



AGENDA

COMMUNITY REDEVELOPMENT BOARD

JUNE 6, 2023

AT 4:00 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD

Chair - Tom Campenni

Vice Chair - Jackie Vitale

Board Member - Micah Hartowski

Board Member - Chris Lewis

Board Member - Frank McChrystal

Board Member - Seth Owens

Board Member - Nikolaus Schroth

ADMINISTRATIVE

CRA Executive Director, Pinal Gandhi-Savdas

Board Secretary, Susej T. Meleqi

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.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. APPROVAL OF 03/07/2023 & 05/02/2023 CRB MINUTES

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

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

ACTION ITEMS

2. A REQUEST FROM WILLIS CUSTOM YACHTS TO CONSIDER A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT (RC):

ORDINANCE No. XXXX-2023; AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT AS DEFINED IN F.S.§163.3187; AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP FOR AN APPROXIMATELY 1.794-ACRE PARCEL FROM THE INDUSTRIAL FUTURE LAND USE TO THE MARINE/INDUSTRIAL FUTURE LAND USE; AMENDING THE FUTURE LAND USE MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

3. APPLICATION TO GRANT A MAJOR URBAN CODE CONDITIONAL USE TO WILLIS CUSTOM YACHTS (RC):

RESOLUTION No. 42-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL FOR WILLIS CUSTOM YACHTS LOCATED AT 151 NW FLAGLER AVENUE, ADJACENT TO THE ST. LUCIE RIVER, PARALLEL TO NW FLAGLER AVENUE, NORTH DIXIE HIGHWAY, AND THE FEC RAILWAY, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; REQUIRING SPECIFIC POLICIES TO BE CONSIDERED INCLUDING USES, PARKING PROVISIONS, LANDSCAPE BUFFER WIDTHS, SHORELINE BUFFER REQUIREMENTS, BUILDING WALL MATERIALS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

4. PRESENTATION ON THE DOWNTOWN TRAM SERVICE

5. DOWNTOWN TRAM WRAP PROGRAM (RC):

RESOLUTION No. 07-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE BOARD TO APPROVE IMPLEMENTATION OF THE DOWNTOWN TRAM WRAP

PROGRAM TO INCREASE VISIBILITY, ATTRACT RIDERS, AND PROMOTE MICRO-TRANSIT SERVICE; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6. CRA BUDGET AMENDMENT #03-2023 FOR FY 2023 (RC):

RESOLUTION No. 06-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #03 TO THE FY 2023 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO ALLOCATE TO WRAP THE DOWNTOWN TRAMS TO INCREASE VISIBILITY, ATTRACT RIDERS, AND PROMOTE MICRO-TRANSIT SERVICE; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

7. EXECUTE FACILITIES AGREEMENTS WITH FP&L AND BINDING COST ESTIMATE PAYMENT FOR CONVERTING OVERHEAD UTILITY LINES TO UNDERGROUND.

RESOLUTION NUMBER 08-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CHAIRPERSON TO ACCEPT AND EXECUTE AGREEMENTS WITH FLORIDA POWER AND LIGHT (FP&L) FOR UNDERGROUND FACILITIES CONVERSION IN DOWNTOWN; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

8. DISCUSSION & DELIBERATION - PROPOSED ART/VINYL WRAPPING ON TRAFFIC CONTROL BOXES WITHIN THE CITY LIMITS

STAFF UPDATE

9. LIVE LOCAL ACT (SB102) STAFF PRESENTATION

ADJOURNMENT

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.

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Community Redevelopment Board**

Meeting Date: 6/6/2023

Prepared by: Susej Meleqi

Title of Item:

APPROVAL OF 03/07/2023 & 05/02/2023 CRB MINUTES

Summary Explanation/Background Information on Agenda Request:

APPROVAL OF 03/07/2023 & 05/02/2023 CRB MINUTES

Funding Source:

N/A

Recommended Action:

Approve Minutes.

ATTACHMENTS:

1. 03072023 CRB Minutes
2. 05022023 CRB Minutes

**MINUTES
COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART
MARCH 7, 2023
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

COMMUNITY REDEVELOPMENT BOARD

**Chair - Tom Campenni
Vice Chair - Jackie Vitale
Board Member - Micah Hartowski
Board Member - Chris Lewis
Board Member - Frank McChrystal
Board Member - Seth Owens
Board Member - Nikolaus Schroth**

ADMINISTRATIVE

**Development Director, Jodi Nentwick-Kegler
CRA Executive Director, Pinal Gandhi-Savdas
Board Secretary, Susej T. Meleqi**

CALL TO ORDER

4:00 PM

ROLL CALL

PRESENT: Chair Campenni, Vice Chair Vitale, Board Member Hartowski, Board Member Lewis, Board Member McChrystal, Board Member Owens, Board Member Schroth

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Chair Campenni requested to swap item #3 and #4.

4:00 PM MOTION: Approve.

MOVED BY: Jackie Vitale

SECONDED BY: Nikolaus Schroth

Motion approved unanimously.

APPROVAL OF MINUTES

1. APPROVAL OF 01/10/2023 CRB MINUTES

4:00 PM MOTION: Approve.

MOVED BY: Micah Hartowski

SECONDED BY: Jackie Vitale

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

None.

ACTION ITEMS

2. PRESENTATION OF THE APPLICATIONS FOR THE BUSINESS IMPROVEMENT REIMBURSEMENT PROGRAM FOR FY 2023.

Jordan Pinkston, CRA Program Manager, presented the program description, program goals, public outreach, evaluation matrix, and the improvements being made to each property/applicant.

Ms. Pinkston presented the improvements being made to the first applicant, Care Plus Associates Inc.

Mr. Alan Freidech, applicant, stated his previous improvements and would like to keep improving his property as it is exposed on US-1.

Board Member McChrystal asked for more information on what the program is, how the applicants find out about this program, and where the pool of money comes from.

Ms. Pinkston responded.

4:10 PM MOTION: Approve.

MOVED BY: Chris Lewis

SECONDED BY: Micah Hartowski

Motion approved unanimously.

Ms. Pinkston presented the improvements being made to the second applicant, Keys Properties.

Ms. Sherry Lee, applicant, provided her history with the building and the improvements she has made with this program previously.

Vice Chair Vitale stated she would like to see shade trees on this property rather than the palm trees.

Applicant stated she believes it will be difficult to put shade trees as the spacing is not that big.

Board Members, applicant, and Attorney continued discussion.

4:26 PM MOTION: Approve with condition that all landscape stay out of ROW and sidewalk.

MOVED BY: Nikolaus Schroth

SECONDED BY: Jackie Vitale

Motion approved unanimously.

Ms. Pinkston presented the improvements being made to the third applicant, Kinane Corporation.

Ms. Sue Kinane, applicant, advised that she was available for questions.

Board Member McChrystal questioned the tree that was removed and recommended a sable pine tree.

4:32 PM MOTION: Approve.

MOVED BY: Chris Lewis

SECONDED BY: Micah Hartowski

Motion approved unanimously.

Ms. Pinkston presented the improvements being made to the fourth applicant, Treasure Coast Auto Machine.

Staff and Board Members found the application was deemed incomplete and a discussion was had on what can be done with the remaining balance.

Board Members had a discussion to leave the process open for new applicants to apply.

4:37 PM MOTION: Continue to keep the process open for new applicants from April 1 - June 30.

MOVED BY: Micah Hartowski

SECONDED BY: Seth Owens

VOTE:

YES: Tom Campenni, Chris Lewis, Nikolaus Schroth, Jackie Vitale, Micah Hartowski, Seth Owens

NO: Frank McChrystal

4. CRA BUDGET AMENDMENT #02 TO FY 2023

RESOLUTION NUMBER 04-2023 CRA; A RESOLUTION OF THE BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #02 TO THE FY 2023 CRA BUDGET FOR ACQUISITION OF A PARKING MANAGEMENT SYSTEM IN THE AMOUNT OF \$40,000 FOR IMPROVED PARKING ENFORCEMENT IN DOWNTOWN; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Pinal Gandhi-Savdas, CRA Executive Director, presented the parking management system.

Vice Chair Vitale asked why the CRA was covering the expense if it is a police department item.

Ms. Gandhi-Savdas and Chief Tumminelli provided clarity on why it is a CRA budget amendment.

Board Members continued discussion on parking, the parking committee, and the expenditure in the CRA Budget.

PUBLIC COMMENT:

- 1.) Cherie White - Jensen Beach; In support of the parking management system on behalf of Main Street.
- 2.) Joe Flannigan - Stuart; In support of the parking management system and stated the way the parking committee came to the conclusion of the management system.
- 3.) Helen McBride - SE Flamingo Ave; Believes that the management system is an investment in our City.

City Attorney provided a brief history on the parking issues in downtown

5:01 PM MOTION: Approve.

MOVED BY: Jackie Vitale

SECONDED BY: Nikolaus Schroth

Motion approved unanimously.

3. COMMUNITY REDEVELOPMENT AGENCY ANNUAL REPORT 2022

Ms. Gandhi-Savdas presented the annual report, mural matching grant program, downtown outdoor dining program, micro transit system, business improvement reimbursement program, Riverside park neighborhood streetscape improvements, Seminole streetscape and downtown undergrounding, Martin Luther King Jr Blvd complete street project, Guy Davis community park improvements, Stypmann neighborhood drainage and sidewalk improvements, SE Dixie Highway streetscape improvements, gateway signage, form based code, CDBG rehabilitation program, CDBG Covid grant, residential street tree program, national register of historic places, alleyway improvements, Federal highway tree planting program implementation, Stuart Main Street partnership, and staff recommends approval for report to be submitted to the DEO.

Board Member McChrystal commented on the Guy Davis Park, Seminole Street project, MLK Blvd, Covid funding, and th walkability on US-1.

5:17 PM MOTION: Approve

MOVED BY: Chris Lewis

SECONDED BY: Nikolaus Schroth

VOTE:

YES: Tom Campenni, Chris Lewis, Nikolaus Schroth, Jackie Vitale, Micah Hartowski, Seth Owens

NO: Frank McChrystal

STAFF UPDATE

Ms. Gandhi-Savdas announced that the AT&T alleyway is being recommended to be named after Alice Luckhardt.

ADJOURNMENT

5:19 PM

Susej T. Meleqi, Deputy City Clerk

Tom Campenni, Chair

**Minutes to be approved at the CRB
Meeting this 6th day of June, 2023.**

**MINUTES
COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART
MAY 2, 2023
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

COMMUNITY REDEVELOPMENT BOARD

**Chair - Tom Campenni
Vice Chair - Jackie Vitale
Board Member - Micah Hartowski
Board Member - Chris Lewis
Board Member - Frank McChrystal
Board Member - Seth Owens
Board Member - Nikolaus Schroth**

ADMINISTRATIVE

**CRA Executive Director, Pinal Gandhi-Savdas
Board Secretary, Susej T. Meleqi**

CALL TO ORDER

4:10 PM

ROLL CALL

PRESENT: Chair Campenni, Board Member Hartowski, Board Member McChrystal
ABSENT: Board Member Vitale, Board Member Lewis, Board Member Owens, Board Member Schroth

*****There was no quorum, therefore the meeting was not held and items were not heard.*****

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. APPROVAL OF 03/07/2023 CRB MINUTES

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

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

ACTION ITEMS

2. DOWNTOWN TRAM WRAP PROGRAM (RC):

RESOLUTION No. 07-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE BOARD TO APPROVE IMPLEMENTATION OF THE DOWNTOWN TRAM WRAP PROGRAM TO INCREASE VISIBILITY, ATTRACT RIDERS, AND PROMOTE MICRO-TRANSIT SERVICE; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

3. CRA BUDGET AMENDMENT #03-2023 FOR FY 2023 (RC):

RESOLUTION No. 06-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #03 TO THE FY 2023 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO ALLOCATE TO WRAP THE DOWNTOWN TRAMS TO INCREASE VISIBILITY, ATTRACT RIDERS, AND PROMOTE MICRO-TRANSIT SERVICE; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

STAFF UPDATE

ADJOURNMENT

4:11 PM

Susej T. Meleqi, Deputy City Clerk

Tom Campenni, Chair

**Minutes to be approved at the CRB
Meeting this 6th day of June, 2023.**

CITY OF STUART, FLORIDA

AGENDA ITEM REQUEST

Community Redevelopment Board

Meeting Date: 6/6/2023

Prepared by: Kristopher McCrain

Title of Item:

A REQUEST FROM WILLIS CUSTOM YACHTS TO CONSIDER A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT (RC):

ORDINANCE No. XXXX-2023; AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT AS DEFINED IN F.S.§163.3187; AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP FOR AN APPROXIMATELY 1.794-ACRE PARCEL FROM THE INDUSTRIAL FUTURE LAND USE TO THE MARINE/INDUSTRIAL FUTURE LAND USE; AMENDING THE FUTURE LAND USE MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The applicant has filed request for a Small-Scale Future Land Use Amendment from Industrial to Marine/Industrial Future Land Use for property located at 151 NW Flagler Avenue. The City Commission made the determination that the industrial land use was somewhat outdated for that location and previously amended the future land use for the Atlantic Point (previously Evinrude) property when it changed it from Industrial to Marine/Industrial. The pending application will make the Willis Custom Yachts site consistent and compatible with the adjacent property. In a separate agenda item, the applicant is also seeking a Major Urban Code Conditional Use to accommodate boat sales and service for Willis Custom Yachts. Based on the previous policy adopted by the City Commission, the City no longer hears land use and zoning items together and therefore this agenda item is limited to just the future land use amendment. The presentation will be limited to the future land use issues only and should not include issues related to zoning.

Pursuant to City Code, all Text Amendments to the City Code or Comprehensive Plan must be heard by the the LPA. On May 11, 2023, the Local Planning Agency reviewed the future land use application and recommended approval to the City Commission. Although the matter has been recommended for approval by the LPA, it is in the geographic territory of the CRA and therefore remains subject to review by the CRB.

Funding Source:

N/A

Recommended Action:

Staff recommends the Community Redevelopment Board (CRB) forward a recommendation for approval to the City Commission for a petition for a Small-Scale Future Land Use Amendment from Industrial to Marin/Industrial Future Land Use for property located at 151 NW Flagler Avenue.

ATTACHMENTS:

1. DRAFT Ordinance XXXX-2023
2. CRB Staff Report
3. Site Plan

4. Landscaping Plan
5. Public Notice Packet
6. Application Packet



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

ORDINANCE NUMBER XXXX-2023

*** * * * ***

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "INDUSTRIAL" TO "MARINE/INDUSTRIAL" FOR A 1.794-ACRE PARCEL, LOCATED AT 151 NW FLAGLER AVENUE, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

*** * * * ***

WHEREAS, on December 11, 1989, the City of Stuart City Commission adopted Ordinance Number 1174-89, adopting a comprehensive growth management plan as mandated by the local government comprehensive planning and land development regulation act, Chapter 163, Part II, Florida State Statutes, also known as the City of Stuart Comprehensive Plan, that designated this future land use of this property as Industrial; and

WHEREAS, on June 29, 2022, an application was submitted to the city for a Small-Scale Future Land Use Amendment from Industrial to Marine/Industrial; and

WHEREAS, the Local Planning Agency board held a property noticed hearing at a regularly scheduled meeting on May 11, 2023, to consider the applicant's request and voted to forward a recommended for approval of the subject petition to the City Commission; and

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by 151 NW Flagler, LLC (applicant) representing for a 1.794-acre parcel of land; and

WHEREAS, the City of Stuart has determined the need to change the Future Land Use for said lands; and

WHEREAS, the City Commission, has considered the Petitioner's voluntary request for land use designations, and has also considered the recommendation of City staff; and

WHEREAS, the City Commission has reviewed the criteria set forth in Florida Statute 153.3177 and has evaluated the data testimony, evidence, public comments, and totality of the circumstances. The City Commission has determined which data is professionally acceptable and has reacted accordingly. Pursuant to the data available at the time, the Commission has found that the character of the land is appropriate for the subject request and that adequate public facilities exist to support the land use; and

WHEREAS, based on the evidence presented by the Applicant regarding the maximum build out of the existing and proposed Future Land Use designations, the Commission finds that the proposed use is an appropriate Future Land Use for the subject property; and

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

WHEREAS, the Applicant has committed to the City that its development will comply with all development codes, plans, standards, and conditions approved by the City Commission;

and that it will bind its successors in title to any such commitments made upon approval of the Future Land Use Amendment; and

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

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

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

SECTION 1: The Future Land Use designation in the City's Comprehensive Land Use Plan shall be established as "Marine/Industrial".

SECTION 2: This ordinance becomes effective upon adoption.

SECTION 3: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof is hereby repealed to the extent of such conflict. If any provision of this ordinance conflicts with any contractual provision between the City and the Developer of the site, this ordinance shall prevail.

SECTION 4: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5: Following the adoption and acceptance of this ordinance by the Owners, and in addition to any other action for failure to complete development or otherwise comply with the Development Documents, the City Development Director may obtain a hearing before the City Commission and shall thereupon give at least five (5) days written notice of the time, date, and location of the hearing, along with specific notice of the alleged breach. At the hearing before the

City Commission, the Property Owner may appear and may contest the allegation of breach or explain the reason or reasons for the breach. Upon a finding of a material breach of the Development Documents and therefore, the Ordinance(s) adopting the same, the City Commission may impose or do any or all of the following:

- a. Initiate the process to amend or repeal this or any other ordinance pertaining to the development.
- b. 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 ordinance by the Property Owner shall be considered a 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 6: This ordinance shall be effective upon the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owner.

SECTION 7: The complete execution and recording of this Ordinance by the City Clerk shall occur no later than 60 days from the date of this approval, failing which this ordinance shall be void.

SECTION 8: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

Passed on first reading the ____ day of _____ 2023.

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

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:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
RICH CAMPBELL, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this _____ day of _____ 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD, MAYOR
CITY MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

PAUL NICOLETTI
INTERIM CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS ASSOCIATED WITH THE SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE AMENDMENT AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION,

AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS SITE ACCORDING TO THIS ORDINANCE, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS ORDINANCE MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ACTIONS MAY BE TAKEN AGAINST THE UNDERSIGNED BY THE CITY, INCLUDING BUT NOT LIMITED TO CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING REVOCATIONS, AND ALL APPLICABLE CIVIL AND CRIMINAL ACTIONS.

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

WITNESSES:

151 NW Flagler, LLC

By: _____

Print Name: _____

David Tobin, Manager

Print Name: _____

OWNERS ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this ____ day of _____, 2023, by David Tobin, Managing Member of 151 NW Flagler, LLC.

Notary Public, State of Florida

My Commission Expires:

Notary Seal

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

CITY’S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____, 2023 by Troy McDonald, Mayor, and Mary Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation, who ☐ are personally known to me or ☐ have produced _____ as identification.

(Notary Seal)

Signature of Notary Public

Printed Name: _____

EXHIBIT A – LEGAL DESCRIPTION

Parcel 12:

Lot 9 and 10, Block 20, RIVERSIDE PARK, according to plat thereof filed 26 March 1925, and recorded in Plat Book 4, Page 98, St Lucie (now Martin) County, Florida

Parcel 13:

Lot 6, Less the North 15 feet thereof, and Lots 7 and 8, Block 20, REVISED PLAT OF GOSLING, according to the plat thereof filed 27 June 1917, recorded in Plat Book 2, Page 35, St Lucie (now Martin) County, Florida, Public Records; said lots also shown on Plat of RIVERSIDE PARK, filed 26 March 1925, recorded in Plat Book 4, Page 98, St. Lucie (now Martin) County, Florida.

Parcel 14 (Land Deed):

A Parcel of submerged land in the St. Lucie River in Section 32, Township 37 South, Range 41 East, Martin County Florida, being more particularly described as follows:

From the Southwest corner of Lot 7, Block 20, RIVERSIDE PARK SUBDIVISION, as recorded in Plat Book 4, Page 98, Public Records of St. Lucie County, Florida, now Martin County, Florida; thence run South 87°01' East along the southerly line of lot 7, a distance of 235.88 feet to the mean high water line of St. Lucie River for a Point Beginning; thence continue 87°01' East, a distance of 227.71 feet to the Bulkhead Line as established by the City of Stuart, Florida; thence run North 04°40'27" East, along the said Bulkhead Line, a distance of 85.21 feet, thence run North 87°07' West, a distance of 233.51 feet to the aforesaid mean high water line of the St. Lucie River; thence run South 0°46'17" West, along the said mane high water line, a distance of 85.24 feet to the point of beginning.

Parcel dentification Number: 32-37-41-004-020-00061-9

Subject to taxes for 2020 and subsequent years; covenants, conditions, restrictions, easements, reservations, and limitations of record, if any.

EXHIBIT B – LOCATION MAP





To: Community Redevelopment Board (CRB)
Through: Jodi Nentwick-Kugler, Development Director
From: Kristopher McCrain, Principal Planner
Date: May 26, 2023
Subject: Willis Custom Yachts
Small Scale Comprehensive Plan Amendment (Z22060007)

GENERAL INFORMATION:

Applicant & Owners: 151 NW Flagler, LLC
David Tobin (*Manager*)
225 Mizner Boulevard, Suite 510
Boca Raton, FL 33432

Agent of Record: Matthew Barnes, AICP
WGI, Inc.
2035 Vista Parkway
West Palm Beach, FL 33411

Location: 151 NW Flagler Avenue, Stuart FL 34994

Existing Zoning: Industrial

Proposed Zoning: Industrial

Existing Land Use: Industrial

Proposed Land Use: Marine/Industrial

Parcel I.D.: 32-37-41-004-020-00061-9

Parcel Size: 1.794-acres

Existing Use: Vacant

Proposed Use: Marine Boat Sales & Service

Overlay District: Community Redevelopment Area (*CRA*)

A. Project Description

The intent of the petition is to request a Small-Scale Future Land Use Amendment from Industrial to Marin/Industrial Future Land Use for property located at 151 NW Flagler Avenue. In addition, a concurrent application was submitted for a request to consider a Major Urban Code Conditional Use to accommodate a boat sales and service use for Willis Custom Yachts.

The requested Small-Scale Future Land Use Amendment is subject to review and consideration before the Local Planning Agency (*LPA*), Community Redevelopment Board (*CRB*) and the City Commission (*CC*) as three separate public hearings.

The subject parcel is located at 151 NW Flagler Avenue, situated east of Flagler Avenue and west of the St. Lucie River, in Stuart, Florida. The 1.794-acre vacant property includes 0.43 acres of submerged lands and is identified as Parcel Control Number: 32-37-41-004-020-00061-9. The property has a Future Land Use designation of Industrial and a Zoning District designation of Industrial and is situated within the City of Stuart Community Redevelopment Area (*CRA*) Boundary.

Location Map:

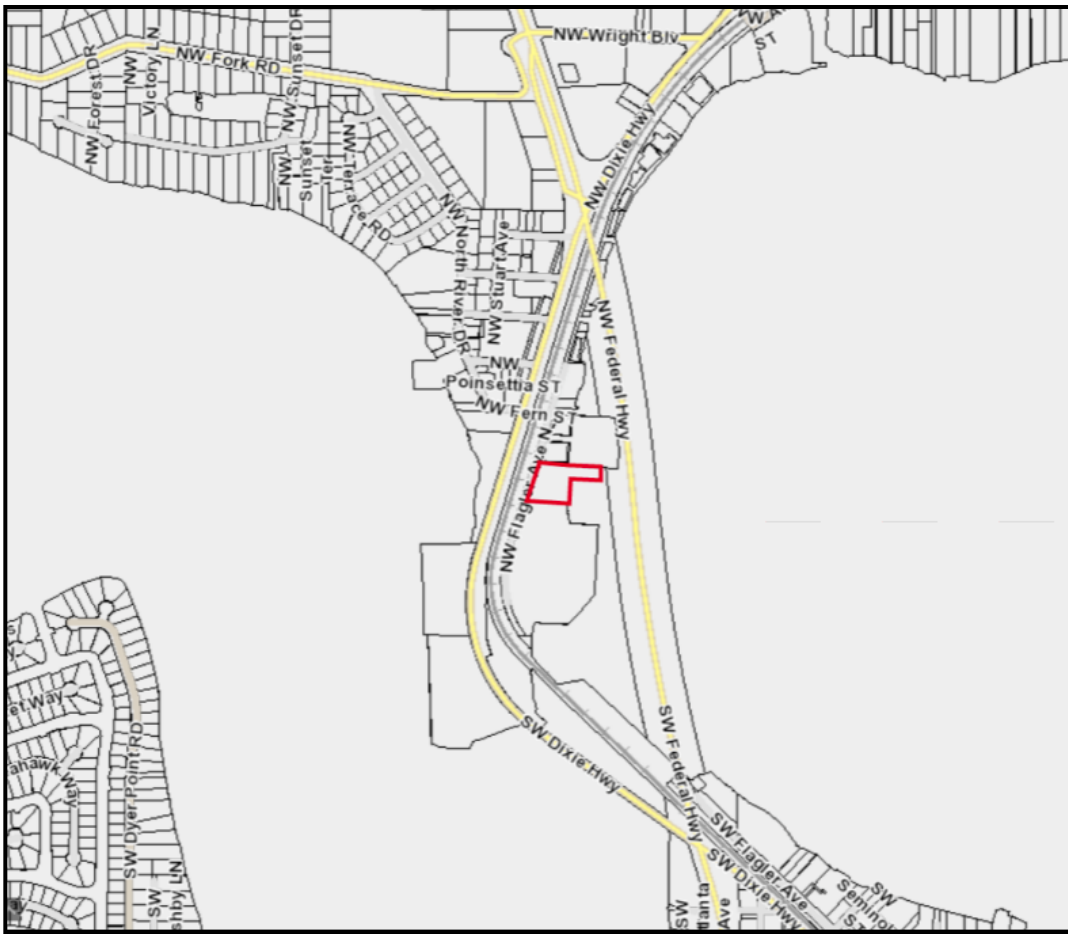


Exhibit 1.0: Location Map (Source: City of Stuart GIS 2022 Location Map)

Adjacent Land Use & Zoning:

Location		Zoning District	Future Land Use	Existing Land Use
Subject Property		Industrial	Industrial	Vacant (<i>Former Marina</i>)
Adjacent Parcels	North	Urban/Waterfront	Marine/Industrial	Harborage Yacht Residential & Mixed-Use Condominiums
	South	Industrial	Marine/Industrial	Atlantic Point Marina
	East	St. Lucie River	St. Lucie River Waterway	St. Lucie River Waterway
	West	NW Flagler Avenue, FEC Railroad N Dixie Highway	NW Flagler Avenue, FEC Railroad N Dixie Highway	Rights-of-Way

B. Project Background

The property was platted in 1917 and 1925 and has historically been utilized for industrial uses but was later included within the City of Stuart Community Redevelopment Area (CRA) boundary. The property was developed in the 1970's for marina facilities with buildings serving the Palm City Yachts, which was demolished in 2019. This use was not consistent with the Industrial Future Land Use designation at the time of its use.



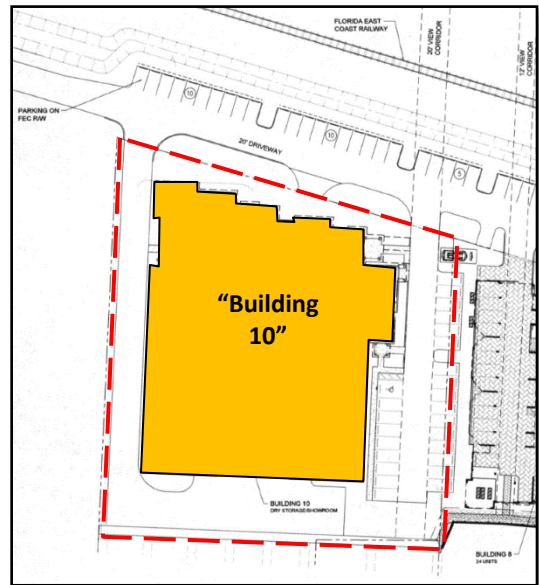
Exhibit 1.1: Historic Site Conditions (Source: *Martin County Property Appraiser 2018 Aerial*)



Exhibit 1.2: Historic Site Conditions (*Source: Google Earth Aerial*)

Previous Approvals:

- On October 25, 2004, the City Commission granted Resolution 196-04 for a Major Urban Code Conditional Use to increase the permitted density from 15 du/ac to 22.07 du/ac, for a total of 198 residential units consisting of approximately +/-10-acres of land. The approval also allowed for onsite parking within the building envelope, a reduction of the front setback for building #6 from 10-feet to zero feet, construction of a dry boat storage building, and for an increase of the building height for the project's dry boat storage building and a mixed-use condominium/yacht sales building and mixed-use cafe/yacht sales/condominium building from 35 feet to 45 feet, pursuant to Section 3.01.06 of the Land Development Code.
- On June 11, 2018, the City Commission granted Resolution 50-2018, amending the original approval for the Harborage Development. This Major Amendment to the Urban Code Conditional Use allowed for the removal of the emergency gate at the site's northern boundary, a new parking allocation plan, revision to the site traffic patterns, including the reorientation of certain parking spaces from 60 to 90 degrees, designation of boat slips for intensive "live- aboard" use, the creation of new parking spaces, and voiding a requirement to build a new parking structure in the event an existing parking lease with the Florida East Coast Railroad is dissolved.



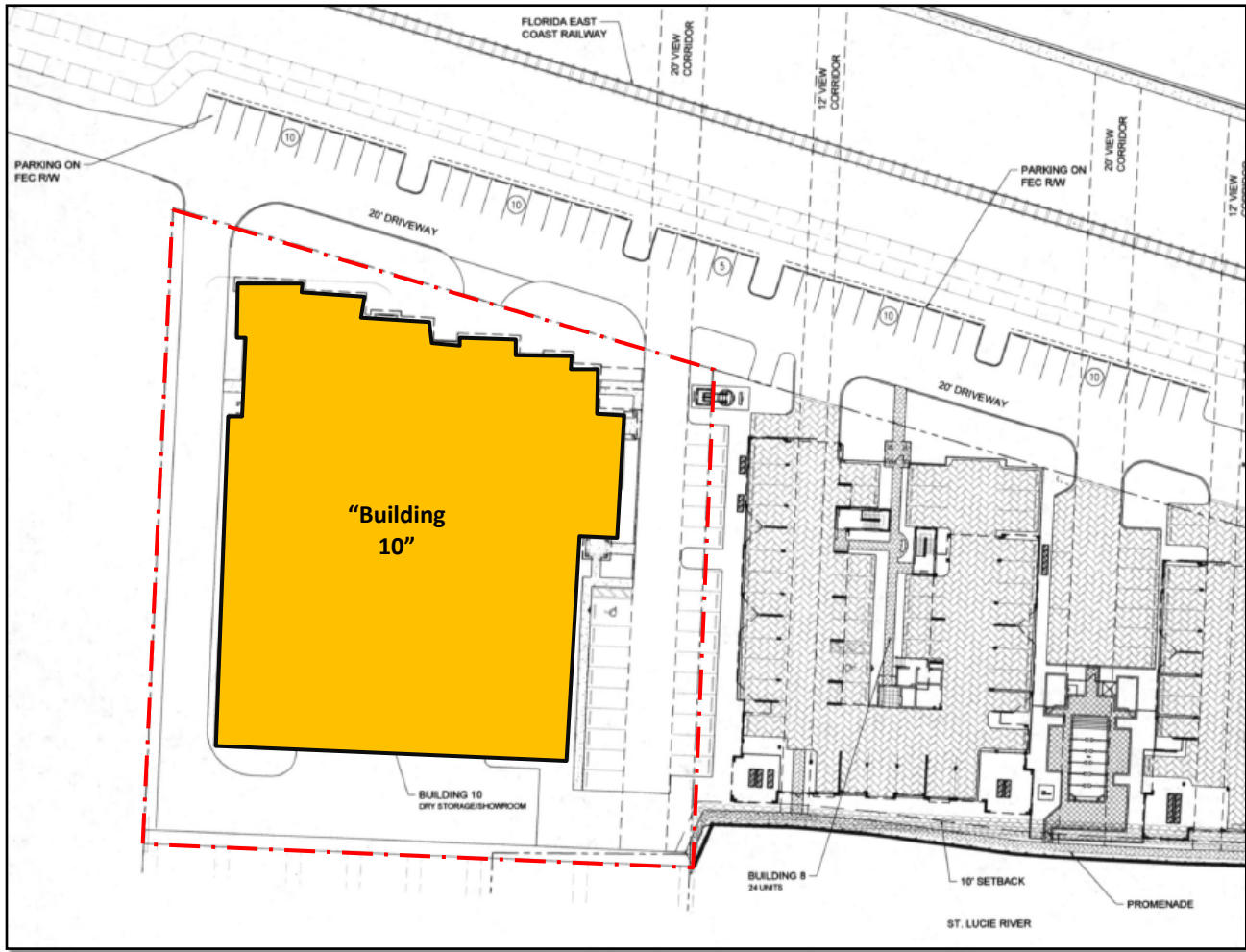


Exhibit 1.3 – Existing Site Approval Layout, per Resolution 50-2018

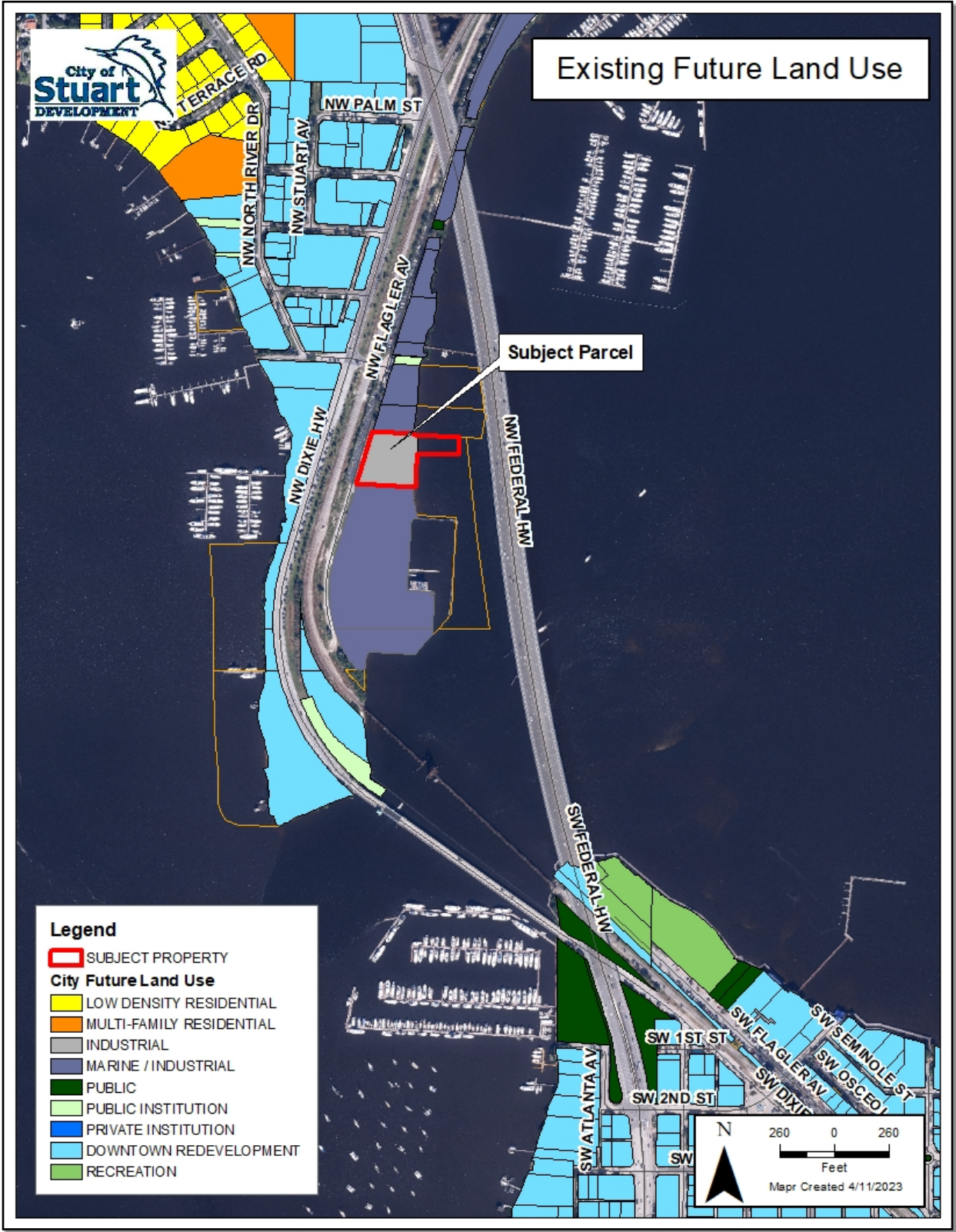
According to Condition #4 outlined within Resolution 50-2018, any owner of subject parcel (*Building 10*) may amend the development approvals for Harborage Development without joinder of other property owners within the development.

In addition to the requested Future Land Use Comprehensive Plan Amendment, the applicant submitted a concurrent application for a Major Urban Code Conditional Use to modify the approval for “Building 10” to allow for a boat sales and service facility to be known as Willis Custom Yachts. The proposed site plan identifies a 11,817 square foot boat maintenance building with attached first floor workshop (3,094 *ft*²) and second floor sales office (3,336 *ft*²). In addition, the plan identifies eighteen (18) onsite parking stalls, onsite loading area, two (2) dry boat storage slips, four (4) wet boat slips and a temporary mooring area. Pedestrian connections are provided through the property to the south where it will connect to the proposed Atlantic Point project, and landscaped buffers along the north, west, and south property boundaries. Water-based improvements include a proposed seawall, docks, and travel boat lift.

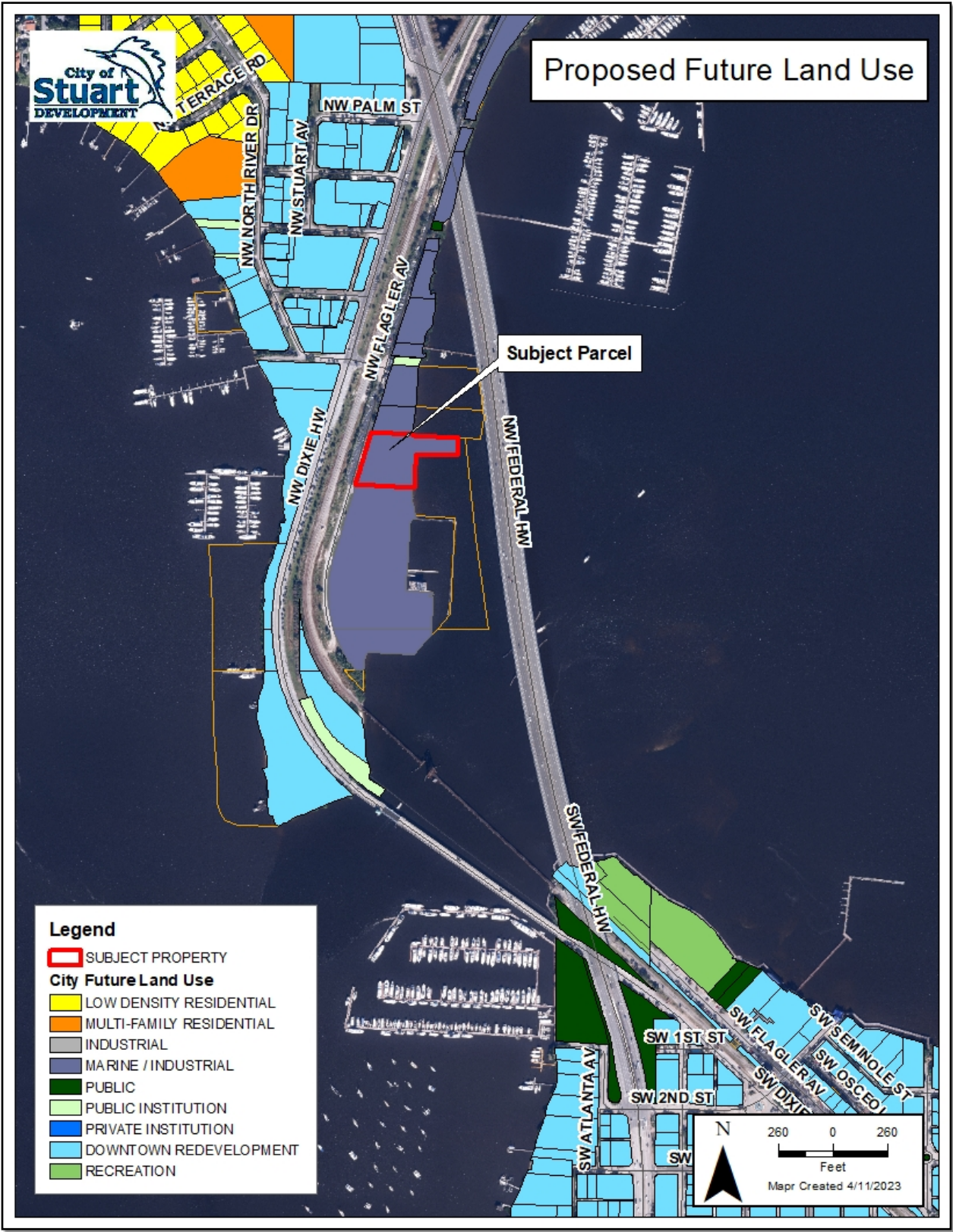
Willis Custom Yachts is an established boat manufacturer located within Unincorporated Martin County and intends to utilize the subject site to serve customers who are testing their newly purchased boat, which was manufactured or repaired at the offsite location.

