



A G E N D A

**REGULAR MEETING OF THE STUART CITY COMMISSION
TO BE HELD January 10, 2022
AT 4:00 PM COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor Merritt Matheson
Vice Mayor Troy McDonald
Commissioner Becky Bruner
Commissioner Eula R. Clarke
Commissioner Mike Meier**

ADMINISTRATIVE

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

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306 . Fax: (772) 288-5305 . E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.
(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

WHAT IS CIVILITY? *Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.*

PUBLIC COMMENT: *If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.*

CONSENT CALENDAR: *Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.*

QUASI-JUDICIAL HEARINGS: *Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.*

ROLL CALL

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - JAN FOSELLI "THE ART OF JOURNALING"

PRESENTATIONS

2. SERVICE AWARD - JANUARY 2022
3. EMPLOYEE SPOTLIGHT - JANUARY 2022
4. STUART FIRE RESCUE 2021 ANNUAL REPORT

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

CONSENT CALENDAR

5. APPROVAL OF 12/13/2021 CCM MINUTES (RC)
6. FACSIMILE SIGNATURE BANK (RC):

RESOLUTION No. 02-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE USE OF FACSIMILE SIGNATURES ON CHECKS ISSUED BY THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. FDOT TAP APPLICATION FOR DIXIE HIGHWAY (SE 14TH STREET TO SE FLORIDA STREET) SIDEWALK EXTENSION (RC):

RESOLUTION No. 03-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE UTILITIES & ENGINEERING DEPARTMENT TO APPLY FOR A FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP) APPLICATION FOR THE DIXIE HIGHWAY (SE 14TH STREET TO SE FLORIDA STREET) SIDEWALK EXTENSION; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

8. AUTHORIZATION TO NEGOTIATE RFP #2022-200, REDEVELOPMENT OF THREE ADJOINING PARCELS ON EAST OCEAN BLVD. (RC):

RESOLUTION No. 04-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA REQUESTS AUTHORIZATION TO NEGOTIATE FOR RFP #2022-200, REDEVELOPMENT OF THREE ADJOINING PARCELS ON EAST OCEAN BLVD TOP RANKED FIRM, STUART MEWS OF DELRAY BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

9. AUTHORIZATION TO AWARD ITB# 2022-103: ANNUAL STREET SWEEPING SERVICES (RC):

RESOLUTION No. 05-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2022-103, ANNUAL CONTRACT FOR STREET SWEEPING SERVICES TO THE LOWEST, MOST RESPONSIVE, AND RESPONSIBLE BIDDER WITH THE TOTAL AWARD AMOUNT NOT TO EXCEED \$40,080.00 ANNUALLY TO CLEAN SWEEP & VAC, LLC OF JENSEN BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

10. LANDSCAPE DONATION TO FLAGLER PARK (RC):

RESOLUTION No. 07-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY MANAGER ACCEPT THE DONATION AND INSTALLATION OF LANDSCAPING AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, WHICH SHALL BE INSTALLED IN FLAGLER PARK; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

11. EAST STUART CONDITIONAL USE APPROVAL FOR PACE CHILD CARE FACILITY (QUASI-JUDICIAL)(RC):

RESOLUTION No. 06-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING AN EAST STUART CODE CONDITIONAL USE APPROVAL TO ELLA PACE, A LICENSED DAY CARE OPERATOR, FOR PROPERTY LOCATED AT 915 SE EAST AVENUE, IN THE EAST STUART BUSINESS AND MIXED-USE SUB-DISTRICT; AND MORE FULLY DESCRIBED BY EXHIBIT 'A' ATTACHED, TO OPERATE PACE LEARNING

ACADEMY, A CHILD CARE CENTER WITH A MAXIMUM OF 8 CHILDREN AT ONE TIME AND ACCORDING TO THE REGULATIONS PER CERTIFICATE NUMBER C19MA0098 ISSUED BY THE DEPARTMENT OF CHILDREN AND FAMILIES (DCF); PROVIDING FOR CONDITIONS, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

12. MAJOR SITE PLAN AMENDMENT - MONTEREY MEDICAL PARKING EXPANSION (QUASI-JUDICIAL)(RC):

RESOLUTION No. 01-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE AN AMENDMENT TO A MAJOR DEVELOPMENT SITE PLAN AT 'MONTEREY MEDICAL CENTER' LOCATED AT 1050 SE MONTEREY ROAD, STUART TO EXPAND THE PARKING LOT FOR 51 ADDITIONAL PARKING STALLS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

13. SHEPARD PARK BOAT SLIP LEASE (RC):

RESOLUTION No. 08-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AUTHORIZE EXECUTION OF LEASE AGREEMENT BETWEEN THE CITY OF STUART AND FRAZIER CREEK PROPERTIES, LLC FOR A BOAT SLIP LOCATED AT 400 SW FEDERAL HIGHWAY, STUART; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

14. COMMISSIONER GOALS FOR 2022

ADJOURNMENT

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

Meeting Date: 1/10/2022

Prepared by: Susej Meleqi, Deputy Clerk

Title of Item:

ARTS MOMENT - JAN FOSELLI "THE ART OF JOURNALING"

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Enjoy!

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

Meeting Date: 1/10/2022

Prepared by: R. Johnson

Title of Item:

SERVICE AWARD - JANUARY 2022

Summary Explanation/Background Information on Agenda Request:

Darius Holmes Police 5 years

Funding Source:

General Fund

Recommended Action:

Present Award

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 1/10/2022

Prepared by: Jan Foselli

Title of Item:

EMPLOYEE SPOTLIGHT - JANUARY 2022

Summary Explanation/Background Information on Agenda Request:

Recognize LeeAnn Jones for the Employee Spotlight for January, 2022.

Funding Source:

N/A

Recommended Action:

Recognize LeeAnn Jones for the Employee Spotlight for January, 2022.

ATTACHMENTS:

Description	Upload Date	Type
▯ LeeAnn Jones, Employee Spotlight	12/30/2021	Cover Memo



Employee Spotlight

LeeAnn Jones
Utilities and Engineering Department
January 2022

“We moved to Stuart from Ft. Lauderdale in 1985 so Gary could work on the ‘missing link’ of I-95.” LeeAnn stated. The ‘missing link’ was the portion of I-95 that connected Martin County to Palm Beach County. During this time, LeeAnn and Gary celebrated the birth of their 2 children, Nicole and Daniel.

In 1993, LeeAnn noticed the lack of modern playground equipment at the few parks within the City of Port St. Lucie. Bringing the children to the park was a fun way to spend an afternoon but she and other local moms were dissatisfied with the condition and lack of equipment for their kids to play on. Her leadership skills kicked in, and she quickly formed a committee of 20 volunteers to assist in building a community playground for the local children. She spearheaded the fundraising efforts and after 9 months, the committee had raised over \$100,000 in cash donations and grants. The local elementary school children were engaged for their input on the playground. With the help of the national playground company, the students drew their ideas and the playground was designed. Over 1,600 community volunteers built the playground in 7 days, and it was named the Westwinds Playground at Whispering Pines Park in Port St. Lucie. The volunteers also built ‘Lucy’ the dinosaur from used tires, and they ensured there were play stations available for those with disabilities, including rubberized matting for wheelchair accessibility. The committee also buried a time capsule for future generations to discover! Over time, and due to the age and maintenance of the structures, the playground was dismantled and a new playground built 2005. However, LeeAnn and her committee started a legacy in the modernization of playgrounds for children in the City of Port St. Lucie!

Today, LeeAnn and Gary are ‘empty nesters’ and share their house with 2 cats, Tom Jones and Nilla Bean. On the weekends, LeeAnn can be found in her craft room creating works of art with stained glass, sewing all sorts of items, or decorating items, such as coffee mugs, shirts or coasters. with either her sublimation or Cricut machines. Her greatest stained glass piece was made for her father and is the Marine Corp symbol. She has also created several Florida Gator pieces, and one of them sold at a charity auction for \$500!

“I was so happy when I got the job as Division Assistant in 2015,” says LeeAnn. She loves the City of Stuart and is proud to tell others that she works here. “It really is like a family! My co-workers make the atmosphere fun and relaxed, and I really appreciate all the benefits the City provides to its employees!”

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 1/10/2022

Prepared by: Mary Kindel, City Clerk

Title of Item:

STUART FIRE RESCUE 2021 ANNUAL REPORT

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

No action.

ATTACHMENTS:

Description	Upload Date	Type
▢ Fire Dept. 2021 Annual Report	1/3/2022	Presentation



STUART FIRE RESCUE

2021

ANNUAL REPORT



Welcome to our department!

► MISSION STATEMENT

“Making a difference in our community, saving lives and property.”

► STRATEGIC VISION

Stuart Fire Rescue is committed to delivering the highest level of Fire and Emergency Medical Services (EMS).

MESSAGE FROM THE FIRE CHIEF

The City of Stuart Fire Rescue Department completed its 106th year of service in 2021. The members of our fire department are just as proud to serve our community as those firefighters were in 1915. There have been a number of changes to our department in the last couple of years. Perhaps the greatest accomplishment is becoming an ISO Class 1 Fire Department. This report will show the growth and progress we have made and our goals for the future. Our department experienced a record number for call volume in 2021 and with the community continuing to grow, we can expect to see this number increase every year. I am very proud of the accomplishments we have made and look forward to continually improve on our service delivery to the community in the most cost-efficient manner. On behalf of the men and women of the City of Stuart Fire Rescue Department, I am happy to present you with our 2021 Annual Report.

Vince Felicione
Fire Chief

About us

The City of Stuart Fire Rescue is an ISO Class 1 Department comprised of 48 personnel, providing the following services to our community:

- ▶ Fire Suppression
- ▶ Emergency Medical Services (EMS)
- ▶ Fire Prevention
- ▶ Fire Investigations
- ▶ Fire Safety/Public Education
- ▶ Special Events coverage
- ▶ Community Safety Training-CPR/AED, Car Seat Installation, Smoke Detector Give Away



Fire Station 1, City of Stuart Public Safety Complex, 800 SE Martin Luther King Blvd



Fire Station 2, located at 1100 SE
Monterey Road Extension



Temporary Station 3 placed in service
October 2021 at Haney Creek Park on Baker
Rd to house R-3 and two personnel

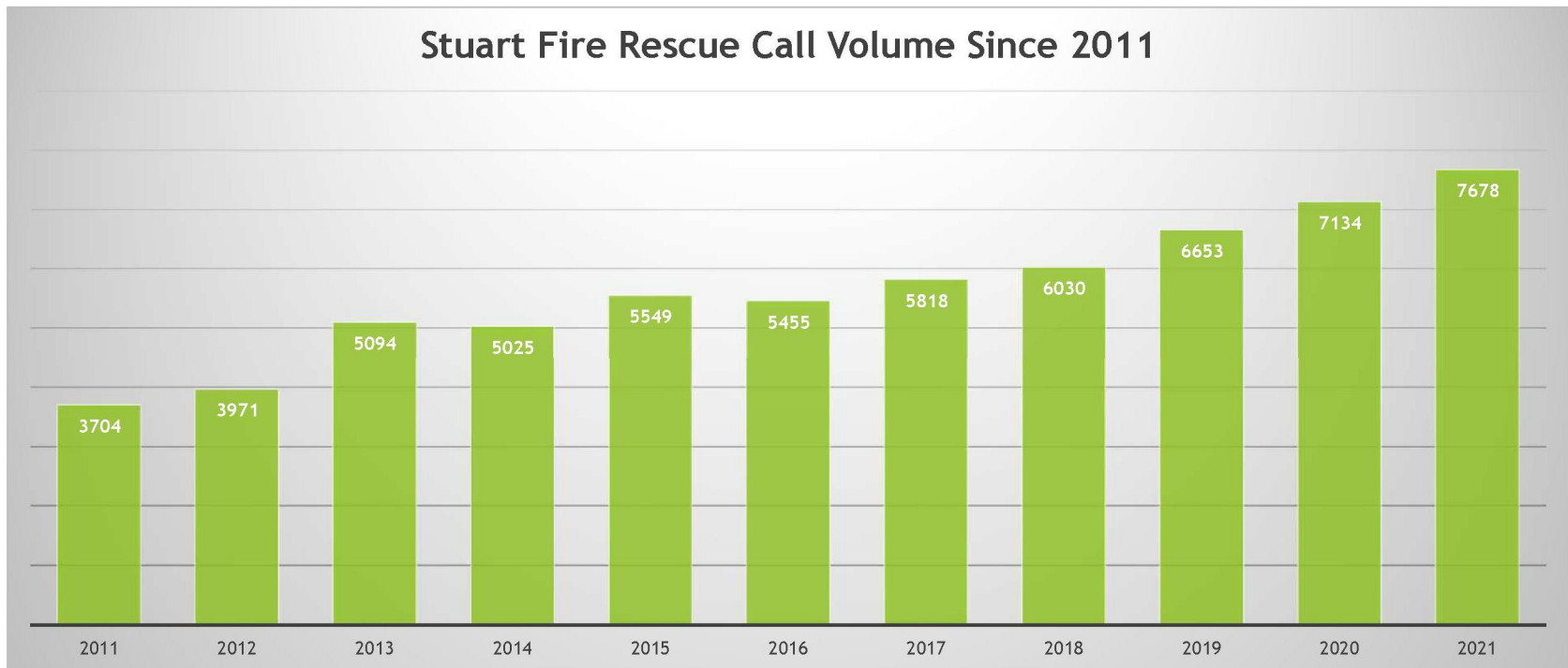


RESCUE 3

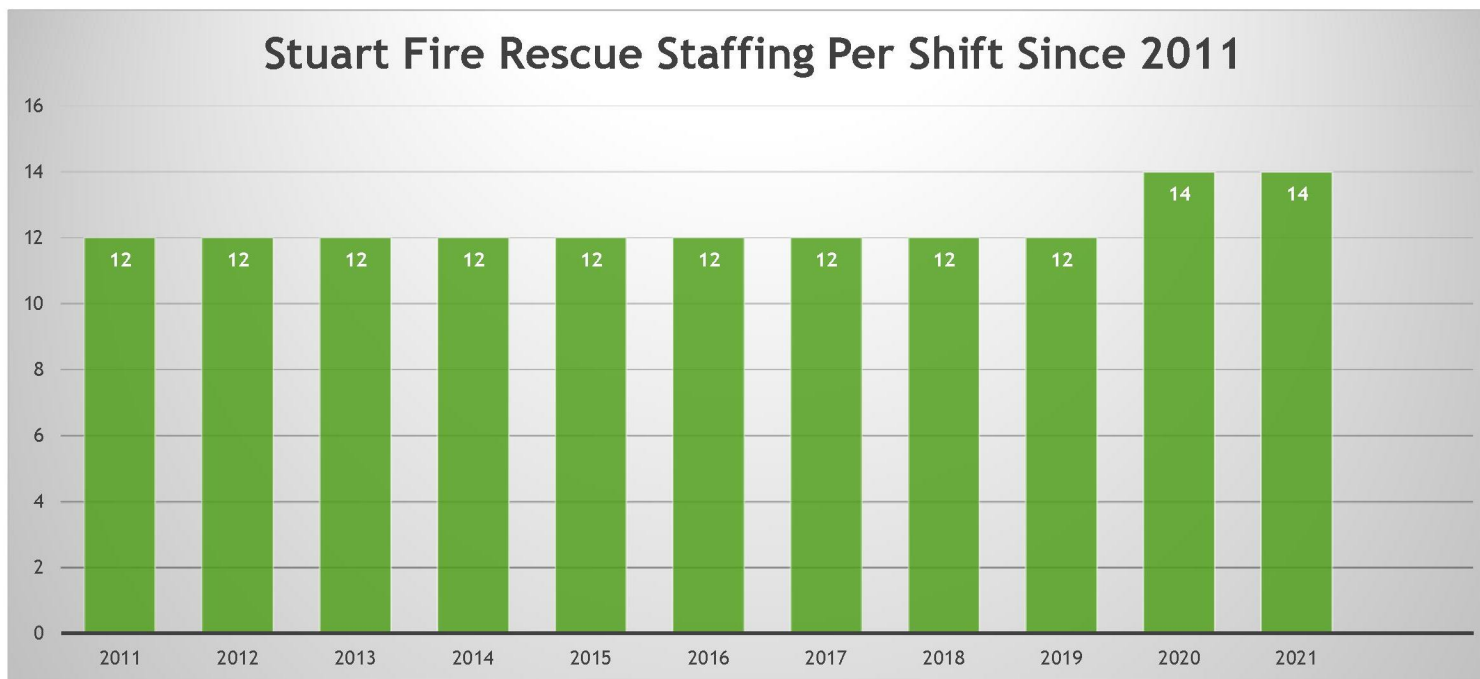
- Increased staffing to 14 per day to add a 3rd Rescue to the fleet full time. With the addition of R-3, we are able to capture more calls for service within the City of Stuart and reduce MCFR responses into the City.

Calls by Type	FY 20	FY 21	FY 22 projected*
Fire	69	81	85*
Rescue & EMS	4927	5129	5500*
Hazardous Conditions (no fire)	106	82	85*
Service Calls	278	818	600*
Good Intent Calls	1313	1021	1100*
False Alarms & False Calls	401	461	450*
Special Incident Types	3	9	8*
Severe Weather/Supplemental	37	77	75*
Total Fire Rescue Incidents:	7134	7678	7903*
Fire Inspections:			
Annual Life Safety Fire Inspections	281	141	400*
Building Permit Fire Inspections	466	540	550*
Local Business Tax Fire Inspections	177	160	160*
Total Inspections:	924	821	2220*
Fire Investigations total:	10	13	1*
Building Plans Review:			
Fire Code Compliance Plan Review	506	520	475*

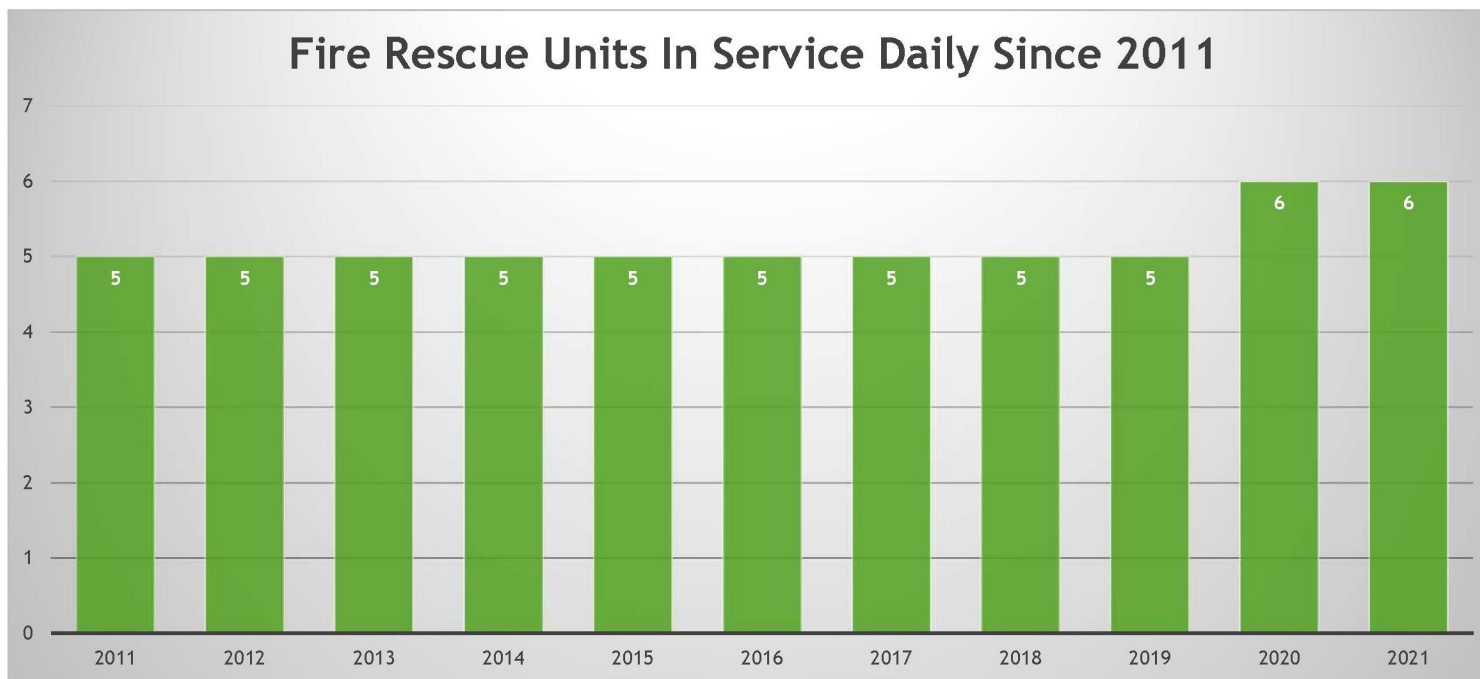
FIRE RESCUE CALL VOLUME SINCE 2011



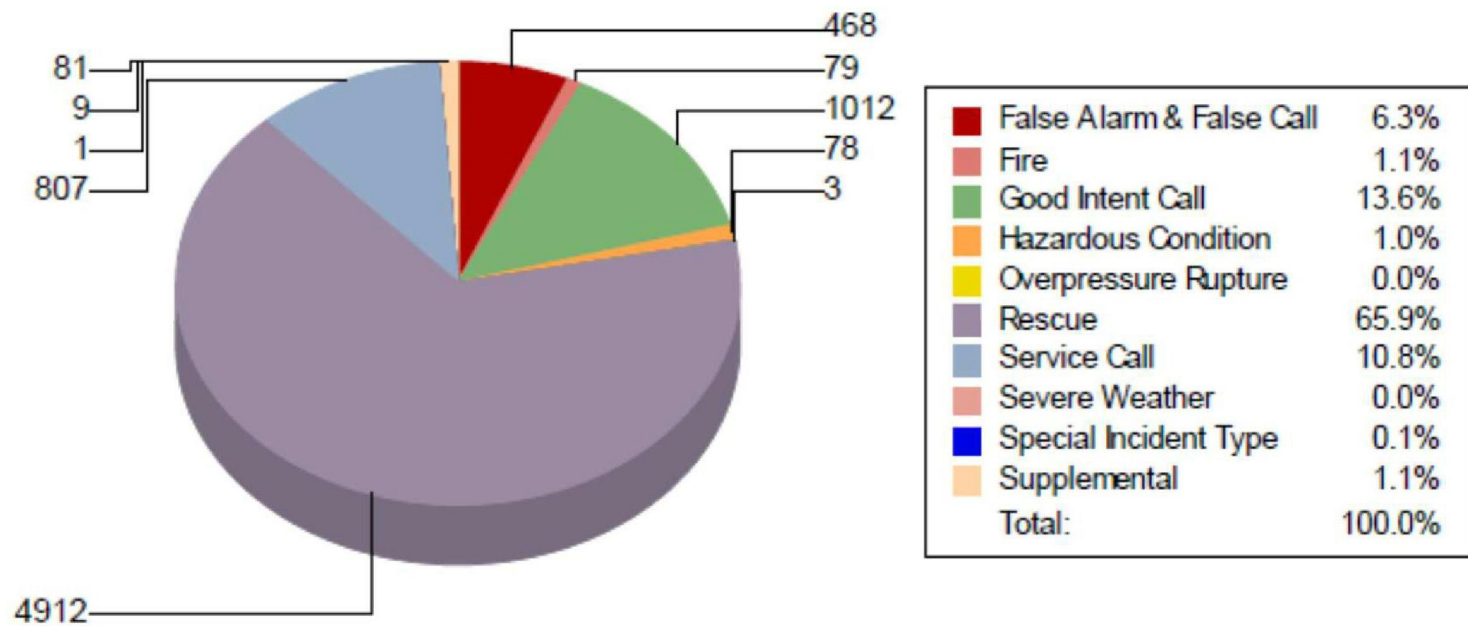
FIRE RESCUE STAFFING PER SHIFT SINCE 2011



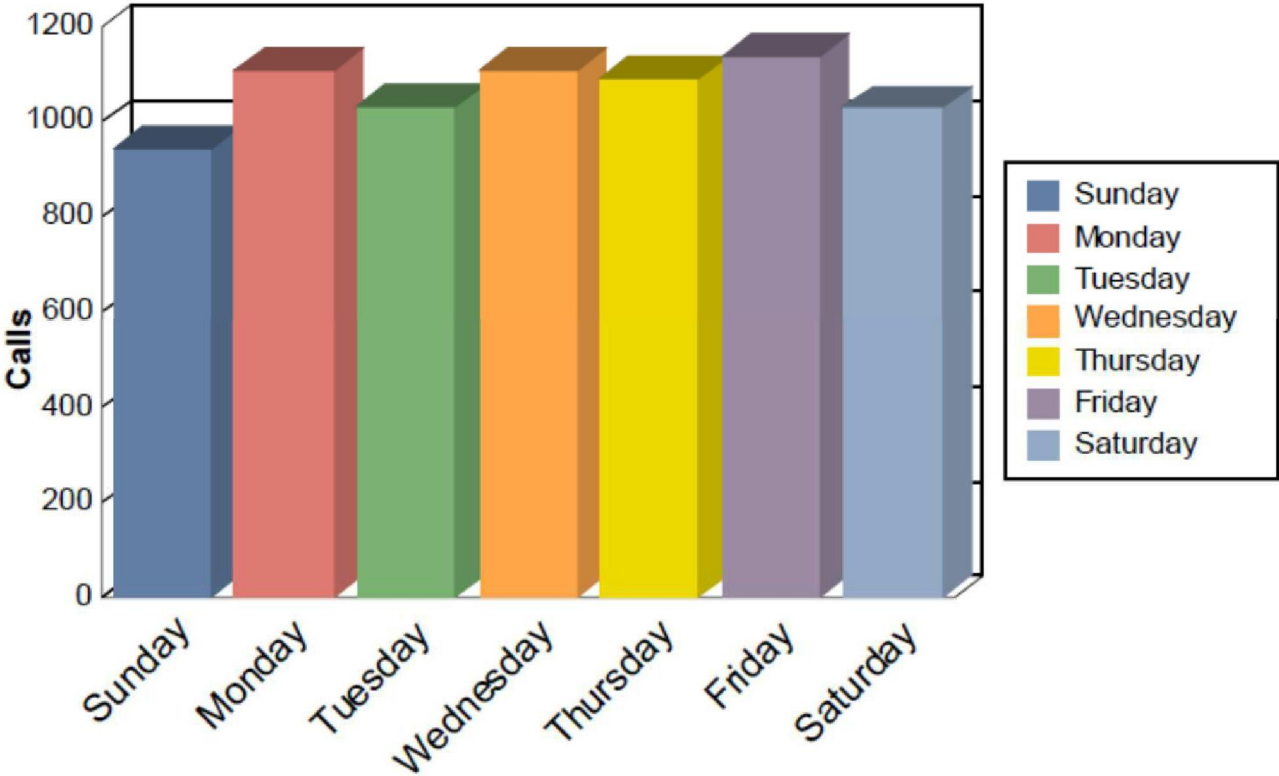
FIRE RESCUE UNITS IN SERVICE PER SHIFT SINCE 2011



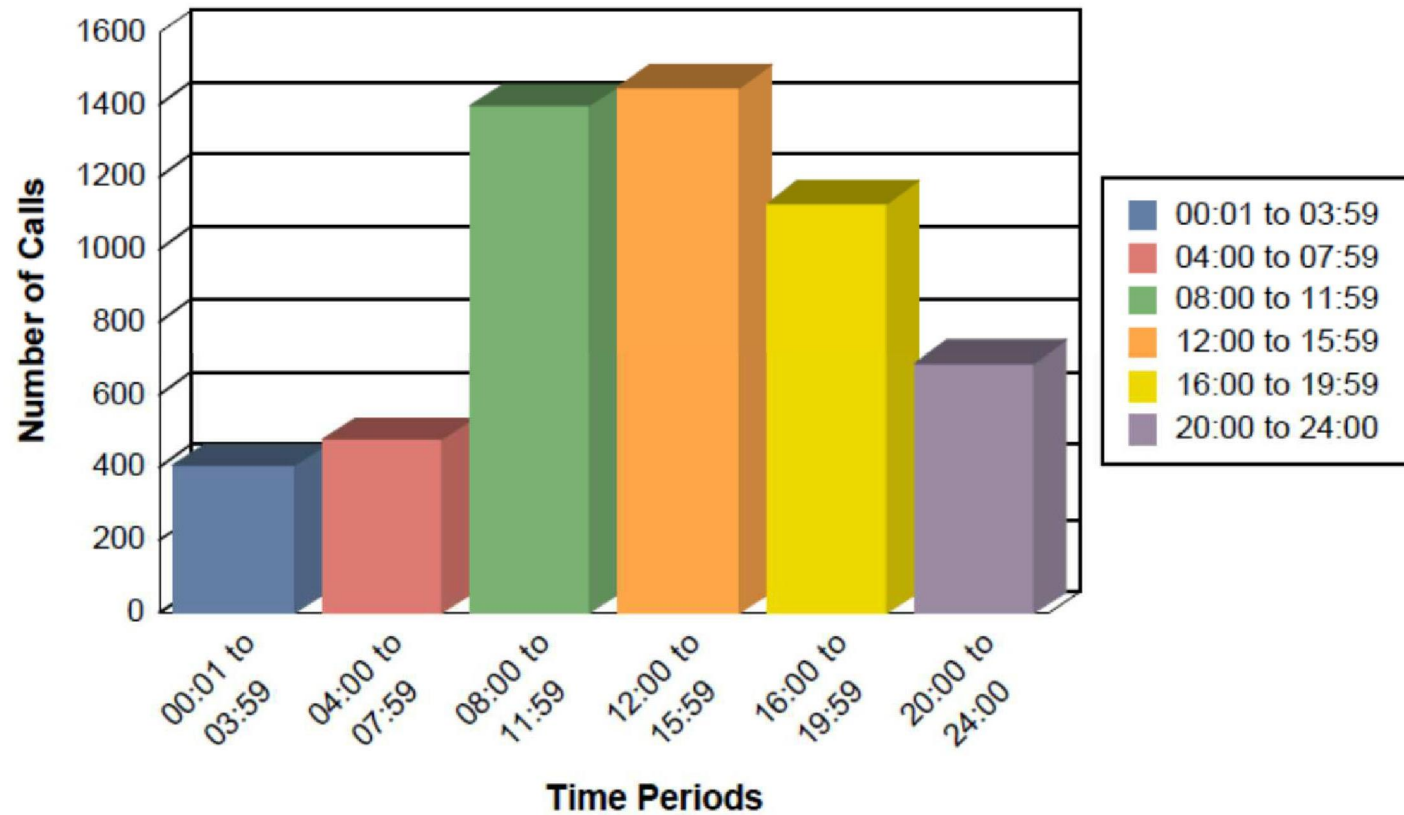
2021



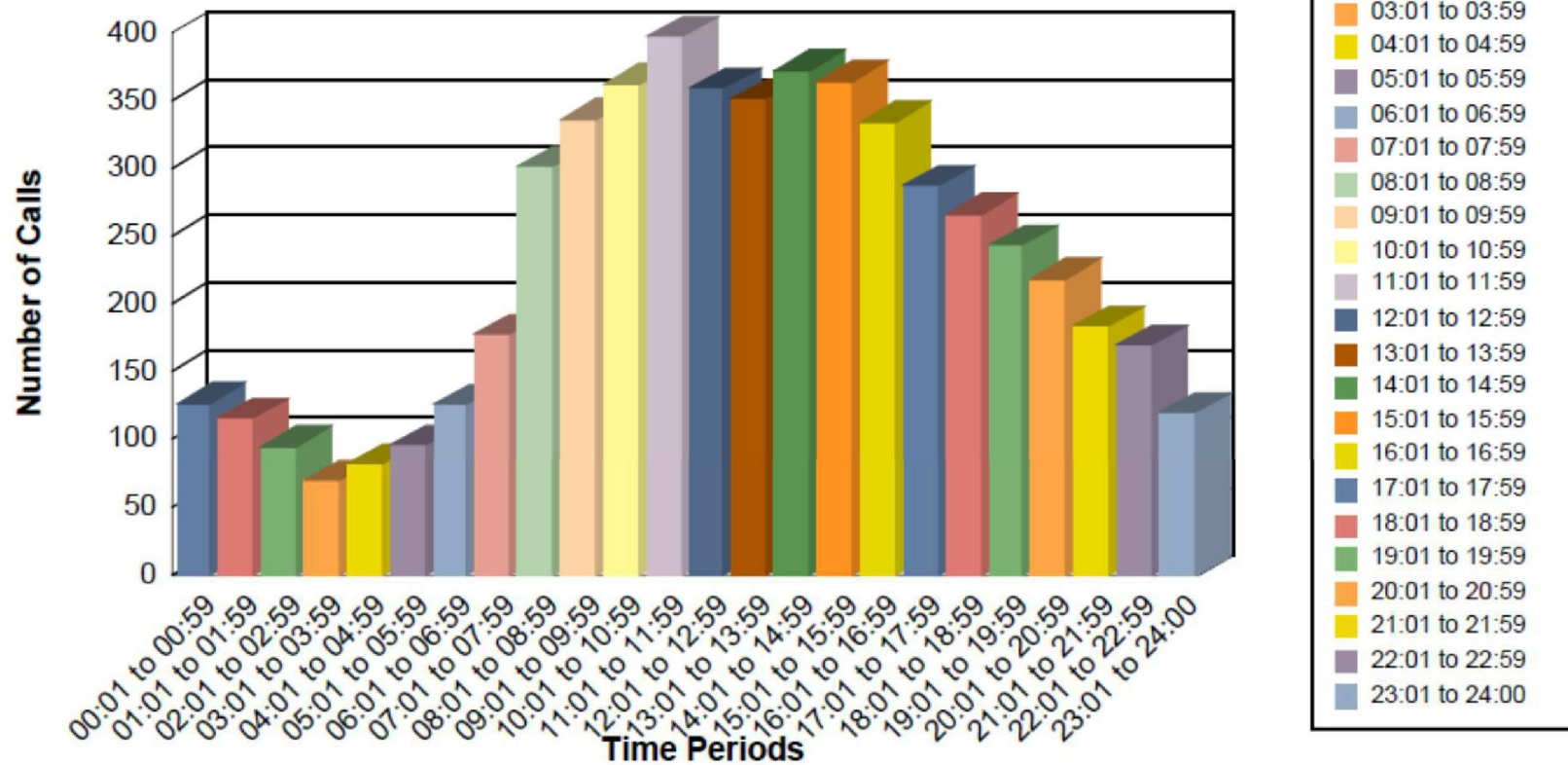
Number of Calls by Day

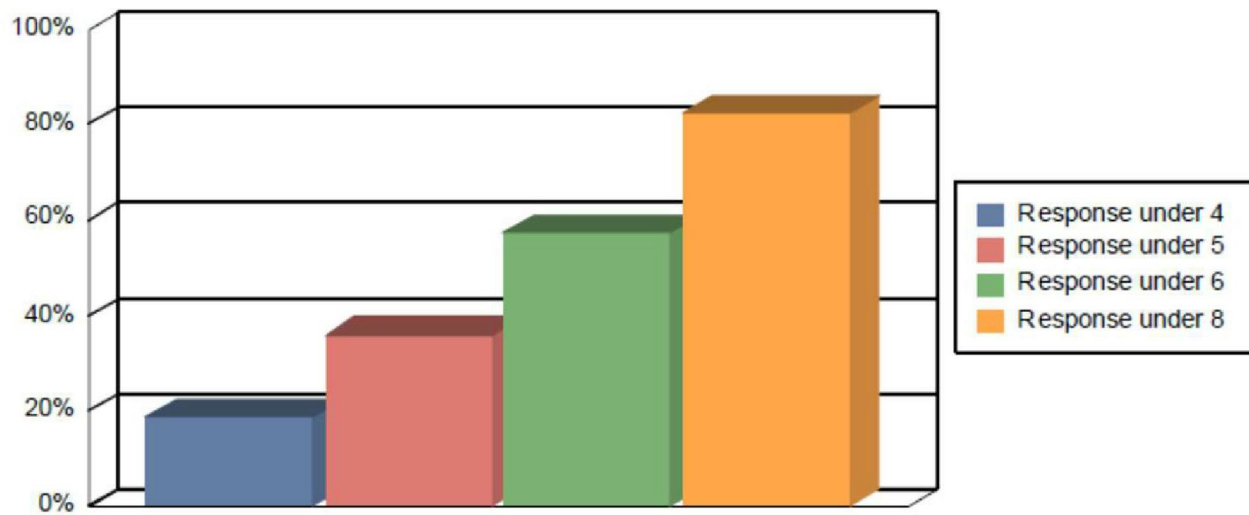


Number of Calls Per Period



Number of Calls Per Period





Response Time Percentage

Fire Prevention/Investigations

- ▶ Stuart Fire Rescue's Fire Prevention Division consists of two state certified Fire Inspectors.
- ▶ The Fire Chief is also a state certified Fire Inspector, Fire Investigator, a nationally Certified Fire and Explosion Investigator and a nationally Certified Vehicle Fire Investigator, who serves as the lead Fire Investigator.
- ▶ Our Lead Fire Inspector also serves as the Fire Marshal and primarily performs new construction permit inspections and plan review. He is also a state certified Fire Investigator.
- ▶ Our second Fire Inspector primarily performs required annual life safety fire inspections and local business tax life safety fire inspections.
- ▶ Stuart Fire Rescue conducts Fire Investigations within the City of Stuart and Town of Sewall's Point to determine the Origin and Cause of all fires. When needed, we will request assistance from the State Fire Marshal's Office who will investigate, arrest, and prosecute those suspected of Arson.

► SUPPORT SERVICES

Stuart Fire Rescue's Logistics/Support Technician conducts many vital functions/repairs that support our daily operations. He is also a Master Certified ASE Auto Mechanic and a Master Certified Emergency Vehicle Technician.



Honor Guard



- ▶ Stuart Fire Rescue's Honor Guard Team was established in 2008 and is dedicated to honoring fallen firefighters, their families, and fellow firefighters. The team participates in funerals, memorial services and other events as requested.



TRAINING

Stuart Fire Rescue's dedication to being prepared to handle all emergency incidents within the City of Stuart and Sewall's Point, starts with a commitment to training. Training on the newest techniques, in both Fire and EMS, allows us to provide the highest level of service to the community we serve.

Public Education



- ▶ Stuart Fire Rescue places an emphasis on public education as a means of fire prevention, especially when it comes to kids. Inviting the schools to the fire station or going out to local schools provides a great opportunity for fire rescue crews to speak to children about fire safety. It allows our firefighters to educate our youngest citizens.

Public Outreach



- ▶ Station Tours
- ▶ Smoke Detector give away
- ▶ Public Education on Fire Safety

Bicycle Medic Program

- ▶ Program implemented in December 21 and will be used to provide EMS at special events where access is limited.



Department Plans

- ▶ Applied for SAFER Grant to hire 6 additional personnel in 2022 to staff additional Fire Engine
- ▶ Break ground on new Station 3
- ▶ Promote three new lieutenants for Engine 3
- ▶ New Rescue currently being built-scheduled for delivery Spring 2022
- ▶ New Rescue in 2022 budget will be ordered in December 2021
- ▶ Possibly new Engine 3 FY 2022 budget



Thank you for
viewing this report!

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

Meeting Date: 1/10/2022

Prepared by: Susej Meleqi, Deputy Clerk

Title of Item:

APPROVAL OF 12/13/2021 CCM MINUTES (RC)

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Approve minutes.

ATTACHMENTS:

Description	Upload Date	Type
12132021 CCM	12/29/2021	Attachment

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD December 13, 2021
AT 4:00 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Eula R. Clarke

Vice Mayor Merritt Matheson

Commissioner Becky Bruner

Commissioner Troy McDonald

Commissioner Mike Meier

ADMINISTRATIVE

City Manager, David Dyess

City Attorney, Michael J. Mortell

City Clerk, Mary R. Kindel

SERGEANT AT ARMS: Police Chief, Joseph Tumminelli



4:03 PM ROLL CALL

Present: Mayor Clarke, Vice Mayor Matheson, Commissioner Bruner, Commissioner McDonald, Commissioner Meier

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - AL HAGER, LINDSAY HAGER, AND AMY CLARK - PERFORMING A SONG.

2. CERTIFICATE OF APPRECIATION FOR EMANCIPATION DAY VOLUNTEERS, PRESENTED BY EULA CLARKE.

Mayor Eula Clarke presented plaques to various Emancipation Day volunteers.



4:16 PM

Mayor Clarke was presented with an appreciation gift by City Manager Dyess.

3. SELECTION OF MAYOR AND VICE MAYOR

 **4:19 PM MOTION: Move for Merritt Matheson to be Mayor.**
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Meier
Motion approved unanimously.

Mayor Matheson announced his appreciation and thanked the community and commissioners.

 **4:22 PM MOTION: I will make a motion to make Troy McDonald the Vice Mayor.**
MOVED BY: Commissioner Clarke
SECONDED BY: Commissioner Bruner
Motion approved unanimously.

2021 – 2022 Mayor Merritt Matheson
2021 – 2022 Vice Mayor Troy McDonald

 **4:23 PM Recess**

 **4:33 PM Reconvened**

PRESENTATIONS

4. EMPLOYEE SPOTLIGHT - DECEMBER 2021

Debbie Smith, Payroll Specialist, was recognized as the December Employee Spotlight, presented by Joly Boglioli, Finance Director.

 **4:43 PM**

COMMENTS BY CITY COMMISSIONERS

Mayor Matheson

- Wished a Happy Birthday to Commissioner Meier and thanked Commissioner Bruner and all the Commissioners for decorating the City's tree for the Holiday of Lights Tree Event.
- Announced housekeeping items asking for patience as he adapts to the new role.
- Happy holiday season to all.

Commissioner Meier

- Congratulated Mayor Matheson, and stated he knows he will serve the Commission well.
- Wished all a Merry Christmas and Happy New Year.

Commissioner Brunner

- Echoed Meiers comments.
- Commented on the Christmas Parade and community participation,
- Commented on the past year and half and the experience with COVID, looks forward to the coming year.

Commissioner Clarke

- Congratulated Mayor Matheson, Vice Mayor McDonald, thanked City Manager, City Attorney, and all Department heads, the tram driver's, and Police Chief for all they do.
- Thanked all who attended her celebration at Mulligans last Friday evening.
- Reported that she was presented with a Mayors for Mentoring Certificate from the National Mentoring Partnership in recognition of positive contributions to the youth mentoring field.

Vice Mayor McDonald

- Wished everyone a Merry Christmas, Happy New Year, and Happy Hannukah.
- Commented that he was contacted by a resident about the speed bump installed on East 10th Street. (Noted: Milton Leggett of Public Works is addressing the issue with the resident.)
- Commented on all the City staff that do such a good job.
- Announced that he is pleased with the public participation in holiday events and handed out Christmas gifts to fellow Commissioners and staff.



4:56 PM

COMMENTS BY CITY MANAGER

No Comments.

APPROVAL OF AGENDA



4:57 PM **MOTION: Move approval.**

MOVED BY: Commissioner Meier

SECONDED BY: Commissioner Clarke

Motion approved unanimously.



4:57 PM

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

- 1) Barbara Grass – Palermo Court; Commented on flooding in her community from the Seaside community.
- 2) Jimmy Wilson – Tarpon Ave.; Resident of East Stuart his whole life and joined in the trip to Ft. Pierce and mentioned he saw how the City reached out to the community, creating a comradery in East Stuart.

- 3) Althea Wiley – Diana Terr.; Thanked the City for taking the time to hear the community and traveled with staff on a bus to Ft. Pierce and had great time, showing what can be done when we work together.
- 4) Jimmy Smith – Apache Ave.; President of NAACP of Martin County, commented you have to expect change and pray for it. Mentioned he prayed for the change and he sees that here. Thanked the Commission.
- 5) Linda Kay Richards – Cabana Point Cir.; Noted that during the 11.22.21 CCM, the Commission did not offer public comment after the D&D; expressed that it is a little to late to stop development.
- 6) Robin Cartwright – Hibiscus Ave.; Commented on the density map provided by Ms. Richards, wondered when the Commission will be proactive and listen to their constituents.
- 7) Gwendolyn Hall-Brinkley – Majorca Ave. PSL; Commented that she thinks there should be a resident spotlight.
- 8) Regionald Mitchell – East Ave.; Thanked Commission, commented on the unity that he perceived during the meeting/trip to Ft. Pierce.
- 9) Helen McBride – Flamingo Ave.; Commented on the positive experience with the trip to Ft. Pierce and commented on the golf cart mini parade on her street.
- 10) Jim Gallegos – Manor Drive; Met Mayor Matheson when running for office and commented on the relationship they have built, noted the Mayor's passion for his position.
- 11) Tom Campenni – St. Lucie Crescent; Thanked and spoke on each Commissioner on the good job they have done.
- 12) Caryn Hall – Palm City Rd.; Commented that she had to file a federal court case to sue the City and City Attorney because she was not listened to initially.

