 for Parcel 2 and \$90,000 for parcel 12 which is one percent of the value of the vertical construction which shall be posted until the work of art is completed. The surety may be extended no more than 12 months from the original surety expiration date. This surety shall be cancelled or returned when the work of art has been properly constructed and installed. The surety may be forfeited to the public art trust fund, and the developer and property owner cited with a code violation for failing to provide the required work of art.

Exhibit D

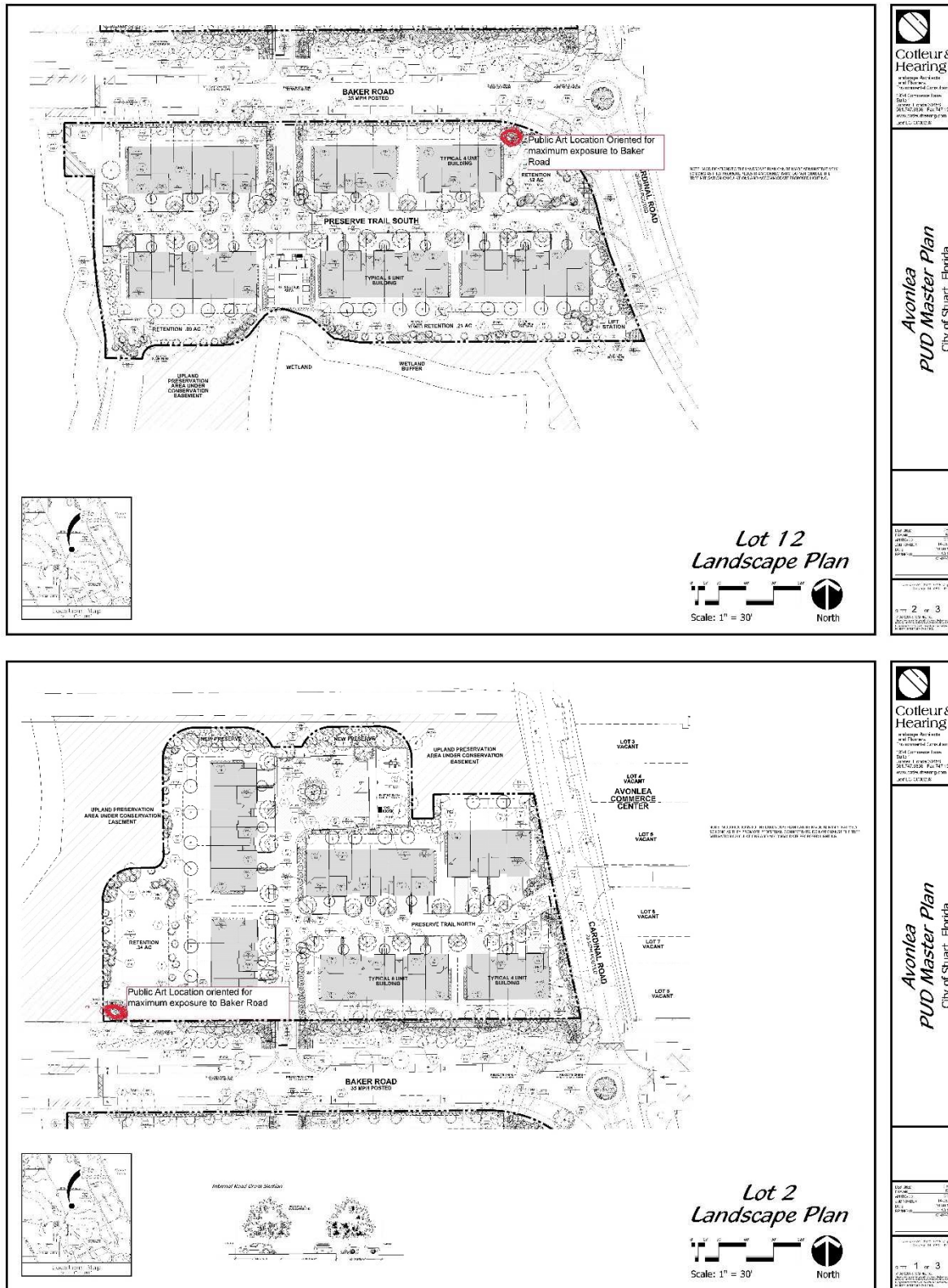
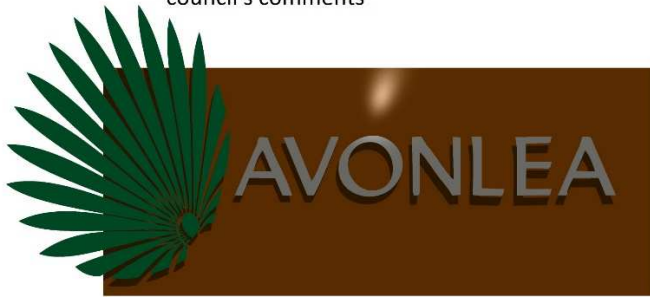


Exhibit D (Continued)

Revised rendering per
council's comments



AVONLEA
Stuart, Florida

 Cotleur &
Hearing



MONUMENT SIGN - CONCEPT 3



Public Art Application



Application Date: _____

Project Name: New Avonlea PUD Parcel 2 and 12

Project Address: 280 and 250 NE Baker Road, Stuart FL

Parcel ID Number: 28-37-41-013-000-00020-0 & 28-37-41-013-000-00120-0

Zoning/CRA Sub-district: Neighborhood Special District

Subdivision: New Avonlea PUD Lot: 2 and 12

☐ **MINOR URBAN CODE CONDITIONAL USE PERMIT - \$512.00**

- Shall be required for relief from the following regulations of the urban code; paint colors, public art and architectural materials.
- Requires approval from Community Redevelopment Board.

☐ **MAJOR URBAN CODE CONDITIONAL USE PERMIT - \$1,536.00**

- Shall be required for relief from the following regulations of the urban code; density, permitted uses, setbacks, location of parking, location of buildings and structures, conflicts with utilities, curb cuts, historic buildings, pitched roofs in the old downtown district, number of stories, building height not to exceed 45 feet, parking located within a building envelope, location of a formula business and architectural requirements.
- Requires approval from Community Redevelopment Board and City Commission.

SUBMITTAL REQUIREMENTS:

A completed application form, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, the payment fees, and pertinent information per application type as determined by the Development Director.

APPROVING AUTHORITY:

The Development Director is required to prepare a staff report and recommendation concerning this application for the Community Redevelopment Board (CRB) public hearing followed by a recommendation to the City Commission.

JUSTIFICATION:

Please provide justification supporting the request for an Urban Code Conditional Use Permit (include additional pages if needed).

PROJECT ID NUMBER:

Received by:
Reviewed by:
Approved by:

Public Art Application



1

☒ Property Owner ☐ Leasee ☐ Contract Purchaser ☐ Applicant

Name: Nikolaus M. Schroth Title: Manager

Email: Nikschroth@naisouthcoast.com Phone Number: 772-403-3752

Company Name: Avonlea JV Stuart, LLC

Company Address: 100 Albany Ave, Suite 200
Stuart, FL 34994

2

Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

Name: _____ Title: _____

Email: _____ Phone Number: _____

Company Name: _____

Company Address: _____

3

☒ Property Owner ☐ Leasee ☐ Contract Purchaser ☐ Applicant

The undersigned, acknowledges responsibility for all City expenses associated with the references application(s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name: _____ Title: _____

Email: _____ Phone Number: _____

Company Name: _____

Company Address: _____

4

I hereby certify that all information contained herein is true and correct.

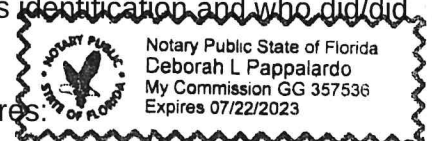
Signed this 8th day of Feb, 2021.

Signature of ☒ Property Owner ☐ Leasee ☐ Contract Purchaser ☐ Applicant

State of Florida, Martin County The foregoing instrument was acknowledged before me on this 8th day of Feb, 2021 by Nikolaus Schroth who is personally known to me, or has produced _____ as identification and who did/did not take an oath.

[Signature]
Notary Signature

Commission Expires:



Public Art Requirements



Public art is an artistic work that is an expression of a historic person, place or event or an expression of an important local theme that is represented in good taste and craftsmanship.

EXAMPLES OF PUBLIC ART:

- ☒ Fountain
- ☒ Mural
- ☒ Sculpture
- ☒ Painting
- ☒ Other (acceptable art form as directed by the Community Redevelopment Board)

REQUIREMENTS FOR PROPOSED ART APPLICATION:

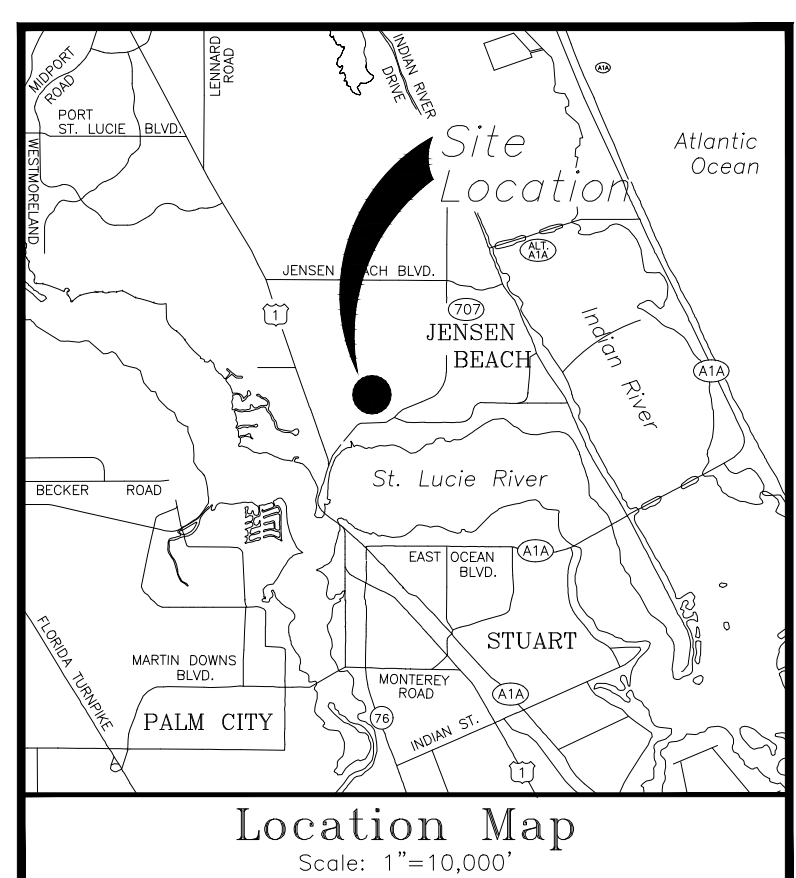
- ☒ Confirmation of location of Public Art
- ☒ Type of Public Art
 - Bronze sculptures in limited editions of not more than 50 in all sizes and materials by a single artist are allowed.
- ☒ Theme of Public Art
- ☒ Originality of Public Art
 - Must be created individually by a professional or by a team of artists.
- ☒ Cost estimate of of Public Art
- ☒ Vertical construction cost of development
- N/A Contribution to Trust Fund (if any)
- ☒ Justification of exceptional quality and enduring value
- ☒ Appropriate scale to the development site
- ☒ Visibility from a public right-of-way and its enrichment of the open space
- ☒ Compatible with the neighborhood and not injurious to the public welfare
- ☒ Reflects natural diversity
- ☒ Does not constitute a safety hazard
- ☒ Does not require extraordinary maintenance

VALUE OF ARTWORK:

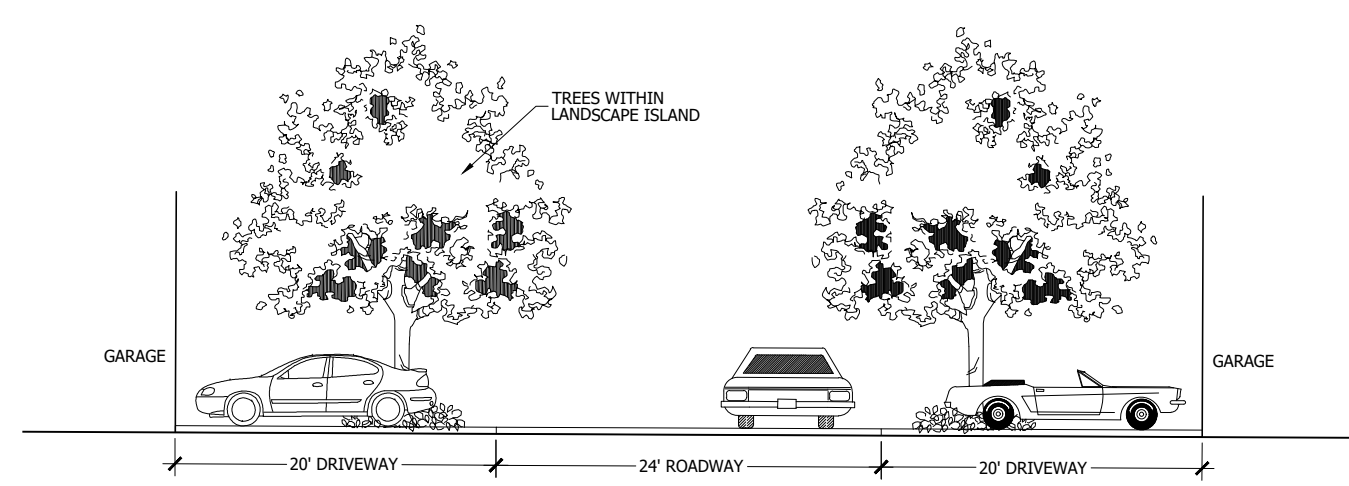
- The value of Public Art shall not be less than one percent of the vertical construction cost of the development.
- A developer may pay the sum of one percent of the vertical construction cost into the Public Art Trust Fund.
- If the Public Art is less than one percent of the vertical construction cost of the development, a developer may contribute the remaining balance of the public art fee to the Public Art Trust Fund.