C. Existing/Proposed Zoning & Future Land Use Maps

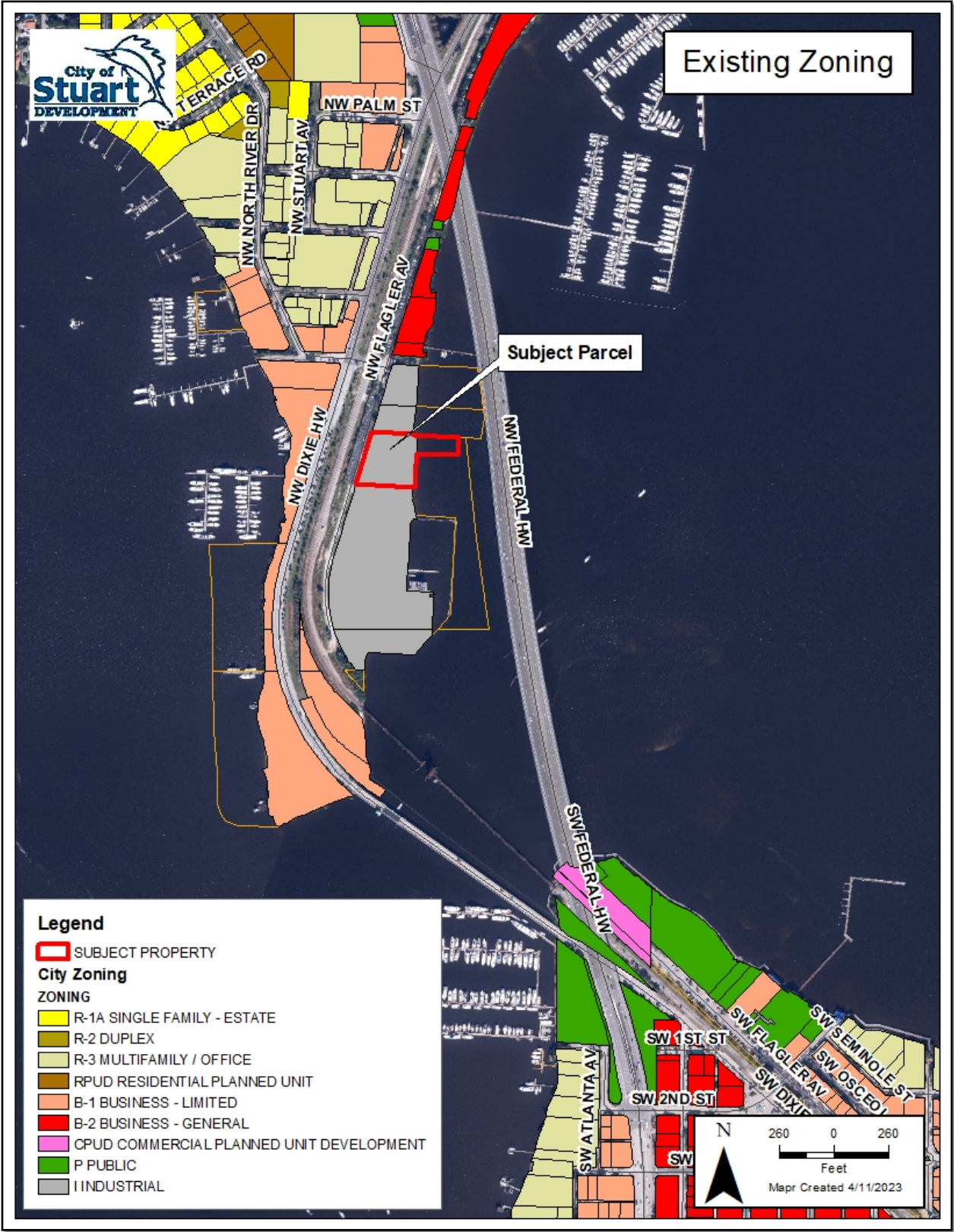
Existing Future Land Use:



Proposed Future Land Use:



Existing Zoning:



D. Land Development Code Review

Section 11.01.07(G) includes specific policy provisions required to be considered when assessing a request for a Small-Scale Comprehensive Plan Amendment. In addition to the response to each of the applicable policy criteria detailed above, staff finds the application to be consistent with the provisions outlined within Section 11.01.07 of the City of Stuart LDC regarding submittal requirements.

Staff has completed a review of the land use amendment application based on the criteria included in Section 11.01.07(G) and provides a detailed analysis based on the specific and applicable criteria as follows. The applicant is advised of requirements to follow the necessary public noticing requirements ahead of any scheduling of public hearings before the Local Planning Agency (LPA), Community Redevelopment Board (CRB), and the City Commission.

Specifically, the LPA, CRB, and City Commission shall consider the following criteria:

a. The existing land use pattern

Staff Findings: The existing land use pattern includes Marine/Industrial designated lands further north, in addition to Downtown land uses. A request to amend the land use from Industrial to Marine/Industrial is consistent with properties to the north and south of the subject property. Refer to land use map and table prepared by staff identifying existing land use, zoning, and site-specific uses within proximity to the site.

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

Staff Findings: The subject property is located east of the St Lucie River with land use designations within the surrounding area predominantly Marine/Industrial and Downtown. The request is consistent with the establish land use patterns and water-based developments within the CRA.

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

Staff Findings: Residential use is allowed under Marine Industrial future land use, subject to site plan approval. A maximum of 27 residential units may be accommodated were the property to be developed as such. The property is located within an urban area, with access to utilities, roadway infrastructure, and local schools, were the property to be developed as a residential use. Review comments received from Utilities & Engineering Department, Police Department and Fire Rescue; no issues have been identified from reviewers at this stage have been raised regarding level of service provision within the City. Martin County School District will be consulted at the site plan stage when any residential use on the vacant property would be identified and assessed if applicable.

d. The possible overloading of the city's sewage collection, treatment, and disposal facilities.

Staff Findings: Review by the Utilities and Engineering Department based on the land use amendment determined sufficient water & wastewater capacity to accommodate the maximum build out for the proposed land use amendment.

e. The possible overloading of the city's drainage system.

Staff Findings: Review by the Utilities and Engineering Department based on the land use amendment identified no issues regarding the potential overloading of the city's drainage system pertaining to a request for a land use amendment. A detailed analysis will be undertaken at the site plan stage in the application process, including civil and site plan documentation directed at drainage.

f. The existing classification boundaries in relation to existing conditions on the subject property.

Staff Findings: Existing conditions on the subject property are that of a vacant marina facility. Effective reuse of the property with uses afforded to lands designated Marine/Industrial within the boundary of the City of Stuart CRA will introduce improvements to the vacant/cleared industrial lands in an area where water-based uses are well-established.

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

Staff Findings: The previous use on the property was a commercial marina. Existing buildings were demolished, and the site is vacant and cleared in 2019. Recently a property to the south, abutting the subject property, received Approval for a Marine/Industrial land use and a concurrent approval of a Major Urban Code Conditional Use to accommodate marina-based uses. Existing properties in the surrounding area have a Downtown or Marine/Industrial land use and are zoned Industrial or Urban Waterfront and are within the City of Stuart CRA. Accommodating a small-scale land use change from Industrial to Marine/Industrial is consistent with the existing conditions and future land use map patterns of established use categories within the area.

h. The impact of the proposed amendment upon living conditions in the adjacent neighborhood.

Staff Findings: The property has been established as an industrial/water-based facility for many years. The proposed small-scale land use amendment from Industrial to Industrial/Marina is consistent with uses permitted within the CRA, and established land use patterns and existing developed properties.

i. The impact of the amendment upon the flow of light and air to adjacent areas.

Staff Findings: Not applicable as per the distance and separation between established property boundaries. Lighting plans are required to be submitted and reviewed in support of any proposed site plan proposal.

j. The impact of the proposed amendment upon property values in the adjacent area.

Staff Findings: The proposed amendment does not deviate considerably from the existing Industrial Land Use Designation. A land use amendment to accommodate Marine/Industrial uses is consistent with the water based dependent uses existing or recently approved within proximity to the site.

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

Staff Findings: The proposed amendment is consistent with property to the north and south, which share the requested Marine/Industrial Future Land Use designation. The use is also consistent with the Goals, Objectives, and Policies of the Comprehensive Plan pertaining to the retention and expansion of marine based uses, encouraging access to water, and employment generating uses.

l. The existence of other adequate sites in the city for the proposed land use classifications already permitting such use.

Staff Findings: Most of the properties designated Industrial/Marina land use are developed and established with water-based uses and development patterns. The proposal will provide additional facilities to compliment the established uses while replacing the recently demolished former marine based uses accommodated previously on the site.

E. Comprehensive Plan Review

Plan amendments that qualify as small-scale development amendments may follow the small-scale review process in s. 163.3187. Such a request may be considered at any time by the City without any limit on frequency in accordance with the procedural requirements and thresholds detailed in Sec. 11.01.07. "Small-Scale" Comprehensive Plan Amendment application. The proposal complies with the following Objectives and Policies of the City of Stuart Comprehensive Plan:

Chapter 1, Objective 1.A7. Future Land Use Categories: The future land use categories defined below provide general descriptions intended to encompass all present and future land uses in the City of Stuart. The "Table of Land Use Densities and Intensities" provides specific density and intensity measures that shall establish the maximum density and intensity allowed in each land use category. The Future Land Use Map establishes the optimum, overall distribution of land uses as well as can be established on a City-wide basis. Neither these policies nor the Future Land Use Map shall be construed to mean that every parcel in a designated area is suitable for the designated use. Other plan objectives and policies will be applied to ensure that any proposed development will be suitable for the particular site. Similarly, the Future Land Use Map does not assure the landowner the right to the most intense use allowable under the designated future land use category. The City shall have the discretion to decide that the permitted land use shall be more limited than the maximum allowable under the future land use category; provided, that the City shall approve some development that is consistent with the City's plan.

***Staff Findings:** The request to amend the Future Land Use Map from Industrial to Marine/Industrial is based on Comprehensive Plan Policy 1.A7.1., as it pertains to the use category options available for consideration within the City of Stuart's jurisdiction. Applicable Future Land Use categories reviewed in accordance with Comprehensive Plan Policy 1.A7.1. include the current Industrial and proposed Marine/Industrial designations based on the findings below.*

Policy 1.A7.1E. Industrial: Land uses and activities predominantly connected with manufacturing, assembly, processing, packaging, research, or storage of products. Additional permitted uses in such areas include warehousing, wholesale activity, machine repair, and limited indoor retail sales and professional and other offices. Also, public facilities and electric distribution substations are allowed.

Policy 1.A7.1M. Marine/Industrial: Waterfront district which permits continuation of industrial/marine uses while encouraging mixed use development including multi-family residential; commercial; office; lodging; marinas; and civic uses. Also, public facilities and electric distribution substations are allowed.

***Staff Findings:** The Industrial land use designation does not call out marina use in the list of land uses and activities predominantly connected with such a land use. The Marine/Industrial Future Land Use category clearly identifies industrial/marine uses in the land use category. A land use change from Industrial to Marine/Industrial is considered more consistent based on such factors as location within the CRA, previous uses related to marine industrial activities, proximity to the waterfront, and primarily based on the surrounding land use map designations as predominantly Marine/Industrial. The Industrial land use designation may be considered out of date and not applicable based on these factors.*

Objective 1.B3. Desirable Pattern of Land Uses: Promote and enhance a pattern of land uses that are convenient to City residents, businesses, and visitors; that avoid inappropriate or wasteful use of land; and that encourage efficient use of land, resources, and facilities. Future land uses shall be designated to support the existing or planned community character, thereby prohibiting the development or expansion of uses which are inconsistent with the community's character. Reduce blighted areas through redevelopment. Land development and use regulations shall include provisions to ensure consistency with this Comprehensive Plan.

***Staff Findings:** The requested petition is consistent with Objective 1.B3., desirable pattern of land uses when assessing the request to change the land use from Industrial to Marine/Industrial in an area of the city whereby most properties surrounding the subject site have a Marine/Industrial designation.*

Objective 1.B1. Compact Urban Form: Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart to achieve a compact urban form.

***Staff Findings:** The property is within a well-established urban area of the city. Re-use of the vacant industrial marina property on a site located within lands predominantly designed Marine/Industrial offers the opportunity to redevelop the site with uses consistent with established development patterns.*

Objective 1.B3. Desirable Pattern of Land Uses: Promote and enhance a pattern of land uses that are convenient to City residents, businesses, and visitors; that avoid inappropriate or wasteful use of land; and that encourage efficient use of land, resources and facilities. Future land uses shall be designated to support the existing or planned community character, thereby prohibiting the development or expansion of uses which are inconsistent with the community's character. Reduce blighted areas through redevelopment. Land development and use regulations shall include provisions to ensure consistency with this Comprehensive Plan.

***Staff Findings:** The proposed land use change from Industrial to Marine/Industrial offers the same land use designation as the majority of the well-established and developed properties within this part of the city. Reuse of a vacant industrial property to accommodate marine/industrial type use offers an effective use of land, resources, and facilities consistent with the character of the area.*

Policy 1.B3.2. All development shall be compatible with and complementary to surrounding land uses and shall not unduly affect existing approved activities.

***Staff Findings:** Most of the properties within proximity to the site and within this part of the city have a Marine/Industrial Future Land Use designation. Such properties are established uses including water dependent marine-based uses, residential and mixed-use condos, offices, and commercial developments. A recently approved Atlantic Point Marina facility south of the subject property establishes a larger 7.94-acre Marine/Industrial land use designation with an approved site plan for a commercial/marina facility on the vacant parcel.*

The request to amend the Future Land Use on the subject property from Industrial to Marine/Industrial is consistent with the recently approved Atlantic Point Comprehensive Plan Amendment and provides a similar land use pattern along this part of the city. Re-use of a property with a more effective site layout and mix of uses will add significant improvement in terms of design consistent with the Comprehensive Plan policies and objectives.

Goal Statement C – The future land use goal for the Community Redevelopment Area (CRA) [is] to maintain and strengthen the beauty, economic viability, cultural resources, and social importance of the area. This shall be accomplished through mixed-use zoning, preservation of historic buildings, innovative zoning and land use regulations, demolition, reconstruction or substantial renovation of existing buildings and infrastructure, enhancement of marine resources, and other measures to promote urban redevelopment.

***Staff Findings:** The property has been the subject of a demolition of existing marina-based uses on the now vacant lands. Effective reuse of a vacant property located within the heart of the CRA will strengthen opportunities for economic viability, offering enhancement of marine resources and promote urban development.*

Policy 1.C3.3. The City shall promote waterfront access through FLUE Objective 1.A2 and its associated policies in order to increase the attractiveness and desirability of the CRA for new development and redevelopment.

Staff Findings: The proposal, when completed, will achieve waterfront access in pedestrian, boat, and access to waterfront within the heart of the CRA.

Policy 1.C3.5. The City shall promote compact urban form and discourage urban sprawl consistent with FLUE Objective B1 and Policy B1.1.

Staff Findings: The property is a brownfield, infill project, replacing old buildings and bringing the entire site up to date while introducing additional use and accessibility within an established urban area.

Policy 1.C3.12. The City of Stuart shall promote land use patterns which complement multiple modes of transportation, including transit, pedestrian and bicycle amenities, and marine transit such as ferries, water taxis and upland support facilities (e.g., designated anchorages, marinas, dinghy accommodations, canoe/kayak launches and the City's "blueways" program).

Staff Findings: The proposed Marine/Industrial land use is consistent with established land use patterns within this part of the city on lands abutting the St. Lucie River. The request to amend the land use from Industrial to Marine/Industrial is consistent with the objective, offering proposed water-based uses within proximity downtown Stuart.

Chapter 11, Economic Development Element Goal Statement – The City will develop and maintain an economic environment that will encourage the creation, expansion and retention of business within city limits while maintaining a high quality of life for its residents.

Objective 11.A1. - Retain existing businesses and attracting new businesses. Provide supporting services for the retention of existing businesses and attracting new businesses.

Staff Findings: Effective reuse of the site in the form of new water-based marina type facility and, fosters marine industry related business expansion and retention in a central location of the City of Stuart CRA.

Policy 11.A1.1. The city will seek to ensure the allocation of an appropriate quantity of lands that are desirable for commercial and industrial purposes to serve future growth needs of the city.

Staff Findings: A proposal to amend the land use from Industrial to Marine/Industrial provides an opportunity for additional uses, not limiting a waterfront property to only industrial uses. The concurrent request to consider a Major Urban Code Conditional Use request to accept marine use on the property is consistent with the land use change to Marine/Industrial. Retaining employment-based use opportunities on the existing property and providing opportunity for uses accessible for public enjoyment.

Policy 11.A1.2. The city will seek to prioritize the development of sites with high visibility and direct access to major transportation corridors for targeted and other industries and uses that encourage job creation.

Staff Findings: The proposed mix of uses will be well-served and accommodated with access to St. Lucie River, easy access to Okeechobee Waterway, the Intracoastal Waterway, and the Atlantic Ocean. Flagler Avenue is parallel to the subject property and easy access exists to Dixie Highway.

Policy 11.A1.4. The city will encourage the designation and preservation of industrial land for industrial uses.

Staff Findings: The request to amend the land use from Industrial to Marine/Industrial is consistent with the property location and the pattern of land use designations to the north. Rather than removing the Industrial land use designation, the comprehensive plan amendment provides the opportunity for additional commercial

uses conducive with water-based activities.

Maximum Buildout Analysis:

Comprehensive Plan: Element 1, Table of Land Use Densities, and Intensities

Policy 1.A7.2 Gross densities, gross intensities and proportional use amounts for each land use category are established in “Table of Land Use Densities and Intensities” that is adopted as part of this element.

FLU		Residential			Non-Residential			
			UPUD, RPUD, or Major UCE					
	In/Out CRA	General	Not ALF	ALF	% Residential	General	> 2.0 FAR	% Non-Residential
Industrial (Existing)	In	None			0%	< 3.0 FAR	< 10-acres	100%
	Out	None			0%	< 1.0 FAR		100%
Marine/Industrial (Proposed)		<15du/ac	<15du/ac	N/A	0-25%	< 3.0 FAR	< 5 Acres	0-100%

Policy 1.A7.4 The City will establish and monitor land use tracking and monitoring procedures to ensure that the specified proportions and acreage limitations are not exceeded and that plan amendments will be adopted in a timely manner if development does not occur as expected and desired.

Staff Findings: *Analysis of the existing lands designated Marine/Industrial land use included the map review of existing developed properties including a mix of residential and mixed-use condominiums, marina and commercial/office uses along the waterfront properties. Based on a map assessment property with a Marine/Industrial land use total approximately +/- 20 acres.*

The table of land use densities and intensities identifies a 0-25% Non-Residential threshold for properties with a Marine/Industrial land use designation. Existing uses on lands with a Marine/Industrial land use identify approximately +/- 5 acres, or 25% of those acres being residential uses such as condominiums or part of a mixed-use development.

Based specifically on the small-scale comprehensive plan amendment to change the future land use designation from Industrial to Marine/Industrial, staff finds no identified issues regarding maximum and minimum buildout thresholds for non-residential and residential use on the subject property. A more detailed assessment of the site-specific use at the site plan review stage will provide a detailed assessment based on actual proposed residential or non-residential uses.

Proliferation of Urban Sprawl:

F.S.163.3177. Primary indicators that a plan or plan amendment to the future land use element shall discourage the proliferation of urban sprawl.

F.S.163.3177. Plan amendment indicators assessed against the request for a small-scale comprehensive plan amendment to change the land use from Industrial to Marine/Industrial:	
YES/NO/NA	a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality to determine whether the plan or plan amendment:
NO	(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
N/A	(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
NO	(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
NO	(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
N/A	(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
NO	(VI) Fails to maximize use of existing public facilities and services.
NO	(VII) Fails to maximize use of future public facilities and services.
NO	(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
N/A	(IX) Fails to provide a clear separation between rural and urban uses.

NO	(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
NO	(XI) Fails to encourage a functional mix of uses.
NO	(XII) Results in poor accessibility among linked or related land uses.
NO	(XIII) Results in the loss of significant amounts of functional open space.
b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:	
YES	(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
YES	(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
YES	(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
YES	(IV) Promotes conservation of water and energy.
N/A	(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
YES	(VI) Preserves open space and natural lands and provides for public open space and recreation needs.
YES	(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
N/A	(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164

F. Development Review

Building:

N/A comments provided pertained to the separate application review of the request for Major Urban Code Conditional Approval.

Fire:

N/A comments provided pertained to the separate application review of the request for Major Urban Code Conditional Approval.

Public Works:

The Public Works Department provided the following comments: The City of Stuart has sufficient water and wastewater plan capacity to serve the maximum buildout for the proposed Willis Custom Yachts located at 151 NW Flagler Avenue, Stuart, Florida. This letter should not be construed as a commitment on behalf of the City to provide water and sewer service to the property until such time final design plans have been approved and all water and sewer availability fees have been paid.

Police:

N/A comments provided pertained to the separate application review of the request for Major Urban Code Conditional Approval.

Engineering:

Captec provided the following review comments:

CAPTEC Engineering (*CAPTEC*) has reviewed the submittal materials received via email on August 29, 2022. The Applicant is requesting a Small-Scale Comprehensive Plan Amendment to change the subject land use from existing Industrial to proposed Marine/Industrial.

The following items were reviewed by CAPTEC with comments as noted:

1. Justification Statement CAPTEC does not have any comments on the Justification Statement.
2. Environmental Plan and Statement CAPTEC has reviewed the Environmental Plan and Statement and has determined that it is sufficient.

The following items are not Civil Engineering review items, and were therefore not reviewed:

1. Traffic Statement CAPTEC Engineering, Inc. performed this review for the City of Stuart in order to confirm compliance with the applicable City of Stuart Codes and Regulations. Neither the Reviewer nor the City of Stuart is the Design Engineer of Record and, therefore, neither entity accepts responsibility for the accuracy or contents of the design documents and/or other data submitted by the Applicant. This project has not been reviewed for any Martin Count/FDOT criteria.

Environmental:

Review Comments received from EW Consultants applicable to the Small-Scale CPA:

LAND DEVELOPMENT CODE CHAPTER 5- RESOURCE PROTECTION STANDARDS

Section 5.01.00 – Avoidance or Minimization of Wetland and other Environmental Impacts

In accordance with the requirements of Section 5.01.01, the applicant should provide a demonstration that the specified

means of “environmental impact avoidance and minimization techniques have been employed to the greatest extent practicable in preparation of the proposed site plan”. For the purposes of the Small-Scale Comprehensive Plan Amendment review, a site plan is not required, thus no assessment of avoidance and minimization is required at this time.

Section 5.02.00 – Environmental Assessment Report for Sites with Wetlands or Greater Than One Acre

An “Environmental Plan and Statement” has been provided by the applicant for the subject property as requested in the completeness review. This document does not follow the specific Code outline for an Environmental Assessment Report; however, a full Environmental Assessment Report would be premature in relation to the Small-Scale Comprehensive Plan Amendment review. At such time as a site plan is under review, an Environmental Assessment Report prepared in accordance with Section 5.02.00 will be required. Section 5.03.00 – Wetlands No agency-verified wetland determination was provided, however, provision of an agency verified wetland determination would be premature in relation to the Small-Scale Comprehensive Plan Amendment review. At such time as a site plan is under review, an agency verified wetland determination will be required.

Section 5.04.00 - Environmentally Sensitive Lands

The “Environmental Plan and Statement” does not clearly indicate whether native vegetative areas exist on site, however, provision of native vegetation inventory would be premature in relation to the Small-Scale Comprehensive Plan Amendment review. In the event that native vegetative areas exist on site, preservation requirements will need to be addressed during site plan review. Section 5.05.00 – Trees A tree survey was previously submitted however, City staff indicated that a “Tree Survey, Disposition Chart, and Tree Replacement Calculation - not required to be submitted as part of the Small-Scale Comprehensive Plan Amendment” in the Completeness Letter dated July 10, 2022.

***LAND DEVELOPMENT CODE CHAPTER 11- PROCESSING OF PLAN APPLICATIONS Section 11.01.07.
"Small scale" comprehensive plan amendment application.***

Pursuant to Section 11.01.07.G, natural or environmentally sensitive resources are not one of the criteria to be considered by the local planning agency as part of their review of the "Small scale" comprehensive plan amendment application review and recommendation.

COMPREHENSIVE PLAN ELEMENT V. CONSERVATION

The Objectives of Element 5 (Conservation Element) were not specifically addressed in the Justification Statement provided by the applicant. The Completeness Letter provided by the city did not specify which elements of the Comprehensive Plan, and specifically Element 5, were to be addressed, thus there are no further environmental comments in relation to this Small-Scale Comprehensive Plan Amendment review.

Traffic:

O'Rourke Engineering, Inc. provided the following review comments:

Policy 2. 15.1. The TCEA is a specific geographic area established in the Comprehensive Plan for urban redevelopment and infill development. The TCEA exists entirely within the designated CRA and EUSA. Transportation level of service standards shall not be applied (for concurrency purposes) to any development occurring within the TCEA as depicted on the TCEA Map to promote urban redevelopment and infill development. The property is located within the City's TCEA Boundary.

LAND USE PLAN AMENDMENT: The City of Stuart has requested that a supplemental traffic analysis be prepared that addresses the potential max development for the site. The current land use is Industrial, and the proposed land use is Marine Industrial. The maximum allowable square footage is 234,440 with an FAR of 3.0 and a lot size of 1.794

acres. The land use high cube warehouse was applied as a worst-case trip generation for the current future land use. The highest allowable use for the proposed future land use of Marine Industrial is commercial retail space. Residential use is also allowed under Marine Industrial, but this would support the development of only 27 residential units which would generate substantially less traffic compared to 234,440 SF of commercial space.

TRIP GENERATION METHODOLOGY: The vehicular trip generation estimate aims to approximate the number of new vehicle trips entering and exiting the site for various purposes (e.g., visitor trips, etc.) during peak periods. The Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition was applied for the trip generation analysis because of its widely accepted methodology. Since the project is not a mixed-use development no internal capture was assumed. The land uses High-Cube Fulfillment Center Warehouse (ITE land use code 155) and Shopping Center (ITE land use code 820) were applied for the analysis of the current and proposed future land uses, respectively.

ROADWAY LINK ANALYSIS: The land use plan analysis requires a five-year and long-range roadway capacity analysis. Tables 2a and 2b summarize the five-year impacts for the AM and PM peak hour at 50% project build-out (e.g., 50% of the project traffic) for the year 2027. Table 3 summarizes the 2040/2045 long range traffic conditions for the PM peak hour at full-build out. The long-range roadway capacity analysis evaluates only the incremental change between the existing and proposed future land use scenarios. If this intense land use was able to be constructed, the impact would exceed 5% or more of the roadway capacity for almost all roadway segments in the study area except portions of Flagler Avenue for both the 5-year and long-range analysis. However, the total projected peak hour traffic is not projected to exceed any roadway segments LOS D directional distribution roadway capacity for either the 5-year or long-range analysis. This shows that the roadway segments in the study area should be able to effectively support future roadway peak hour volumes.

In accordance with the state and local laws the applicant could mitigate their impacts at the time of site plan development through mitigations or a developer agreement such as a “proportionate share agreement”. Therefore, the proposed land use could be accommodated even in the worst-case scenario. The Worst-Case Scenario Supplemental Traffic Analysis for the proposed Land Use Plan amendment for 151 NW Flagler followed the procedures and outline defined in the City of Stuart Land Development Code.

School Board:

The request is specifically for a small-scale comprehensive plan amendment to change the land use from Industrial to Marine/Industrial. The School Board will be consulted at the site plan stage in the process should any residential units be proposed to be accommodate on the subject property. The School Board requires the completion of a School Capacity form as part of a site plan submission and review process. This form requires such details as the number of residential units, square footage, and unit type. Such a review is not applicable as part of a small-scale comprehensive plan amendment.

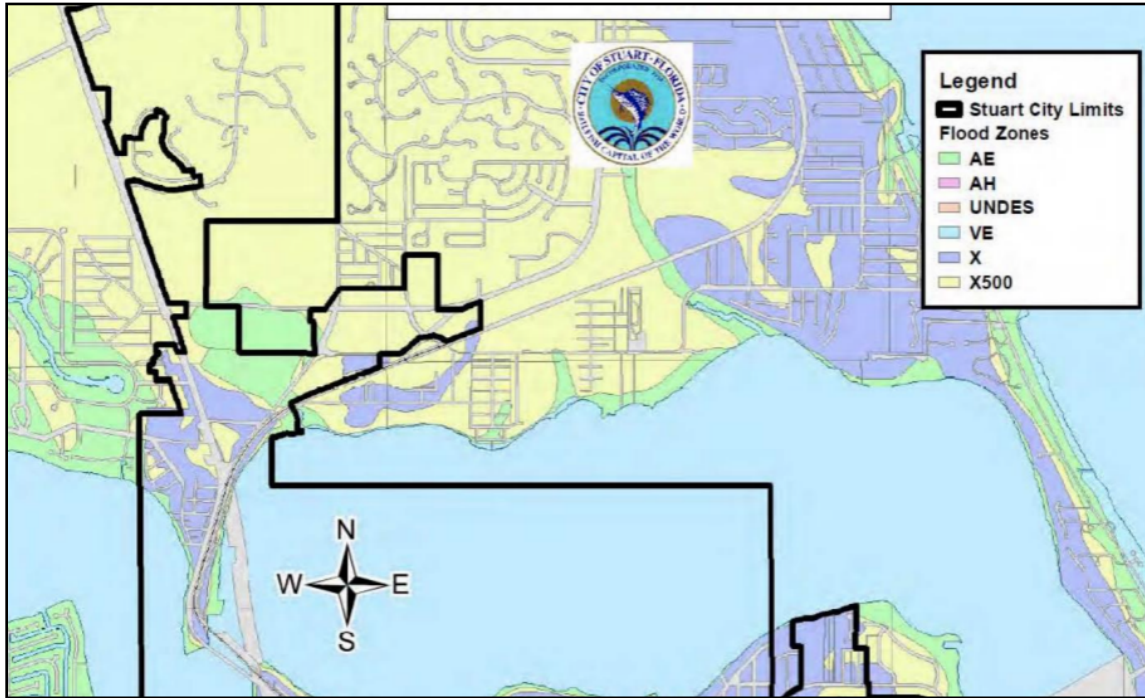
In summary of the request for a small-scale amendment to change the future land use from Industrial to Marine/Industrial, the completed project review provides a determination the project complies with objectives and policies within the City’s Comprehensive Plan, Land Development Code.

G. Staff Recommendation

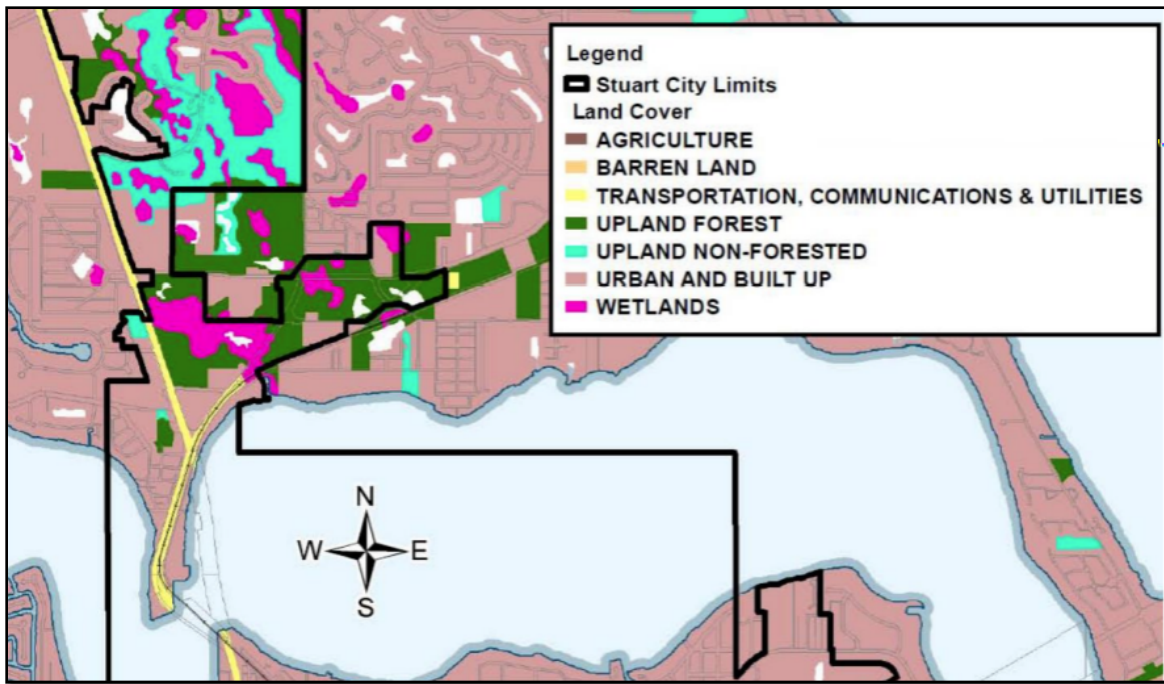
Staff has reviewed the application for a Small-Scale Comprehensive Plan Amendment to amend the Future Land Use Map from Industrial to Marine/Industrial and recommends that the City’s Community Redevelopment Board (CRB) forward a recommendation for approval to the City Commission.

G. Map Exhibits

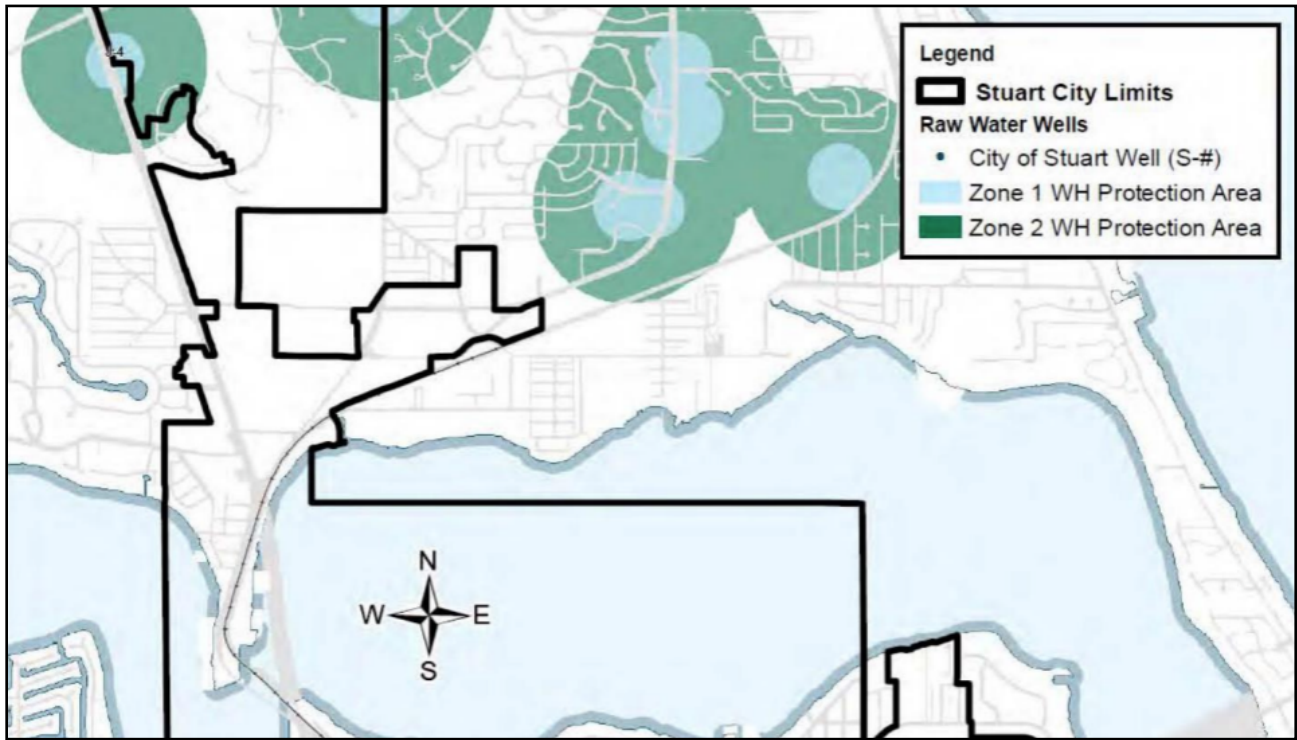
Multiple maps were reviewed based on City of Stuart GIS documentation. Extracts are provided as follows based on the maps reviewed, with no issues identified in the assessment of a request for a small-scale comprehensive plan amendment.