Mayor Matheson reminded the public that staff will be pushing the Residential Tree Program and plans to install 50 trees.



5:32 PM

CONSENT CALENDAR

5. APPROVAL OF 11/22/2021 CCM MINUTES.

6. APPROVAL OF 2022 MEETING CALENDAR.

7. AWARD RFP# 2022-201, ANNUAL CONTRACT FOR UNIFORM BUILDING CODE INSPECTION SERVICES:

RESOLUTION No. 120-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF RFP #2022-201, ANNUAL CONTRACT FOR UNIFORM BUILDING CODE INSPECTION SERVICES TO THE TOP RANKED FIRM, (JPI) JOE PAINE, PE MBA OF MELBOURNE, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. PURCHASE OF CITY SOFTWARE:

RESOLUTION No. 122-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE PROCUREMENT OF SOFTWARE FOR THE CITY'S ENTERPRISE RESOURCE PROGRAM AND PUBLIC FACING PORTALS UTILIZING INTERLOCAL PURCHASING SYSTEM (TIPS) FOR PARTICIPATION IN THE NATIONAL COOPERTIVE PURCHASING PROGRAM TO UTLIZE VERTOFOFT OPENGOV CLOUD SOFTWARE CONTRACT #200105 ONE YEAR SUBSCRIPTION PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

 **5:33 PM MOTION: Move for Approval.**
MOVED BY: Vice Mayor McDonald
SECONDED BY: Commissioner Meier
Motion approved unanimously.

 **5:33 PM**
COMMISSION ACTION

9. SAVANNA PLACE APARTMENTS RPUD - MINOR AMENDMENT (QUASI-JUDICIAL):

RESOLUTION No. 123-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MINOR AMENDMENT TO THE SAVANNAH PLACE APARTMENTS RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ON PROPERTY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF N.E. SAVANNAH ROAD AND N.E. BAKER ROAD., WEST OF THE HOPE CENTER FOR AUTISM AND SOUTH OF JENSEN PARK ESTATES BOTH IN UNINCORPORATED MARTIN COUNTY, THEREBY AMENDING THE DEVELOPMENT CONDITIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attorney Mortell swore in 4 witnesses: Tom Reetz, Kev Freeman, Michael Summers, and Suzanne Hutchinson.

City Senior Planner, Tom Reetz presented on the proposed amendments.

Mr. Terry McCarthy, applicant representative, came forward and reviewed the uses and background.

Michael Summers, owner of property spoke on the minor amendment and answered Commissioner questions.

Suzanne Hutchinson, CEO of Helping People Succeed, commented that she worked closely with the applicant and says that the trees take up her parking spaces, therefore, she is happy with the agreed upon solution.

A brief question and answer discussion took place.



5:33 PM

Public Comment:

- 1) Rosemary Westling – Stuart Ave., Jensen Beach; Commented on the condition of the property and new development near her home; questioned the data on impacts.

Mayor Matheson commented that he would like to see the trees replanted.

Commissioner Clarke confirmed with staff, that the agreement with Helping People Succeed, that there was adequate buffer, and they met all PUD requirements. Tom Reetz confirmed.



5:48 PM MOTION: Move for approval.

MOVED BY: Commissioner Bruner

SECONDED BY: Commissioner Clarke

Motion approved 4/1.

Matheson - NO

McDonald – YES

Bruner – YES

Clarke – YES

Meier - YES



5:57 PM

10. OPPOSING SENATE BILL 620 RELATING TO LOCAL GOVERNMENT AND SENATE BILL 280 RELATING TO LOCAL ORDINANCES:

RESOLUTION No. 117-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, OPPOSING SENATE BILL 620 RELATING TO LOCAL GOVERNMENT AND SENATE BILL 280 RELATING TO LOCAL ORDINANCES; OPPOSING IDENTICAL COMPANION HOUSE BILLS 569 AND 403 RESPECTIVELY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Ben Hogarth, Community Services Communications Liaison, reported on the bills, providing a brief synopsis.



6:05 PM MOTION: Move to approve.

MOVED BY: Vice Mayor McDonald

SECONDED BY: Commissioner Meier

Motion approved unanimously.

11. TRAIN BRIDGE REPLACEMENT LETTER



6:06 PM MOTION: Move for approval.

MOVED BY: Commissioner Meier

SECONDED BY: Vice Mayor McDonald

Motion approved unanimously.

 **6:07 PM**

12. COMMISSION LIAISON AND AT LARGE APPOINTMENTS / RE-APPOINTMENTS TO ADVISORY BOARDS OF THE CITY.

City Clerk, Mary Kindel, reviewed the change to the Board of Adjustments (BOA) and named the new appointee Mr. Werner Bols.

Public Comment:

- 1) Robin Cartwright – Commented on the duties of Advisory Board Members and noted the newsletter of Board Member Tom Campenni, feels it is inappropriate for him to serve as a City representative, feels should be a board member's Code of Conduct.
- 2) Tom Campenni - St. Lucie Crescent; Commented that he writes in his newsletter after votes have been made; therefore it does not affect decision-making.

Commissioners discussed the board members Code of Conduct with Attorney Mortell.

 **6:08 PM MOTION: Move for approval.**
MOVED BY: Vice Mayor McDonald
SECONDED BY: Commissioner Clarke
Motion approved unanimously.

 **6:20 PM**

13. APPOINTMENTS OF CITY COMMISSIONERS TO COMMUNITY BOARDS.

David Dyess, City Manager reviewed the list of the boards and asked if there were any changes the Commissioners wanted to make.

 **6:23 PM MOTION: Move to approve.**
MOVED BY: Vice Mayor McDonald
SECONDED BY: Commissioner Meier
Motion approved unanimously.

ORDINANCE SECOND READING

14. AMENDMENT TO THE LAND DEVELOPMENT CODE - SIGN CODE:

ORDINANCE No. 2469-2021; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION 6.11.03 ENTITLED "NONCONFORMING SIGNS; AMORTIZATION OF CERTAIN SIGNS" IN CHAPTER 6 OF THE CITY OF STUART LAND DEVELOPMENT CODE TO REMOVE DEADLINE FOR THE AMORTIZATION PERIOD FOR EXISTING, NON-CONFORMING POLE SIGNS AND PROVIDE PROVISIONS TO ACCELERATE POLE SIGN REMOVAL; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Pinal Gandhi-Savdas, CRA Administrator, stated that there were no changes from the Ordinance First Reading.

 **6:24 PM MOTION: Move for approval.**
MOVED BY: Vice Mayor McDonald
SECONDED BY: Commissioner Meier
Motion approved unanimously.

15. ESTABLISHING A NEW PROPERTY RIGHTS ELEMENT TO THE COMPREHENSIVE PLAN:

ORDINANCE No. 2473-2021; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AMENDING THE COMPREHENSIVE PLAN; ESTABLISHING ELEMENT 12 - A NEW PROPERTY RIGHTS ELEMENT; AMENDING ELEMENT 1 - FUTURE LAND USE ELEMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Erin Wohlitka, Senior Planner, presented the changes since the Ordinance First Reading.

Public Comment:

- 1) Caryn Hall – ZOOM, Palm City Rd.; Commented in favor of Ordinance but encourages that the Commissioners and Attorney follow it.

 **6:28 PM MOTION: So moved.**
MOVED BY: Commissioner Meier
SECONDED BY: Vice Mayor McDonald
Motion approved unanimously.

16. ABANDONMENT OF A PORTION RIGHT-OF-WAY BETWEEN S.E. 5TH STREET AND S.E. STYPMANN BOULEVARD:

ORDINANCE No. 2476-2021; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE ABANDONMENT OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY LIMITS, BEING THAT PORTION OF LAND, WHICH LIES BETWEEN S.E. 5TH STREET AND S.E. STYPMANN BOULEVARD, WHICH IS MORE FULLY DEPICTED IN EXHIBIT "A" ATTACHED HERETO, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

 **6:30 PM MOTION: Move for approval.**
MOVED BY: Vice Mayor McDonald
SECONDED BY: Commissioner Clarke
Motion approved 4/1.

Matheson - YES
McDonald – YES
Bruner – YES
Clarke – YES

Meier - NO

17. THREE HOUR PARKING DISTRICT CHANGE:

ORDINANCE No. 2477-2021; AN ORDINANCE OF THE CITY OF STUART, FLORIDA; AMENDING THE CODE OF ORDINANCES AT CHAPTER 40 ARTICLE II, SEC. 40-43; PROVIDING FOR A REVISION/AMENDMENT TO THE 3 HOUR DOWNTOWN PARKING DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCE IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mr. Dyess stated that there were no changes from the Ordinance first reading.



6:31 PM MOTION: Move for approval.

MOVED BY: Vice Mayor McDonald

SECONDED BY: Commissioner Meier

Motion approved unanimously.

ORDINANCE FIRST READING

18. AMENDMENT TO THE LAND DEVELOPMENT CODE TO INCORPORATE TREE REMOVAL PENALTIES:

ORDINANCE No. 2478-2021; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION OF CHAPTER V RESOURCE PROTECTION STANDARDS OF THE CITY'S LAND DEVELOPMENT CODE, ESTABLISHING "PENALTIES FOR VIOLATIONS" FOR THE REMOVAL OF TREES IN VIOLATION OF THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Tom Reetz, Senior Planner, presented on the LDR text amendment, providing history, and a penalty table of fines.

Mayor Matheson initiated discussion, commenting that an exemption should apply for improved single-family homes and use a multiplier vs a dollar amount.

Commissioners discussed trees that are deemed "historical", historical issues, discussed using a multiplier, and penalties.

No Motion – staff has direction.

DISCUSSION AND DELIBERATION



7:12 PM ADJOURNMENT

Mary R. Kindel, City Clerk

Merritt Matheson, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 10th day of January, 2022.**

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 1/10/2022

Prepared by: Mary Kindel, City Clerk

Title of Item:

FACSIMILE SIGNATURE BANK (RC):

RESOLUTION No. 02-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE USE OF FACSIMILE SIGNATURES ON CHECKS ISSUED BY THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Each year after the reorganization of the City Commission, it is necessary for the Board to pass a resolution adopting the proper signatures for the Mayor and Clerk. The Signatures are affixed to all payroll checks as well as other expenditures and must be verified and authorized in advance.

Funding Source:

N/A

Recommended Action:

Approve Resolution No. 02-2022.

ATTACHMENTS:

Description	Upload Date	Type
□ Resolution No. 02-2022	12/28/2021	Resolution add to Y drive
□ R02-2022 - Exhibit A	1/3/2022	Backup Material



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

RESOLUTION NUMBER 02-2022

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF STUART, FLORIDA AUTHORIZING THE USE OF
FACSIMILE SIGNATURES ON CHECKS ISSUED BY THE
CITY; PROVIDING AN EFFECTIVE DATE; AND FOR
OTHER PURPOSES.**

* * * * *

WHEREAS, it is expedient that the City utilize a facsimile signature of the Mayor and City Clerk on checks issued by the City and drawn upon funds of the City on deposit with the Seacoast National Bank and Trust.

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

SECTION 1: The City Commission hereby adopts the following facsimile signatures for the Mayor and City Clerk for use as authorized signatures on all checks issued by the City and drawn upon funds of the City on deposit at the Bank and all other institutions having on deposit funds of the City, and as attached hereto as "Exhibit A".

SECTION 2: A certified copy of this resolution shall be sent by the City Clerk via electronic mail to the Bank and to all other institutions having on deposit funds of the City.

SECTION 3: This Resolution shall remain in effect and may be relied upon by the Bank and all other institutions having on deposit funds of the City until notice of its recession by the City Commission has been communicated to such bank and other institutions via electronic mail by the City Clerk.

SECTION 4: This resolution shall take effect upon adoption.

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

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

DRAFT
Mervin Maheson **DRAFT**

DRAFT

DRAFT
Mary R. Kinale **DRAFT**

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 1/10/2022

Prepared by: Janine Wilde, U & E Administrative Coordinator

Title of Item:

FDOT TAP APPLICATION FOR DIXIE HIGHWAY (SE 14TH STREET TO SE FLORIDA STREET) SIDEWALK EXTENSION (RC):

RESOLUTION No. 03-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE UTILITIES & ENGINEERING DEPARTMENT TO APPLY FOR A FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP) APPLICATION FOR THE DIXIE HIGHWAY (SE 14TH STREET TO SE FLORIDA STREET) SIDEWALK EXTENSION; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The Utilities & Engineering Department is requesting authorization to submit a Florida Department of Transportation (FDOT) Transportation Alternatives Program (TAP) application to the Martin Metropolitan Planning Organization (MPO) for a sidewalk extension along Dixie Highway from SE 14th Street to SE Florida Street.

Estimated cost of the application is not to exceed \$14,205.00. Cost is associated with Culpepper & Terpening, Inc. for survey data collection including an Ownership and Encumbrance (O&E) Report to establish proof of ownership as well as preparation of a survey for the Dixie Highway Right-of-Way from 14th Street to Florida Street. Documentation preparation to include project location map depicting the project limits of the sidewalk and an Engineer's Estimate of Probable Cost signed and sealed by the Professional Engineer. City staff to prepare other required application items (cover letter, FDOT funding application, public involvement/outreach documentation, and resolution of support) to keep the cost to a minimum.

Funding Source:

Transportation Team Operating Budget 1230 Professional Services 531

Recommended Action:

Move approval of Resolution No. 03-2022.

ATTACHMENTS:

Description	Upload Date	Type
□ Resolution No. 03-2022	12/28/2021	Resolution add to Y drive
□ Location Map	12/28/2021	Backup Material



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

RESOLUTION NUMBER 03-2022

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF STUART, FLORIDA, AUTHORIZING THE
UTILITIES & ENGINEERING DEPARTMENT TO APPLY
FOR A FLORIDA DEPARTMENT OF TRANSPORTATION
(FDOT) TRANSPORTATION ALTERNATIVES
PROGRAM (TAP) APPLICATION FOR THE DIXIE
HIGHWAY (SE 14TH STREET TO SE FLORIDA STREET)
SIDEWALK EXTENSION; PROVIDING AN EFFECTIVE
DATE, AND FOR OTHER PURPOSES.**

* * * * *

WHEREAS, the Transportation Alternatives Program (TAP) authorized under Section 1122 of MAP-21 (23 U.S.C. 213(b), 101(a)(29)) provides funding for programs and projects defined as transportation alternatives, including on/off road pedestrian and bicycle facilities and infrastructure projects for enhanced mobility; and

WHEREAS, the City of Stuart intends to submit an application to the Martin Metropolitan Planning Organization (MPO) for the Dixie Highway (SE 14th Street to SE Florida Street) Sidewalk Extension project to request funding under the 2022 Transportation Alternatives Program; and

WHEREAS, the City of Stuart has previously completed two sidewalk extensions along this segment of Dixie Highway and the segment from SE 14th Street to SE Florida Street will provide pedestrian connectivity to the two previously completed sidewalks.

WHEREAS, the MPO requires the submittal of a resolution as part of the 2022 TAP Call for Projects submission.

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

SECTION 1: The Utilities & Engineering Department is hereby authorized and directed to submit a Florida Department of Transportation (FDOT) Transportation Alternatives Program (TAP) Application to the Martin Metropolitan Planning Organization (MPO) for the Dixie Highway (SE 14th Street to SE Florida Street) Sidewalk Extension. The application will include survey data collection, documentation preparation and an Engineer's Estimate of Probable Cost signed and sealed by the Professional Engineer.

SECTION 2: This resolution shall take effect on adoption.

Resolution No. 03-2022

Authorization to Apply-FDOT TAP Application Dixie Hwy (SE 14th Street to SE Florida Street) Sidewalks

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

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 10th day of January, 2022.

ATTEST:

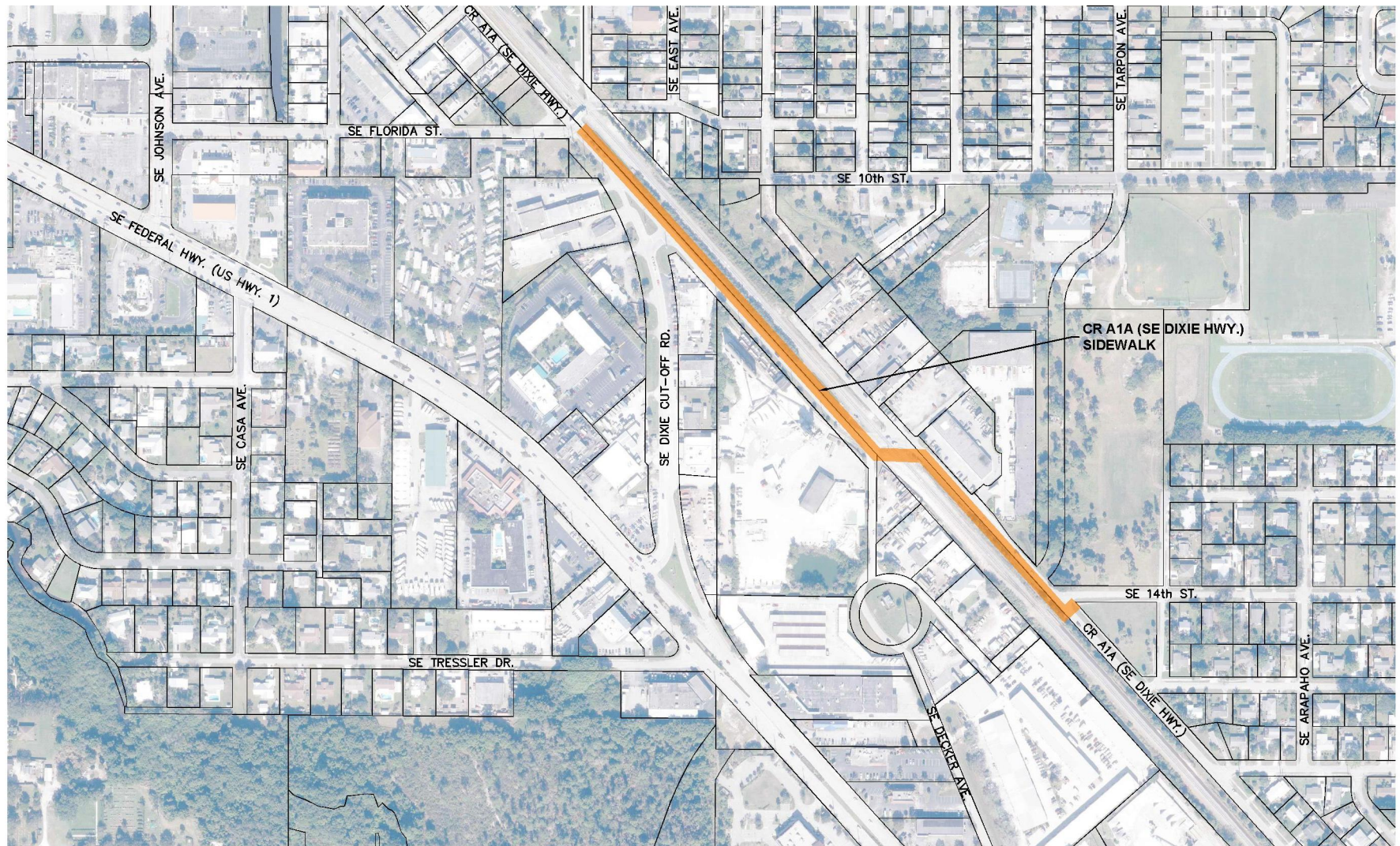
MARY R. KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

P:\21-253\21-253 Dixie Hwy. Route Layout\Eng 21-253 Location Map.dwg 12/27/2021 2:40:17 PM



01102022 CCM



**CULPEPPER &
TERPENING INC**

2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981
PHONE 772-464-3537 • FAX 772-464-9497 • www.ct-eng.com
STATE OF FLORIDA BOARD OF PROFESSIONAL
ENGINEERS AUTHORIZATION NO. 4286

Project Location Map

Dixie Hwy. Sidewalk Extension

JOB NO: 21-253

SCALE: 1"=300'

DRAWN BY: DPINKERTON

DATE: 12/27/2021

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 1/10/2022

Prepared by: Alaina Knofla

Title of Item:

AUTHORIZATION TO NEGOTIATE RFP #2022-200, REDEVELOPMENT OF THREE ADJOINING PARCELS ON EAST OCEAN BLVD. (RC):

RESOLUTION No. 04-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA REQUESTS AUTHORIZATION TO NEGOTIATE FOR RFP #2022-200, REDEVELOPMENT OF THREE ADJOINING PARCELS ON EAST OCEAN BLVD TOP RANKED FIRM, STUART MEWS OF DELRAY BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Request for Proposals #2021-200 was advertised in the Palm Beach Post, Sun Sentinel, Miami Herald, Stuart News and American Planning Association on October 6, 2021: Simultaneously released on-line (www.DemandStar.com) who notified 97 potential proposers and issued 16 RFP packages. Two (2) proposals were received by the closing time and date of 2:30 pm, Wednesday November 5, 2021.

On Wednesday December 15, 2021 the two firms who provided submittals Stuart Mews and Ram Reality Acquisitions V LLC, presented their proposals in front of the Community Redevelopment Agency, the two presenters were evaluated based on the following criteria; the firms "total cost benefit to the City (return on investment), understanding of the City's redevelopment objectives/commitment to superior design, strategic thinking/planning approach, is there a plan or assistance with current tenants to expedite development (vacating tenants, parking during development, etc.), development amenities, mixed use ratio, the extent to which the development is consistent with the goals, policies and objectives of the City's Comprehensive Plan, overall parking solution for development and city hall, flexibility in plan, terms, density, mixed use, and financial capacity of the respondent to fund the required equity and obtain construction financing to accomplish the Future City Hall Redevelopment project. The CRA voted and Stuart Mews was considered the top ranked firm.

The City Manager Requests Authorization to Negotiate with the top ranked firm Stuart Mews the award will be brought back to commission for approval.

The negotiation will involve the terms of the lease and the viability of the development (parking, phasing, timelines).

Funding Source:

TBD

Recommended Action:

Adopt Resolution No. 04-2022

ATTACHMENTS:

Description	Upload Date	Type
R04-2022	12/27/2021	Cover Memo



BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 04-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA REQUESTS AUTHORIZATION TO NEGOTIATE FOR RFP #2022-200, REDEVELOPMENT OF THREE ADJOINING PARCELS ON EAST OCEAN BLVD TOP RANKED FIRM, STUART MEWS OF DELRAY BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

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

WHEREAS the City entered into the competitive process with a Request for Proposal in order to solicit experienced Developers to submit their interest in the redevelopment of three parcels on East Ocean Blvd.

WHEREAS the two firms Stuart Mews and Ram Reality Acquisitions V LLC provided presentations to the CRA on Wednesday December 15, 2021. The CRA evaluated both firms based on ten (10) criteria methods, Stuart Mews was voted as the topped ranked firms.

SECTION 1: The City Commission of the City of Stuart hereby approves the authorization to negotiate for RFP #2022-200, Redevelopment of three adjoining parcels East Ocean Blvd. to the top ranked firm, Stuart Mews of Delray Beach, Florida.

SECTION 2: This resolution shall take effect upon adoption.

Resolution No. 04-2022

Authorization to Negotiate a license agreement for RFP #2022-200, Redevelopment of three Adjoining Parcels on East Ocean Blvd

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

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EUALA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 10th day of January 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 1/10/2022

Prepared by: Alaina Knofla

Title of Item:

AUTHORIZATION TO AWARD ITB# 2022-103: ANNUAL STREET SWEEPING SERVICES (RC):

RESOLUTION No. 05-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2022-103, ANNUAL CONTRACT FOR STREET SWEEPING SERVICES TO THE LOWEST, MOST RESPONSIVE, AND RESPONSIBLE BIDDER WITH THE TOTAL AWARD AMOUNT NOT TO EXCEED \$40,080.00 ANNUALLY TO CLEAN SWEEP & VAC, LLC OF JENSEN BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

This solicitation was advertised in the Palm Beach Post on November 17, 2021. DemandStar notified two hundred three (203) potential bidders, there were eight (8) plan holders, and issued six (6) bid packages for this project. Five (5) bids were received by the bid opening date and time of 2:30 pm. December 16, 2021.

The lowest most responsive, responsible bidder was Clean Sweep & Vac, LLC of Jensen Beach in the amount not to exceed annually of \$40,080.00.

Funding Source:

1810/534 & 543

Recommended Action:

Adopt Resolution No. 05-2022

ATTACHMENTS:

Description	Upload Date	Type
□ R05-2022	12/27/2021	Cover Memo



BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 05-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2022-103, ANNUAL CONTRACT FOR STREET SWEEPING SERVICES TO THE LOWEST, MOST RESPONSIVE, AND RESPONSIBLE BIDDER WITH THE TOTAL AWARD AMOUNT NOT TO EXCEED \$40,080.00 ANNUALLY TO CLEAN SWEEP & VAC, LLC OF JENSEN BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

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

WHEREAS the City entered into the competitive process with an Invitation to Bid to solicit contractors to submit for an annual contract for Street Sweeping Services.

WHEREAS the City requested experienced contractors to provide all labor, equipment, and materials necessary to provide Street Sweeping and Parking Lot Cleaning Services throughout the year on an as needed basis.

SECTION 1: The City Commission of the City of Stuart hereby approves the award for ITB #2022-103, Annual Contract for Street Sweeping Services the lowest, most responsive, responsible bidder Clean Sweep & Vac, LLC of Jensen Beach, Florida; subsequent to review and approval by City Attorney.

SECTION 2: This resolution shall take effect upon adoption.

Resolution No. 05-2022
Annual Contract for Street Sweeping Services

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

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EUALA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 10th day of January 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 1/10/2022

Prepared by: Michael Mortell

Title of Item:

LANDSCAPE DONATION TO FLAGLER PARK (RC):

RESOLUTION No. 07-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY MANAGER ACCEPT THE DONATION AND INSTALLATION OF LANDSCAPING AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, WHICH SHALL BE INSTALLED IN FLAGLER PARK; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Hudson's on the River has offered to donate and install the landscaping depicted on the exhibit attached to this agenda item in order to enhance Flagler Park. Because the installation will take place in a public park, it must be approved and accepted by the City Commission. The donation provides a benefit to the City to the extent that it will enhance the park environment at no cost to the City.

Funding Source:

N/A

Recommended Action:

Approve Resolution 07-2022

ATTACHMENTS:

Description	Upload Date	Type
□ R07-2022 Lanscape Flagler Park	12/30/2021	Resolution add to Y drive
□ Landscape Plan Hudsons on River	12/30/2021	Exhibit



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

RESOLUTION NUMBER 07- 2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY MANAGER ACCEPT THE DONATION AND INSTALLATION OF LANDSCAPING AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, WHICH SHALL BE INSTALLED IN FLAGLER PARK; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City of Stuart and Hudson's entered into a land lease for the operation of a restaurant adjacent to Flagler Park; and

WHEREAS, Hudson's has offered to donate and install landscaping in Flagler Park as an enhancement to the Park as well as the adjacent property; and

WHEREAS, it is in the best interest of the City to accept the landscaping as it will provide public benefit by improving the public facility; and

WHEREAS, because the landscaping will be installed in a public park within the City, the Commission must authorize and approve the installation of same.

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

SECTION 1: The City Manager is authorized to accept and oversee the donation and installation of landscaping as depicted in Exhibit "A" attached hereto.

SECTION 2: This resolution shall take effect upon adoption.

Resolution 07-2022
Hudson's Landscaping Dedication for Flagler Park

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

MERRITT MATHESON, MAYOR
TROY MCDONALD , VICE-MAYOR
EULA CLARK, COMMISSIONER
MIKE MEIER, COMMISSIONER
BECKY BRUNER, COMMISSIONER

YES	NO	ABSENT

ADOPTED this ____ day of _____, 2022.

ATTEST:

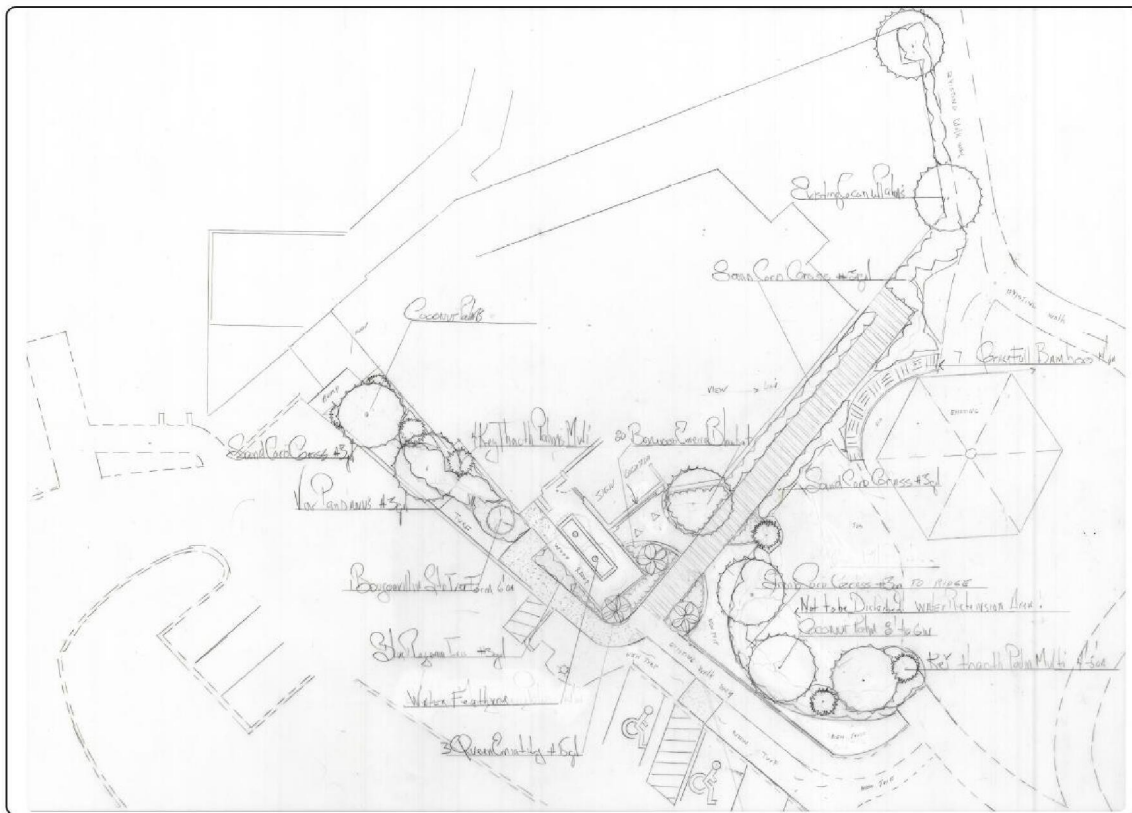
MARY KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY

Exhibit "A"



Hudson's on the River
Stuart Florida

Landscape Concept

Revisions
Approved:
Date:



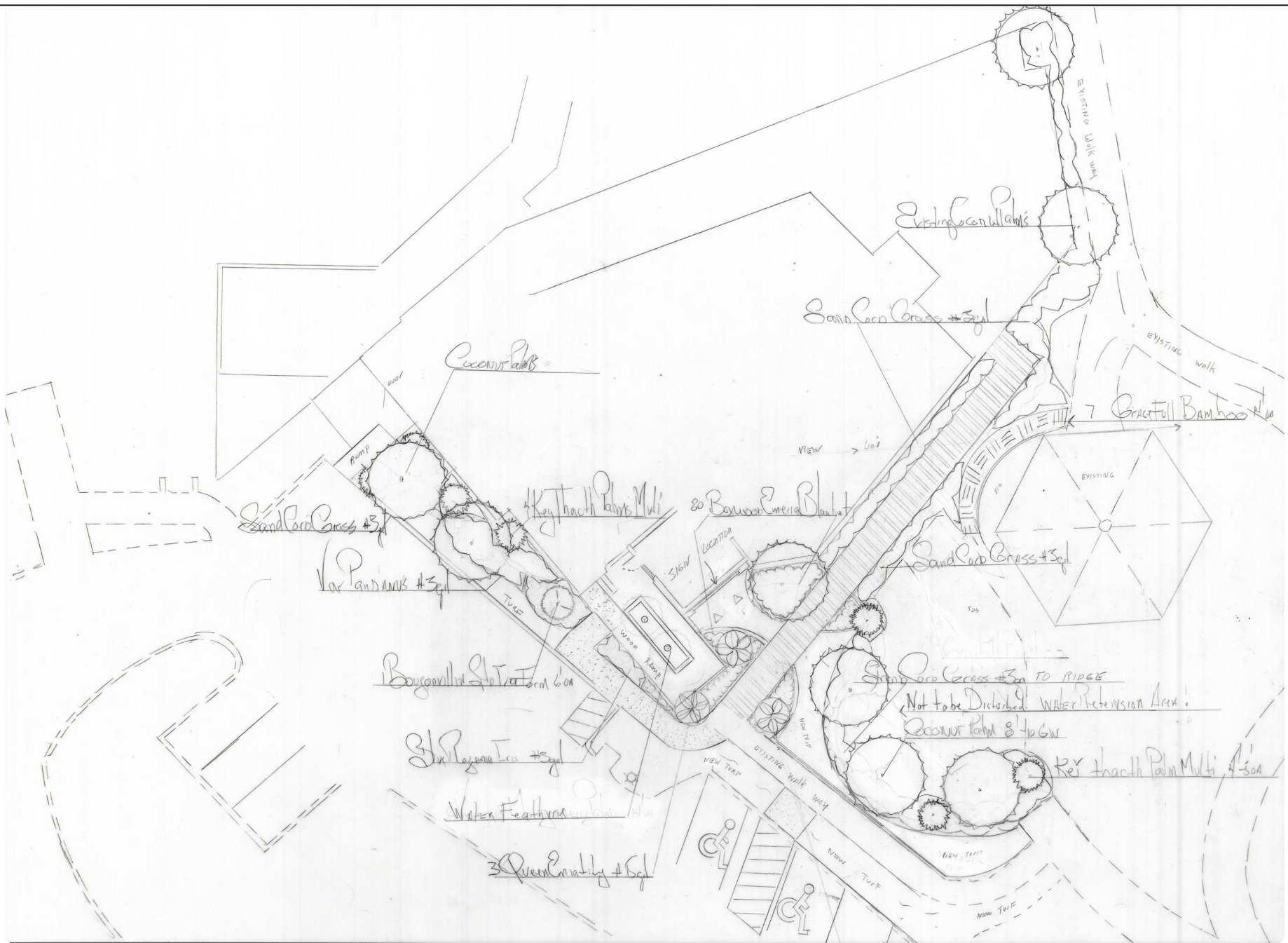
Hudson's on the River Stuart Florida

Landscape Concept

Revisions

Approved:

Date: _____



CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 1/10/2022

Prepared by: Tom Reetz

Title of Item:

EAST STUART CONDITIONAL USE APPROVAL FOR PACE CHILD CARE FACILITY (QUASI-JUDICIAL)(RC):

RESOLUTION No. 06-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING AN EAST STUART CODE CONDITIONAL USE APPROVAL TO ELLA PACE, A LICENSED DAY CARE OPERATOR, FOR PROPERTY LOCATED AT 915 SE EAST AVENUE, IN THE EAST STUART BUSINESS AND MIXED-USE SUB-DISTRICT; AND MORE FULLY DESCRIBED BY EXHIBIT 'A' ATTACHED, TO OPERATE PACE LEARNING ACADEMY, A CHILD CARE CENTER WITH A MAXIMUM OF 8 CHILDREN AT ONE TIME AND ACCORDING TO THE REGULATIONS PER CERTIFICATE NUMBER C19MA0098 ISSUED BY THE DEPARTMENT OF CHILDREN AND FAMILIES (DCF); PROVIDING FOR CONDITIONS, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The intent of this application is to approve an East Stuart Code Conditional Use for day care location in the Business Mixed Use East Stuart zoning district.

The proposed new day care called Pace Learning Academy is proposed to be located at 915 SE East Avenue. Ms. Ella Williams Pace, licensed by the Department of Children and Families will own and operate a day care facility that will provide for up to 8 children from 7:30 to 5:30 Monday thru Friday in a portion of the building owned by Johnnie Bell.

Section 3.02.05A. Business and mixed-use sub-district (BMU) Permitted uses, of the Stuart Land Development Code list day care centers as being permitted only as a conditional use approval, as provided in Section 3.02.14. East Stuart Code Conditional Use and subject to compliance with the requirements listed in Section 11.01.10 – Major and Minor Conditional Use Approval Application.

Ms. Williams Pace has over twenty years in child-care experience. She has her Associate of Science Degree from Indian River State college in Early Childhood Education, is a military wife, Red Cross Volunteer, school bus driver, a medical assistant and evangelist. Ms. Williams-Pace strongly believes in a positive, caring attitude and believes with her qualifications, she can help make a difference in children's lives at the child-care/learning academy.

The Department of Children and Families is satisfied that the Pace Learning Academy facility falls into compliance with Chapter 65C-22, Florida Administrative Code, Child Care Facility Standards, adopted by the Department and authorized in sections 402.301-402.319, Florida Statutes, and has approved an annual license to operate this child-care facility.

The number of parking spaces on site satisfies the code Parking Code requirement of 1 parking space for every 6 children and 1 parking space per employee. Access to the site is via a two-aisle wide parking lot that safely accommodates drop-off and pick up of children.

Any signage proposed shall adhere to sign the sign code in Chapter 6 of the City's Land Development Code and permit application submitted for review.

Funding Source:

N/A

Recommended Action:

Staff finds the application in compliance with the requirements of the Land Development Code and Comprehensive Plan and recommend approval for the Pace Child Care facility in the East Stuart business mixed-use district.

ATTACHMENTS:

Description	Upload Date	Type
▣ A.1 Resolution No. 06-2022	12/30/2021	Resolution add to Y drive
▣ B.1 Staff Report/Review	12/30/2021	Staff Report
▣ C.1 Application - East Stuart Conditional Use	12/30/2021	Backup Material
▣ E.1 Public Notice	12/30/2021	Backup Material



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

RESOLUTION NUMBER 06--2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING AN EAST STUART CODE CONDITIONAL USE APPROVAL TO ELLA PACE, A LICENSED DAY CARE OPERATOR, FOR PROPERTY LOCATED AT 915 SE EAST AVENUE, IN THE EAST STUART BUSINESS AND MIXED-USE SUB-DISTRICT; AND MORE FULLY DESCRIBED BY EXHIBIT 'A' ATTACHED, TO OPERATE PACE LEARNING ACADEMY, A CHILD CARE CENTER WITH A MAXIMUM OF 8 CHILDREN AT ONE TIME AND ACCORDING TO THE REGULATIONS PER CERTIFICATE NUMBER C19MA0098 ISSUED BY THE DEPARTMENT OF CHILDREN AND FAMILIES (DCF); PROVIDING FOR CONDITIONS, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission of the City of Stuart, Florida, has adopted and administers Section 3.02.05A of the Land Development Code; and

WHEREAS, the Applicant, Ella Williams-Pace, licensed child care operator is requesting conditional use approval to operate a child care center; and

WHEREAS, at the hearing the applicant showed by substantial competent evidence that the application does not create any detrimental effects on adjacent land uses, within three (300) hundred feet of the proposed location; and

WHEREAS, the East Stuart Code District Conditional Use approval is granted to Ella Williams-Pace, Licensed child care operator and shall not run with the land or be conveyed or transferred to any other applicants or business; and

Resolution 06-2022 Ella Williams – Pace Learning Academy - East Stuart Overlay District
Conditional Use Approval

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled meeting to consider the application of the Petitioners and recommended approval of the East Stuart Overlay District Conditional Use on January 10, 2022;

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

SECTION 1: The City Commission hereby approves an East Stuart Overlay Conditional Use Approval for Ella Williams Pace a licensed day care operator, for real property located at 915 S.E. East Avenue, detailed within the attached legal description.

SECTION 2: The purpose of this East Stuart Overlay District Conditional Use approval is to permit a Child Care Facility for infants and toddlers up to 24 months, preschool children three to five years old and elementary aged children for after school programs on a single parcel within a portion of the building located at 915 S.E. East Avenue within the Business and mixed-use sub-district in the City of Stuart.

SECTION 3: A legal description of the Property is set forth in **Exhibit A** attached hereto and made a part hereof by reference. A map depicting the Property location is attached hereto as **Exhibit B** and made a part hereof by reference.

SECTION 5: The day care center shall operate in accordance with the parameters set forth in **Exhibit C**, as attached.

SECTION 6: The development of the day care shall adhere to the ‘Boundary Survey’ by Don Williams and Associates, Inc., dated 11-06-95 attached hereto as **Exhibit D**.

SECTION 7: This resolution shall take effect immediately upon its adoption.

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

Resolution 06-2022 Ella Williams – Pace Learning Academy - East Stuart Overlay District
Conditional Use Approval

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

Resolution 06-2022 Ella Williams – Pace Learning Academy - East Stuart Overlay District
Conditional Use Approval

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

WITNESSES:

Witness #1:

Owner of property: Johnnie Bell

Print Name: _____

Print Name: _____

Signature: _____

Signature: _____

Witness #2:

Print Name: _____

Signature: _____

Licensed day care operator: Ella Williams-Pace

Witness #1:

Print Name: _____

Print Name: _____

Signature: _____

Signature: _____

Witness #2:

Print Name: _____

Print Name: _____

PETITIONER'S ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____, 2021, by _____ who ☐ is personally known to me or ☐ has produced _____ as identification.

(Notary Seal)

Signature of Notary Public
Printed Name: _____

Exhibit A – Legal Description

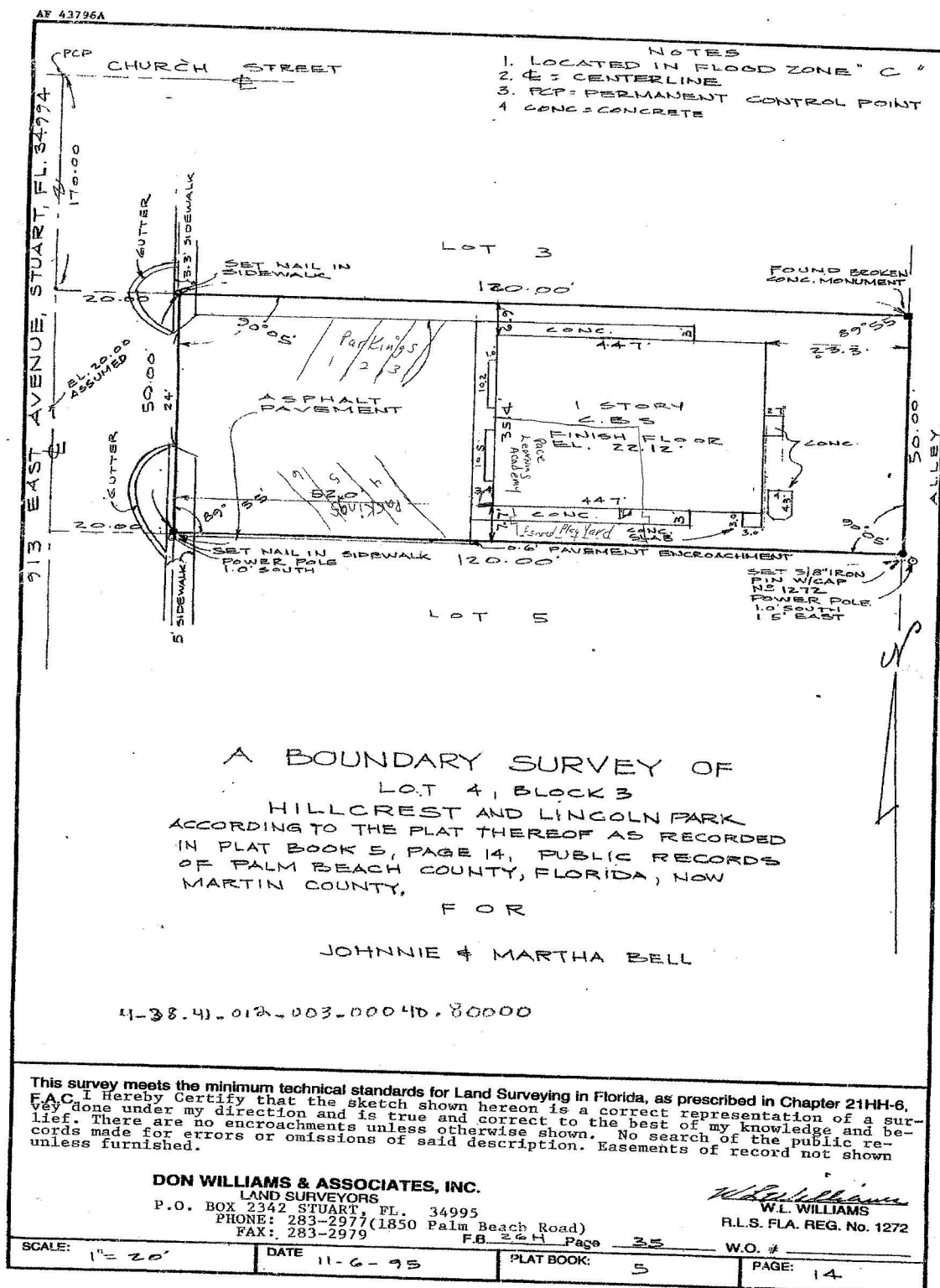
Lot 4, Block 3 Hillcrest and Lincoln Park in Plat Book 5, Page 14, Public Records of Palm Beach County, Florida, Now Martin County.