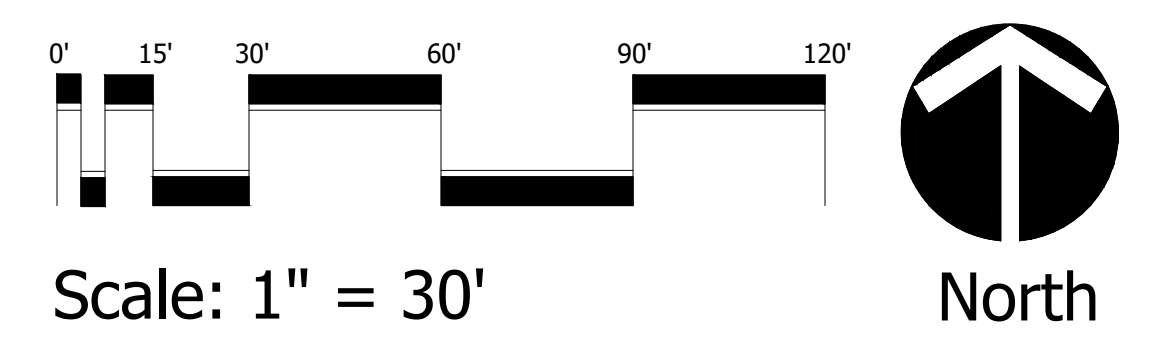
NOTE: MODIFICATIONS TO THE LANDSCAPE PLAN CAN BE MADE ADMINISTRATIVELY SO LONG AS THEY PROMOTE PEDESTRIAN CONNECTIVITY, DO NOT CHANGE THE TREE MITIGATION CALCULATIONS AND ACCOMMODATE PROPOSED LIGHTING.



Internal Road Cross Section



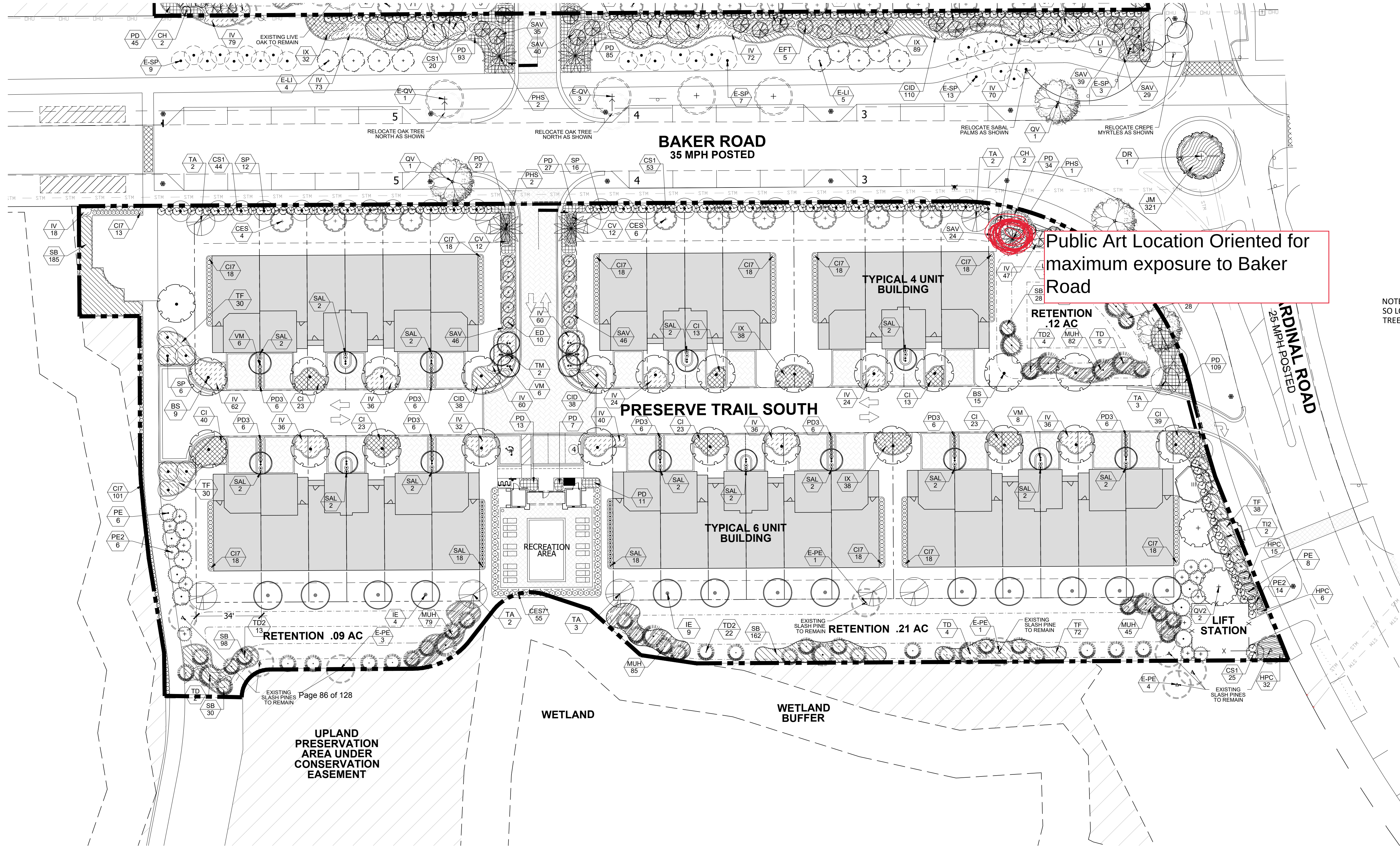
Lot 2 Landscape Plan



Avonlea PUD Master Plan City of Stuart, Florida

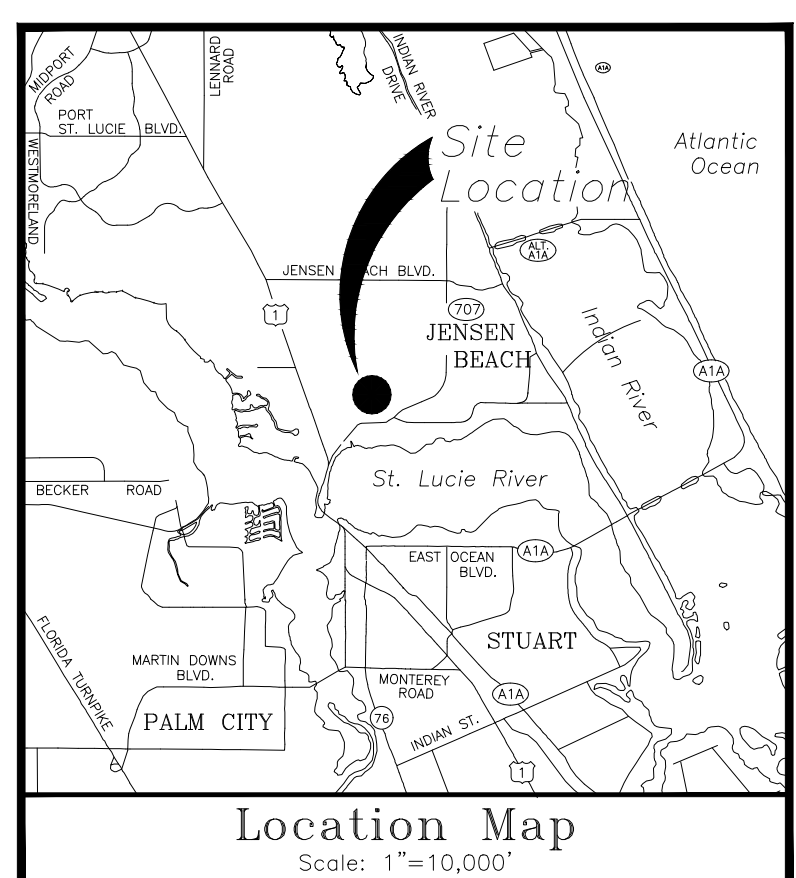
DESIGNED	DEH
DRAWN	RO
APPROVED	DEH
JOB NUMBER	14-0801
DATE	10-30-19
REVISIONS	11-13-19
	01-07-20

January 07, 2020 3:03:40 p.m.
Drawing: 14--0801 LP.DWG

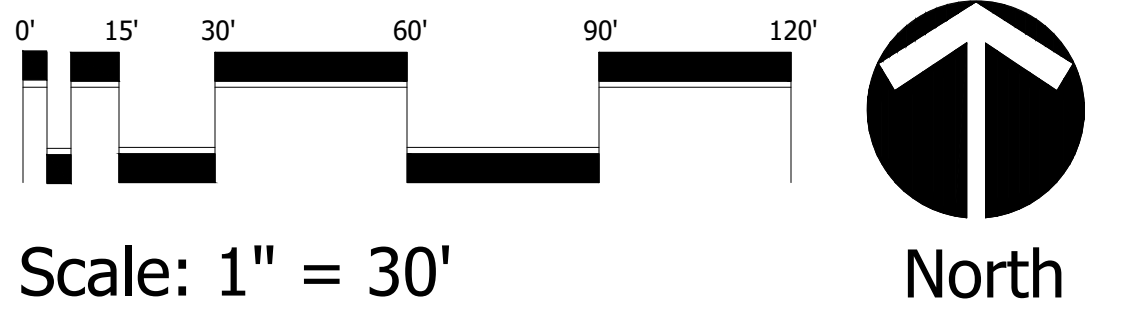


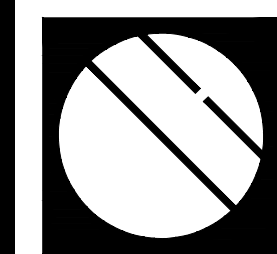
Public Art Location Oriented for maximum exposure to Baker Road

NOTE: MODIFICATIONS TO THE LANDSCAPE PLAN CAN BE MADE ADMINISTRATIVELY SO LONG AS THEY PROMOTE PEDESTRIAN CONNECTIVITY, DO NOT CHANGE THE TREE MITIGATION CALCULATIONS AND ACCOMMODATE PROPOSED LIGHTING.



Lot 12 Landscape Plan





Cotleur & Hearing
Landscape Architects
Land Planners
Environmental Consultants
1934 Commerce Lane
Suite 1
Jupiter, Florida 33458
561.747.6336 • Fax 747.1377
www.cotleurhearing.com
Lic# LC-C000239

Avonlea PUD Master Plan City of Stuart, Florida

DESIGNED	DEH
DRAWN	RO
APPROVED	DEH
JOB NUMBER	14-0801
DATE	10-30-19
REVISIONS	11-13-19
	01-07-20
January 07, 2020 3:03:40 p.m. Drawing: 14--0801 LP.DWG	
SHEET 2 OF 3	
© COTLEUR & HEARING, INC. These drawings are the property of the architect and are not to be used for extensions or on other projects except by agreement in writing with the architect. Immediately report any discrepancies to the architect.	