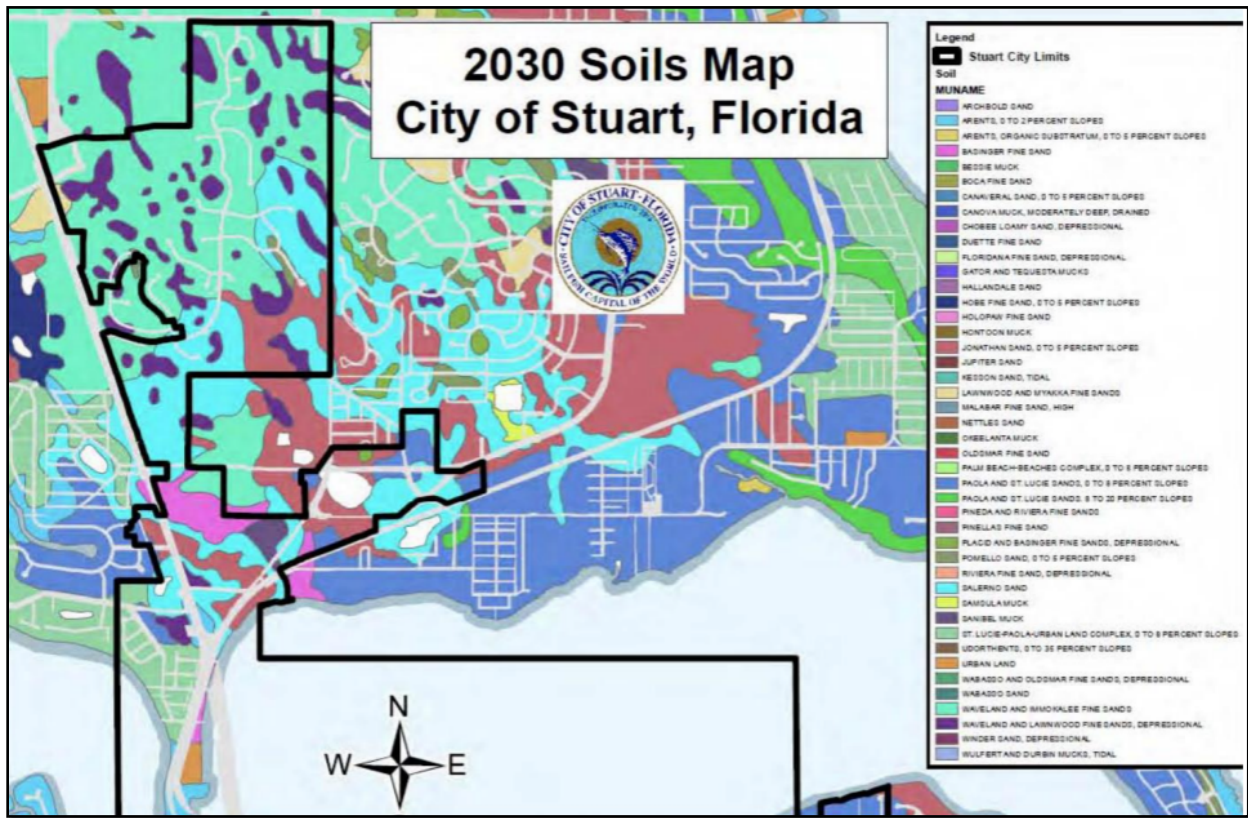
Flood Zones Map Extract City of Stuart Comp Plan: Subject property X and AE flood zone categories



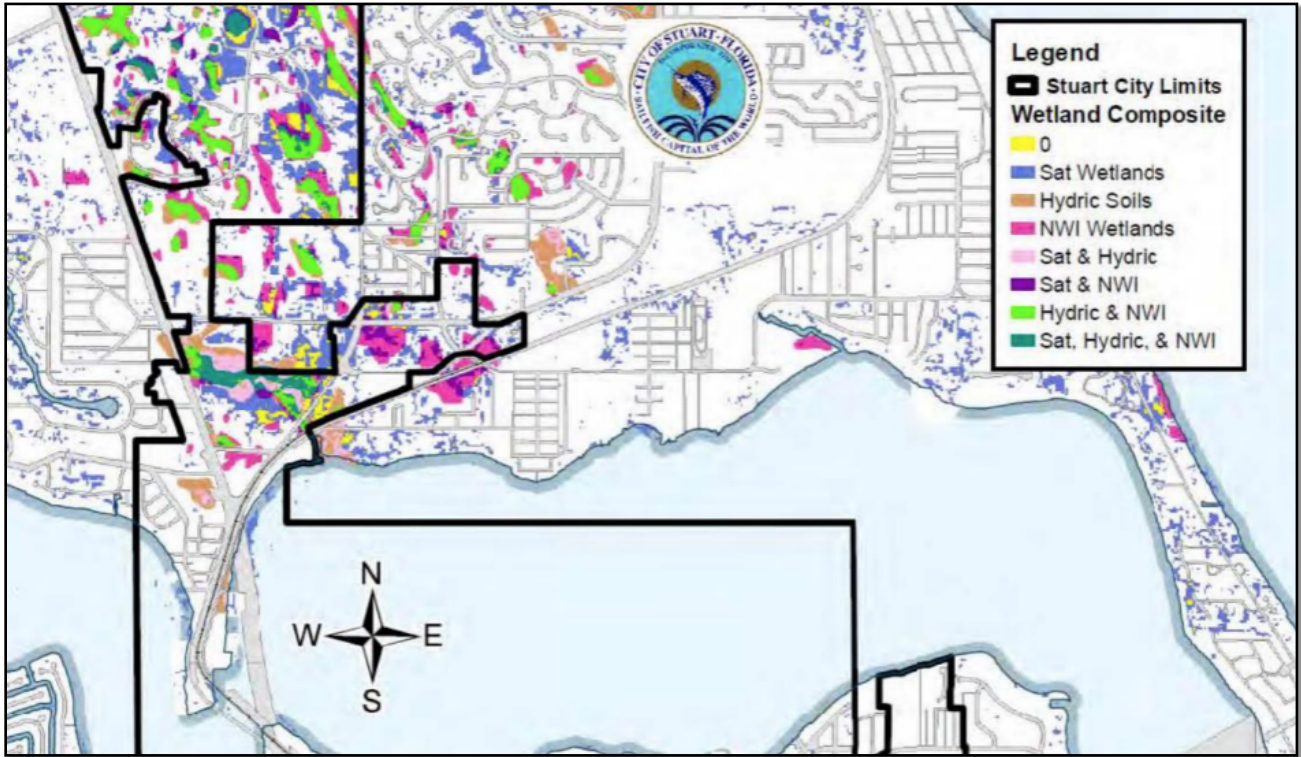
Land Cover Map: City of Stuart Comp Plan: Subject property within an area identified as Urban and Built Up



Planned Wells Map City of Stuart Comp Plan: Subject property within no planned wells area.



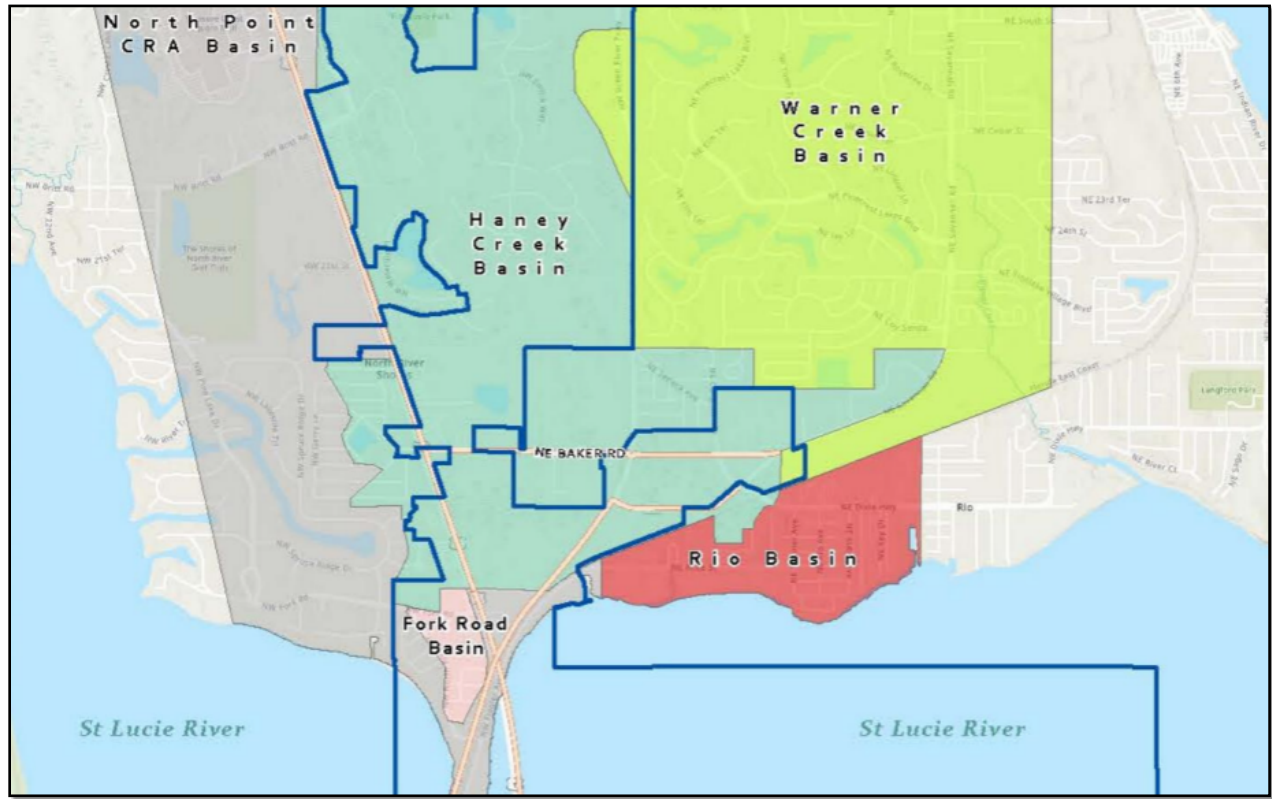
Soils Map City of Stuart Comp Plan: Subject property within Urban Land



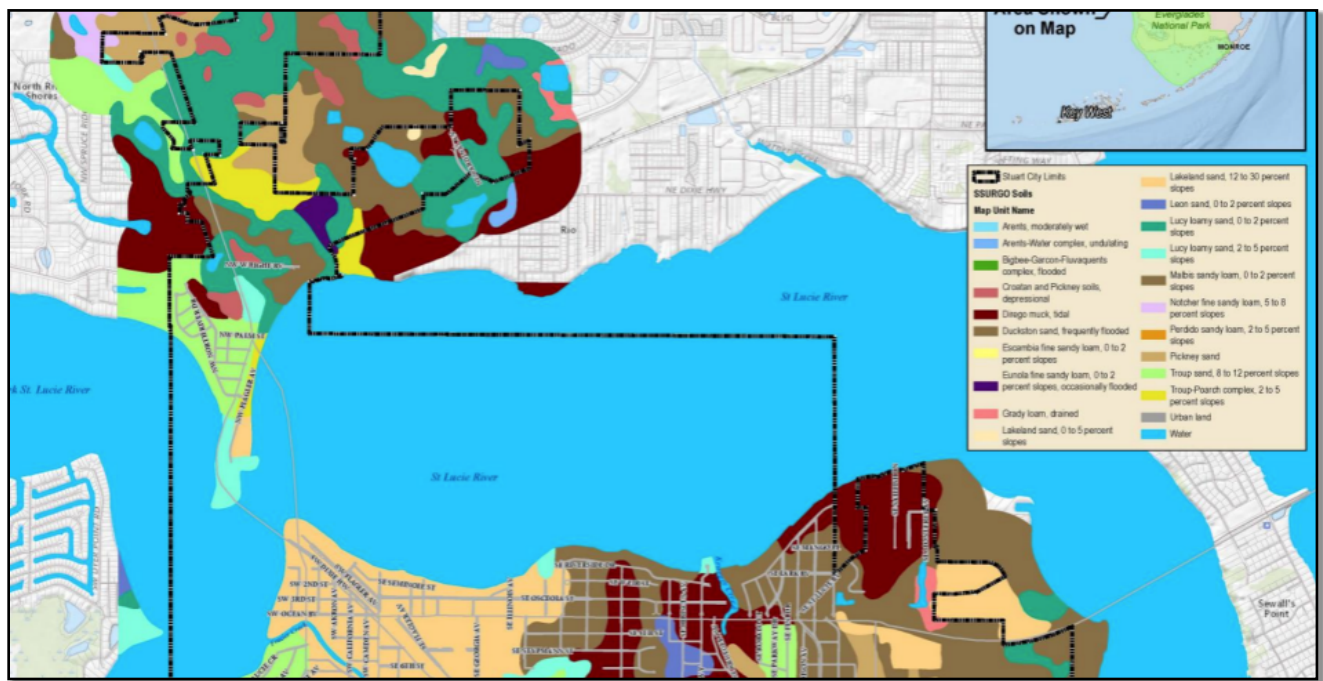
Wetlands Map City of Stuart Comp Plan: No wetlands identified on map



Coastal High Hazard Area Map Extract:

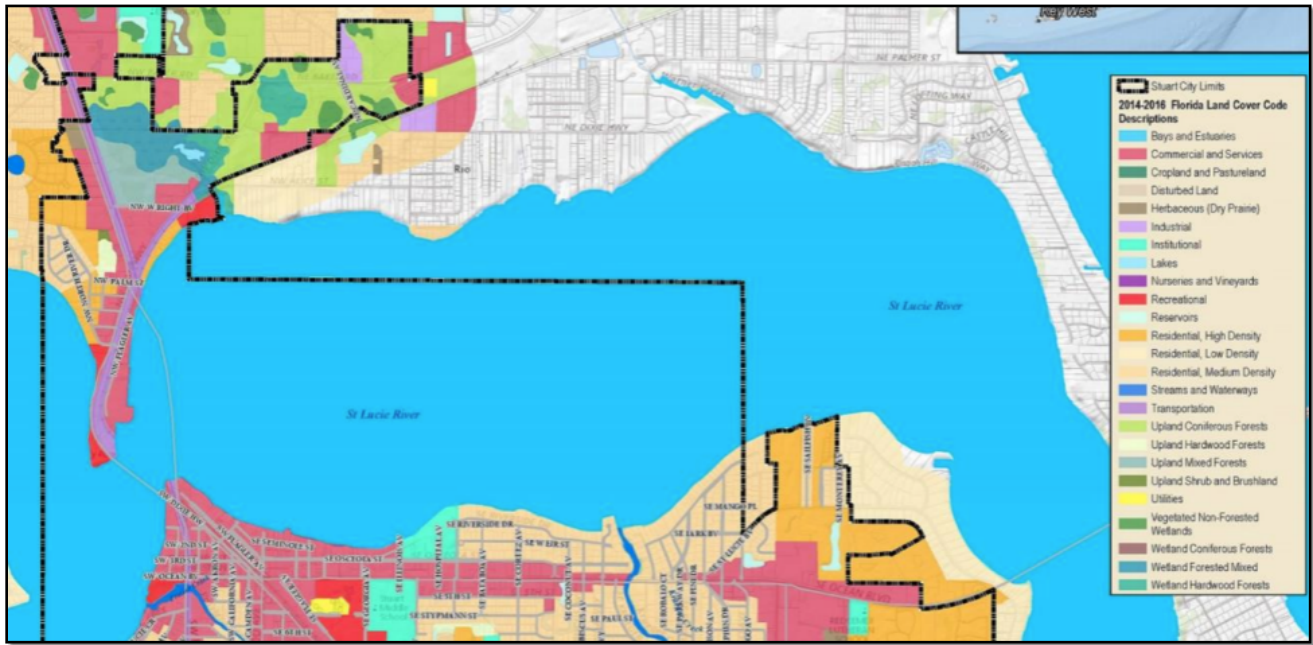


Watershed Basin: North Point CRA Basin

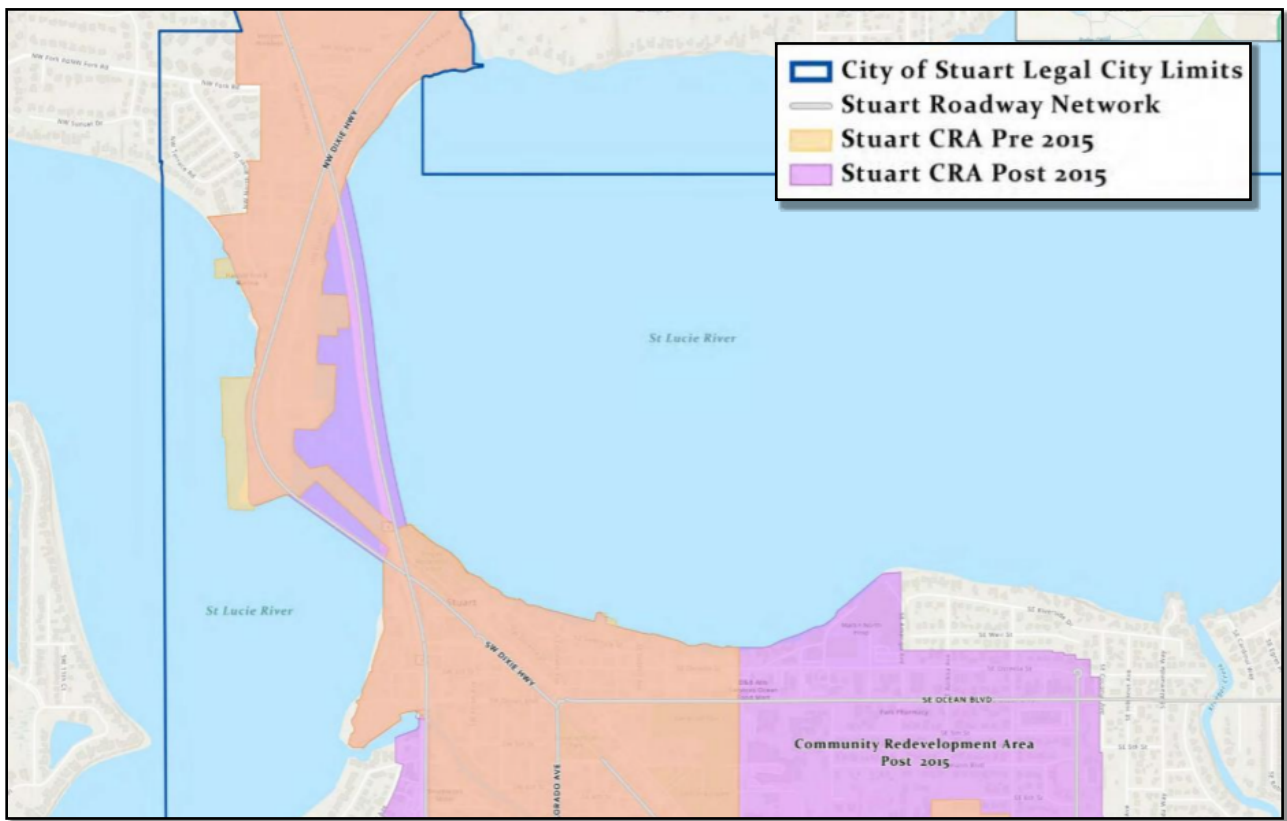


SSURGO Soil Types Map

Willis Custom Yachts
Small-Scale Comprehensive Plan Amendment



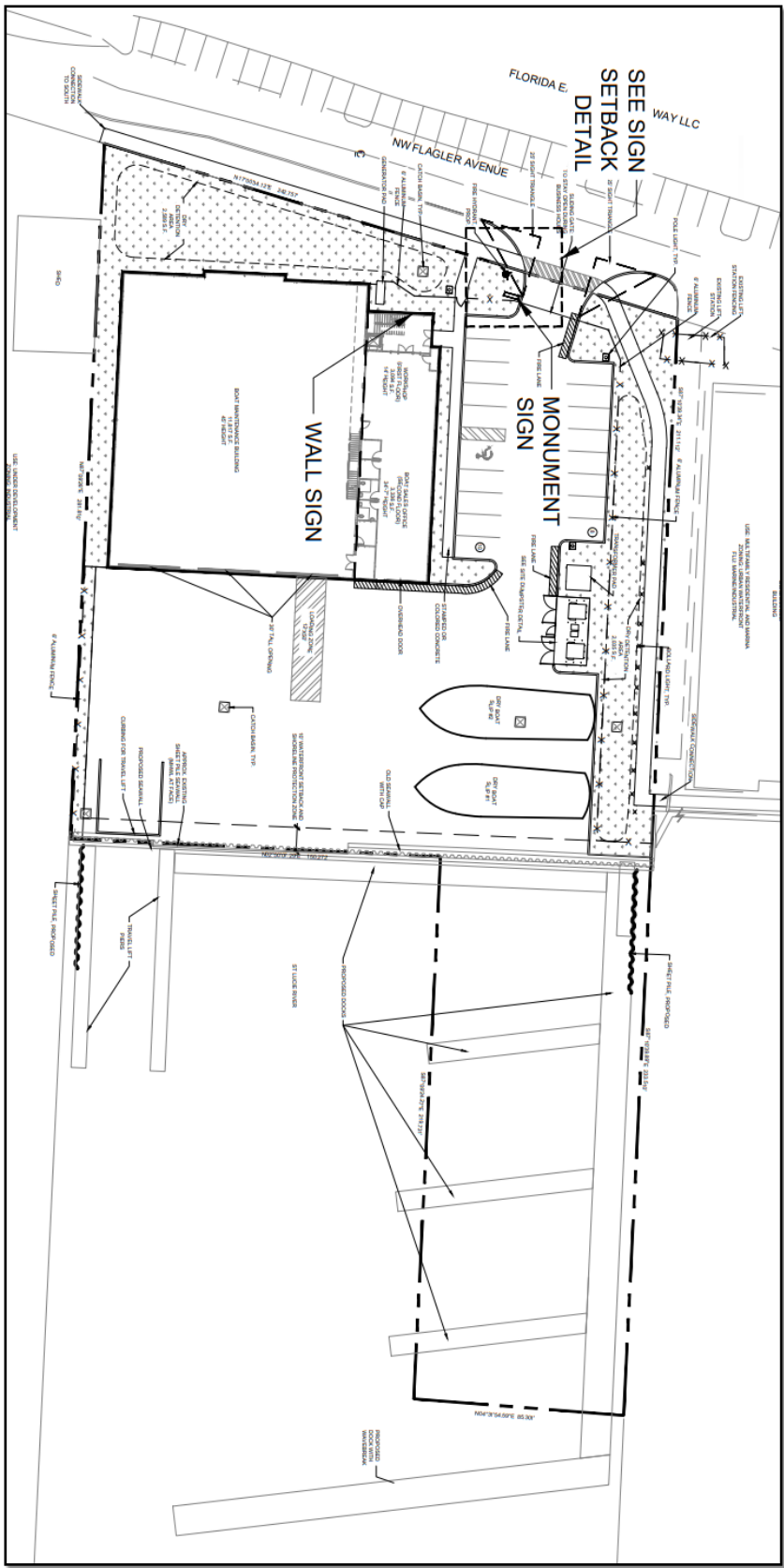
Florida Land Cover Map



Community Redevelopment Area (CRA) Map



FEMA Flood Zones Map



Proposed Site Plan

WILLIS CUSTOM YACHTS

151 NW FLAGLER AVENUE

MAJOR URBAN CODE CONDITIONAL USE



2035 Vista Parkway, West Palm Beach, FL 33411
Phone No. 866.909.2220 www.wginc.com
Cert No. 6091 - LB No. 7055

SUBMITTAL - 01-11-2022

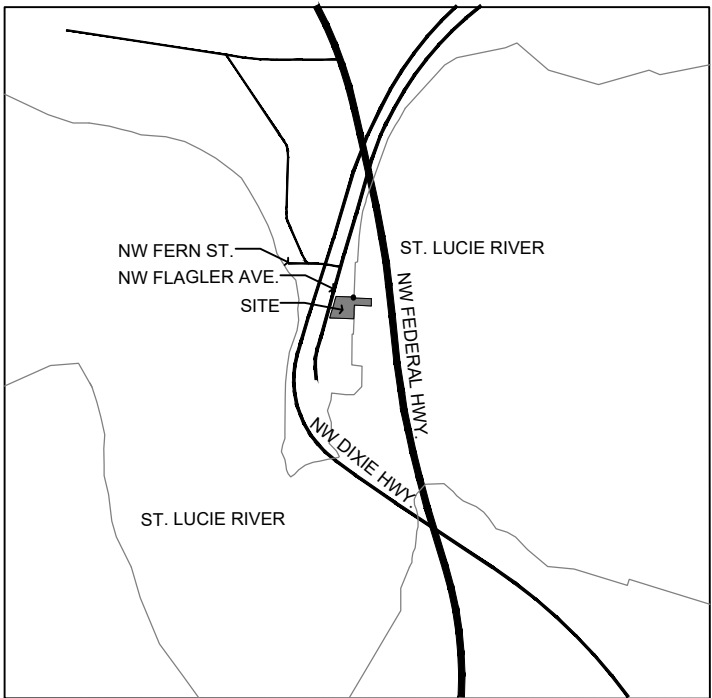
PREPARED FOR 151 NW FLAGLER LLC

SHEET SCHEDULE

SHEET NO.	SHEET TITLE
COVER	COVER
FSP-1	FINAL SITE PLAN
FSP-2	DETAILS
FSP-3	SIGNAGE

LOCATION MAP

SCALE: N.T.S.



PROJECT TEAM

CLIENT

151 NW FLAGLER LLC
6800 JACK JAMES DRIVE
STUART, FL 34997

SITE PLANNER

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: STEVE PICKET, PLA, ASLA

CIVIL ENGINEER

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: TRAVIS DOUGLAS

SURVEYOR

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: ERIC MATTHEWS

TRAFFIC ENGINEERING

WGI, INC.
3230 W. COMMERCIAL BLVD., SUITE 300
FORT LAUDERDALE, FL 33309
PHONE: (954) 660-1660
CONTACT: DAVID TAXMAN, P.E.

LANDSCAPE ARCHITECT

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: BRYAN JACKMAN

PHOTOMETRIC ENGINEER

WGI, INC.
2021 EAST 5TH STREET, SUITE 200
AUSTIN, TX 78702
PHONE: (512) 669-5560
CONTACT: CASEY SVIEVEN

ARCHITECT

WGI, INC.
3111 W. DR. MARTIN LUTHER KING JR. BLVD., SUITE 375
TAMPA, FL 33607
PHONE: (813) 574-3190
CONTACT: ERIC LUTTMANN



1. BLACK OR FLORESCENT COLORS WILL NOT BE UTILIZED AS A PREDOMINANT BUILDING COLOR.
2. ANY ROOFTOP UTILITIES OR FACILITIES SUCH AS AIR CONDITIONING UNITS AS WELL AS ALL EXTERIOR MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW.

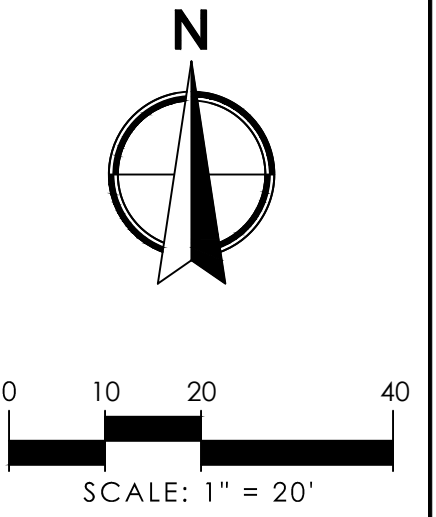
PARCEL SIZE	78,147 S.F	1.79 AC.
PARCEL CONTROL NUMBER	32-37-41-004-020-00061-9	
SITE ADDRESS	151 NW FLAGLER AVE, STUART	

<u>MAXIMUM BUILDING HEIGHT</u>	
INDUSTRIAL	45' 4 STORIES
EXISTING USE	VACANT
PROPOSED USE	BOAT SALES AND SERVICES
EXISTING ZONING	INDUSTRIAL
PROPOSED ZONING	INDUSTRIAL
EXISTING FUTURE LAND USE	INDUSTRIAL
PROPOSED FUTURE LAND USE	MARINE/INDUSTRIAL

TOTAL FLOOR AREA	18,247 S.F	0.42 AC.
FLOOR AREA RATIO		0.232
IMPERVIOUS		
PROJECT SITE	44,244 S.F	1.02 AC.
BUILDINGS(PLAN VIEW OUTLINE)	15,246 S.F	0.35 AC.
IMPERVIOUS PAVEMENT	28,998 S.F.	0.67 AC.

<u>PERVIOUS (OPEN SPACE)</u>		
<u>PROJECT SITE</u>		
LANDSCAPE AREA	15,085 S.F.	0.34 AC.
DRY DETENTION AREA	9,780 S.F.	0.22 AC.
	5,305 S.F.	0.12 AC.
<u>LANDSCAPED AREA</u>	REQUIRED	PROVIDED
	20%	22%

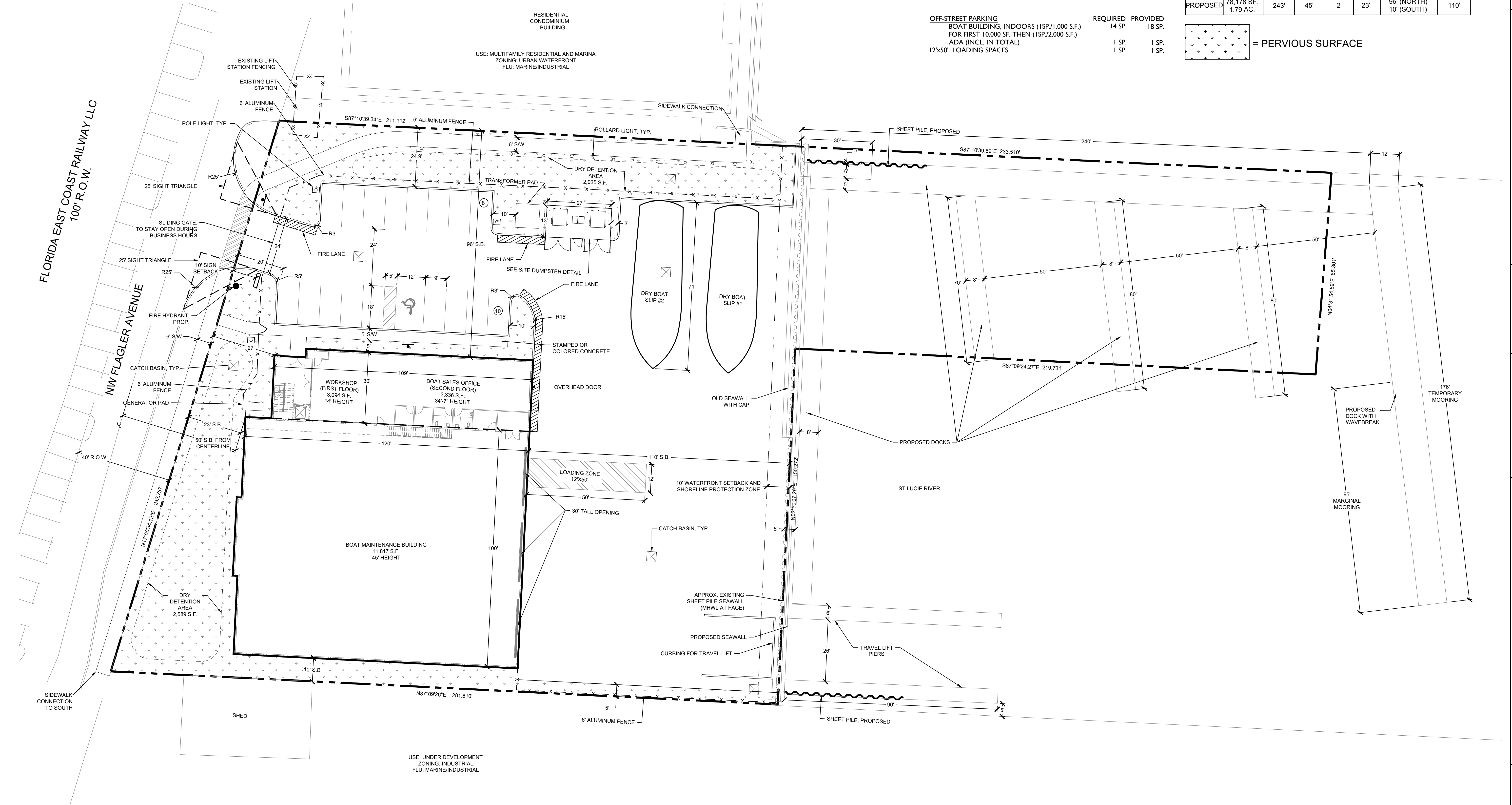
OFF-STREET PARKING	REQUIRED	PROVIDED
BOAT BUILDING, INDOORS (1SP./1,000 S.F.)	14 SP.	18 SP.
FOR FIRST 10,000 SF. THEN (1SP./2,000 S.F.)		
ADA (INCL. IN TOTAL)	1 SP.	1 SP.
<u>12'x50' LOADING SPACES</u>	1 SP.	1 SP.

[illegible]

ZONING DISTRICT (IND.)	LOT DIMENSIONS		MAX BLDG. HEIGHT	MAX BLDG. FLOORS	YARD REQUIREMENTS		
	SIZE	WIDTH			FRONT	SIDE	REAR/ WATER
REQUIRED	N/A	100'	45'	4	0'	0'	10'
PROPOSED	78,178 SF. 1.79 AC.	243'	45'	2	23'	96' (NORTH) 10' (SOUTH)	110'



= PERVIOUS SURFACE



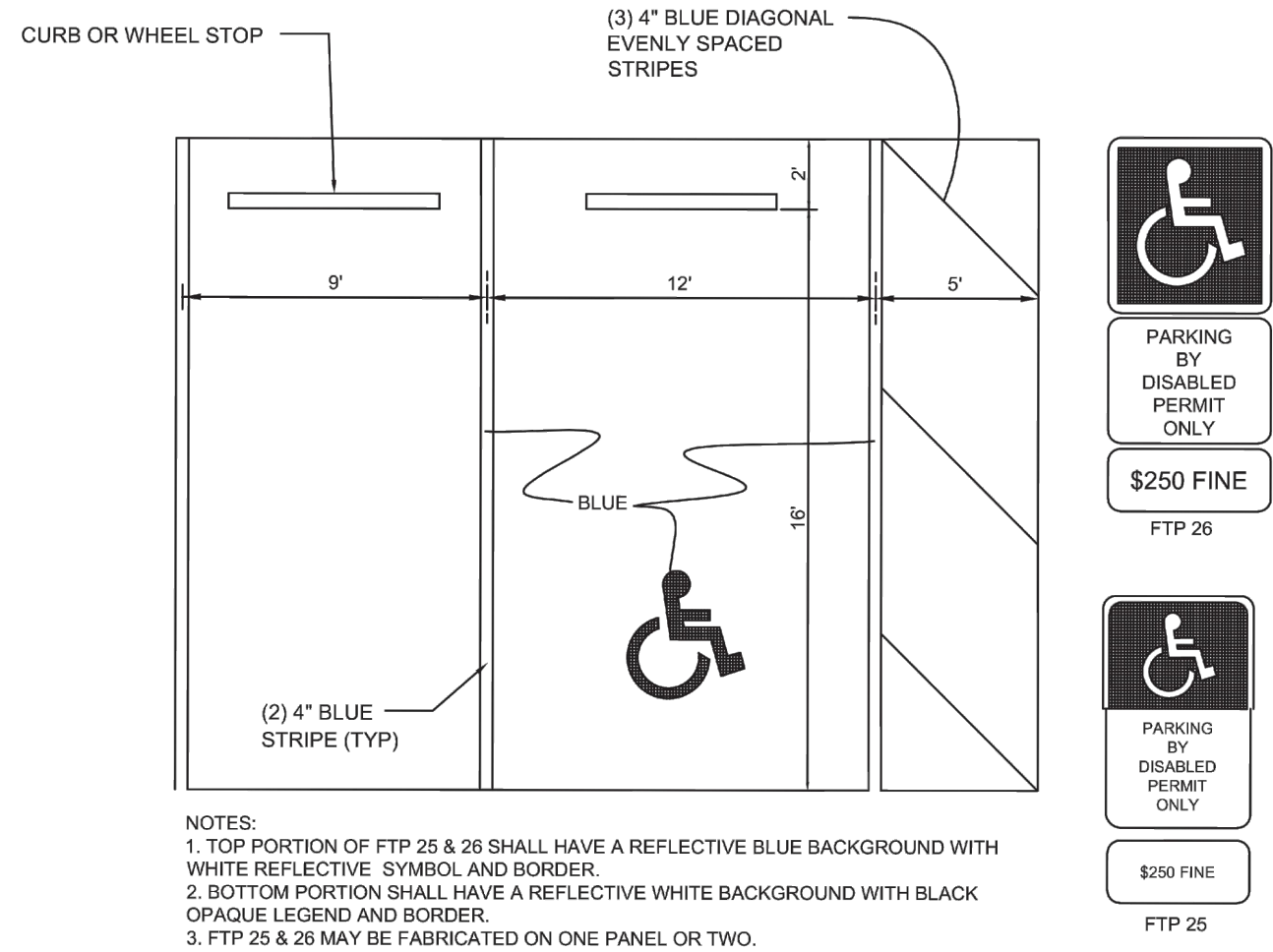
CAD	23802-PLAN-STD	DWG	NO.	DATE	DESCRIPTION	BY
			0	2022-06-28	INITIAL SUBMITTAL	BVF
	JOB NO.	7390-02	1	2022-06-13	INITIAL	BVF
	DRAWN BY	RR	2	2022-12-09	RESUBMITTAL	
	CHECK BY	SP				
	DATE	2022-06-28				

**WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART
MAJOR URBAN CODE
CONDITIONAL USE SITE PLAN**

SHEET:
FSP-1

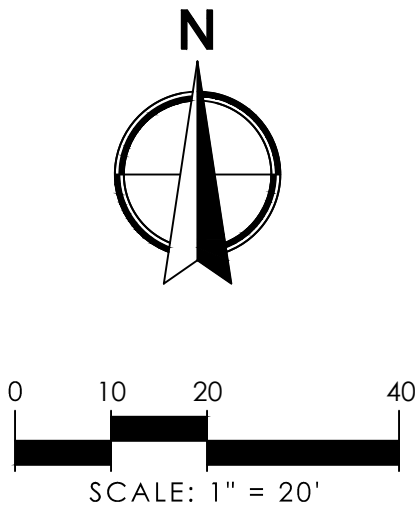
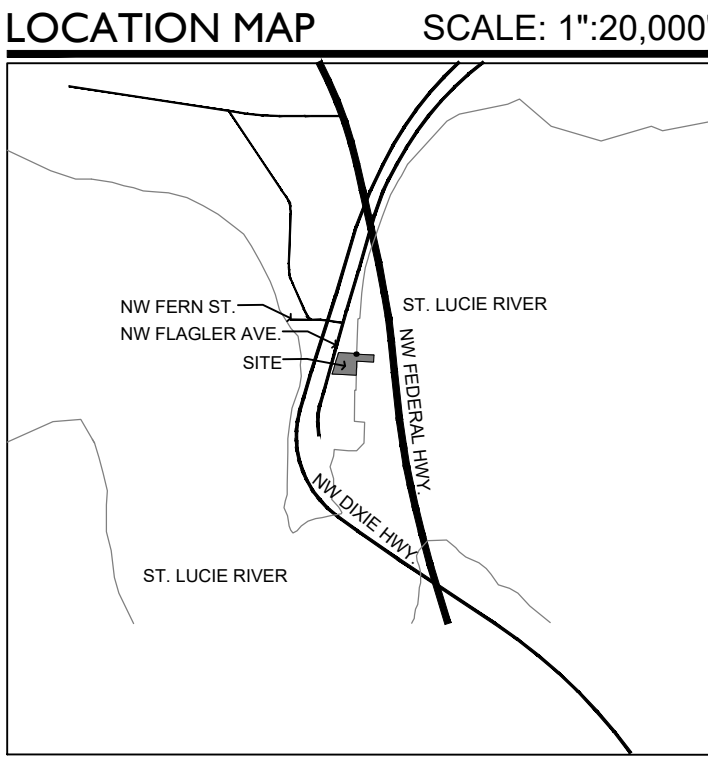
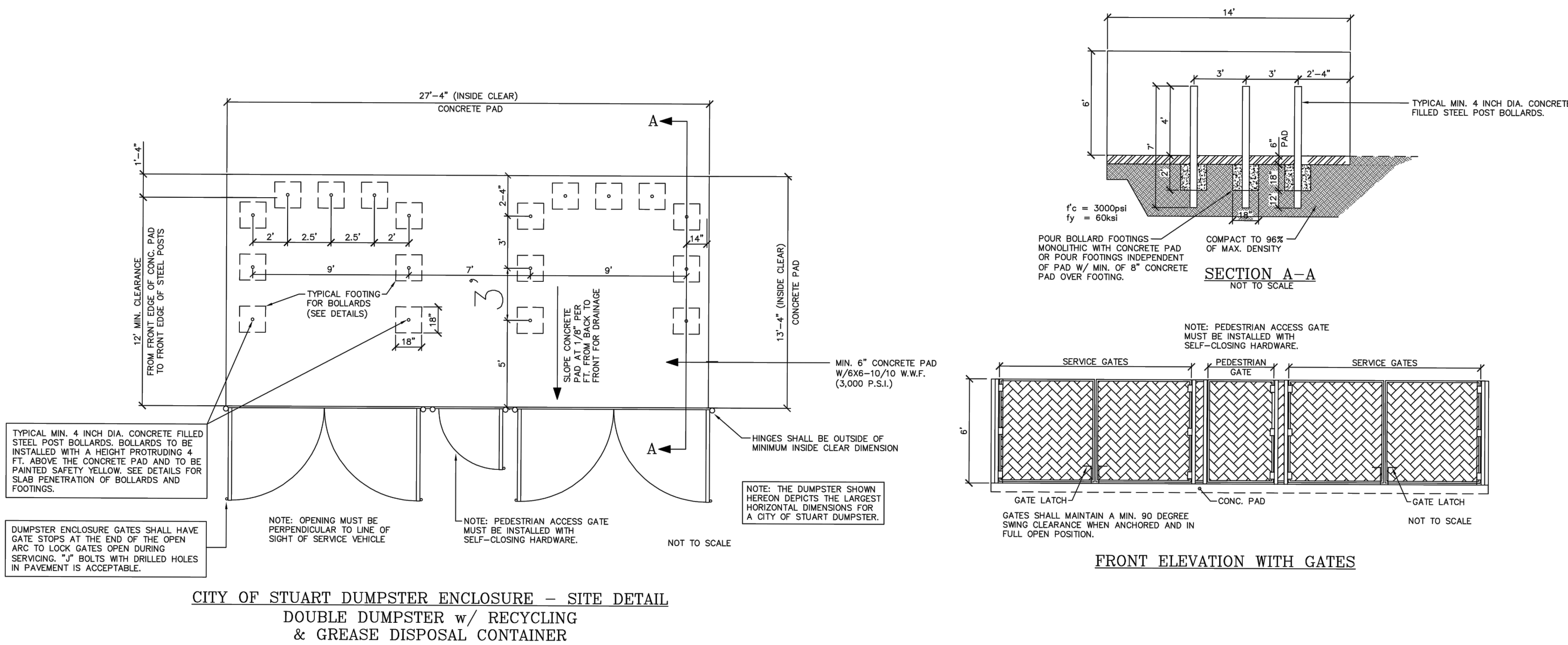
STANDARD & HANDICAP PARKING SPACE DETAIL