Exhibit B – Location Map



Exhibit C
Conditions of Approval

1. The special exception shall comply with the Survey/Site drawing by Don Williams and Associates, dated 11.06.1995.
2. Applicant and day care operator Ella Williams-Pace shall obtain an annual license from DCF (Department of Children & Families) acknowledging that the day care center meets state requirements before obtaining a business tax receipt from the City.
3. The applicant's general contractor shall obtain all necessary permits and construct all site and building improvements prior to the issuance of a business tax receipt.
4. The owner shall obtain a change of use from the existing use to day care center acceptable to the building official prior to obtaining a certificate of occupancy.
5. The day care center's hours of operation shall be limited to 7:30 AM to 5:00 PM, Monday thru Friday.
6. The day care center shall be limited to 8 children at any one time.
7. The drop-off and pick-up children shall occur in the existing parking lot at the site.
8. This East Stuart District Overlay Conditional Use approval is specific to the building located at 915 SE Lake Street for Ella Williams-Pace, a licensed day care operator and shall not run with the land or be conveyed or transferred to any other applicants or business.





Staff Review

12.29.21

A. Application

Pace Learning Academy

Applicant	Ella Williams-Pace
Property Owner	Johnnie Bell
Agent for Applicant	Ella Williams Pace
Project Manager	
Date of Report	12.29.21

B. Project Description

The intent of this application is to approve an East Stuart Code Conditional Use for day care location in the Business Mixed Use East Stuart zoning district.

The proposed new day care called Pace Learning Academy is proposed to be located at 915 SE East Avenue. Ms. Ella Williams Pace, licensed by the Department of Children and Families will own and operate a day care facility that will provide for up to 8 children from 7:30 to 5:30 Monday thru Friday in a portion of the building owned by Johnnie Bell.

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The Department of Children and Families is satisfied that the Pace Learning Academy facility falls into compliance with Chapter 65C-22, Florida Administrative Code, Child Care Facility Standards, adopted by the Department and authorized in sections 402.301-402.319, Florida Statutes, and has approved an annual license to operate this child-care facility.

The number of parking spaces on site satisfies the code requirement of 1 space for every 6 Children and one space per employee. Access to the site is via a two-aisle wide parking lot that safely accommodates drop-off and pick up of the children.

Any signage proposed shall adhere to sign code in Chapter 6 of the Stuart Land Development Code and a permit application submitted for review.

Address	915 SE East Avenue, Stuart, FL
Parcel Number(s)	043841012003000408
Existing Zoning	Business Mixed Use - BMU
Future Land Use	East Stuart
Site Area (acres)	.1377
Present Use	Barber Shop/Vacant
Subject Property Land Use	East Stuart
Proposed Land Use Designation	NA
Subject Property Zoning	BMU
Proposed Zoning District	NA
Proposed Use	Child Care Facility
City Review/Approvals	Building Department – Any modifications in the structure will require permitting and a change of use. Fire Department – Inspection of Fire Alarm and Fire Code compliance has been approved by the City's Fire Marshal. Police: In Review

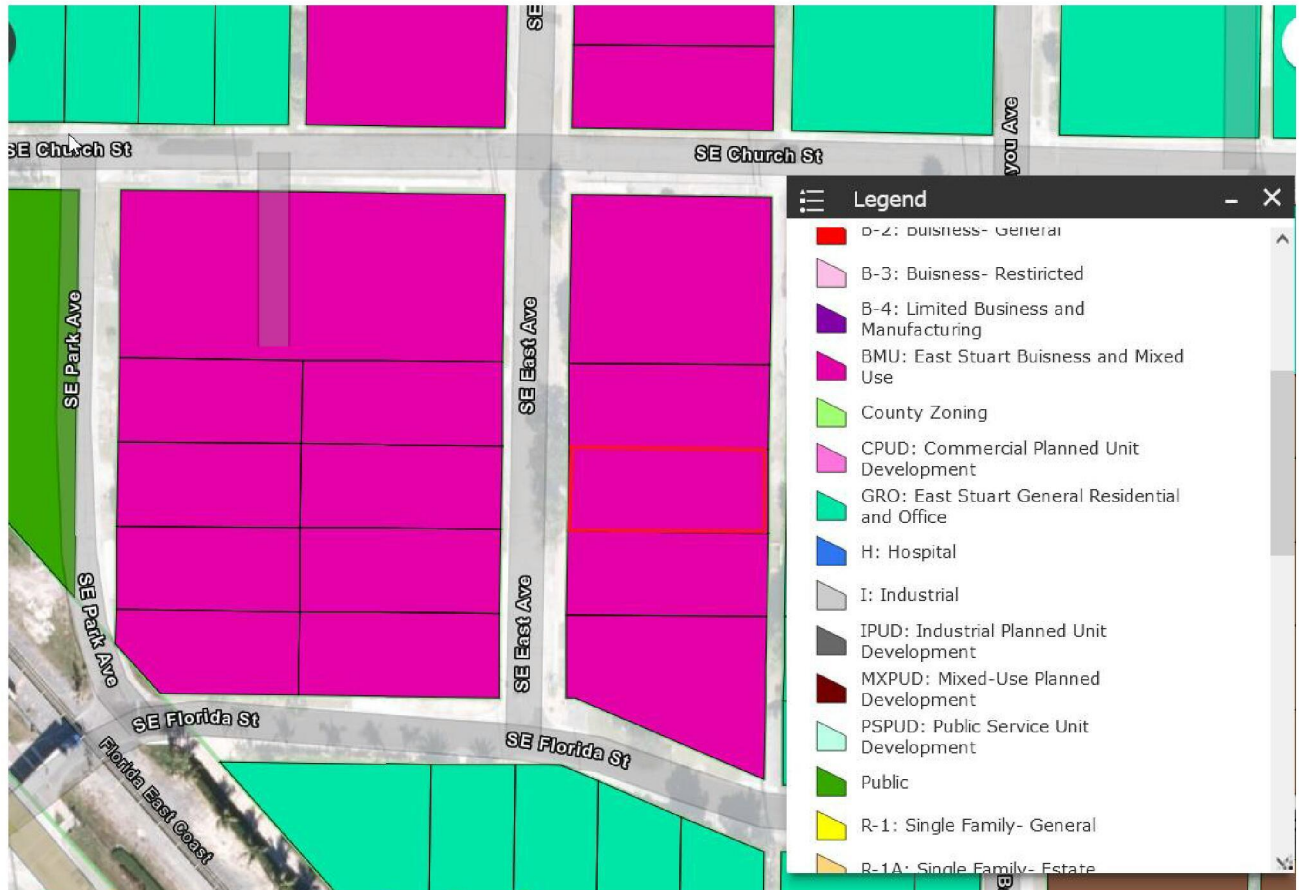
C. Location and site information

Staff Recommendation	see Agenda.
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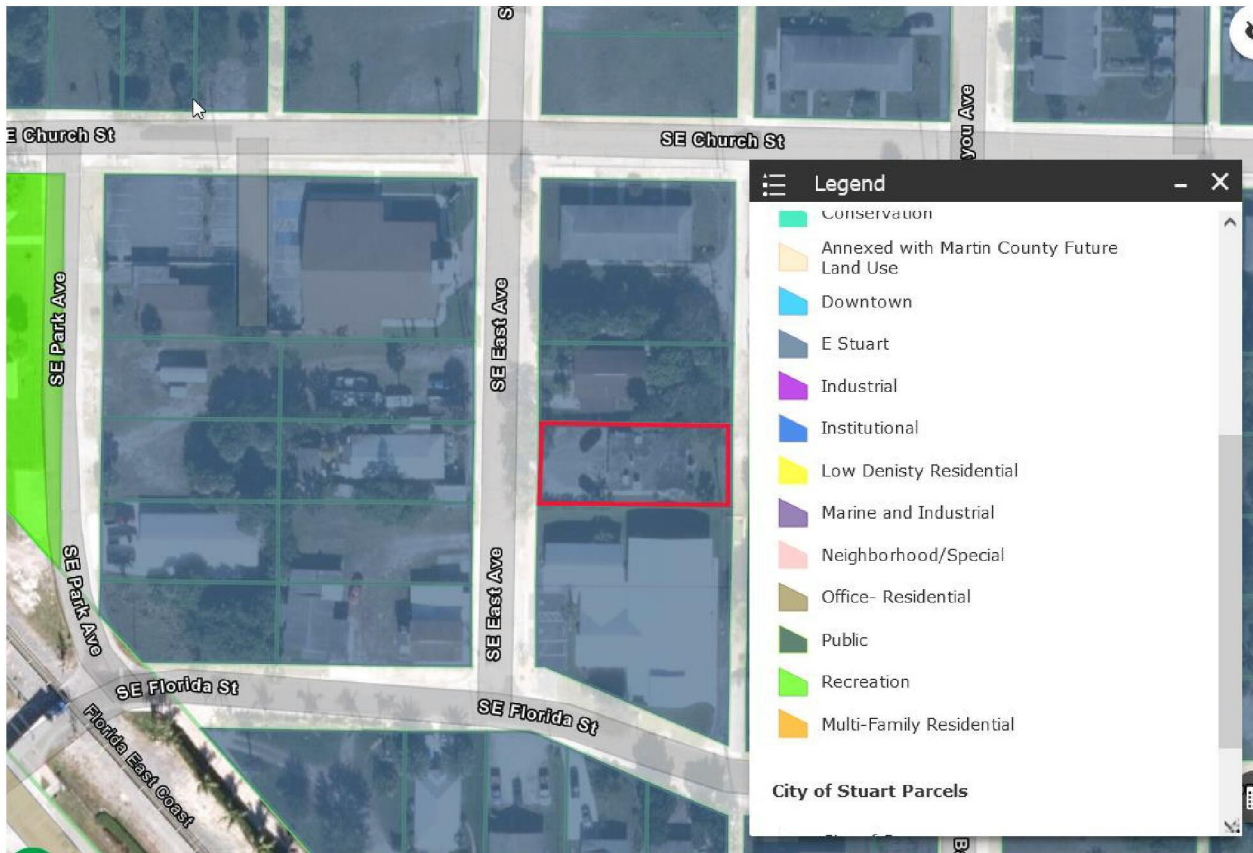
Aerial Map



Existing Zoning: East Stuart Business Mixed Use (BMU)



Existing Future Land Use: East Stuart



Conditional Use Review: 11.01.10G5.a-j & 6.a-h

In applying the above standards, the decision-maker will consider each of the following factors:

5.a The proposed use is not contrary to the established land uses in the immediate area.

The child-care facility will be located in an existing building previously used as a grocery store. The Future Land Use designations of the project site as well as the properties immediately north, east, and west of the project site is in the East Stuart district. The proposed use is consistent with the established land uses of the East Stuart district which allows commercial uses.

5.b The proposed use would not significantly depart from the densities or intensities of use in the surrounding area and thereby increase or overtax the load on public facilities such as schools, utilities, and streets and other public infrastructure.

The child-care facility will not depart from the above

5.c The proposed use will not be contrary to the proposed land use plan and will not have an adverse effect on the goals, policies and objectives of the comprehensive plan.

The proposed use would be located within an existing retail building in which half of the space was used as a Barber shop and the vacant half previously was a restaurant. The applicant is not requesting an increase in density from what is allowed in Chapter 2 (Densities and Intensities) of the Land Development Code.

5.d The existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

There are no proposed changes to the existing district boundary.

5.e The proposed use will not create or excessively increase traffic congestion or otherwise affect public safety.

The proposed use would be located within an existing building that was previously used for personal services and retail. Approval of the conditional use will not create excessive traffic. The proposed use will be most active during pick up and drop off times and will be less intense during the middle of the day.

5.f The proposed use will not create drainage or a storm water quality problem.

The proposed use will not create drainage or a storm water quality problem.

5.g The proposed use will not significantly reduce light or air to adjacent areas.

The proposed use would not significantly reduce light or air to adjacent areas because it would occur in an existing retail building that was previously used as a Barber shop and restaurant.

5.h The proposed use is less burdensome on neighboring properties and on public infrastructure than uses permitted by right in the district.

The proposed use would function as a daycare center for children with most activity occurring indoors and outside activity being very limited.

5.i The proposed use is not out of scale with the uses permitted by right in the district and with the existing uses in the neighborhood.

The proposed Daycare Center is in scale with the uses permitted by right in the East Stuart Land Use designation and Business mixed use zoning sub-district.

5.j There are no other adequate sites for the proposed use in districts in which the proposed use is permitted by right within the city.

The applicant has searched other sites with 915 SE East Avenue being the most adequate.

6.a Ingress and egress to the property and the proposed structures to be located thereon, if any, including considerations of automotive and pedestrian safety and convenience, of traffic flow and control, and of access in case of fire or catastrophe.

The proposal has been reviewed by the Fire Department who has no objections to the proposed use. The proposed use would be located within an existing building that was previously used as a grocery store which was developed via the site plan approval process in the 1960's.

6.b Off-street parking and loading areas including consideration of the economic impact thereof on adjacent properties and of any noise and glare created by the location of offstreet parking and loading areas on adjacent and nearby properties.

The drop off pick up area is internal to the site and allows cars to park while picking up and dropping off children.

6.c Refuse and service areas including consideration of the economic impact thereof on adjacent properties and of any noise and odor created by the location of refuse and service areas on adjacent and nearby properties.

The applicant will use the existing refuse and service areas associated with the existing building, thus having none to minimal impact on the surrounding area and City resources with regards to trash collection.

6.d Utilities including consideration of hook-up locations and availability and compatibility of utilities for the proposed uses.

The applicant will use existing hook-up locations and existing availability of utilities.

7.e Screening and buffering including consideration of the type, dimensions, and character thereof to preserve and improve compatibility and harmony among the proposed uses and structures specially permitted and the uses and structures of adjacent and nearby properties.

The proposed use would be located within an existing building that was previously used as a grocery store and will have a fence enclosing the play area.

7.f Signage and exterior lighting including consideration of glare, traffic safety, and economic effects thereof on adjacent and nearby properties.

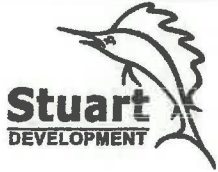
The applicant would be required to comply with those signage regulations detailed in Sec. 6.11.00 as applicable. No additional exterior lighting is proposed.

7.g Required yards and open spaces.

The enclosed play area has been approved by DCF and a fence permit with the City's building department.

7.h Height of proposed structures including consideration of the effects thereof on adjacent and nearby properties.

The proposed use would be located within an existing building with no proposed additions.



**CITY OF STUART
DEVELOPMENT DEPARTMENT
EAST STUART CONDITIONAL USE APPLICATION**

Reviewed By: _____

Application must be legible with all relevant fields completed.

Project ID# 221120002
(Staff Entry)



Pre-App Conference Date:	Application Date: <u>11/24/21</u>
Project Name: <u>Pace Learning Academy</u>	
Parcel ID#	Project Address: <u>915 East Ave. St 11</u>
Zoning/CRA Sub-district: <u>B M U</u>	
Subdivision:	Lot(s):
Fee: \$1,574.00 – Major East Stuart Conditional Use Permit (Community Redevelopment Board and City Commission Approval) Fee: \$524.00 – Minor East Stuart Conditional Use Permit (Community Redevelopment Board) Fee: Amendment of Conditions attached to Major UCCU (City Commission) (This does not include fees that may be charged as a result of application reviews by the City's consultants or any required recording fees)	
A Minor East Stuart Conditional Use Permit shall be required for relief from the following regulations of the urban code; paint colors; public art, and architectural materials.	
A Major East Stuart Conditional Use Permit 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.	
Submittal Requirements: A completed application form, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, the payment of 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 (if required) followed by a recommendation to the City Commission.	
Justification: Please provide justification supporting the request for an East Stuart Conditional Use Permit (include additional pages if needed).	

(over)

General Information
(Please Print or Type)

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

Name: <u>Johnnie Bell</u>	City/State/Zip Code: <u>Stuart, Fla. 34994</u>
Title: <u>Owner of Property</u>	Telephone Number: <u>772-287-0408</u>
Company:	Facsimile Number:
Company Address: <u>914 SE Hall Street</u>	Email Address (optional): <u>jbell772@yahoo.com</u>

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: <u>Ella Williams-Pace</u>	City/State/Zip Code: <u>Stuart, Fla. 34994</u>
Title: <u>Owner of Day Care/Director</u>	Telephone Number: <u>772-634-2317</u>
Company: <u>Pace Learning Academy</u>	Facsimile Number:
Company Address: <u>915 S.E. East Ave St A</u>	Email Address (optional): <u>ella.love@comcast.net</u>

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:	City/State/Zip Code:
Title:	Telephone Number:
Company:	Facsimile Number:
Company Address:	Email Address (optional):

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

4. Signed this 24 day of November, 2021.

* Johnnie Bell
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)
Johnnie Bell - FL DL B400420-43020-0



Darcee M. Pilewski
11/24/2021



Annual



State of Florida

Licensing Agency:
Department of Children and
Families, Child Care Regulation &
Background Screening

337 North US Highway 1
Fort Pierce, Florida 34950
(772) 467-3178

Child Care Facility Certificate of License

Name of Facility: Pace Learning Academy

Certificate Number: C19MA0098

County: Martin

Address: 915 SE EAST AVE STE A

City: Stuart

Zip: 34994

Owner: Ella Pace

The Department of Children and Families being satisfied that this child care facility has complied with Chapter 65C-22, Florida Administrative Code, Child Care Facility Standards, adopted by the Department and authorized in sections 402.301-402.319, Florida Statutes, approves an Annual license to operate this child care facility.

This certificate is effective

November 12, 2021 Through November 11, 2022

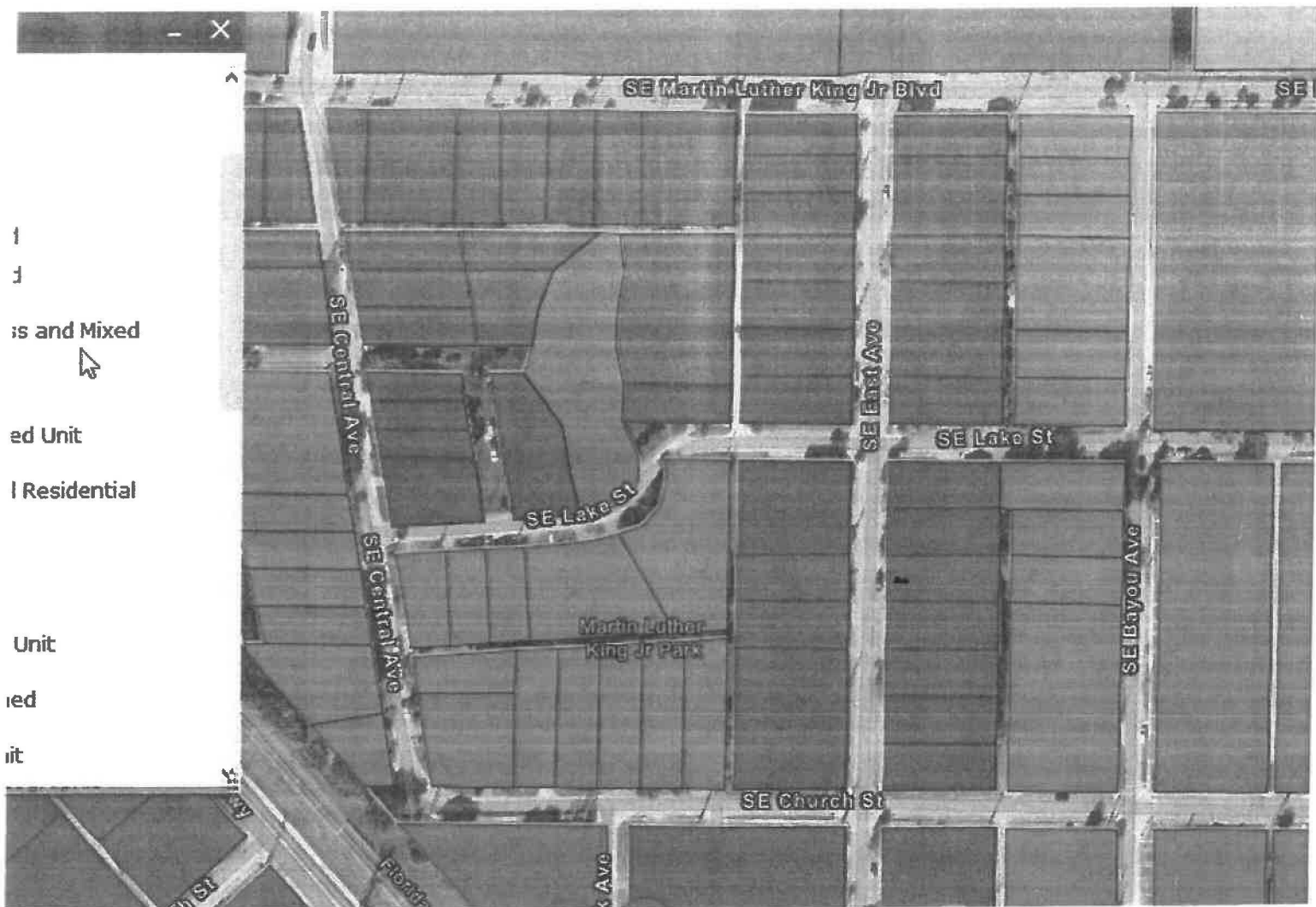
This license may be revoked or suspended for cause.

Maximum Licensed Capacity: 8

Hours of Operation:

Mon	Tue	Wed	Thu	Fri	Sat	Sun
07:30AM	07:30AM	07:30AM	07:30AM	07:30AM		
05:00PM	05:00PM	05:00PM	05:00PM	05:00PM		

[Signature] for Linda Haplin
Region Administrator or Designee





★ *Learning Academy* ★

A PLACE OF LOVE AND LEARNING

Dear Parents/Guardians,

Welcome to Pace Learning Academy. Our goals are to provide a safe, loving and academic environment for your child(ren). Our daily activities consist of language, reading, creative art, sensory experience, music, games, motor skills, science, and math. Each child will be allowed to develop as an individual.

Deciding on child care is one of the toughest jobs you will ever face. That's why I assure quality training which will meet his/her every need. Also, I encourage you to stay involved with your child's educational experience especially during the early childhood stages. Always feel free to ask any questions.

The experience necessary to perform these tasks are apparent. I have over twenty years child care experience, Associate of Science Degree from Indian River State collage in Early Childhood Education, military wife, Red Cross Volunteer, school bus driver, medical assistant and evangelist. I strongly believe along with a positive, caring attitude and my qualifications, I can help make a difference in your child's life.

Policies and Procedures

All forms must be completed before child can attend.

****HOURS:** Monday – Friday 7:30 to 5:00. We do not recommend children be left in care more than 8 to 10 hours.

****IMMUNIZATIONS:** Each child must have current 680 Immunization form and a recent physical not more than 2 years old on file before starting.

****ILLNESSES:** 911 will be called for emergencies and parents. Parents are responsible for any associated cost. First Aid procedures will be followed as needed. Fever, green or yellowish discharge from ears, nose, eyes; Or any unknown rashes. Head Lice needs to be treated by a doctor and any communicable diseases. The child must return with a doctor's note stating illness and date he/she may return to school. This is for staff also. **A CHILD MAY NOT ATTEND SCHOOL WITH THE ABOVE SYMPTOMS** and any other communicable diseases.

****MEDICATION:** Only prescription medications will be given.

The bottle must have the child's name label, current date, dosage, physician's name and pharmacy label. You must fill out a medication form with a start date, end date, and parent signature. All medication must hand to staff and not left in bags of any sort.

****VACATION:** VACATION FEES REMAIN THE SAME TO HOLD YOUR CHILD'S SPOT.

****WITHDRAW:** A two weeks' notice is required.

****ARRIVAL AND DISMISSAL:** CHILD MUST BE SIGN IN AND OUT WITH A FULL SIGNATURE AND TIME WITH CHILD TEACHER.

This is to ensure proper supervision.

****DISCIPLINE POLICY:** Pace Learning Academy practice redirecting, choices, breathing, calming technics and positive reinforcement. If a child is chronically misbehaving parents will be notified. We will work on finding a solution with parent for the safety and well being of all children and staff before terminating service. Pace Learning Academy normally give a two weeks' notice unless certain situation or circumstances requires for a shorter time or immediate dismissal. NO

BULLYING OR ABRUSE OF ANY KIND IS ALLOWED. Pace Learning Academy and its employees are state of Florida mandated reporters of abuse and neglect. We practice age appropriate discipline practices and prohibit discipline that is severe, humiliating or frightening, or associated with food, rest or toileting. Spanking, or and other form of physical punishment, is prohibited.

REST/NAP/QUIET: NO CHILD IS FORCED TO SLEEP. Children must remain quiet while others are napping. Those that are not sleeping will have choices of a quiet items such as a book, puzzle, coloring and more choices.

TERMINATION OF SERVICES: Fees not paid, constantly late, forms not completed and or behaviors are some of the reason for termination of service but not limited to the above only.

FOOD POLICIES: No other outside food is allowed by USDA food program. **INFANTS:** Bottles must ready to heat, clearly marked with child's name. If your child or infants is arriving late please make sure you feed them before arriving. Healthy snacks will be serving to all children. Consideration of Allergies with doctor note will be allowed only.

FEE PAYMENT SCHEDULE: Tuition is due on Friday before Monday. You pay for the week in advance. There will be a \$10.00 late fee if paid after 7:30 a.m. and not previous on Monday a.m. Saturday and Sunday payments are accepted ahead of time without late fees. There is a fifty dollars registration fee not refundable. There is a \$2.00 a minute late fee charge after 5:00 p.m. school closing. Prices, fees and any part of this contract is subject to change with a 2 weeks' notice.

SUPPLIES: Bottles made up, sip cup, bibs, changes of clothes, Pacifiers (must be on a string that can be attached to the child, diapers, wipes (labels), sheet, blanket and socks and shoes must be worn. Parents also are responsible to supply Folding mats.

*******CENTER HOLIDAYS OBSERVED (Closed)*******

New Year**Martin Luther King Day****Memorial Day**

July 4th ** Labor Day****Veteran's Day****Thanksgiving**

Christmas**Columbus Day****Good Friday****Presidents Day****Juneteenth******

We will be closed the Friday and Monday before and after the holiday that fall on the weekend. There will be some early release or early closing days with advance notice. Subject to change with a 2 weeks minimum notice. There may be other

Outside/Play time: We play outside every day except during intense heat or inclement weather. Please dress your child according to the seasonal weather and safely.

Parent Involvement: We will be having various parent involvement such as conference, donations, sharing career choice and assisting in program activities. Parent always welcome at the center. Please call or talk with director with all and any concerns.

FEE SCHEDULE:

Infants: ***\$250.00 weekly

Toddler*** (1yr.) \$200.00 weekly

2yr *** \$160.00 weekly

3-5 PR ***\$150.00 weekly

SCH***\$100. Weekly

SPCR***\$250.00 Weekly

**1 to 4 hours is part time.

****5 or more hours are Full Time.**

*****\$15.00 hourly Drop-In Care with prearrangement care and
of information including emergency numbers and contact
verifiable. ****

Truly Yours,

Ella Williams-Pace

Pace Learning Academy

Daily Activities Schedule

7:30 3:00	Arrival and Free Play/Wash Hands
8:00-9:00	Breakfast and Music
9:00-9:30	Circle Time
9:30-10:30	Morning Centers and Small Group
10:30-10:45	Clean up/Wash Hands/Bathroom Break
10:45-11:30	Outside Center and Play
11:30-11:45	Wash Hands/ Prepare for Lunch
11:45-12:00	Story Time
12:00-12:30	Lunch
12:30-2:00	Quiet Time
2:00-2:30	Transition (Put up mats, potty, etc.)
2:30-3:00	Snack Time/ Wash Hands
3:00-3:45	Recess Time
3:45-4:00	Wash Hands/Restroom
4:00-4:15	Story/Circle Time
4:15- 5:30	Learning Center to Home



City of Stuart
Development Department
121 SW Flagler Avenue
Stuart, FL 34994
Ph. 772-288-5300
Fax 772-288-5388

AFFIDAVIT ATTESTING TO NOTIFICATION

(NAME OF PROPERTY OWNER), Johnnie Bell being first duly sworn, depose(s) and say(s):

That we the owners of the following described property which constitutes the location for which notification is required:

Address: 915 S.E East Ave, Ste A, Stuart, FL 34994

That a copy of the notice was sent by U.S. Mail on DATE 12/21/21 to the property owners within 300 feet of the subject property.

That a list of the property owners and their addresses is on file with the City of Stuart; and

That a photograph showing the placement of the notification sign shall be made a part of this Affidavit.

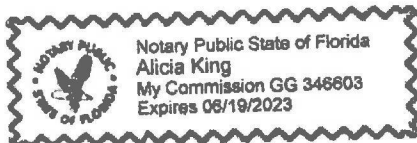
Ella W. Pace
SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

SWORN TO AND SUBSCRIBED before me this 21st day of Dec, 2021

Alicia King
NOTARY PUBLIC, STATE OF FLORIDA:

My Commission Expires:



CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 1/10/2022

Prepared by: Kev Freeman

Title of Item:

MAJOR SITE PLAN AMENDMENT - MONTEREY MEDICAL PARKING EXPANSION (QUASI-JUDICIAL)(RC):

RESOLUTION No. 01-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE AN AMENDMENT TO A MAJOR DEVELOPMENT SITE PLAN AT 'MONTEREY MEDICAL CENTER' LOCATED AT 1050 SE MONTEREY ROAD, STUART TO EXPAND THE PARKING LOT FOR 51 ADDITIONAL PARKING STALLS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

History

This request (Resolution 86-2021) was initially heard by City Commission at its September 13th, 2021 regular meeting. The application was continued to October 25th, 2021 with requests to reduce the impact of the impervious area, to consider tree size and replacement, to provide a cost comparison of a parking garage, to set out a maintenance and operation plan for the stormwater system, and to present a full history of the site and approvals/variances granted. The application was continued at the City Commission meeting of October 25th, 2021. The item has been re-advertised and now appears on this agenda.

Summary

This revised application proposes the addition of 51 parking stalls within the confines of the existing site. The Major Development Site Plan for the Monterey Medical Center was approved by Resolution 110-01 in 2001. That resolution contains at condition 8 a requirement that: 'Any modification to the Master & Final Development Plan, due to final engineering, that exceeds 5% of the approved building footprint; building setbacks; building location; parking size, location, and number; drainage areas; and location of landscaping shall require further approval by the City Commission via a public hearing.'

The Surgery-Center that occupies a portion of the site was approved by Resolution 105-09.

Please also refer to the Staff Report attached at B.1 to this item.

It is proposed to locate additional parking above two existing stormwater retention/detention areas. The existing stormwater retention areas will be replaced with the installation of underground stormwater infiltration systems. The systems are designed to accommodate the existing volume of stormwater contained within the retention areas that they will replace.

The existing preserve area at the intersection of SE Monterey Road and SE Monterey Extension will remain and have exotic material therein removed.

Funding Source:

N/A

Recommended Action:

Staff recommend approval with the conditions as stated.

Commission may take the following actions:

1. Motion to approve the amendment to the Major Development Site Plan with the recommended development conditions attached.
2. Motion to approve the amendment to the Major Development Site Plan with revised/additional development conditions.
3. Motion to Deny the Major Development Site Plan.

ATTACHMENTS:

Description	Upload Date	Type
□ A.1 Resolution 01-2022	12/30/2021	Resolution add to Y drive
□ B.1 Staff Report	12/30/2021	Staff Report
□ C.1 Application Monterey Medical	8/31/2021	Backup Material
□ C.2 Applicant Covering Letter	12/30/2021	Backup Material
□ D.1 Site Plan - Existing	12/30/2021	Exhibit
□ D.2 Site Plan - Proposed	12/30/2021	Exhibit
□ D.3 Site Plan Improvements	12/30/2021	Exhibit
□ D.4 Drainage Improvements	12/30/2021	Exhibit
□ D.5 Sediment Control	12/30/2021	Exhibit
□ D.6 Infiltration System Details	12/30/2021	Exhibit
□ D.7 System Details	12/30/2021	Exhibit
□ D.8 Ground Cover Analysis (existing)	12/30/2021	Exhibit
□ D.9 Ground Cover Analysis (Proposed)	12/30/2021	Exhibit
□ D.10 Exfiltration Testing	12/30/2021	Exhibit
□ D.11 Drainage Analysis Report	12/30/2021	Exhibit
□ D.12 Landscape Plan Rendering (Existing)	12/30/2021	Exhibit
□ D.13 Landscape Plan Rendering (Removal)	12/30/2021	Exhibit
□ D.14 Landscape Plan Rendering (Overall)	12/30/2021	Exhibit
□ D.15 Landscape Plan	12/30/2021	Exhibit
□ D.16 Landscape Plan Details	12/30/2021	Exhibit
□ D.17 Lighting Plan	9/3/2021	Exhibit
□ D.18 Electrical Plan	9/3/2021	Exhibit
□ D.19 Res 110-2001	9/1/2021	Backup Material

▣	D.20 Operation and Maintenance Plan	12/30/2021	Exhibit
▣	D.21 Minutes 6-25-2001 (Extract)	11/1/2021	Backup Material
▣	D.22 Res 105-2009	11/1/2021	Backup Material
▣	D.23 Minutes 9-14-2009 (Extract-consent)	11/1/2021	Backup Material
▣	D.24 Suntrust Parking Garage Stripping	11/1/2021	Backup Material



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

RESOLUTION NUMBER 01-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE AN AMENDMENT TO RESOLUTION NO. 110-01 (WHICH GRANTED A MAJOR DEVELOPMENT SITE PLAN WITH CONDITIONS) FOR THE 'MONTEREY MEDICAL CENTER' LOCATED AT 1050 SE MONTEREY ROAD, AUTHORIZING SEVERAL CHANGES TO THE PROJECT'S ORIGINAL DEVELOPMENT ORDER INCLUDING, BUT NOT LIMITED TO, AN EXPANSION OF THE EXISTING PARKING LOT TO PROVIDE AN ADDITIONAL 51 PARKING STALLS; REDESIGNING THE STORMWATER SYSTEM; WITH SAID LANDS BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; PROVIDING FOR CONDITIONS; PROVIDING THAT ELEMENTS AND PROVISIONS OF RESOLUTION NO. 110-01 NOT AMENDED OR SUPERCEDED HEREBY SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, on September 13, 2021, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by DOC-1050 SE Monterey Road MOB, LLC, hereinafter the "Owner" of the Monterey Medical Center, hereinafter the "Property", generally located east of the intersection of SE Monterey Road and SE Monterey Road Extension; and

WHEREAS, the operation of the Monterey Medical Center is restricted due to the lack of on-site parking stalls, therefore the applicant is proposing remedial amendments to the project's original

development order and existing site configuration which are intended to improve the site's functionality and resolve on-site parking provision; and

WHEREAS, the Owner has submitted an application for an amendment to a Major Site Plan approved in Resolution 110-01, to expand the existing parking lot and redesign the existing stormwater treatment system to provide 51 additional on-site parking stalls; and

WHEREAS, the City Commission, has considered the Petitioner's voluntary request to approve an amendment to the existing major development plan to allow additional parking at Monterey Medical Center, and has also considered the recommendation of the City staff; and

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

WHEREAS, the owners have committed to the City that the use will comply with all development codes, plans, documents, standards, and conditions approved by the City Commission; and that it will bind its successors in title to any such commitments made upon this resolution; and

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

WHEREAS, the Stuart City Commission deems it in the Public's best interest to approve certain remedial and other changes to the project's original development order and existing site configuration.

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

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

SECTION 1: The foregoing recitals are true and adopted as findings of fact and conclusions of law.

SECTION 2: Resolution 110-01 is hereby amended, in the form of a “Major Site Plan Approval,” as set forth in the City’s Land Development Code, thereby permitting several changes to the project’s original development approval and existing site configuration. These changes are depicted on both the project’s amended “Development Conditions” attached as “**Exhibit B,**” changes to which are shown as struck through and underlined (added) language and the “Revised Documents” attached as “**Exhibit D**”. Said changes generally consist of; a new parking layout plan; the creation of new parking spaces and replacement landscaping.

SECTION 3: The legal description of the property is set forth in **Exhibit ‘A.1’** attached hereto and made a part hereof by reference. A Map depicting the Property is attached hereto as **Exhibit ‘A.2’** and made a part hereof by reference. The conditions of development attached hereto as **Exhibit ‘C’** and made a part hereof by reference, and each shall constitute one of the approved documents.

SECTION 4: The following 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 ‘Approved Documents’, shall be deemed a part of the development conditions, and shall supplement any earlier approvals:

1. Site Plan(s), Drainage Improvement Plan, Sediment & Erosion Control Plan, Infiltration System Detail(s) as prepared by Holt Engineering & Consulting, PA, Project Number MMC-01-21, plan set 1 through 9, dated December 17, 2021.

2. Landscaping Plan and Landscape Notes and Details as prepared by Landscape Design Associates, reference 21-061, dated October 28, 2021.
3. Lighting Plan as prepared by Mainstreet Engineering, reference 20131, dated July 27, 2021.
4. Electrical Site Plan as prepared by OCI Associates, reference sheet E-2, dated March 23, 2021.
5. Cultec Systems Operation and Maintenance Plan, dated December 17, 2021.

SECTION 5: Except as otherwise provided herein, no development permits, site permits or building permits shall be issued by the City except in compliance with the aforesaid Approved Documents. The failure of the Applicant to comply with the Approved Documents, or with any term or condition of development set forth in this resolution, shall be deemed a zoning violation and no further permits, or other development approvals or orders shall be issued by the City to the owner until the violation has been resolved, and the matter may become the subject of a code enforcement action brought by the City. This section shall not impair the due process or other legal rights of the Developer to seek administrative or judicial redress.

SECTION 6: Following the adoption and acceptance of this by the Owner, and in addition to any other action for failure to otherwise comply with the Approved 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 Applicant 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 Approved Documents and therefore, the Resolution(s) adopting the same, the City Commission may impose any or all the following:

- a. Initiate the process to amend or repeal this or any other development order pertaining to the development.
- b. 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 resolution by the Applicant 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: Those elements and provisions of Resolution No. 110-01 not amended or superseded by this resolution shall remain in full force and effect. If any provision of this resolution conflicts with any contractual provision between the City and the Property Owner(s) or Applicant(s) of the site, this resolution shall prevail.

SECTION 8: The elements and provisions of Resolution No. 105-09 a major site plan approval for the one-story medical office building at 1155 SE Monterey Road Extension shall remain in full force and effect.

SECTION 9: The complete execution and recording of this Resolution by the City Clerk shall occur no later than 90 days from the date of this approval, failing which this resolution shall become void.

SECTION 10: Upon complete execution of this Resolution, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida. The applicants shall pay the cost of recording this resolution in the public record.

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

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

CITY'S ACKNOWLEDGMENT

STATE OF FLORIDA,

COUNTY OF _____

The above Resolution, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2022, by MERRITT MATHESON, 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 CONDITIONAL USE APPROVAL AND IN ALL EXHIBITS, ATTACHMENTS AND APPROVED 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 RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO COMPLY WITH THIS RESOLUTION, ITS CONDITIONS, AND THE APPROVED DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION 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:

Print Name: _____

Print Name: _____

APPLICANT:

By: _____

PROPERTY OWNER: Monterey Medical
Center

By: _____

OWNERS ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Resolution, Acceptance and Agreement was acknowledged before me by means
of ☐ physical presence or ☐ line notarization, this _____ day of _____, 2022,
by _____

Personally Known OR Produced Identification

Type of ID Produced _____

Signature of Notary Public: _____

Commission Expires:

Notary Seal:

EXHIBIT A.1 – LEGAL DESCRIPTION

LOTS 6 7 & 8 PLAT OF MONTEREY TRIANGLE ACCORDING TO THE PLAT THEREOF
RECORDED IN PLAT BOOK 14 PAGE 86 PUBLIC RECORDS MARTIN COUNTY
FLORIDA LESS AND EXCEPT THAT PORTION REPLATTED AS TRACT A MONTEREY
TRIANGLE REPLAT ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT
BOOK 17 PAGE 14 PUBLIC RECORDS MARTIN COUNTY FLORIDA

EXHIBIT A.2 – LOCATION MAP



EXHIBIT B – DEVELOPMENT CONDITIONS

~~1. — The project shall adhere to the Master & Final Development Plan and Landscape Plan as prepared by Lucido & Associates, Job # 9225-99. Last revision dated 6-15-01.~~

~~2. — The project shall adhere to the Architectural Plans prepared by Garcia-Brenner Stromberg, Job# 00250. Last revision dated 6-25-01.~~

~~3. — Prior to the issuance of any development permits a contribution, in the amount of \$38,800, shall be submitted to the City Development Department for mitigation of the removal of Slash Pine in accordance with the Natural Resource Protection Standards of the City's Land Development Regulations.~~

1. The project shall adhere to the Site Plan(s), Drainage Improvement Plan, Sediment & Erosion Control Plan, Infiltration System Detail(s) as prepared by Holt Engineering & Consulting, PA, Project Number MMC-01-21, plan set 1 through 9, dated December 17, 2021.

2. The project shall adhere to the Landscaping Plan and Landscape Notes and Details as prepared by Landscape Design Associates, reference 21-061, dated October 28, 2021.

3. The project shall adhere to the Lighting Plan as prepared by Mainstreet Engineering, reference 20131, dated July 27, 2021.

4. The project shall adhere to the Electrical Site Plan as prepared by OCI Associates, reference sheet E-2, dated March 23, 2021.

~~4. — The project shall comply with the City's Concurrency Management System prior to the issuance of any development permits.~~

~~5. — The following roadway improvements if warranted shall be approved no later than December 1, 2001 from Martin County and/or FOOT:~~

- ~~a. The median on Monterey Road shall be re-stripped with the appropriate directional arrows, to provide a left in turn lane to the westernmost point of ingress/egress.~~
- ~~b. A right in deceleration lane shall be provided within the Monterey Road right of way as if heading in an eastward direction should traffic counts warrant the requirement~~
- ~~c. The existing concrete median located within Monterey Road shall be extended in a westward direction in order to only allow a right in and right out traffic movement from Monterey Triangle Access Road.~~
- ~~d. The entrance located on Monterey Road Extension shall provide a safety rail at the ingress/egress way in order to avoid any vehicles driving into the swale.~~

5. The project shall adhere to the Cultec Systems Operation and Maintenance Plan and schedules for minor and major maintenance activities, dated December 17, 2021. The activities and condition of the infiltration system shall be reported to the Development Department an annual basis commencing one year after issuance of final building permit for the expansion of the parking spaces hereby approved.

6. The applicant shall obtain all regulatory permits, and copies submitted to the City prior to the issuance of any development permits.

7. Final Development Plans and construction drawings shall be required to be reviewed and approved by the City prior to the issuance of any development permits.

8. Any modification to the Master & Final Development Plan or Landscape Plan, due to final engineering, that exceeds 5% of the approved building footprint; building setbacks; building location; parking size, location, and number; drainage areas; and location of landscaping shall require further approval by the City Commission via a public hearing.

9. The applicant shall take all practical measures to protect and preserve all remaining trees during construction. All trees proposed to remain shall be appropriately barricaded, shall be kept free from debris and fill, and all barricades shall be inspected by the City prior to the issuance of any site work.