Page 87 of 128



MONUMENT SIGN - CONCEPT 3



Avonlea Art in Public Places

To whom it may concern,

Enclosed you will find the submittal for the Avonlea Art in Public Places application. This art is part of the New Avonlea Parcels 2 and 12 development and the cost of the art is greater than 1% of the cost of the vertical construction as shown in the application. The site plans enclosed show the locations of the art, which is to be part of the gateway features identifying the project.

The type and theme of the art was inspired by the large amounts of preserve contained within the Avonlea PUD. We wanted the art work to highlight this preserve area and allow future residents of the community to feel like they are part of these preserve areas, a unique feature considering the proximity of Downtown Stuart. The New Avonlea PUD is identified by gateway features identifying each parcel and the art found on the gateway features for Parcels 2 and 12 will be the first of the art projects to be featured in the community and set the tone for future art. This design and the Dale Rogers studio has been shared with the other developers within Avonlea, New Urban Communities and Farrell Building group.

Dale Rogers and I discussed and experimented with several options for the art. I had wanted to bring metal art into the project after seeing the sign for Alton in Palm Beach Gardens, but didn't want it to be in a fashion that was too Palm Beach. We tried pine trees, pine cones and other native flora and fauna but they were all very busy. The Palmetto leaf was selected due to its simple design and its prevalence in Florida's native landscape. The birds featured on the sign were intended to keep with the existing walking bird theme of Downtown Stuart and the placement of the birds on the gateway feature and the landscaping surrounding the gateway feature allows the birds to reflect their natural surroundings. The rust colored background, green palmetto leaf and the bronze colored birds keeps a simple, rustic natural theme that we hope will resonate with the community and residents of Avonlea. The monument portion of the gateway feature is finished in a wood look tile, furthering the nature theme of the art.

The total vertical costs of the development are \$4,183,266 with a \$41,833 requirement for parcel 2 and \$4,469,504 with a \$44,695 requirement for parcel 12. The provided are has a value of \$45,000 and there will be a piece located on each parcel for a total art value of \$90,000. The pieces are simple but will achieve differentiation in the placement of the bird sculptures.

We hope you will find the Gateway Features presented here and the art pieces by Dale Rogers to be an asset to the Avonlea Community, the City of Stuart and Martin County.

Sincerely,

Nikolaus M. Schroth

Avonlea JV Stuart, LLC

Dale Rogers Studio
PO Box 8274
Haverhill, MA 01835
Dale@DaleRogersStudio.com
978-621-7826

The goal when designing this metal gateway feature was to evoke the spirit of the surrounding wetlands in a way that is both contemporary and organic. I achieved this by incorporating a signature piece of flora from the region, the majestic palm frond, prominently on face of the gateway feature. This partnered with the metal bird sculptures accompanying it will serve as prestigious and warm welcome The Preserves at Avonlea.

The primary material for the project is cor-ten weathering steel, which features a rust colored patina. The outer layer of this metal serves as protective shield that prevents further oxidation and can withstand exposure to the elements year-round with virtually no maintenance. The palm frond and lettering are made of Stainless Steel, another time-tested material requiring no maintenance. The stainless palm frond will also be powder coated green to provide a subtle dash of color to the piece. The metal for the gateway feature will be tig welded which results in clean, smooth edges on at every angle which make the piece safe and well as sturdy. These materials combined will ensure a long life for the sculpture with virtually no maintenance. The edges of the piece appear sharp to create an impactful design but are dull to the touch and safe for the location on the project.

As for my background, I have been working professionally as a metal sculptor for 19 years. My work can be found in public and private collections across the United States. My passion for art lies in abstract geometrics, and over the years, I've incorporated iconic and whimsical shapes into my sculptures that help viewers connect with my sculptures on a deeper emotional level. I strive to create thought-provoking work that is sophisticated, easily recognized and will serve as a "mental postcard".

Having had the chance to review the installation mockup and requirements for the design I expect the cost of the gateway feature and the bird sculptures to be \$45,000 each for a total art value of \$90,000 for this project. This price includes the sculptures and delivery/shipping.

Sincerely,

A handwritten signature in black ink that reads "Dale Rogers". The signature is fluid and cursive, with the first name "Dale" and last name "Rogers" clearly distinguishable.

Dale Rogers



*Inspiring participation and
passion for the arts in our
community*

DIRECTORS

Karen L. Barnes
Jeff Bowers
Gabriella Ferraro
Maria Miele
Terri Pettengill

EX-OFFICIO MEMBERS

Doug Smith
Martin County BOCC
Becky Bruner
City of Stuart
Anthony Anderson
Martin County School Board

Nancy K. Turrell
Executive Director

80 SE Ocean Boulevard
Stuart, FL 34994-2234
Phone: 772-287-6676
Fax: 772-288-5301
www.martinarts.org
info@martinarts.org

MEMORANDUM

TO: City of Stuart Community Redevelopment Agency Board
FR: Nancy K. Turrell, Executive Director
RE: Avonlea Project Review
DT: March 18, 2021

Per our agreement, the proposal for the Avonlea gateway project has been reviewed.

The proposed art is designed by artist, Dale Rogers. Rogers body of work is notable, with an impressive area of exhibits that have visited towns and cities across the country. Much of his work is monumental in scale and captures an element of fun and levity. There is no question that this artist is well qualified for an art commission.

As a gateway piece for Avonlea, the developer is setting the tone for the development and its aesthetics. In a gateway project art is used to create uniqueness and identity. The pieces proposed for Avonlea are designed to reference the natural habitat, the flora and fauna of the area, using the palmetto leaf and birds as a symbol. As the developer notes, tying in the birds also gives some connection to the installation along Colorado Boulevard.

Typical of gateway pieces, landscaping is critical to be supportive of the artistic elements. Gateway pieces also often include elements of function, such as seating, drinking foundations or wayfinding. In this case, signage for the community is the primary element. Signage is a form of wayfinding; and as wayfinding these pieces should also incorporate lighting elements.

Using the artistic elements proposed the proposal accomplishes the placemaking and wayfinding the developer is creating through the art in public places requirement.

When looking at the artist's website I was taken by some of his other works that have been used as wayfinding in other projects (figure 1). The screen shot from Rogers' website includes a few examples how as items are be placed throughout the site, they quickly become recognizable as the marker that you have arrived.

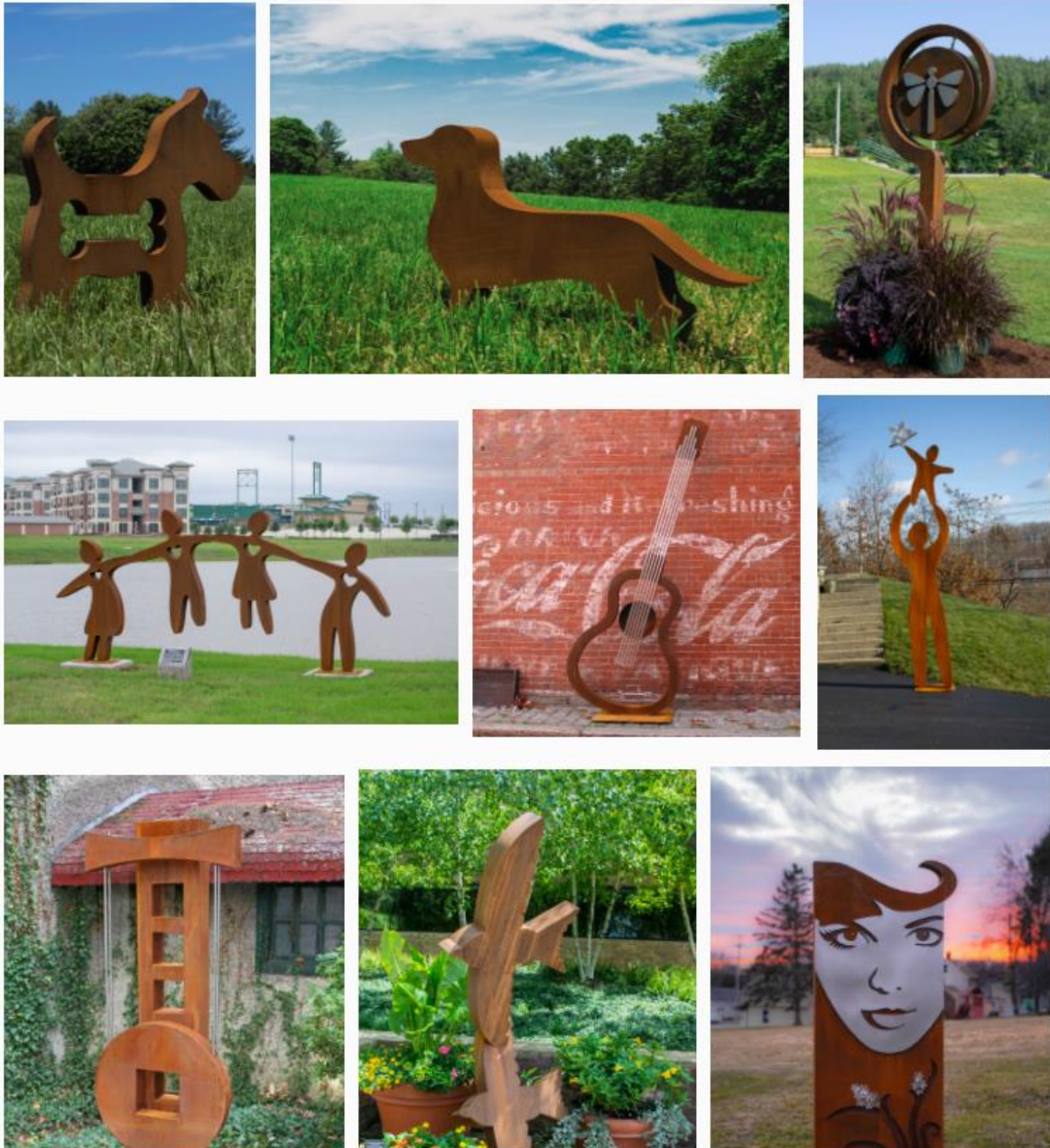


Figure 1: Images from Dale Rogers Website

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 4/6/2021

Prepared by: Pinal Gandhi-Savdas

Title of Item:

PRESENTATION OF SEMINOLE STREETScape DESIGN AND UNDERGROUNDING OF OVERHEAD UTILITIES WITHIN THE PROJECT LIMIT.

Summary Explanation/Background Information on Agenda Request:

The project was initiated to revitalize the Seminole Street into a place where residents and visitors can stroll, shop and dine. The vision for Seminole Street is to create an attractive, inviting space with clearly defined pedestrian area. The improvements include undergrounding of overhead utilities, drainage improvements, removal of dumpsters, improved on-street parking, designated loading zone, pedestrian-scale lighting, benches, and landscaping. The project limits are along SW Seminole Street from St Lucie Avenue and Colorado Avenue, approximately 600 feet.

The project is consistent with the City's CRA Plan. The CRA held two open house meetings to get feedback from Downtown Business Association and the downtown businesses/property owners impacted by the project. A notice for open house meetings were mailed to all the businesses. The project was presented at the MainStreet Board Meeting also. In some instances, the consultant and staff met with the business owner on site to discuss any issues related to the project. Staff received positive feedback and support for the project.

Letters of Support are attached.

Currently, the streetscape design is 90% completed. As part of this project, two existing dumpster enclosures on SW Seminole Street have been removed and the new temporary dumpster enclosure location on the City Hall site behind the Public Works building will serve the businesses on the west end of Seminole Street.

The CRA applied for FDEP State Water Quality Assistance Grants (SWAG) and Federal Clean Water Section 319(h) Grants in the amount of \$274,000 for utilizing permeable paver block to serve the roadway and on-street parking surfaces within the project limit. The application has been selected by the DEP in the first step of the approval process and will be submitted to EPA for final approval. We can expect to receive a response and notification of the federal funds by September 2022.

Currently, there is \$1.25 M approved and budgeted for the construction of the streetscape and undergrounding of utilities. Details about the streetscape plan and undergrounding of utilities, project timeline and costs will be presented at the meeting.

Funding Source:

CRA Approved Project Budget \$1.25 M

Recommended Action:

Provide feedback on the streetscape design.