NTS



SITE DUMPSTER DETAIL

NTS

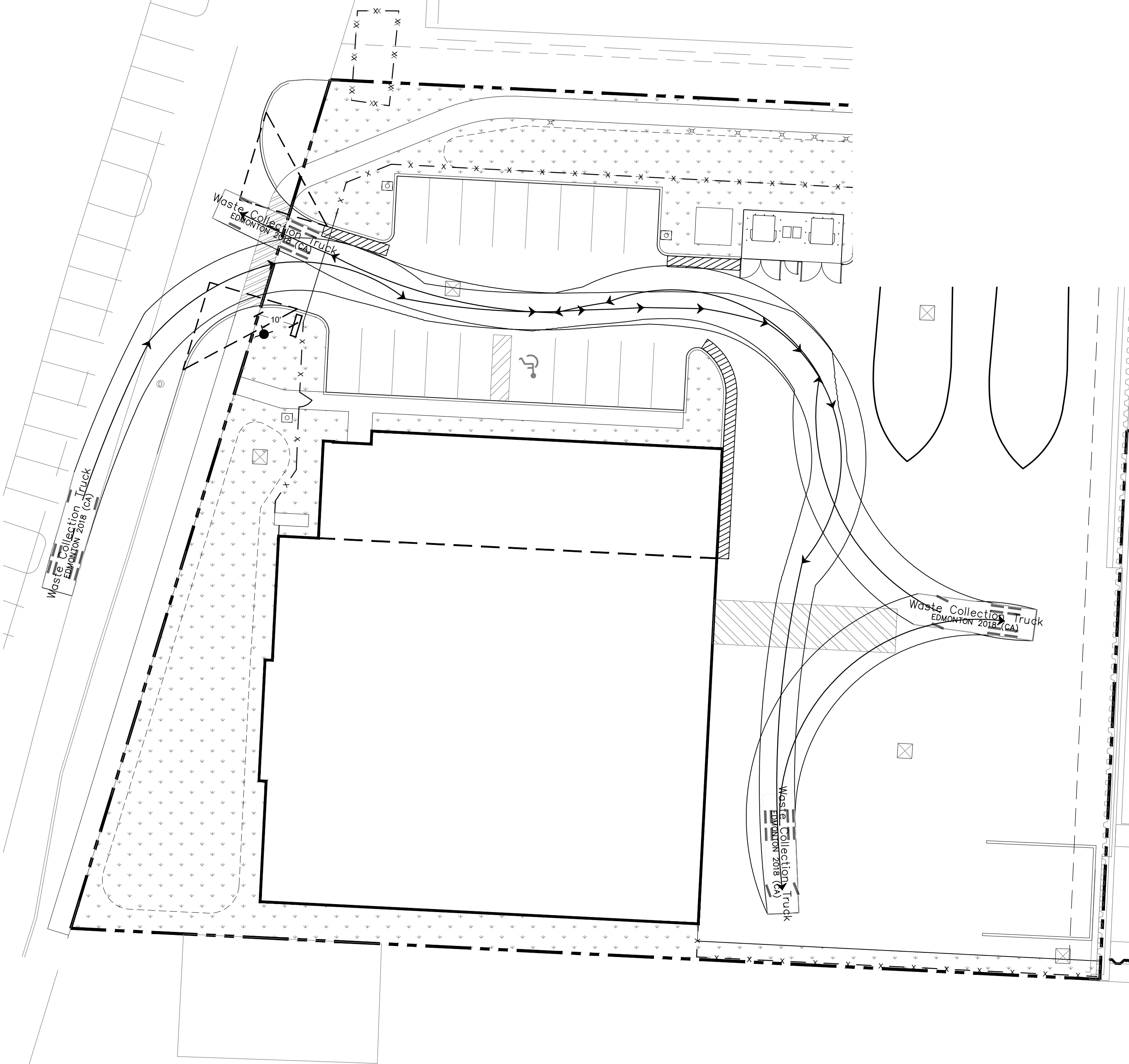


WGL

2035 Ylisa Parkway, West Palm Beach, FL 33411
Phone No. 866.909.2220 www.wginc.com
Cert No. 6091 - LB No. 7055

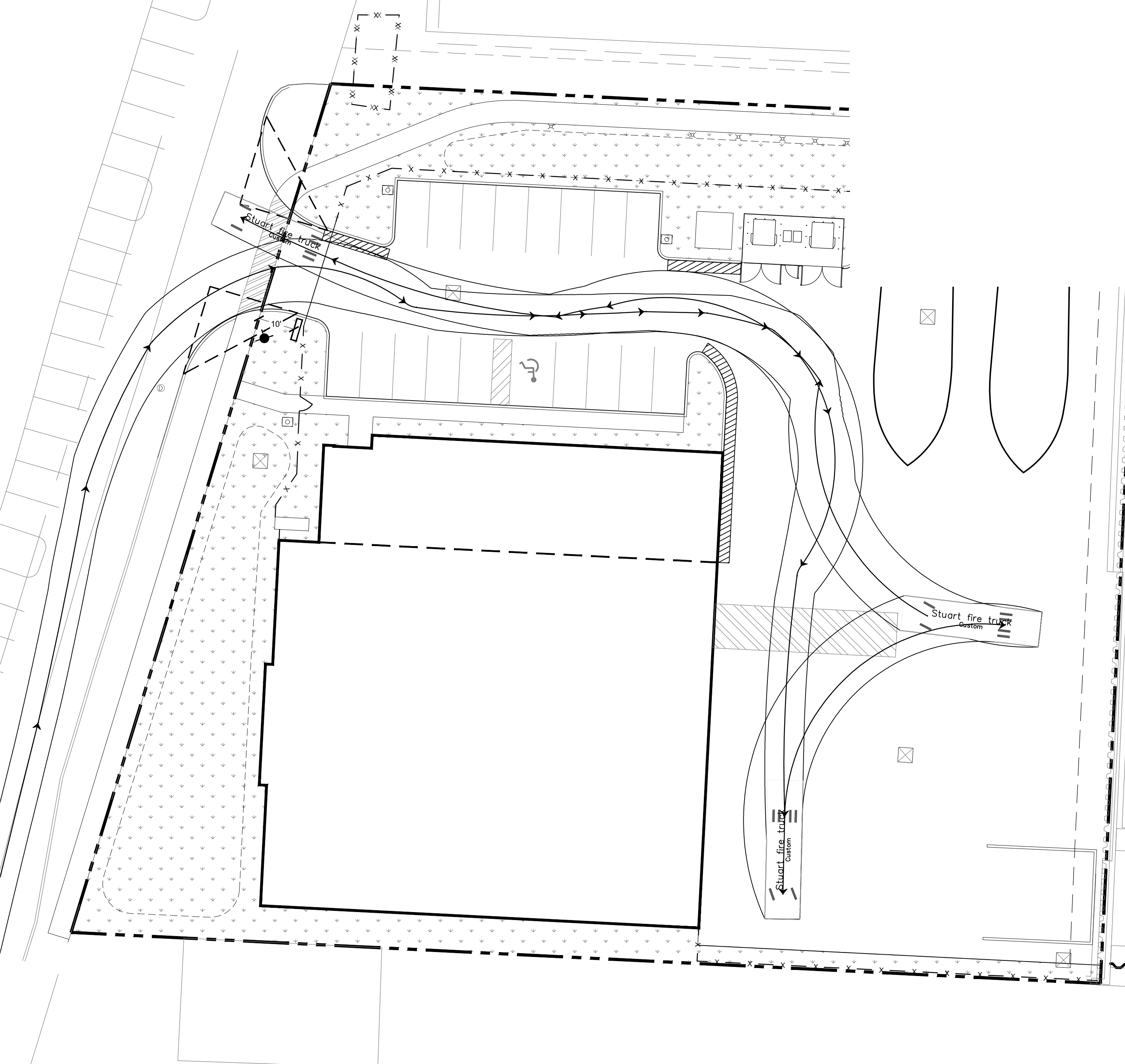
GARBAGE TRUCK PICKUP DETAIL

SCALE 1" : 20'



FIRE TRUCK DETAIL (PER CITY OF STUART)

SCALE 1" : 20'



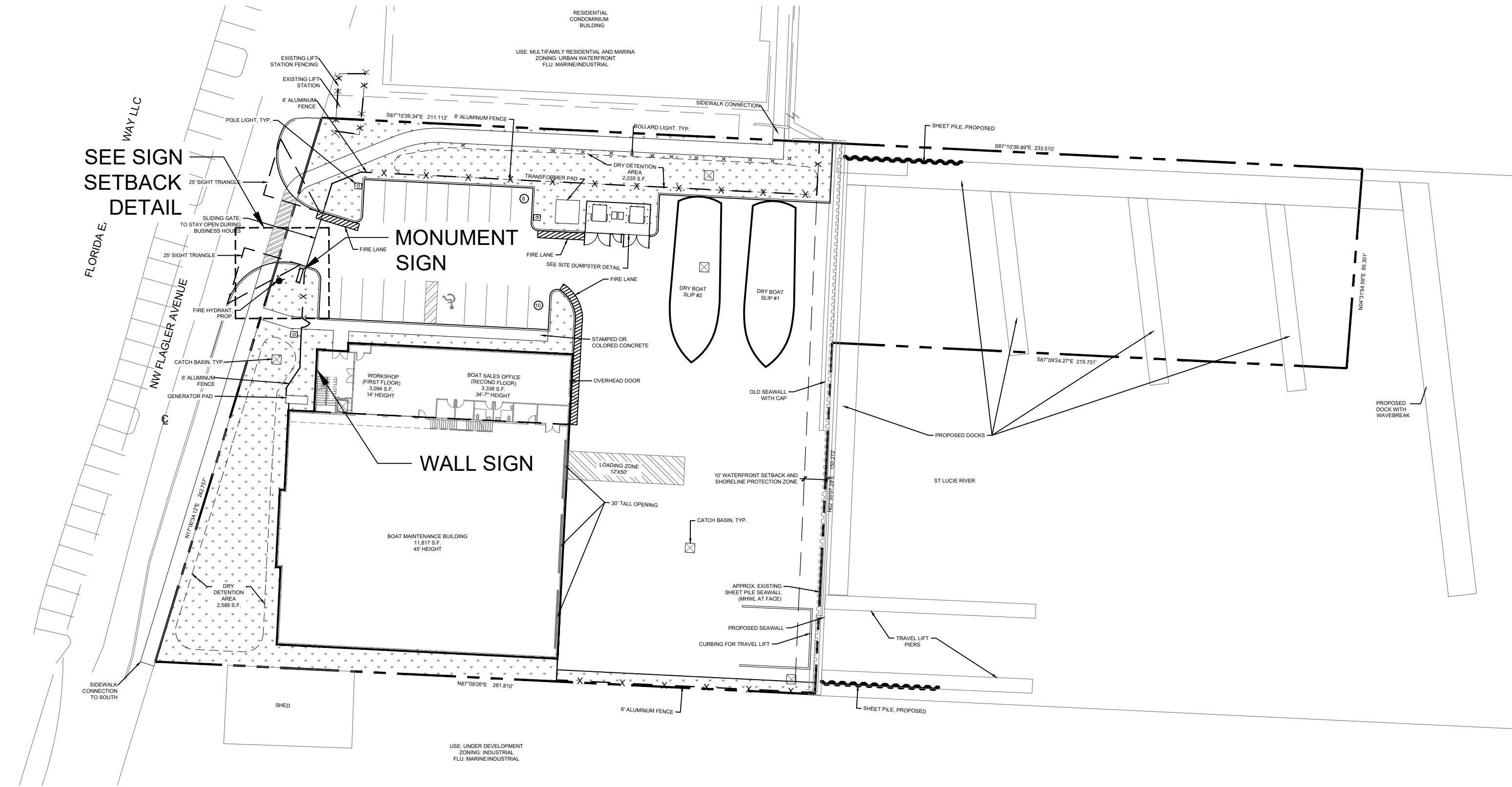
REVISIONS				PLANNED			
NO.	DATE	DESCRIPTION	BY	CAD	73802	PLANNED	DATE
0	2022-06-28	INITIAL SUBMITTAL	BPV	JOB NO.	7399.02		
1	2022-08-13	RESUBMITTAL	BPV	DRAWN BY	RR		
2	2022-12-08	RESUBMITTAL		CHECK BY	SP		
				DATE	2022-06-28		

WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART
MAJOR URBAN CODE
CONDITIONAL USE SITE PLAN

SHEET:
FSP-2

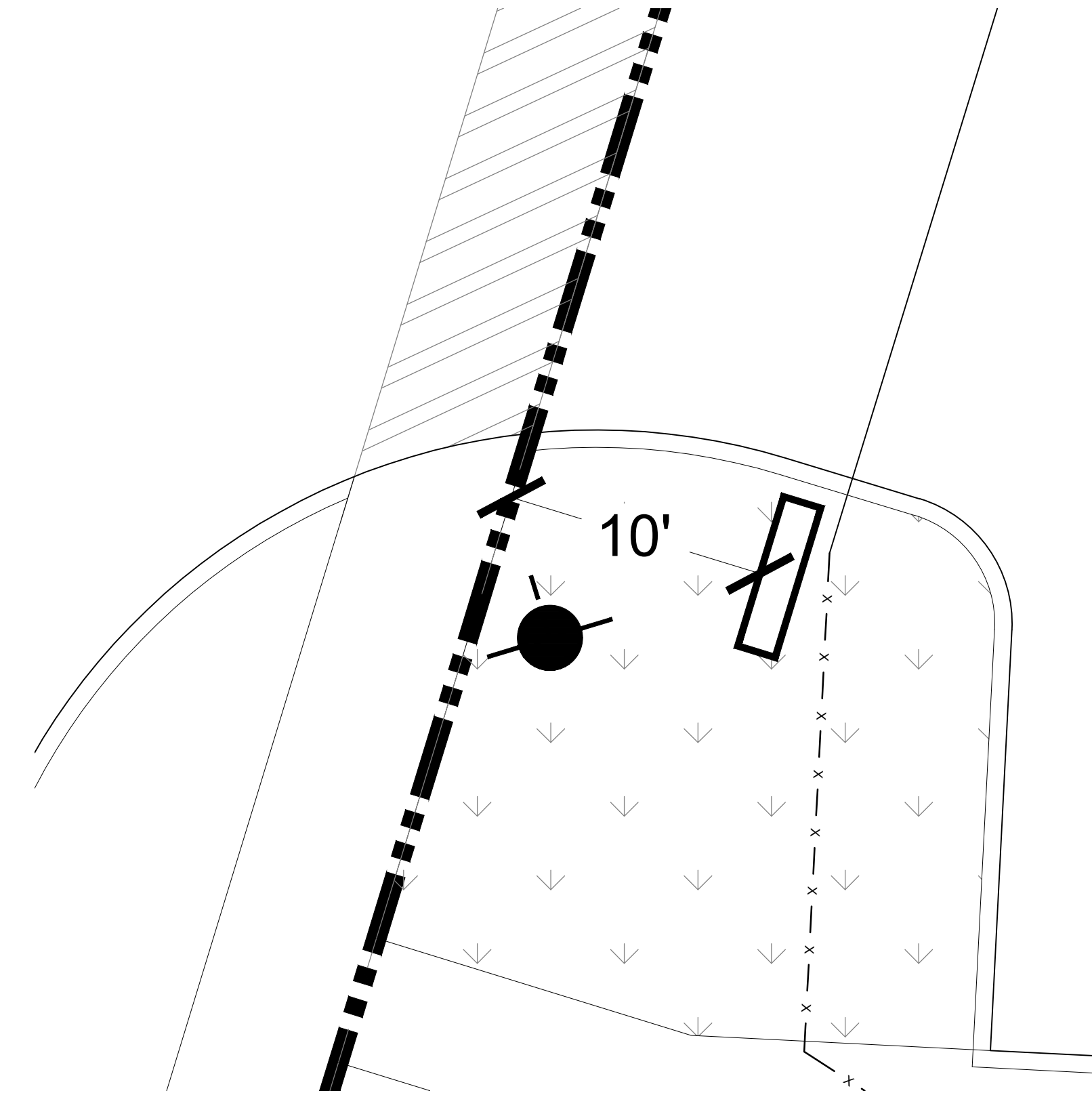
SIGNAGE KEY MAP

SCALE 1" : 20'



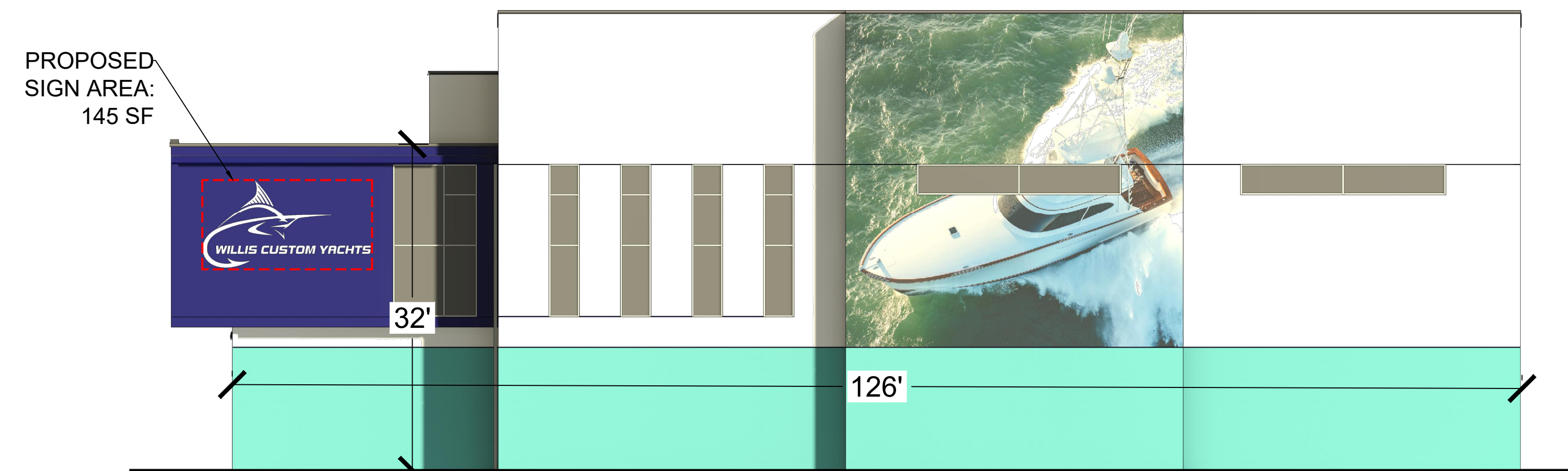
SIGN SETBACK DETAIL

SCALE 1" : 5'



WALL SIGN

SCALE 1" : 20'



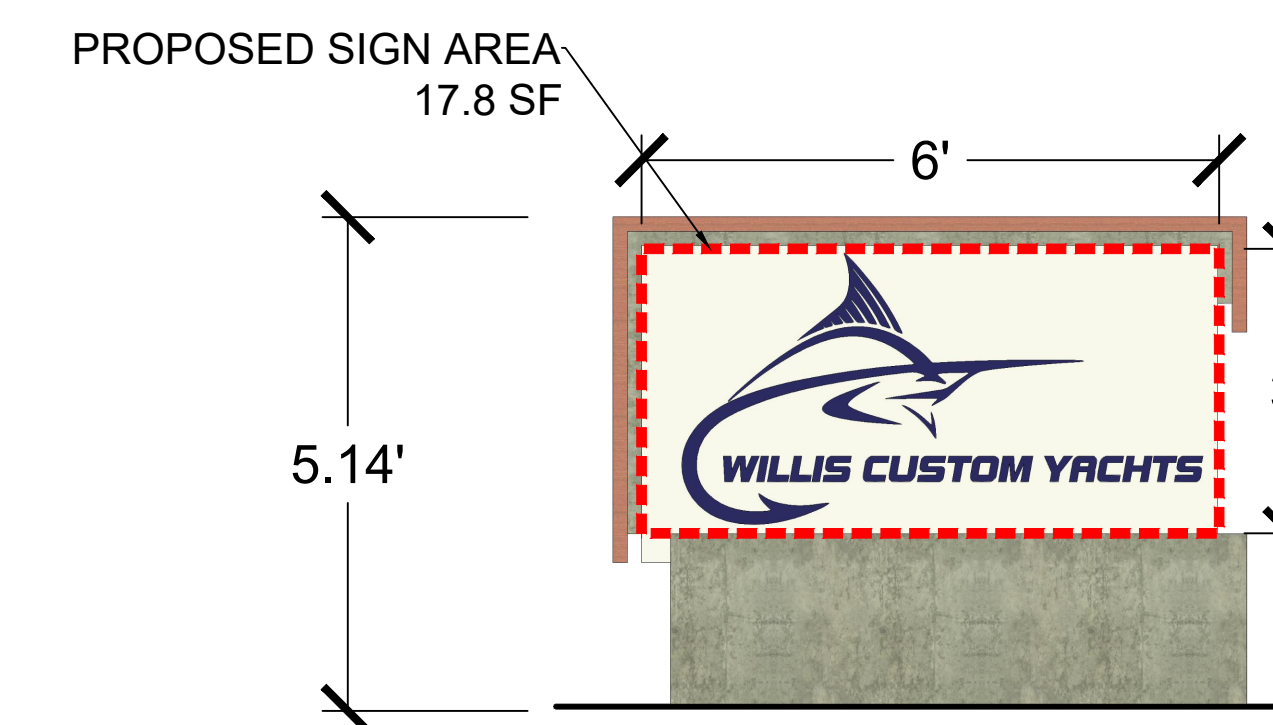
CALCULATED PER TABLE 6.11.09

126' x 25' = 3,150 SF
3,150 SF x 4.75% = 149.6 SF ALLOWABLE SIGN AREA

WEST FACADE

MONUMENT SIGN

SCALE 1" : 2'



CALCULATED PER TABLE 6.11.17

242' x 0.75' = 181.5 SF
(NOT TO EXCEED 100 SF PER FACE)

CAD	DWG	NO.	DATE	DESCRIPTION	BY
258002-PLAN-SITE			2024-06-28	INITIAL SUBMITTAL	BVP
	7399 02	1	2022-08-15	RESUBMITTAL	BVP
		2	2022-12-09	RESUBMITTAL	BVP
	RR				
	SP				
	2022-06-28				

151 NW FLAGLER AVENUE

MAJOR URBAN CODE
CONDITIONAL USE SITE PLAN

SHEET:
FSP-3

WILLIS CUSTOM YACHTS

151 NW FLAGLER AVENUE

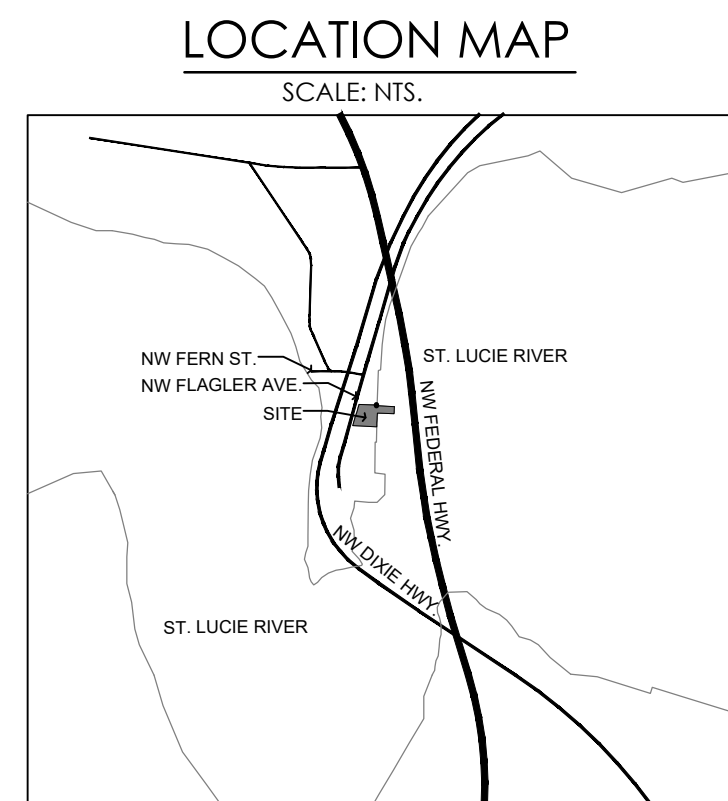
MAJOR URBAN CODE CONDITIONAL USE

SUBMITTAL - 1-11-2023

PREPARED FOR 151 NW FLAGLER LLC

SHEET SCHEDULE

SHEET NO.	SHEET TITLE
COVER	COVER
TD-101	TREE DISPOSITION PLAN
LP-101	LANDSCAPE PLAN
LP-500	LANDSCAPE DETAILS
LP-600	LANDSCAPE SPECIFICATIONS



PROJECT TEAM

CLIENT

151 NW FLAGLER LLC
6800 JACK JAMES DRIVE
STUART, FL 34997

CIVIL ENGINEER

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: TRAVIS DOUGLAS

TRAFFIC ENGINEERING

WGI, INC.
3230 W. COMMERCIAL BLVD., SUITE 300
FORT LAUDERDALE, FL 33309
PHONE: (954) 660-1660
CONTACT: DAVID TAXMAN, P.E.

PHOTOMETRIC ENGINEER

WGI, INC.
2021 EAST 5TH STREET, SUITE 200
AUSTIN, TX 78702
PHONE: (512) 669-5560
CONTACT: CASEY SVIEVEN

SITE PLANNER

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: STEVE PICKET, PLA, ASLA

SURVEYOR

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: ERIC MATTHEWS

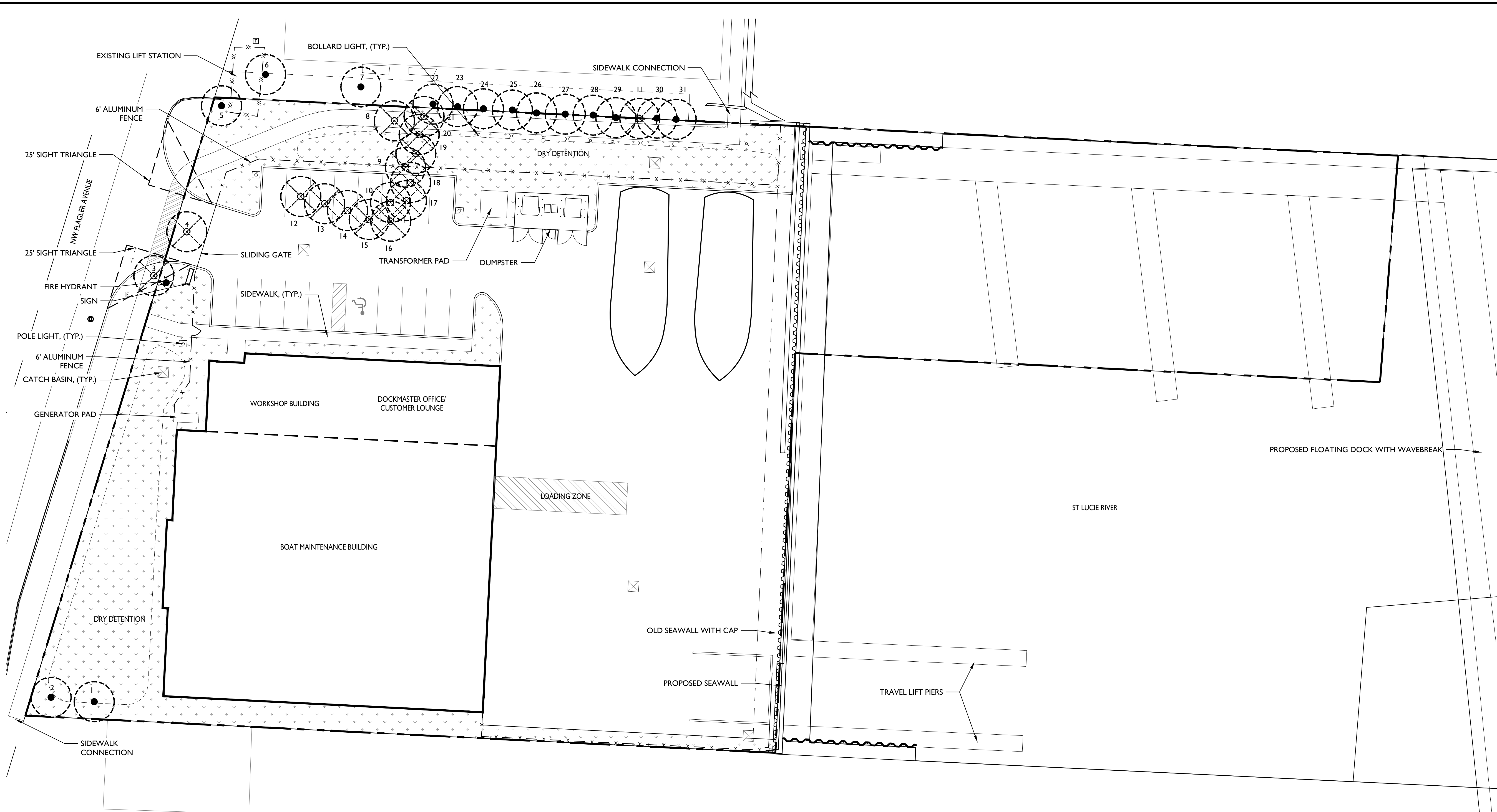
LANDSCAPE ARCHITECT

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: BRYAN JACKMAN

ARCHITECT

WGI, INC.
3111 W. DR. MARTIN LUTHER KING JR. BLVD., SUITE 375
TAMPA, FL 33607
PHONE: (813) 574-3190
CONTACT: ERIC LUTTMANN

Bryan Jackson P:\72067289\02 151 NW Flagler Ave. Erieta\A\DWG\811 Landscape\728902-TD.dwg -- Plotted: 1/10/2023 3:16:55 PM, Saved: 1/10/2023 2:33:23 PM



LEGEND

TREE/ PALM TO PRESERVE

TREE/ PALM TO BE RELOCATED

TREE/ PALM TO BE REMOVED

WGWG

2035 Vista Parkway, West Palm Beach, FL 33411
 Phone No. 866.909.2220 www.wginc.com
 Cert No. 6091 - LB No. 7055

REVISIONS			
NO.	DATE	DESCRIPTION	BY
0	2022-06-28	INITIAL SUBMITTAL	BJ
1	2022-08-14	RESUBMITTAL	CB
2	2023-01-11	RESUBMITTAL	BJ

CAD 738902-TD.DWG	JOB NO. 7399.02	DRAWN BY BJ	CHECK BY JM	DATE 2022-06-28
-------------------	-----------------	-------------	-------------	-----------------

LANDSCAPE ARCHITECT
OF RECORD
JASON L. MIHALOVITS, PLA
FL#6667126

WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART

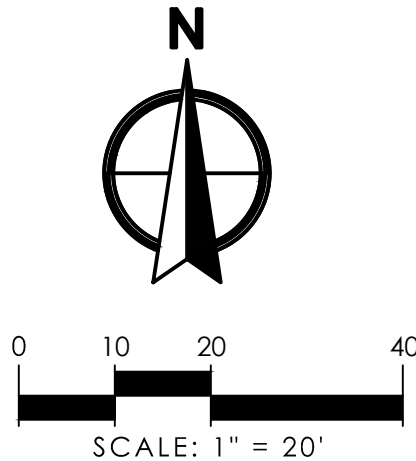
TREE DISPOSITION PLAN

SHEET:
TD-101

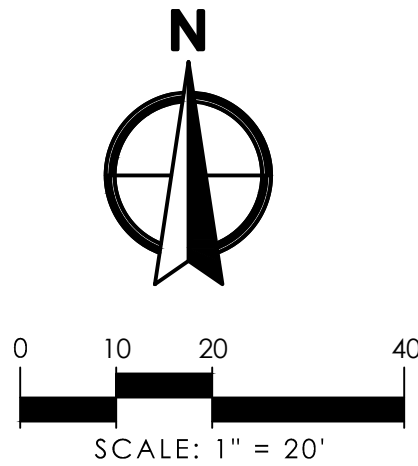
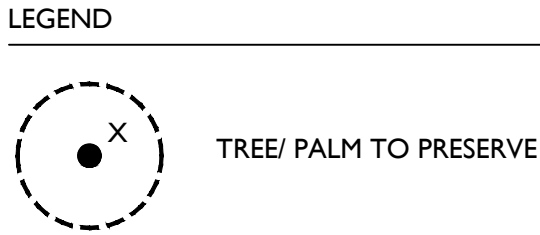
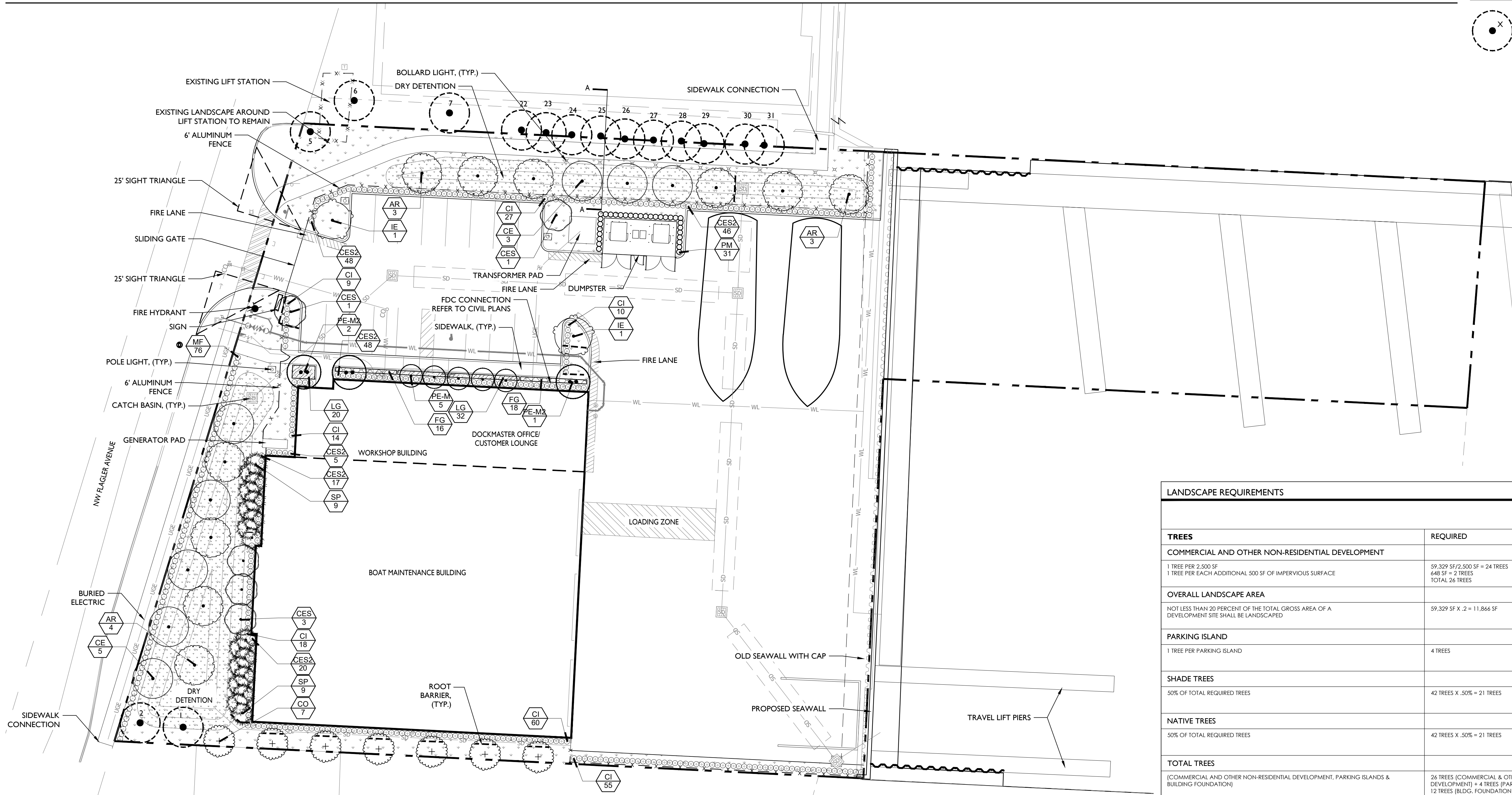
Tag #	Common Name	Scientific Name	DBH (inches)*	Mitigation	Disposition	Notes
1	Sabal Palm	<i>Sabal palmetto</i>	5'		Preserve	
2	Sabal Palm	<i>Sabal palmetto</i>	6'		Preserve	
3	Sabal Palm	<i>Sabal palmetto</i>	5'	N/A	Remove	
4	Senegal Date Palm	<i>Phoenix reclinata</i>	4'	N/A	Remove	
5	Sabal Palm	<i>Sabal palmetto</i>	4'		Preserve	
6	Schefflera	<i>Brassaia actinophylla</i>	15'		N/A	Offsite, Codominant, FLEPPC Cat 1. Invasive Species
7	Christmas Palm	<i>Adonidia merrillii</i>	6'	N/A	N/A	Offsite
8	Coconut Palm	<i>Cocos nucifera</i>	25'	N/A	Remove	
9	Sabal Palm	<i>Sabal palmetto</i>	20'	N/A	Remove	
10	Queen Palm	<i>Syagrus romanzoffianum</i>	25'	N/A	Remove	Very poor health
11	Queen Palm	<i>Syagrus romanzoffianum</i>	20'	N/A	Remove	Poor health
12	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
13	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
14	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
15	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
16	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
17	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
18	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
19	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
20	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
21	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
22	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
23	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
24	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
25	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
26	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
27	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
28	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
29	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
30	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
31	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
				Required Hardwood Mitigation:	0	
				Required Palm Mitigation:	16	(10 Areca, 2 Sabal, 2 Queen, 1 Senegal Date, 1 Coconut)
				Hardwoods Relocated:	0	
				Palms Relocated:	0	
				Hardwoods Preserved:	0	
				Palms Preserved:	13	(10 Areca, 3 Sabal)
*All palms are measured in feet to clear trunk except for Areca which are measured in overall height						

811 Know what's BELOW.
CALL before you dig

Call 811 two business days before digging



Bryan Jackson P:\1700\1700-02-151 NW Flagler Ave. Erieland\DWG\1700-02-151 LP.dwg — Plotted: 1/10/2023 3:30:54 PM Saved: 1/10/2023 3:30:59 PM