10. All landscape improvements shall be maintained in an attractive and healthy condition.
11. No outdoor storage is permitted.
12. Existing monitoring wells for the City's Landfill shall be preserved and used for monitoring purposes.
13. The ~~proposed~~ surgi-center shall at no time be converted into medical office space unless the requirements for parking standards @ 1 parking space per 200 square feet are met prior to construction.
14. Loading areas or docks, outdoor storage, trash collection, mechanical equipment, trash compaction, truck parking, recycling, rooftop equipment and other service function areas shall be fully screened and out of view from adjacent properties at ground view level when located along primary facades or within view of public right- of-ways or residentially zoned properties.
15. ~~Prior to the issuance of a certificate of occupancy, an installation and maintenance guarantee in a form acceptable to the city development director shall be provided to guarantee t~~ The installation and maintenance of the required landscaping and irrigation system shall be in accordance with the provisions of the landscape code and other applicable ordinances of the city and its maintenance carried out in perpetuity. This guarantee shall list all required landscape materials and shall describe the irrigation system to which it pertains, and maintenance be valid in perpetuity.
- ~~16. Bahia sod shall be planted and maintained on Building # 2 footprint until time of construction.~~
16. Construction activity on the site shall be limited to be between 7 a.m. and 7 p.m. Monday to Friday and between 7 a.m. and 12 a.m. Saturday. Construction access to the site shall be from SE Monterey Road Extension only. A maintenance of traffic (MOT) plan shall be submitted for approval prior to commencement of construction activities.
- ~~17. Development of the proposed surgi-center (2nd building) shall architecturally compliment the architecture and design of the 1st building (medical office building).~~

17. The location of temporary off-site storage, parking or staging areas may require additional City permits.

18. Minor changes to the proposed building materials may be allowed without a public hearing before the City Commission. If any proposed changes to materials or colors cannot be resolved at a staff level, a public hearing before the City Commission will be required.

19. All signage for the development site shall be monument-style signage not to exceed 15 feet in height or 100 square feet in area per side.

20. All vehicular-area lighting shall utilize decorative light fixtures and poles.

21. Exterior site lighting shall not negatively impact surrounding residential properties. No light wash shall spill off of the development site.

22. Sidewalks shall be constructed at a minimum width of six feet (6').

Exhibit D – APPROVED DOCUMENTS

HELD ON FILE WITH CITY CLERK



Staff Report – Monterey Medical Parking Expansion

A. Application: MAJOR SITE PLAN AMENDMENT

Project	Monterey Medical Center Parking Expansion
Applicant	DOC-1050 SE Monterey Road MOB, LLC
Property Owner	DOC-1050 SE Monterey Road MOB, LLC
Agent for Applicant	Aurum Property Partners, LLC
Project Manager	KF
Date of Report	December 30, 2021

B. Project Description

This application proposes the reconfiguration of the existing parking lot, stormwater system to facilitate the addition of 51 parking stalls within the confines of the existing site.

The Major Development Site Plan for the Monterey Medical Center was approved by Resolution 110-01 in 2001. That existing Resolution contains at condition 8 a requirement that: 'Any modification to the Master & Final Development Plan, due to final engineering, that exceeds 5% of the approved building footprint; building setbacks; building location; parking size, location, and number; drainage areas; and location of landscaping shall require further approval by the City Commission via a public hearing.'

It is proposed to locate additional parking above two existing stormwater retention/detention areas.

The existing upland preserve area at the intersection of SE Monterey Road and SE Monterey Extension will remain, with existing exotic trees being removed.

C. Location and site information

The site is located between SE Monterey Road and SE Monterey Road Extension and forms a triangle with the Monterey Medical Center building to the north.

Resolution #110-01 granted a Major Site Plan Approval in 2001. It is this Resolution that requires amending to allow the existing car parking area to be expanded.

Resolution # 105-09 granted a Major Site Plan Approval in 2009 for the one-story medical office building. The provisions of Resolution #105-09 will remain in full force and effect.

It is recognized that the medical center operation is struggling with parking accommodation within the confines of the site. At certain times of day, the available parking capacity is insufficient, and patrons end up parking in adjacent swales and grassed areas that abut the site to the north-east. The proposed 51 parking stalls will generate additional on-site capacity and maintain the functionality of the site.

Aerial



B-2



Existing Future Land Use

Commercial

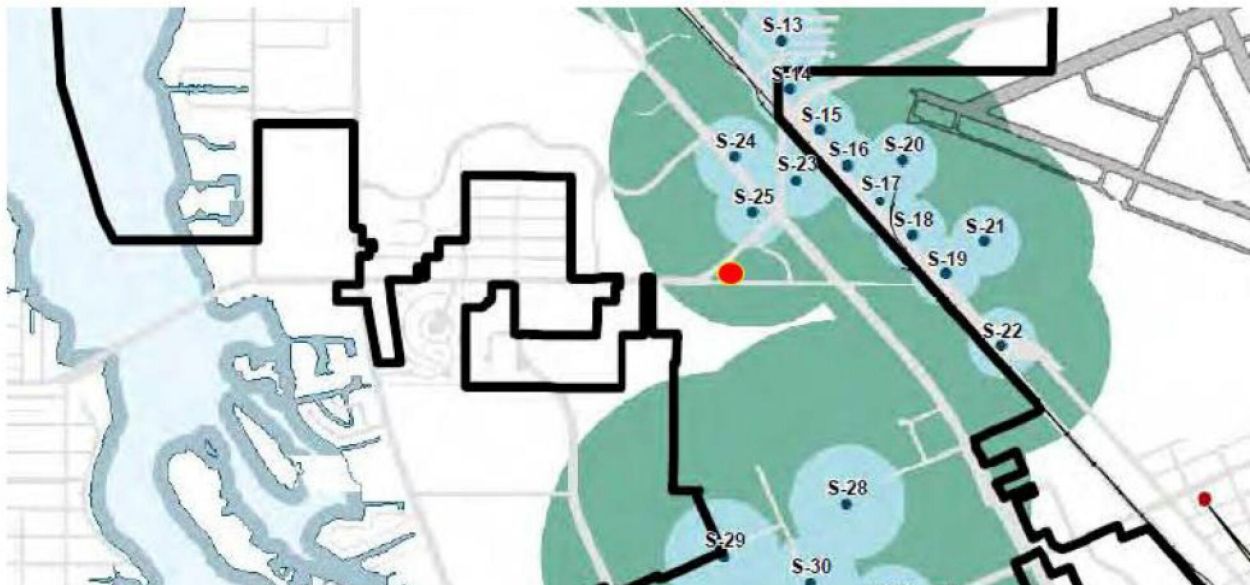


D. Determination of compliance with Comp Plan

The proposal complies with Policies of the City of Stuart Comprehensive Plan relating to the Future Land Use of Commercial.

Wellfield Protection:

The site is located within wellfield protection zone 2 of well #25 (location identified below). The proposed stormwater installation is located approximately 900ft from the well.



Martin County Utilities and Solid Waste Department have confirmed that the proposal is in compliance with Martin County Code which states:

4.147.C. *Stormwater retention/detention areas.* Stormwater retention/detention areas (wet), as defined by the SFWMD (volume VI, section 3.2.2.4), shall not be located within 300 feet of a public potable water supply well.

SFWMD Definition: “Stormwater management system” means a surface water management system that is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use, or reuse water to prevent or reduce flooding, over drainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges from the system. [Sections 373.403(10) and 403.031(16), F.S.]

E. Zoning

1. Zoning and Site Design

Parking & History:

The existing site plan provides 333 parking spaces, 30 of these are dedicated to the Surgi-Center, the remaining 303 are associated with the medical office building. The Medical Office building comprises 65,106 sq.ft over four stories.

The City's current zoning parking requirement is 1 space per 200 sq.ft for a medical office building, which equals 326 spaces. A shortfall of 23 spaces for this building/use. The shortfall was recognized within the original staff report of June 25th, 2001. A parking analysis at that time justified the reduction in required spaces and that the future 12,400 sq.ft Surgi-center would require only 22 spaces. The site plan was approved at that time with a total of 353 spaces. (Resolution 110-01).

The subsequent approval of a lesser sized 9, 500 sq.ft Surgi-center identified a total provision of 337 spaces, claiming a credit of 35 spaces. (Resolution 105-09).

The proposal is to add a total of 51 additional parking stalls to the site and maintain an agreement to utilize 35 off-site spaces within the 'SunTrust' parking garage located within the Monterey Triangle.

Permit number 15060003 approved the 'SunTrust' Parking garage to be stripped to accommodate 146 cars. Based on code requirement the 'SunTrust' building site and parking garage has a surplus parking provision of 43 spaces. A staff review and monitoring of the parking at the garage it is noted that the occupation of parking stalls therein is seldom if at all at capacity.

2. Engineering – Drainage/Stormwater (external consultant fee payable)

Stormwater:

The existing stormwater retention areas will be replaced with the installation of underground stormwater infiltration systems. The systems are designed to accommodate the existing volume of stormwater contained within the retention areas that they will replace and to reduce existing peak rate stormwater run-off by 30% during the 10-year event and 37% during the 72-hour event.

Stall Arrangement:

The proposed parking stall parking areas do not conform with the requirement to have maximum rows of 10 stalls. Staff are recommending that this requirement is waived to facilitate the maximum number of additional stalls on site.

Impervious Area:

The impervious area of the site will be increased to 63%, which remains below the minimum required by code of 65%. However, the pervious area lost is substantially replaced by pervious driveway and parking surface and the implementation of underground stormwater storage systems that provide the required storage capacity. The underground systems also allow percolation directly into the ground and remove run-off pollutant flush from the existing dry-detention areas.

In certain circumstances City Code restricts the use of underground stormwater storage at section 6.03.01 B (b) of the Land Development Code (**bold added**):

6.03.01 B (b) *Renovation development, vacant development and infill development* shall be required to comply with all requirements for water quality as set forth in this chapter. Exfiltration systems shall be used for water quality purposes only.

Not more than 40 percent of stormwater runoff may be stored in underground storage structures. The remaining 60 percent of the required stormwater runoff shall be accommodated through retention and detention, green space, and allowable discharge.

The proposal is considered to potentially fall under the definition of '*Renovation development*':

1. Additions to existing buildings or structures totaling 30 percent or more of the total gross floor area of all existing buildings or structures on the site inclusive of any additions made during the previous three years; or
2. Improvements to existing buildings and **site improvements** consisting of any combination of repairs, reconstruction and alteration to a building or site the cumulative costs of which, according to most current edition of the Marshall and Swift Cost Estimator, **equal or exceed 25 percent of the market value of the buildings on the site and site improvements**, not including the market value of the land, prior to improvement.

The definition relies on a calculation of Improved Value.

The Improved Value from the Property Appraisers Website =

Building Value: \$7,041,216. 25% of \$7,041,216 = \$1,760,304

If the cost estimate of site improvements is less than \$1,760,304 then 6.03.01 B (b) may not apply.

A manufacturer's Operation and Maintenance Plan is attached. Reporting of inspections to the City's Development Department is conditioned within the development conditions.

CAPTEC Engineering, Inc. performed a review for the City of Stuart to confirm compliance with the applicable City of Stuart Codes and Regulations.

Traffic:

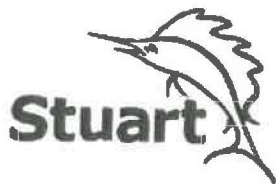
The intensity of use remains unchanged. The improvement in parking capacity should provide less conflict within the adjacent access roadways.

3. Environmental and Landscaping

Landscaping:

The proposal will require the removal of thirty-five trees of varying condition and size. The replacement landscaping will comprise 4 Red Maple, 8 Slash Pine, 12 Live Oak, 8 Cabbage Palm and 4 Yellow Elder. In addition, it is proposed to install shrubs (351) and ground cover that meet City code and Xeriscape requirements.

The existing upland/preserve area defined in the existing site plan will remain and existing exotics will be removed and replaced with Live Oak.



City of Stuart
121 SW Flagler Ave
Stuart, FL 34994

Received by: [Signature]
Reviewed by: KF
Approved by: _____

(772) 288-5326

MAJOR KF

Application for Minor Development Plan

Project ID# 221060004
(Staff Entry)

Pre-App Conference Date: March 22, 2021	Application Date:
Project Name: Monterey Parking Enhancement Project	
Parcel ID# 09-38-41-024-000-00060-0	Project Address: 1050/1055 SE Monterey Road.
Current Zoning:	Current Land Use:
Proposed Zoning:	Proposed Land Use:
Present Use:	Site Area/Acreage:
Fees: Minor Development Plan - \$1,638.00; Amendment to approved site plan - \$819.00 (this does not include fees that may be charged as a result of application review by the City's consultants)	
A Minor Development Plan is one which is: A. A single-family, multi-family or duplex residential project of between 3 and 35 units, inclusively. B. A non-residential development under 50,000 square feet in area. C. A mixed-use development under 50,000 square feet in area. D. A public or private institutional development less than one acre in land area. E. Commercial tenant finishes.	
Submittal Requirements: A completed application form, the payment of fees, a site plan, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, and any other information as may be required by the City Development Director in order to do a thorough review of the request. (The data requirements for a site plan are available at the Development Department)	
Approving Authority: The Development Director has the administrative authority to approve this application after review by appropriate City staff and, if necessary, the City's consultants.	
Justification: Please provide justification supporting the application and demonstrating how the application: (a) 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 (b) Complies with the relevant development standards of the City of Stuart Land Development Code (include additional pages if needed).	

(over)

General Information

(Please Print or Type)

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

Name:	DOC-1050 SE Monterey Road MOB, LLC
Title:	Owner
Company:	Physicians Realty Trust
Company Address:	309 N. Water St.

City/State/Zip Code:	Milwaukee, WI 53202
Telephone Number:	954-739-2300
Facsimile Number:	
Email Address (optional):	crl@aurumpropertypartners.com

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:	Vincent Hermanns
Title:	Chief Operating Officer
Company:	Aurum Property Partners, LLC
Company Address:	319 Clematis St.

City/State/Zip Code:	West Palm Beach, FL 33401
Telephone Number:	561-293-3070
Facsimile Number:	
Email Address (optional):	vgh@aurumpropertypartners.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:	David Domres (Owner Representative)
Title:	Vice President
Company:	DOC 1050 SE Monterey Road MOB, LLC
Company Address:	c/o 309 N Water Street, Ste 500

City/State/Zip Code:	Milwaukee, WI 53202
Telephone Number:	(414) 367-5600
Facsimile Number:	N/A
Email Address (optional):	dgd@docreit.com

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

4. Signed this 10 day of June, 2021.

David Domres

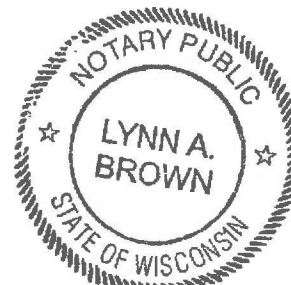
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

Wisconsin, Milwaukee County

State of ~~Florida, Miami County~~ The foregoing instrument was acknowledged before me on this 10th day of

June, 2021 by David Domres who is personally known to me, or ~~who has produced~~

~~as identification~~ and who ~~did~~ did not take an oath.



Lynn A. Brown
Notary Signature

Commission Expires: 9/14/22

HOLT ENGINEERING & CONSULTING, P.A.

Nathaniel J. Holt, P.E.
dan@holtengineering.net

December 17, 2021

City of Stuart
Director of Development
121 SW Flagler Avenue
Stuart, FL 34994

Attn: Kevin Freeman

RE: Monterey Triangle
Proposed Parking Improvements

RECEIVED

DEC 17 2021

DEVELOPMENT

Received By: _____

Dear Mr. Freeman:

Please find attached, revised site plans and related materials associated with the above referenced project. The revisions are based upon our latest conversation, subsequent emails and a meeting held in your offices to discuss specifics. It is our hope and belief that these changes will be found acceptable and that the Commission will be able to issue a Resolution of Approval so the important improvements at the Monterey Medical Center can be completed.

To follow-up on our latest discussion:

- The Stormwater Calculations have been revised as was outlined during our meeting in your offices with Captech Engineering. Naturally, the consultant will need to review that material to determine if we have addressed those comments satisfactorily
- You will noted that the area of permeable concrete pavement has been expanded to include both parking areas - approximately 14,450 square feet
- The Operation and Maintenance Program, which was prepared by the manufacturer of the underground storage system is attached for your consideration. Note that the program also includes checklists as well as maintenance and log sheets for records purposes.
- The use of permeable pavement has had a significant impact on reducing the amount of impervious areas on the site. Based upon our measurements, the total impervious area of the proposed parking improvements would be 66.2%, but through the use of permeable pavement, the total impervious area is reduced to 63.7%.
- The applicant has already agreed to the continued use of the 35 offsite parking spaces.

In consideration of the above, please find:

- Three sets of Site Plans (Sheets 1-9, dated December 17, 2021)
- Three sets of the proposed Operation and Maintenance document
- A CD containing copies of the Site Plans, and Stormwater Management Calculations and Report

We look forward to our next meeting so that we can discuss these revisions in further detail and address any additional questions you may have.

Very truly yours,



Nathaniel J. Holt, PE
Holt Engineering & Consulting, PA

LOCATION MAP

APPLICANT/OWNER: 1050 SE MONTEREY ROAD MOB, LLC
630 PHYSICIANS HOSPITALITY (THUS)
ATTN: DAVID DOMRES
300 NORTH WATER STREET, SUITE 500
MILWAUKEE, WI 53212

PROJECT SITE
MONTEREY MEDICAL CENTER
1050 SE MONTEREY ROAD
STUART FLORIDA

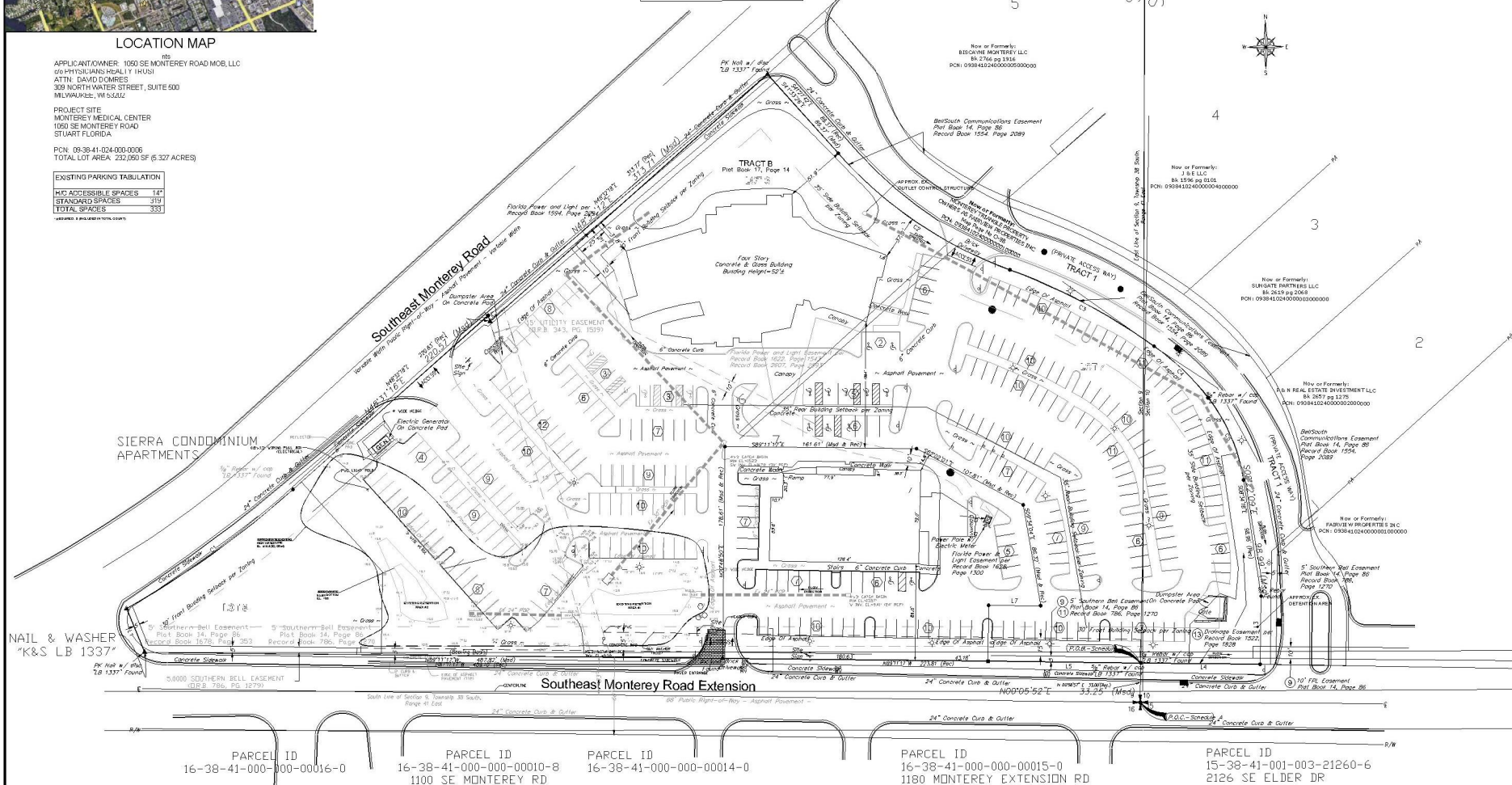
PCN: 09-38-41-024-000-0006
TOTAL LOT AREA 232,060 SF (5.327 ACRES)

EXISTING PARKING TABULATION	
H/C ACCESSIBLE SPACES	14*
STANDARD SPACES	319
TOTAL SPACES	333

PARCEL ID:
09-38-41-000-000-00400-1

VESTED IN:
Monterey Medical Center, L.C.,
a Florida limited liability company
Deed Book 1522, Page 1826
PCN: 0938410240000006000000

TOTAL LAND AREA:
232,050 Square Feet
5.327 Acres

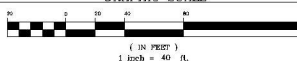


SECTION 9

SECTION 10



GRAPHIC SCALE



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DUPLICATION IS A VIOLATION OF
APPLICABLE LAWS

19

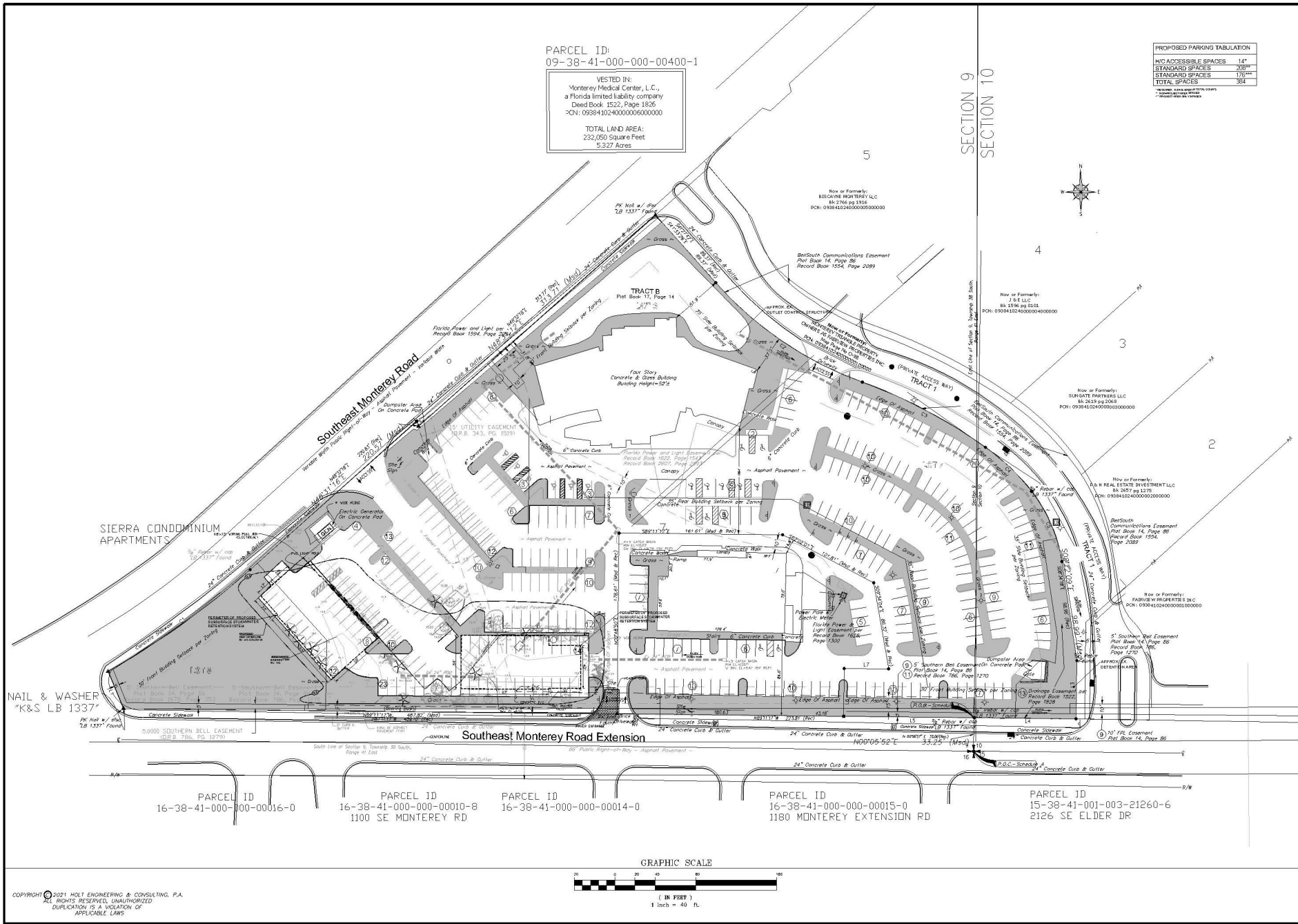


**HOLT ENGINEERING
& CONSULTING, PA**
540 NW UNIVERSITY BLVD., SUITE 105

EXISTING CONDITIONS

PROPOSED PARKING IMPROVEMENTS
for the
MONTEREY MEDICAL CENTER

1050 SE MONTEREY RD STUART FL



PARCEL ID:
09-38-41-000-00400-1

VESTED IN:
Monterey Medical Center, L.C.,
a Florida limited liability company
Deed Book 1522, Page 1636
PCN: 09384102400000000000

TOTAL LAND AREA:
232,050 Square Feet
5.327 Acres

PROPOSED PARKING TABULATION	
HC ACCESSIBLE SPACES	14*
STANDARD SPACES	208**
TOTAL SPACES	176**
TOTAL SPACES	304

* BASED ON 2008 ADA COMPLIANCE
** BASED ON 14'x20' SPACES

29

PROJECT INFORMATION

DATE: 12/17/2021
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN
PROJECT NUMBER: HMC-01-21

HOLT ENGINEERING
& CONSULTING, P.A.

560 NW UNIVERSITY BLVD., SUITE 105
PORT ST. LUCIE, FLORIDA 34986
(772) 204-9580

PROPOSED PARKING IMPROVEMENTS
for the
MONTEREY MEDICAL CENTER

1050 SE MONTEREY RD, STUART, FL

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DUPLICATION IS A VIOLATION OF
APPLICABLE LAWS

INSPECTION PROGRAM FOR INFILTRATION SYSTEM

ACTIVITY	SCHEDULE
INSPECT INLET, PRE-TREATMENT STRUCTURE, OUTLET CONTROL STRUCTURE, ETC., TO ENSURE STRUCTURAL INTEGRITY.	SEASONALLY/QUARTERLY DURING THE FIRST YEAR, BIANNUALLY THEREAFTER
INSPECT SURFACE AND SUBSURFACE SYSTEMS	
INSPECT PAVEMENTS FOR STRUCTURAL INTEGRITY	
INSPECT NON-PAVED AREAS FOR EROSION OR IMPROPER VEGETATIVE COVER	SEMI ANNUALLY FOR THE FIRST YEAR, ANNUALLY THEREAFTER
INSPECT INLET, PRE-TREATMENT STRUCTURE AND OUTLET CONTROL STRUCTURE FOR ACCUMULATION OF SILTS AND DEBRIS	
INSPECT HEADER PIPE FOR ACCUMULATION OF SILTS AND DEBRIS	
INSPECT YARD DRAINS, CATCH BASINS AND INLETS FOR BLOCKAGE OR ACCUMULATION OF DEBRIS	MONTHLY AND AFTER SIGNIFICANT RAINFALL/STORM EVENTS
INSPECT OBSERVATION WELLS AND OUTLET CONTROL STRUCTURES FOR PROHIBIT DRAINAGE BETWEEN STORM EVENTS	

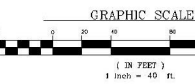
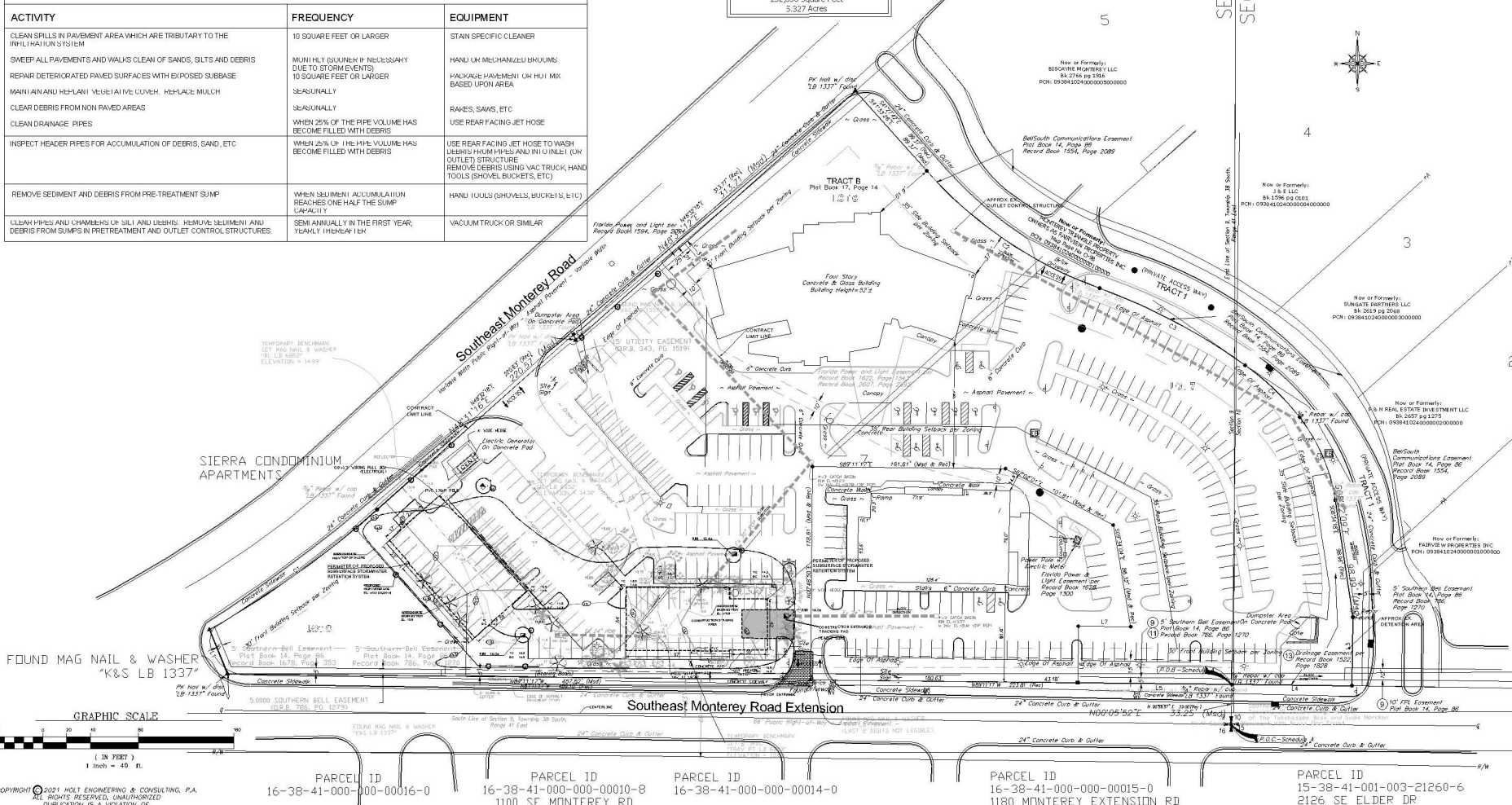
MAINTENANCE PROGRAM FOR INFILTRATION SYSTEM

ACTIVITY	FREQUENCY	EQUIPMENT
CLEAN SPILLS IN PAVEMENT AREA WHICH ARE TRIBUTARY TO THE INFILTRATION SYSTEM	10 SQUARE FEET OR LARGER	STAIN SPECIFIC CLEANER
SWEEP ALL PAVEMENTS AND WALKS CLEAN OF SANDS, SILTS AND DEBRIS	MUNICIPALITY (SUNSHINE IF NECESSARY DUE TO STORM EVENTS)	HAND OR MECHANIZED BROOMS
REPAIR DETERIORATED PAVED SURFACES WITH EXPOSED SUBBASE	10 SQUARE FEET OR LARGER	PACKAGE PAVEMENT OR HOT MIX BASED UPON AREA
MAINTAIN AND REPLANT VEGETATIVE COVER. REPLACE MULCH	SEASONALLY	
CLEAR DEBRIS FROM NON PAVED AREAS	SEASONALLY	RAKES, SAWS, ETC
CLEAN DRAINAGE PIPES	WHEN 25% OF THE PIPE VOLUME HAS BECOME FILLED WITH DEBRIS	USE REAR FACING JET HOSE
INSPECT HEADER PIPES FOR ACCUMULATION OF DEBRIS, SAND, ETC	WHEN 25% OF THE PIPE VOLUME HAS BECOME FILLED WITH DEBRIS	USE REAR FACING JET HOSE TO WASH DEBRIS FROM PIPES AND IN OUTLET (UN OUTLET) STRUCTURE REMOVE DEBRIS USING VAC TRUCK, HAND TOOLS (SHOVEL, BUCKETS, ETC)
REMOVE SEDIMENT AND DEBRIS FROM PRE-TREATMENT SUMP	WHEN SEDIMENT ACCUMULATION REACHES ONE HALF THE SUMP CAPACITY	HAND TOOLS (SHOVELS, BUCKETS, ETC)
CLEAN PIPES AND CHANNELS OF SILT AND DEBRIS. REMOVE SEDIMENT AND DEBRIS FROM SUMPS IN PRE-TREATMENT AND OUTLET CONTROL STRUCTURES	SEMI ANNUALLY IN THE FIRST YEAR, YEARLY THEREAFTER	VACUUM TRUCK OR SIMILAR

PARCEL ID:
09-38-41-000-000400-1

VESTED IN:
Monterey Medical Center, L.C.,
a Florida limited liability company
Deed Book 1532, Page 1826
PCN: 0938410240000000000000

TOTAL LAND AREA:
232,050 Square Feet
5.327 Acres



FOUN MAG NAIL & WASHER
"K&S LB 1337"

PARCEL ID
16-38-41-000-000016-0

PARCEL ID
16-38-41-000-000010-8
1100 SE MONTEREY RD

PARCEL ID
16-38-41-000-000014-0

PARCEL ID
16-38-41-000-000015-0
1180 MONTEREY EXTENSION RD

PARCEL ID
15-38-41-001-003-21260-6
2126 SE ELDER DR

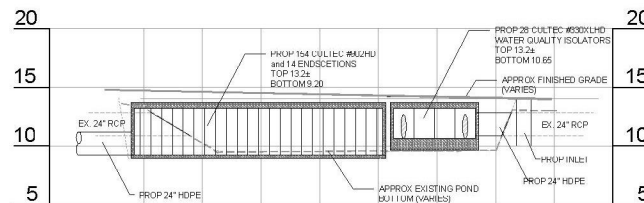
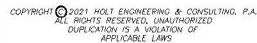
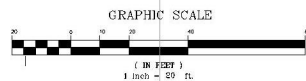
PROPOSED PARKING IMPROVEMENTS
for the
MONTEREY MEDICAL CENTER

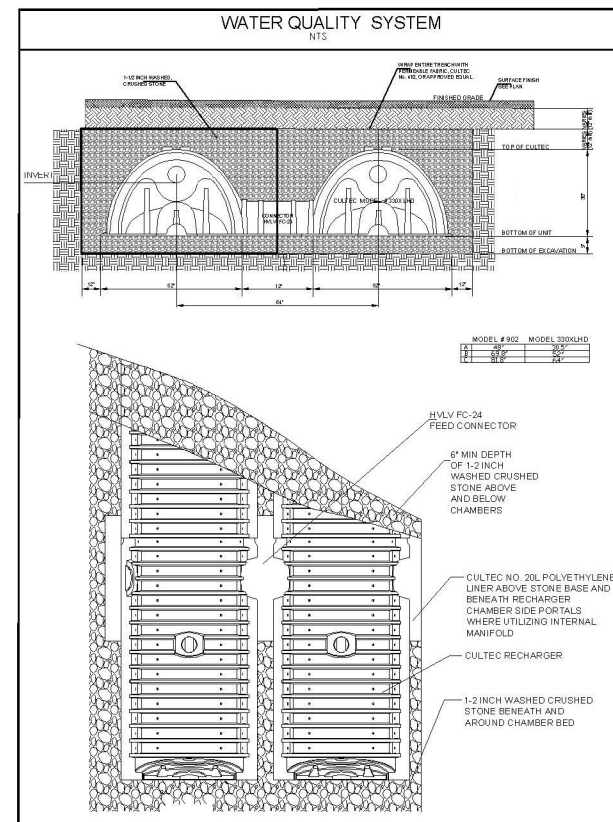
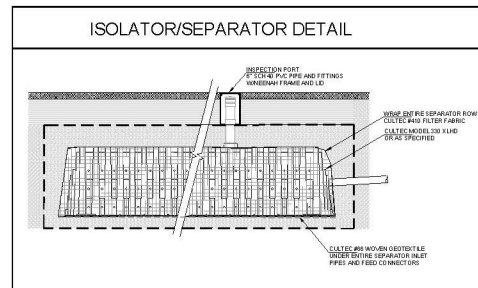
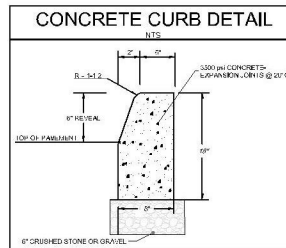
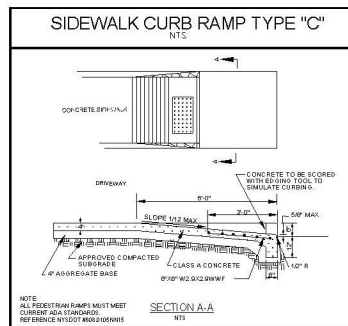
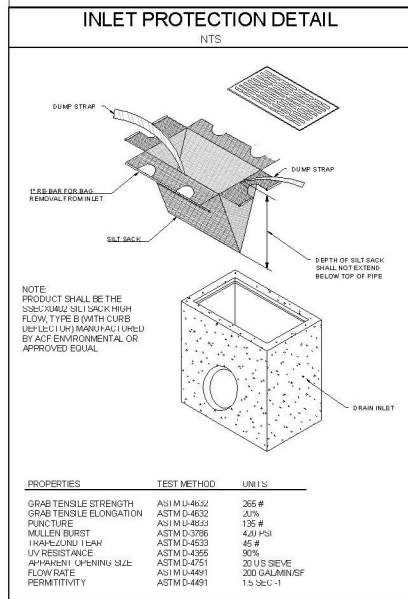
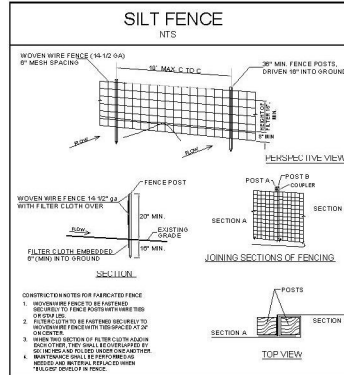
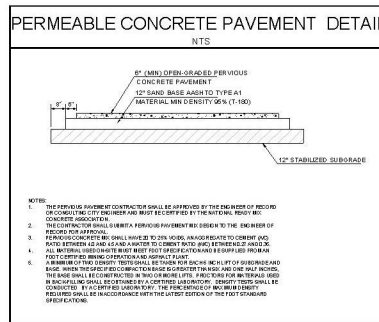
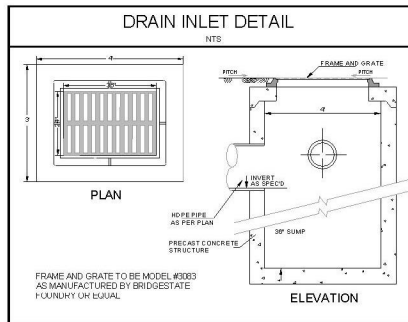
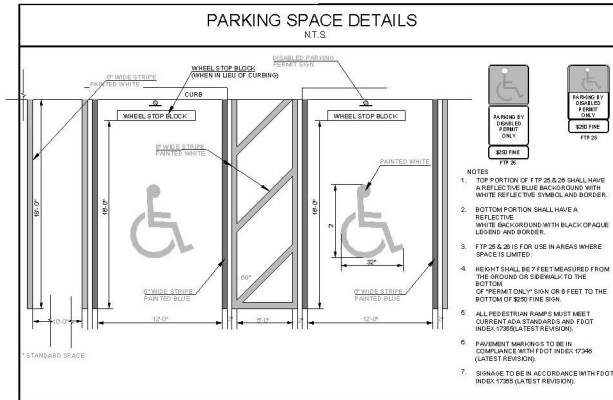
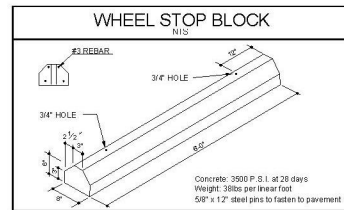
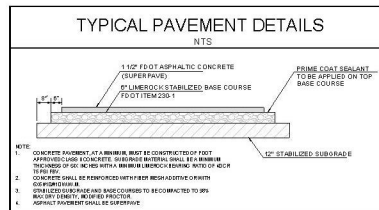
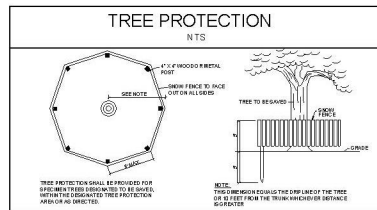
SEDIMENT & EROSION
CONTROL PLAN

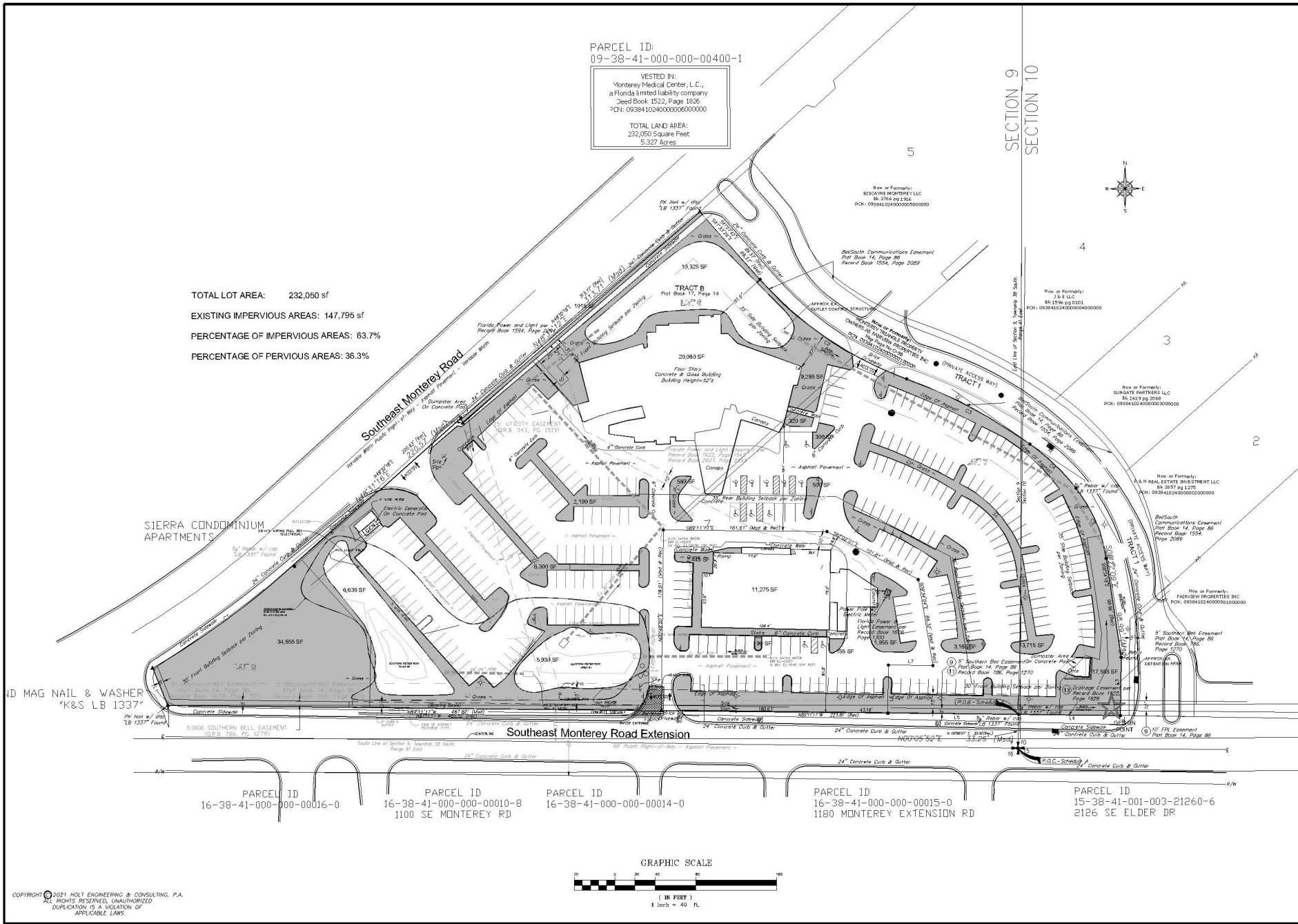
HOLT ENGINEERING
& CONSULTING, PA
560 NW UNIVERSITY BLVD, SUITE 105
PORT ST LUCIE, FLORIDA 34986
(772) 204-9500