ATTACHMENTS:

Description	Upload Date	Type
❑ Seminole Street Plan	3/29/2021	Backup Material
❑ Seminole Street Rendering	3/29/2021	Backup Material
❑ Seminole Street Curbless Typical	3/29/2021	Backup Material

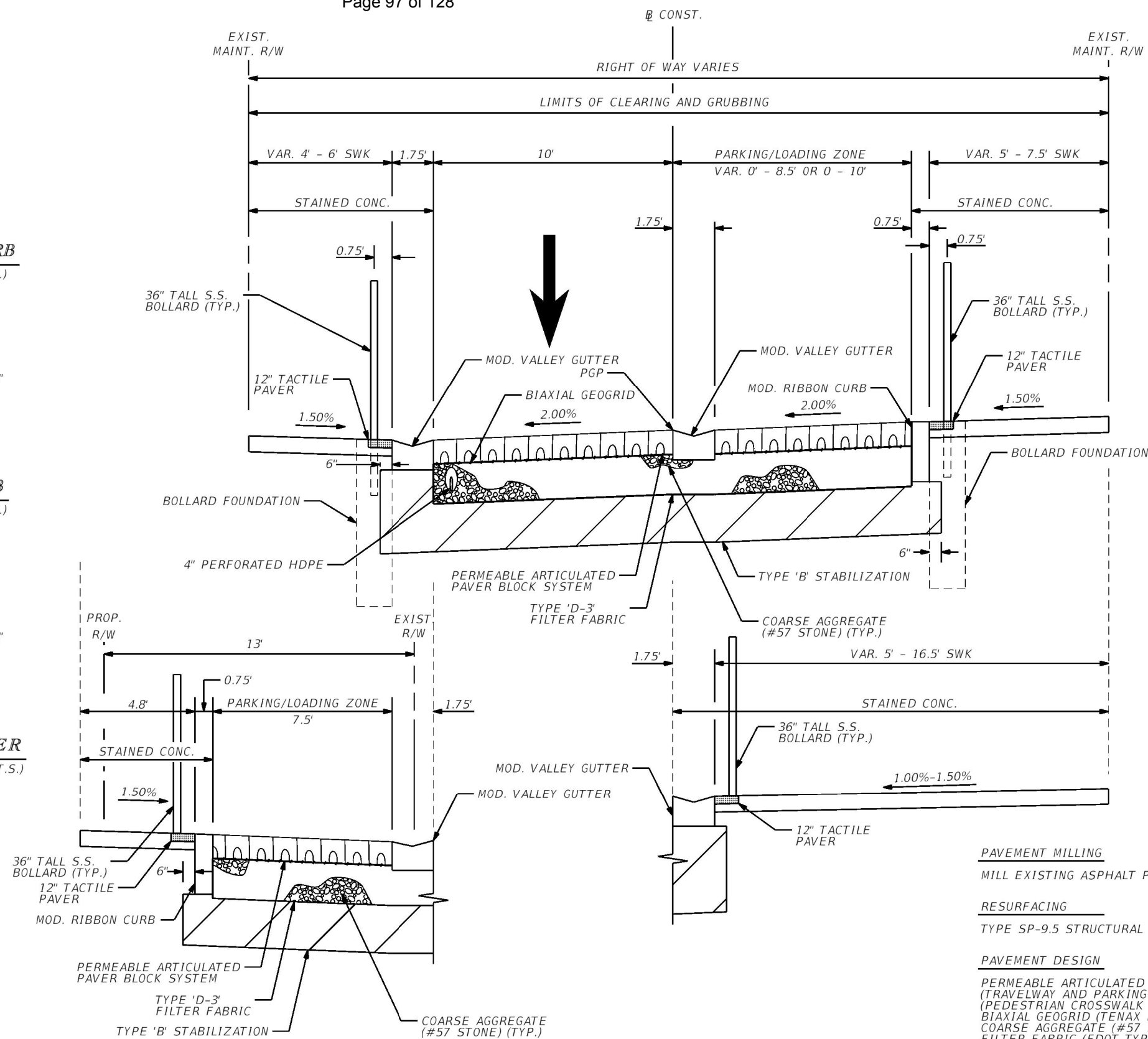
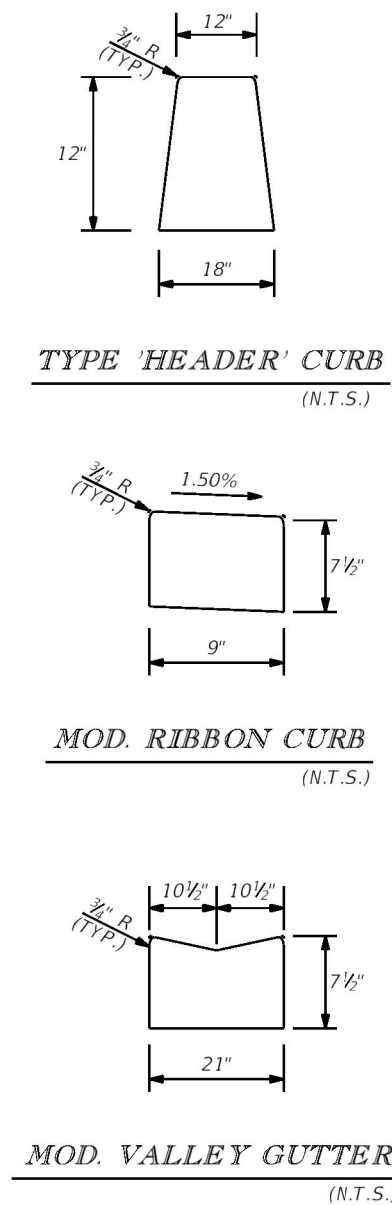
- ▣ Grant Proposal Status Letter
- ▣ Letters of Support

3/29/2021
3/29/2021

Backup Material
Backup Material







SEMINOLE STREET
STA. 150+99.88 TO STA. 156+89.40

PAVEMENT MILLING
MILL EXISTING ASPHALT PAVEMENT (1.25" AVG.)

RESURFACING
TYPE SP-9.5 STRUCTURAL COURSE (TRAFFIC C, PG 76-22 W/ POLYMER) (1.25")

PAVEMENT DESIGN
PERMEABLE ARTICULATED PAVER BLOCK SYSTEM (5.65")
(TRAVELWAY AND PARKING AREA COLOR: GREY)
(PEDESTRIAN CROSSWALK AREA COLOR: ROSE)
BIAXIAL GEOGRID (TENAX MS 220)
COARSE AGGREGATE (#57 STONE) (10")
FILTER FABRIC (FDOT TYPE D-3 FABRIC, BOTTOM & SIDES)
TYPE 'B' STABILIZATION (12")

CONCRETE STAIN (SIDEWALK CONC., DESIGNATED CURBING AND DRIVEWAY APRONS)
CUSTOM BEHR COLOR MATCH
BASE 800 - EL,5,290; FL,8,353; TL,14,159

REVISIONS						Kimley»Horn	CITY OF STUART	SEMINOLE STREET ROADWAY IMPROVEMENTS	TYPICAL SECTION	SHEET NO. 5
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION					
						BRIAN A. GOOD, P.E. P.E. LICENSE NUMBER 56939 445 24th STREET, SUITE 200 VERO BEACH, FL 32960 (772) 794-4100 CERTIFICATE OF AUTHORIZATION: 00000696				



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Ron DeSantis
Governor

Jeanette Núñez
Lt. Governor

Noah Valenstein
Secretary

Via E-mail: pgandhi@ci.stuart.fl.us

March 2021

TO: City of Stuart

RE: NPS Fall 2020 Grant Proposals Status

Greetings:

Thank you for submitting your grant proposal entitled "Seminole Street Alley Way Improvements" for funding consideration from the FY2022 Section 319(h) grant administered by the Nonpoint Source Management Program. There are two steps in the selection process, selection by the Department and approval by EPA.

It is with pleasure that I write to inform you that your proposal made it through the first step of the approval process. Your project will be submitted to EPA in September 2021 as part of the Department's Federal FY 2022 Section 319(h) Grant Work Plan. We expect to receive EPA's response and notification of the federal funds by September 2022.

If your project is approved by EPA and the federal funds are received by the state, we will begin the process of executing a cost-reimbursement grant agreement between the Department and your organization (expected to start between September 2022 to January 2023). Please note that grant-funded work cannot begin until the agreement is fully executed, but any eligible non-federal expenditures made for the project can be counted towards the required minimum 40% match starting October 1, 2021.

The 319(h) 2022 grant period will end on **September 30th, 2026**. All grant funded and match funded work must be completed by that date and invoice sent for cost-reimbursement shortly thereafter.

We encourage you to continue your pursuit of water quality restoration projects and hope that you will consider applying for Federal 319(h) Grant funding and/or State Water-Quality Assistance Grant funding for your future projects. More information on that grant may be found at our website.

If you have any questions, please do not hesitate to contact me at (850) 245-2952/Amanda.Peck@floridadep.gov or Emily Forinash at (850) 245-2944/Emily.Forinash@floridadep.gov.

Sincerely,

Amanda Peck, Administrator
Nonpoint Source Management Program

July 1, 2019

Pinal Gandhi-Savdas
CRA Administrator
City of Stuart | 121 SW Flagler Ave. Stuart Fl. 34994

RE: Seminole Streetscape Project

Dear Pinal:

As the Manager of the property located at the SE corner of SW St. Lucie Ave. and SW Seminole St. owned by MICHAEL F GEIGER LLC Parcel ID 05-38-41-004-000-00190-9 We support the Seminole Streetscape project and look forward to working with the City of Stuart to beautify Seminole Street. We have discussed this with the Owners and they are very much on board and looking forward to the results.

Sincerely,



Boyd G. Bradfield, Jr., CCIM, SIOR
President
NAI Southcoast

From: [Hearthstone History Company](#)
To: [Gandhi-Savdas, Pinal](#)
Subject: Seminole Street Improvement Plan
Date: Monday, July 1, 2019 12:34:23 PM

Hi Pinal -

I just wanted to drop you a quick line and show my appreciation to you for sharing the Seminole Street Improvement Plan at a recent DBA meeting at city hall.

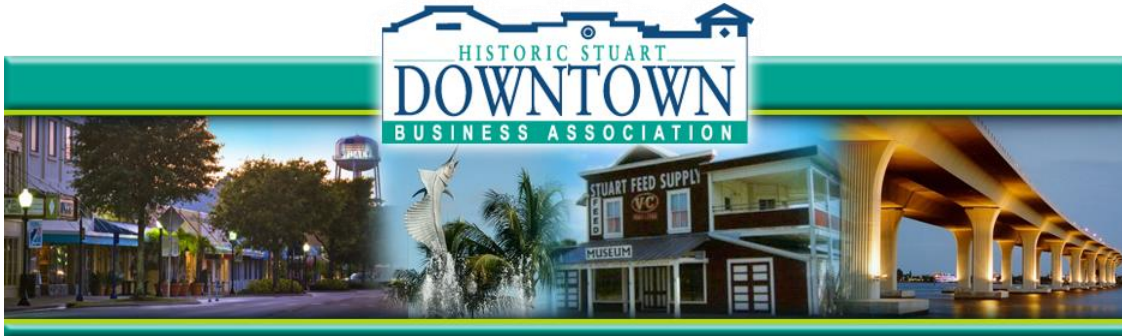
The drawing that you shared with us indicates a greatly improved and scenic re-make of Seminole Street, behind our restaurant. I know that we are new to Stuart and newly opened but we are very excited to have become part of the community, both business and residential.

The new pavers and new trees will greatly enhance the beauty of the downtown business district and will positively impact the rear entrance to the restaurant!

Collectively, Cafe Martier @Post Office Arcade is extremely excited to be part of this fabulous community! Thanks to the City of Stuart for a warm welcome. We are looking forward to many successful years as part of the historic downtown business association.

Warm Martier Regards,

Vince Gallagher, COO
Cafe Martier @Post Office Arcade



July 31, 2019

Pinal Gandhi-Savdas
CRA Administrator City Of Stuart
121 SW Flagler Avenue
Stuart, FL 34994

RE: Seminole Street Improvements

Dear Pinal,

The Downtown Business Association of Stuart (DBA) would like to lend its support to the proposed Seminole Street Improvements you presented at the DBA Board meeting in June, 2019. The DBA feels the design not only improve the ascetic look of Seminole Street, but also improves walkability and the safety of pedestrians. The improvements will add charm to our quaint historic downtown.