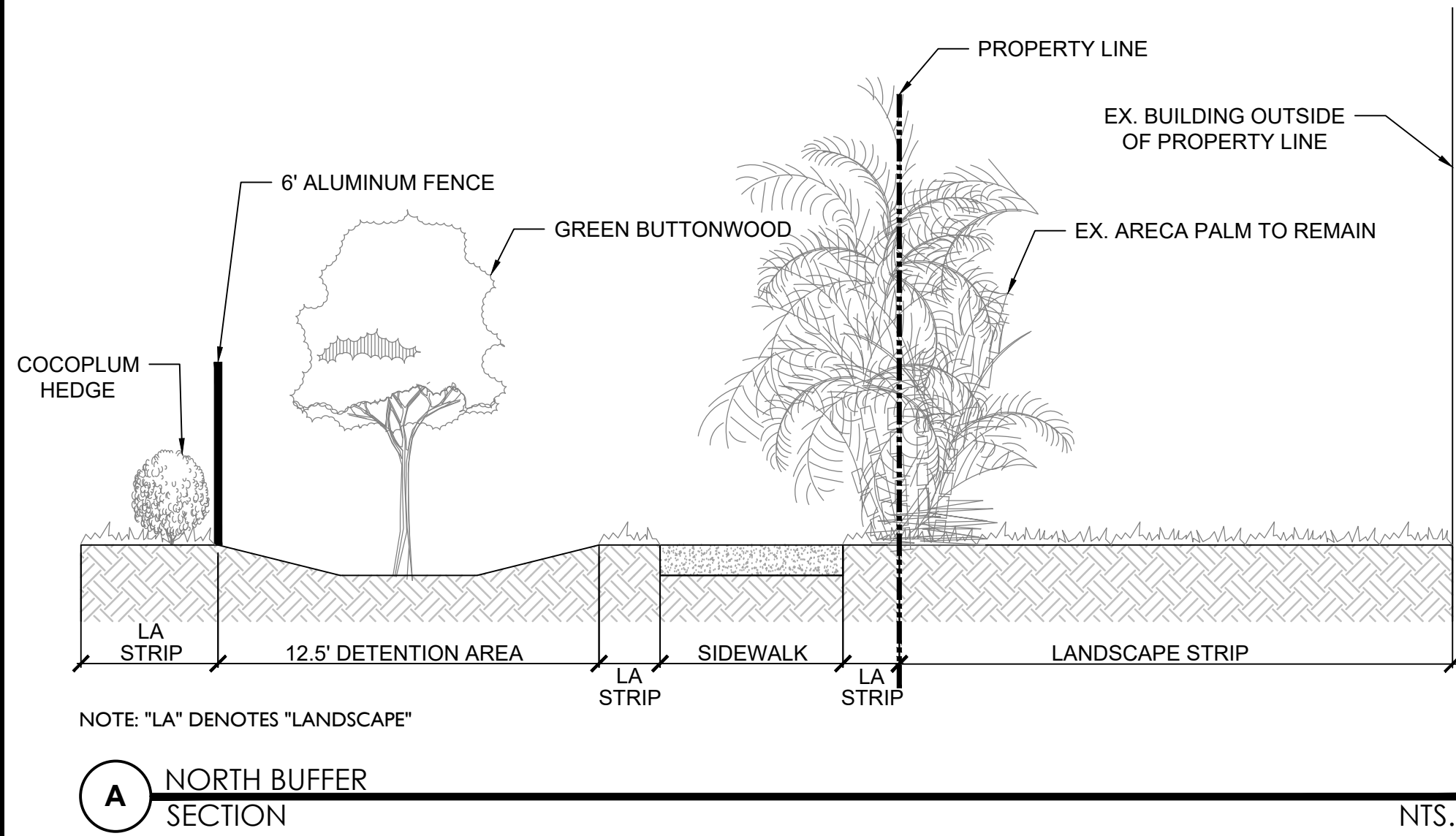


LANDSCAPE REQUIREMENTS		
CITY OF STUART, FLORIDA		
TREES	REQUIRED	PROVIDED
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT		
1 TREE PER 2,500 SF 1 TREE PER EACH ADDITIONAL 500 SF OF IMPERVIOUS SURFACE	59,329 SF/2,500 SF = 24 TREES 648 SF = 2 TREES TOTAL 26 TREES	32 TREES + (18 PALMS & 3 EX. PALMS @ 2:1 = 10 TREES) TOTAL 42 TREES
OVERALL LANDSCAPE AREA		
NOT LESS THAN 20 PERCENT OF THE TOTAL GROSS AREA OF A DEVELOPMENT SITE SHALL BE LANDSCAPED	59,329 SF X .2 = 11,866 SF	13,086 SF (22%)
PARKING ISLAND		
1 TREE PER PARKING ISLAND	4 TREES	4 TREES
SHADE TREES		
50% OF TOTAL REQUIRED TREES	42 TREES X .50% = 21 TREES	32 TREES
NATIVE TREES		
50% OF TOTAL REQUIRED TREES	42 TREES X .50% = 21 TREES	32 TREES & 18 PALMS (100%)
TOTAL TREES		
(COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT, PARKING ISLANDS & BUILDING FOUNDATION)	26 TREES (COMMERCIAL & OTHER NON-RES. DEVELOPMENT) + 4 TREES (PARKING ISLAND) + 12 TREES (BLDG. FOUNDATION) = 42 TREES	32 TREES + (18 PALMS & 3 EX. PALMS @ 2:1 = 10 TREES) TOTAL 42 TREES
LANDSCAPE AREAS		
NORTH 10' LANDSCAPE STRIP ADJACENT TO PARKING	*NOT REQUIRED	
1 CANOPY TREE PER 25 LINEAR FEET 1 SHRUB PER 2 LINEAR FEET (MIN 24" HT INSTALLED)	222 LF/25 = 9 TREES 222 LF/2 = 111 SHRUBS	9 TREES + (1 EX. PALM @ 2:1 = 0 TREES) TOTAL 9 TREES 121 SHRUBS
SOUTH 10' LANDSCAPE STRIP ADJACENT TO PRIVATE PROPERTY	*NOT REQUIRED	
1 CANOPY TREE PER 25 LINEAR FEET 1 SHRUB PER 2 LINEAR FEET (MIN 24" HT INSTALLED)	172 LF/25 = 7 TREES 172 LF/2 = 84 SHRUBS	6 TREES + (2 EX. PALMS @ 2:1 = 1 TREE) TOTAL 7 TREES 55 SHRUBS ADDED TO SOUTHEAST
WEST 10' LANDSCAPE STRIP ADJACENT TO RIGHT-OF-WAY	*NOT REQUIRED	
1 CANOPY TREE PER 25 LINEAR FEET 1 SHRUB PER 2 LINEAR FEET (MIN 24" HT INSTALLED)	215 LF/25 = 9 TREES 215 LF/2 = 108 SHRUBS	9 TREES 76 SHRUBS
BUILDING FOUNDATION		
1 CANOPY TREE PER 30 LINEAR FEET 1 SHRUB PER 2 LINEAR FEET (MIN 24" HT INSTALLED)	360 LF/30 = 12 TREES 360 LF/2 = 180 SHRUBS	3 TREES + (18 PALMS @ 2:1 = 9 TREES) TOTAL 12 TREES 182 SHRUBS
MITIGATION		
16 PALMS REMOVED	16 PALMS	11 PALMS (3 DOUBLE PALMS COUNT AS 6) 5 PALMS TO BE BOUGHT OUT

*ALL BUFFERS ARE NOT REQUIRED. ALL 3 BUFFER TREE REQUIREMENTS ARE BEING MET

XERISCAPE LANDSCAPING

OPTION	POSSIBLE	AWARDED
1. UTILIZATION OF MOISTURE SENSING CONTROLLER OTHER THAN RAIN SWITCH	5	TBD
2. PLAN SUBMITTED WITH LOW, MODERATE AND HIGH WATER USAGE ZONES INDICATED ON THE LANDSCAPE PLAN	5	5
3. GRASS 25-50% OF THE GRASS AREAS ARE MADE UP OF DROUGHT TOLERANT GRASS SPECIES FROM THE LIST 51% OR MORE OF THE GRASS AREAS ARE MADE UP OF DROUGHT TOLERANT GRASS SPECIES FROM THE LIST	5 10	- 10
4. SHRUBS 25-50% OF THE REQUIRED SHRUBS ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST 51% OR MORE OF THE REQUIRED SHRUBS ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST	5 10	- 10
5. TREES 25-50% OF THE REQUIRED TREES ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST 51% OR MORE OF THE REQUIRED TREES ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST	5 10	- 10
6. EXTRA SHADE TREES IN VEHICULAR USE AREAS 25% MORE THAN THE REQUIRED SHADE TREES PLANTED IN THE VEHICULAR USE AREA 50% MORE THAN THE REQUIRED SHADE TREES PLANTED IN THE VEHICULAR USE AREA	5 10	- 10
7. SOD AREA LESS THAN 50% OF LANDSCAPE AREA	10	-
8. UTILIZATION OF COMPACTED MULCHED (USE OF CYPRESS MULCH NOT RECOMMENDED IN ORDER TO PROTECT NATURAL CYPRESS WETLANDS) PLANTING BEDS AT LEAST 3" IN DEPTH IN ALL PLANTED AREAS EXCEPT GROUND COVER	10	10
TOTAL	50 REQUIRED	55



A NORTH BUFFER SECTION

NTS.

REVISIONS		DATE	DESCRIPTION	BY
0	2022-06-28	INITIAL SUBMITTAL		BJ
1	2022-08-18	RESUBMITTAL		CB
2	2023-01-11	RESUBMITTAL		BJ

CAD 738902.LPDWG	7399.02	BJ	JM	2022-06-28
JOB NO.	DRAWN BY	CHECK BY	DATE	

LANDSCAPE ARCHITECT
OF RECORD
JASON L. MIHALOVITS, PLA
FL#6667126

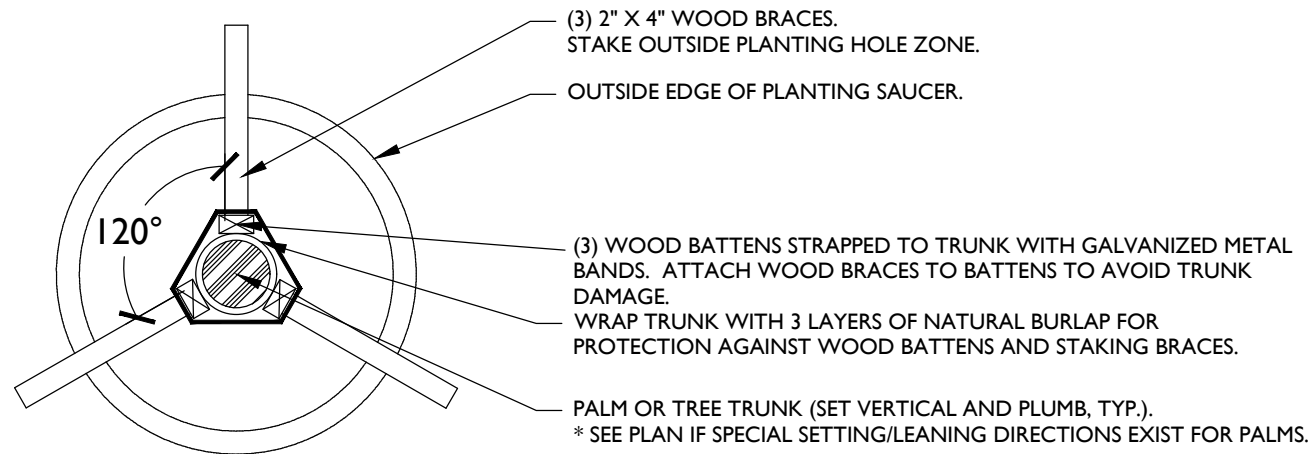
WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART
LANDSCAPE PLAN

SHEET:
LP-101

NOTE:

1. APPLICABLE TO ALL PALMS WITH CALIPER SIZE OF LESS THAN SIX (6) INCHES.
2. ALL TREE SUPPORTS MATERIALS ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED. TYPICALLY SIX MONTHS FOR SHADE TREES OR ONE YEAR FOR PALMS.

NTS.



NOTE:
1. APPLICABLE TO ALL MULTI-TRUNK PALMS AND PALMS WITH CALIPER SIZE OF SIX (6) INCHES OR GREATER
2. ALL TREE SUPPORTS MATERIALS ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED. TYPICALLY SIX MONTHS FOR SHADE TREES OR ONE YEAR FOR PALMS.

NTS.

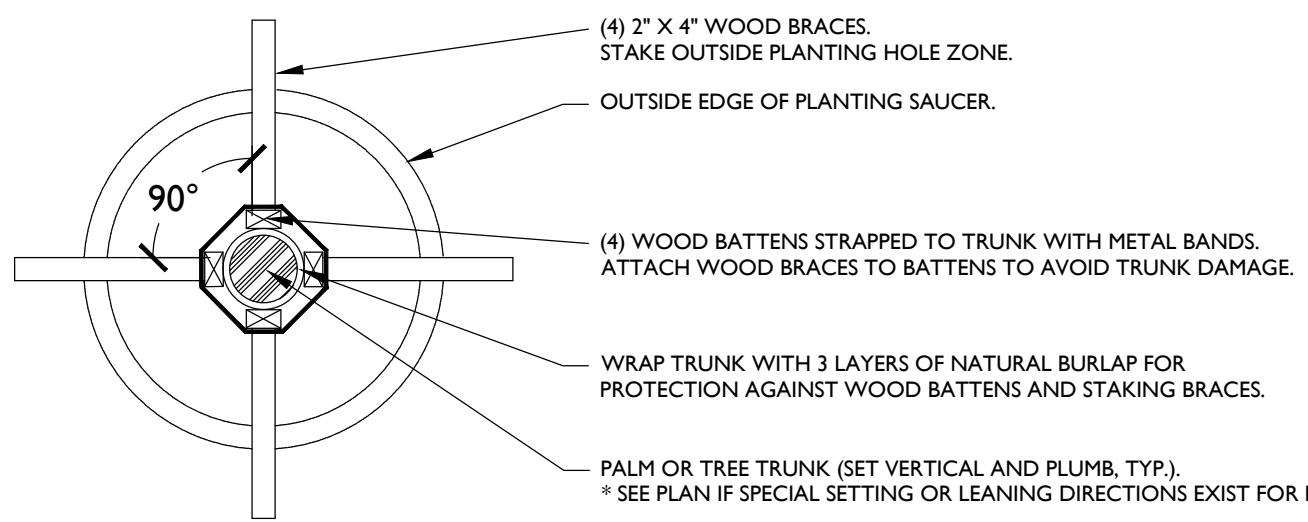
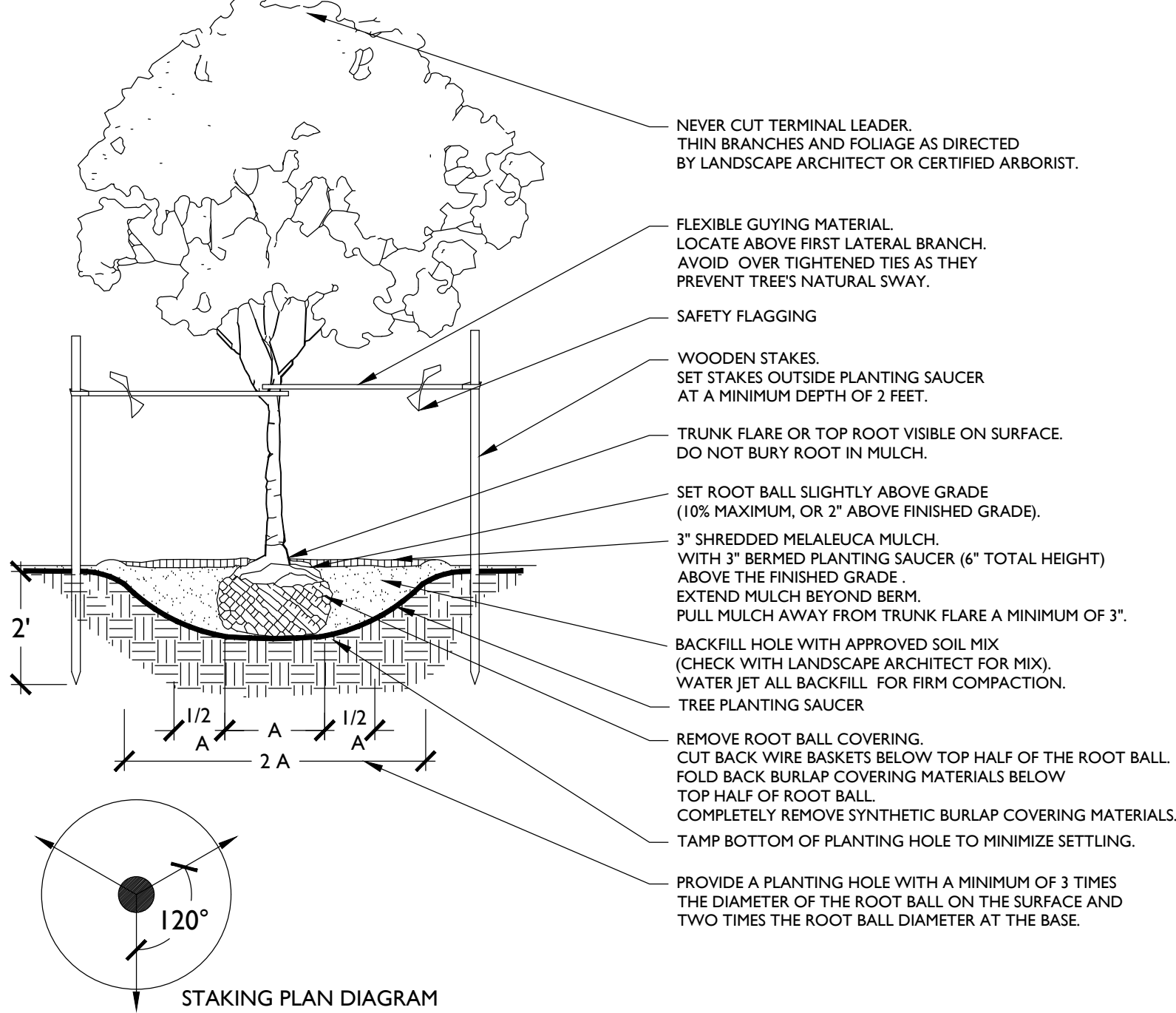


Diagram illustrating the installation of a palm tree, showing the trunk, root ball, and surrounding structure. The diagram includes labels for various components and their specifications:

- "HURRICANE CUT" OR "CANDLE CUT" SABAL PALM HEADS AT INSTALLATION.
- FOR CONTAINER GROWN, BARE ROOT, FIELD DUG OR BALL AND BURLAP SPECIMEN PALMS: SHIPPING FROND TIES SHALL BE REMOVED UPON INSTALLATION. TIES SHALL BE ORGANIC TWINE ONLY.
- FOR BOOTED TRUNK PALMS, TRUNKS SHALL HAVE CLEAN INTACT BOOTS FIRMLY ATTACHED TO THE PALM TRUNK.
- FOR SLICK TRUNK PALMS, TRUNK SHALL BE CLEAR AND FREE FROM DEFECTS AND SCABS.
- BURLAP WRAP TRUNK WITH 3 LAYERS OF NATURAL BURLAP UNDER BRACES, TO PROTECT TRUNK.
- 2" x 4" BATTEN BLOCKS WITH 2" x 4" WOOD STAKING BRACES. USE STEEL BANDING TO WRAP BLOCKS AROUND PALM TRUNK.
- USE 3/8" NAILS TO NAIL ANCHOR BLOCKS TO STAKING BRACES (SEE STAKING DETAILS FOR NUMBER OF REQUIRED BRACES).
- *NO NAILS SHALL PIERCE THE TREE TRUNK.
- SET TOP OF ROOT BALL AT FINISHED GRADE.
- PROVIDE A 3" BERMED SAUCER ABOVE THE FINISHED GRADE WITH A 3" LAYER OF MELALEUCA MULCH (6" TOTAL HEIGHT). EXTEND MULCH BEYOND BERM. PULL MULCH AWAY FROM TRUNK A MINIMUM OF 3".
- 2" x 4" x MIN. 24" WOOD STAKES.
- ANCHOR TREE BRACES WITH WOOD STAKES.
- INSTALL STAKE BRACES OUTSIDE TEMPORARY SAUCER.
- FINISHED GRADE
- BACKFILL SHALL BE CLEAN, SALT FREE SAND AND PEAT MOSS MIXTURE 3:1 RATIO.
- ALL BACKFILL SHALL BE WATER-JETTED FOR FIRM COMPACTION.
- DISTANCE AROUND THE ROOT BALL SHALL BE 1/2 THE WIDTH OF THE ROOTBALL, OR (12") MIN. CLEARANCE.
- TAMP BOTTOM OF PLANTING HOLE TO MINIMIZE SETTLING.
- CLEAR TRUNK HEIGHT
- MIN. 5'

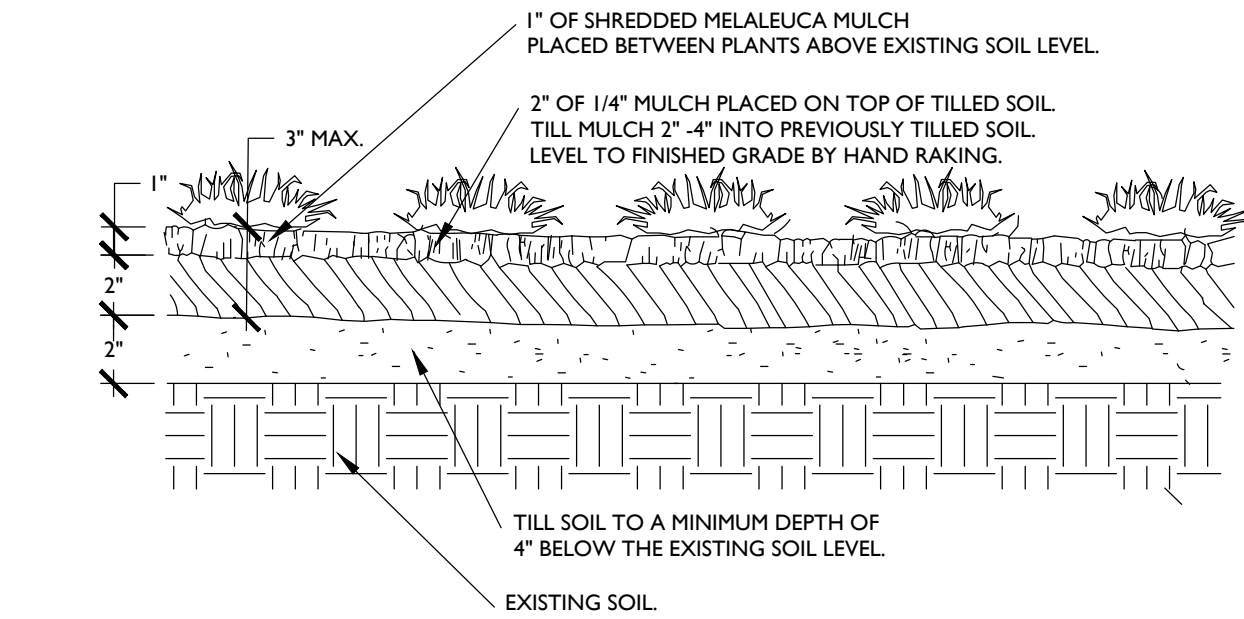
NOTE:
I. ALL TREE SUPPORT MATERIALS ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED. TYPICALLY SIX MONTHS TO ONE YEAR AFTER PLANTING FOR SHADE TREES.

NTS.



1" OF SHREDDED MELALEUCA MULCH NTS.

NTS.



NTS.

NTS.

SPACING "D"	ROW "A"
6" O.C.	5.2"
8" O.C.	6.93"
10" O.C.	8.66"
12" O.C.	10.4"
18" O.C.	15.6"
24" O.C.	20.8"
30" O.C.	26.0"
36" O.C.	31.2"
48" O.C.	41.6"

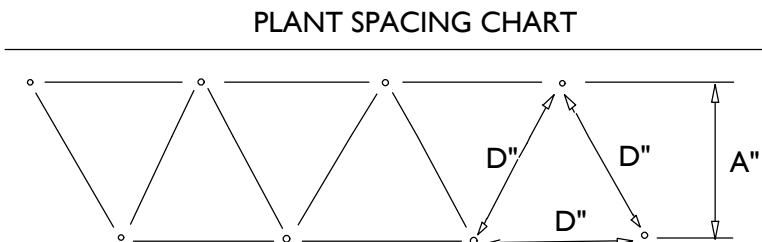
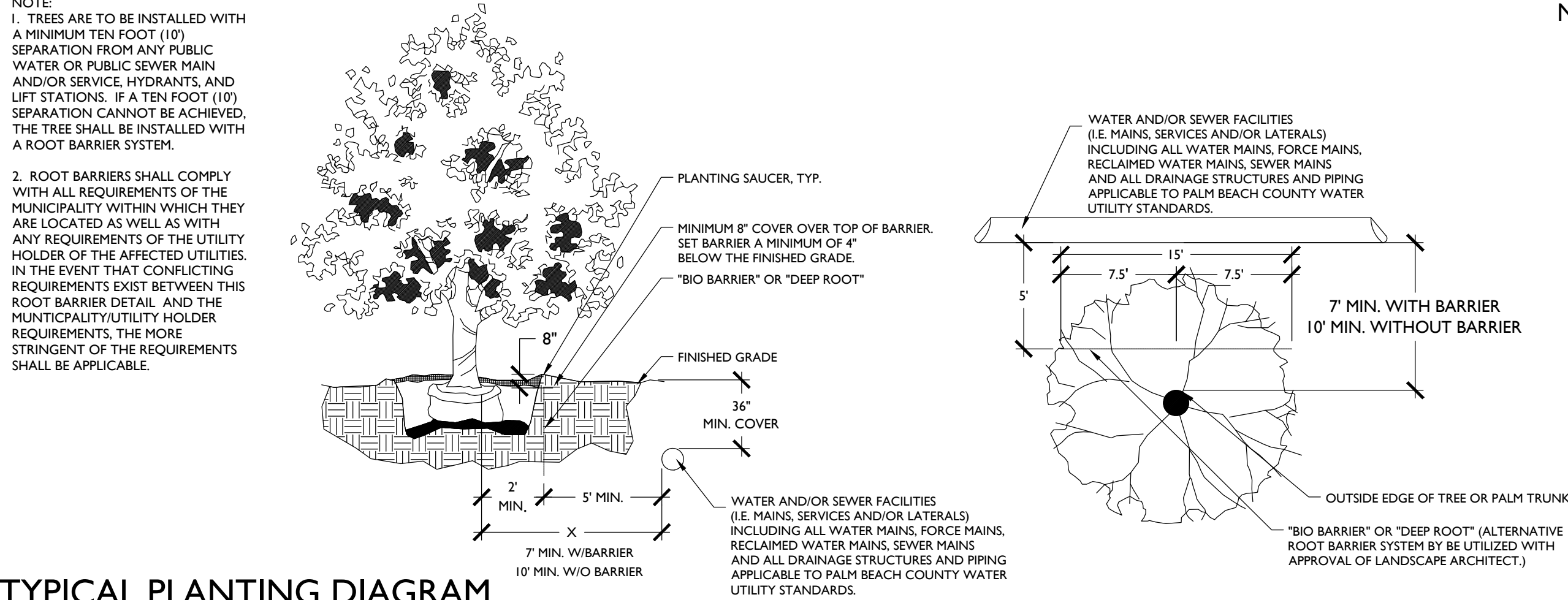


Diagram illustrating the planting hole preparation and mulch application for a tree. The diagram shows a cross-section of the ground with a tree planted in a hole. The hole is filled with a planting mix. The mulch is applied in a saucer shape around the base of the tree. The diagram includes the following callouts:

- PLANT ROOT BALL MINIMUM OF 1" ABOVE FINISHED GRADE, WITH A MAXIMUM OF 10% OF ROOTBALL EXPOSED ABOVE GRADE.
- 3" SHREDDED MELALEUCA MULCH. PULL MULCH AWAY FROM TRUNK A MINIMUM OF 3".
- PROVIDE 3" EARTH PLANTING SAUCER
- REMOVE BURLAP FROM TOP 1/3 OF ROOTBALL. COMPLETELY REMOVE ANY SYNTHETIC WRAPPING MATERIALS. BACKFILL PLANTING HOLE WITH APPROVED PLANTING MIX. SEE LANDSCAPE ARCHITECT FOR PROPER MIX SPECIFICATIONS.
- PROVIDE A PLANTING HOLE MINIMUM OF 3 TIMES THE DIAMETER OF THE ROOT BALL ON THE SURFACE AND TWO TIMES THE ROOT BALL DIAMETER AT THE BASE.
- TAMP BOTTOM OF PLANTING HOLE TO MINIMIZE PLANT SETTLING.

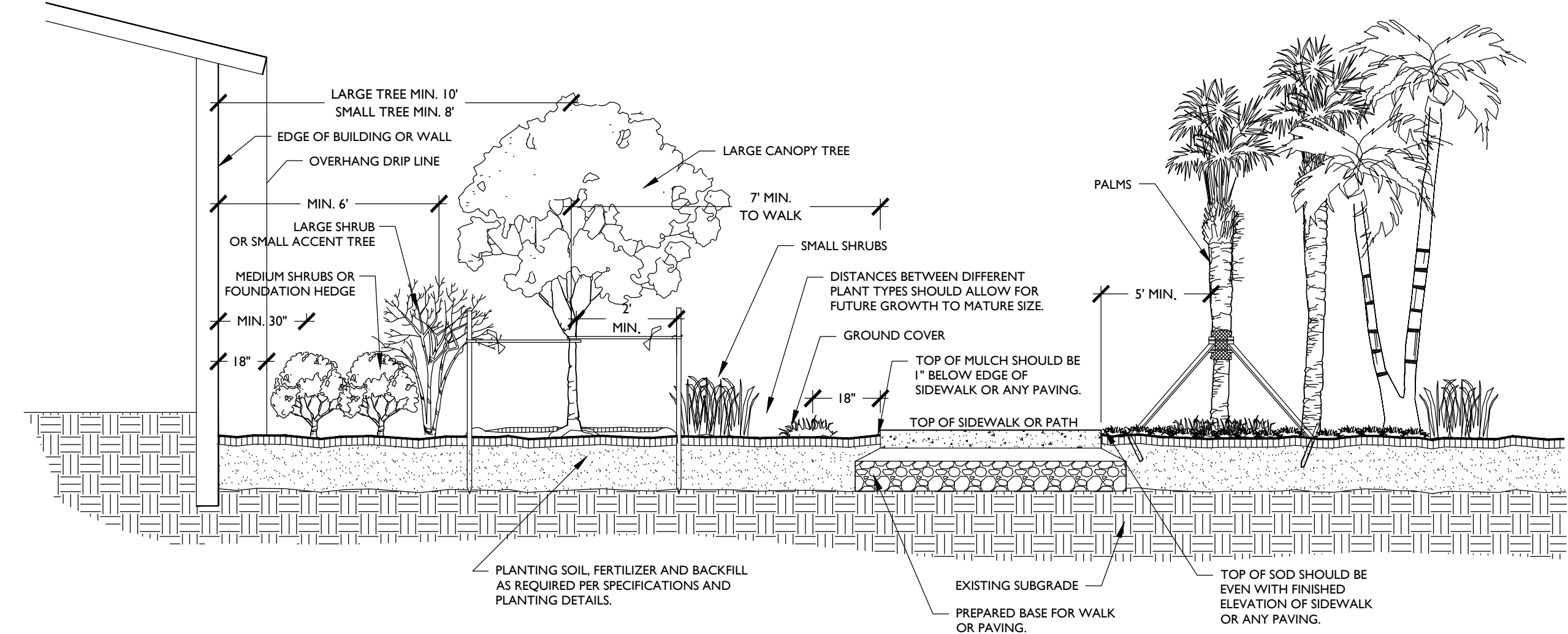
NOTE:
I. TREES ARE TO BE INSTALLED WITH

NTS



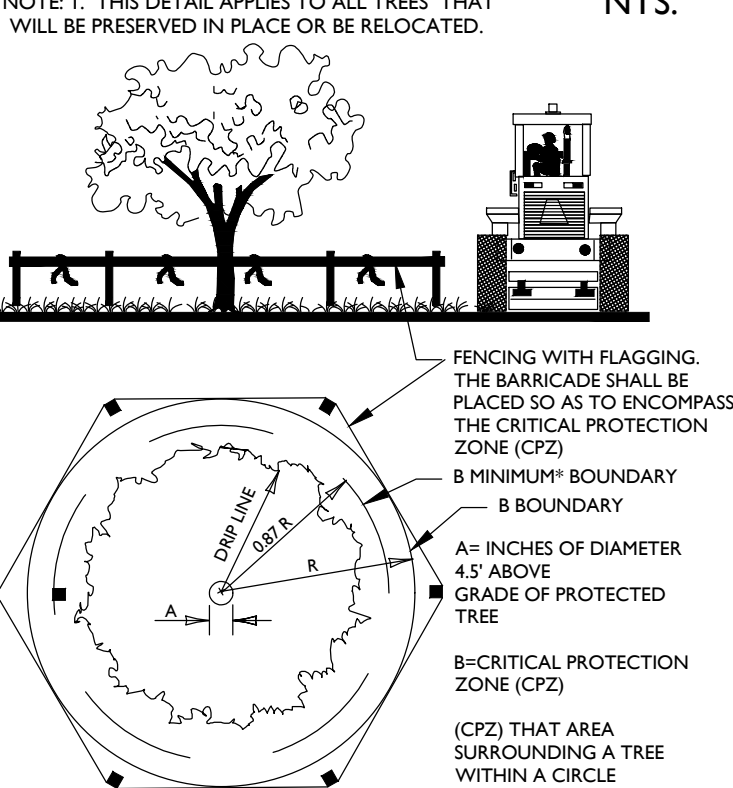
NTS.

NTS.



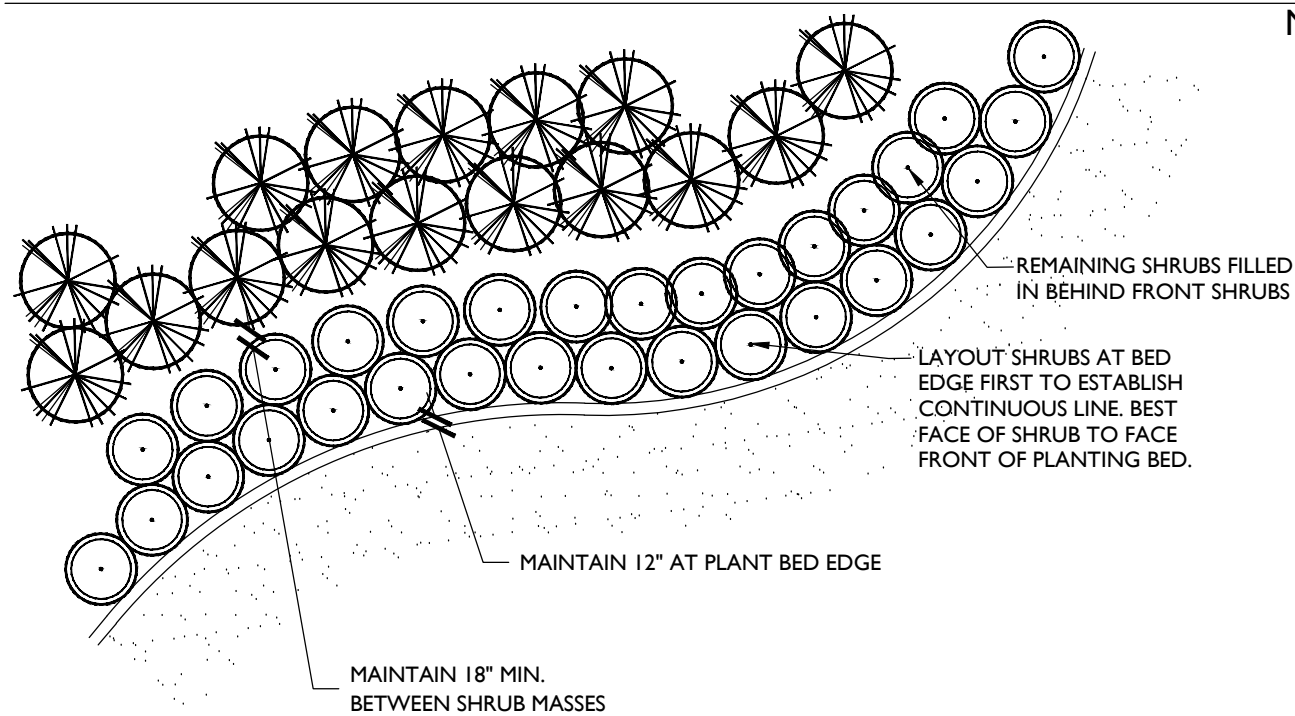
NOTE: 1. THIS DETAIL APPLIES TO ALL TREES THAT WILL BE PRESERVED IN PLACE OR BE RELOCATED.

NTS.



NTS.

NTS.



TREES	QTY	COMMON NAME	BOTANICAL NAME	WATER USAGE	NATIVE	REMARKS
-------	-----	-------------	----------------	-------------	--------	---------

AR	10	Red Maple	Acer rubrum	MEDIUM	YES	12' HT. X 6" SPRD., MIN. 2.5" CAL.
CES	8	Green Buttonwood	Conocarpus erectus	LOW	YES	12' HT. X 6" SPRD., MIN. 2.5" CAL.
CES	5	Silver Buttonwood	Conocarpus erectus var. sericeus	LOW	YES	12' HT. X 6" SPRD., MIN. 2.5" CAL.
CO	7	Orange Geiger Tree	Cordia sebestena	LOW	YES	12' HT. X 6" SPRD., MIN. 2.5" CAL.
IE	2	Eagleston Holly	Ilex x attenuata 'Eagleston'	MEDIUM	YES	12' HT. X 6" SPRD., 2.5" CAL.
PALM TREES	QTY	COMMON NAME	BOTANICAL NAME	WATER USAGE	NATIVE	REMARKS
	PE-M	5 Alexander Palm	Pythosperma elegans	MEDIUM	NO	MITIGATION-16" GW, SINGLE TRUNK
PE-M2	3	Alexander Palm	Pythosperma elegans	MEDIUM	NO	MITIGATION-18" GW, DOUBLE TRUNK
SP	18	Cabbage Palmetto	Sabal palmetto	LOW	YES	14" CT., BOOTED
SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	WATER USAGE	NATIVE	REMARKS
	CI	193	Chorizanthe acida	LOW	YES	24" HT. X 24" SPRD. @ 24" O.C.
	184	Silver Buttonwood	Conocarpus erectus var. sericeus	LOW	YES	24" HT. X 24" SPRD. @ 24" O.C.
	CES2	76	Coccoloba Stopper	LOW	YES	24" HT. X 24" SPRD. @ 24" O.C.
	PM	31	Yew Pine	MEDIUM	NO	48" HT. X 24" SPRD. @ 24" O.C.
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	WATER USAGE	NATIVE	REMARKS
	FG	34	Green Island Ficus	LOW	NO	12" HT. X 12" SPRD. @ 18" O.C.
	52	Evergreen Giant Lilyturf	Liriope muscari 'Evergreen Giant'	LOW	NO	12" HT X 12" SPRD. @ 18" O.C.

ALL PLANT MATERIALS TO BE FLORIDA #1 OR BETTER
SOD: ST. AUGUSTINE 'FLORATAM', BAHIA SOD IN DRY DETENTION - QUANTITY TO BE DETERMINED IN FIELD

I. STRUCTURAL ELEMENTS AND HARDSCAPE FEATURES INDICATED ON LANDSCAPE PLANS ARE FOR INFORMATIONAL PURPOSES ONLY. LANDSCAPE PLANS ARE TO BE UTILIZED FOR LOCATION OF LIVING PLANT MATERIAL ONLY.