SHEET
5
9

DATE: 01/17/2021
PROJECT: MONTEREY MEDICAL CENTER
DRAWN BY: J. HOLT
CHECKED BY: J. HOLT
APPROVED BY: J. HOLT
PROJECT NUMBER: HMC-01-21







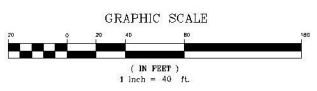
PARCEL ID:
09-38-41-000-000-00400-1

VESTED IN:
Monterey Medical Center, L.C.,
a Florida limited liability company
Deed Book 1522, Page 1626
PCN: 0938410240000000000000

TOTAL LAND AREA:
232,050 Square Feet
5.327 Acres

TOTAL LOT AREA: 232,050 sf
EXISTING IMPERVIOUS AREAS: 147,795 sf
PERCENTAGE OF IMPERVIOUS AREAS: 63.7%
PERCENTAGE OF PVIOUS AREAS: 36.3%

SECTION 9
SECTION 10



8

9

PROJECT INFORMATION

DATE: 12/17/2021
DRAWN BY: J. HOLT
CHECKED BY: J. HOLT
PROJECT NO: 2021-001
SHEET NO: 8 OF 9

HOLT ENGINEERING
& CONSULTING, PA

5600 UNIVERSITY BLVD, SUITE 105
PORT ST LUCIE, FLORIDA 34986
(772) 204-9500

PROPOSED PARKING IMPROVEMENTS
for the
MONTEREY MEDICAL CENTER

1050 SE MONTEREY RD, STUART, FL

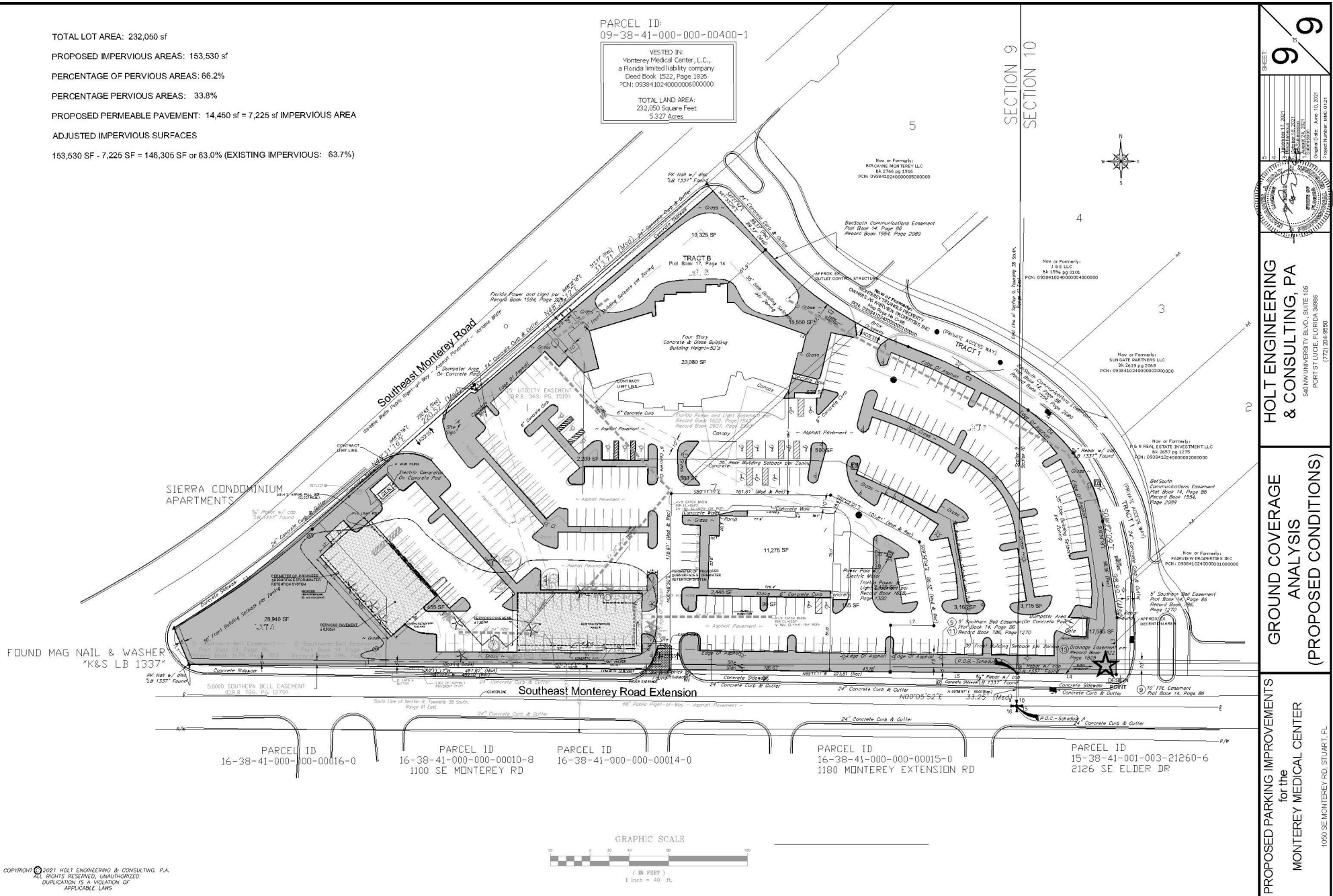
GROUND COVERAGE
ANALYSIS
(EXISTING CONDITIONS)

TOTAL LOT AREA: 232,050 sf
PROPOSED IMPERVIOUS AREAS: 153,530 sf
PERCENTAGE OF PERVIOUS AREAS: 66.2%
PERCENTAGE PERVIOUS AREAS: 33.8%
PROPOSED PERMEABLE PAVEMENT: 14,450 sf = 7,225 sf IMPERVIOUS AREA
ADJUSTED IMPERVIOUS SURFACES
153,530 SF - 7,225 SF = 146,305 SF OR 63.0% (EXISTING IMPERVIOUS: 63.7%)

PARCEL ID:
09-38-41-000-000-00400-1

VESTED IN:
Monterey Medical Center, L.C.,
a Florida limited liability company
Deed Book 1522, Page 1829
CIN: 0938410240000000000000

TOTAL LAND AREA:
232,050 Square Feet
5.327 Acres



SHEET
9 of 9

HOLT ENGINEERING
& CONSULTING, PA
5600 UNIVERSITY BLVD, SUITE 105
PORT ST LUCIE, FLORIDA 34986
(772) 204-5600

GROUND COVERAGE
ANALYSIS
(PROPOSED CONDITIONS)

PROPOSED PARKING IMPROVEMENTS
for the
MONTEREY MEDICAL CENTER
1050 SE MONTEREY RD, STUART, FL

July 1, 2021

Mr. Mark Kirk
Treasure Coast Asphalt & Maintenance
817 SW Enterprise Way
Stuart, Florida 34997

**Subject: Report of Exfiltration Testing
Monterey Medical Center
1050 SE Monterey Road, Stuart, Florida
UES Project No. 3330.2100152.0000**

Dear Mr. Kirk:

Universal Engineering Sciences (UES) is pleased to submit this report of exfiltration testing for the referenced project. Our services were performed in substantial accordance with our Proposal No. 21-9813.00 dated May 24, 2021, planned in conjunction with and authorized by you.

Field Exploration

Two (2) hand auger borings and accompanying exfiltration tests (EX-1 and EX-2), advanced to a depth of approximately 6 feet below the existing ground surface, were performed at the locations illustrated on the attached Test Location Plan. The auger borings were performed in substantial accordance with ASTM D 1452, "Standard Practice for Soil Exploration and Sampling by Auger Borings." Hand Cone Penetrometer (HCP) tests were conducted at one-foot depth intervals in the auger borings. The HCP tests, in conjunction with information about soil type, is empirically correlated to the relative density of subsurface soils.

Subsurface Soil Conditions

The soil samples recovered from the auger borings were visually classified using the Unified Soil Classification System (ASTM D 2487). In general, the soils consisted of medium dense fine sand (SP) to the boring termination depths. Note that the soil boring data reflect information from the specific test locations only.

Hydrogeological Conditions

On the date of testing (June 24, 2021), the groundwater table was not encountered within the explored 6 feet depth at the exfiltration test locations. Note that the groundwater table will fluctuate seasonally depending upon local rainfall and other site specific and/or local influences.

The exfiltration tests were performed in accordance with the South Florida Water Management District method for open hole constant head field testing. The hydraulic conductivity (K-value) determined at test locations EX-1 and EX-2 were 2.07×10^{-04} (cfs/ft²-ft) and 1.15×10^{-04} (cfs/ft²-ft), respectively.

Test Location Plan

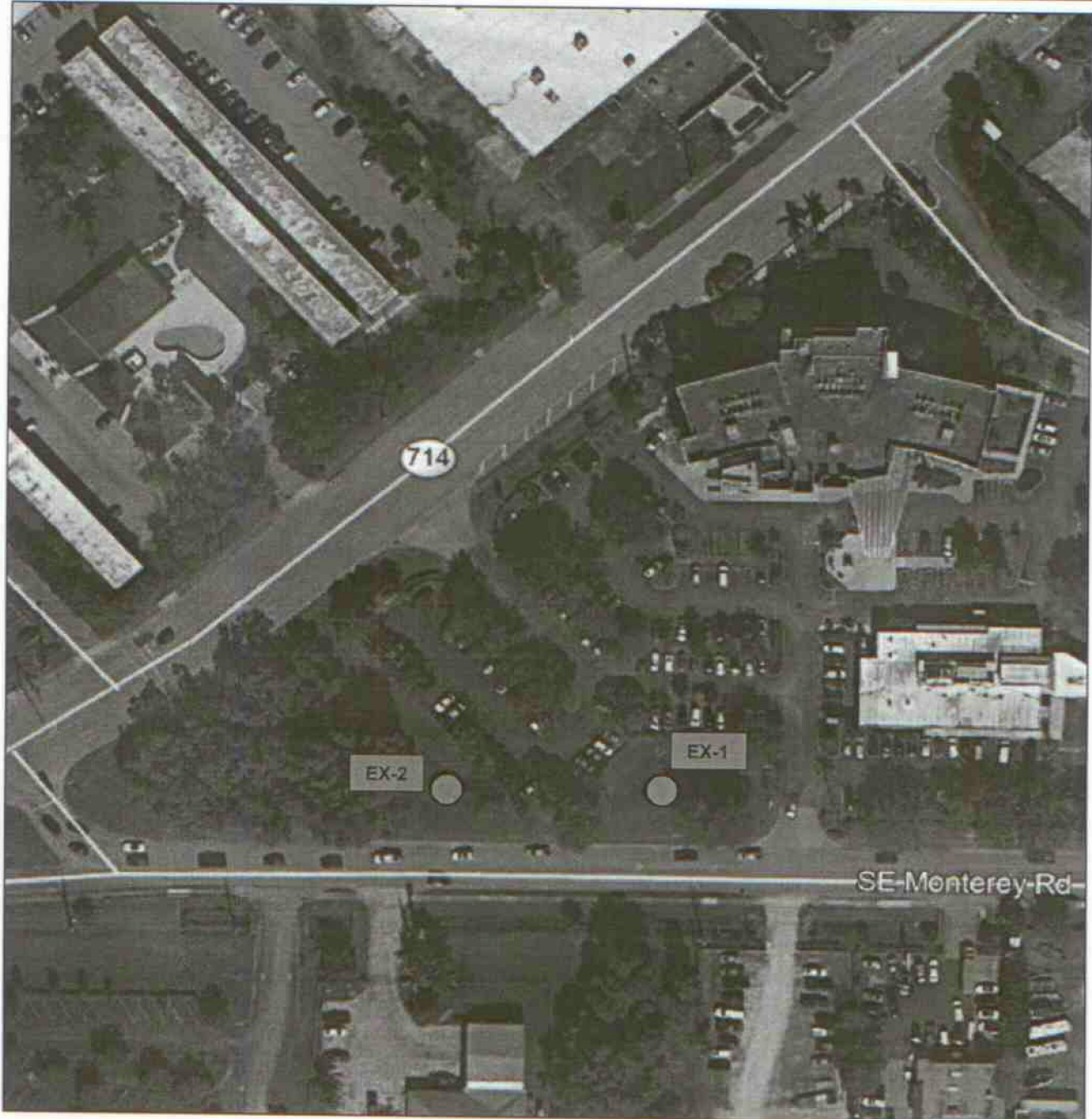
Monterey Medical Center – Exfiltration Testing
1050 SE Monterey Road, Stuart, Florida

Project No.:3330.2100152.000

Drafted by: KA

Reviewed By: JK

Date: 7/1/2021



Legend:

● Approximate Exfiltration Test Locations

EXFILTRATION TEST REPORT
South Florida Water Management District - Usual Open Hole Test

Client: Treasure Coast Asphalt & Maintenance

Project No: 333330.2100152.000

Project: Monterey Medical Center

Report No: 2

Address: 1050 SE Monterey Road
 Stuart, Florida 34994

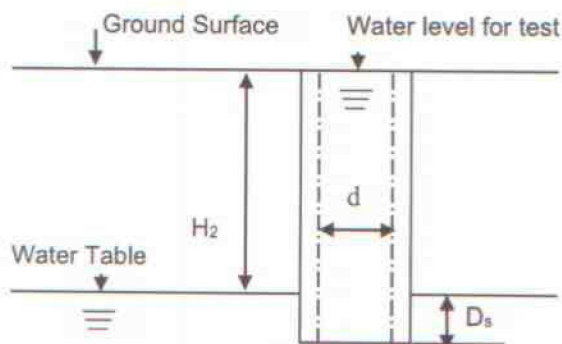
Test Date: 6/24/2021

Technicians: RV

SOIL PROFILE

Test Location:	EX-2 (See Test Location Plan)	Depth (feet)	Soil Description	HCP
		0 - 2.5	Dark brown organically stained fine sand (SP)	80+
		2.5 - 6	Brown fine sand (SP)	80+
				80+
				70
				70
				70
		Depth to Water Table from Ground Surface (feet)		>6

CALCULATION OF HYDRAULIC CONDUCTIVITY



$$K = \frac{4Q}{\pi d(2H_2^2 + 4H_2D_s + H_2d)}$$

K	Hydraulic Conductivity (cfs/ ft ² – ft head)	1.15 x 10⁻⁰⁴
Q	Stabilized Flow Rate (cu. ft. per second)	2.23 x 10⁻⁰³
d	Diameter of Test Hole (feet)	0.33
H₂	Depth to Water Table (feet)	6
D_s	Saturated Hole Depth (feet)	0
Notes: None		

NOTES RELATED TO BORING RECORDS AND GENERALIZED SUBSURFACE PROFILES

1. Groundwater levels (if encountered) were recorded either during or following the boring completion on the date indicated. Fluctuations in groundwater levels are common - see the report text for a discussion.
2. The boring locations were identified in the field by estimated distances and offsets from existing reference marks and/or other site landmarks.
3. The completed boreholes were backfilled to adjacent site grade using drilling spoils and patched with asphalt cold mix in pavement areas.
4. The Log of Boring records represent our interpretation of soil conditions based on visual classification of the soil samples recovered from the borings.
5. The Log of Boring records are subject to the limitations, conclusions, and recommendations presented in the report text.
6. The Standard Penetration Test (SPT) N-values contained on the Log of Boring records refer to the total blow counts of a 140-pound drop hammer falling 30 inches required to drive a split-barrel sampler a total distance of 12 inches into soil strata at specific depth intervals.
7. The Hand Cone Penetrometer (HCP) values contained on Log of Boring records and the Cone Penetration Test (CPT) values contained on the Cone Penetration Sounding logs refer to the cone tip resistance recorded when pushing the cone tip into the soil strata at specific depth intervals.
8. The soil and/or rock strata interfaces shown on the Log of Boring records are approximate and may vary from those shown on the logs. The soil and/or rock descriptions shown on the Log of Boring records refer to conditions at the specific location tested. Soil/rock conditions may vary between test locations.
9. Relative density for coarse-grained soils (sands/gravels) and consistency for fine-grained soils (silts/clays) are described as follows:

Coarse Grained Soils (Sands and Gravels)				Fine Grained Soils (Silts and Clays)			
SPT N-Value	HCP Value (kg/cm ²)	CPT Value (tsf)	Relative Density	SPT N-Value	HCP Value (kg/cm ²)	CPT Value (tsf)	Consistency
0-4	0-16	0-20	Very Loose	0-2	0-20	0-3	Very Soft
5-10	17-36	21-40	Loose	3-4	21-35	4-6	Soft
11-30	37-116	41-120	Med. Dense	5-8	>35	7-12	Firm
31-50	117-196	121-200	Dense	9-15		13-25	Stiff
>50	> 196	>200	Very Dense	16-30		26-50	Very Stiff
				>30		>50	Hard

10. Grain size descriptions are as follows:

Description	Particle Size Limits
Boulder	Greater than 12 inches
Cobble	3 to 12 inches
Coarse Gravel	3/4 to 3 inches
Fine Gravel	No. 4 sieve to 3/4 inch
Coarse Sand	No. 10 to No. 4 sieve
Medium Sand	No. 40 to No. 10 sieve
Fine Sand	No. 200 to No. 40 sieve
Fines (Silt/Clay)	Smaller than No. 200 sieve

11. Definitions for modifiers used in soil/rock descriptions:

Proportion	Modifier	Approximate Root Diameter	Modifier
<5%	Trace	Less than 1/32"	Fine roots
5% to 12%	Little	1/32" to 1/4"	Small roots
12% to 30%	Some	1/4" to 1"	Medium roots
30% to 50%	And	Greater than 1"	Large roots

Organic Soils: Soils containing vegetative tissue in various stages of decomposition having a fibrous to amorphous texture. Usually having a dark brown to black color and an organic odor.
Organic Content Modifiers: <25%: Slightly to Highly Organic; 25% to 75%: Muck; >75%: Peat

CONTACTOR® & RECHARGER®

STORMWATER MANAGEMENT SOLUTIONS



OPERATION & MAINTENANCE GUIDELINES FOR CULTEC STORMWATER MANAGEMENT SYSTEMS

STORMWATER MANAGEMENT SOLUTIONS



CULTEC



OPERATIONS AND MAINTENANCE GUIDELINES

Published by **CULTEC, Inc.**

P.O. Box 280
878 Federal Road
Brookfield, Connecticut 06804 USA
www.cultec.com

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January 2020

*These instructions are for single-layer traffic applications only. For multi-layer applications, contact CULTEC.
All illustrations and photos shown herein are examples of typical situations. Be sure to follow the engineer's drawings.
Actual designs may vary.*

This manual contains guidelines recommended by CULTEC, Inc. and may be used in conjunction with, but not to supersede, local regulations or regulatory authorities. OSHA Guidelines must be followed when inspecting or cleaning any structure.

Introduction

The CULTEC Subsurface Stormwater Management System is a high-density polyethylene (HDPE) chamber system arranged in parallel rows surrounded by washed stone. The CULTEC chambers create arch-shaped voids within the washed stone to provide stormwater detention, retention, infiltration, and reclamation. Filter fabric is placed between the native soil and stone interface to prevent the intrusion of fines into the system. In order to minimize the amount of sediment which may enter the CULTEC system, a sediment collection device (stormwater pretreatment device) is recommended upstream from the CULTEC chamber system. Examples of pretreatment devices include, but are not limited to, an appropriately sized catch basin with sump, pretreatment catchment device, oil grit separator, or baffled distribution box. Manufactured pretreatment devices may also be used in accordance with CULTEC chambers. Installation, operation, and maintenance of these devices shall be in accordance with manufacturer's recommendations. Almost all of the sediment entering the stormwater management system will be collected within the pretreatment device.

Best Management Practices allow for the maintenance of the preliminary collection systems prior to feeding the CULTEC chambers. The pretreatment structures shall be inspected for any debris that will restrict inlet flow rates. Outfall structures, if any, such as outlet control must also be inspected for any obstructions that would restrict outlet flow rates. OSHA Guidelines must be followed when inspecting or cleaning any structure.

Operation and Maintenance Requirements

I. Operation

CULTEC stormwater management systems shall be operated to receive only stormwater run-off in accordance with applicable local regulations. CULTEC subsurface stormwater management chambers operate at peak performance when installed in series with pretreatment. Pretreatment of suspended solids is superior to treatment of solids once they have been introduced into the system. The use of pretreatment is adequate as long as the structure is maintained and the site remains stable with finished impervious surfaces such as parking lots, walkways, and pervious areas are properly maintained. If there is to be an unstable condition, such as improvements to buildings or parking areas, all proper silt control measures shall be implemented according to local regulations.

II. Inspection and Maintenance Options

- A. The CULTEC system may be equipped with an inspection port located on the inlet row. The inspection port is a circular cast box placed in a rectangular concrete collar. When the lid is removed, a 6-inch (150 mm) pipe with a screw-in plug will be exposed. Remove the plug. This will provide access to the CULTEC Chamber row below. From the surface, through this access, the sediment may be measured at this location. A stadia rod may be used to measure the depth of sediment if any in this row. If the depth of sediment is in excess of 3 inches (76 mm), then this row should be cleaned with high pressure water through a culvert cleaning nozzle. This would be carried out through an upstream manhole or through the CULTEC StormFilter Unit (or other pretreatment device). CCTV inspection of this row can be deployed through this access port to determine if any sediment has accumulated in the inlet row.
- B. If the CULTEC bed is not equipped with an inspection port, then access to the inlet row will be through an upstream manhole or the CULTEC StormFilter.
 1. **Manhole Access**

This inspection should only be carried out by persons trained in confined space entry and sewer inspection services. After the manhole cover has been removed a gas detector must be lowered into the manhole to ensure that there are not high concentrations of toxic gases present. The inspector should be lowered into the manhole with the proper safety equipment as per OSHA requirements. The inspector may be able to observe sediment from this location. If this is not possible, the inspector will need to deploy a CCTV robot to permit viewing of the sediment.

2. StormFilter Access

Remove the manhole cover to allow access to the unit. Typically a 30-inch (750 mm) pipe is used as a riser from the StormFilter to the surface. As in the case with manhole access, this access point requires a technician trained in confined space entry with proper gas detection equipment. This individual must be equipped with the proper safety equipment for entry into the StormFilter. The technician will be lowered onto the StormFilter unit. The hatch on the unit must be removed. Inside the unit are two filters which may be removed according to StormFilter maintenance guidelines. Once these filters are removed the inspector can enter the StormFilter unit to launch the CCTV camera robot.

- C. The inlet row of the CULTEC system is placed on a polyethylene liner to prevent scouring of the washed stone beneath this row. This also facilitates the flushing of this row with high pressure water through a culvert cleaning nozzle. The nozzle is deployed through a manhole or the StormFilter and extended to the end of the row. The water is turned on and the inlet row is back-flushed into the manhole or StormFilter. This water is to be removed from the manhole or StormFilter using a vacuum truck.

III. Maintenance Guidelines

The following guidelines shall be adhered to for the operation and maintenance of the CULTEC stormwater management system:

- A. The owner shall keep a maintenance log which shall include details of any events which would have an effect on the system's operational capacity.
- B. The operation and maintenance procedure shall be reviewed periodically and changed to meet site conditions.
- C. Maintenance of the stormwater management system shall be performed by qualified workers and shall follow applicable occupational health and safety requirements.
- D. Debris removed from the stormwater management system shall be disposed of in accordance with applicable laws and regulations.

IV. Suggested Maintenance Schedules

A. Minor Maintenance

The following suggested schedule shall be followed for routine maintenance during the regular operation of the stormwater system:

Frequency	Action
Monthly in first year	Check inlets and outlets for clogging and remove any debris, as required.
Spring and Fall	Check inlets and outlets for clogging and remove any debris, as required.
One year after commissioning and every third year following	Check inlets and outlets for clogging and remove any debris, as required.

B. Major Maintenance

The following suggested maintenance schedule shall be followed to maintain the performance of the CULTEC stormwater management chambers. Additional work may be necessary due to insufficient performance and other issues that might be found during the inspection of the stormwater management chambers. (See table on next page)

	Frequency	Action
Inlets and Outlets	Every 3 years	Obtain documentation that the inlets, outlets and vents have been cleaned and will function as intended.
	Spring and Fall	Check inlet and outlets for clogging and remove any debris as required.
CULTEC Stormwater Chambers	2 years after commissioning	- Inspect the interior of the stormwater management chambers through inspection port for deficiencies using CCTV or comparable technique. - Obtain documentation that the stormwater management chambers and feed connectors will function as anticipated.
	9 years after commissioning every 9 years following	- Clean stormwater management chambers and feed connectors of any debris. - Inspect the interior of the stormwater management structures for deficiencies using CCTV or comparable technique. - Obtain documentation that the stormwater management chambers and feed connectors have been cleaned and will function as intended.
	45 years after commissioning	- Clean stormwater management chambers and feed connectors of any debris. - Determine the remaining life expectancy of the stormwater management chambers and recommended schedule and actions to rehabilitate the stormwater management chambers as required. - Inspect the interior of the stormwater management chambers for deficiencies using CCTV or comparable technique. - Replace or restore the stormwater management chambers in accordance with the schedule determined at the 45-year inspection. - Attain the appropriate approvals as required. - Establish a new operation and maintenance schedule.
Surrounding Site	Monthly in 1 st year	Check for depressions in areas over and surrounding the stormwater management system.
	Spring and Fall	Check for depressions in areas over and surrounding the stormwater management system.
	Yearly	Confirm that no unauthorized modifications have been performed to the site.

For additional information concerning the maintenance of CULTEC Subsurface Stormwater Management Chambers, please contact CULTEC, Inc. at 1-800-428-5832.



WQMP Operation & Maintenance (O&M) Plan

Project Name: _____

Prepared for:

Project Name: _____

Address: _____

City, State Zip: _____

Prepared on:

Date: _____

This O&M Plan describes the designated responsible party for implementation of this WQMP, including: operation and maintenance of all the structural BMP(s), conducting the training/educational program and duties, and any other necessary activities. The O&M Plan includes detailed inspection and maintenance requirements for all structural BMPs, including copies of any maintenance contract agreements, manufacturer's maintenance requirements, permits, etc.

8.1.1 Project Information

Project name	
Address	
City, State Zip	
Site size	
List of structural BMPs, number of each	
Other notes	

8.1.2 Responsible Party

The responsible party for implementation of this WQMP is:

Name of Person or HOA Property Manager	
Address	
City, State Zip	
Phone number	
24-Hour Emergency Contact number	
Email	

8.1.3 Record Keeping

Parties responsible for the O&M plan shall retain records for at least 5 years.

All training and educational activities and BMP operation and maintenance shall be documented to verify compliance with this O&M Plan. A sample Training Log and Inspection and Maintenance Log are included in this document.

8.1.4 Electronic Data Submittal

This document along with the Site Plan and Attachments shall be provided in PDF format. AutoCAD files and/or GIS coordinates of BMPs shall also be submitted to the City.

Appendix ____

BMP SITE PLAN

Site plan is preferred on minimum 11" by 17" colored sheets, as long as legible.

BMP OPERATION & MAINTENANCE LOG

Project Name: _____

Today's Date: _____

Name of Person Performing Activity (Printed): _____

Signature: _____

[illegible]

Minor Maintenance

Frequency		Action
Monthly in first year		Check inlets and outlets for clogging and remove any debris, as required.
		Notes
☐ Month 1	Date:	
☐ Month 2	Date:	
☐ Month 3	Date:	
☐ Month 4	Date:	
☐ Month 5	Date:	
☐ Month 6	Date:	
☐ Month 7	Date:	
☐ Month 8	Date:	
☐ Month 9	Date:	
☐ Month 10	Date:	
☐ Month 11	Date:	
☐ Month 12	Date:	
Spring and Fall		Check inlets and outlets for clogging and remove any debris, as required.
		Notes
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
One year after commissioning and every third year following		Check inlets and outlets for clogging and remove any debris, as required.
		Notes
☐ Year 1	Date:	
☐ Year 4	Date:	
☐ Year 7	Date:	
☐ Year 10	Date:	
☐ Year 13	Date:	
☐ Year 16	Date:	
☐ Year 19	Date:	
☐ Year 22	Date:	

Major Maintenance

	Frequency	Action
Inlets and Outlets	Every 3 years	Obtain documentation that the inlets, outlets and vents have been cleaned and will function as intended.
		Notes
	☐ Year 1	Date:
	☐ Year 4	Date:
	☐ Year 7	Date:
	☐ Year 10	Date:
	☐ Year 13	Date:
	☐ Year 16	Date:
	☐ Year 19	Date:
	☐ Year 22	Date:
	Spring and Fall	Check inlet and outlets for clogging and remove any debris, as required.
		Notes
	☐ Spring	Date:
	☐ Fall	Date:
	☐ Spring	Date:
	☐ Fall	Date:
	☐ Spring	Date:
	☐ Fall	Date:
	☐ Spring	Date:
	☐ Fall	Date:
	☐ Spring	Date:
	☐ Fall	Date:
CULTEC Stormwater Chambers	2 years after commissioning	☐ Inspect the interior of the stormwater management chambers through inspection port for deficiencies using CCTV or comparable technique. ☐ Obtain documentation that the stormwater management chambers and feed connectors will function as anticipated.
		Notes
	☐ Year 2	Date:

Major Maintenance

CULTEC Stormwater Chambers

Frequency		Action
9 years after commissioning every 9 years following		☐ Clean stormwater management chambers and feed connectors of any debris.
		☐ Inspect the interior of the stormwater management structures for deficiencies using CCTV or comparable technique.
		☐ Obtain documentation that the stormwater management chambers and feed connectors have been cleaned and will function as intended.
		Notes
☐ Year 9	Date:	
☐ Year 18	Date:	
☐ Year 27	Date:	
☐ Year 36	Date:	
45 years after commissioning		☐ Clean stormwater management chambers and feed connectors of any debris.
		☐ Determine the remaining life expectancy of the stormwater management chambers and recommended schedule and actions to rehabilitate the stormwater management chambers as required.
		☐ Inspect the interior of the stormwater management chambers for deficiencies using CCTV or comparable technique.
		☐ Replace or restore the stormwater management chambers in accordance with the schedule determined at the 45-year inspection.
		☐ Attain the appropriate approvals as required.
		☐ Establish a new operation and maintenance schedule.
		Notes
☐ Year 45	Date:	

Major Maintenance

Frequency		Action
Monthly in 1st year		☐ Check for depressions in areas over and surrounding the stormwater management system.
		Notes
☐ Month 1	Date:	
☐ Month 2	Date:	
☐ Month 3	Date:	
☐ Month 4	Date:	
☐ Month 5	Date:	
☐ Month 6	Date:	
☐ Month 7	Date:	
☐ Month 8	Date:	
☐ Month 9	Date:	
☐ Month 10	Date:	
☐ Month 11	Date:	
☐ Month 12	Date:	
Spring and Fall		☐ Check for depressions in areas over and surrounding the stormwater management system.
		Notes
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
Yearly		☐ Confirm that no unauthorized modifications have been performed to the site.
		Notes
☐ Year 1	Date:	
☐ Year 2	Date:	
☐ Year 3	Date:	
☐ Year 4	Date:	
☐ Year 5	Date:	
☐ Year 6	Date:	
☐ Year 7	Date:	

Surrounding Site

**STORMWATER MITIGATION PLAN
AND
DRAINAGE ANALYSIS**

FOR THE

**MONTEREY MEDICAL FACILITY
1050 MONTEREY ROAD, STUART, FL**

October 12, 2021

Revised

December 23, 2021

PREPARED BY

**HOLT ENGINEERING & CONSULTING, PA
540 UNIVERSITY BLVD. SUITE 105
PORT ST LUCIE, FLORIDA 34986
(772) 204-9550**

A. INTRODUCTION

1. General

The Monterey Medical Center, located at 1050 Monterey Road, is seeking a solution to meet the increasing demands currently being placed on its parking facilities. Under the current conditions, this approximately 5.327 acre triangular shaped property, consists of two structures; the Treasure Coast Urgent Care Hospital which is a four story (17,040 sf-footprint) and the Treasure Coast Center for Surgery; with a 9,330 sf footprint. On-site parking is for 333 cars (including 14 handicap accessible spaces).

A permit (#43-00431-S) was issued by the South Florida Water Management District on July 27, 2001.

To date in an effort to address an increase in patients and visitors to the facility, the owners are presently leasing 35 off-site parking spaces and providing an on-site valet service. To underscore the need for an alternative solution (patients and visitors seeking spaces closer to the buildings), as many as 12 cars are routinely parked on the grass shoulder of the access driveway along the easterly property line. At the time of this writing, formalizing these potential spaces, was not considered ideal as visitors would be required to back into on-coming vehicle traffic.

Over the years, a variety of alternatives were considered to mitigate the lack of convenient parking accommodations. Those options considered included: structured parking, expanded use of offsite parking areas and shuttle service. While cost is always a consideration ultimately none of them were considered viable. Due to the shape of the site and the way in which parking has been developed over the years, a structured parking garage would result in the elimination of many existing spaces to facilitate access driveways while the structured would need to be increased in size to accommodate the spaces lost due to construction. While offsite accommodations will to continue to be used, ultimately parking for the patients and visitors to the hospital need to be located near by.

To address the increase in impervious areas associated with the new parking spaces and the elimination of the open retention basins, it is proposed to install a subsurface infiltration system. This redesign of the parking area will increase the impervious surfaces on the property by approximately 16,125 square feet. However, 14,450 square feet of this area will be permeable concrete pavement.

Importantly, the design of the mitigation system associated with the new parking area is such that no changes to the existing outlet control structure. Therefore, the rate of discharge from the project site will not change for any of the noted storm events.

3. Existing Stormwater Mitigation System

Based upon the approved plans prepared by Keith and Schnars, PA dated last revised May 10, 2001, the stormwater mitigation system consists of four (4) detention areas: one of which was pre-existing and located in the southeasterly corner of the property; the second located immediately behind the Monterey Medical Facility; and the remaining two are the dry retention areas. The volume of stormwater retained on site, and the rate at which it flows from the property is via an outlet control structure located southeast of the Monterey Medical Center building. The Keith and Schnars plans also indicate a second offsite outlet control structure in Monterey Road Extension, however, no information or study of this structure was considered/provided. Moreover, it was not referenced in the SFWMD permit documents.

At present most of the stormwater runoff would flow overland or piped to the two dry retention basins located in the south western portion of the property. (The subject of this report and analysis. Based upon other available information, it appears that a small percentage of the stormwater runoff flows to the northern detention area). Both basins are interconnected to one another via a 24" equalization pipe (IE: no pitch in the pipe). From these basins, stormwater is piped via a 30" RCP to the northern basin where as noted above the outlet control structure meters out the flows according to each storm event. This pipe is also installed at minimal pitch thereby acting as an equalization line so that the water levels in the system act as one.

Data from the "Drainage Analysis Calculations" dated June 2001 as prepared by Keith and Schnars, PA indicates that the combined storage volume of the dry retention basins proposed for removal is 1.06 acre-feet. The report continues to indicate that the required Water Quality (WQv) was 0.27 ac-ft with an attenuation volume of 1.82 ac-ft; with 1.82 ac-ft provided for both water quality and attenuation for the entire site (grasses, pavements and preserve).

2. Proposed Stormwater Mitigation System Alterations

As noted above, it is proposed to expand the existing parking area to accommodate approximately 50 vehicles. The bulk of these new parking spaces will be created through the elimination of the two previously referenced dry retention basins. Additional spaces will be created through the reconfiguration of islands and striping. The design of the parking area will also improve traffic circulation by eliminating awkward an awkward four way intersection and a dead-end parking bay. Finally, it was noted that although the number of handicap accessible spaces is compliant some spaces were undersized and/or the lane providing for wheel chair access was either missing or also undersized. These improvements will also address those conditions.

According to the data provided, the two detention areas (to be replaced) have a total storage volume of 1.06 ac-ft (to elevation 15.0) and a WQv of 0.27 ac-ft. It is proposed to offset this "loss" of attenuation volume through the installation of a subsurface

stormwater system with 301 Cultec Model #904HD units. Similarly, 40% of the required WQv will be mitigated through the installation of 56 Cultec Model 330XLHD Isolation Units. Both systems are commonly referred to as infiltration units.

As noted above, the proposed system will not result in any alterations to the existing outlet control structure. Therefore the discharge from the property will not change.

B. STORMWATER MANAGEMENT PRACTICES

1. Design Intent

It is the intent of this modification of the parking area to offset the volume of dry retention “lost” through the construction of the new parking spaces with an equal volume of storage/mitigation through the use of subsurface structures, whose flow rates would be metered through the placement of orifices (pipe) of specific size(s) and elevations. Outflow from these subsurface systems will connect to the existing drainage system which leads to the pond located in the northerly corner of the property.

2. Dry Retention System Analysis and Assumptions

For the purposes of this analysis, and as there is no record indicating that the current system is not operating as designed, this report will focus on the mitigation required to offset the increase in impervious area created through the construction of the new parking areas and the extent of any additional mitigation that may be required.

3. Proposed Conditions

The typical approach when analyzing existing developments when new impervious areas are being considered is to offset the increase in runoff by adding to or otherwise augmenting any existing mitigative measures. As designed, the volume of the two dry retention ponds must be replaced and the increase in impervious area mitigated. As noted, the volume of the two dry retention basins will be addressed through the installation of two separate infiltration systems. In addition, to address the increase in impervious area typically associated with pavement will be mitigated through the use of permeable concrete pavement.

As designed, the expanded parking area would consist of approximately 16,125 square feet of pavement however, as directed by the City Council the surface of both parking areas will consist of approximately 14,450 square feet of permeable concrete pavement; the remaining area consists of existing pavement and proposed landscaped islands.

Based upon the data contained within the SFWMD permit, the total volume of the dry retention basins is 1.06 ac-ft. By comparison the combined storage of the proposed infiltration system is tabulated below:

	Volume Infiltrated	Storage Volume	Total Volume
Retention Area #1	0.806 af	0.265 af	1.071 af
Retention Area #2	0.717 af	0.242 af	0.959 af
Total	1.523 af	0.507 af	2.030 af

Importantly, the approximately 35,000 sf of surface associated with the proposed parking improvements a can provide an additional 0.2 ac-ft of water quality pre-treatment.

4. Proposed Mitigation

On July 1, 2021 soil testing in both existing retention basins was conducted by Universal Engineering Services (copy of which is attached). Based upon soil testing performed at the bottom of the retention basins (elevation +/-10 ft) the "K" value was determined to be 1.15×10^{-04} and a Q rate of 2.23×10^{-03} . The test holes were taken to a depth of 6 feet with no indication of a ground water condition. The report continues to state that the water table was in excess of 6 feet below existing grade (+/- elevation 4). It is also recognized that the SFWMD permit indicates that the seasonal high ground water table is approximately 11 feet NGVD (9.5 NAVD).

Based upon data obtained from Universal Engineering, the 902 HD Units were set at elevation 10.2 NAVD (note that the smaller Cultec Unit #330XLHD were set at elevation 11.45) and designed as infiltration systems. For the purposes of this report and in deference to the data on file with the SFMWD, the analysis was also conducted without infiltration below within the seasonal highwater table limitations. See charts below.

RUNOFF CHARACTERISTICS (WITH INFILTRATION) AT THE DESIGN POINT			
STORM (yr)	PEAK (cfs)	DEPTH (in)	VOL (ac-ft)
10	8.75	2.65	0.74
25	15.23	5.61	1.56
100	21.38	8.19	2.29
72 Hr ¹	11.93	3.70	1.03

RUNOFF CHARACTERISTICS (WITH INFILTRATION)* AT THE DESIGN POINT			
STORM (yr)	PEAK (cfs)	DEPTH (in)	VOL (ac-ft)
10	8.71	2.71	0.77
25	15.12	5.65	1.58
100	20.06	8.15	2.28
72 Hr ¹	11.85	3.75	1.05

¹ 25 Year/72 Hour Storm Event

*Infiltration below SFWMD limitations excluded

As illustrated above, whether full infiltration exists or if it is limited by the seasonal groundwater table, there is significant mitigation provided through the use of the infiltration system.

C. WATER QUALITY

Review of the previously approved site plans prepared by Keith and Schnarrs, PA water quality requirements were addressed by either (or both) a detention pond located behind the Monterey Medical Center and a dry detention basin located at the

southeastern corner of the site. Importantly, the two dry detention areas located in the southwesterly area of the property (the location of the proposed parking improvements) were designed such that the ponds were connected via a 24 inch equalization pipe and a single 30" RCP outlet pipe connected to the pond behind the hospital. Recall that there is an outlet control structure in this pond which regulates storm event discharge rates and volume. That is the water levels within the three systems rise and fall at the same time.

Outlined below are the updated water quality calculations for the proposed parking improvements.

Existing Conditions

Parameters:

Site Area:	232,050 sf = 5.327 ac
Pond Area:	10,325 sf = 0.237 ac
Roof Areas:	31,355 sf = 0.72ac
Pervious Areas:	95,770 = 2.20 ac
Impervious Areas:	94,600 = 2.17 ac

1. Compute the first inch of runoff from the existing developed site

$$1" \times 5.327 \text{ acres} \times 12"/\text{ft} = \mathbf{0.44 \text{ acft}}$$

2. Compute 2.5 inches time the percentage of impervious areas (less water surface and roofs)

$$5.327 \text{ ac} - (0.237 \text{ ac} + 0.72 \text{ ac}) = \mathbf{4.37 \text{ ac}} \text{ (for WQv)}$$

$$4.37 \text{ ac} - 2.2 \text{ ac} = \mathbf{2.17 \text{ ac}}$$

$$2.17 \text{ ac} / 4.37 \text{ ac} = \mathbf{49.7\%}$$

$$2.5" \times 0.497 = \mathbf{1.24"}$$

Therefore the required WQv (existing) is: $(5.327 \text{ ac} \times 1.24") / 12' / \text{ft} = \mathbf{0.55 \text{ acft}}$.
From Paragraph B.2 above, the total volume available within the two existing dry retention areas is approximately 0.65 acres (additional volume is obtained through ponding on the areas around the retention areas).

Proposed Conditions

Parameters:

Site Area:	232,050 sf = 5.327 ac
Pond Area:	10,325 sf = 0.237 ac
Roof Areas:	31,355 sf = 0.72ac
Pervious Areas:	78,140 sf = 1.79 ac
Impervious Areas:	119,820 sf = 2.75 ac

1. Compute the first inch of runoff from the existing developed site

$$1" \times 5.327 \text{ acres} \times 12" / \text{ft} = \mathbf{0.44 \text{ acft}}$$

2. Compute 2.5 inches time the percentage of impervious areas (less water surface and roofs)

$$5.327 \text{ ac} - (0.957 \text{ ac}) = \mathbf{4.37 \text{ ac}}$$

$$4.37 \text{ ac} - 1.84 \text{ ac} = \mathbf{2.52 \text{ ac}}$$

$$2.52 \text{ ac} / 4.37 \text{ ac} = \mathbf{57.8\%}$$

$$2.5" \times .578 = \mathbf{1.44 "}$$

Therefore, the required mitigation to address WQv for the proposed parking improvements is:

$$1.44" - 1.22" = \mathbf{0.22"}, \text{ and}$$

$$0.22 \text{ in} \times 5.327 \text{ ac} / 12" / \text{ft} = \mathbf{0.098 \text{ acft}} \text{ or } \mathbf{4,254 \text{ cf}} \text{ of mitigation}$$

Maximum permitted mitigation utilizing infiltration is:

$$0.40 \times 4,254 \text{ cf} = \mathbf{1,701.6 \text{ cf}}$$

Through infiltration Water Quality system #1 discharges 1,457 cf of stormwater and Water Quality #2 discharges 953 cf at elevation 12.75 (total 2,410 cf). The remaining volumes are directed into each of the respective Stormwater Mitigation Systems.

The remaining water quality mitigation will be the surface treatment coupled to the 14,450 square feet permeable concrete pavements.