The DBA enjoys the collaborative relationship between the City of Stuart CRA and staff. This partnership is critical to the overall well-being of historic downtown Stuart. Thanks for including our organization in your planning for historic downtown.

Sincerely,

Bill Moore
President, DBA
Owner, Kilwins of Stuart



P.O. Box 3035
Stuart, FL 34995

Board of Directors

Mark Brechbill

Kim Capen

David Collier

Anthony DiFruscio

Ginger Eha

Denise Feenan

Jim Hatch

Michael Houston

Patti McAuley

Terry McCarthy

Mike McCarty

Rick Miller

Paul Nunley

Nik Schroth

Bill West

To the City of Stuart Board of Commissioners
2019
City Hall
Stuart FL 34949

August 15,

Dear Commissioners:

As the governing board of the Stuart Main Street Association, we are writing to express our enthusiastic support of the Community Redevelopment Agency's proposed update to the CRA plan.

Key elements and details of the plan were presented at our August 13, 2019 Board meeting. The presentation, made by Pinal Gandhi-Savdas and Kevin Freeman, was impressive. Both responded to our questions and comments with professionalism and candor.

It has long been a position of the Main Street Board that bond financing be utilized to complete brick and mortar CRA projects in a more expeditious manner and this plan seems to lay the ground work for this to occur. We look forward to continued dialog and input on specific design elements.

We offer our support of the plan, its proposed work projects and the ongoing optimization of existing programs such as the mural program and valet parking in conjunction with feedback from our partners in the DBA.

Sincerely,

Nikolaus Schroth, President, Stuart Main Street Board of Directors

Office

101 SW Flagler Ave.
Stuart, FL 34994

772-286-2848
Fax 772-600-1257

CC: Pinal Gandhi-Savdas, Kevin Freeman, Community Redevelopment Board, all SMS Board members

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 4/6/2021

Prepared by: Pinal Gandhi-Savdas

Title of Item:

BUDGET AMENDMENT TO ALLOCATE CRA FUNDS FOR THE SITE PLANNING AND DESIGN OF THE GUY DAVIS COMMUNITY PARK PROJECT (PHASE 1)

RESOLUTION NUMBER 03-2021 CRA; A RESOLUTION OF THE BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #2 TO THE FY 2021 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO ALLOCATE FOR THE SITE PLANNING AND DESIGN OF THE GUY DAVIS PARK IN THE AMOUNT OF \$344,517; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The City, through the issuance of the Request for Proposal (RFP), solicited responses from interested parties for professional design and engineering services for the Guy Davis Community Park Improvements. The City received ten (10) proposals. The selection committee evaluated the proposals based on the firms' qualifications, operational plan/task approach, previous jobs familiar to request, experience/past performance, and quality of submittal. The top 6 firms presented their vision ideas for the park with the selection committee. The presentation included a conceptual design, professional opinion/experience using synthetic turf verses grass fields and cost projection. Following the presentations, the selection committee collectively agreed the top ranked firm to be Calvin, Giordano & Associates (CGA), Inc.

On January 25, 2021, the City Commission authorized the City Staff to negotiate with the top-ranked firm, CGA, Inc. In preparation for the scope of work, City Staff provided some comments about the vision idea plan that was developed and presented by the CGA throughout the RFP process. The improvements will include:

- A new multipurpose field
- Grass fields for playing surfaces
- Previous parking lot
- Dual-facing stage for small and large performances
- Sail shade over the stage area
- Secondary ingress/egress into the park from Old Dixie Highway or SE 14th Street.
- Interactive aquatic play equipment such as misters and water features (no splash pad)
- Pour in play surfacing for existing playground
- Pavilions for picnic or birthday parties
- Restroom with storage space
- Walking/Jogging trail
- Event lawn area for food truck gathering space or green market
- Outdoor Fitness area/equipment
- Proposed improvements should provide connectivity to existing built out areas (e.g. concession stand, covered basketball court)
- Lighting for all areas in the park
- Landscape and irrigation
- Project identification signage

The scope of services will be provided in two phases. The first phase will include the development of the design plans to a Schematic Design level for accuracy that it can be achieved and provide Engineer's Estimate of Probable Cost for the improvements. The Schematic Design package with the estimated probable cost will be

presented at the Joint CRB/CRA/CC meeting before we proceed to the second phase. At this point, the City Staff will be looking for direction for alternative sources of funding to fund the second scope of services to develop the final engineering plans and construction of the project.

Funding Source:

FROM: CRA Fund Balance – \$344,517

TO: Guy Davis Community Park Site Planning and Design – \$344,517

Recommended Action:

Recommend to the CRA Board to approve Resolution No. 03-2021 authorizing a budget allocation of \$344,517 for the site planning and design of the Guy Davis Community Park Improvements.

ATTACHMENTS:

Description	Upload Date	Type
□ A1. Resolution No. 03-2021 Budget Amendment	3/29/2021	Resolution add to Y drive
□ D1. Scope of Work Guy Davis Park	3/25/2021	Backup Material



**BEFORE THE COMMUNITY REDEVELOPMENT AGENCY
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 03-2021 CRA

A RESOLUTION OF THE BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #02 TO THE FY 2021 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO ALLOCATE FOR THE SITE PLANNING AND DESIGN OF THE GUY DAVIS COMMUNITY PARK IN THE AMOUNT OF \$344,517; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, that:

SECTION 1: The Community Redevelopment Agency of the City of Stuart hereby authorizes a FY 2021 budget transfer as follows:

FROM: CRA Fund Balance – \$344,517
TO: Guy Davis Community Park Site Planning and Design – \$344,517

SECTION 2: This resolution shall take effect upon adoption.

Resolution No. 03-2021 CRA
Budget Amendment #2 to FY 2021 CRA Budget

Board Member _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Board Member _____ and upon being put to a roll call vote, the vote was as follows:

EULA R. CLARKE, CHAIRPERSON
MERRITT MATHESON, VICE CHAIRPERSON
BECKY BRUNER, BOARD MEMBER
TROY MCDONALD, BOARD MEMBER
MIKE MEIER, BOARD MEMBER
PETE WALSON, EX-OFFICIO BOARD MEMBER
TOM CAMPENNI, EX-OFFICIO BOARD MEMBER

YES	NO	ABSENT	ABSTAIN

ADOPTED this _____ day of _____, 2021.

ATTEST:

MARY R. KINDEL
CITY CLERK

EULA R. CLARKE
CHAIRPERSON

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY



Calvin, Giordano & Associates, Inc.
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& Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering
& Inspection (CEI)
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Contract Government
Services
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Facilities Management
Geographic Information
Systems (GIS)
Indoor Air Quality
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Landscape Architecture
Municipal Engineering
Planning
Redevelopment
Surveying & Mapping
Traffic Engineering
Transportation Planning
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Water/Wastewater
Treatment Facilities
Website Development/
Computer Graphics

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Fort Lauderdale, FL
33316
954.921.7781 phone
954.921.8807 fax

www.cgasolutions.com

March 25, 2021

David Dyess
City Manager
City of Stuart
772-288-5320
121 SW Flagler Ave.
Stuart, Florida 34994

RE: Guy Davis Park
CGA Proposal No. 20-4018.1

Dear Mr. Dyess:

We are pleased to submit this scope and fee proposal for your consideration for the design of the Guy Davis Park project. The scope of services to be furnished under this contract includes Landscape Architecture, Civil and Electrical Engineering, Surveying and Sub-consultant services to include Architecture, Sub-surface Utility Engineering, Geotechnical Engineering and Structural Engineering Services.

This proposal has been drafted with the approach requested by the City's Procurement Department, wherein the project is being approved based on a purchase-order strategy.

- **Purchase Order 1** will include the development of the design plans to a Schematic Design level, where a reasonable accuracy can be achieved for presentation to and approval by the City Commission.
- Following its approval, **Purchase Order 2** will include the necessary public outreach associated with the project to communicate the concept approved by Commission and will culminate in the development of biddable construction plans for the park.

There is an understanding that City Commission, at the time of approving the work-product of PO1, may request modifications that may increase or decrease the expected workload and deliverables for PO2. As such, please note that the proposed scope of work and fees for PO1 are binding in accordance to this proposal; conversely, because they may change, the scope and fees for PO2 shall only be considered an estimate of the anticipated investment in that purchase order and shall not be binding. It is the understanding of all parties that upon the acceptance and completion of PO1, CGA and the City shall negotiate the final scope and fees to deliver PO2 in accordance with any directives and/or modifications requested by the Commission at the time of issuing their approval.

The basis of compensation is hourly based upon CGA's standard rates for a Lump Sum amount of \$ 344,517.00. Note that we are including a 5% reimbursable expense, which shall remain the property of the City and will only be used to cover expenses related to printing and other production needs with the prior written authorization of the City. The estimated cost for Purchase Order 02 is currently estimated at \$ 362,005.30 (inclusive of a 5% reimbursable expense). Together, this represents a total anticipated amount of \$ 706,522.30.

SCOPE OF WORK

CGA is pleased to provide this DRAFT proposal for Staff review and comment. We appreciate the opportunity to serve the City of Stuart.

The following Scope of Services is proposed by Calvin, Giordano & Associates, Inc. (CGA) as requested by the City of Stuart for the Guy Davis Community Park Improvements project. This proposal, when executed, shall be incorporated in and become an integral part of the Agreement for professional services between the City and CGA, hereafter referred to as the Agreement.

PROPOSAL ORGANIZATION

Included are the essential and necessary tasks to complete the desired work. Tasks are broken down into two Purchase Orders and organized in a task-format and sequenced to illustrate the workflow upon which they will be executed. All services excluded from this contract are provided at the end of the document.

PURCHASE ORDER 01:

1. **General Services** – Services needed to administer the project and deliver it to the client. These include general project management services, Quality Assurance and Quality Controls processes, coordinating with sub-consultants, etc.
2. **Foundation Data-Collection Phase** - Collecting all necessary background and foundational data needed to provide the services and generate a design.
3. **Platting** – Services needed to plat the property utilizing the Survey Boundary and adding all easements. Prepare a Record Plat drawing of the subject parcel in accordance with the requirements as set forth by Florida Statutes Chapter 177, Part 1 and all applicable platting requirements as outlined in the Martin County Land Development Code, Section 4.912 - Plat Requirements. Plat Processing by CGA staff has been included in this proposal.
4. **Conceptual Design Phase** – Working closely with City Staff (specifically those responsible for steering and guiding the design and development decisions) to develop a conceptual plan that identifies the size, location and metrics of the many components that need to be included. The basis of design for the conceptual plan will be the pre-concept sketches included in CGA's response to the RFQ solicitation package. The objective of the conceptual plan will be to provide layout strategies to scale on a

surveyed base, identifying the programming and uses of the future park, and finalizing all the areas and inter-relationships of uses and components to be included.

5. **Schematic Design Phase** – Based on the approvals and directives of the Conceptual Design, CGA will further develop the design under Staff direction to the point that it meets the criteria for submission to the City Commission for a consideration of “in compliance” consistent with the City’s *Sec. 11.01.00 Processing of Plan Applications* process. The components that will be provided to the City Commission will be consistent with *Appendix B – Concept Plan Components* of Sec. 11.01.02. This Phase will include an Engineers Estimate of Probable Cost to the proposed plan’s cost against the City’s expressed construction budget of \$5 Million dollars.

PURCHASE ORDER 02:

6. **Public Outreach Process** – Once the site plan is deemed “in compliance” and approved by City Commission, CGA will engage in a public engagement process to be determined by the City at the time of negotiating Purchase Order 2. For purposes of estimating the cost of the investment, we are assuming that the same graphic and illustrative materials that will be utilized to obtain the approval by the City Commission will suffice for the public engagement process. We are also assuming that the public outreach process will be limited to communicating to the community the decision of the Commission and to describe in detail what has been approved as a directive. As such, we are estimating 3 meetings at a cost of \$2,280.00 per virtual meeting, which includes meeting preparation, meeting attendance, and preparation of the meeting notes.
7. **Design Development Phase** – Development of construction plans and detailing to a level of completion consistent with 60% up to a 90% completion of the final construction plans. This phase will require the sign-off and approval at both the 60% and 90% completion levels by City Staff. Sign-off will serve to memorialize consistency with the design intent, as it was presented to and approved by City Commission at the completion of Purchase Order 01.
8. **Biddable Documents Preparation Phase** – Development of construction plans, construction detailing, and specifications beyond the 90% completion level to 100% completion level and the preparation of technical specifications, where needed, to provide to the City in preparation of the City’s bidding process.
9. **Bidding and Awarding Assistance Phase** – Assisting City Staff in the preparation of the bid award process, generally limited to the preparation of the bid tender form for inclusion in the solicitation package, assisting in the drafting of comparable past experience requirements to be required of prospecting bidders, provide responses to Request for Information that may result in the issuance of addendums during the bidding phase, and verifying comparable work and issuing an analysis to the Procurement Department to append to their overall evaluation of the bidders.