1. STRUCTURAL ELEMENTS AND HARDSCAPE FEATURES INDICATED ON LANDSCAPE PLANS ARE FOR INFORMATIONAL PURPOSES ONLY. LANDSCAPE PLANS ARE TO BE UTILIZED FOR LOCATION OF LIVING PLANT MATERIAL ONLY. LANDSCAPE PLANS SHOULD NOT BE UTILIZED FOR STAKING AND LAYOUT OR LOCATION OF ANY STRUCTURAL SITE FEATURES INCLUDING BUT NOT LIMITED TO: BUILDINGS, SIGNAGE, PATHWAYS, EASEMENTS, BERMS, WALL, FENCES, FOUNTAINS, ETC.
2. CONTRACTOR SHALL ACQUIRE ALL APPLICABLE FEDERAL, STATE, LOCAL, JURISDICTIONAL OR UTILITY COMPANY PERMITS REQUIRED PRIOR TO REMOVAL, RELOCATION, AND/OR INSTALLATION OF LANDSCAPE MATERIALS INDICATED WITHIN PLAN DOCUMENTS. THE CONTRACTOR SHALL HAVE PERMITS "IN HAND" PRIOR TO STARTING WORK. LANDSCAPE ARCHITECT SHALL BEAR NO RESPONSIBILITY FOR WORK PERFORMED WITHOUT PERMITTED DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CHANGES TO THE WORK, AT NO ADDITIONAL COST TO THE OWNER, AS A RESULT OF UNAUTHORIZED WORK PRIOR TO RECEIPT OF PERMIT.
3. TREES SHOWN ON THIS PLAN ARE FOR GRAPHIC REPRESENTATION ONLY. TREE SPACING IS BASED ON DESIGN SPECIFICATIONS AND RECOMMENDATIONS. LANDSCAPE PLANS ATTEMPT TO ACCOMPLISH THAT SPACING WHILE MAINTAINING THE REQUIRED SETBACKS FROM UTILITIES. IN THE EVENT OF A CONFLICT, AFFECTED PLANT MATERIAL SHALL BE FIELD ADJUSTED WITH THE APPROVAL OF THE LANDSCAPE ARCHITECT TO AVOID CONFLICTS WITH THE WITH EXISTING AND PROPOSED UTILITIES, LIGHT POLES, DRAINAGE STRUCTURES OR LINES, LAKE MAINTENANCE EASEMENTS OR OTHER AFFECTED SITE FEATURES.
4. ANY PLANTING WITHIN THE SIGHT TRIANGLES SHALL PROVIDE UNOBSTRUCTED VIEWS AT A LEVEL BETWEEN 30" AND 8' ABOVE THE PAVEMENT.
5. ALL UTILITY BOXES/STRUCTURES TO BE SCREENED ON 3 SIDES W/ APPROVED PLANTING MATERIAL.
6. IRRIGATION IS REQUIRED PROVIDING 100% COVERAGE WITH A MAXIMUM OF 50% OVERLAP, AN AUTOMATIC RAIN SENSOR MUST BE INCLUDED.
7. ALL PLANT MATERIAL TO BE INSTALLED SHALL CONFORM TO FLORIDA POWER AND LIGHTS (FPLS) RIGHT TREE RPLCE GUIDE LINES.
8. IN CASE OF DISCREPANCIES PLANS TAKE PRECEDENCE OVER PLANT LIST.
9. LANDSCAPE CONTRACTOR RESPONSIBLE FOR VERIFICATION OF ALL QUANTITIES PRIOR TO BIDDING. REMOVAL OF EXISTING VEGETATION IS RESPONSIBILITY OF LANDSCAPE CONTRACTOR.
10. RELOCATION OF EXISTING VEGETATION IS RESPONSIBILITY OF LANDSCAPE CONTRACTOR. REFER TO SPECIFICATIONS FOR RELOCATION INSTRUCTIONS.
11. ALL PLANT MATERIAL TO BE FLORIDA GRADE #1 AT TIME OF INSTALLATION UNLESS OTHERWISE NOTED.

CAD 73902-PDWG		NO.		DATE	DESCRIPTION	REVISIONS	
JOB NO.	7390.02	0		2022-06-28	INITIAL SUBMITTAL		BY
		1		2022-08-15	REVISION		BY
DRAWN BY	BJ	2		2023-01-11	PRE-SUBMITTAL		BY
CHECK BY	JM						
DATE	2022-06-28						

LANDSCAPE ARCHITECT
OF RECORD
JASON L. MIHALOVITS, PLA
FL#6667128

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

AFFIDAVIT ATTESTING TO NOTIFICATION

Matthew Barnes, being first duly sworn, depose(s) and say(s):

That I am the owner(s) or petitioner(s) of the following described property which constitutes the location for which notification is required:

151 N.W. Flagler Avenue, Stuart, FL, 34994

That a copy of the notice was sent by regular U.S. Mail on April 26, 2023 to the property owners within 300 feet of the subject property; and

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 is a part of this Affidavit; and

That notice was sent and property was posted 15+ days prior to the scheduled public hearing(s) for this item.



SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

STATE OF FLORIDA, COUNTY OF PALM BEACH

Sworn and subscribed before me by means of x physical presence or online notarization, this 27th day of April, 2023 By Matthew Barnes.
Personally Known OR Produced Identification

Type of Identification Produced: N/A

Notary Public, State of Florida
(Notary Seal)



CYNDY LITTLE
Notary Public
State of Florida
Comm# HH224313
Expires 3/31/2026

My Commission expires: 3-31-26

Photographs of sign posted on the subject property





04/26/2023
SIDE B

List of addressees and their addresses of property owners within 300 feet of the subject property

151 NW FLAGLER LLC
151 NW FLAGLER AVE
STUART FL 34994

ELLIS EILEEN R L/E EILEEN R ELLIS
TRUST
275 NW FLAGLER AVE #205
STUART FL 34994

HARBORAGE YACHT MASTER ASSOCIATION
INC
955 SW FLAGLER AVE
STUART FL 34994

275 FLAGLER LLC
P O BOX 1623
HOBE SOUND FL 33475

ELLIS SHARON LEE SMITH RAY JOHN
275 NW FLAGLER AVE #202
STUART FL 34994

HARRISON MICHAEL H HARRISON SOPHIE G
180 SE FOURTH TERR
POMPANO BEACH FL 33060

ALAN G CAPLAN REVOCABLE TRUST OF
2020
215 NW FLAGLER AVE #201
STUART FL 34994

FERRETTI GROUP OF AMERICA LLC
1441 BRICKELL AVE STE 1400
MIAMI FL 33131

HAYDEN REAL ESTATE INVESTMENTS LLC
750 SW TANGLEWOOD TRL
STUART FL 34997

ANDERSON ALAN O ANDERSON LINDA D
215 NW FLAGLER AVE #408
STUART FL 34994

FITZWATER DEBORAH A ROEDIGER JOEL W
822 BEECHWOOD DR
TIPP CITY OH 45371

HEIDI WARNER KAESS REVOCABLE TRUST
KAESS HEIDI WARNER TTEE
215 NW FLAGLER AVE #205
STUART FL 34994

BERRY CHRISTOPHER A BERRY SUZANNE
215 NW FLAGLER AVE , Unit #401
STUART FL 34994

FLORIDA EAST COAST RAILWAY LLC
7150 PHILIPS HWY
JACKSONVILLE FL 32256

JENNINGS WENDY
215 NW FLAGLER AVE #407
STUART FL 34994

CONSALVO JOHN A CONSALVO KELLY R
275 NW FLAGLER AVE #404
STUART FL 34994

GOETHALS KELLEY
215 NW FLAGLER AVE #302
STUART FL 34994

JOFFE NOAH
62 HARROWGATE
CHERRY HILL NJ 08003

CROCIATA MARIO J CROCIATA DOROTHY C
181 WEST SHORE DR
MASSAPEQUA NY 11758

GOETZ DORIS
1684 SE BOATSWAIN PL
PALM CITY FL 34990

JOHNSTON JOHN J JOHNSTON REBECCA A
275 NW FLAGLER AVE # 302
STUART FL 34994

DC MARCO PROPERTIES LLC
4 CAMPION LN
SARATOGA SPRINGS NY 12866

GORAWSKI CHRISTINE
275 NW FLAGLER AVE , Unit #303
STUART FL 34994

LYNN M GUZZARDO LIVING TRUST
GUZZARDO LYNN M TTEE
275 NW FLAGLER AVE #305
STUART FL 34994

DILWORTH JOHN M
2801 MEMORIAL BLVD 1C
CONNELLVILLE PA 15425

GUFFORD JOSEPH L III
215 NW FLAGLER AVE #305
STUART FL 34994

MARINO MARIO SCHIRRIPA DONNA
475 BUFFALO CT
WEST NEW YORK NJ 07093

DRATCH ADAM FORD TIMOTHY
6 MANEE PL
HOLMDEL NJ 07733

HARBORAGE YACHT MASTER ASSOCIATION
INC
955 SW FLAGLER AVE
STUART FL 34994

MCMAMARA THOMAS P LOGUE-MCMAMARA AMY
J
PO BOX 1314
WILLIAMSPORT PA 17703

MIDDLE ISLAND MANAGEMENT AND
DEVELOPMENT LLC
5 FOX POINT DR
ST JAMES NY 11780

ROCKET RAY LAND TRUST KERR-BREINER
JANICE TTEE
P O BOX 700687
ST CLOUD FL 34770

WOMACK KAYE MADISON
275 NW FLAGLER AVE #304
STUART FL 34994

MILANO ANTOINETTE DIGIACOMO MILANO
ANTHONY
11 HAWKS FARM RD
WHITE GA 30184

ROUSH JOHN MICHAEL III ROUSH CHRISTI
M
275 NW FLAGLER AVE #406
STUART FL 34994

MILLER ERIC B
3109 ALAMO DR
ORLANDO FL 32805

SHM HARBORAGE LLC
14785 PRESTON RD #975
DALLAS TX 75254

NIEDERAUER PAUL NIEDERAUER KARA
KRISTINE
1 SUFFOLK RD
MASSAPEQUA NY 11758

SMH HARBORAGE LLC
14875 PRESTON RD #975
DALLAS TX 75254

O'BRIEN MARC ANTONE GINA
215 NW FLAGLER AVE #304
STUART FL 34994

SMH HARBORAGE LLC
14875 PRESTON RD #975
DALLAS TX 75254

RAULERSON KANDY
275 NW FLAGLER AVE , Unit #403
STUART FL 34994

SMITH ROBERT A HOWE-SMITH PATRICIA L
215 NW FLAGLER AVE #406
STUART FL 34994

REINHART JOHN J
5700 NE ISALND COVE WAY #4304
STUART FL 34996

SMITH RONALD S
164 UFFERTS RD
CATSKILL NY 12414

REINHART ROBERT REINHART JOAN
6455 E ISLAND LAKE DR
EAST LANSING MI 48823

STUART JARDAN HOLDINGS LLC
203 BROAD ST
MT HOLLY NJ 08060

RICHARD W HINCHLIFFE TRUST
HINCHLIFFE RICHARD W TTEE
215 NW FLAGLER AVE #203
STUART FL 34994

VERSFELD FAMILY REVOCABLE TRUST
VERSFELD LEON TTEE
6010 SOUTHLAKE DR
PARKVILLE MO 64152

RIVER ROAD RENTALS LLC
756 ALAMEDA AVE
NOLENSVILLE TN 37135

WATERWAY MARINA INC
817 NE 3RD ST
DANIA BEACH FL 33004

Copy of the mailed notice sent to property owners within 300 feet of the subject property

Notice to Surrounding Property Owners

Subject: **Public Hearing Before:**
Local Planning Agency (LPA)

Petitioner: 151 NW Flagler, LLC

Parcel ID #: 32-37-41-004-020-00061-9

Address of Property: 151 N.W. Flagler Avenue, Stuart, Florida

Proposed Request: The applicant is requesting for a Small-Scale Comprehensive Plan Amendment from Industrial to Marine/Industrial Future Land Use Designation.

Dear Property Owner:

Please be advised that the City of Stuart will conduct a public hearing before the Local Planning Agency (LPA) on **Thursday, May 11, 2023, at 5:30PM** to consider the above request.

The public hearing(s) will take place in the Stuart City Hall Commission Chambers, located at 121 S. W. Flagler Avenue in Stuart and via a Zoom link available prior to the meetings.

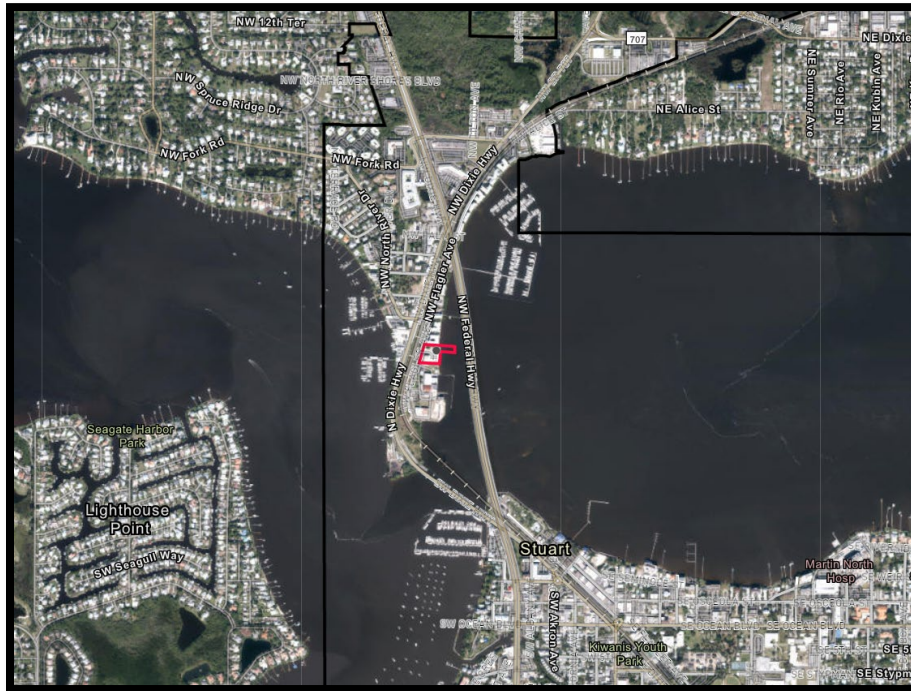
All interested parties and citizens may appear and be heard as to any and all matters pertinent to the request. A copy of the application is available for inspection at the Office of the City Development Department located at 121 S.W. Flagler Avenue in Stuart. If you have any questions regarding this notice, please feel free to call the City's Principal Planner, Kris McCrain at (772) 600-1268 or email at Kmccrain@ci.stuart.fl.us.

Sincerely,

Kris McCrain

Kris McCrain
Principal Planner

Location Map



NOTICE OF PUBLIC HEARING
CITY OF STUART

REQUEST FOR A PROPOSED VOLUNTARY ANNEXATION,
SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT AND
REZONE

The CITY OF STUART LOCAL PLANNING AGENCY (LPA) PLANNING ADVISORY BOARD will meet on Thursday, May 11, 2023, at 5:30 PM in the City Commission Chambers at City Hall, 121 SW Flagler Avenue, Stuart, FL 34994.

ORDINANCE NO. XXXX-2023

AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT AS DEFINED IN F.S.\$163.3187; AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP FOR AN APPROXIMATELY 1.794-ACRE PARCEL FROM THE INDUSTRIAL FUTURE LAND USE TO THE MARINE/ INDUSTRIAL FUTURE LAND USE; AMENDING THE FUTURE LAND USE MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.



All interested parties are invited to attend and be heard. Copies of the items will be available at the Stuart City Hall. Written comments may be directed to the Development Director, City of Stuart, at the following address: 121 SW Flagler Avenue, Stuart, FL 34994, telephone 772-288-5328.

ANY PERSON SEEKING TO APPEAL THE DECISION OF THE CITY COMMISSION AS TO THE FOREGOING IS ADVISED THAT A RECORD OF PROCEEDINGS IS REQUIRED IN ANY SUCH APPEAL AND THAT SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF PROCEEDINGS IS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

In accordance with the Americans with Disabilities Act (ADA), and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in 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.

Mary Kindel, City Clerk
Publish April 27, 2023 / Local Display Ad /Affidavit Required

Sen. Scott announces plan
to deter school shootings

Tomas Rodriguez
Naples Daily News
USA TODAY NETWORK –
FLORIDA

U.S. Sen. Rick Scott hopes to marshal a \$70 billion School Guardian Act to help guarantee that schools nationwide have the presence of law enforcement to deter mass school shootings.

Scott, a Naples Republican, introduced the bill Tuesday.

“The truth is every school is going to need law enforcement,” Scott emphasized. “We’ve got to make sure all schools are safe. Protect our kids.”

Collier County Sheriff Kevin Rambosk, as well as other members of the sheriff’s office, Sarasota County School Board Member Bridget Ziegler — who started the group Moms for Liberty — and relatives of some victims of the 2018 Parkland school shooting joined Scott for the announcement in Naples.

Scott said he hopes to get the School Guardian Act passed in the U.S. Senate and in the House of Representatives. He added he hopes to get the bill to President Joe Biden’s desk for approval.

“It’s going to save lives, that’s why I’m doing it,” Scott said.

Scott: Plan triggered
by Parkland shooting

Scott said that after 14 students and three educators died Feb. 14, 2018, when former student Ni-



Sen. Rick Scott, a Republican from Florida, introduces a school safety bill he hopes to get signed into law. Scott said he hopes to get the bill, School Guardian Act, passed in the U.S. Senate and in the House of Representatives. He added he hopes to get the bill to President Joe Biden’s desk for approval.

PHOTOS BY TOMAS RODRIGUEZ/ NAPLES DAILY NEWS

colas Cruz, 24, opened fire at Marjory Stoneman Douglas High School in Parkland, he spearheaded the creation of three teams that would focus on school safety.

They were mental health counselors, educators and law enforcement, he said.

“None of us none of us want anything like this to happen again, anywhere in this country. For sure in our hometown,” Scott said. Scott said that as a result of the three working groups they passed the Marjory Stoneman Douglas High School Public Safety Act in March 2018, which among things ensured every public school in Florida had the presence of law enforcement. “It’s too bad we have to do this,” Scott said.

“It’s too bad we have to think about this, but we did.” Scott said that as a result of the 2018 bill, there would be an armed police officer, a sheriff’s deputy or an individual who has completed a trained program in safety in all schools across Florida’s 67 counties.

“It’s remarkable the law enforcement (that) goes in, but also the people at the school that keep these kids safe,” Scott said. Scott said the bill isn’t just aimed at public schools.

He referenced a recent mass shooting at a Nashville, Tennessee, private elementary school, Covenant School, that killed three students and three staffers. The shooter, Audrey Hale, a former student, died after a cross-fire with authorities. Scott said the bill could be “historic legislation.”

Tom Hoyer and Gena Hoyer, whose son Luke Hoyer, 15, died during the gunfire on Feb. 14, 2018, were among Tuesday’s speakers.

“The tragic shooting in Parkland urged us to work closely with then-Gov. Rick Scott to implement effective measures here in Florida to protect students and teachers in schools,” Tom Hoyer said during his address.

“We continue now to do that on a national level. No family should endure the heartbreak that we still go through to this day.”

Ryan Petty, who lost his daughter Alaina Petty, 14, the same day, discussed Florida’s sheriff’s offices’ efforts to prevent mass school shootings



Tom and Gena Hoyer, who lost their son Luke Hoyer, 15, following the shooting at Marjory Stoneman Douglas High School on Feb. 14, 2018, speak during a press conference on April 25 at the Collier County Sheriff’s Office headquarters as Sen. Rick Scott introduces a school safety bill he hopes to get signed into law.

since.

“This is what’s needed in every one of our schools. We need to be able to protect our kids,” Ryan Petty said. “Nothing we teach them in that classroom matters if they don’t make it home.”

Ziegler expressed that while she was a school board member in Sarasota County when the Parkland shooting happened she worked with other school boards statewide to “quickly answer those questions on what to do.” “It’s a tragedy to think about every day when you kiss your child to school ... Go to school ... That there is this element in your mind thinking about they may not come back,” Ziegler said. Ziegler said she believes every school nationwide should have the resources and support to protect students.

Scott to pull funds
from IRS to pay for
armed school law
enforcement

Scott said the plan will be funded with \$70 billion the IRS has in place for agents.

“We don’t need to look around the country,” Scott said.

“We don’t need those IRS agents. What we need is more law enforcement agents. We need more law enforcement across the country.”

During a brief address, Sheriff Rambosk extended his condolences to parents of some of the Parkland students killed in the school shooting more than five years ago.

“And all families who have lost lives to school shootings,” he added. “This is a senseless and unimaginable loss that no one should have experienced.”

Rambosk said his sheriff’s office, as well as other neighboring agencies, have made a commitment to make school safety a priority. “When it comes to school safety, there’s no substitute for having a law enforcement officer on a school campus armed, trained and committed to stop a threat,” Rambosk said.

During the 2021-22 school year, Lee County Schools recorded 81 incidents linked to weapons possession, according to data compiled by the Florida Department of Education.

That’s a nearly 69% increase from the 48 reported in the 2020-21 school year and a nearly 119% increase from the 37 reported in the 2019-20 school year.

In contrast, Collier County Schools reported 36 incidents in the 2021-22 school year, the data states.

That’s an increase of 12.5% from the 32 incidents in the 2020-21 school year and a 157% increase from the 14 incidents in the 2019-20 school year.

Collier County schools, which don’t participate in the state’s Guardian Program, which allows schools to arm personnel, have had law enforcement present in schools for more than four decades, Karie Partington, spokesperson for the sheriff’s office told the Naples Daily News.

Tomas Rodriguez is a Breaking/Live News Reporter for the Naples Daily News and The News-Press. You can reach Tomas at TRodriguez@gannett.com or 772-333-5501. Connect with him on Twitter @TomasFRoBeltran, Instagram @tomasfobeltran and Facebook @tomasrodrigueznews.

A Symphony of Style

LET THE MUSIC PLAY
IN BRIGHT STERLING SILVER



\$79

Compare at \$120

Our jazzy bracelet presents a melodic mix of treble clefs and musical notes that sing a sweet tune in polished sterling silver. Paired with your favorite outfits, it's a perfect duet, or a great gift for the music lover on your list!

Available in 7" \$79 and 8" \$89

Shown larger for detail.

ROSS SIMONS

Fine Jewelry | Fabulous Prices

ORDER TODAY!

To receive this special price and free shipping use offer code:

SONG49

1.800.556.7376 or visit ross-simons.com/song

Item #933577

RECEIVED

JUN 29 2022



DEVELOPMENT

Received By:

City of Stuart
121 SW Flagler Ave.
Stuart, FL 34994
development@ci.stuart.fl.us
(772) 288-5326

Received by:

Reviewed by:

[Signature]

Small-Scale Comprehensive Plan Amendment Application

Project ID#

222060007

(Staff Entry)

Pre-App Conference Date:

1/14/2022

Application Date:

SITE INFORMATION

Project Name: Willis Custom Yachts	Parcel ID#: 32-37-41-004-020-00061-9
Site Address: 151 NW Flagler Avenue, Stuart FL 34994	
Subdivision: Riverside Park	Lot(s):
Site Acreage: 1.79 acres (1.09 upland acres)	Flood Zone/Base Flood Elevation: Zone AE/Elev 5
Existing Zoning District / CRA Subdistrict (if applicable): Industrial	
Proposed Zoning District / CRA Subdistrict (if applicable): Industrial	
Current Comprehensive Plan Future Land Use Designation: Industrial	
Proposed Comprehensive Plan Future Land Use Designation: Marine/Industrial	
Existing Land Use: Vacant	Proposed Land Use: Boat sales and service
Proposed Square Footage (if applicable): 18,720 SF	Proposed Density (if applicable): N/A

PETITIONER INFORMATION

Property Owner: 151 NW Flagler, LLC	Phone Number / Email Address: Contact Agent
Property Owner's Mailing Address: 151 NW Flagler Ave, Stuart FL 34994	
Applicant (if not Owner):	Phone Number / Email Address:
Applicant's Mailing Address:	
Agent/Contact Person: Matthew Barnes, AICP	Phone Number / Email Address: 561-713-1687 / matthew.barnes@wginc.com
Agent's Mailing Address: 2035 Vista Parkway, West Palm Beach, FL 33411	
Architect: Eric Luttmann, AIA	Engineer: Adam Schildmeier, PE
Planner: Matthew Barnes, AICP	Landscape Architect: Bryan Jackman

Statement of Ownership and Designation of Authorized Agent

(Please Print or Type)

Before me, the undersigned authority, personally appeared David Tobin, as Manager

Who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting approval of a Small Scale Comprehensive Plan Amendment in the City of Stuart, FL.
3. That he/she has appointed Matthew Barnes to act as an authorized agent on his/her behalf to accomplish the above project.

Name of Owner: 151 NW Flagler, LLC

Signature of Owner: [Signature] By: David Tobin, Manager

Street Address: 225 NEMER Blvd., Suite 510 City, State, Zip Code: Boca Raton, FL 33432

P.O. Box: (561) 620-0656 City, State, Zip Code: (561) 620-0457

Telephone Number: [Blank] Fax Number: [Blank]

Email Address: dst@tobinreys.com

STATE OF FLORIDA, COUNTY OF Palm Beach

Sworn and subscribed before me by means of ☒ physical presence or ☐ online notarization, this

19th day of April, 2022 By David Tobin

Personally Known OR Produced Identification
Type of Identification Produced: Nichole Pavez
Notary Public

My Commission expires: 08-25-23

 **Nichole Pavez**
Comm. #GG907343
Expires: August 25, 2023
Bonded Thru Aaron Notary

Financial Responsibility Form

(Please Print or Type)

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: <u>David Tobin</u>
Title: <u>Manager</u>
Company: <u>151 NW Flagler, LLC</u>
Company Address: <u>151 NW Flagler Ave</u>

City/State/Zip Code: <u>Stuart FL 34994</u>
Telephone Number:
Facsimile Number:
Email Address (optional):

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

1. Signed this 19th day of May, 2022.



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

Application Requirements

Fee: \$1,864.00 (*this does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees*)

➤ **Submittal Requirements:** A completed application form, the payment of fees, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, and a justification for the proposed change and any other information required by the City Development Director.

Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application. The Local Planning Agency (LPA) is required to hold an advertised public hearing and formulate a recommendation to the City Commission. The City Commission is also required to hold an advertised public hearing after which it may approve, approve with conditions, or deny the application.

Justification: Please explain the need and justification of the change and the relationship of the proposed change to the goals, objectives and policies of the City of Stuart Comprehensive Plan and Land Development Code (*include additional pages if needed*).

See attached Justification Statement.

(over)

**JUSTIFICATION STATEMENT
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT
&
URBAN CODE MAJOR CONDITIONAL USE
FOR
WILLIS CUSTOM YACHTS**

151 NW Flagler Ave, Stuart FL

Prepared by:

WGI, INC.

2350 Vista Parkway
West Palm Beach, FL 33411
(561) 687-2220
www.wginc.com

Initial Submittal: June 28th, 2022



CITY OF STUART - Planning & Zoning Department
121 SW Flagler Avenue, Stuart, FL 34994

Introduction

The subject property is located at 151 NW Flagler Avenue, to the east of Flagler Avenue and to the west of the St. Lucie River (the “Property”), in the City of Stuart, Florida (the “City”). The Property is identified by the following Parcel Control Number (PCN): 32-37-41-004-020-00061-9 and has a total of 1.794-acres which includes a total of approximately 1.36-upland acres and 0.43 acres of submerged lands. The Property has a Future Land Use (FLU) designation of Industrial and a Zoning District classification of Industrial. The Property is located within the City’s Community Redevelopment Agency (“CRA”) boundary. According to historic aerial photographs and Google Streetview images, the Property was previously developed as an industrial/marine use and has since been demolished, see **Figure 2** and **Figure 3**. The Property is currently vacant with remaining impervious surfaces on the site from the previous development. An aerial of the subject site (outlined in red) and surrounding areas is provided below in **Figure 1**.

Figure 1: Site Location Map



Request

On behalf of the property owner, 151 NW Flagler, LLC (the “Applicant”), WGI, Inc. requests a **Small-Scale Comprehensive Plan Amendment** to re-designate the FLU on the Property from Industrial to the Marine/Industrial FLU designation and an **Urban Code Major Conditional Use** to allow a boat sales and service use in the Industrial zoning district, see the FLU Map provided in **Exhibit A** and the Zoning Map provided by **Exhibit B**. The proposed boat sales and service development will accommodate a boat maintenance building, with an attached workshop and sales office (the “Proposed Project”). The Proposed Project also includes site improvements such as new docks and a new seawall. The Property is a part of the Harborage PUD development to the north and is listed as Building 10 on the site plan, therefore a PUD amendment is required. Condition #4 of Exhibit B of Resolution No. 50-2018 (the last approved PUD for



the Harborage) allows the owner of the Building 10 parcel to amend the Harborage development approval without the joinder of other property owners within Harborage. The condition states “A Unity of Title for density has been executed by the developer. Notwithstanding the preceding, any owner of the “Portside” parcel of “Building 10” parcel may amend the development approvals for the respective parcel, without joinder of other property owners within the Harborage development.”

Surrounding Uses

Table 1: Surrounding Land Uses			
Adjacent Land	Use	Future Land Use	Zoning
North	Harborage PUD Multifamily Residential and Marina	Marine/Industrial	Urban Waterfront (UW)
South	Atlantic Point Marina (Approved by the City Commission on May 23 rd) Marine Based Mixed-Use Development	Marine/Industrial	Industrial (I)
East	St. Lucie Waterway	Not Applicable	Not Applicable
West	Apex Marine Stuart Boat Repair Shop	Downtown	Urban Waterfront (UW)

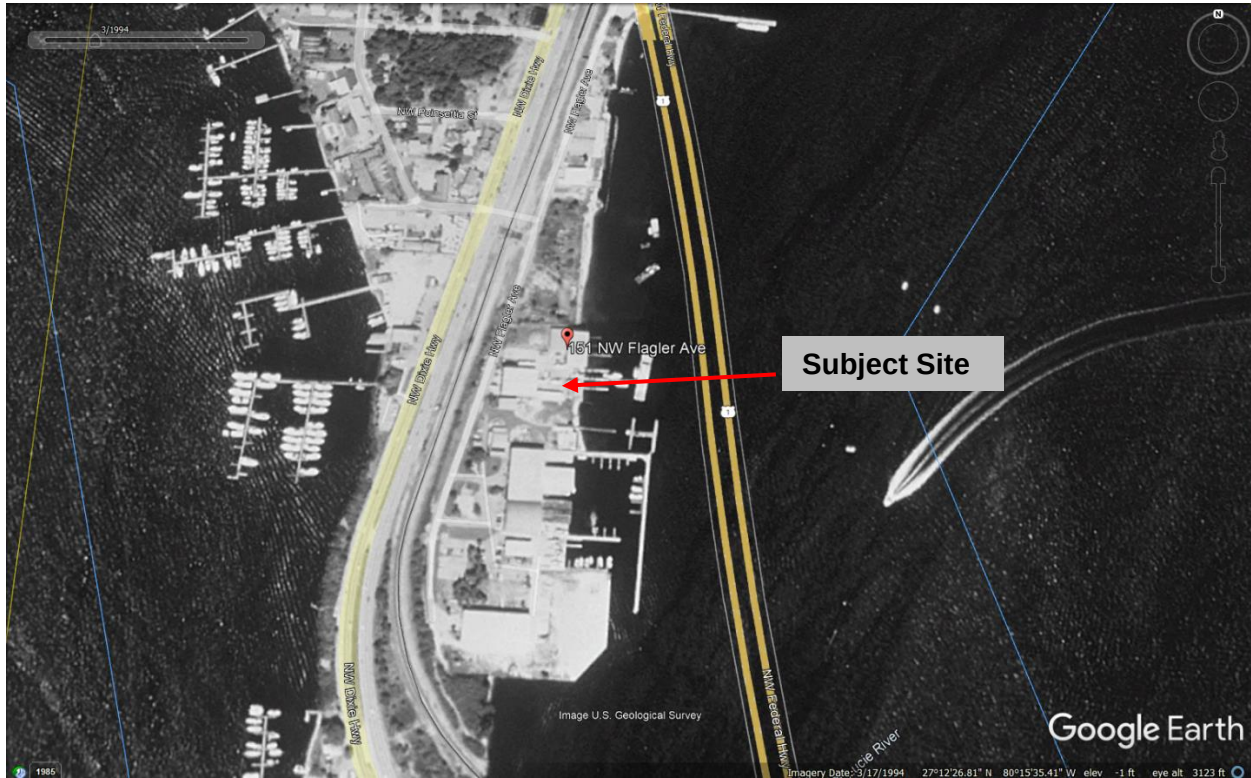
Table 1 demonstrates that the request to amend the future land use (FLU) of the Property from Industrial to Marine/Industrial is consistent with the parcel to the north and the parcel to the south, which both have a FLU of Marine/Industrial. The parcel to the south, Atlantic Point Marina, was approved on May 23rd for a small-scale comprehensive plan amendment to change the designation of the FLU from Industrial to Marine/Industrial and a Major Urban Code Conditional Use. The proximity of the Property to the St. Lucie River further demonstrates the compatibility of the Marine/Industrial FLU designation, as opposed to the existing Industrial FLU, which will be explained in further detail.

Appropriate Future Land Use Designation

The Future Land Use Element of the City of Stuart’s Comprehensive Plan defines the Industrial FLU category as “Land uses and activities predominately connected with manufacturing, assembly, processing, packaging, research, or storage of products. Additional permitted uses in such areas include warehousing, wholesale activity, machine repair, and limited indoor retail sales and professional and other offices.” The description of the Marine/Industrial FLU category as a “Waterfront district which permits continuation of industrial/marine uses while encouraging mixed use development including multi-family residential; commercial; office; lodging’ marinas; and civic uses.” Marine/Industrial is a more appropriate FLU designation for the subject site since it is a “waterfront district” and it permits the “continuation of industrial/marine uses”.

The Property is located adjacent to the St. Lucie Waterway and is therefore part of the Stuart waterfront. The proposed use of boat sales and service is consistent with the uses in a waterfront district. According to historic Google Streetview images from 2019, the most recent use on the site was an industrial/marine use, see **Figures 4 and 5**. The previous use, known as Palm City Yachts, was a marine/industrial use that was at the time of its use, inconsistent with the Industrial FLU designation. Historic aerials from 1994, see **Figure 2**, show the industrial/marine development that existed until its demolition in 2021.

Figure 2: 1994 Aerial of the Subject Site



Source: Google Earth

The Marine/Industrial FLU designation is consistent with the purpose of the FLU as it allows for the continuation of the industrial/marine uses that were once located on the subject site, which in this case was Palm City Yachts. The Proposed Project is a desirable infill redevelopment project, that will improve the vacant site that exists today and is more desirable to than the approved site plan for the site as shown in **Figure 3** (next page).

The Property is part of the Harborage development and in the last PUD approval a Dry Storage/Showroom building was approved for the Property. The intense building, known as Building 10 on the site plan, had a ground floor footprint of approximately 30,000 square feet, which was approximately 50% of the total upland portion of the Property. The Proposed Project only has a footprint of just under 15,000 square feet – half the size of Building 10.

The previously approved project did not maintain much pervious surface on the parcel, which would have hindered stormwater management. The previously approved project required 44 parking spaces (compared to 18 required parking spaces for the Proposed Project) and only 25 spaces were located on the Property, the other 19 parking spaces were located in the Flagler Avenue right-of-way. Sixteen of the 25 parking spaces on the Property actually encroached past the northern property line by eight feet, which would have left no room for a landscape buffer between Building 10 and its parking and the neighboring condominium building to the north.

The Proposed Project will preserve most of the existing Areca Palms on the common northern property line, which will provide a thick landscape screen, and there is approximately 25' of buffer area along the common northern property line where a sidewalk will connect to the Harborage sidewalk (and it will connect

Figure 4: Previous Use on the Subject Site



Source: Google Streetview., May 2019

Figure 5: Previous Use on the Subject Site



Source: Google Earth

Overall, the Proposed Project will enhance the Property, which is located in the CRA. The mission of the CRA as stated in the *Community Redevelopment Agency 2021 Annual Report*, is “*To plan for a sustainable economic future while protecting and enhancing the unique character of the City.*” In its current state the Property is not consistent with the CRA’s mission as the vacant site does not generate revenue “for a sustainable economic future” and it does not enhance “the unique character of the City.” The Proposed Project is consistent with the CRA’s mission, as the boat sales and service use promotes infill redevelopment on a vacant site and the proposed use is consistent with the City of Stuart’s marine character. The Proposed Project will also bring jobs to the City in the marine industry. The proposed development is explained in further detail in the following section.



Proposed Development

The Applicant proposes to construct a boat maintenance building that is approximately 12,000 SF and an attached two-story workshop building and office/customer lounge. The workshop building is approximately 3,250 SF and is proposed on the first floor and an approximately 3,300 SF boat sales office is proposed on the second floor. In addition to the main structure, two dry dock boat slips are proposed on site. A dock and travel lift piers are proposed to extend from the eastern property line into the submerged lands and St. Lucie River.

The Applicant intends to use the Property in complement to their main manufacturing and repair site in unincorporated Martin County further up-river at 6800 SW Jack James Drive. The Proposed Project will serve customers who are testing their new boat purchase, which was manufactured or repaired at the offsite location. The maintenance building and workshop building will be used to make the final tweaks and improvements to the boat per the customer's requests. The Property provides ideal access to the water for the boat delivery (by water) and client interaction with their new boat because it has access to the St. Lucie River — in addition to easy access to the Okeechobee waterway, the Intracoastal Waterway, and the Atlantic Ocean. Flagler Avenue is parallel to the subject property and provides easy access from Dixie Highway.

The established development pattern as a historic industrial/marine use provides an opportunity for infill development that is consistent with the scale and character of the existing multifamily and marina to the north, and the proposed mixed-use development and marina to the south. The Proposed Project is located approximately half a mile from downtown Stuart and is in the City of Stuart's CRA boundary.

The Proposed Project also includes 18 parking spaces, one loading zone, dry detention, a 6' wide sidewalk that will connect the sidewalk along the east side of the Harborage through the Property to the south where it will connect to the Atlantic Point project, and landscaped buffers along the north, west, and south property lines. Water-based improvements include a proposed seawall, docks, and a travel lift to lift boats out of the water. The Proposed Project will create a viable project on the vacant parcel, that also meets the City's code requirements and contributes to the public experience through a sidewalk connection and public art installation. Stormwater management will also be improved with the development of the vacant parcel, as the existing site has an extensive amount of impervious surface which will be reduced with the dry detention and landscape buffers proposed on the north and west boundary. The site plan included in this submittal identifies the pervious surface that is proposed on the site to manage the stormwater onsite.

To compliment the scale and design of adjacent properties, the boat maintenance building and the attached workshop/customer space has a marine contemporary design. The attached space is setback from the maintenance building which breaks up the façade, along with recessed façade elements. The building design has created an intricate façade that is broken up with recessed façade elements, large windows, and the attached building is setback from the maintenance building. The proposed height of the maintenance building is 45 feet, and it is proportional and complimentary to surrounding buildings in the area. The proposed height of the Atlantic Point Marina project to the south is 45 feet with an additional 15 feet to the top of the roof. The Harborage residential buildings located to the north of the Property has a height of 42 and a half feet.

Public art onsite is strongly encouraged by the City of Stuart and the CRA. The Proposed Project incorporates a nautical mural to compliment the marine-based use and the historic character of the City of Stuart. This art intends to benefit customers of the proposed building as well as the Stuart community, as it enhances the public view and intends to employ a local artist. The proposed public art is a mural on the west facing façade of the proposed building. A conceptual depiction of the mural is provided in the architectural drawings. A final mural design will be applied for through the minor urban code conditional use process when an artist and final design are chosen by the Applicant.