Surface area tributary to the permeable concrete pavement:	35,000 sf
Median depth of ponding:	3in (0.25 ft)
Additional volume for water quality:	0.2 ac-ft

D. CONCLUSION

The proposed alterations to the existing stormwater mitigation system provides at least the same level of mitigation as the current system. Importantly, as designed there will be no alteration to the existing outlet control structure thereby assuring that there will be no increase in the peak rate of stormwater discharge that leaves the property.

Finally, the improvements to the parking area address the need for additional parking to provide service to the patients, visitors and staff that go to the Hospital and Surgical Center on a daily basis.

General Notes:

1. All Landscape Material to be Florida No. 1 or better
2. All sod to be Argentine Bahia, Paspalum notatum 'Argentine', weed free and laid tight
3. All landscaping meets FDOT clearzone and sight distance criteria.
4. All trees installed within 4' of a hard surface such as sidewalk, curb or building to be installed with 24" rootbarrier per detail on sheet LD-06. Rootbarrier to extend 5' in each direction, measured from center of trunk.
5. Quantities are given for contractor convenience only. In case of discrepancy between tags and plant list, the plant list shall prevail.

Utilities Notes:

1. No landscaping shall be planted in a manner that would adversely affect utility easements.
2. Trees shall not be planted within ten (10) feet of any underground infrastructure.
3. No landscaping other than sod grasses shall be located within 5' of an appurtenance such as a water meter assembly, backflow device, fire hydrant or sewer cleanout, etc.

Landscape Irrigation Notes:

- All areas to receive 100% irrigation coverage
- All zones to be automatically controlled.
- Clocks to have automatic "rain sensors".
- Water source may be potable or well and shall be determined at time of building permit application



Landscape Data:

Roadway Buffer:

Monterey Rd Extension: 260' 1 Tree/30lf 9 Trees
 Monterey Rd: 132' 1 Tree/30 lf 4 Trees

Interior Landscape:

New parking Islands: 1 Shade tree/island 8 Trees
Total Trees required: 21 Trees
Total Trees provided: 28 Trees

Xeriscape Landscape Points

Option		Points
3	51% or more of the grass areas are made up of drought tolerant grass species from the list	10
4	51% or more of the required shrubs are made up of drought tolerant species from the list	10
5	51% or more of the required shrubs are made up of drought tolerant species from the list	10
6	50% more than the required shade trees planted in the vehicular use area	10
8	Utilization of compacted mulched planting beds at least three inches deep in all planted areas except ground cover (no cypress mulch)	10
Total		50

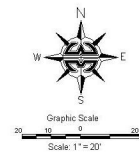
Key



Existing Vegetation



Existing Tree



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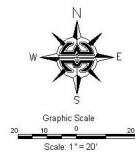
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8	Utilization of compacted mulched planting beds at least three inches deep in all planted areas except ground cover (no cypress mulch)	10
Total		50

Key

- Existing Vegetation
- Oak Tree to Remove
- Pine Tree to Remove
- Palm Tree to Remove
- Invasive veg. to remove



General Notes:

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3. All landscaping meets FDOT clearzone and sight distance criteria.
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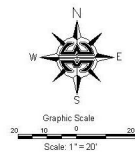
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Key * not to scale

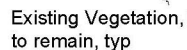
- Existing Vegetation
- Existing Tree
- New Shrub Area
- Live Oak - New
- Ranch Oak - New
- Red Maple - New
- Slash Pine - New
- Cabbage Palm - New



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2. All sod to be Argentine Bahia, *Paspalum notatum* 'Argentine', weed free and laid tight
2. All landscaping meets FDOT clearzone and sight distance criteria.
3. All trees installed within 4' of a hard surface such as sidewalk, curb or building to be installed with 24" rootbarrier per detail on sheet LD-06. Rootbarrier to extend 5' in each direction, measured from center of trunk.
4. Quantities are given for contractor convenience only. In case of discrepancy between tags and plant list, the plant list shall prevail.
5. All exotic species must be removed from triangular area. No native trees to be removed for installation of Mitigation Trees.

1. Utilities Notes:
1. No landscaping shall be planted in a manner that would adversely affect utility easements.
2. Trees shall not be planted within ten (10) feet of any underground infrastructure.
3. No landscaping other than sod grasses shall be located within 5' of an appurtenance such as a water meter assembly, backflow device, fire hydrant or sewer cleanout, etc.

- All areas to receive 100% irrigation coverage
- All zones to be automatically controlled.
- Clocks to have automatic "Rain sensors".
- Water source may be potable or well and shall be determined at time of building permit application



Total Trees required:	21 Trees
Total Trees provided:	32 Trees

PLANTING NOTES:

FERTILIZER

FERTILIZERS SHALL BE SLOW RELEASE UNIFORM IN COMPOSITION, DRY AND FREE FLOWING. THE FERTILIZER SHALL BE DELIVERED TO THE SITE IN THE ORIGINAL UNOPENED BAGS. EACH BAGGING THE MANUFACTURER'S STATEMENT OF ANALYSIS AND SHALL MEET THE FOLLOWING REQUIREMENTS: SDK (4) PERCENT NITROGEN (N) (6) PERCENT PHOSPHOROUS (P) AND SDK (6) PERCENT POTASSIUM. FERTILIZER SHALL BE APPLIED TO ALL SHRUBS (1/3 LB PER 3 GAL POT, 1/4 LB PER 1 GAL POT) AND GROUNDCOVER. THE SOD STARTER FERTILIZER MIXTURE SHALL BE A 6-10-10 ANALYSIS. A 14-14-14 FERTILIZER ANALYSIS IS REQUIRED ON ALL TREES AND SHRUBS OVER 5' IN HEIGHT (1/2 LB PER 5' OF SPREAD). AIRIFORM TABLETS WITH TWENTY (20) PERCENT NITROGEN, TEN (10) PERCENT PHOSPHOROUS FIVE (5) PERCENT POTASSIUM IN 20 GRAM SIZES SHALL BE APPLIED ALONG WITH THE FERTILIZER PROCESS (1) WITH 1 GAL PLANTS, 2 WITH 1 GAL PLANTS AND 2 TABLETS PER 1" OF TREE TRUNK CALIBER. MANGANESE SULFATE SHALL BE APPLIED TO ALL PALMS AT INSTALLATION AT A RATE OF 1/2 LB PER INCH OF TRUNK CALIBER. MANGANESE SHALL BE APPLIED AT THE SAME RATE.

MULCH

MULCH MATERIAL SHALL BE COLORED 1" GRADE CERTIFIED RECYCLED MULCH AND MOISTENED AT THE TIME OF APPLICATION TO PREVENT WIND DISPLACEMENT. MULCH SHALL BE APPLIED TO A MINIMUM OF 3" DEPTH IN PLANTING HOLES. MULCH SHALL NOT BE PLACED WITHIN 6" OF TREE OR PALM TRUNKS.

SOD

THE SOD SHALL BE CERTIFIED TO MEET FLORIDA STATE PLANT BOARD SPECIFICATIONS ABSOLUTELY TRUE TO VARIETAL TYPE AND FREE FROM WEEDS, FUNGUS, INSECTS AND DISEASE OF ANY KIND.

SUBSTITUTIONS

NO SUBSTITUTION OF PLANT MATERIAL TYPES OR SIZES WILL BE ALLOWED WITHOUT WRITTEN AUTHORIZATION FROM THE LANDSCAPE ARCHITECT OF RECORD. CONTAINER BROWN MATERIAL SHALL NOT BE ACCEPTED AS A SUBSTITUTE FOR B&B MATERIAL. UNLESS PREVIOUSLY APPROVED, INTENDED SUBSTITUTIONS SHALL BE SPELLED OUT IN BID.

MEASUREMENTS

SHADE TREES: HEIGHT SHALL BE MEASURED FROM GROUND TO THE AVERAGE BRANCH HEIGHT OF CANOPY. SPREAD SHALL BE MEASURED TO THE END OF BRANCHES EQUALLY AROUND THE CROWN FROM THE CENTER OF THE TRUNK. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH SINGLE TRUNK TREES SHALL BE FREE OF "Y" CROTCHES THAT COULD BE POINTS OF WEAK LINKS IN STRUCTURE OR DISEASE INFESTATION.

SHRUBS: HEIGHT SHALL BE MEASURED FROM THE GROUND TO THE AVERAGE POINT WHERE A MATURE PLANT GROWTH STOPS. SPREAD SHALL BE MEASURED TO THE END OF BRANCHES EQUALLY AROUND THE SHRUB BASE. MEASUREMENT AREA NOT TO INCLUDE ANY TERMINAL GROWTH.

PALMS: CLEAR TRUNK SHALL BE MEASURED FROM THE GROUND AT THE TIME OF INSTALLATION TO THE POINT WHERE THE MATURE AVE TRUNK JOINS THE IMMATURE OR GREEN PORTION OF THE TRUNK OR HEAD.

GREY WOOD (B.W.): SHALL BE MEASURED FROM THE GROUND AT THE TIME OF INSTALLATION TO THE TOP OF THE HARDEST TRUNK.

OVERALL HEIGHT (O.A.): SHALL BE MEASURED FROM THE GROUND AT THE TIME OF INSTALLATION TO THE AVERAGE GROUND HEIGHT.

PALMS WITH MARRIED OR BURNED TRUNKS WILL NOT BE ACCEPTED.

PLANTING SOIL AND BACKFILL

PLANTING SOIL SHALL BE RECYCLED TOPSOIL. RECYCLED TOPSOIL SHALL CONSIST OF A STABILIZED MIXTURE OF GROUND YARD TRIMMINGS AND POSSIBLY BIOSOLIDS PROCESSED ACCORDING TO STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GUIDELINES FOR THE PROCESSING AND DISTRIBUTION OF SEWAGE SLUDGE COMPOST. RECYCLED TOPSOIL SHALL ONLY BE OBTAINED FROM A STATE PERMITTED RECYCLING FACILITY WHICH IS ALSO D.O.T. CERTIFIED AND STORED PRODUCT ON A PAD WITH A CURRENT NATEC TOGETHER CERTIFICATION FROM FLORIDA DEPARTMENT OF AGRICULTURE. RECYCLED TOPSOIL SHALL HAVE THE FOLLOWING CHARACTERISTICS:

- WEED FREE
- MOISTURE CONTENT 60% BY WEIGHT MAXIMUM
- WATER HOLDING CAPACITY 200% BY WEIGHT MINIMUM
- CARBON TO NITROGEN RATIO (C/N) 15 TO 1
- ORGANIC MATTER CONTENT 40% BY DRY WEIGHT MINIMUM
- SOLUBLE SALTS LESS THAN 1 M/MHOS/C
- PH 6.0-7.5
- MINIMUM NUTRIENT LEVELS AS FOLLOWS:

MACRO NUTRIENTS: NITROGEN (N) - 1% MINIMUM, WATER INSOLUBLE NITROGEN 10% MINIMUM, PHOSPHORUS (P) - 0.5% MINIMUM, POTASSIUM (K) - 0.2% MINIMUM AND OTHER MACRO AND MICRO NUTRIENTS. THE RECYCLED TOPSOIL SHALL CONTAIN LEVELS OF THOSE MICRO NUTRIENTS NECESSARY FOR PLANT GROWTH. THESE INCLUDE CALCIUM, MANGANESE, SULFUR, BORON, COPPER, IRON, MANGANESE AND ZINC. RECYCLED TOPSOIL NOT MEETING THESE REQUIREMENTS WILL NOT BE ACCEPTED.

BACKFILL:

ALL NEW AND TRANSPLANTED PLANT MATERIAL (INCLUDING NEW SOD) SHALL BE PLANTED ONLY AFTER PREPARATION OF EXISTING SOIL AS FOLLOWS:

SPREAD A LAYER OF 3" DEPTH OF RECYCLED TOPSOIL (AS DEFINED ABOVE) OVER THE ENTIRE PLANTING AREA. THE TOPSOIL SHALL BE PLACED UNIFORMITY DISKED, TILLED OR AERIFIED INTO THE EXISTING SOIL TO A DEPTH OF 1' UNDERNEATH SHRUBS AND GROUNDCOVERS.

IF UNDERNEATH TREES AND TO A DEPTH OF 2' UNDER THE TREE PITS, WITH THE FOLLOWING EXCEPTION: NO ROTOTILLING OR DISKING SHALL OCCUR CLOSER TO THE TRUNKS OF ESTABLISHED PLANTS THAN ONE HALF (1/2) THE DISTANCE OF THE CANOPY FURTHER OUT FROM THE OR PL LINE OF THE EXISTING PLANT CANOPY. ALL PLANTS, INCLUDING HEDGES AND GROUND COVER SHALL BE PLANTED IN INDIVIDUALLY DUG HOLES AND THE MATERIAL DUG FROM THE HOLES SHALL THEN BE REUSED WITH THE PREPARED SOIL PRIOR TO BACKFILLING OF THE PLANTING HOLES AROUND THE ROOT BALLS.

NO ADDITIONAL BACKFILL SOIL SHALL BE USED.

AN EXCEPTION ARE PLANTING PITS FOR CABBAGE PALMS, WHICH SHALL BE BACKFILLED WITH CLEAN NATIVE SAND ONLY.

REMOVE EXCESS MATERIAL TO PROVIDE PROPER FINISHED GRADE.

ALL PLANTING PITS AND PLANTING AREAS SHALL BE AMENDED WITH AEROSOLIZED SODIUM SULFATE MANUFACTURER'S SPECIFICATIONS.

PLANT MATERIALS

TREES, PALMS, SHRUBS, GROUND COVERS:

PLANT SPECIES AND SIZES SHALL CONFORM TO THOSE INDICATED IN THE DRAWINGS. NOMENCLATURE SHALL CONFORM TO STANDARDIZED PLANT NAMES 1942 EDITION, ALL NURSERY STOCK SHALL BE IN ACCORDANCE WITH GRASSES AND STANDARDS FOR NURSERY PLANTS 3112 LATEST EDITION PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. UNLESS SPECIFIED OTHERWISE, ALL PLANTS SHALL BE NORMAL FOR THE VARIETY AND FLORIDA GROWN NUMBER 1 OR BETTER AS DETERMINED BY THE FLORIDA DIVISION OF PLANT INDUSTRY.

SPECIMEN MEANS AN EXCEPTIONALLY HEAVY, SYMMETRICAL, TIGHTLY KNIT PLANT, SO TRAINED OR PAVED IN ITS DEVELOPMENT THAT FIRST APPEARANCE IS UNQUESTIONABLY AND IT IS OUTSTANDINGLY SUPERIOR IN FORM, NUMBER OF BRANCHES, COMPACTNESS AND SYMMETRY.

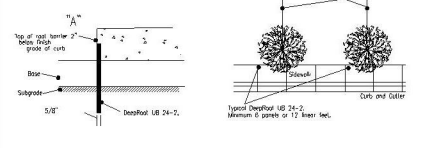
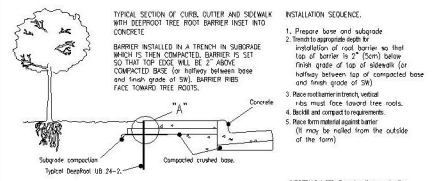
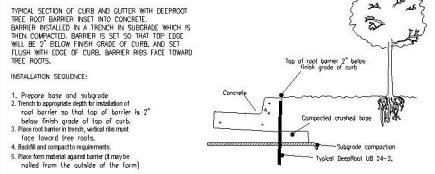
ALL PLANTS SHALL BE FRESHLY DUG, SOUND, HEALTHY, VIGOROUS, WELL BRANCHED AND FREE OF DISEASE AND INSECT EGGS AND LARVAE AND SHALL HAVE ADEQUATE ROOT SYSTEMS. TREES FOR PLANTING ROWS SHALL BE UNIFORM IN SIZE AND SHAPE. ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE LANDSCAPE ARCHITECT. WHERE REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.

ALL CONTAINER BROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL ROOTED PLANTS AND ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS OF GOOD QUALITY AND BE IN HEALTHY GROWING CONDITION. AN ESTABLISHED CONTAINER GROWN PLANT SHALL BE TRANSPLANTED INTO A CONTAINER AND GROWN IN THAT CONTAINER SUFFICIENTLY LONG ENOUGH FOR THE NEW FIBROUS ROOTS TO HAVE DEVELOPED SO THAT THE ROOT MASS WILL RETAIN ITS SHAPE AND HOLD TOGETHER WHEN REMOVED FROM THE CONTAINER.

GENERAL NOTES:

1. THE CONTRACTOR SHALL PERSONALLY ACQUAINT HIM/HER SELF WITH THE EXISTING SITE CONDITIONS AND THE EXTENT AND SCOPE OF WORK REQUIRED.
2. THE PLANT LIST INDICATES THE NAMES, SIZES AND SPACING OF SPECIFIC PLANT MATERIALS. QUANTITIES HAVE BEEN PROVIDED TO THE CONTRACTOR AS A CONVENIENCE, THE CONTRACTOR IS RESPONSIBLE FOR HIS/HER OWN QUANTITY COUNT. IN CASE OF DISCREPANCIES BETWEEN THE DRAWINGS AND PLANT LIST, THE QUANTITIES ON THE DRAWINGS SHALL PREVAIL.
3. NO SUBSTITUTIONS ON VARIETIES LISTED WILL BE ALLOWED WITHOUT WRITTEN APPROVAL FROM LANDSCAPE ARCHITECT.
4. PLANTS SHALL BE WATERED AS NECESSARY OR WITHIN 24 HOURS AFTER NOTIFICATION BY THE LANDSCAPE ARCHITECT.
5. THE LOCATIONS OF PLANTS, AS SHOWN IN THESE PLANS, ARE APPROXIMATE. THE FINAL LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE UNFORESEEN FIELD CONDITIONS. MAJOR ADJUSTMENTS TO THE LAYOUT ARE TO BE APPROVED BY THE LANDSCAPE ARCHITECT OF RECORD.
6. ALL PLASTIC FABRIC SHALL BE REMOVED FROM PLANT MATERIAL AT TIME OF INSTALLATION.
7. ALL TREES MUST BE STAKED AS SHOWN ON THE LANDSCAPE DETAIL SHEET WITHIN 24 HRS OF PLANTING. STAKES TO REMAIN FOR A MINIMUM OF 12 MONTH BUT NO LONGER THAN 18 MONTH. CONTRACTOR RESPONSIBLE FOR MAINTENANCE AND REMOVAL OF THE STAKES.
8. ALL TREES MUST BE PRUNED AS PER LANDSCAPE ARCHITECT DIRECTION.
9. ALL SOD EDGES SHALL BE TRIMMED AS PER THE LANDSCAPE ARCHITECT'S DIRECTION.
10. ALL SHRUBS, TREES, GROUNDCOVERS, SOD AND WILDFLOWER AREAS SHALL HAVE IMPROVED SOIL AS PER PLANTING SOIL NOTES.
11. DO NOT ALLOW AIR POCKETS TO FORM WHEN BACKFILLING.
12. SOAK PLANTS IMMEDIATELY WITH WATER FOLLOWING PLANTING.
13. MAINTAIN THE ORIGINAL GRADE OF THE TREE BASE.
14. DO NOT BREAK ROEBALL.
15. ALL PLANT SHALL BE HARDY UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE ON LOCALITY OF THE PROJECT.
16. THE LANDSCAPE CONTRACTOR SHALL WATER, MULCH, WEED, PRUNE, AND OTHERWISE MAINTAIN ALL PLANTS, INCLUDING SOD, UNTIL COMPLETION OF THE CONTRACT OR ACCEPTANCE BY THE LANDSCAPE ARCHITECT. SETTLED PLANTS SHALL BE RESET TO PROPER GRADE, PLANTING SAUCERS RESTORED, AND DEFECTIVE WORK CORRECTED.
17. THE LANDSCAPE CONTRACTOR SHALL AT ALL TIMES KEEP THE PREMISES FREE FROM ACCUMULATION OF WASTE MATERIALS OR DEBRIS CAUSED BY THE CREWS DURING THE PERFORMANCE OF THE WORK. UPON COMPLETION OF THE WORK, THE CONTRACTOR SHALL PROMPTLY REMOVE ALL WASTE MATERIALS, DEBRIS, UNUSED PLANT MATERIAL, EMPTY PLANT CONTAINERS AND ALL EQUIPMENT FROM THE PROJECT SITE.
18. UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT AND REQUEST A FINAL INSPECTION. ANY ITEMS THAT ARE JUDGED INCOMPLETE OR UNACCEPTABLE BY THE LANDSCAPE ARCHITECT OR REPRESENTATIVE SHALL BE PROMPTLY CORRECTED BY THE LANDSCAPE CONTRACTOR.
19. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF FINAL ACCEPTANCE IN WRITING FROM THE LANDSCAPE ARCHITECT. AT THE TIME OF FINAL ACCEPTANCE THE ONE (1) YEAR PERIOD SHALL COMMENCE. ANY MATERIALS WHICH HAVE DIED DURING THIS PERIOD SHALL BE PROMPTLY REPLACED, WITH SPECIMENS THAT MEET THE MINIMUM REQUIREMENTS CALLED FOR IN THE DRAWINGS. THE LANDSCAPE CONTRACTOR SHALL NOT BE HELD RESPONSIBLE FOR THE DEATH OR DAMAGE RESULTING FROM LIGHTNING, VANDALISM, AUTOMOBILES OR FROM NEGLIGENCE BY THE OWNER. CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING AND OTHERWISE MAINTAINING PLANTS DURING THE GUARANTEE PERIOD, UNLESS A WRITTEN AGREEMENT WITH THE LANDSCAPE ARCHITECT PROVIDES FOR A DIFFERENT ARRANGEMENT.
20. ALL LABOR AND MATERIAL FOR SOIL AMENDMENTS AND FERTILIZER THAT IS REQUIRED TO INSURE THE SUCCESSFUL ESTABLISHMENT AND SURVIVAL OF THE PROPOSED VEGETATION AS WELL AS ALL COST FOR THE REMOVAL OF UNSUITABLE OR EXCESS BACKFILL MATERIAL SHALL BE INCLUDED IN THE CONTRACTOR'S BID TO PERFORM THE WORK PRESENTED IN THIS PLANT SET.
21. NO LANDSCAPING ADDED UNDER THIS PROJECT SHALL BE LOCATED SUCH THAT SAID LANDSCAPING OBSCURES MOTORIST'S VISIBILITY OF ANY EXISTING SIGN(S).

Linear Application of DeepRoot Tree Root Barriers at Time of Installing Concrete Sidewalks and Curb



WATERING SCHEDULE

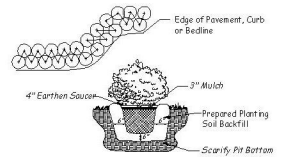
APPLICATION SCHEDULE	
PALM TREES	20 GAL/APPLICATION/PLANT
LARGE TREES	30 GAL/APPLICATION/PLANT
SMALL TREES	20 GAL/APPLICATION/PLANT
LARGE SHRUBS	10 GAL/APPLICATION/PLANT
SMALL SHRUBS	5 GAL/APPLICATION/PLANT
GROUNDCOVER	5 GAL/APPLICATION/PLANT

APPLICATION AMOUNT	
MONTH 1	12 APPLICATIONS
MONTH 2	12 APPLICATIONS
MONTH 3	8 APPLICATIONS
MONTH 4	8 APPLICATIONS
MONTH 5	5 APPLICATIONS
TOTAL	45 APPLICATIONS

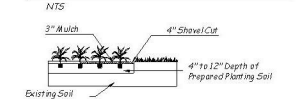
ABBREVIATIONS: C.T. - CLEAR TRUNK
Ht. - HEIGHT
O.C. - ON CENTER
Spr. - SPREAD

Shrub & Groundcover Planting Detail

Note: All Shrubs and Groundcover Shall Be Triangular Spaced Along Straight Edges And Will Be Planted In Parallel Rows Along Curved Edges.

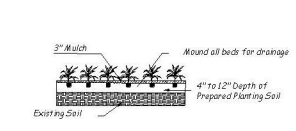


Planting Edge at Sod Detail

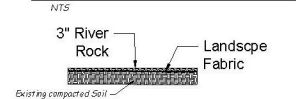


Groundcover & Annual Detail

NOTE: Annuals Are To Be Planted As Per Groundcover Detail Excluding Mulch.

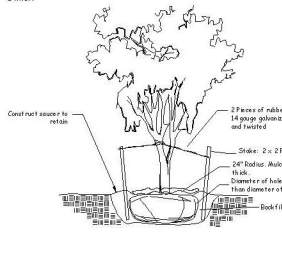


Gravel Strip Detail



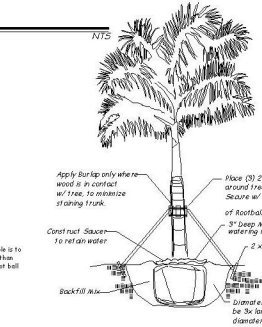
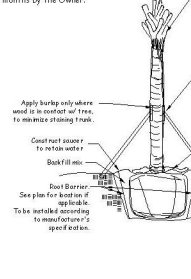
Tree Planting Detail

Tree Stakes are to be removed between 6-12 months by the Owner.



Palm Planting Detail

Tree Stakes are to be removed between 6-12 months by the Owner.



Landscape Design Associates
25114 NW 13th Ave
High Springs, FL 32643
352-316-2765 ext. www.landscapea.com



NTS
Drawn by: SM
Checked by: SM
Reviewed by: SM
Date: 11/22/2021

NTS
Scale
City of Stuart
Monterrey Medical Center Parking Lot Extension
Landscape Notes & Details

NTS
Scale
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Monterrey Medical Center Parking Lot Extension
Landscape Notes & Details

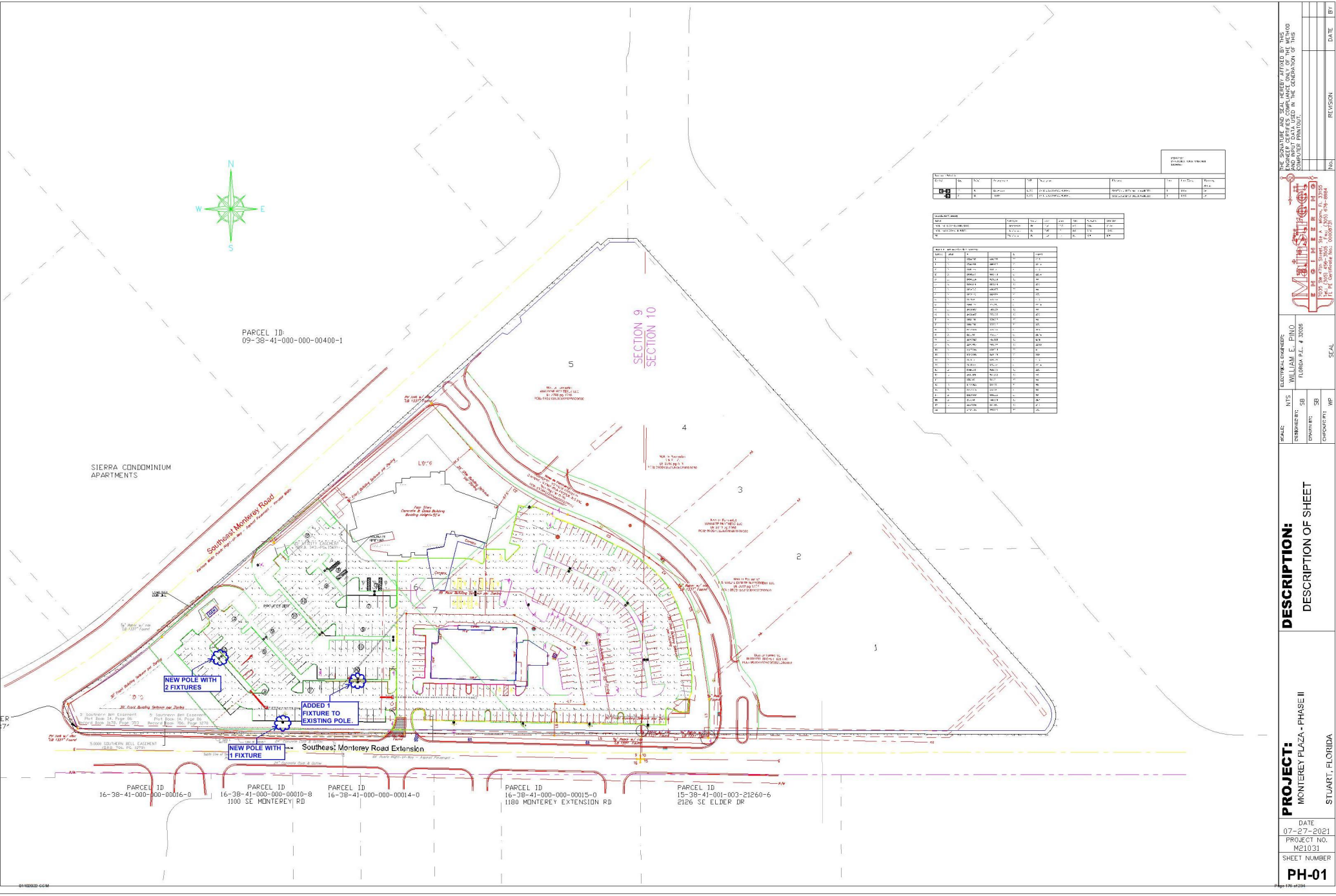
NTS
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NTS
Scale
City of Stuart
Monterrey Medical Center Parking Lot Extension
Landscape Notes & Details

NTS
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Monterrey Medical Center Parking Lot Extension
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PROJECT INFORMATION									
PROJECT	MONTEREY PLAZA - PHASE II	DATE	07-27-2021	PROJECT NO.	M21031	SHEET NO.	PH-01	DATE	07-27-2021
DESIGNED BY	WILLIAM E. PAVO	FLORIDA P.E. #	2000	SEAL					
DRAWN BY	SS	CHECKED BY	WES	DATE	07-27-2021	BY			
CHECKED BY	WES	DATE	07-27-2021	BY					

PROPERTY INFORMATION									
PARCEL ID	09-38-41-000-00400-1	SECTION	9	SECTION	10	AREA	1.21 AC	PERMITS	16-38-41-000-00016-0
OWNER	SIERRA CONDOMINIUM APARTMENTS	ADDRESS	1100 SE MONTEREY RD	CITY	STUART, FL	STATE	FL	COUNTY	ST. LUCIE
DEVELOPER	SIERRA CONDOMINIUM APARTMENTS	ADDRESS	1100 SE MONTEREY RD	CITY	STUART, FL	STATE	FL	COUNTY	ST. LUCIE
DESIGNED BY	WILLIAM E. PAVO	FLORIDA P.E. #	2000	SEAL					
DRAWN BY	SS	CHECKED BY	WES	DATE	07-27-2021	BY			
CHECKED BY	WES	DATE	07-27-2021	BY					

REVISIONS									
NO.	DATE	DESCRIPTION	BY	CHKD.	DATE	DESCRIPTION	BY	CHKD.	DATE
1	07-27-2021	ISSUED FOR PERMIT	WES	WES	07-27-2021	ISSUED FOR PERMIT	WES	WES	07-27-2021
2	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021
3	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021
4	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021
5	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021
6	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021
7	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021
8	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021
9	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021
10	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021	REVISED PER PERMIT COMMENTS	WES	WES	07-27-2021

[illegible]

1. THE FOLLOWING TERMS, CONDITIONS AND AGREEMENTS:
2. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR A COMPLETE AND OPERABLE SYSTEM.
3. CONTRACTOR SHALL COORDINATE WITH PLUMBING CONTRACTOR PRIOR TO INSTALLATION OF FITTINGS.
4. FITTINGS PROVIDED SHALL BE AS SELECTED BY ARCHITECT FROM EXHIBITING SCHEDULE QUANT FOR EACH FITTING.
5. ALL CALCULATED FITTINGS SHALL HAVE SUFFICIENT STRENGTH TO PERFORM PROPERLY.
6. ALL FITTINGS SHALL BE FULLY WELDED TO THE PIPE.
7. FITTINGS SHALL BE FULLY WELDED TO THE PIPE.
8. CONTRACTOR SHALL PROVIDE SUFFICIENT STRENGTH TO PERFORM PROPERLY.
9. ALL FITTINGS SHALL BE FULLY WELDED TO THE PIPE.
10. CONTRACTOR SHALL PROVIDE SUFFICIENT STRENGTH TO PERFORM PROPERLY.

- A. EXIST LOCATIONS SHALL BE VERIFIED WITH ARCHITECT BEFORE BEGINNING WORK.
- B. ISOLATED CURBLINE SHALL BE 18 INCHES FROM EDGE OF WALK SURFACE OPPOSITE CURBLINE CHASED.
- C. PARKING AREA POLE CENTERLINE SHALL BE 7 FEET FROM EDGE OF PARKING SURFACE OPPOSITE CURBLINE CHASED.
- D. INITIAL POLE SHALL NOT HANGOVER FAULTS ANY OTHER STREET OR WALK OR IF DOWNING POLE DOES NOT IMPAIR LIGHTHOUSE POSITIONING.
- E. FOLLOW POLE MANUFACTURERS PRINTED ASSEMBLY AND INSTALLATION INSTRUCTIONS.

INSTALLATION ELECTRICAL CONDUITS

- A. TOP OF CONDUIT SHALL BE MINIMUM OF 24 INCHES BELOW FINISHED GRADE FOR STREET BUILT CONDUIT AND 36 INCHES FOR CONDUIT ENCASED INTO SLAB.
- B. MINING AND/OR LINES INSTALLED BELOW CONDUIT FLOOR SHALL BE AT LEAST 6 FEET EXTERIOR SHALL BE NO LESS HEAVY WALL NON-METALLIC CONDUIT FOR RENEWABLE 40.
- C. PROVIDE RIGID STEEL CONDUIT ELBOWS FOR 90 DEGREE AND CORNER ELBOWS FOR 45 DEGREE. MINIMUM BENDING RADIUS 36 INCHES, CONDUIT $\geq 1/2$ INCH AND LARGER SHALL BE WALL WITH A BLACK MATTE COATED RIGID STEEL CONDUIT ELBOW.

[illegible]

ELECTRICAL SITE PLAN 

NO.	REVISIONS	DATE
1	ISSUED	05-22-01
2	REWORKED DRAWING	10-09-01
3	REWORKED REV.	01-23-02
4		
5		
6		
7		
8		
9		
10		
11		
12		



OCI ASSOCIATES, INC.
CONSULTING ENGINEERS

637 Centerville Circle, Suite 200
Altamonte Springs, FL 32708
Tel. (407) 240-5552
Fax (407) 310-7231

**GARCIA
BRENNER
STROMBERG**
ARCHITECTURAL
PLANNING • INTERIOR

761 Park of Commerce Dr. #100
Tampa, FL 33607
Tel: (813) 241-1176
F: (813) 241-6518

330 East Ocean Blvd.
P.O. #1, #474A
Ft. Myers Beach, FL 33931
Tel: (813) 222-1663
F: (813) 222-1663

World Wide Web
GARCIA-BRENNER-STROMBERG.COM

JORGE H. GARCIA, AIA, NCARB
President

STUART M. BRENNER, AIA, NCARB
Executive Vice President

PETER T. STROMBERG, AIA, NCARB
Senior Vice President

DATE:	03-25-02
DESIGN BY:	TBA
DRAWN BY:	CP
REVIEWED BY:	

ELECTRICAL SITE PLAN
MONTEREY MEDICAL CENTER L.C.
MONTEREY TRIANGLE
STUART, FLORIDA

PROJECT #

SHEET #

E-2

PRINT DATE

PRINT DATE:



BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 110- 01

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA CONDITIONALLY APPROVING A MAJOR DEVELOPMENT SITE PLAN FOR "MONTEREY MEDICAL CENTER" MEDICAL OFFICE AND FACILITY DEVELOPMENT OF 77,506 SQUARE FEET ON 6.3 ACRES OF LAND ABUTTING MONTEREY ROAD AND MONTEREY ROAD EXTENSION IN THE CITY PURSUANT TO THE CITY LAND DEVELOPMENT REGULATIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, Monterey Medical Center, L.C. as owner and developer, hereinafter the "Developer," has proposed to develop a 6.3-acre parcel of land at 1100 SE Monterey Road in the City of Stuart, hereinafter the "Property," pursuant to the land development regulations of the City of Stuart, Florida; and

WHEREAS, the Developer has submitted an application for major site plan approval to the City relating to the construction of a medical office and surgi-center consisting of 77,506 square feet, hereinafter the "Development," on the Property; and

WHEREAS, the plan submitted as described in Section 2 below, as conditioned hereby, meets the requirements for site plan

approval set forth in the City of Stuart Land Development Regulations.

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

SECTION 1: The Development is conditionally consistent with the comprehensive plan, the zoning regulations and the subdivision regulations of the City of Stuart, Florida.

SECTION 2: The Plan consists of three documents:

1. The "MASTER & FINAL DEVELOPMENT PLAN" prepared by Lucido & Associates, last revision dated June 15, 2001, filed in the office of the Stuart City Development Department.
2. The "LANDSCAPE PLAN" prepared by Lucido & Associates, last revision dated June 25, 2001, filed in the office of the Stuart City Development Department.
3. The "ELEVATION RENDERING" prepared by Garcia Brenner Stromberg, Architects, stamped into the Stuart City Development Department June 20, 2001 and filed in the office of the Stuart City Development Department.

The plan is approved subject to the conditions of development set forth in Exhibit B attached hereto.

SECTION 3: This approval of the Plan shall terminate in the event a building permit is not issued for the development within six months from the date of this resolution.

SECTION 4: This resolution shall take effect upon adoption.

ADOPTED this 25th day of June, 2001.

ATTEST:

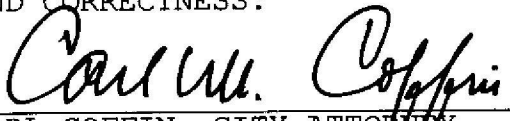


DIANNE M. O'DONNELL
CITY CLERK



GENE C. RIFKIN
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:



CARL COFFIN, CITY ATTORNEY

EXHIBIT A

LEGAL DESCRIPTION

LOTS 6,7, AND 8, PLAT OF MONTEREY TRIANGLE, ACCORDING TO THE MAP OR
PLAT THEREOF AS RECORDED IN THE PLAT BOOK 14, PAGE(S) 86, PUBLIC
RECORDS OF MARTIN COUNTY, FLORIDA

Development Conditions

Based upon the following conditions, staff offers no objection to the applicant's request to allow the construction of two medical buildings and related site improvements.

1. The project shall adhere to the Master & Final Development Plan and Landscape Plan as prepared by Lucido & Associates, Job # 9225-99. Last revision dated 6-15-01.
2. The project shall adhere to the Architectural Plans prepared by Garcia Brenner Stromberg, Job # 00250. Last revision dated 6-25-01.
3. Prior to the issuance of any development permits a contribution, in the amount of \$38,800, shall be submitted to the City Development Department for mitigation of the removal of Slash Pine in accordance with the Natural Resource Protection Standards of the City's Land Development Regulations.
4. The project shall comply with the City's Concurrency Management System prior to the issuance of any development permits.
5. The following roadway improvements if warranted shall be approved no later than December 1, 2001 from Martin County and/or FDOT:
 - The median on Monterey Road shall be re-stripped with the appropriate directional arrows, to provide a left-in turn lane to the westernmost point of ingress/egress.
 - A right-in deceleration lane shall be provided within the Monterey Road right-of-way as if heading in an eastward direction should traffic counts warrant the requirement.
 - The existing concrete median located within Monterey Road shall be extended in a westward direction in order to only allow a right-in and right-out traffic movement from Monterey Triangle Access Road.
 - The entrance located on Monterey Road Extension shall provide a safety rail at the ingress/egress way in order to avoid any vehicles driving into the swale.
6. The applicant shall obtain all regulatory permits, and copies submitted to the City prior to the issuance of any development permits.
7. Final Development Plans and construction drawings shall be required to be reviewed and approved by the City prior to the issuance of any development permits.
8. Any modification to the Master & Final Development Plan or Landscape Plan, due to final engineering, that exceeds 5% of the approved building footprint; building setbacks; building location; parking size, location, and number; drainage areas; and location of landscaping shall require further approval by the City Commission via a public hearing.
9. The applicant shall take all practical measures to protect and preserve all remaining trees during construction. All trees proposed to remain shall be appropriately barricaded, shall be kept free from debris and fill, and all barricades shall be inspected by the City prior to the issuance of any site work.

10. All landscape improvements shall be maintained in an attractive and healthy condition.
11. No outdoor storage is permitted.
12. Existing monitoring wells for the City's Landfill shall be preserved and used for monitoring purposes.
13. The proposed surgi-center shall at no time be converted into medical office space unless the requirements for parking standards @ 1 parking space per 200 square feet are met prior to construction.
14. Loading areas or docks, outdoor storage, trash collection, mechanical equipment, trash compaction, truck parking, recycling, rooftop equipment and other service function areas shall be fully screened and out of view from adjacent properties at ground view level when located along primary facades or within view of public right-of-ways or residentially zoned properties.
15. Prior to the issuance of a certificate of occupancy, an installation and maintenance guarantee in a form acceptable to the city development director shall be provided to guarantee the installation and maintenance of the required landscaping and irrigation system in accordance with the provisions of the landscape code and other applicable ordinances of the city. This guarantee shall list all required landscape materials and shall describe the irrigation system to which it pertains and maintenance be valid in perpetuity.
16. Bahia sod shall be planted and maintained on Building # 2 footprint until time of construction.
17. Development of the proposed surgi-center (2nd building) shall architecturally compliment the architecture and design of the 1st building (medical office building).
18. Minor changes to the proposed building materials may be allowed without a public hearing before the City Commission. If any proposed changes to materials or colors cannot be resolved at a staff level, a public hearing before the City Commission will be required.
19. All signage for the development site shall be monument-style signage not to exceed 15 feet in height or 100 square feet in area per side.
20. All vehicular-area lighting shall utilize decorative light fixtures and poles.
21. Exterior site lighting shall not negatively impact surrounding residential properties. No light wash shall spill off of the development site.
22. Sidewalks shall be constructed at a minimum width of six feet (6').

CONTACTOR® & RECHARGER®

STORMWATER MANAGEMENT SOLUTIONS



OPERATION & MAINTENANCE GUIDELINES FOR CULTEC STORMWATER MANAGEMENT SYSTEMS





Published by

CULTEC, Inc.

P.O. Box 280

878 Federal Road

Brookfield, Connecticut 06804 USA

www.cultec.com

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Contact Information:

For general information on our other products and services, please contact our offices within the United States at (800)428-5832, (203)775-4416 ext. 202, or e-mail us at custservice@cultec.com.

For technical support, please call (203)775-4416 ext. 203 or e-mail tech@cultec.com.

Visit www.cultec.com/downloads.html for Product Downloads and CAD details.

Doc ID: CLT057 01-20

January 2020

*These instructions are for single-layer traffic applications only. For multi-layer applications, contact CULTEC.
All illustrations and photos shown herein are examples of typical situations. Be sure to follow the engineer's drawings.
Actual designs may vary.*

This manual contains guidelines recommended by CULTEC, Inc. and may be used in conjunction with, but not to supersede, local regulations or regulatory authorities. OSHA Guidelines must be followed when inspecting or cleaning any structure.

Introduction

The CULTEC Subsurface Stormwater Management System is a high-density polyethylene (HDPE) chamber system arranged in parallel rows surrounded by washed stone. The CULTEC chambers create arch-shaped voids within the washed stone to provide stormwater detention, retention, infiltration, and reclamation. Filter fabric is placed between the native soil and stone interface to prevent the intrusion of fines into the system. In order to minimize the amount of sediment which may enter the CULTEC system, a sediment collection device (stormwater pretreatment device) is recommended upstream from the CULTEC chamber system. Examples of pretreatment devices include, but are not limited to, an appropriately sized catch basin with sump, pretreatment catchment device, oil grit separator, or baffled distribution box. Manufactured pretreatment devices may also be used in accordance with CULTEC chambers. Installation, operation, and maintenance of these devices shall be in accordance with manufacturer's recommendations. Almost all of the sediment entering the stormwater management system will be collected within the pretreatment device.

Best Management Practices allow for the maintenance of the preliminary collection systems prior to feeding the CULTEC chambers. The pretreatment structures shall be inspected for any debris that will restrict inlet flow rates. Outfall structures, if any, such as outlet control must also be inspected for any obstructions that would restrict outlet flow rates. OSHA Guidelines must be followed when inspecting or cleaning any structure.