SCOPE OF WORK – DETAILED**PURCHASE ORDER 01****GENERAL SERVICES (GS)**

- **Task 1: Project Management**

- CGA shall provide project management and project coordination services throughout the design and permitting process. The time and effort investment to achieve this is applied as a 4% mark-up cost of the final overall fee total.

This will include:

- the development of a communications plan,
 - coordination of the design team and included sub-consultants,
 - permitting,
 - design,
 - schedule,
 - adherence of design to construction budget,
 - adherence of design to the City of Stuart's directives, and
 - interactions with the City of Stuart Staff.
 - Providing prompt resolutions of issues which may arise during the design and/or permitting process.
 - Addressing internal-review comments from City Staff at key staff review opportunities provided and detailed herein. The basis of scope for addressing comments from City Staff is based on the assumption that the City's Project Manager will be responsible for consolidating all comments from all departments into a single excel document, determining the validity and application of the comment, determining if the comment needs to be brought to the attention of CGA, and providing a direction on to what degree to incorporate the comment. CGA will not be responsible for addressing comments that are provided piece-meal or which have not been vetted by the City's Project Manager with a directive for incorporation/exclusion from the plans.
 - Status updates shall be submitted to the City at key milestones, indicating percent complete for each task.
 - For all meetings included in this Agreement and detailed in this scope, CGA will prepare agendas, attend and prepare meeting minutes for distribution.

- **Task 2: Quality Assurance / Quality Control (QA/QC)**

- CGA shall provide extensive quality assurance and quality control practices to ensure that plans account for potential constructability issues, conflicts between design solutions by disciplines, and that omissions are reasonably eliminated. The time and effort investment to achieve this is detailed in each task where it will be performed. These services may include:
 - Peer-review of the entire set of plans at each phased submittal for each department and sub-consultant,
 - Constructability review by in-house, or third-party out-of-house professional.

- **Task 3: Bi-weekly Progress Meetings**

- CGA will conduct bi-weekly progress meetings via teleconferencing platform, such as Zoom, to review the status, progress and look-ahead of the project. Bi-weekly progress meetings are intended to be short and brief, with a focus on quickly identifying immediate needs of the project and serving as an opportunity to solicit clarification or directives from the City on specific relevant topics. These bi-weekly progress meetings are estimated at 30 minutes for each meeting.

FOUNDATION DATA-COLLECTION (FD) PHASE

- **Task 1: Project Kick-off Meeting**

- The CGA project team will attend one (1) kick-off meeting with the appropriate City representatives to introduce key team members to the City staff and review available planning and reference documents defining the project scope. Preliminary project goals, objectives, project reporting, decision-making processes, workflow, schedule, budget, and quality control will be discussed. The City will provide a list of any agencies having jurisdiction or for which special processes need to be met, outside of those already known to the CGA team for known permitting processes.
- The project kick-off meeting will be conducted via a Zoom meeting. City Staff to coordinate City Staff availability; CGA to provide Zoom meeting information. The scope will include:
 - Preparation a digital presentation outlining all the information
 - Conducting a group meeting via teleconferencing media, such as Zoom.

- **Task 2: Survey**

- CGA will conduct a Topographic Route Survey for approximately 18 acres of park and parking lots within the City-owned site; as well as the adjacent rights-of-way up to the opposing existing edge of pavement on Old Dixie Highway (A1A), E 14th Street, SE Pathfinder Ave and the centerline of SE 10th Street.
- Data Gathering
 - Obtain and review all public records documents as to rights-of-way, property ownership, platted easements, etc., as necessary to define the right-of-way limits of each roadway corridor.
 - Obtain, review and field recover any National Geodetic Survey (NGS), Florida Department of Transportation (FDOT), or Martin County Engineering Department horizontal and vertical survey control within and/or adjacent to the project limits.
- Topographic Boundary Survey
 - Prepare a geometrically precise base map referenced to Florida State Plane Coordinates (East Zone NAD 83/90) with all right-of-way lines,

lot lines, platted easements, and all lot, block, and recorded plat information.

- Obtain cross section topographic information at a maximum of fifty (50) foot intervals between longitudinal and cross-sectional points together with any grade breaks, swales, mounds or other definitive elevation change within the project limits. All survey data shall be referenced vertically to North American Vertical Datum of 1988 (NAVD88) and horizontally to North American Datum 83/90 (NAD 83/90).
- Locate all above-ground improvements within the survey limits, with horizontal locations and vertical elevations being provided for such items as edge-of-pavement, sidewalks, driveways, access points, curb cuts, buildings, and visible aboveground utilities. Visible aboveground utilities refer to the visible structures (e.g., manholes, valve boxes, inlets, risers, etc.), typically associated with storm drainage, sanitary sewer, potable water, electric, gas, telephone and cable television.
- Review required, applicable criteria to be incorporated from review of existing as-builts information, if applicable.
- Survey of existing storm drainage and sanitary sewer systems shall include measurements for pipe sizes, type of material, bottom of structure, direction of flow, and invert elevations for any accessible manholes of storm and sewer manholes, inlets within the project limits. Any pipes surveyed within the survey limits shall follow the pipe to the next structure to obtain the downstream invert.
- Prepare a Map of Survey signed and sealed by a Professional Surveyor & Mapper registered in the State of Florida. The survey will be prepared in accordance with the standards as set forth by Chapter 5J-17 of the *Florida Administrative Code*, pursuant to Florida Statutes Chapter 472.027.
- Obtain and incorporate utility markings as researched through the Utility coordination and Sub-surface Investigation tasks detailed elsewhere in this proposal.
- Tree Survey
 - The CGA team will map the areas of existing native and non-native vegetation within the proposed project area for use in the landscaping design and to evaluate areas of exotic vegetation that will be required to be removed, as well as potential environmental impacts of the project. All trees greater than a 3-inch diameter at breast height within the project limits will be located. Information pertaining to tree type, height, canopy spread, and tree diameter will be documented per tree.
 - The tree survey will provide the Botanical and Common name within the project limits. The survey table will include these descriptions with the information noted above.
 - Tree evaluations by in-house Certified Arborists will provide final determinations on the conditions of each tree, determine their

survivability to potential relocation, and determine possible mitigation requirements if each if identified for removal.

- **Task 3: Platting**

- Prepare a Record Plat drawing of the subject parcel in accordance with the requirements as set forth by Florida Statutes Chapter 177, Part 1 and all applicable platting requirements as outlined in the Martin County Land Development Code, Section 4.912 - Plat Requirements.
- Items to be included on record plat drawing:
 - Plat location sketch
 - North arrow and graphic scale
 - Name of the owner of the property or the owner's authorized agent
 - Lots and blocks of adjacent recorded plats
 - Plat boundary and interior lot lines with bearings and distances
 - Existing streets and alleys on or adjacent to the tract, including name and right-of-way width.
 - Legal description of the property being platted, all existing easements and rights-of-way within or adjacent to the plat limits.
 - Prepare dedication and acknowledgement signature blocks on plat drawing.
 - Set Permanent Reference Monuments (PRM's) at the exterior plat
 - Review of a current title commitment for the parcels (as supplied by others)
 - Plot any Schedule B-II title exceptions that pertain to survey matters and are required to appear on the plat drawing.
 - Address all comments, issues or other requirements that occur during the review portion of the plat with regards to survey comments and plat recordation issues.
- Plat Processing
 - Process a plat as outlined in Section 11.01.05, Plat Application, as described in the City of Stuart's Land Development Code and Martin County Land Development Code, Section 4.912 - Plat Requirements. Process includes:
 - Pre-application conference with the city development director and city staff.
 - Plat application completion and submittal.
 - Coordination on any review comments.
 - Attendance at a City Commission public hearing.
 - Prior to recordation, submit the plat to the county surveyor and mapper, showing all final plat survey data and line annotations, including specific information which appears on the map portion of the plat.

- Complete the plat checklist submitted on the county form and signed by CGA's surveyor and mapper responsible for the preparation of the plat.
 - Record the plat.
- **Task 4: Utility Coordination**
 - This task shall provide information meeting Subsurface Utility Engineering Quality Levels as described by ASCE “Standard Guidelines for Depiction and Collection of Existing Subsurface Utility Data”. Data Acquisition is limited to available records and soft digs as noted below.
 - Utility Coordination
 - Create an 811 Design Ticket.
 - Submit Initial Utility Request Letters to applicable utility owners.
 - Create a utility matrix for tracking all utility coordination, responses and confirmation information.
 - Log and input utility information into AutoCAD.
 - The CITY will provide drainage, water, and sewer as-builts.
 - Submit Confirmation Letters to applicable utility owners.
 - Follow up responses and confirmation from the applicable utility owners.
 - Subsurface Utility Engineering (SUE) will be provided in the Design Development Phase.
 - Conduct coordination with FPL, Comcast and AT&T for the relocation or undergrounding of the existing overhead utility line that traverses the center of the park.
- **Task 5: Design-relevant Data Collection, Ordinance Review, and Review of Available Information**
 - Review existing, available information relative to parks programming and needs.
 - Review applicable codes and ordinances to be reflected in the design.
 - Collection of City constructability and branding election standards, such as standard site detailing across all city improvements, furnishings, amenities, signage and standard policies.
 - Review of existing contract pricing and review, in concert with City Staff, internal procurement processes that may have an impact on the eventual cost of the project and opportunities for cost-savings.
 - Review of existing drainage, utility, and well permits related to the park property.
 - Pre-application meeting with Martin County for access opening request on Dixie Hwy in order to request a letter of no objection.
 - Review of any historical utility and drainage information from City staff.
- **Task 6: Electrical Preliminary Services**

- Conduct a field visit to obtain electrical information of existing Recreation Bldg.
- Coordinate with FPL and AT&T/Comcast the relocation of the existing overhead lines serving the warehouse building electrical from the east side of the park to the pole located approximate 75 feet from the warehouse building containing the electrical service transformer and AT&T/Comcast lines, the existing pole mounted transformers and AT&T/Comcast on the pole will remain, changes to the warehouse building overhead electrical service and AT&T/Comcast service are not included.
- **Task 7: Final Base-map Development**
 - After all site reconnaissance work has been completed, CGA will prepare a final base-map by compiling the Topographic Survey and Tree Survey to illustrate the visible existing conditions and topographic contours within the project limits. The final base-map will become the basis for the development of the project.
- **Task 8: Conference with City Staff on Final Findings**
 - The CGA team will schedule and attend one (1) digital conference meeting with City Staff to review existing conditions, identify potential design opportunities and challenges, and document/discuss relevant features/areas of interest. It is desired that all relevant City Departments will partake in this conference; City Staff to coordinate the meeting, including identifying key individuals, key departments, coordinating availability, and scheduling. CGA will provide the meeting link.

CONCEPTUAL DESIGN (CD) PHASE

- **Task 1: Development of Design Brief Memorandum**
 - The Design Brief Memorandum will serve to memorialize all directives obtained from City Staff, any directive received by City Commission (via City Staff), comments obtained via public outreach, and general findings of all foundation research. The Design Brief will serve as the Design Criteria to guide the process for developing designs.
- **Task 2: Site Utilization and Programming Strategy**
 - CGA will prepare the necessary diagrams to convey up to two (2) alternatives for Site Utilization and Use Strategies. These explorations will look at general component placement, their use and programming relationships, and will serve to highlight constructability questions about the site design and potential operational considerations that may need to be clarified. It is expected that the Site Utilization and Programming Strategy be reviewed and approved by City Staff, especially those Departments or Staff that will be responsible for the operational component of the park and those coordinating potential uses in the park that extend beyond simple park programming events.