Small Scale Comprehensive Plan Amendment

The Willis Custom Yachts application includes a request consistent with **LDC Section 11.01.07 – “Small scale” comprehensive plan amendment application** and meets the definition of a small-scale comprehensive plan amendment as defined in F.S. § 163.3187.

Section 11.01.07.G. includes specific policy provisions required to be considered when assessing a request for a small-scale comprehensive plan amendment. Specifically, the Community Redevelopment Board and City Commission shall consider the following criteria:

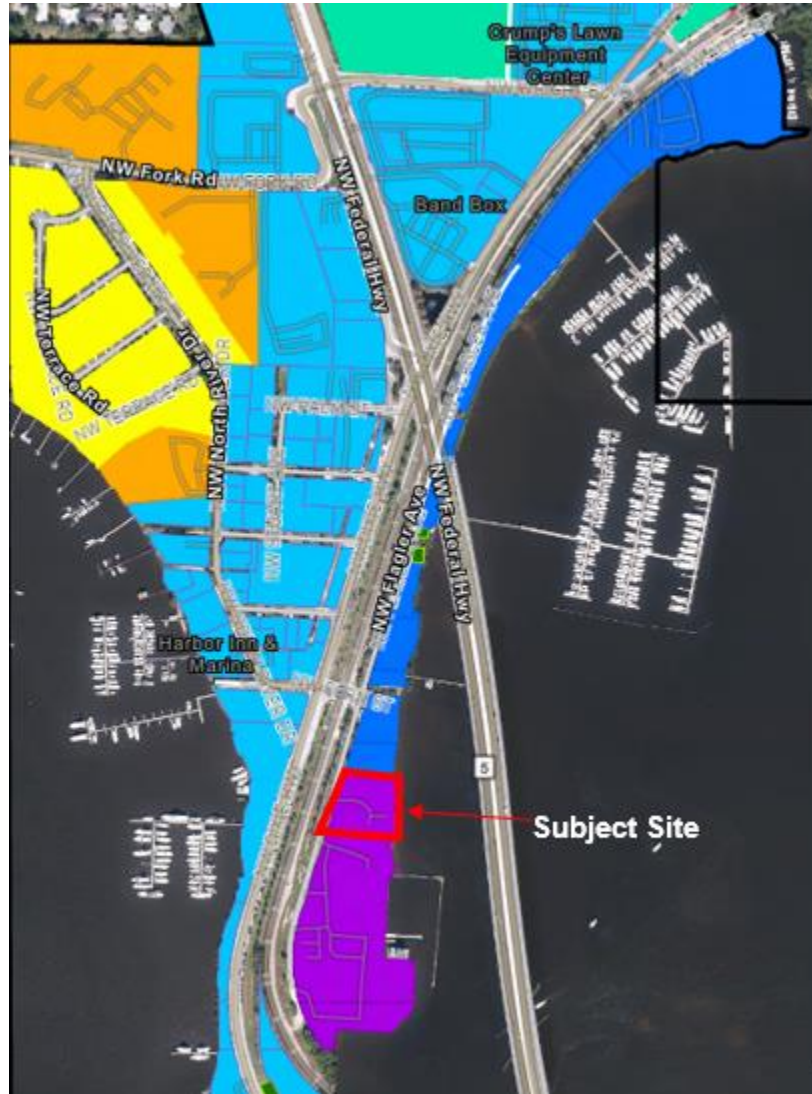
a) *The existing land use pattern;*

Table 1 (page 3) describes the land use pattern surrounding the Property. The analysis provided on page 3, demonstrates the consistency of the proposed FLU change from Industrial to Marine/Industrial. The proposed FLU change is consistent with the land uses to the north and the recently adopted FLU amendment to the south of the subject site and it is consistent with the previous industrial/marine use on the property. The proposed project of a boat sales and service use is consistent with the proposed Marine/Industrial FLU.

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

As depicted in **Figure 6** (next page), the majority of parcels located between NW Flagler Avenue and the St. Lucie River have a future land use designation of Marine/Industrial which is represented by the royal blue designation. The purple parcel directly to the south of the subject site was recently changed to a Marine/Industrial FLU. Therefore, the Property will soon be isolated as it exists with an Industrial FLU. A small-scale comprehensive plan amendment would enhance the consistency of the site to the surrounding uses and would no longer isolate the Property as the only Industrial FLU site in the vicinity.

Figure 6: City of Stuart Future Land Map



Source: City of Stuart Development Web Map

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

The proposed development does not include any residential units and is therefore, not applicable to this criterion.

- d) The possible overloading of the city's sewage collection, treatment and disposal facilities;***

The preliminary engineering plans in this application, provide sufficient detail to demonstrate the proposed effective reuse of the previous industrial/marine type facilities without overloading the city's sewage, treatment, and disposal facilities.

- e) The possible overloading of the city's drainage system;**



The stormwater drainage calculations and preliminary engineering plans included in this application demonstrate the Proposed Project may be accommodated without overloading the City's drainage system.

f) The existing classification boundaries in relation to existing conditions on the subject property;

The previous industrial/marine use has been demolished and the site is currently vacant with a lot of impervious surface that remains from the previous development. The proposed boat sales and service facility will better utilize the Property, as it provides a sustainable infill development project on a currently vacant site. The proposed use is not permitted with the existing Industrial FLU designation and this site would likely continue to sit vacant without the small-scale comprehensive plan amendment.

g) The existence of changed or changing conditions which make the passage of the proposed amendment necessary or appropriate;

As depicted in **Figure 4 and 5**, the previous Palm City Yachts use, was demolished in 2021 and the Property is currently vacant. The Applicant intends to revitalize the Property with uses described in the development program section above, which are compatible to the marina and multifamily use to the north and the marina use approved for the Atlantic Point Marina development to the south. To accommodate such a change, a small-scale comprehensive plan amendment from Industrial to Marine/Industrial and an Urban Code Major Conditional Use to allow a boat sales and service use is required. Such uses are allowed and encouraged within the CRA Urban Code.

h) The impact of the proposed amendment upon living conditions in the adjacent neighborhood;

The Property was previously established as an industrial/marine use, most recently known as Palm City Yachts. The proposed reuse of the Property as a boat sales and service use, is consistent with uses permitted in the Urban Code and provisions allowed with a concurrent request for a Major Urban Code conditional use application to address the underlying Industrial zoning district designation. The property boundary is a significant distance away from the multifamily residential parcels (shown in orange) that are depicted in **Figure 6** and the proposed building is setback 96' from the north property line where there is an existing multifamily residential building in the Harborage development. The previous Palm City Yachts use had an approximately 30-foot tall building that was setback only 15'-8" from the north property line at the east end of the Property. Historic aerial images also show that the previous use was developed prior to the Harborage development. Therefore, during their entitlement process, the mixed-use, Harborage development determined that their proposed development was consistent with the industrial/marine use that existed on the subject site. Due to the factors listed above, there is no negative impact on nearby residents.

i) The impact of the amendment upon the flow of light and air to adjacent areas;

Photometric plans are included in this application which demonstrate there is no impact of the Proposed Project to the adjacent areas. The Proposed Project has also followed the required distance and separation between established property boundaries as depicted in the site plan included in the application.

j) The impact of the proposed amendment upon property values in the adjacent area;



The Proposed Project will revitalize an infill site within the CRA boundaries. The CRA's vision includes "encouraging economic growth and development while enhancing the City's character." As a recently demolished, vacant parcel, in the City's CRA district, the Property is an opportune site for redevelopment. The Property is located in-between the Harborage multifamily and marina project and the proposed Atlantic Point marine commercial project. As shown in **Figures 4 and 5**, the previously existing use and current vacant site do not capture the City's marine character and it does not utilize the waterfront to its full capacity. Redevelopment on the Property with modern, well designed buildings of a scale, layout and massing that is compatible with the surrounding development will add value to the surrounding properties as intended by the CRA.

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

The existing Harborage development was approved by Resolution No. 196-04 in 2004 and later amended by Resolution No. 50-2018. The Property is a part of the Harborage site plan, as it was approved to have a Dry Storage/Showroom on the Property. The Proposed Project will be a more desirable use than the existing waterfront vacant parcel, the approved use, and the previous use. The Property is more consistent with the development to the south known as Atlantic Point Marina, which is approved to develop a boat barn, marina use and more commercial uses. Overall, the Proposed Project is consistent with the purpose of the CRA and it provides a more aesthetically pleasing use and design than what exists there today and the large showroom that was approved previously. Initial architectural renderings are included in **Exhibit C**.

Structural architectural details are integrated into the building structure and design. The relief and form of the maintenance building and the attached 2-story building is compatible with the scale and character of the adjacent properties to the north and the recently approved Atlantic Point Marina to the south. These elements include a raised parapet, overhangs, a recessed façade, display windows, and a public art mural. Landscaped buffers and a decorative aluminum fence enhance the compatibility between the proposed use and the surrounding uses. In addition, the equipment and refuse services will be screened and not visible to the public.

l) The existence of other adequate sites in the city for the proposed land use classification already permitting such use.

The Property is an appropriate site for the proposed boat sales and service use in the City of Stuart. Other vacant sites are either not located on the waterfront or a boat sales and service use would not be compatible with the surrounding uses. The Marine/Industrial FLU is concentrated on the east side of Flagler Avenue. The other concentration of vacant waterfront parcels are surrounded by the Downtown FLU designations, which would not be as compatible for the proposed use. New development on the Property is an effective infill development project for a site where an industrial/marine based use once existed.

Consistency with the Comprehensive Plan

FLU Element Policy A2.3: City shall encourage extension and expansion of its Riverwalk system, along private properties, through public and private partnerships agreements, development incentives or other means deemed appropriate by the City Commission.

The Property, adjacent to the St. Lucie River, offers beneficial resources and encourages extension and expansion of the City's Riverwalk system. The Proposed Project would connect the Riverwalk to the parcel to the north and south and therefore, expand the system.



FLU Element Objective B1.-Compact urban form: Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart in order to achieve a compact urban form.

The Proposed Project is an infill site, discouraging urban sprawl by revitalizing a preexisting Marine/Industrial property. No further development outside of the Property will be needed, achieving a compact urban form.

FLU Element Objective B3. Promote and enhance a pattern of land uses that are compatible; that are convenient to City residents, businesses, and visitors; that avoid inappropriate or wasteful use of land; and that encourage efficient use of land, resources and facilities. Future land uses shall be designated to support the existing or planned community character, thereby prohibiting the development or expansion of uses which are inconsistent with the community's character. Reduce blighted areas through redevelopment. Land development and use regulations shall include provisions to ensure consistency with this Comprehensive Plan.

The Proposed Project will be compatible with the surrounding land use and support the community character, including the marina and multifamily use to the north and the proposed marina and commercial development to the south.

FLU Element Goal Statement C. The future land use goal for the Community Redevelopment Area (CRA) [is] to maintain and strengthen the beauty, economic viability, cultural resources and social importance of the area. This shall be accomplished through mixed-use zoning, preservation of historic buildings, innovative zoning and land use regulations, demolition, reconstruction or substantial renovation of existing buildings and infrastructure, enhancement of marine resources, and other measures to promote urban redevelopment.

The proposed boat sales and service use aligns with the future land use goals of the CRA. The project's design will strengthen the beauty, economic viability, and cultural resources through revitalization of the site. In addition, a mural is proposed on the development to contribute to the City's public art supply.

FLU Element Policy C1.2 The City of Stuart shall continue to implement the Stuart Architectural Regulations which have been adopted based on the Stuart Urban Code for the CRA to regulate materials, colors, and landscaping for buildings. These regulations shall encourage traditional, durable construction with materials that age well and fit with the existing architectural heritage of Stuart.

The Proposed Project is consistent with regulations in the Urban Code as the architectural design and site layout was planned with the Urban Code regulations as a priority.

FLU Element Objective C3-Urban redevelopment. Revitalize the designated Urban Redevelopment Area (URA), including the CRA, by:

- A. Maintaining or increasing the amount of development and redevelopment.***
- B. Maintaining or increasing the percentage of County-wide employment located in the City of Stuart as a whole.***
- C. Reducing blight conditions as defined by F.S. § 163.340(8)(a) and (b).***
- D. Achieving and maintaining a 90 percent occupancy rate of commercial and office spaces.***
- E. Enhancing the City's marine resources.***
- F. Promote pedestrian mobility throughout the CRA.***
- G. FLU Element Policy C3.14 Policy C3.14. The City through the CRA redevelopment shall encourage and promote pedestrian mobility and linkages throughout the CRA.***

This Proposed Project reuses existing property that was formerly an industrial/marine use, but with a design that is consistent with the objectives of policy C-3. Approval of the Proposed Project would achieve the objectives to facilitate redevelopment, enhancing the City's marine resources, and promoting pedestrian



mobility in the surrounding area within the City of Stuart CRA through the expansion of the Riverwalk system. The Proposed Project would generate approximately 15 new jobs.

Chapter 9, ECONOMIC DEVELOPMENT ELEMENT GOAL STATEMENT – The City will develop and maintain an economic environment that will encourage the creation, expansion and retention of businesses within City limits while maintaining a high quality of life for its residents.

Objective A1 – Retain existing businesses and attracting new businesses. Provide supporting services for the retention of existing businesses and attracting new businesses.

The Proposed Project will create approximately 15 new jobs in the marine industry, a highly sought-after sector of the economy for the City. The Proposed Project is also complimentary to the Applicant's other business location in Martin County at 6800 SW Jack James, where boats are manufactured and repaired.

Policy A1.1. The City will seek to ensure the allocation of an appropriate quantity of lands that are desirable for commercial and industrial purposes to serve future growth needs of the City.

The proposal to amend the future land use designation from Industrial to Marine/Industrial provides for the ability to re-establish the industrial/marine uses that previously existed on the Property, which will generate approximately 15 new jobs in the City.

Policy A1.2. The City will seek to prioritize the development of sites with high visibility and direct access to major transportation corridors for targeted and other industries and uses that encourage job creation.

The Proposed Project is ideally suited for the Property due to its access to the St. Lucie River and the Proposed Project will bring approximately 15 new jobs to the City in the targeted marine industry.

Major Urban Code Conditional Use & Industrial Zoning District Analysis

Although industrially zoned, the development patterns, setbacks, and open space, pervious/impervious, and architectural design standards applied to the site are governed by a combination of the Industrial zoning district standards and the Urban Code standards. The Proposed Project has been designed to demonstrate appropriate stormwater management provisions with the dry detention areas included on the north and west property line to protect the St. Lucie River from unwanted runoff. The boat maintenance building has been setback 110' from the shoreline, far exceeding the required 10' shoreline protection zone. The previously existing building was only setback 15'-8" from the north property line and it was only setback a few feet from the east property line, which is depicted in **Figure 5**. The Proposed Project respects the shoreline protection zone and is more compatible with the neighboring property to the north. The proposed height of the main building is consistent with both the Industrial zoning designation and the Urban Code.

The previous industrial/marine use would have been grandfathered as a nonconforming use on the Property and therefore, redeveloping the Property with a similar use will require a Major Urban Code Conditional Use. A Major Urban Code Conditional Use approval includes provisions to allow uses not allowed in the underlying zoning district, which in this case is to allow a boat sales and service use in the Industrial district.

Section 11.01.11.-Major and minor conditional use approval application.

- A. Generally, A major conditional use approval is specific authorization granted by the city commission to permit certain uses of property, which are unique due to the nature of the use, size, location, or various characteristics particular to the zoning district. The issuance of a major conditional use approval is required for the use or occupancy of a structure specifically designated as a conditional use in the "zone district" chapter of this Code and is subject to the limitations and conditions specified therein.

Specific Policies Requiring Consideration as a Major Urban Code Conditional Use:



The following regulation from the City's Land Development Code require a Major Urban Code Conditional Use in the Industrial Zoning District:

- a) **Section 202.02 Table 2 Land Uses.** To allow the proposed boat sales and service use in the Industrial zoning district.
- b) **Section 3.01.03.G. a through f.** These urban code regulations relate to landscape buffer widths in relation to setbacks of the underlying zoning district or urban subdistrict. The Industrial zoning district does not have any required setbacks and the Property is not located within an urban subdistrict. Therefore, the provided landscape buffers are as per what is provided on the proposed site plan and landscape plan rather than not providing landscape buffers and landscape strips.
- c) **Section 3.01.04.A. 1.** To allow the proposed building wall material of a concrete tilt wall with a finish that will be similar in appearance to stucco.
- d) **Section 3.01.04.H. 6** To allow six-foot-tall fence in the front yard along Flagler Avenue for security purposes.
- e) **Section 3.01.04.P.** To allow a six-foot-tall fence in the front yard along Flagler Avenue for security purposes.
- f) **Section 3.01.04.R.** To allow a parapet wall over 24 inches to enhance the architectural character of the 2-story boat maintenance building.

Policy Section 11.01.11.G.5

The factors that the city commission or community redevelopment board shall consider when making its determination are as follows:

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

The Marine/Industrial FLU exists to the north and to the south of the Property. A mixed-use development with water-based uses such as a marina, exist to the north in the Harborage development. The Atlantic Point Marina use to the south was approved for a development with a marina, boat barn, and other water-based uses. More water-based uses exist to the west of Flagler Avenue. Therefore, the proposed use is consistent with the land uses in the immediate area.

- 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 proposed use has been designed to meet all code requirements and to provide a more suitable land use to the currently vacant property. The preliminary engineering plans do not indicate that the existing utilities and public infrastructure in place will be overtaxed. The Proposed Project will not have traffic counts higher than 20 peak hour trips and it will not overtax the load on public streets. A traffic statement that defers a traffic analysis has been provided with this application. No residential development is proposed and therefore, the project does not apply to school concurrency.

- c) ***The proposed use will not be contrary to the future land use designation and will not have an adverse effect on the goals, policies, and objectives of the Comprehensive Plan.***

The concurrent small scale comprehensive plan amendment from Industrial to Marine/Industrial provides consistency with the adjacent uses to the north and the proposed development to the south of the Property and the proposed boat sales and service use is consistent with the intentions of the proposed FLU designation as established in the comprehensive plan.

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

Not applicable.



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

The Proposed Project will not have traffic counts higher than 20 peak hour trips and it will not overtax the load on public streets. A traffic statement that defers a traffic analysis has been provided with this application.

- f) *The proposed use will not create drainage or a storm water quality problem.***

The preliminary engineering plans and stormwater calculations all provide sufficient information to demonstrate compliance with City policies. Due to this compliance, no stormwater quality problem is anticipated.

- g) *The proposed use will not significantly reduce light or air to adjacent areas.***

Photometric plans are included in this application which demonstrate there is no impact of the Proposed Project to the adjacent areas. The proposed development has also followed the required distance and separation between established property boundaries as depicted in the site plan included in this application.

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

The proposed boat sales and service use is less burdensome on neighboring properties and on public infrastructure than the uses allowed by right in the Industrial zoning district. According to the City of Stuart's Land Development Code, the following uses are allowed in the Industrial zoning district:

- Automobile, repair services – major and minor.
- Boat storage, dry.
- Dry cleaning plant.
- Farm equipment and supply and sales.
- Gas stations.
- Newspaper publishing plant.
- Repair services.
- Retail intensive/non intensive sales and services.
- Shooting range, indoor.
- Fuel production facilities.
- Industrial, high impact and low impact use.
- Industrial parks.
- Sign painting/manufacturing shop.
- Telecommunication towers.
- Railroad freight stations.
- Truck terminals.
- Storage yards.
- Warehouse, general storage, mini storage, wholesale and distribution.
- Commercial nursery and tree farms.

The uses listed above, except for the boat storage, dry use, are not suitable for a development on the water. The uses listed above are also not suitable to be located adjacent to multifamily residential. The Proposed Project will provide the finishing touches and minor repairs and service to boats for customers at the Property. This use anticipates minimal noise, air, and light pollution to the adjacent developments as opposed to the uses listed above.

- 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 existing Harborage development was approved by Resolution No. 196-04 in 2004 and later amended by Resolution No. 50-2018. The Property is a part of the Harborage site plan, as it was approved to have a Dry Storage/Showroom on the Property. The Proposed Project will be a more desirable use than the vacant condition, the approved use, and the previous use. The subject site is consistent with the recently approved Atlantic Point Marina development to the south, as it plans to develop a boat barn, marina use and more commercial uses. Overall, the Proposed Project is consistent with the purpose of the CRA and it provides a more aesthetically pleasing use and design than what exists there today and the large showroom that was approved previously. Initial architectural renderings are included in **Exhibit C**.

Structural architectural details are integrated into the building structure and design. The relief and form of the maintenance building and the attached 2-story building is compatible with the scale and character of the surrounding buildings to the north and the recently approved Atlantic Point Marina to the south. These elements include a raised parapet, overhangs, a recessed façade, display windows, and a public art mural. Landscaped buffers and a decorative aluminum fence enhance the compatibility between the proposed use and the surrounding uses. In addition, the equipment and refuse services will be screened and not visible to the public.

- 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 Property is an appropriate site for the proposed boat sales and service use in the City of Stuart. Other vacant sites are either not located on the waterfront or a boat sales and service use would not be compatible with the surrounding uses. The Marine/Industrial FLU is concentrated on the east side of Flagler Avenue. The other concentration of vacant waterfront parcels are surrounded by the Downtown FLU designations, which would not be as compatible for the proposed use. New development on the Property is an effective infill development project for a site where an industrial/marine based use once existed.

Policy Section 11.01.11. G.G.6. in applying the above standards, the decision-maker will consider each of the following factors:

- 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.***

Ingress, egress, pedestrian, and vehicular flow throughout the property has been designed effectively and efficiently. Customers will enter and leave through the gated driveway and sidewalk that will remain open during business hours. A 6' sidewalk is proposed to connect to the sidewalk on the property to the north and the sidewalk on the property to the south to create a continuous pedestrian pathway. The driveway widths exceed minimum standards required to accommodate emergency vehicles.

- 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 off-street parking and loading areas on adjacent and nearby properties.***

Off-street parking is located on the northwest portion of the site and the parking spaces face both north and south. A 24.9' landscape buffer screens the parking that faces the adjacent use to the north and the proposed building screens the parking from the uses to the south. The

loading zone is located to the east of the building and faces the St. Lucie River, minimizing the impact on adjacent properties. In addition to the off-street parking and loading zone placement, there is a gate that will close after business hours, which will limit the need for cars and trucks to use their headlights during ingress, egress, or circulation around the site.

- 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 refuse and service area is proposed on the north side of the property. FRP-1 demonstrates the garbage truck pick up detail and the site dumpster detail. A gated dumpster enclosure is proposed to screen the area to meet the City of Stuart's standards, to minimize the impact of the refuse area on adjacent properties.

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

The following utilities are available: City water and sewer, Centurylink fiber, FPL electric, MCI fiber and communication lines, Comcast, Resurgence Infrastructure Group fiber, AT&T, Sprint, and MCI. All utility companies will be consulted as part of the permit process. The Applicant intends to bury all overhead utilities and connect to the existing utilities.

- 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 specifically permitted and the uses and structures of adjacent and nearby properties.***

The proposed landscape and architectural design for the Proposed Project is a considerable improvement on the previously existing structures and currently vacant Property. The architectural details and features of the proposed building intends to be a contemporary design with nautical features to enhance the compatibility with the surrounding Harborage and Atlantic Point Marina uses and represent the character of the City. Appropriate landscape screening is provided for the project. A 24.9' foot landscape buffer is provided to the north, a landscape buffer that varies in width from 23' to 45' is provided to the west and a 10' landscape buffer is provided to the south.

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

The photometric plans that are provided in this submittal package demonstrate that the exterior lighting will not create an impact to the glare, traffic safety, and economic effects of adjacent and nearby properties as it meets the City code. Signage is proposed to be a wall sign attached to the building and will meet the City of Stuart's maximum sign area of 100 square feet.

- g. Required yards and open spaces.***

The required landscape area is 20 percent and 25.4 percent of the Property is proposed to be landscaped in the Proposed Project. There are no required yards in the Industrial zoning district.

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

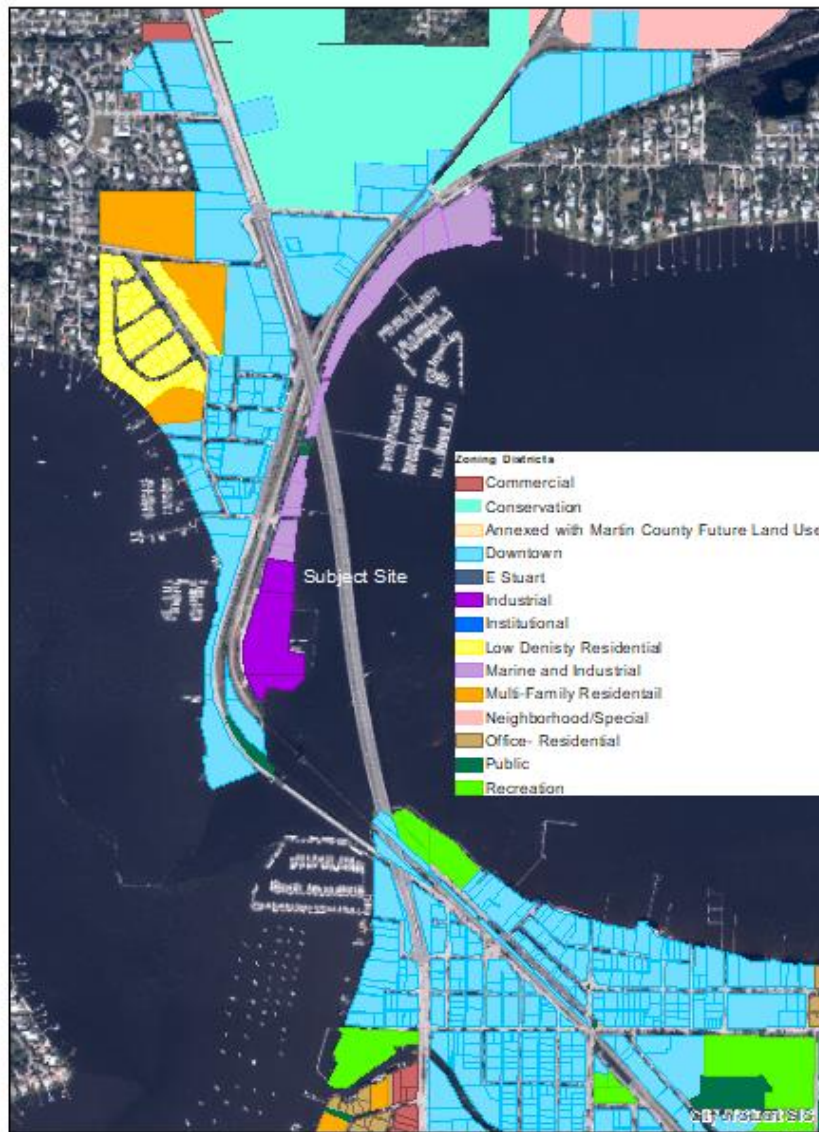


The proposed height of the maintenance building is 45 feet and is proportional and complimentary to surrounding buildings in the area. For instance, the proposed height of the Atlantic Point Marina project to the south is also 45 feet with an additional 15 feet to the top of the roof. The Harborage residential buildings located to the north have a height of 42 and a half feet, measured to the eave. This meets Section 3.01.06.A.2.b.1 which states that projects that are undergoing a Major Urban Code Conditional Use must meet the following design objective, "The proposed building is proportional and complimentary to surrounding buildings in the area." The proposed height of 45 feet is consistent with the surrounding heights of 45 feet (plus an additional 15 to the top of the roof) and 42 and a half feet.

Conclusion

On behalf of the Applicant, we respectfully request and present the aforementioned justification for the Small-Scale Comprehensive Plan Amendment from Industrial to Marine/Industrial and an Urban Code Major Conditional Use to allow a boat sales and service use on the Property.

Exhibit A: City of Stuart Future Land Use Map¹



¹ The FLU map provided does not represent the recently approved small scale comprehensive plan amendment for the Atlantic Point Marina project, located to the south, from Industrial to Marine/Industrial.

Exhibit B: City of Stuart Zoning Map



Exhibit C: Architectural Renderings







APPLICATION REQUIREMENTS

Application to amend the Future Land Use & Major Urban Code Conditional Use Components

Item #	Typical Plan Components	Response
1	Schedule a pre-application	Pre-application meeting completed in January 2022
2	Plans 24" x 36" – 1 set	Attached is a hard copy of the following plan sets: • Site Plan • Photometric Plan • Tree Inventory Plan • Architectural Plan Set • Landscaping Plan • Preliminary Engineering Plans • Survey
3	Folded drawings	All documents are folded as per requirements set by the City
4	Graphic scale displayed	Completed
5	Title Block	Completed with north arrow, street address, date prepared and the company who produced the plans
6	Site data summary	Provided site plan with site data to offer assurances on the scale, layout and intensity of development of the subject property
7	Legal Description and parcel boundary survey	A boundary survey prepared by licenses surveyor in the State of Florida, is included in the application.
8	Vicinity Map	Included at the top right corner of FSP-1.
9	Zoning Map, future Land Use Map and Aerial Map	A zoning map and future land use map that highlights the subject site are included as an exhibit in the Justification Statement. An aerial map is included in the main body of the justification statement.
10	CD in pdf downloadable file	A CD was provided along with one hard set copy of the plans.
11	Signed and sealed pdf downloadable file on disc	Scanned versions of the documents requiring signature have been attached to be read in conjunction with the original paper sets.
12	Revised plans to be clouded and accompanies by a cover letter	Not applicable as this is the initial submittal
13	Access and traffic flow plans	Traffic Study methodology statement has concluded that there is fewer than 20 peak hour trips and therefore, no traffic flow plan is required.

14	Any traffic lights installed will require traffic preemption device	Not applicable.
15	Fire Department Access, Water Supply, etc.	The use of Flagler Ave, an existing access road, is detailed on the site plan. Adequate access has been provided to accommodate Emergency Service Vehicles and maintain effective links with the existing roadway layouts adjacent to the subject property. There is a gate that will remain open during business hours.
16	Existing buildings and structures on the project and within 50 feet of the project's property lines	The site plan depicts links with existing infrastructure and proximity to existing structures and buildings within 50 feet of the subject property. An aerial map has been provided showing the surrounding properties.
17	Existing uses and zoning on all adjacent property	This information has been included on the site plan and in the justification statement.
18	Locations of the nearest available public water supply and wastewater disposal system and the proposed tie-in points	Such detailed are included on the site plan and preliminary engineering plans and demonstrate water and wastewater systems are in place to accommodate the subject property proposal.
19	Proposed development to show location, size, allowable use, height, total gross floor area, and distance to property lines and between buildings, density per gross acre, height and type of fences, walls, etc. architectural elevations, off street parking, etc.	Details as applicable are included on the site plan and architectural elevations with more specific parameters for development on the proposed site plan.
20	Building setback distances from property lines, abutting right of way centerline, and all adjacent buildings and structures.	Details are included on the FSP-1.
21	Minimum floor elevations of buildings and finished floor elevations of subject property and adjacent property	This information is provided on FSP-1 in accordance with Florida Statutes and Building Code provisions.
22	Pedestrian Circulation System and Points of Ingress and Egress	This information is provided on the site plan with efforts to maintain and improve pedestrian and vehicular access within the subject property and adjacent property.

23	Concurrency review. Traffic Study or Statement. School concurrency.	A Traffic Methodology Statement has been provided which indicates that there are less than 20 peak hour trips. School concurrency is N/A as there is no residential component included on the site plan.
24	Phasing plan/details.	The project will not be phased.
25	Dumpsters.	Shown as per the plan detail on FRP-1.
26	Various plans included. Site lighting plan. Signage plan, landscape plan	The plans listed in the response to item 2 have been provided in accordance with LDR requirements.
27	Location, names, and widths of proposed streets etc.	There are no proposed streets included in this development program. The existing Florida East Coast Railway and NW Flagler Avenue are shown on the site plan.
28	Utility lines and structures such as water, sewer, gas, electric, telephone, hydrants, main size, etc.	Utility lines and structures are depicted in the preliminary engineering plans.
29	Cross sections and specifications of all proposed pavements	Cross sections and specifications are included in the preliminary engineering plans.
30	Location of proposed retention/detention areas	The dry detention is shown on the FSP-1.
31	Typical and special roadway and drainage sections	Provided on the preliminary engineering drawings.
32	Locations of all land to be abandoned, dedicated, or reserved for all public and private uses including rights-of way, easements, special reservations	The information is provided on the FSP-1.
33	Location of onsite well and any wells within 1500 feet	Not applicable.
34	Pre-application meetings – potential environmental impacts to be discussed.	A pre-application meeting was completed ahead of the submittal of the development application in January 2022.
34A	Avoidance or minimization of wetland or other environmental impacts.	No wetlands exist on the property or adjacent to.
34B	On site minimization.	As per the site plan details.
34C	All waterbodies, watercourses, wetlands, and associated buffers on site and immediately adjacent to the site	The Saint Lucie River is shown on the survey and FSP-1.
34D	Existing vegetation on site	A Tree Inventory and Tree Disposition Plan have been included in this submittal.
34E	Wetlands – wetland delineation map and opinion	Not applicable.

	from professional regarding wetland environmental value	
34F	Wildlife observed	Not applicable.
34G	Preserve area and upland buffer evaluation	FSP-1 depicts the provided buffers, which are provided to minimize impacts on the surrounding established residential communities as applicable.
34H	Native vegetation Preserve Area Onsite/Offsite	Not applicable.
34I	Use of drought-tolerant native vegetation in landscaping	Refer to landscape plan for details.
34J	Exotic and invasive vegetation to be removed	Refer to the tree survey and the tree disposition plan included with this submittals.
35	Frontage type(s).	Refer to architectural elevations for details regarding architectural styles, scales and massing of the buildings.
36	Minimum percentage of façade	Refer to the architectural plan sets.
37	Location of transition line if applicable.	Not applicable.
38	Minimum percentage of glass	Refer to the architectural plan sets.
39	Sloped pitched roof	Refer to the architectural plan sets.
40	Height of parapet wall, if any	Refer to the architectural plan sets.
41	List of exterior materials, colors, and finishes.	Refer to the architectural plan sets.
42	Architectural details.	Refer to the architectural plan sets.
43	Curb cut, if any	Refer to FSP-1 and the dimensions labeled on the Northwest corner of the site.
44	Outbuildings, if any	There are no outbuildings proposed.
45	Height, length, depth projection of balcony rails	There are no balconies proposed for the boat sales and service use.
46	Traffic drive isle width	FSP-1 shows a drive isle width of 24 feet between the parking spaces near the entrance.
47	Material of roofs and gutters	Refer to the architectural plan sets.
48	Specification of arcades and porches if any	Refer to the architectural plan sets.
49	Materials, configuration, and operations of windows and doors	Refer to the architectural plan sets.
50	Garden wall if any	No garden wall is provided.

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Community Redevelopment Board**

Meeting Date: 6/6/2023

Prepared by: Kristopher McCrain

Title of Item:

APPLICATION TO GRANT A MAJOR URBAN CODE CONDITIONAL USE TO WILLIS CUSTOM YACHTS (RC):

RESOLUTION No. 42-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL FOR WILLIS CUSTOM YACHTS LOCATED AT 151 NW FLAGLER AVENUE, ADJACENT TO THE ST. LUCIE RIVER, PARALLEL TO NW FLAGLER AVENUE, NORTH DIXIE HIGHWAY, AND THE FEC RAILWAY, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; REQUIRING SPECIFIC POLICIES TO BE CONSIDERED INCLUDING USES, PARKING PROVISIONS, LANDSCAPE BUFFER WIDTHS, SHORELINE BUFFER REQUIREMENTS, BUILDING WALL MATERIALS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The applicant is requesting relief in the form of a Major Urban Code Conditional use to allow the proposed boat sales and service. The Conditional Use would amend Resolution 50-2018 and modify the approval of "Building 10" to allow for a boat sales and service facility which will be known as Willis Custom Yachts.

Willis Custom Yachts is an established boat manufacturer located within Unincorporated Martin County and intends to utilize the subject site to serve customers testing newly purchased boats which have been manufactured or repaired at the offsite location. The specific conditions are set forth in the Staff report.

The request is not contrary to the established uses in the area and a previous use allowed for dry boat storage and showroom.

Funding Source:

N/A

Recommended Action:

Staff recommends the Community Redevelopment Board forward a recommendation for approval to the City Commission for the project located at 151 NW Flagler Avenue.

ATTACHMENTS:

1. DRAFT Resolution 42-2023
2. Staff Report
3. Application Packet
4. Site Plan
5. Landscape Plan
6. Preliminary Civil Plan
7. Architectural Plan
8. Photometric Plan
9. Traffic Impact Analysis



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

RESOLUTION NUMBER 42-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA. GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL FOR WILLIS CUSTOM YACHTS LOCATED AT 151 NW FLAGLER AVENUE, ADJACENT TO THE ST. LUCIE RIVER, PARALLEL TO NW FLAGLER AVENUE, NORTH DIXIE HIGHWAY, AND THE FEC RAILWAY, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; REQUIRING SPECIFIC POLICIES TO BE CONSIDERED INCLUDING USES, PARKING PROVISIONS, LANDSCAPE BUFFER WIDTHS, SHORELINE BUFFER REQUIREMENTS, BUILDING WALL MATERIALS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

*** * * * ***

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by Willis Custom representing 151 NW Flagler Avenue, LLC (owner), for a 1.794-acre parcel of land;

WHEREAS, the Community Redevelopment Board (CRB) held a properly noticed hearing at a regularly scheduled meeting to consider the applications of the Petitioner and recommended approval of the Major Urban Code Conditional Use on _____, 2023;

WHEREAS, on _____, 2023, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by the Owner and Applicant, to consider the Major Urban Code Conditional Use, and

WHEREAS, the Owner and Applicant have committed to the City that its development will comply with all development codes, plans, standards, and conditions approved by the City Commission; and that it will bind its successors in title to any such commitments made upon this 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 Applicant has committed to the City that its development will comply with all development codes, plans, standards, and conditions approved by the City Commission; and that it will bind its successors in title to any such commitments made upon approval of the Major Urban Code Conditional Use Approval; and

WHEREAS, the Applicant, 151 NW Flagler Avenue LLC, is requesting a Major Urban Code Conditional Use approval to allow for development of a boat sales and service facility, supporting parking, and infrastructure, on 1.795-acre parcel of which 1.36-acres is dry land, and

WHEREAS, the Applicant has requested relief from the following sections of the City's Land Development Code, Section 2.02.02 Table 2 – Land Uses, Section 3.01.03.G. a through F, Section 3.01.04. A.1, Section 3.01.04.H.6, Section 3.04.04.P, and Section 3.01.04.R; and

WHEREAS, the Major Conditional Use approval shall run with the land; and

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

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

SECTION 1: The approved documents are on file as public records of the City, at the office of the City Clerk in City Hall, and attached hereto as **Exhibit “D”**, hereinafter the “Development Documents”, shall be deemed a part of this Resolution.

SECTION 2: Except as otherwise provided herein, no development permits, site permits, or building permits shall be issued by the City except in compliance with the City's Land Development Code.

SECTION 3: All Resolutions or parts of Resolutions in conflict with this Resolution or any part thereof is hereby repealed to the extent of such conflict. If any provision of this Resolution conflicts with any contractual provision between the City and

the developer of the site, this Resolution shall prevail.

SECTION 4: If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared severable.

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

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

Any breach of any provision or condition of this Major Code Conditional Use Resolution by the developer shall be considered a zoning violation subject to any remedies provided herein, or as otherwise provided by law. In the event a violation found continues from day to day, each day the violation is found to continue shall be deemed a separate violation.

SECTION 6: This Resolution shall be effective upon the last of the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owners.

SECTION 7: The complete execution and recording of this Resolution by the City Clerk shall occur no later than sixty (60) days from the date of this approval, failing which this Resolution shall be void.

SECTION 8: Upon complete execution of this Resolution including the Acceptance and Agreement by the Owners, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

Passed on the ____ day of _____, 2023.