Operation and Maintenance Requirements

I. Operation

CULTEC stormwater management systems shall be operated to receive only stormwater run-off in accordance with applicable local regulations. CULTEC subsurface stormwater management chambers operate at peak performance when installed in series with pretreatment. Pretreatment of suspended solids is superior to treatment of solids once they have been introduced into the system. The use of pretreatment is adequate as long as the structure is maintained and the site remains stable with finished impervious surfaces such as parking lots, walkways, and pervious areas are properly maintained. If there is to be an unstable condition, such as improvements to buildings or parking areas, all proper silt control measures shall be implemented according to local regulations.

II. Inspection and Maintenance Options

- A. The CULTEC system may be equipped with an inspection port located on the inlet row. The inspection port is a circular cast box placed in a rectangular concrete collar. When the lid is removed, a 6-inch (150 mm) pipe with a screw-in plug will be exposed. Remove the plug. This will provide access to the CULTEC Chamber row below. From the surface, through this access, the sediment may be measured at this location. A stadia rod may be used to measure the depth of sediment if any in this row. If the depth of sediment is in excess of 3 inches (76 mm), then this row should be cleaned with high pressure water through a culvert cleaning nozzle. This would be carried out through an upstream manhole or through the CULTEC StormFilter Unit (or other pretreatment device). CCTV inspection of this row can be deployed through this access port to determine if any sediment has accumulated in the inlet row.
- B. If the CULTEC bed is not equipped with an inspection port, then access to the inlet row will be through an upstream manhole or the CULTEC StormFilter.
 1. **Manhole Access**

This inspection should only be carried out by persons trained in confined space entry and sewer inspection services. After the manhole cover has been removed a gas detector must be lowered into the manhole to ensure that there are not high concentrations of toxic gases present. The inspector should be lowered into the manhole with the proper safety equipment as per OSHA requirements. The inspector may be able to observe sediment from this location. If this is not possible, the inspector will need to deploy a CCTV robot to permit viewing of the sediment.

2. StormFilter Access

Remove the manhole cover to allow access to the unit. Typically a 30-inch (750 mm) pipe is used as a riser from the StormFilter to the surface. As in the case with manhole access, this access point requires a technician trained in confined space entry with proper gas detection equipment. This individual must be equipped with the proper safety equipment for entry into the StormFilter. The technician will be lowered onto the StormFilter unit. The hatch on the unit must be removed. Inside the unit are two filters which may be removed according to StormFilter maintenance guidelines. Once these filters are removed the inspector can enter the StormFilter unit to launch the CCTV camera robot.

- C. The inlet row of the CULTEC system is placed on a polyethylene liner to prevent scouring of the washed stone beneath this row. This also facilitates the flushing of this row with high pressure water through a culvert cleaning nozzle. The nozzle is deployed through a manhole or the StormFilter and extended to the end of the row. The water is turned on and the inlet row is back-flushed into the manhole or StormFilter. This water is to be removed from the manhole or StormFilter using a vacuum truck.

III. Maintenance Guidelines

The following guidelines shall be adhered to for the operation and maintenance of the CULTEC stormwater management system:

- A. The owner shall keep a maintenance log which shall include details of any events which would have an effect on the system's operational capacity.
- B. The operation and maintenance procedure shall be reviewed periodically and changed to meet site conditions.
- C. Maintenance of the stormwater management system shall be performed by qualified workers and shall follow applicable occupational health and safety requirements.
- D. Debris removed from the stormwater management system shall be disposed of in accordance with applicable laws and regulations.

IV. Suggested Maintenance Schedules

A. Minor Maintenance

The following suggested schedule shall be followed for routine maintenance during the regular operation of the stormwater system:

Frequency	Action
Monthly in first year	Check inlets and outlets for clogging and remove any debris, as required.
Spring and Fall	Check inlets and outlets for clogging and remove any debris, as required.
One year after commissioning and every third year following	Check inlets and outlets for clogging and remove any debris, as required.

B. Major Maintenance

The following suggested maintenance schedule shall be followed to maintain the performance of the CULTEC stormwater management chambers. Additional work may be necessary due to insufficient performance and other issues that might be found during the inspection of the stormwater management chambers. (See table on next page)

	Frequency	Action
Inlets and Outlets	Every 3 years	Obtain documentation that the inlets, outlets and vents have been cleaned and will function as intended.
	Spring and Fall	Check inlet and outlets for clogging and remove any debris as required.
CULTEC Stormwater Chambers	2 years after commissioning	- Inspect the interior of the stormwater management chambers through inspection port for deficiencies using CCTV or comparable technique. - Obtain documentation that the stormwater management chambers and feed connectors will function as anticipated.
	9 years after commissioning every 9 years following	- Clean stormwater management chambers and feed connectors of any debris. - Inspect the interior of the stormwater management structures for deficiencies using CCTV or comparable technique. - Obtain documentation that the stormwater management chambers and feed connectors have been cleaned and will function as intended.
	45 years after commissioning	- Clean stormwater management chambers and feed connectors of any debris. - Determine the remaining life expectancy of the stormwater management chambers and recommended schedule and actions to rehabilitate the stormwater management chambers as required. - Inspect the interior of the stormwater management chambers for deficiencies using CCTV or comparable technique. - Replace or restore the stormwater management chambers in accordance with the schedule determined at the 45-year inspection. - Attain the appropriate approvals as required. - Establish a new operation and maintenance schedule.
Surrounding Site	Monthly in 1 st year	Check for depressions in areas over and surrounding the stormwater management system.
	Spring and Fall	Check for depressions in areas over and surrounding the stormwater management system.
	Yearly	Confirm that no unauthorized modifications have been performed to the site.

For additional information concerning the maintenance of CULTEC Subsurface Stormwater Management Chambers, please contact CULTEC, Inc. at 1-800-428-5832.

WQMP

Operation & Maintenance (O&M) Plan

Project Name: MONTEREY MEDICAL CENTER

Prepared for:

Project Name: MONTEREY MEDICAL CENTER

Address: 1050 MONTEREY ROAD

City, State Zip: Stuart, Florida 34994

Prepared on:

Date: December 17, 2021

This O&M Plan describes the designated responsible party for implementation of this WQMP, including: operation and maintenance of all the structural BMP(s), conducting the training/educational program and duties, and any other necessary activities. The O&M Plan includes detailed inspection and maintenance requirements for all structural BMPs, including copies of any maintenance contract agreements, manufacturer's maintenance requirements, permits, etc.

8.1.1 Project Information

Project name	Monterey Medical Center
Address	1050 Monterey Rd
City, State Zip	Stuart, FL 34994
Site size	5.327 Acres
List of structural BMPs, number of each	
Other notes	

8.1.2 Responsible Party

The responsible party for implementation of this WQMP is:

Name of Person or HOA Property Manager	Vincent Hermanns
Address	18 Kings Highway, Suite 109
City, State Zip	Middletown, NJ 07748
Phone number	561-293-3070
24-Hour Emergency Contact number	561-531-2568
Email	Vgh@aurumpropertypartners.com

8.1.3 Record Keeping

Parties responsible for the O&M plan shall retain records for at least 5 years.

All training and educational activities and BMP operation and maintenance shall be documented to verify compliance with this O&M Plan. A sample Training Log and Inspection and Maintenance Log are included in this document.

8.1.4 Electronic Data Submittal

This document along with the Site Plan and Attachments shall be provided in PDF format. AutoCAD files and/or GIS coordinates of BMPs shall also be submitted to the City.

Appendix ____

BMP SITE PLAN

Site plan is preferred on minimum 11" by 17" colored sheets, as long as legible.

Project Name: Monterey Medical Center

Signature: _____

[illegible]

Minor Maintenance

Frequency		Action
Monthly in first year		Check inlets and outlets for clogging and remove any debris, as required.
		Notes
☐ Month 1	Date:	
☐ Month 2	Date:	
☐ Month 3	Date:	
☐ Month 4	Date:	
☐ Month 5	Date:	
☐ Month 6	Date:	
☐ Month 7	Date:	
☐ Month 8	Date:	
☐ Month 9	Date:	
☐ Month 10	Date:	
☐ Month 11	Date:	
☐ Month 12	Date:	
Spring and Fall		Check inlets and outlets for clogging and remove any debris, as required.
		Notes
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
☐ Spring	Date:	
☐ Fall	Date:	
One year after commissioning and every third year following		Check inlets and outlets for clogging and remove any debris, as required.
		Notes
☐ Year 1	Date:	
☐ Year 4	Date:	
☐ Year 7	Date:	
☐ Year 10	Date:	
☐ Year 13	Date:	
☐ Year 16	Date:	
☐ Year 19	Date:	
☐ Year 22	Date:	

Major Maintenance

	Frequency	Action
Inlets and Outlets	Every 3 years	Obtain documentation that the inlets, outlets and vents have been cleaned and will function as intended.
		Notes
	☐ Year 1	Date:
	☐ Year 4	Date:
	☐ Year 7	Date:
	☐ Year 10	Date:
	☐ Year 13	Date:
	☐ Year 16	Date:
	☐ Year 19	Date:
	☐ Year 22	Date:
	Spring and Fall	Check inlet and outlets for clogging and remove any debris, as required.
		Notes
	☐ Spring	Date:
	☐ Fall	Date:
	☐ Spring	Date:
	☐ Fall	Date:
	☐ Spring	Date:
	☐ Fall	Date:
	☐ Spring	Date:
	☐ Fall	Date:
	☐ Spring	Date:
	☐ Fall	Date:
CULTEC Stormwater Chambers	2 years after commissioning	☐ Inspect the interior of the stormwater management chambers through inspection port for deficiencies using CCTV or comparable technique. ☐ Obtain documentation that the stormwater management chambers and feed connectors will function as anticipated.
		Notes
	☐ Year 2	Date:

Major Maintenance

Frequency		Action
CULTEC Stormwater Chambers	9 years after commissioning every 9 years following	☐ Clean stormwater management chambers and feed connectors of any debris. ☐ Inspect the interior of the stormwater management structures for deficiencies using CCTV or comparable technique. ☐ Obtain documentation that the stormwater management chambers and feed connectors have been cleaned and will function as intended.
	Notes	
	☐ Year 9	Date:
	☐ Year 18	Date:
	☐ Year 27	Date:
	☐ Year 36	Date:
	45 years after commissioning	☐ Clean stormwater management chambers and feed connectors of any debris. ☐ Determine the remaining life expectancy of the stormwater management chambers and recommended schedule and actions to rehabilitate the stormwater management chambers as required. ☐ Inspect the interior of the stormwater management chambers for deficiencies using CCTV or comparable technique. ☐ Replace or restore the stormwater management chambers in accordance with the schedule determined at the 45-year inspection. ☐ Attain the appropriate approvals as required. ☐ Establish a new operation and maintenance schedule.
	Notes	
	☐ Year 45	Date:

Major Maintenance

Frequency		Action	
Surrounding Site	Monthly in 1st year		
	☐ Check for depressions in areas over and surrounding the stormwater management system.		
	Notes		
	☐ Month 1	Date:	
	☐ Month 2	Date:	
	☐ Month 3	Date:	
	☐ Month 4	Date:	
	☐ Month 5	Date:	
	☐ Month 6	Date:	
	☐ Month 7	Date:	
	☐ Month 8	Date:	
	☐ Month 9	Date:	
	☐ Month 10	Date:	
	☐ Month 11	Date:	
	☐ Month 12	Date:	
	Spring and Fall		
	☐ Check for depressions in areas over and surrounding the stormwater management system.		
	Notes		
	☐ Spring	Date:	
	☐ Fall	Date:	
	☐ Spring	Date:	
	☐ Fall	Date:	
	☐ Spring	Date:	
	☐ Fall	Date:	
	☐ Spring	Date:	
	☐ Fall	Date:	
	☐ Spring	Date:	
	☐ Fall	Date:	
	☐ Spring	Date:	
	☐ Fall	Date:	
	Yearly		
	☐ Confirm that no unauthorized modifications have been performed to the site.		
Notes			
☐ Year 1	Date:		
☐ Year 2	Date:		
☐ Year 3	Date:		
☐ Year 4	Date:		
☐ Year 5	Date:		
☐ Year 6	Date:		
☐ Year 7	Date:		



CULTEC, Inc.

878 Federal Road • P.O. Box 280 • Brookfield, CT 06804 USA

P: (203) 775-4416 • Toll Free: 1(800) 4-CULTEC • www.cultec.com



RETENTION • DETENTION • INFILTRATION • WATER QUALITY

12. Request approval of expenditure of \$800 for soft body armor (ballistic vests) which will be reimbursed through a program by the Florida Department of Law Enforcement.

MOTION: COMMISSIONER KRUEGER; MOVED TO APPROVE EXPENDITURE OF \$800.00

SECOND: VICE MAYOR WALKER

ROLL CALL:

VICE MAYOR WALKER	YES	COMMISSIONER FOSTER	YES
COMMISSIONER KRUEGER	YES		
MAYOR RIFKIN	YES		

13. Request approval to submit application to U. S. Department of Justice Local Law Enforcement Block Grant in the amount of \$40,126. This grant requires a local match of \$4,458, which will come from local impact funds.

MOTION: COMMISSIONER KRUEGER; MOVED TO APPROVE

SECOND: VICE MAYOR WALKER

ROLL CALL:

VICE MAYOR WALKER	YES	COMMISSIONER FOSTER	YES
COMMISSIONER KRUEGER	YES		
MAYOR RIFKIN	YES		

QUASI-JUDICIAL HEARINGS

14. (AGENDA BACKUP TO BE PROVIDED AS AN ADDENDUM JUNE 21, 2001) Public Hearing to consider approval of a site plan for Monterey Medical Center, consisting of two medical office buildings totaling 82,106 square feet, located in a B-2 zoning district. Property located at 1100 S. W. Monterey Road. Applicant: Monterey Medical Center, L.C. Representative: Steve Garrett, Lucido & Associates.

MOTION: COMMISSIONER KRUEGER; MOVED APPROVAL

Monica Graziani gave a brief description of the project including conditions, which the applicant had agreed to with the exception of some revisions to condition #5.

Tom Lucido, representative for the applicant came forward to give a brief presentation on the project.

Monica Graziani added a revision to condition #5, "A timeframe that the improvements listed below are warranted no later than December 1, 2001."

Commissioner Krueger asked if staff was satisfied with the slash pine replacements.

Monica Graziani stated they were, and they have met the code in the mitigation and they will also pay into a tree fund. Approximately \$38,000.00.

Mr. Lucido stated, "There is a \$38,800.00 contribution with regards to the new Ordinance in the tree fund plus, the Ordinance makes the applicant enhance their landscaping costing another \$66,850.00 with a total of \$105,000.00 improvement."

MOTION: COMMISSIONER KRUEGER; MOVED APPROVAL OF A SITE
PLAN FOR MONTEREY MEDICAL CENTER.
SECOND: VICE MAYOR WALKER
ROLL CALL:
VICE MAYOR WALKER YES COMMISSIONER FOSTER YES
COMMISSIONER KRUEGER YES
MAYOR RIFKIN YES

FIRST READING OF ORDINANCES

MOTION: COMMISSIONER KRUEGER; MOTION TO READ THE ORDINANCES
BY TITLE ONLY
SECOND: VICE MAYOR WALKER
ROLL CALL:
THE MOTION CARRIED UNANIMOUSLY

15. ORDINANCE 1795-01: First reading of an Ordinance relating to penalties for a violation of the Land Development Regulations; providing specific penalties for the removal of trees in violation of the code.

MOTION: COMMISSIONER KRUEGER; MOVED TO APPROVAL
ORDINANCE 1795-01 ON FIRST READING.
SECOND: VICE MAYOR WALKER

ROLL CALL:
VICE MAYOR WALKER YES COMMISSIONER FOSTER YES
COMMISSIONER KRUEGER YES
MAYOR RIFKIN YES

16. ORDINANCE 1796-01: First reading of an Ordinance relating to grading, clearing, and excavating; providing definitions; providing for monetary penalties for the grading, clearing, or excavating of land in violation of the Stuart Land Development Code.

MOTION: COMMISSIONER FOSTER; MOVED TO APPROVE ORDINANCE 1796-01
ON FIRST READING.
SECOND: COMMISSIONER KRUEGER

ROLL CALL:
VICE MAYOR WALKER YES COMMISSIONER FOSTER YES
COMMISSIONER KRUEGER YES
MAYOR RIFKIN YES

17. ORDINANCE 1797-01: First reading of an Ordinance providing for an amendment to the City Comprehensive Plan to provide Future Land Use designations of "Conservation," "Low Density Residential," "Office Residential," "General Commercial," "Multi-Family Residential," and "Recreation" on the City Future Land Use Map for a 185.4 acre parcel of land known as the "DeBartolo Property" located on the south side on Jensen Beach Boulevard east of U. S. Highway One in a portion of Block 2 and a portion of Block 3, Section 20, Township 37 South, Range 41 East, Plat No. 1, St. Lucie Gardens, as recorded in Plat Book 1, Page 35,

INSTR # 2170962
OR BK 02415 PG 0986
Pgs 0986 - 10001 (15pgs)
RECORDED 10/02/2009 04:35:40 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
RECORDED BY C Hunter

Return to:

City Attorney's Office
City of Stuart
121 SW Flagler Street

Stuart, FL 34994

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 105-09

A RESOLUTION TO THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A SITE PLAN AMENDMENT TO A MAJOR SITE PLAN PROPOSED BY MONTEREY MEDICAL CENTER, LLC, OWNERS OF THE PROPERTY. AS DESCRIBED IN THE WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1522, PAGE 1826, PUBLIC RECORDS OF MARTIN COUNTY FLORIDA, LYING IN THE CITY OF STUART; PERMITTING DEVELOPMENT IN ACCORDANCE WITH SUCH MAJOR SITE PLAN OF APPROXIMATELY 9,500 TOTAL SQUARE FEET OF BUILDING AREA; PROVIDING FOR CONDITIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission meeting to consider the application of the Owner for the Property to approve "MONTEREY MEDICAL CENTER, LLC" an amendment to a Major Site Plan; and

WHEREAS, the City Commission has determined the application is consistent with the overall planning and development goals and objectives of the City; and

WHEREAS the site plan for the subject property proposes 9,500 SF of Medical Office building.

WHEREAS the major site plan for the subject property has maximized the use of available real estate and adjacent public rights-of-way;

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

SECTION 1: A legal description of the property is set forth in **Exhibit "1"** attached hereto and made a part hereof by reference. A map depicting the Property is attached hereto as **Exhibit "2"** and made a part hereof by reference. The conditions of development for the property including a Final Site Plan with a revision date of 02-23-09, Landscape Plans with a date of 02-20-09 and Elevations dated 02-20-09 are attached hereto consisting of multiple pages as **Exhibits "3" through "6"** and made a part hereof by reference. The **Development Conditions** are attached hereto as **Exhibit "7,"** are made a part hereof by reference. Said Development Conditions include a "Development Timetable" as Item 21., and in consideration of this approval, the Applicant and Owner waive the right to claim a 2-year extension to the development timetable, as otherwise provided in Sec. 14, Chap. 2009-96, Laws of Florida.

SECTION 2: The City Commission hereby approves a site plan amendment to a Major Site Plan approval to Monterey Medical Center, LLC, owners of certain real property located at 1155 SE Monterey Road Extension as described in warranty deed recorded in OR book 1522, page 1826, public records of Martin County, Florida.

SECTION 3: The purpose of this site plan amendment to a major site plan approval is to allow for the development of a one story medical office building located at 1155 S.E. Monterey Road Extension.

SECTION 4: This resolution shall take effect upon adoption.

Commissioner KRAUSKOPF offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner WAXLER and upon being put to a roll call vote, the vote was as follows.

JAMES A. CHRISTIE, JR., MAYOR
MICHAEL J. MORTELL, VICE MAYOR
JEFFREY A. KRAUSKOPF, COMMISSIONER
CAROL S. WAXLER, COMMISSIONER
MARY L. HUTCHINSON, COMMISSIONER

YES	NO	ABSENT
X		
X		
X		
X		
X		

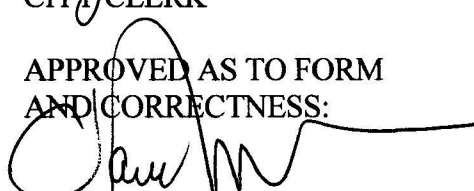
ADOPTED this 14th day of SEPTEMBER, 2009.

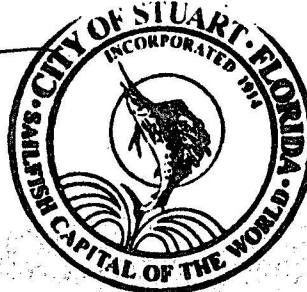
ATTEST


CHERYL WHITE
CITY CLERK


JAMES A. CHRISTIE, JR.
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:


PAUL J. NICOLETTI
CITY ATTORNEY

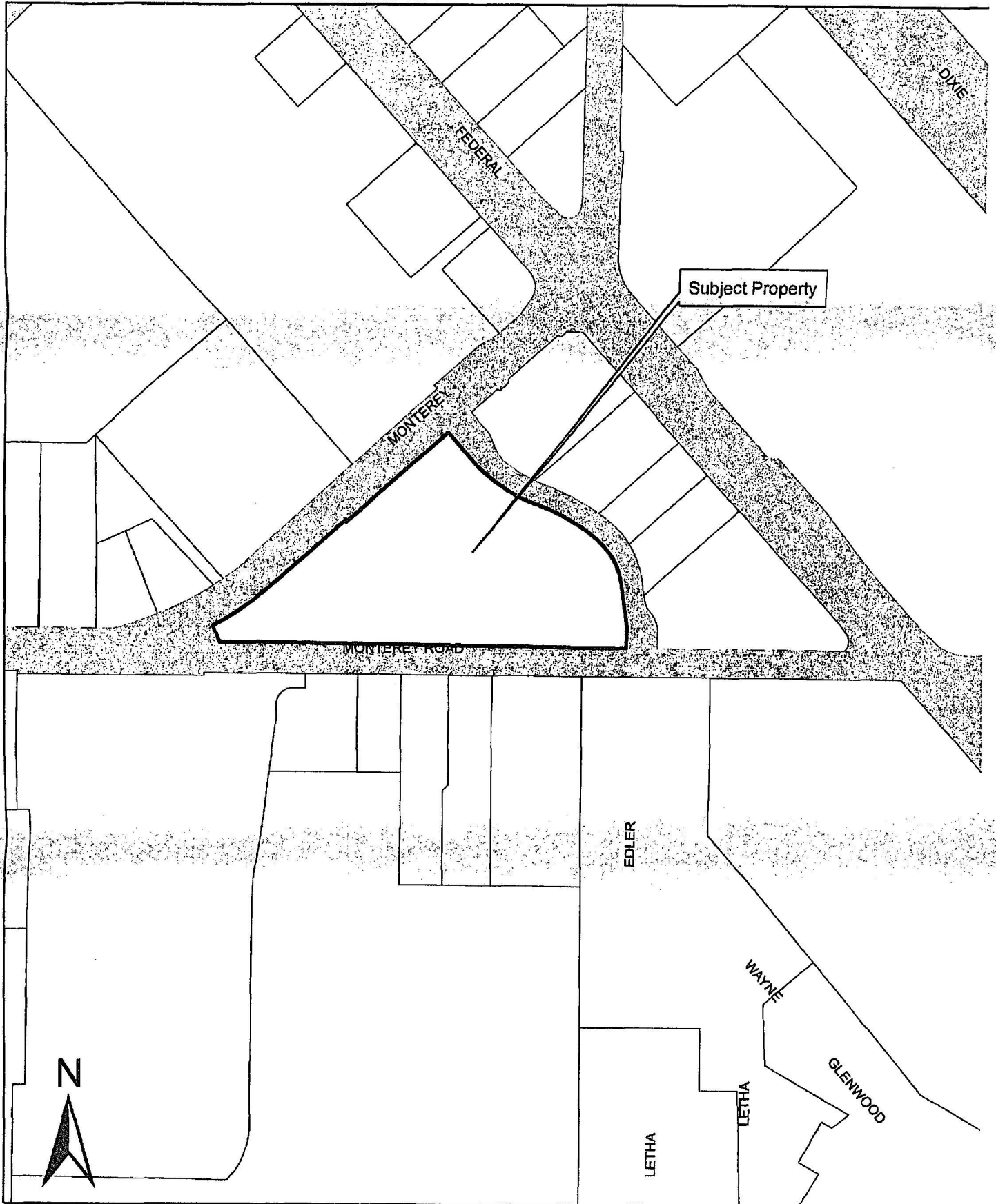


RENDERED & FILED IN
THE OFFICE OF
THE STUART CITY CLERK
ON September 25, 2009

LEGAL DESCRIPTION

LOTS 6, 7, AND 8, PLAT OF MONTEREY TRIANGLE, ACCORDING TO THE MAP OR
PLAT THEREOF AS RECORDED IN THE PLAT BOOK 14, PAGE(S) 86, PUBLIC
RECORDS OF MARTIN COUNTY, FLORIDA

Monterey Medical Center Location Map 2



LEGAL DESCRIPTION

ABBREVIATIONS

- LEGEND**

- ### LEGAL DESCRIPTION

GENERAL NOTES

- ### CERTIFICATION

BOUNDARY & TOPOGRAPHIC SURVEY
FOR MONTEREY MEDICAL CENTER

MONTEREY MEDICAL CENTER
QUART, MARTIN COUNTY, FLORIDA.

SHEET NO. _____
OF _____
PROJECT NO. 17395.00

Keith & Schnars P.A.
ENGINEERS • PLANNERS • SURVEYORS

202 Laurel St. Lyngdale Drive
Studio 302 Fort St. Louis, MO 63102

Phone (314) 323-2344
Telex 1537

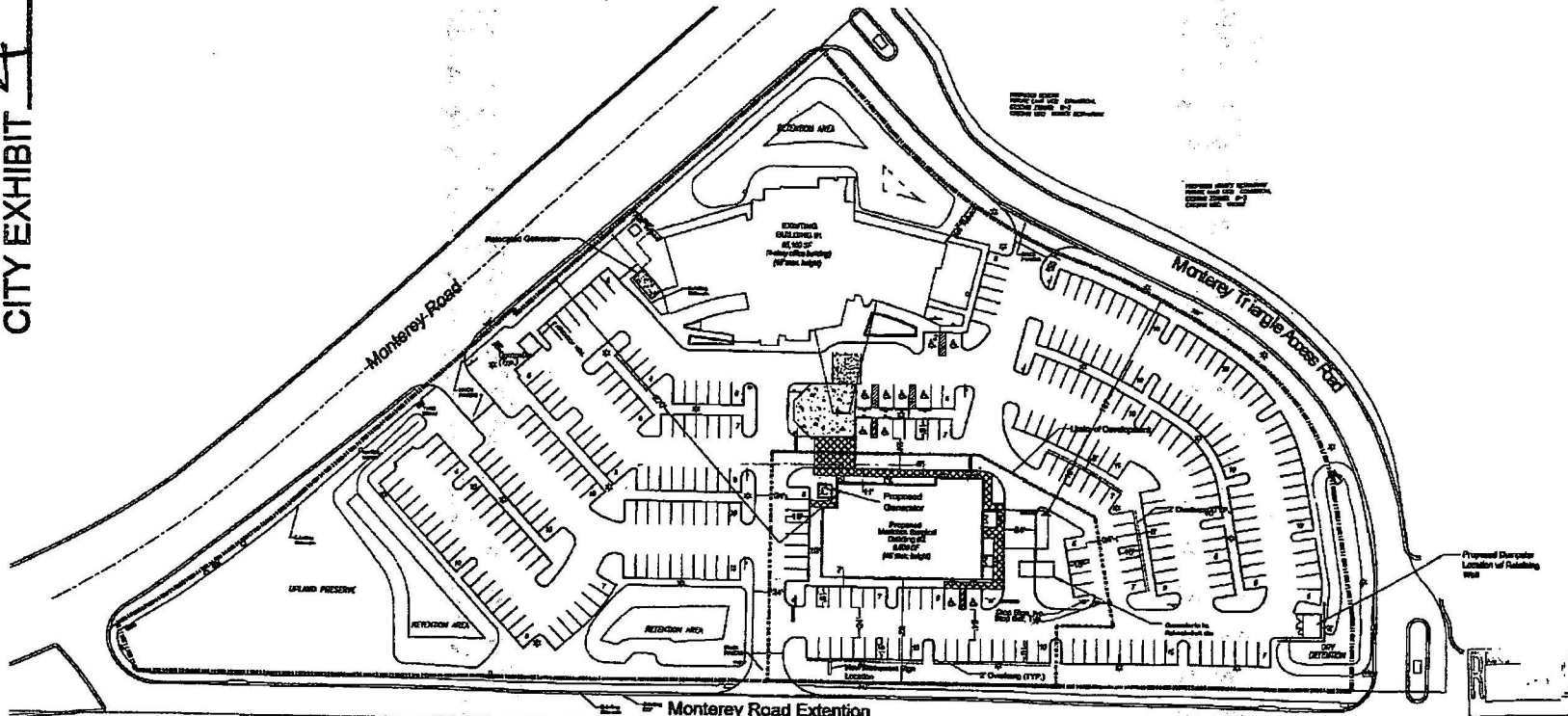
DATE	REVISIONS

DATE	2008 JAN 23
SCALE	1 : 40'
FIELD BOOK	
DRAWN BY	bm

--	--

City of Stuart

CITY EXHIBIT 4



SITE DATA:

Total Site Area:	(274,493 sf) 6.3 ac.	(100%)
Future Land Use Designation:	Commercial	
Existing Zoning:	B-2	
Building Coverage:	24,861 sf	(9%)
Maximum Height:	45'	
Total Parking:	337 Spaces	

AREA CALCULATIONS:

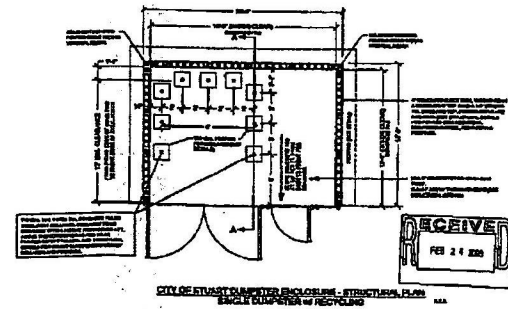
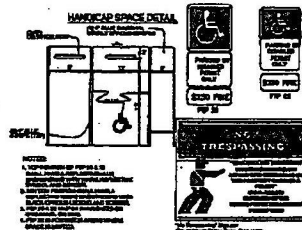
Total Site Area:	(274,493 sf) 6.3 ac.	(100%)
Total Pervious Area:	114,898 sf 2.64 ac.	(42%)
Total Impervious Area:	159,595 sf 3.66 ac.	(58%)

PARKING CALCULATIONS:

Required Parking:	337 spaces
Based on:	
Bldg 1: 65,106 sf/200 =	325 sp.
Bldg 2: 9,500 sf/200 =	47 sp.
Parking Canopy =	(35 sp.)
Provisionally approved * Parking reduction of 36 spaces based on cross-site between both facilities with the same doctors offering both buildings and a large percentage of patients being dropped off and picked up.	
Provided Parking:	337 spaces
Req. Handicap Spaces: (301-400-8)	8 spaces
Provided Handicap Spaces:	10 spaces

GENERAL NOTES:

1. All existing and proposed structures shall be constructed in accordance with the latest edition of the Florida Building Code, as amended.
2. All existing and proposed structures shall be constructed in accordance with the latest edition of the Florida Building Code, as amended.
3. All existing and proposed structures shall be constructed in accordance with the latest edition of the Florida Building Code, as amended.
4. All existing and proposed structures shall be constructed in accordance with the latest edition of the Florida Building Code, as amended.
5. All existing and proposed structures shall be constructed in accordance with the latest edition of the Florida Building Code, as amended.
6. All existing and proposed structures shall be constructed in accordance with the latest edition of the Florida Building Code, as amended.
7. All existing and proposed structures shall be constructed in accordance with the latest edition of the Florida Building Code, as amended.
8. All existing and proposed structures shall be constructed in accordance with the latest edition of the Florida Building Code, as amended.
9. All existing and proposed structures shall be constructed in accordance with the latest edition of the Florida Building Code, as amended.
10. All existing and proposed structures shall be constructed in accordance with the latest edition of the Florida Building Code, as amended.



STU
Lundie & Associates
Civil/Structural/Architectural
1000 N. W. 10th Ave., Suite 200
Stuart, FL 34994
Tel: 888-222-2222
Fax: 888-222-2222

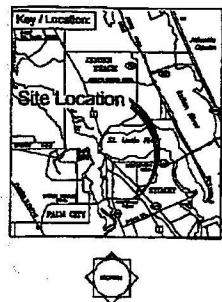
**TREASURE COAST
CENTER FOR SURGERY**
STUART FL

THIS PLAN WAS PREPARED BY THE ARCHITECT FOR THE PROJECT AND IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS PLAN FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED.

**DAVIS-STOKES
COLLABORATIVE, P.C.**
J.D.C.-B.-I.-I.-C.-I.-S
701 COASTAL AVE. SUITE 200 STUART, FL 34994
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WWW.DAVISSTOKES.COM

**Final Site
Plan**
10-00-00 Initial Submittal
City of Stuart

TEACHER SPOT TV
MULTIPLYING SPELLS LEAV' AND DESIGNED ③



Total Site Area:	(274,493 sq ft) 6.3 ac.
Development Area:	(42,191 sq ft) 0.97 ac.
Landscape Area Required (20%):	8,438 sq ft.
Landscape Area Provided:	9,506 sq ft.
Total Trees Required: (42,191 / 2500)	17
Total Trees Provided:	21
6-canopy = 6 credits 15-canopy canopy = 15 credits	
Perimeter Trees Required/ Provided: 212 ft. adjacent to street 220' x 30' = ?	7/5
Perimeter Groundcover Req/ Provided: 212 ft. adjacent to street 212 x 30 = 2280 x .25 = 530 sq ft	530 sq./530 sq ft.
Interior Trees Required/ Provided: 3133 sq. ft. / 500 = 62	6/9
Shade Trees Required (50%)	3
Shade Trees Provided:	9

100% drought tolerant grass seed	93 pts.
More than 85% drought tolerant shrub material used	10 pts.
More than 85% drought tolerant trees and palms used	10 pts.
85% more than the required shade tree in volunteer tree area	60 pts.
Location of proposed mulched planting beds 3' deep	10 pts.
Total Landscape Points:	90 pts.

LOTS 2, 7 AND 8, PLAT OF SECRETARY TRIMMERS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 24, PAGE 68-69, PUBLIC RECORDS OF MARION COUNTY, IN MISSOURI.

Landowners must deal in particular with the complex nature of political reality to maintain the environment in a state of ecological balance. An ecological system must be designed, installed and maintained in order to prevent the pollution of the environment and to help maintain the ecological balance, and to help maintain the ecological balance.

SYM		QTY	COMMON	BOTANICAL	SIZE
TREES					
IE	3		East Palatka Holly	<i>Ilex x attenuata</i> 'East Palatka'	relocated from site
IE-1	2		East Palatka Holly	<i>Ilex x attenuata</i> 'East Palatka'	16 HTx6" SPx, 4" C, STD, 4 CT, AS
MG	1		Southern Magnolia	<i>Magnolia grandiflora</i>	14, 4 HTx 7 SPx, 3 CT, AS
QV	1		Live Oak	<i>Quercus virginiana</i>	relocated from site
SPE	5		Ranah Cherry	<i>Spygyum paniculatum</i> 'Rothbarn'	25G, 10-12HT STD, mounding, 4 CT, Calusa Creek Farm
PALEM TREES					
AM	7		Christmas Palm	<i>Adonidia merrillii</i>	25G, 8 CT, DB, SP, AS
ACCENTS					
COB	3		Black Magic TI Plant	<i>Cordyline terminalis</i> 'Black Magic'	7G, 4 HTx3" SPx, 3FP, SP, AS
SHRUBS					
CSR	221		Red Tiptop Coccoloba	<i>Coccoloba</i> 'taceo' 'Red Tip'	3G, 24" HTx18" SPx, 8, 30"OC
SYR	9		Bumk Cherry	<i>Syzygium paniculatum</i>	3G, 6 HTx18" SPx, 30" OC
TRD	15		Falschischer Gums	<i>Tristania dactyloides</i>	3G, 24" OA, F, 4" OC
VRO	22		Sweet Viburnum	<i>Viburnum odoratissimum</i>	3G, 30" HTx24" SPx, FTB, 30" OC
GROUND COVERS					
DIT	26		Blueberry Frits Lily	<i>Dianella tasmanica</i>	3G, 15" OA, F, 1"OC
ILS	145		Dwarf Yampou	<i>Ilse yonioides</i> 'Seikos Dwarf'	3G, 12" HTx 8, 18" OC
JUP	171		Chinese's Jumper	<i>Juniperus chinensis</i> 'Purpurea'	3G, 10" HTx18" SPx, 8, 24" OC
RAI	38		Dwarf Indian Hawthorn	<i>Raphiophloe indica</i>	3G, 12" HTx18" SPx, 8, 24" OC
TRF	90		Dwarf Falschischer Gums	<i>Tristania floridana</i>	3G, 18" OA, F

RECEIVED
FEB 24 2009

Sheet 1 of 3

Locals 100-100	100-100
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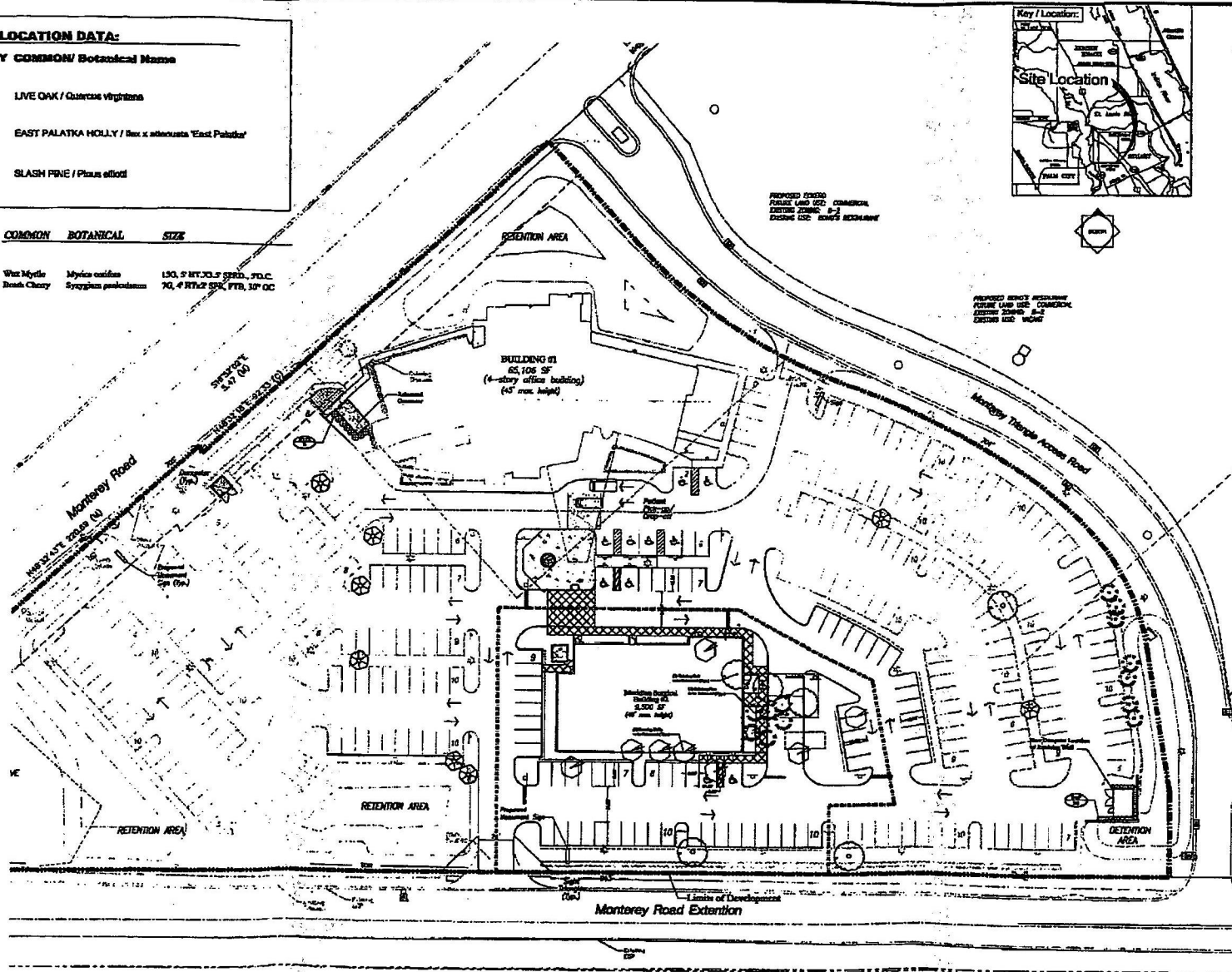
TREE RELOCATION DATA:

SYM QTY COMMON/Botanical Name

- 3 LIVE OAK / *Quercus virginiana*
- 8 EAST PALATKA HOLLY / *Ilex x attenuata* 'East Palatka'
- 7 SLASH PINE / *Pinus ellioti*

PLANT LIST

SYM	QTY	COMMON	BOTANICAL	SIZE
SHRUBS				
MY15	2	Wax Myrtle	<i>Myrica carolinensis</i>	150, 5' HT, 30, 5" SPREAD, 70, C.
SYF	23	Rose Cherry	<i>Syringia paniculata</i>	70, 4' HT, 2' SP, 17, 3" OC



Land & Associates
 1000 S. US HWY 1, SUITE 100
 WEST PALM BEACH, FL 33411
 TEL: 561-833-1100
 FAX: 561-833-1101
 WWW.LAND-ASSOCIATES.COM

**TREASURE COAST
 CENTER FOR SURGERY**
 STUART, FL

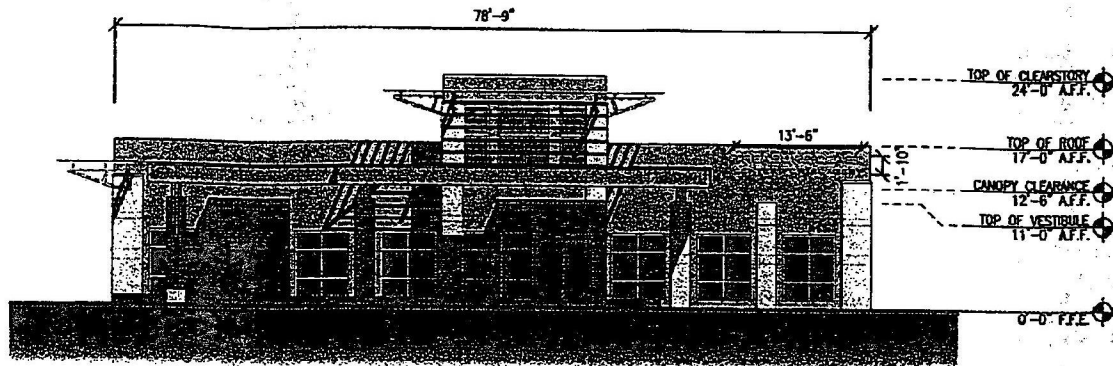
THE SERVICES OF LAND & ASSOCIATES, INC. ARE PROVIDED FOR THE PREPARATION OF THIS SITE PLAN. THE CLIENT HAS REVIEWED AND APPROVED THE SITE PLAN AND THE SERVICES OF LAND & ASSOCIATES, INC. ARE NOT BEING PROVIDED FOR THE PREPARATION OF THIS SITE PLAN.