- **Task 3: Conceptual Design Phase Review and Feedback**
 - The CGA Design Team will furnish City Staff a Conceptual Design Review Package for their use in soliciting comments from stakeholders. It is our understanding that City Staff will attend one-on-one virtual meetings with each of the Board Members to review the conceptual plan and solicit comments from each. City Staff will collect and compile comments from each of the stakeholders to convey them to the CGA Design Team for direction.
- **Task 4: Conceptual Design Feedback Follow-up and Directive**
 - Following Staff's one-on-one meetings with the Board Members and stakeholders, the CGA Design Team and City Staff will participate in a follow-up meeting, where City Staff will be responsible for providing and/or clarifying directives to be incorporated into the design in the Schematic Phase. Any conflicting comments or directives received from the Board Members will need to be resolved by Staff in order to provide a clear directive to the CGA Design Team.

SCHEMATIC DESIGN (SD) PHASE

- **Task 1: Draft Schematic Design**
 - CGA, together with the City's Project Manager and any applicable sub-consultants, will develop preliminary design documents for the selected Site Utilization and Programming Strategy. The draft schematic design will be represented with preliminary design documents that will include preliminary diagrams, plans, sections and details to illustrate overall vision, character and materials to further communicate the iconic vision for the project. The schematic design will be peer-reviewed by intersecting disciplines to ensure that the general approaches to site design are achievable, or that any critical condition is daylighted in order to solicit further direction from the City.
 - Electrical services in support of schematic design include:
 - Providing proposed pathways, trails and sidewalks lighting to all areas within the scope of work.
 - Providing parking lot lighting to the proposed parking areas and update recreation building parking lot lighting.
 - Providing lighting to multi-purpose field. Providing electrical and AT&T/Comcast services to the proposed concession building, concession building MEP design by others.
 - Providing under canopy lighting to proposed stage area.
 - Providing electrical infrastructure and lighting to proposed event areas.
 - Providing electrical service to proposed playground and water splash pad play area, electrical design, water, pump selections, etc. by others.
 - Providing security lighting to proposed picnic area.
 - Providing empty conduits and pull boxes for future dog park, park shelters, and board walk.
 - Providing electrical requirements to proposed entrance park monumental signs.

- CGA will conduct a preliminary design review of the draft schematic design with the City's Project Manager via an interactive teleconferencing meeting to present the draft plan and solicit feedback from City Staff.
 - The City's Project Manager will provide a consolidated list of Client comments to be incorporated into the final schematic design documents. CGA will review and incorporate input received from the City as a basis for developing the Final Schematic Design Documents.
- **Task 4: Final Schematic Design and Approval Milestone**
 - CGA and any applicable sub-consultants will further refine and develop the final schematic design documents in preparation for submission to a joint meeting including CRB/CRA/CC for approval consistent with *Appendix B – Concept Plan Components* of the aforementioned Sec. 11.01.00. The final schematic design will be represented with design documents that may include diagrams, plans, sections and details to illustrate overall vision, character and materials to further communicate the iconic vision for the project.
 - CGA will attend a City Commission meeting, present the Schematic Design package with the Engineer's Estimate of Probable Cost and answer any questions that the City Commission may have.
 - If the Commission deems the conceptual plan "not in compliance" and provides a different design direction than that obtained and vetted by Staff, then any re-design to develop new plans for resubmission to Commission shall be performed under an Additional Services Agreement.
 - **Task 6: Sign-off**
 - At the completion of the Schematic Design Phase, the City shall be required to issue a Notice to Proceed to advance to the Purchase Order 02.

PURCHASE ORDER 02:

(As mentioned in this proposal, the following language is being provided as an estimate of the work and tasks that will be completed once a contract for scope and fees for Purchase Order 02 has been engaged in. The cost to provide the following may vary from the estimated amount, depending on the directive received by City Commission at the time of approving the work-product delivered under Purchase Order 01.)

DESIGN DEVELOPMENT (DD) PHASE

- Task 1: Post-Approval and Design Directive Meeting
- Task 2: Pre-Application Meetings with Permitting Agencies
- Task 3: Geotechnical Engineering Analysis (via Sub-consultant)
- Task 4: Sub-surface Investigation (via Sub-consultant)
- Task 5: Development of 30%-level Development of Construction Plans
- Task 6: Final 30% Plans Approval
- Task 7: Sign-off of 30% Plans
- Task 8: Development of 60% Design Development Plans

- Task 9: Preliminary Permitting
- Task 10: Development of 90% Design Development Plans
- Task 11: Final Permitting
- Task 12: Sign-off of Design Development Plans

FINAL BID CONSTRUCTION DOCUMENTS (BD) PHASE

- Task 1: 100% Construction Drawings
- Task 2: Building Department Dry-Run
- Task 3: Provide Bid Documents

BIDDING AND AWARDED ASSISTANCE (AS) PHASE

- Task 1: Project Bidding
- Task 2: Attend the Pre-Bid Meeting
- Task 3: Respond to any Request for Clarifications during Bidding
- Task 4: Assist in Bid Evaluation

ASSUMPTIONS AND EXCLUSIONS

- **Assumptions**
 - The only services included in this contract are those identified above. No other Services are included in this contract.
 - No offsite improvements, beyond those needed to provide vehicular access, are included in this scope.
 - Sports field lighting is being provided by MUSCO through the City. City to provide CGA with the field/park proposed photometrics and service requirements.
 - It is assumed that the existing offsite water, sewer, and drainage systems can accommodate the proposed park improvements therefore no upsizing of existing offsite utilities is included in this scope. No sanitary sewer lift stations are included.
 - CGA assumes no responsibility for the accuracy of the information provided by the City, County or other entities at the behest of the City.
 - CGA will include proportional mark-ups, expressed as contingencies, in the provision of all cost estimates. Fluctuations in market costs for unit values will occur and are expected. Where fluctuations in unit costs for labor, materials or components exceed a 10% increase for any direct or indirect reason beyond CGA's control, they shall not constitute grounds for requiring a redesign at CGA's expense.
- **Exclusions**
 - No construction phase services are included.
 - No traffic study or data collection services are included.
 - No offsite work on SE 10th Street.

- Environmental services associated with or related to the existing well-field or coordinating with the City's environmental consultant.
- Coordination through FDOT's electronic review process or obtaining FDOT permits.
- Coordination or processing through any agency other than the City for funding purposes.
- Presentation materials beyond those listed in the scope. CGA will prepare presentation materials for required approvals and will share work-in-progress with the Client during project coordination meetings.
- Meetings and presentations beyond those listed in the scope.
- Physical models or 3d models.
- Professional Renderings or Animations.
- Operations and Maintenance Planning, other than those included as part of project Close-out.
- Art and programing planning and curation.
- Security design and consulting.
- Waterproofing engineering.
- Construction As-built drawing preparation. Consultant to review As-built drawings prepared by others.
- Design mock-ups Consultant to review and approve design mockups by others if conducted.
- Client initiated changes necessitated by a change on a previous instruction or approval given by the Client or a material change in the Project including, but not limited to size, quality, complexity, schedule, budget of work resulting on an increase of the scope, or procurement or delivery method. CGA and their Subconsultant's are responsible for revisions associated with authorized Change Orders in response to errors and omissions by CGA and their Subconsultant's or Change Orders related to minor changes in work that are consistent with the intent of the Contract Documents. Change Orders will not be stand-alone packages. Where appropriate, Change Orders can be submitted as official sketches without revising official Contract Documents.
- Any work that extends beyond the schedule and timeframe for delays beyond the control of the Consultant, not including delays resulting from "Acts of God".
- Any work that is incurred because of Client directed changes in decisions once prior approvals have been made during the Design Phases of the project.
- Lighting design assumes market available off-the-shelf fixtures or off-the-shelf fixtures with some custom features. The design and engineering of custom fixtures is excluded.
- Any related design for the water features. Water feature designs by others. CGA will provide water, drainage and electrical connections as directed by water feature consultant only.
- Archeological evaluations.
- Environmental contamination evaluations.
- Any work associated with LEED certification or Sustainable SITES.

- Electrical and utilities connections design for buildings affected by the undergrounding of the existing overhead utilities. (FPL, Comcast, AT&T, etc.)

BASIS OF PROPOSAL

- Any opinion of the construction cost prepared by Calvin, Giordano & Associates, Inc. represents its judgment as a design professional and is supplied for the general guidance of the CLIENT since Calvin, Giordano & Associates, Inc. has no control over the cost of labor and material, or over competitive bidding or market conditions. Calvin, Giordano & Associates, Inc. does not guarantee the accuracy of such opinions as compared to contractor bids or actual cost to the CLIENT.
- Any outside engineering services, studies, or laboratory testing not specifically mentioned in the Scope of Services will be the responsibility of the CLIENT. All municipal, permit, and agency fees as well as Title Certificates will be paid by the CLIENT.
- Basic services outlined within this proposal shall be considered complete when the project plans are submitted to the regulatory agencies for Certification.
- Calvin, Giordano & Associates, Inc. is performing the consultant services set forth in this Agreement strictly as a professional consultant to CLIENT. Nothing contained in this Agreement shall create any contractual relationship between Calvin, Giordano & Associates, Inc. and any contractor or subcontractor performing construction activities on the project, or any of CLIENT's other professional consultants.
- Calvin, Giordano & Associates, Inc. shall not be responsible for the contractor's schedules or failure to carry out the construction in accordance with the construction documents. Calvin, Giordano & Associates, Inc. shall not have control over or charge of acts or omissions of the contractor, subcontractors, or their agents or employees, or of any other persons performing portions of the construction.
- Calvin, Giordano & Associates, Inc. will require that all consultants carry proper insurance, including professional liability insurance, if appropriate.
- Permit construction certification will include one partial and one final inspection.

ADDITIONAL FEES

The following services are NOT included in this proposal and will be considered Additional Services, which will be addressed in a separate contractual agreement. The services include but are not limited to:

- Architectural, structural (i.e., retaining walls, bridges, docks), mechanical (i.e., fire pumps), fire protection, geotechnical and testing, environmental assessment, power, gas, telephone, cable television, site lighting services.
- Calculations for needed fire flow for site demands, based on building type use and size, if required.
- Calculations of off-site flood stages.

- Construction quality control inspections.
- Off-site engineering and negotiations for off-site easements, if required (other than as specified in the Scope of Services).
- Permit application or negotiation with permitting authorities other than those specifically listed herein.
- Preparation of construction contract documents, other than drawings and technical specifications (e.g., bid schedule, project manual);
- Professional land surveying not included in the scope of services (i.e., buried utility investigation, easement research, condominium documents, project stake-out and as-built drawings).
- Professional services required due to conditions different from those itemized under the Scope of Services or due to events beyond the control of Calvin, Giordano & Associates, Inc.
- Professional services required, due to changes in the site plan initiated by the CLIENT, their representatives or other consultants (e.g., architects, landscape architects, etc.) after either design or preparation of the construction drawings has commenced.
- Re-review of rejected shop drawings.
- Review and approval of Contractor pay requests.
- Review of Data supplied by the CLIENT (i.e. GIS data sets, databases, aerial images, etc.) required for integration into this project.
- Review of shop drawings for contractor or Client selected alternatives, materials, products, etc.
- Special shop drawing annotation and modification to expedite shop drawing approval process.
- Updated boundary survey, site evaluation or closing assistance work, unless specified above.

REIMBURSABLE EXPENSES

Calvin, Giordano & Associates, Inc. and its consultants will be reimbursed for the printing of drawings and specifications, deliveries, Federal Express services, required travel time and travel expenses, long distance telephone calls, fax transmittals, postage, fees paid for securing approval of authorities having jurisdiction over the project, renderings, models and mock-ups required by CLIENT, as required. Reimbursable expenses and sub-consultant invoices will be billed directly to the CLIENT at a multiplier of 1.25.

MEETING ATTENDANCE

Due to the difficulties of predicting the number or duration of meetings, no meetings other than those listed above, are included in the Schedule of Fees shown below.

Preparation for and meeting attendance, as necessary, will be provided on a time and materials basis and will be billed at the standard hourly rates in accordance with the attached Hourly Rate Schedule.