**DAVIS STOKES
 COLLABORATIVE, P.C.**
 A.R.C.C. - I.T.R.C.C. - S
 740 CHESAPEAKE BLVD., SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-754-4000 FAX: 561-754-4001
 WWW.DAVISSTOKES.COM

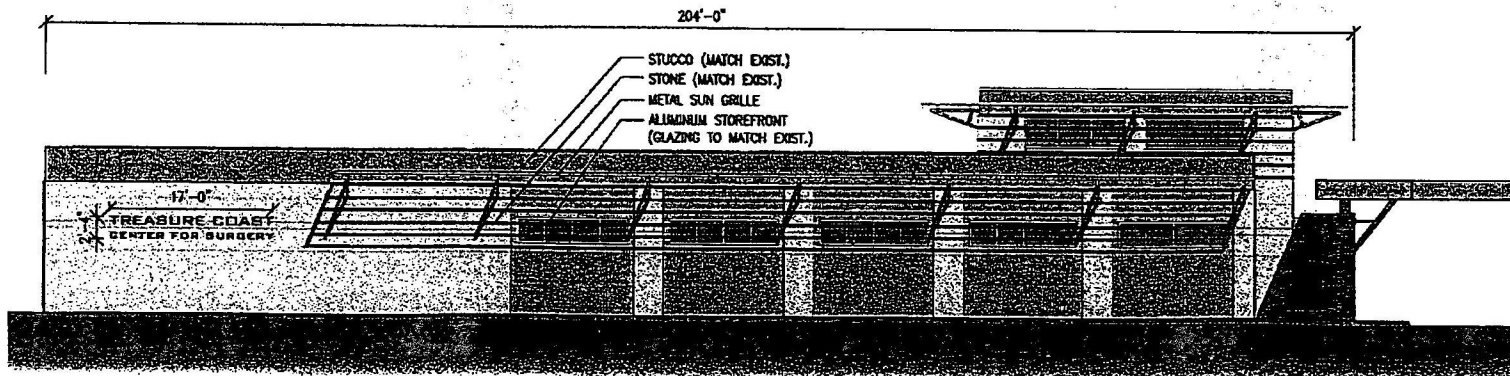
**Tree
 Relocation
 Plan**

Sheet 2 of 3

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EAST ELEVATION



SOUTH ELEVATION

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TREASURE COAST
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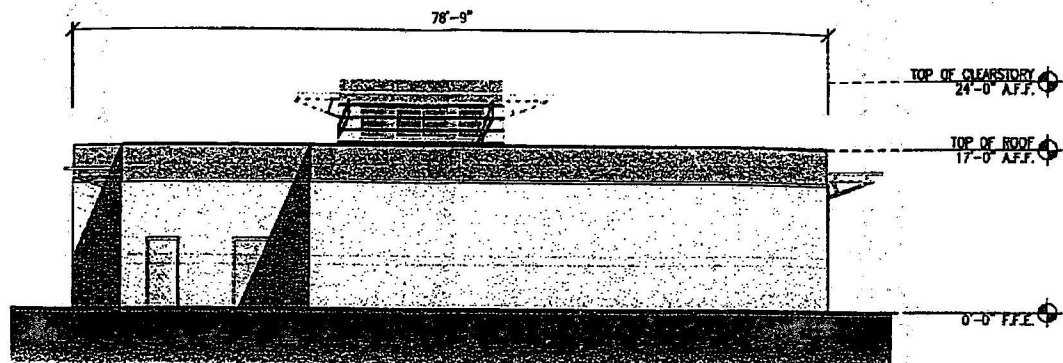
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7111 OCEAN BLVD. SUITE 1000, WEST PALM BEACH, FL 33411
TEL: 561-831-5010 FAX: 561-831-5011
http://www.dscc.com

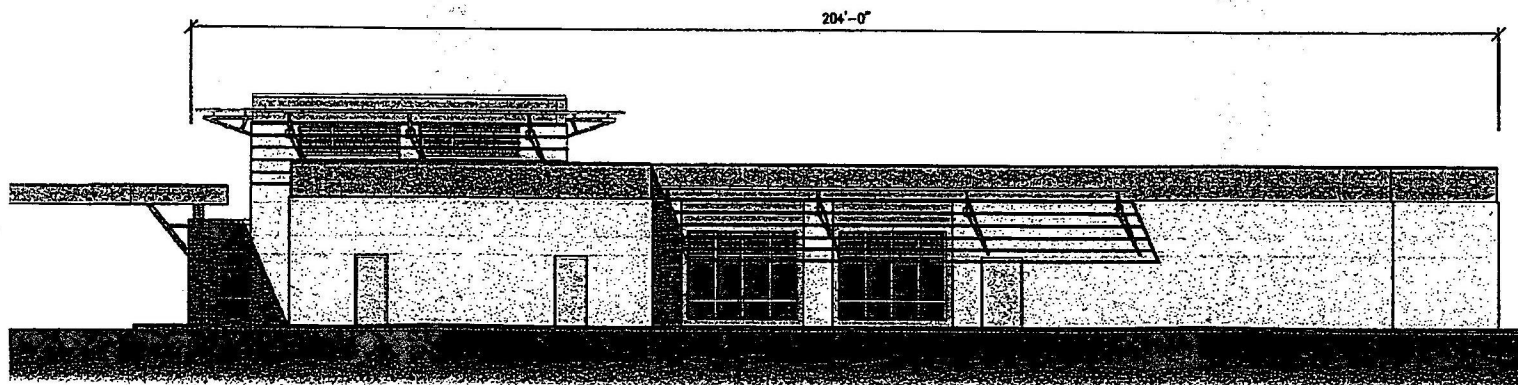
DATE: 02/20/09

JES / 02073

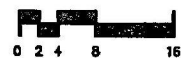
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WEST ELEVATION



NORTH ELEVATION



TREASURE COAST
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STUART FL

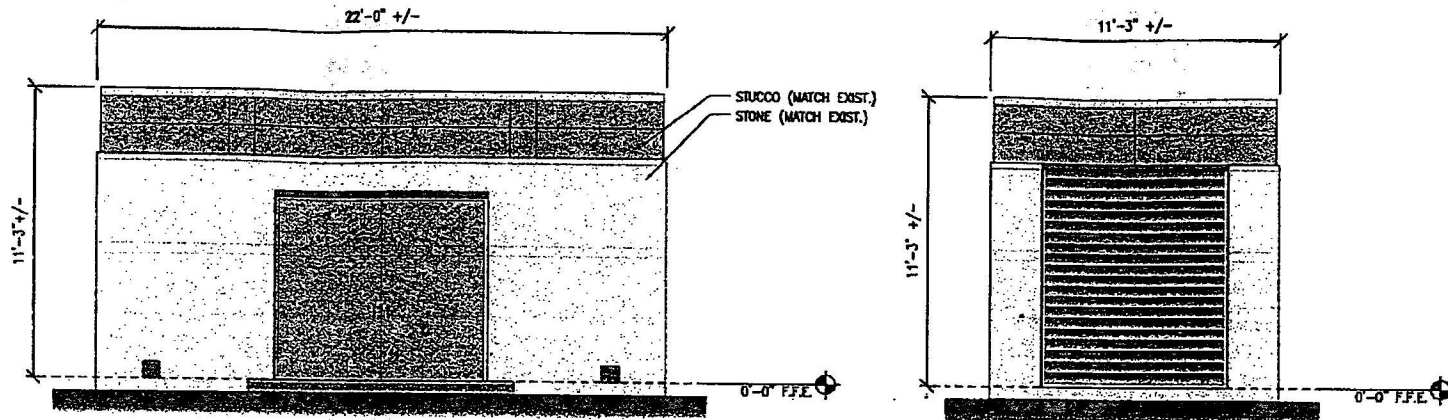
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731 CROSSCANE BLVD. WESTWOOD, TENNESSEE 37093
TEL: 615-724-8818 FAX: 615-724-2000
http://www.dscc.com EMAIL: dscc@dscc.com

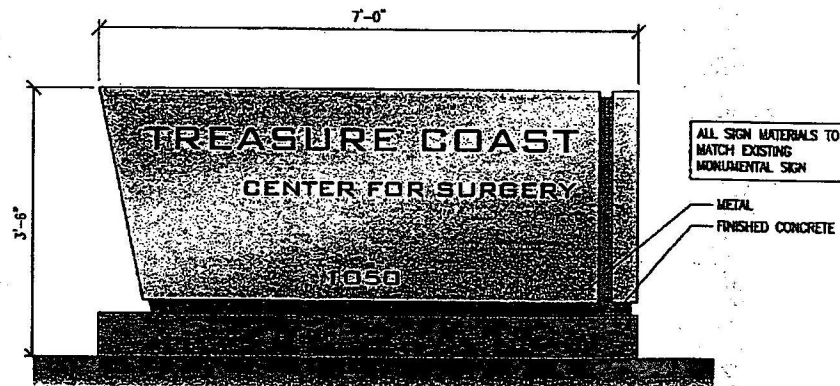
DATE: 02.20.09

JOB # 09773

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GENERATOR ENCLOSURE ELEVATIONS



MONUMENTAL SIGN ELEVATION



TREASURE COAST
CENTER FOR SURGERY

STUART

FL

ALL SIGN MATERIALS TO MATCH EXISTING MONUMENTAL SIGN

DAVIS-STOKES
COLLABORATIVE, P.C.
1-800-8-1-1-1-1-1-1
710 CROSSROADS BLVD. SUITE 200
STUART, FL 34994
TEL: 888-776-0010
FAX: 888-776-0010
WWW.DAVIS-STOKES.COM

DATE: 02.10.09

JOB # 07023

Resolution # 105-09 Monterey Medical Center, LLC Development Conditions

Based upon the following conditions, staff offers no objection to the applicant's request to allow the construction of a **one story medical building** and related site improvements.

1. The project shall adhere to the Final Site Plan and Landscape Plan as prepared by Lucido & Associates, Job # 07073. Last revision dated 02-23-09 and 02-20-09.
2. The project shall adhere to the Architectural Elevations prepared by Davis Stokes Collaborative, P.C. Architects. dated 02.20.09.

Prior to Issuance of Development Permits

1. Applicant shall provide a digital boundary survey and civil site plan prior to the issuance of a development permit.
2. All construction drawings shall be reviewed and approved by all applicable City departments.
3. All regulatory agency permits, including but not limited to the South Florida Water Management District and Army Corp of Engineers shall be obtained by the applicant and copies provided to the City prior to the issuance of a development permit.
4. Development shall comply with the City's Concurrency Management System prior to the issuance of development permits. A concurrency reservation certificate shall be binding upon the applicant meeting the following three standards:
 - Site Plan construction approval;
 - The issuance of building permits to commence construction; and
 - Pays all applicable impact and permit fees.

Development and Construction

5. Construction activity shall be limited from 7:00 am to 6:00 pm Monday – Saturday.
6. All mechanical equipment associated with the development shall be roof top or located behind the building and decoratively screened or landscaped with hedge material.
7. Backflow prevention devices and above ground utilities shall be delineated on the landscape plans during final site plan review and shall be out of view or screened from the public right-of-way.

8. The property owner agrees to be liable for burying overhead utilities adjacent to or upon its property, other than FPL transmission lines - whenever the City requires adjacent property owners to do the same as part of a comprehensive streetscape scheme. This provision shall not expire upon the transfer of the property from one owner to the next owner, but shall be deemed to "run with the land," and each and every deed out of an owner, as Grantor, and of all subsequent owners as grantors, shall contain this same provision, until such time as the overhead utilities are buried, and this provision is released by the City. This condition shall be memorialized by a separate writing signed by the owner and recorded in the public records of Martin County, as a deed restriction on the property.
9. Erosion and dust control measures to be implemented during construction shall be provided on the civil engineering plans and submitted during final site plan review. Water trucks shall be provided by the applicant as necessary during construction in order to reduce dust generated on-site.
10. All pole lighting, bollards, fencing and similar structures shall be of a decorative character. Poles for lighting in the parking areas shall not exceed 25 ft. in height and shall not exceed 15 ft in height in pedestrian areas. All lighting shall have a consistent theme throughout the development.
11. Construction of all permanent buildings shall be of concrete and/or masonry units. Architectural enhancements may be made of complimentary materials.
12. All utility improvements constructed by the developer within the City's right-of-way including all lift stations shall be conveyed to the City in a manner and form acceptable to the City Attorney and the City Public Works Director. The developer shall convey an easement for any utilities required for the development of the site that are not located within the public right-of-way.
13. Building addresses and/or numbers shall be in plain view and shown on the building plan submitted at the time of building permit application in accordance with the City Code and shall be consistent with the sign plan.
14. Street furniture provided on-site shall be of high quality and aesthetically pleasing appearance. Street furniture shall be reviewed and approved by staff prior to the issuance of a development permit.
15. Any sidewalk damaged during construction shall be repaired or replaced prior to the issuance of a Certificate of Occupancy for the last building.
16. No temporary or modular buildings are permitted on the property. Construction trailer(s) may be permitted during site and building construction.
17. Billboards are prohibited on the property.

18. Banners and any other sign or advertising device not in accordance with the City's Land Development Regulations are prohibited.
19. Existing monitoring wells for the City's Landfill shall be preserved and used for monitoring purposes.
20. Sidewalks shall be constructed at a minimum width of six feet (6').

Development Timetable

21. Time table for development shall be as follows:

Site Permit Submission	April 1, 2010
Building Permit Submission	July 1, 2010
Certificate of Occupancy Issued	December 1, 2012

NOTE: BY ACCEPTING CONDITION No.21, THE APPLICANT AND OWNER HEREBY WAIVE ANY RIGHTS THEY MAY HAVE TO CLAIM A 2-YEAR EXTENSION TO THE DEVELOPMENT TIMETABLE AS OTHERWISE PROVIDED BY SEC. 14, CHAP. 2009-96, LAWS OF FLORIDA.

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

Meeting Date: 9/14/2009

Prepared by: Tom Reetz

Ordinance/Resolution No. 105-09

Title of Item:

Monterey Medical Center - (Surgical Center)

Public Hearing: Request to amend a previously approved major site plan, including a list of conditions and revised timetable for development.

Summary Explanation/Background Information on Agenda Request:

The project is located along Monterey Road at the Monterey Extension and was approved in June 2001. When originally approved, the out-parcel was anticipated to be developed as a two-story, 12,400 square foot medical office. An amendment to a major site plan is necessary to allow for a revised out-parcel configuration to accommodate a one-story medical office building (Surgical Center) of 9,500 square feet.

Funding Source:

NA

Recommended Action:

The proposed use for the property has been examined for consistency and compatibility with the surrounding land uses as well as compliance with the City of Stuart Comprehensive Plan. Staff recommends APPROVAL of the request for a site plan amendment BASED ON THE CONDITIONS SET FORTH IN RESOLUTION NO. 105-09 (ATTACHMENT B)

[Click here to sign this section](#)

Department Director

9/9/2009

X 

City Attorney

9/9/2009

X 

City Manager

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON SEPTEMBER 14, 2009
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

Roll call was answered by:
Mayor James A. Christie
Vice Mayor Michael Mortell
Commissioner Carol S. Waxler
Commissioner Jeffrey A. Krauskopf
Commissioner Mary Hutchinson

Also present were:
City Manager: Dan Hudson
City Attorney: Paul J. Nicoletti
City Clerk: Cherie White

Mayor Christie delivered the Invocation, followed by the Pledge of Allegiance led by the Commission.

PRESENTATIONS

- 1. PROCLAMATION: Proclaiming Constitution Week September 17-23, 2009**

Portia Scott graciously accepted the Proclamation and thanked the City.

- 2. PROCLAMATION: Proclaiming 81st Observance of the Hurricane of 1928, on September 16, 2009**

Dr. Willie Jay Thompson graciously accepted the Proclamation and thanked the City.

- 3. Florida Festival and Events SUNsational Awards**

Jim Chrulski came forward and announced several awards that the City has won. One of the awards was the; Best Private Public Partnership. He wanted to recognize those who participated in the several events. Those recognized are; Commissioner Hutchinson, John Bella, Dominick Bonito, Chris Sawicki and Inez Frid. He presented Inez Frid a commemorative plaque from the City of Stuart.

Inez Frid came forward and graciously accepted the award.

Commissioner Hutchinson announced the upcoming Riverwalk Jazz event to be held the first Sunday in October from 1-4 pm.

Mayor Christie wanted to recognize Commissioner Don O'Steen and Commission Jackie Thurlow Lippish of the Town of Sewalls Point.

COMMENTS BY CITY COMMISSIONERS

Commissioner Hutchinson read an email from someone who enjoyed the free movies at the Lyric Theatre, as part of the CRA's Free Summer Movies at the Lyric program. Commissioner Hutchinson asked that we continue that project next year.

Commissioner Krauskopf noted that he sent out about 200 notes from the community and received a rather significant number of detailed responses, as to what they would like to see the City accomplish in the next fiscal budget year. He said he would be putting together a list from the easier to the more difficult things.

COMMENTS BY CITY MANAGER

City Manager Hudson recalled an earlier direction for application to FCT for Willoughby Blvd right-of-way exchange. He stated it is on the FCT agenda for September 24, 2009.

He also mentioned the Special Event Fees should be on the next agenda. Also scheduled is a CRA meeting for September 1, 2009 at 5:00 p.m. He stated we are going to strive to hold at least one CRA meeting a month.

Item 9 Revised Resolution.

Item 12: Interlocal Agreement with Sewalls Point for Fire Rescue Service.

Item #15: A request has been made by the applicant to withdraw the item completely. He stated that apparently the space has been leased to a different tenant.

COMMENTS FROM THE PUBLIC (Non-Agenda Matters Only – 5 min. max)

Helen McBride came forward to thank the City for their efforts in responding to her concerns expressed at past hearings.

Stanley Huddleston, resident of Cardinal Way, referenced the proposed City pier that has been rejected by his neighborhood and suggested the pier be relocated to another neighborhood that would like to have it – namely the dead end street at the end of Manor Drive.

APPROVAL OF AGENDA

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE AGENDA AS AMENDED.

SECOND: VICE MAYOR MORTELL

MOTION APPROVED UNANIMOUSLY

CONSENT CALENDAR

4. Request to approve the minutes of the regular Commission Meetings of August 10, 2009 and August 24, 2009
5. Approval of deadline change with EcoVentures LLC Lease from September 1, 2009 to September 15, 2009

6. **RESOLUTION 96-09 Authorization to execute an underground facilities conversion agreement with Florida Power & Light Company**
7. **RESOLUTION 97-09 Authorization to execute a special construction agreement with AT&T, Inc.**
8. **RESOLUTION 102-09 Authorization to approve the award of invitation to bid (ITB) 2009-243 Chemicals; Water/Wastewater Treatment Plants to the lowest, most responsive and responsible bidders**
9. **RESOLUTION 103-09 Authorizing to execute an Interlocal Agreement between the City of Stuart and Martin County to provide for construction of a Southbound right turn lane on SR 707 at N.W. Wright Boulevard**
10. **RESOLUTION 104-09 Authorization to execute an Interlocal Agreement between the City of Stuart and Martin County to provide for traffic signal installation and maintenance on SR-5 (US-1/Federal Highway) at SE Slater Street, NW Baker Road and NW Windemere Drive**
11. **RESOLUTION 105-09 Authorization to approve a site plan amendment to a major site plan proposed by Monterey Medical Center, LLC, permitting development in accordance with such major site plan of approximately 9,500 total square feet of building area (Quasi-Judicial)**
12. **RESOLUTION 107-09 Authorization to execute an Interlocal Agreement between the City of Stuart and the Town of Sewall's Point to provide for fire-rescue protection, fire inspection and emergency medical services commencing October 1, 2010**
13. **RESOLUTION 108-09 Authorizing a budget amendment to the 2008-2009 annual general fund operating budget to transfer funds from general fund, fund balance to general government operating expenditures in the amount of \$112,140.86 for the expenditures of funds for payment due to a prior employee for a lump sum distribution from the terminated City Pension Plan (transferred to the Florida Retirement System on September 1, 2006), the excess funding which was transferred to general fund, fund balance in 2007, in the amount of \$112,140.86**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE CONSENT AGENDA

SECOND: COMMISSIONER WAXLER

ROLL CALL

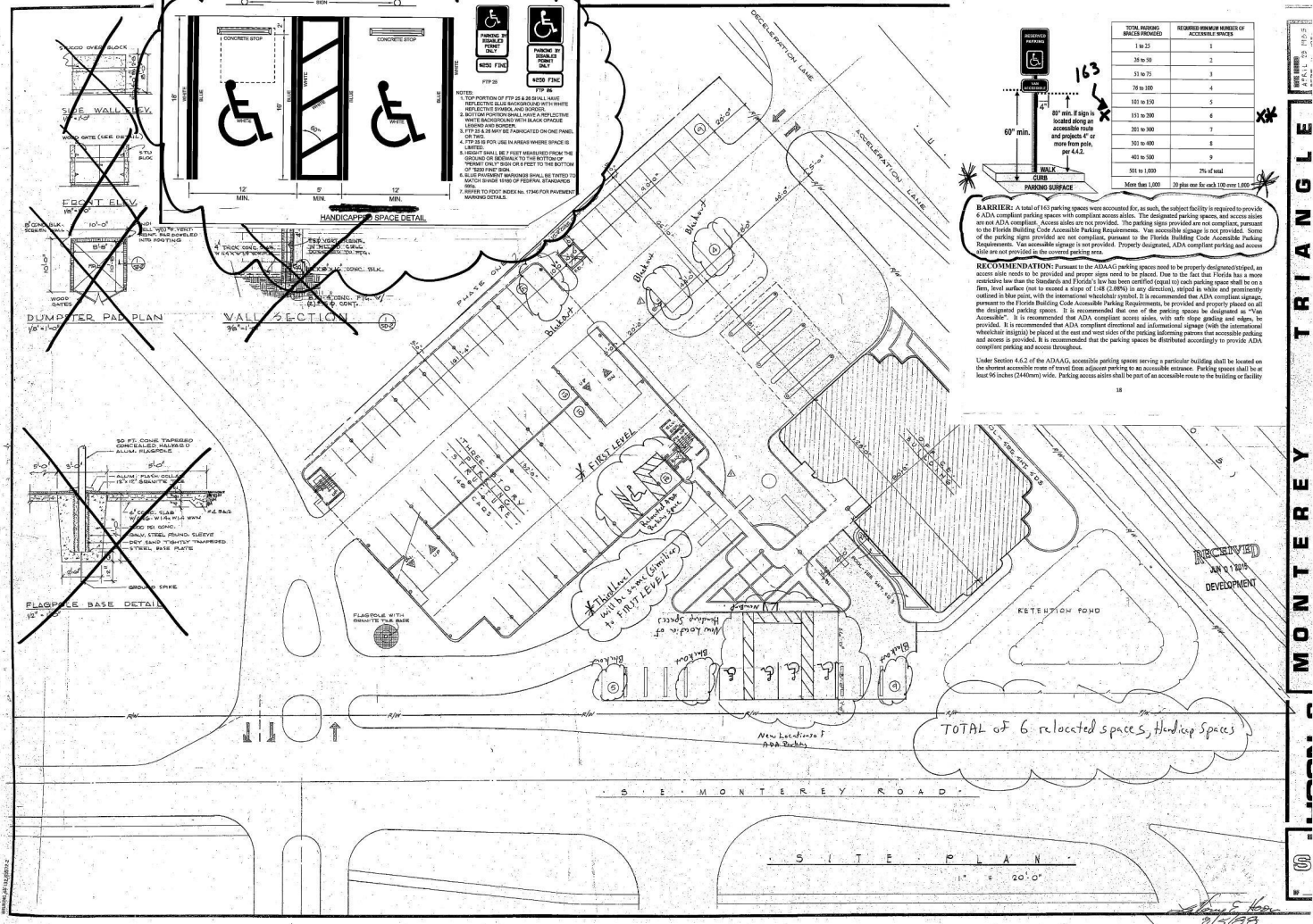
MAYOR CHRISTIE	YES	VICE MAYOR MORTELL	YES
COMMISSIONER WAXLER	YES	COMMISSIONER HUTCHINSON	YES
COMMISSIONER KRAUSKOPF	YES		

END OF CONSENT CALENDAR

COMMISSION ACTION

09/14/09 CCM

Page 3 of 8



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

Meeting Date: 1/10/2022

Prepared by: David Dyess, City Manager

Title of Item:

SHEPARD PARK BOAT SLIP LEASE (RC):

RESOLUTION No. 08-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AUTHORIZE EXECUTION OF LEASE AGREEMENT BETWEEN THE CITY OF STUART AND FRAZIER CREEK PROPERTIES, LLC FOR A BOAT SLIP LOCATED AT 400 SW FEDERAL HIGHWAY, STUART; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The City is currently in a lease for the boat slip with Windward Marina Stuart, LLC. The slip is dedicated for Customs and Boarder Patrol to locate a marine unit in conjunction with a nearby office. Windward has sold it's interest in the facility and agrees to a mutual termination of the existing lease. This will facilitate the new lease with Frazier Creek Properties, LLC and continue the slip use by CBP.

Funding Source:

N/A

Recommended Action:

Approval of Resolution

ATTACHMENTS:

Description	Upload Date	Type
❑ R08-2022 Resolution	1/3/2022	Resolution add to Y drive
❑ Mutual lease termination agreement	1/3/2022	Attachment
❑ New Boat Slip Lease	1/3/2022	Attachment
❑ Exhibit A	1/3/2022	Exhibit



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

RESOLUTION NUMBER 08-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AUTHORIZE EXECUTION OF LEASE AGREEMENT BETWEEN THE CITY OF STUART AND FRAZIER CREEK PROPERTIES, LLC FOR A BOAT SLIP LOCATED AT 400 SW FEDERAL HIGHWAY, STUART; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City owns the boat slip located within Shepard Park at 400 SW Federal Highway in the City of Stuart; and

WHEREAS, the City had entered a lease for the slip with Windward Marina Stuart, LLC on July 1, 2020, who has since sold its interest to Frazier Creek Properties, LLC; and

WHEREAS, the City and Windward Marina Stuart, LLC agree to mutually terminate the lease from July 1, 2020; and

WHEREAS, Frazier Creek Properties, LLC seeks to lease the Boat Slip located closest to the boat ramp located at 400 SW Federal Highway, Stuart, FL. The Boat Slip is more particularly depicted in the aerial photograph attached as Exhibit "A" to the Boat Slip Lease Agreement; and

WHEREAS, the City Commission finds that it is in the best interest of the City of Stuart to lease the Boat Slip to an intergovernmental agency for intergovernmental purposes.

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

SECTION 1: The Mayor is authorized to enter the mutual termination agreement for the lease with Windward Marina Stuart, LLC

SECTION 2: The Mayor is hereby authorized and directed to execute a ten (10) year lease agreement between the City of Stuart and Frazier Creek Properties, LLC commencing February 1, 2022. A copy of the Lease is on file in the Office of the City Clerk for the City of Stuart, Florida.

SECTION 3: This resolution shall take effect upon adoption.

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

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____.

ATTEST:

MARY R. KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL
CITY ATTORNEY



MUTUAL TERMINATION OF BOAT SLIP LEASE AGREEMENT

PARTIES: The original lease made between the **CITY OF STUART, FLORIDA**, a municipal corporation with its principal place of business located at 121 S.W. Flagler Avenue, Stuart, Florida 34994, hereinafter the "**LESSOR**" and **WINDWARD MARINA STUART, LLC**, a Florida limited liability company, with its principal place of business located at 2999 NE 191 Street, Suite 800, Aventura, Florida 33180, hereinafter the "**LESSEE**".

TERMINATION: We, the undersigned, agree to terminate the contract and lease originally commencing on July 1, 2020 and ending on June 31, 2030.

The contract will be terminated effective _____.

1. **Mutual Termination.** This agreement represents a mutual termination of the Lease.
2. **Effective Date.** This agreement is effective on the date set forth above.
3. **Future Obligations.** The tenant and the landlord both understand that neither party shall have any further obligations under the lease referenced herein and said document shall be deemed null and void.
4. **Rescission.** Both parties understand that this mutual termination action cannot be reversed without both party's written consent and approval of the Stuart City Commission.
5. **Performance.** The parties hereby stipulate and agree that each party performed satisfactorily under the agreement and all payments due have been made. Pre-payments will be refunded to Windward Marine. The City of Stuart does not have any claims for past due rents or damages to the property.
6. **Wavier.** This agreement waives any and all conditions of termination set forth in the agreement.
7. **LEASE.** The Designated Boat Slip closest to the boat ramp located 400 S.W. Federal Highway, Stuart, Florida 34994 (coordinates: 27°11'49.8"N 80°15'27.1"W) (herein, "**Boat Slip**").
8. **TAXES AND SERVICES.** LESSEE agrees and affirms that it has paid all applicable sales tax and all other governmental taxes related to the Agreement, regardless of whether described in this Agreement or not. Further, Lessee asserts that it has not promised or obligated the slip to any other party beyond the scope of the lease which is being terminated.

9. **ADDITIONS OR ALTERATIONS BY LESSEE.** Any additions or alterations to the Boat Slip shall become the sole property of the Lessor on the effective date above. The Lessee hereby waives any maritime claims that may or may not exist related to the slip and any vessel remaining at the location after the termination date.
10. **RIGHT OF ENTRY BY LESSOR.** LESSOR, its agents, contractors, vendors and employees may at any time after the effective date of this termination, enter in and upon and have free access to the Boat Slip and any vessel remaining at the location for the purposes of removal of the vessel and returning the slip to the possession of the City.
11. **NOTICES.** No further notices shall be due from either party.

IN WITNESS WHEREOF, LESSOR and LESSEE have executed this TERMINATION OF AGREEMENT as of the date and year set forth above their respective signatures.

WHEREFORE, the City has hereunto affixed its signature as of the ____ day of _____, 2022.

Signed, sealed and witnessed in our presence:

LESSOR:
CITY OF STUART

By: _____
MERRITT MATHESON
MAYOR

ATTEST:

MARY R. KINDEL
CITY CLERK

APPROVED AS TO FORM AND
CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

WHEREFORE, the LESSEE has hereunto affixed its signature as of the ____ day of _____, 2022.

LESSEE:
WINDWARD MARINA STUART, LLC

By: 
Print Name: ROBERT F. NIVARD
As its: MGR



BOAT SLIP LEASE AGREEMENT

PARTIES: This Lease is made between the **CITY OF STUART, FLORIDA**, a municipal corporation with its principal place of business located at 121 S.W. Flagler Avenue, Stuart, Florida 34994, hereinafter the "**LESSOR**" and **Frazier Creek Properties, LLC**, a Florida limited liability company, with its principal place of business located at 1600 SE 8TH ST, Fort Lauderdale, Florida 33316, hereinafter the "**LESSEE**".

The above named agree to the following lease terms:

1. **LEASE.** LESSOR leases to LESSEE and LESSEE leases from LESSOR the Designated Boat Slip closest to the boat ramp located 400 S.W. Federal Highway, Stuart, Florida 34994 (coordinates: 27°11'49.8"N 80°15'27.1"W) (herein, "**Boat Slip**"). The Designated Boat Slip is more particularly depicted in aerial photograph attached hereto as **Exhibit "A."** LESSEE agrees to use the Boat Slip solely for the docking or mooring of Lessee's boat(s), as allowed by the Rules of LESSOR and for no other purposes and uses whatsoever. The LESSOR also agrees to permit LESSEE to use its boat ramp facilities for the in and out launching of LESSEE's Boat(s). LESSEE hereby accepts the Boat Slip in an "as is" condition.
2. **TERM AND RENT.** The term of this Lease shall be for a period of ten (10) years commencing on _____, 2022 and ending on _____, 2031. The monthly amount due for rent of the Boat Slip shall be Five Hundred and no/100 Dollars (\$500.00) per month and will be due on the 1st of each month thereafter. There shall be no penalty for annual payments remitted in advance.
3. **INSURANCE.** LESSEE represents and warrants that the insurance certificate attached to this Agreement as **Exhibit "B"** is currently in force and shall continue in force throughout the term of this Agreement. LESSEE shall maintain liability insurance in the amount of \$300,000.00 per occurrence and \$1,000,000.00 aggregate on LESSEE's Boat(s) and personal property located at the Boat Slip and shall name the LESSOR as an additional insured. LESSEE agrees, and the applicable insurance policies described above shall provide, that the LESSEE's insurance shall be, at all times primary, regardless of whether or not the LESSOR has any collectible insurance.
4. **LATE FEE.** Any payment not received by 5:00 pm on the first of the month shall accrue a late fee of \$50.00.

5. **TAXES AND SERVICES.** LESSEE agrees to pay all applicable sales tax, resort tax and all other governmental taxes related to the Agreement, regardless of whether described in this Agreement or not. LESSEE agrees to pay for all services provided related to the Agreement (herein, "Services") in accordance with the rates established by LESSOR, from time to time. All fees and charges for Services shall be payable in advance unless otherwise agreed to by both parties.
6. **THE BOAT SLIP.** The Boat Slip shall be used and occupied only by LESSEE and shall be used for the sole purpose of the mooring of LESSEE's Boat(s), (herein, "Boat(s)"). LESSEE must promptly remove LESSEE's Boat(s) from the Boat Slip upon reasonable demand of LESSOR due to inclement weather, such as a tropical storm or hurricane watch or warning. The Boat(s) must comply with all applicable laws, rules, orders and regulations. LESSOR reserves the right to inspect the Boat(s) for compliance.
7. **OCCUPANCY AND USE OF BOAT SLIP.** The Boat Slip shall be used only by LESSEE, crew, invitees and permittees, subject to the rules and regulations hereinafter described.
- (a) **Use.** It is the intention that this Boat Slip is being provided as intergovernmental agency cooperation. At no time shall the Boat Slip be used for personal or private business use.
- (b) **Neglect.** LESSEE shall not cause or permit any waste, misuse or neglect with respect to the Boat Slip and/or utilization of water.
- (c) **LESSOR Rules.** LESSEE agrees to abide by all the LESSOR's Rules and Regulations, as amended from time to time.
- (d) **Purpose.** The Boat Slip shall be possessed, occupied and used solely for the purpose of providing non-residential mooring and for no other purpose. At no time shall the Boat Slip be used for the mooring of a vessel providing "live aboard" services.
- (e) **Safety.** The Boat Slip shall be used and occupied in a safe, careful, and proper manner.
- (f) **Use & Compliance with Laws.** LESSEE and all persons using and/or occupying the Boat Slip and/or the Boat(s) shall abide by and comply with all present and future ordinances, regulations and laws of all governmental and quasi-governmental entities, whether federal, state or local, having jurisdiction (including, without limitation, any requirement to obtain and maintain permits and approvals) with respect to the Boat Slip and/or Boat(s). LESSEE will immediately inform LESSOR in writing of: (i) any and all governmental or regulatory notices, orders and/or actions instituted, completed, or threatened affecting the Boat Slip; and (ii) any and all claims made or threatened by any third party against the LESSEE, LESSOR and/or the Boat Slip. LESSEE shall neither permit nor commit whether with or without knowledge or consent, any illegal or unlawful practice or act in or upon the Boat Slip or the surrounding property. LESSEE shall be responsible to comply with all requirements and for payment of all fees, fines, penalties, expenses and other costs that may be imposed by, any governmental and/or quasi-governmental entities, whether federal, state or local, having jurisdiction with respect to the Boat Slip and/or the Boat(s).
- (g) **Non-Disturbance.** LESSEE agrees to avoid doing at any time anything which would

hamper, disturb or interfere with the quiet and peaceful enjoyment or other persons within the surrounding area or which would hamper, disturb or interfere with the use by such other persons of the surrounding area serving the community, LESSOR, or its Manager in their management operation and maintenance of the surrounding area.

- (h) **Liveaboard.** No Liveaboards are permitted. "Liveaboard" is defined as a vessel docked at the facility and inhabited by a person or persons for any five (5) consecutive days or a total of ten (10) days within a thirty (30) day period.
- (i) **Maintenance.** Boat maintenance or repair activities that require the removal of the boat(s) from the water, or removal of major portions of the boat(s), including the engine, for purposes of routine repairs or maintenance on site are prohibited over the water at the Boat Slip or at Shepard Park, except where such activities are necessitated by emergency conditions which have resulted in or can result in the sinking of the boat(s). Specifically prohibited shall be hull scraping, stripping, sanding, painting, recoating, and other maintenance or repair activities which may result in degradation of water quality from discharge or release of potential contaminants into the water.
- (j) **Fish Cleaning.** No fish cleaning is allowed while in the Boat Slip or on the dock, on the boat(s) or in Shepard Park.
- (k) **Attachment to Dock and/or Boat Slip.** No nails, screws or any other type of fastener can be inserted into dock boards, pilings or any other portion of the dock and/or Boat Slip without written permission from the LESSOR's City Manager. No additions or deletions, improvements or repairs may be made to the dock, and/or Boat Slip, or pilings without first having obtained the written consent of the LESSOR.
- (l) **No Right to Sub-Lease Boat Slip:** LESSOR will not Sub-Lease Boat Slip while LESSEE is in possession of Boat Slip during the rental period. Notwithstanding the foregoing, LESSOR acknowledges and agrees the U.S. Customs and Border Protection, and its agents and contractors, are expressly authorized to use the Boat Slip.
- (m) **Collateral Assignment** is not an assignment of the slip to another entity and will only be triggered in the event of a default. Lender is to provide the City manager with 30 days written notice of default. The city manager is authorized to agree to a collateral assignment.

- 8. **ASSIGNMENT.** LESSEE shall not assign, sublet, or transfer any portion of this Agreement, except as expressly provided above. Any purported assignment, sublet or transfer by LESSEE shall be a default of this Agreement and will be considered null and void by LESSOR. The City Manager shall be consulted for any request for assignment of the balance of the Lease to another valid governmental agency or collateral assignment and shall use reasonable considerations when determining same.
- 9. **OWNERSHIP BY LESSOR.** LESSEE acknowledges and agrees that the real property to which the Boat Slip is attached is exclusively owned by the LESSOR and, therefore, the Boat Slip and its use thereof are subject to the terms and conditions hereof.

10. **MAINTENANCE OF BOAT SLIP AND BOAT.** LESSEE is solely responsible for Boat Slip upkeep, maintenance, repair, and/or replacement, if needed. LESSEE shall keep and maintain the Boat(s) and all personal property of LESSEE in good state of maintenance and repair and in a sightly, healthy and clean condition, and so as to comply with all applicable ordinances, regulations and laws of all government and quasi-government entities, whether federal, state or local, having jurisdiction.
11. **DAMAGES.** LESSEE shall be strictly liable for any and all damages to the Boat Slip, and Attached Property, caused by LESSEE, LESSEE's Boat(s), LESSEE's employees, family, agents, guests, contractors, vendors, crew, invitees and/or permittees, or in any way relating to the Boat Slip, the Boat(s) and/or the use thereof.
12. **NO ADDITIONS OR ALTERATIONS BY LESSEE.** LESSEE shall not make any additions or alterations in or upon the Boat Slip of any nature whatsoever without first having obtained the written consent of the LESSOR. Dock boxes are prohibited.
13. **RIGHT OF ENTRY BY LESSOR.** LESSOR, its agents, contractors, vendors and employees may at any time without consent of LESSEE enter in and upon and have free access to the Boat Slip for the purposes of examining and inspecting the same, for delivery of notices, for determining if the same are in a healthy, clean and well maintained condition, and notifying LESSEE of such repairs to the Boat Slip that may be necessary. LESSOR shall not enter the Boat(s) without reasonable advance notice to LESSEE, unless in the event of an emergency.
14. **NOTICES.** Any notice(s) that either party herein desires or is required to give to the other must be in writing. Any notice to the LESSOR must be delivered by Certified Mail, Return Receipt Requested, postage prepaid to LESSOR at: **City of Stuart, Attention City Manager, 121 SW Flagler Avenue, Stuart, Florida 34994.** Any notice to the LESSEE may be delivered to LESSEE by hand-delivery to LESSEE, or by mailing same by Certified Mail, Return Receipt requested, properly addressed to LESSEE at: **1600 SE 8TH ST, Fort Lauderdale, FL 33316,** with postage thereon fully prepaid. The place of delivery for any such notice may be changed by the giving the other party written notice in accordance with this provision not less than ten (10) days prior to the date upon which the change shall become effective.
15. **DEFAULTS.** LESSOR shall give LESSEE written notice of any default under this Agreement and a reasonable opportunity to cure same. In the event, that the LESSEE defaults in its financial or other obligations under this Agreement, or fails or refuses to comply with the provisions of this Agreement, or applicable law, and fails to timely cure such default, LESSOR shall have the right to:
 - (i) Revoke LESSEE's Agreement and exclusive use of the Boat Slip;
 - (ii) Terminate this Agreement as provided herein and require the LESSEE turn over control of the Boat Slip to the LESSOR without any obligation to LESSEE, financially or otherwise;
 - (iii) Enter upon the Boat Slip and tow and/or remove the Boat(s) from the Boat Slip with prior written notice sent to LESSEE by Certified Mail, Return Receipt Requested, and store the Boat(s) at LESSEE's sole expense; and/or

- (iv) Exercise any and all other rights and remedies available to LESSOR herein, via federal or state law or in equity.
16. **WAIVER.** No failure, or successive failures, on the part of the LESSOR to enforce any provision nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge there of or render the same inoperative or impair the right of the LESSOR to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.
17. **INDEMNIFICATION.** LESSEE shall indemnify and hold harmless LESSOR from and against any and all claims, suits, actions, damages, causes of action, release or discharge of fuel, chemicals, waste or other pollutants by Boat(s) or arising during the term of this Agreement, and for any personal injury, loss of life or damage to property sustained in or about the leased premises which arises in connection with the use of the leased premises by LESSEE, contractors, invitees or guests, and in connection therewith. LESSEE shall also indemnify and hold harmless LESSOR from and against all costs, attorney's fees, expenses and liabilities incurred in and about such claim, the investigation thereof, or the defense of any action or proceeding brought thereon, and from and against any liability, cause of action, lawsuit, orders, judgments and decrees which may be entered therein or therefrom.
18. **TERMINATION.** The LESSEE may terminate this Lease upon not less than ninety (90) days written notice to the LESSOR, City of Stuart at the location listed in this Agreement for providing notice. In the event of early termination of this Agreement for any reason, no rent or fee shall be refunded to LESSEE. Not later than five (5) days after termination of this Agreement for any reason, LESSEE shall vacate the Boat Slip and leave same in condition as good or as better than it was at the beginning of this Agreement, reasonable wear and tear excepted.
19. **MISCELLANEOUS PROVISIONS.**
- (a) All understandings and agreements between LESSOR and LESSEE with respect to the Boat Slip are merged into this Agreement, which fully and completely express the parties' agreement. This Agreement may not be changed or terminated verbally and may be amended or modified only by an instrument in writing signed by LESSEE and an authorized officer of the LESSOR.
- (b) This Agreement shall be governed by and interpreted and enforced in accordance with the laws of the State of Florida. Venue of any dispute between the parties regarding this Agreement or the Boat Slip shall only lie in courts located in Martin County, Florida. The prevailing party in any action, arising directly or indirectly from this Agreement or LESSEE's mooring of the Boat(s) in the Boat Slip shall be entitled to recover its reasonable attorney's fees and costs from the non-prevailing party.
- (c) The caption and titles to the various sections of this Agreement are for convenience and reference only, and in no way define, limit, affect or describe the proper scope or intent of this Agreement. All individuals named herein as LESSEE are jointly and severally liable for all obligations pursuant to this Agreement. All pronouns and variations thereof shall be construed to refer to the masculine, feminine, neuter,

singular or plural form thereof as to the identity of the person or persons, or as the situation may require.

- (d) No waiver, express or implied, of any breach of one or more of the terms and covenants contained in this Agreement shall be deemed or taken to be a waiver of any succeeding or other breach. LESSEE agrees that the rights of LESSOR under this Agreement are cumulative and that any failure on the part of LESSOR to exercise promptly any rights hereunder shall not operate to forfeit any of said rights.
- (e) All promises, covenants and agreements set forth in this Agreement shall be binding upon, apply to and inure to the benefit of the parties hereto, and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, LESSOR and LESSEE have executed this Agreement as of the date and year set forth below their respective signatures.

WHEREFORE, the parties have hereunto affixed their hands and seals as of the ____ day of _____, 2022.

Signed, sealed and witnessed in our presence:

LESSOR:
CITY OF STUART

By: _____
MERRITT MATHESON
MAYOR

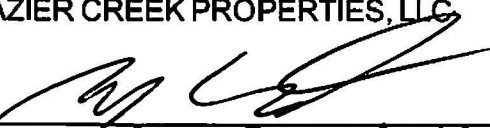
ATTEST:

MARY R. KINDEL
CITY CLERK

APPROVED AS TO FORM AND
CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

LESSEE:
FRAZIER CREEK PROPERTIES, LLC

By: 
Print Name: ALBERTO CASARENO
As its: General partner

SW Federal Hwy



CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 1/10/2022

Prepared by: David Dyess, City Manager

Title of Item:

COMMISSIONER GOALS FOR 2022

Summary Explanation/Background Information on Agenda Request:

I requested commissioner goals to set staff priorities for the coming year. These goals run for the calendar year of 2022 and therefore carry over into the FY23 in case there is funding needed that we do not have currently.

Designation of East Stuart as an "African American Heritage District in Stuart" With a land use/zoning/form based code/ Housing and Economic Development Plan

Corridor Study of Commerce Boulevard area from Indian Street to Pomeroy from US 1 to Commerce Blvd and parcels to the east which are in the City.

I would like to replace the old faded Christmas decorations. And if possible, add more Christmas outdoor décor to our downtown streets especially on east ocean Blvd., we have so many tourists this wonderful time of the year who travel on east ocean Blvd.

Move forward on the next phase of the Haney Creek trail system. Include bike trails, parking and a restroom.

Evaluate parking exemptions (either full exempt or partial requirements) for the Triangle and Colorado Ave. areas.

Evaluate industrial/manufacturing areas for proper placement and encourage use.

Address City docks behind city hall for replacement as well as possible solutions for controlling rough waters.

Work on ways to address the Palm City Rd. traffic and the illegal turns.

Funding Source:

Annual Budget/Grants

Recommended Action:

Discuss/Object/Agree on the goals.