SCHEDULE OF FEES

Calvin, Giordano & Associates, Inc. will perform the Scope of Services for a lump sum fee as shown in the proposed Schedule of Fees:

PROPOSED SCHEDULE OF FEES FOR PURCHASE ORDER 01 ONLY	
I. SCOPE OF WORK BY TASK PHASE	
A. General Services Phase	\$ 35,280.00
B. Foundation Data Collection Phase	\$ 49,080.00
C. Platting Phase	\$ 22,555.00
D. Conceptual Design Phase	\$ 92,130.00
E. Schematic Design Phase	\$ 74,290.00
F. Sub-consultant: Architecture	\$ 40,000.00
G. Sub-consultant: Structural Engineering	\$ 15,500.00
II. MEETINGS (Not included in I: A-J)	Hourly
TOTAL Lump Sum (Plus Hourly Services)	\$ 328,835.00
III. Reimbursables (Approx. 5% of Total; Belongs to the City)	\$ 15,682.00
TOTAL AMOUNT NOT TO EXCEED	\$ 344,517.00

Estimate for Future Purchase Order 02 – To be Negotiated at a later date

- **Total: \$ 362,005.30**
 - CGA Estimated Lump Sum Services: \$ 344,745.00
 - General Services: \$ 23,560.00
 - Design Development Phase: \$ 166,180.00
 - Bid Documents Phase: \$ 40,065.00
 - Bid Assistance Phase: \$ 21,150.00
 - Sub-consultants: \$ 93,790.00
 - Reimbursable Expenses (Belongs to the City): \$ 17,260.30

TERMS OF THE AGREEMENT

- Calvin, Giordano & Associates, Inc. and the CLIENT agree by their signatures on this document that each party will not hire or attempt to hire any staff from the other party while under contract together.
- Calvin, Giordano & Associates, Inc. is preparing and providing drawings, plans, specifications and other documents as outlined in the scope of services for this Agreement for use in the construction of this project, based upon design and construction criteria prepared and provided by others, including but not limited to the CLIENT and CLIENT's consultants. Calvin, Giordano & Associates, Inc. is not responsible for any errors and omissions in the aforesaid design and construction criteria provided by others.
- CLIENT agrees to indemnify, hold harmless and, at Calvin, Giordano & Associates, Inc.'s option, defend or pay for an attorney selected by Calvin, Giordano & Associates, Inc., to defend Calvin, Giordano & Associates, Inc., its officers, agents, servants, and employees against any and all claims, losses, liabilities, and expenditures of any kind, including attorney fees, any appellate attorney costs, court costs, and expenses, caused by, arising from, or related to any acts, omissions or negligence of CLIENT or its consultants.
- CLIENT agrees to limit Calvin, Giordano, & Associates, Inc.'s liability for any and all claims that CLIENT may assert on its own behalf or on behalf of another, including but not limited to claims for breach of contract or breach of warranty, to the amount of fees paid to Calvin, Giordano & Associates, Inc., pursuant to this Agreement.
- Drawings, specifications, and other documents and electronic data furnished by Calvin, Giordano & Associates, Inc. in connection with this project are instruments of service. All original instruments of service shall be retained by Calvin, Giordano & Associates, Inc. and will remain their property, with all common law, statutory and other reserved rights, including copyright, in those instruments. This information provided in the instruments of service is proprietary and will not be shared with others without prior written consent. The CLIENT may request reproducible copies, and all original documents upon payment of all outstanding invoices, and expenses.
- In the event of termination in accordance with this Agreement or termination not the fault of Calvin, Giordano & Associates, Inc., Calvin, Giordano & Associates, Inc. shall be compensated for services properly performed prior to receipt of notice of termination, together with Reimbursable Expenses then due.
- Invoices for work accomplished to date will be submitted monthly and are payable within thirty (30) days. The CLIENT will pay invoices upon receipt and understands interest charges of 1.5% per month will be applied to any unpaid balance past thirty (30) days. Calvin, Giordano & Associates, Inc. may elect to stop work until payment is received. If work is stopped for thirty (30) days or more, Calvin, Giordano & Associates, Inc. may request compensation for start-up costs when work resumes.
- PURSUANT TO SECTION 558.0035, FLORIDA STATUTES, AN INDIVIDUAL EMPLOYEE OR AGENT OF CALVIN, GIORDANO & ASSOCIATES, INC. MAY NOT BE HELD INDIVIDUALLY LIABLE IN NEGLIGENCE FOR ANY

CLAIMS, DAMAGES, LOSSES, OR DISPUTES ARISING OUT OF OR SUBJECT TO THE CONTRACT.

- The CLIENT or their representative shall be available to meet with Calvin, Giordano & Associates, Inc. and provide decisions in a timely manner throughout the course of the project. The CLIENT will provide all plans and other pertinent information, which are necessary for Calvin, Giordano & Associates, Inc. to provide complete professional services as outlined in this contract.
- The terms of Agreement shall be valid for the Client's acceptance for a period of thirty (30) days from the date of execution by Calvin, Giordano & Associates, Inc. after which time this contract offer becomes null and void if not accepted formally (evidenced by receipt of an executed copy of this document). All rates and fees quoted in this document shall be effective for a period of six (6) months, after which time they may be renegotiated with the CLIENT.
- This Agreement may be terminated by either party upon not less than seven (7) days written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination. Failure of CLIENT to make payments to Calvin, Giordano & Associates, Inc., in accordance with this Agreement, shall be considered substantial nonperformance and cause for termination.

MISCELLANEOUS PROVISIONS

- CLIENT and Calvin, Giordano & Associates, Inc., respectively, bind themselves, their partners, successors, assigns, and legal representatives to the other party to this Agreement and to the partners, successors, assigns, and legal representatives of such other party with respect to all covenants of this Agreement. Neither CLIENT nor Calvin, Giordano & Associates, Inc. shall assign this Agreement without written consent of the other.
- This Agreement represents the entire and integrated agreement between the CLIENT and Calvin, Giordano & Associates, Inc. and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Calvin, Giordano & Associates, Inc. and the CLIENT.
- Unless otherwise provided, this Agreement shall be governed by the law of the place where the project is located.

TERMINATION OF THE AGREEMENT

- This Agreement may be terminated by either party upon not less than seven (7) days written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination. Failure of CLIENT to make payments to Calvin, Giordano & Associates, Inc., in accordance with this Agreement, shall be considered substantial nonperformance and cause for termination.
- In the event of termination in accordance with this Agreement or termination not the fault of Calvin, Giordano & Associates, Inc., Calvin, Giordano & Associates, Inc.

shall be compensated for services properly performed prior to receipt of notice of termination, together with Reimbursable Expenses then due.

We appreciate the opportunity to submit this proposal. Calvin, Giordano & Associates, Inc. is prepared with the necessary manpower to proceed with the proposed scope of services upon receipt of the executed authorization. Our personnel are committed to completing the project in a timely manner. Please indicate your acceptance of this proposal by signing below and returning one executed copy of the contract to this office. We look forward to working with you in making this project a success.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

Chris Giordano
Vice President

Cost of these services are \$344,517.00 plus hourly as noted in fee breakdown.

ACCEPTANCE OF CONTRACT

CALVIN, GIORDANO & ASSOCIATES, INC.

By: _____
Name: Chris Giordano
Title: Vice President

Date: _____

CITY OF STUART

By: _____
Name: David Dyess
Title: City Manager

Date: _____

Purchase Order 01	Standard Rate	General Services		Foundation Data Collection Phase		Platting Phase		Conceptual Design Phase		Schematic Phase	
LANDSCAPE ARCHITECT											
Associate, Landscape Architect	\$ 165.00	28	\$ 4,620.00	8	\$ 1,320.00		\$ -	4	\$ 660.00	12	\$ 1,980.00
Senior Landscape Architect	\$ 135.00		\$ -	8	\$ 1,080.00		\$ -	8	\$ 1,080.00	8	\$ 1,080.00
Landscape Architect	\$ 120.00	107	\$ 12,840.00	57	\$ 6,840.00		\$ -	269	\$ 32,280.00	160	\$ 19,200.00
Landscape CADD Technician	\$ 95.00		\$ -	116	\$ 11,020.00		\$ -	312	\$ 29,640.00	176	\$ 16,720.00
ENGINEERING (CIVIL)											
Associate, Engineering (VI)	\$ 190.00	24	\$ 4,560.00	14	\$ 2,660.00		\$ -	16	\$ 3,040.00	46	\$ 8,740.00
Project Manager (IV)	\$ 150.00	31	\$ 4,650.00	71	\$ 10,650.00		\$ -	34	\$ 5,100.00	136	\$ 20,400.00
CADD Technician	\$ 95.00		\$ -	24	\$ 2,280.00		\$ -		\$ -	58	\$ 5,510.00
ENGINEERING (ELECTRICAL)											
Associate, Engineering (VI)	\$ 190.00		\$ -		\$ -		\$ -		\$ -		\$ -
Project Manager (IV)	\$ 150.00	31	\$ 4,650.00		\$ -		\$ -	114	\$ 17,100.00	0	\$ -
CADD Technician	\$ 95.00		\$ -		\$ -		\$ -	34	\$ 3,230.00	0	\$ -
SURVEYING											
Senior Registered Surveyor	\$ 145.00		\$ -	38	\$ 5,510.00	28	\$ 4,060.00		\$ -		\$ -
Survey Crew	\$ 135.00		\$ -	38	\$ 5,130.00	16	\$ 2,160.00		\$ -		\$ -
Survey Coordinator	\$ 105.00		\$ -	12	\$ 1,260.00		\$ -		\$ -		\$ -
CADD Technician	\$ 95.00		\$ -	14	\$ 1,330.00	88	\$ 8,360.00		\$ -		\$ -
PLANNING											
Planning Manager	\$ 145.00		\$ -		\$ -	55	\$ 7,975.00		\$ -		\$ -
CONSTRUCTION											
Associate, Construction	\$ 165.00	24	\$ 3,960.00		\$ -		\$ -		\$ -	4	\$ 660.00
		\$ 35,280.00	\$ 49,080.00		\$ 22,555.00		\$ 92,130.00		\$ 74,290.00		

CGA Professional Fees Sub-total \$ 273,335.00

Sub-consultants \$ 55,500.00

Total Professional Fees \$ 328,835.00

Reimbursable Expenses (Belongs to the City) \$ 15,682.00

Total \$ 344,517.00

Purchase Order 02	Standard Rate		General Services		Design Development Phase		Final Bid Documents		Bid Assistance		
LANDSCAPE ARCHITECT											
Associate, Landscape Architect	\$ 165.00	20	\$ 3,300.00	14	\$ 2,310.00	10	\$ 1,650.00		\$ -		\$ -
Senior Landscape Architect	\$ 135.00		\$ -	56	\$ 7,560.00	44	\$ 5,940.00		\$ -		\$ -
Landscape Architect	\$ 120.00	69	\$ 8,280.00	292	\$ 35,040.00	46	\$ 5,520.00	44	\$ 5,280.00		\$ -
Landscape CADD Technician	\$ 95.00		\$ -	296	\$ 28,120.00	83	\$ 7,885.00	40	\$ 3,800.00		\$ -
ENGINEERING (CIVIL)											
Associate, Engineering (VI)	\$ 190.00	16	\$ 3,040.00	54	\$ 10,260.00	14	\$ 2,660.00		\$ -		\$ -
Project Manager (IV)	\$ 150.00	21	\$ 3,150.00	312	\$ 46,800.00	68	\$ 10,200.00	36	\$ 5,400.00		\$ -
CADD Technician	\$ 95.00		\$ -	154	\$ 14,630.00	48	\$ 4,560.00	26	\$ 2,470.00		\$ -
ENGINEERING (ELECTRICAL)											
Associate, Engineering (VI)	\$ 190.00		\$ -		\$ -		\$ -		\$ -		\$ -
Project Manager (IV)	\$ 150.00	21	\$ 3,150.00	80	\$ 12,000.00		\$ -	28	\$ 4,200.00		\$ -
CADD Technician	\$ 95.00		\$ -	44	\$ 4,180.00		\$ -		\$ -		\$ -
SURVEYING											
Senior Registered Surveyor	\$ 145.00		\$ -		\$ -		\$ -		\$ -		\$ -
Survey Crew	\$ 135.00		\$ -		\$ -		\$ -		\$ -		\$ -
Survey Coordinator	\$ 105.00		\$ -		\$ -		\$ -		\$ -		\$ -
CADD Technician	\$ 95.00		\$ -		\$ -		\$ -		\$ -		\$ -
PLANNING											
Planning Manager	\$ 145.00		\$ -		\$ -		\$ -		\$ -		\$ -
CONSTRUCTION											
Associate, Construction	\$ 165.00	16	\$ 2,640.00	32	\$ 5,280.00	10	\$ 1,650.00		\$ -		\$ -
			\$ 23,560.00	\$ 166,180.00		\$ 40,065.00		\$ 21,150.00		\$ -	

CGA Professional Fees Sub-total \$ 250,955.00

Sub-consultants \$ 93,790.00

Total Professional Fees \$ 344,745.00

Reimbursable Expenses (Belongs to the City) \$ 17,260.30

Total \$ 362,005.30