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:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
CAMPBELL RICH, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

PAUL J. NICOLETTI
INTERIM CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN AN URBAN CODE CONDITIONAL USE APPROVAL AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS RESIDENTIAL PLANNED UNIT DEVELOPMENT ACCORDING TO THIS RESOLUTION, ITS CONDITIONS, AND THE DEVELOPMENT PLANS AND 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:

151 NW Flagler Avenue, LLC

By: _____

Print Name: _____

David Tobin (151 NW Flagler Avenue,
LLC)

Print Name: _____

Personally Known _____ OR Produced Identification _____ Type of ID _____

OWNERS ACKNOWLEDGMENT

The above Resolution, Acceptance and Agreement was acknowledged before me this _____ day
of _____, 2023, by David Tobin, Agent for 151 NW Flagler Avenue, LLC

Notary Public, State of Florida

My Commission Expires:

Notary Seal

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

CITY'S ACKNOWLEDGMENT

The above Resolution, Acceptance and Agreement was acknowledged before The above
Resolution, Acceptance and Agreement was acknowledged before me by means of ☐ physical
presence or ☐ online notarization this _____ day of _____, 2023 Troy McDonald,
Mayor, and Mary Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida
municipal corporation, who ☐ are personally known to me or ☐ have produced
_____ as identification.

(Notary Seal)

Signature of Notary Public

Printed Name: _____

Exhibit “A” Legal Description

Parcel 12:

Lot 9 and 10, Block 20, RIVERSIDE PARK, according to plat thereof filed 26 March 1925, and recorded in Plat Book 4, Page 98, St Lucie (now Martin) County, Florida

Parcel 13:

Lot 6, Less the North 15 feet thereof, and Lots 7 and 8, Block 20, REVISED PLAT OF GOSLING, according to the plat thereof filed 27 June 1917, recorded in Plat Book 2, Page 35, St Lucie (now Martin) County, Florida, Public Records; said lots also shown on Plat of RIVERSIDE PARK, filed 26 March 1925, recorded in Plat Book 4, Page 98, St. Lucie (now Martin) County, Florida.

Parcel 14 (Land Deed):

A Parcel of submerged land in the St. Lucie River in Section 32, Township 37 South, Range 41 East, Martin County Florida, being more particularly described as follows:

From the Southwest corner of Lot 7, Block 20, RIVERSIDE PARK SUBDIVISION, as recorded in Plat Book 4, Page 98, Public Records of St. Lucie County, Florida, now Martin County, Florida; thence run South 87°01' East along the southerly line of lot 7, a distance of 235.88 feet to the mean high water line of St. Lucie River for a Point Beginning; thence continue 87°01' East, a distance of 227.71 feet to the Bulkhead Line as established by the City of Stuart, Florida; thence run North 04°40'27" East, along the said Bulkhead Line, a distance of 85.21 feet, thence run North 87°07' West, a distance of 233.51 feet to the aforesaid mean high water line of the St. Lucie River; thence run South 0°46'17" West, along the said mane high water line, a distance of 85.24 feet to the point of beginning.

Parcel dentification Number: 32-37-41-004-020-00061-9

Subject to taxes for 2020 and subsequent years; covenants, conditions, restrictions, easements, reservations, and limitations of record, if any.

Exhibit “B” Map:



Exhibit “C” Conditions of Approval

Exhibit “D”

Approved Plans and Documents



To: Community Redevelopment Board (*CRB*)
Through: Jodi Nentwick-Kugler, Development Director
From: Kristopher McCrain, Principal Planner
Date: June 6, 2023
Subject: Willis Custom Yachts
Major Urban Code Conditional Use (Project No.: Z22060008)

GENERAL INFORMATION:

Applicant & Owners: 151 NW Flagler, LLC
David Tobin (*Manager*)
225 Mizner Boulevard, Suite 510
Boca Raton, FL 33432

Agent of Record: Matthew Barnes, AICP
WGI, Inc.
2035 Vista Parkway
West Palm Beach, FL 33411

Location: 151 NW Flagler Avenue, Stuart FL 34994

Existing Zoning: Industrial

Proposed Zoning: Industrial

Existing Land Use: Industrial

Proposed Land Use: Marine/Industrial

Parcel I.D.: 32-37-41-004-020-00061-9

Parcel Size: 1.794-acres

Existing Use: Vacant

Proposed Use: Marine Boat Sales & Service

Overlay District: Community Redevelopment Area (*CRA*)

A. Project Description

The applicant is seeking approval of a Major Urban Code Conditional Use from the following criteria:

- To allow the proposed boat sales and service use in the Industrial Zoning District, per LDC Section 2.02.02 (*Table 2 – Land Uses*).
- To identify the landscape buffers for the proposed development within the urban district, per LDC Section 3.01.03(*G*)(1) a through f.
- To allow the proposed building wall material of a concrete tilt wall with a finish that will be similar in appearance to stucco, per LDC Section 3.01.04(*A*)(1).
- To allow a six (6) foot tall fence in the front yard along Flagler Avenue for security purposes, per LDC Sections 3.01.04(*H*)(6) & 3.01.04(*P*).
- To allow a parapet wall over twenty-four (24) feet to enhance the architectural character of the 2-story maintenance building, per LDC Section 3.01.04(*R*).

In addition to the subject petition for a Major Urban Code Conditional Use, the applicant has concurrently submitted a petition for a Comprehensive Plan Future Land Use Map Amendment to redesignate the underlying land use from Industrial to Marine/Industrial.

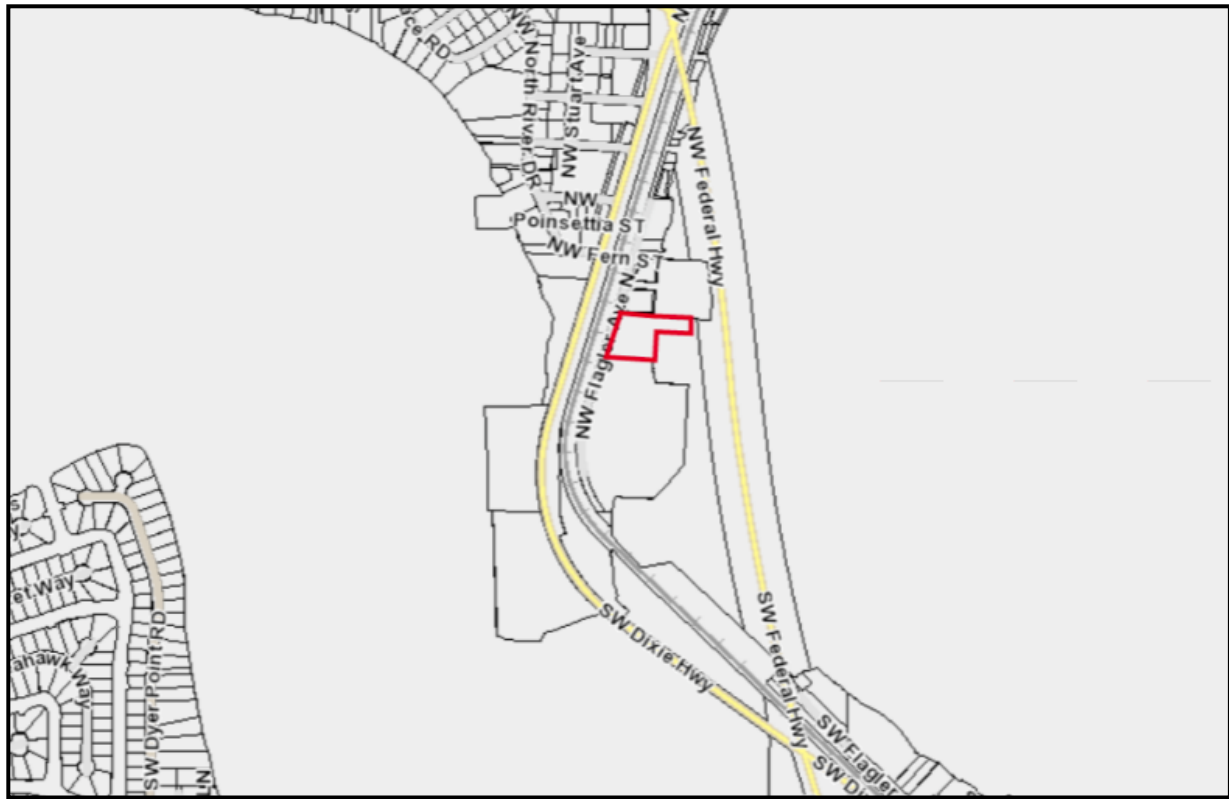


Exhibit 1.0: Location Map (Source: City of Stuart GIS 2022 Location Map)

Adjacent Land Use & Zoning:

Location		Zoning District	Future Land Use	Existing Land Use
Subject Property		Industrial	Industrial	Vacant (<i>Former Marina</i>)
Adjacent Parcels	North	Urban/Waterfront	Marine/Industrial	Harborage Yacht Residential & Mixed-Use Condominiums
	South	Industrial	Marine/Industrial	Atlantic Point Marina
	East	St. Lucie River	St. Lucie River Waterway	St. Lucie River Waterway
	West	NW Flagler Avenue, FEC Railroad N Dixie Highway	NW Flagler Avenue, FEC Railroad N Dixie Highway	Rights-of-Way

B. Project Background

The subject parcel is located at 151 NW Flagler Avenue, situated east of Flagler Avenue and west of the St. Lucie River, in Stuart, Florida. The 1.794-acre vacant property includes 0.43 acres of submerged lands and is identified as Parcel Control Number: 32-37-41-004-020-00061-9. Currently, the subject property has an Industrial Future Land Use designation and Industrial Zoning District designation and is situated within the Boundary of the City of Stuart's CRA.

The property was platted in 1917 and has historically been utilized for industrial uses but was later included within the City of Stuart Community Redevelopment Area (*CRA*) boundary. The property was developed in the 1970's for marina facilities with buildings serving the Palm City Yachts, which was demolished in 2019. This use was not consistent with the Industrial Future Land Use designation at the time of its use.



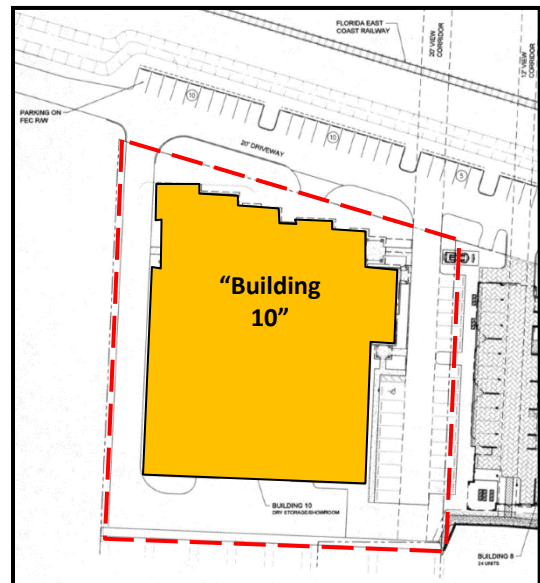
Exhibit 1.1: Historic Site Conditions (Source: Google Earth Aerial)



Exhibit 1.2: Historic Site Conditions (Source: Martin County Property Appraiser 2018 Aerial)

Previous Approvals:

- On October 25, 2004, the City Commission granted Resolution 196-04 for a Major Urban Code Conditional Use to increase the permitted density from 15 du/ac to 22.07 du/ac, for a total of 198 residential units consisting of approximately +/-10-acres of land. The approval also allowed for onsite parking within the building envelope, a reduction of the front setback for building #6 from 10-feet to zero feet, construction of a dry boat storage building, and for an increase of the building height for the project's dry boat storage building and a mixed-use condominium/yacht sales building and mixed-use cafe/yacht sales/condominium building from 35 feet to 45 feet, pursuant to Section 3.01.06 of the Land Development Code.
- On June 11, 2018, the City Commission granted Resolution 50-2018, amending the original approval for the Harborage Development. This Major Amendment to the Urban Code Conditional Use allowed for the removal of the emergency gate at the site's northern boundary, a new parking allocation plan, revision to the site traffic patterns, including the reorientation of certain parking spaces from 60 to 90 degrees, designation of boat slips for intensive "live- aboard" use, the creation of new parking spaces, and voiding a requirement to build a new parking structure in the event an existing parking lease with the Florida East Coast Railroad is dissolved.



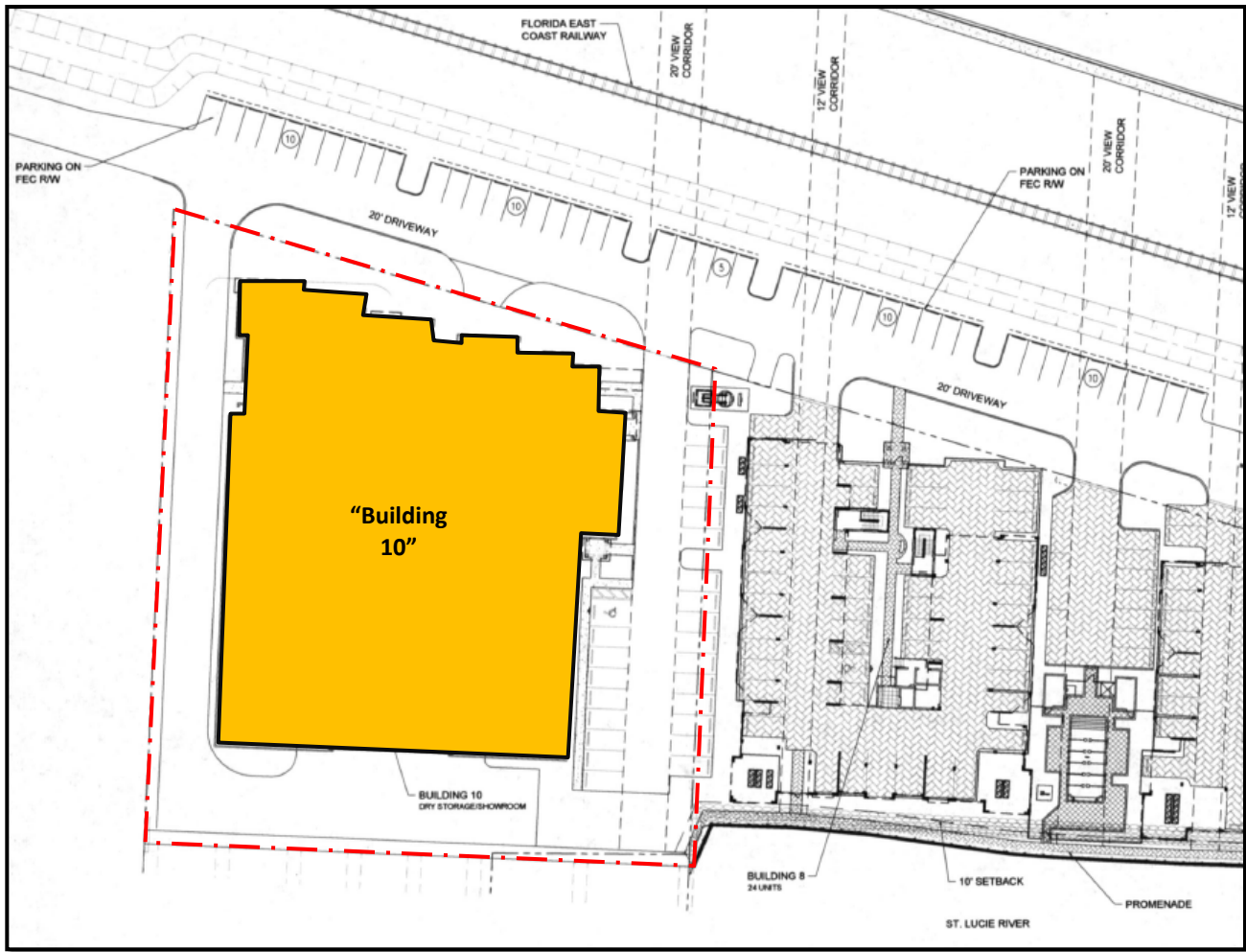


Exhibit 1.3: Existing Site Approval Layout, per Resolution 50-2018

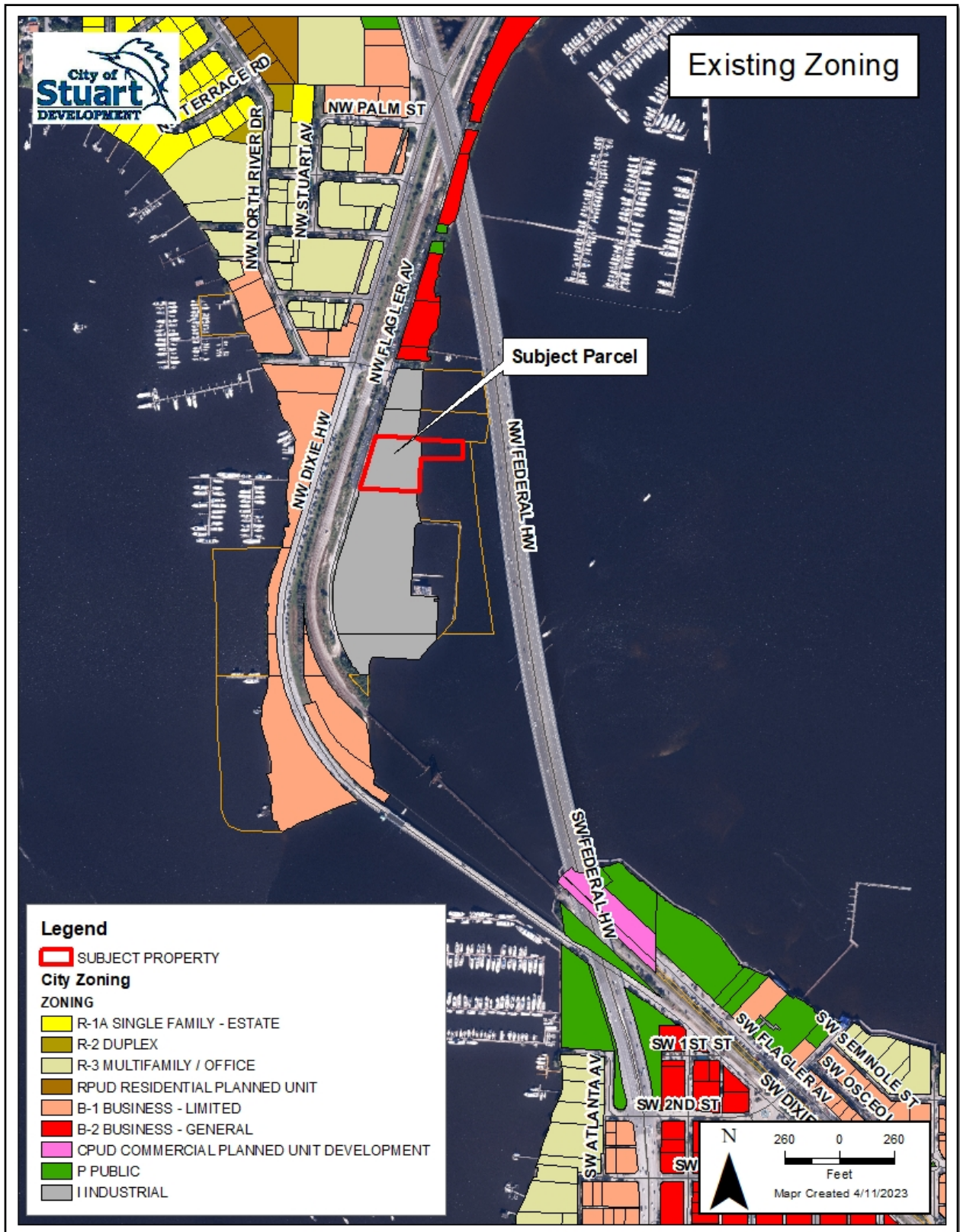
According to Condition #4 outlined within Resolution 50-2018, any owner of the subject parcel (Building 10) may amend the development approvals for Harborage Development without joinder of other property owners within the development.

The Major Urban Code Conditional Use seeks to modify the approval for "Building 10" to allow for a boat sales and service facility, to be known as Willis Custom Yachts. The proposed development plan identifies an 11,817 ft² boat maintenance building with attached first floor workshop (3,094 ft²) and second floor sales office (3,336 ft²). Additionally, the plan identifies eighteen (18) onsite parking stalls, onsite loading area, two (2) dry boat storage slips, four (4) wet boat slips, travel lift piers, and a temporary mooring area. Pedestrian connections are provided from the existing Harborage boardwalk to the north and through the subject property to the south where it will connect to the proposed Atlantic Point Marina project. Landscaped buffers are provided along the north, west, and south property boundaries. Water-based improvements include a proposed seawall, docks, and travel boat lift.

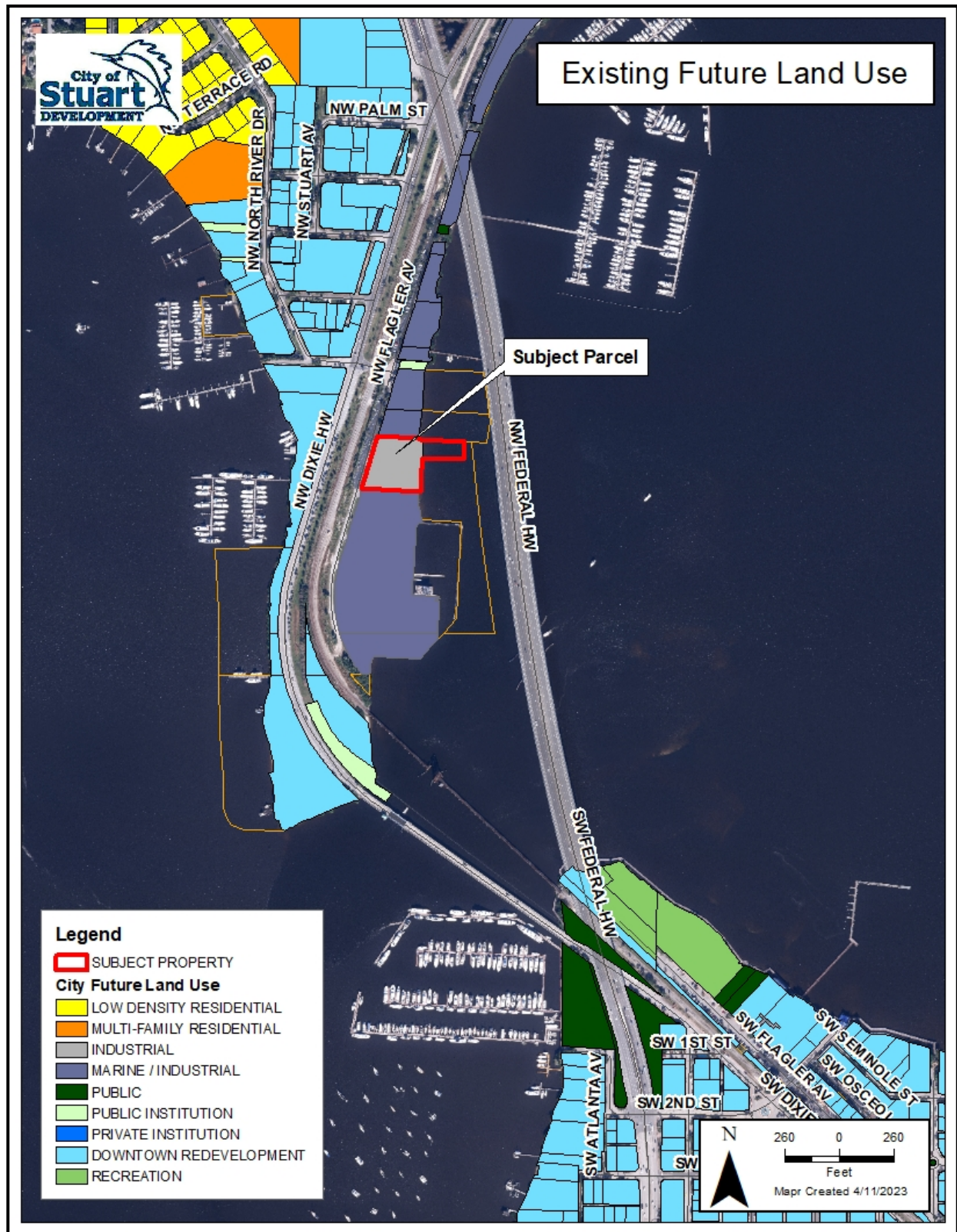
Willis Custom Yachts is an established boat manufacturer located within Unincorporated Martin County and intends to utilize the subject site to serve customers testing newly purchased boats which have been manufactured or repaired at the offsite location.

C. Existing/Proposed Zoning & Future Land Use Maps

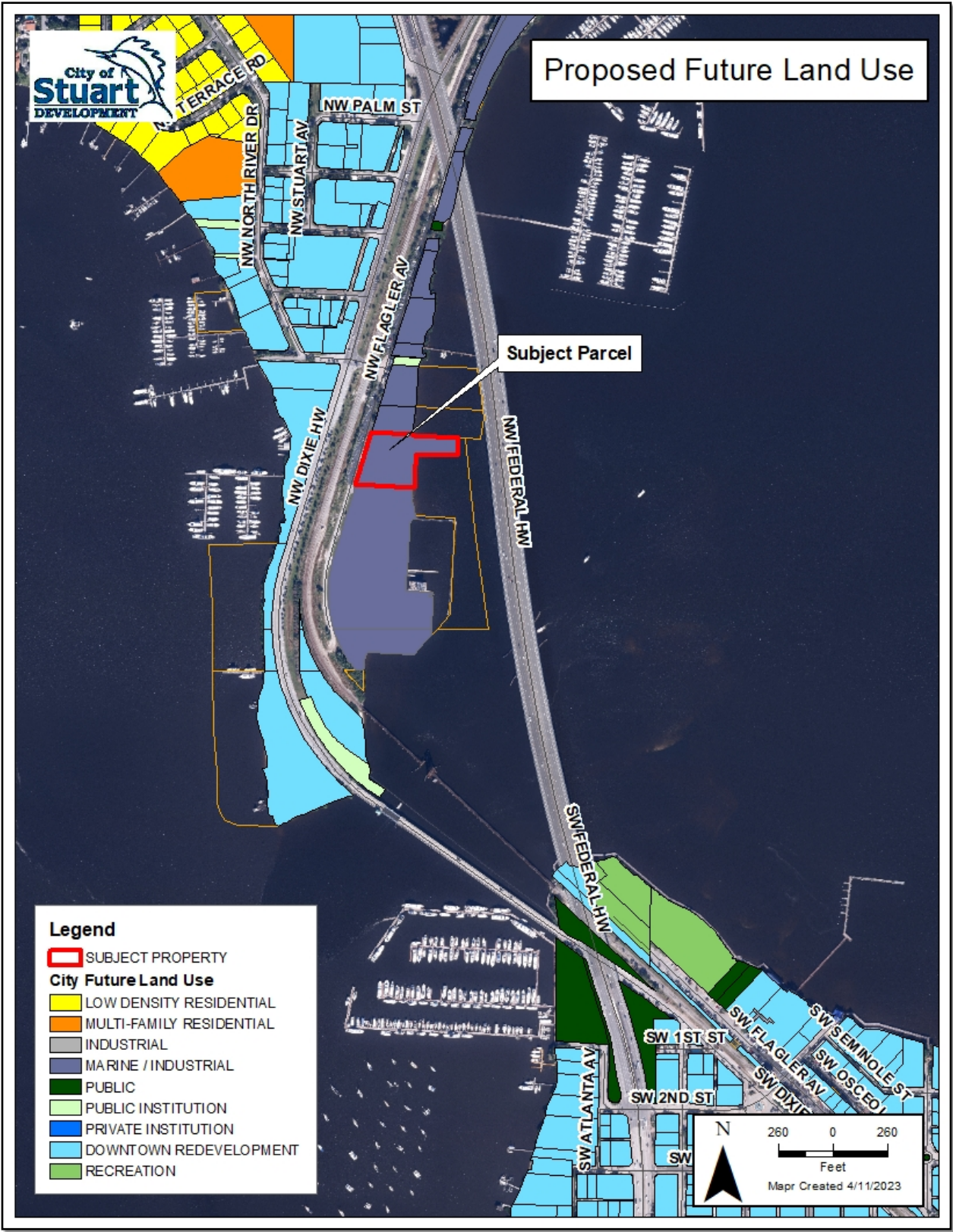
Existing Zoning:



Existing Future Land Use:



Proposed Future Land Use:



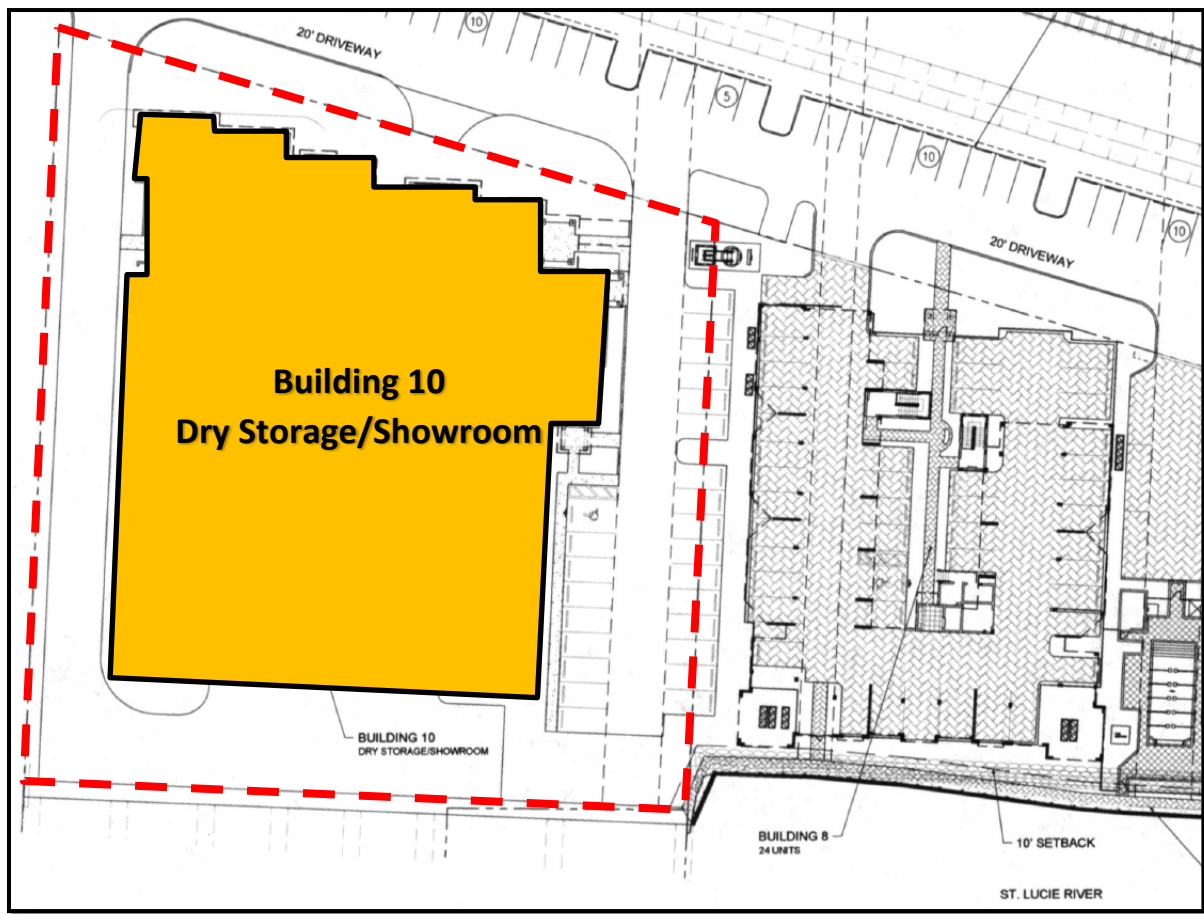
D. Land Development Code Review

Land Development Code Section 11.01.11(G) identifies specific policy provisions required to be considered when assessing a request for a Major Urban Code Conditional Use petition. Staff has prepared a review of the petition based on the criteria and provides a detailed analysis based on the specific and applicable criteria as follows.

In accordance with Land Development Code Section 11.01.11(G)(5) subsection a through j, the factors that the Community Redevelopment Board (CRB) and City Commission shall consider when making its determination are as follows:

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

Staff Findings: According to the previous approval granted through Resolution 50-2018, the subject site was approved for a dry boat storage and showroom use. *(See excerpt from Resolution 50-2018 below)*



According to Condition #4 outlined within Resolution 50-2018, “a Unity of Title for density has been executed by the developer. Notwithstanding the preceding, any owner of the "Portside" parcel or "Building 10" parcel may amend the development approvals for the respective parcel, without joinder of other property owners within the Harborage development”.

The submitted Major Urban Code Conditional Use seeks to allow for the use of boat sales and service within the Harborage Development (“Building 10” Parcel). The proposed boat sales and service is not contrary to the established land uses in the immediate area, as the previous approval allowed for boat dry storage and

showroom. The applicant intends to utilize the site to serve customers who are testing newly purchased boats, which have been manufactured or repaired at the offsite location.

In 2022, the City Commission granted a Major Urban Code Conditional Use to allow for development of a boat barn/warehouse, boat slips, ship store, restaurant, and supporting parking, infrastructure, and recreational facilities on the 10.81-acre parcel located to the south of the subject parcel. (See Exhibit 1.4 below)

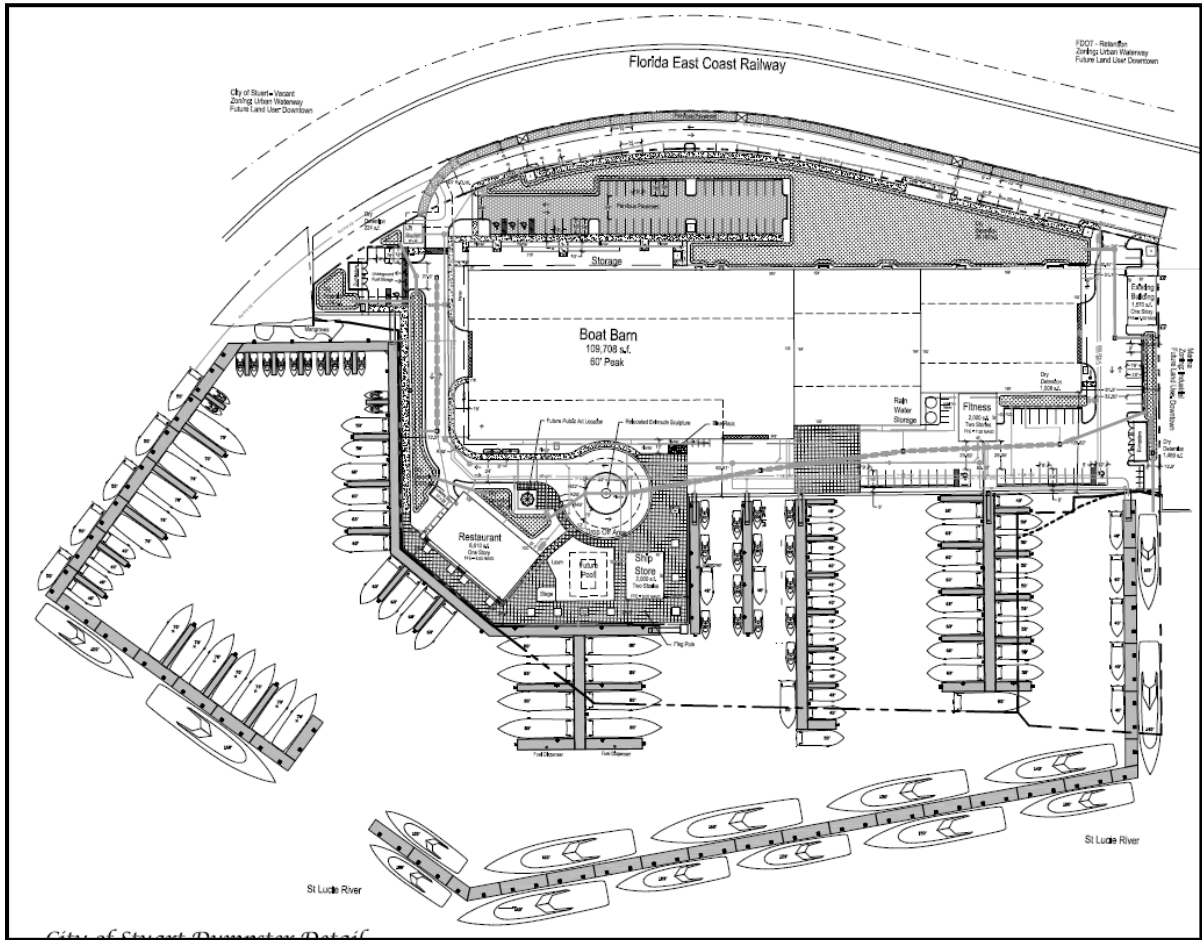


Exhibit 1.4: Approved Site Plan – Atlantic Point Marina

- 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.***

Staff Findings: The City of Stuart Utilities Department has confirmed there is sufficient water and wastewater capacity to serve the maximum buildout for the proposed Willis Custom Yachts development. The proposed development would not have any negative impact on schools, as this is a non-residential use.

According to the City's Comprehensive Plan Objective 2.A15, the site is located within the Transportation Concurrency Exception Area (TCEA), which is intended to promote urban redevelopment and infill development within the boundaries of the Community Redevelopment Area (CRA) and Existing Urban Service Area (EUSA). According to Policy 2.A15.1, transportation level of service standards shall not be applied (*for concurrency purposes*) to any development occurring within the TCEA as depicted on the TCEA Map to

promote urban redevelopment and infill development.

Although the site is located within the TCEA, a Traffic Impact Analysis (*TIA*) has been submitted by the applicant for review with the City's traffic consultant. No adverse traffic impacts have been identified through the TIA.

- c. The proposed use will not be contrary to the Future Land Use designation and will not have an adverse effect on the Goals, Policies, and Objectives of the Comprehensive Plan.***

Staff Findings: The proposed Major Urban Code Conditional Use will not have an adverse effect on the Goals, Policies, and Objectives outlined within the City's Comprehensive Plan. Subsequent to approval of the concurrently submitted Comprehensive Plan Future Land Use Map Amendment, the underlying land use for the subject property will be the Marine/Industrial, which is compatible with the existing Industrial Zoning District.

The subject site is located within the City's Urban Code District, per LDC Section 3.01.01, which applies to all new development, new construction, and substantial renovation. The proposed use for retail sales and service (*intensive & non-intensive*) – within an enclosed building is identified as a permitted use, pursuant to LDC Section 3.01.03(F)(2)(a); additionally, any revision or expansion of building footprints or uses permitted as a conditional use for existing marine uses must be applied for and approved through a Major Urban Code Conditional Use.

The allowed use for the subject site is for dry storage/showroom, which was approved through a Major Urban Code Conditional Use, Resolution 196-04. The applicant is requesting a separate Major Urban Code Conditional Use approval to allow for the proposed boat sales and service use for Willis Custom Yachts to be applied to the site.

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

Staff Findings: The existing district boundaries are not illogically drawn in relation to existing conditions on the property proposed for change.

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

Staff Findings: According to the City's Comprehensive Plan Objective 2.A15, the site is located within the Transportation Concurrency Exception Area (*TCEA*), which is intended to promote urban redevelopment and infill development within the boundaries of the Community Redevelopment Area (*CRA*) and Existing Urban Service Area (*EUSA*). According to Policy 2.A15.1, transportation level of service standards shall not be applied (*for concurrency purposes*) to any development occurring within the TCEA as depicted on the TCEA Map to promote urban redevelopment and infill development.

Although the site is located within the TCEA, a Traffic Impact Analysis (*TIA*) has been submitted by the applicant for review with the City's traffic consultant. No adverse traffic impacts have been identified through review of the submitted TIA.

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

Staff Findings: The proposed project will implement a storm water management system which includes Inlets, exfiltration trench, and dry detention areas. The system will be designed in accordance with the applicable standards of the South Florida Water Management District (*SFWMD*), Florida Department of Environmental Protection (*FDEP*), Florida Department of Transportation (*FDOT*), and the City of Stuart. The project will

provide required pretreatment and nutrient removal within the dry detention and exfiltration prior to discharge to the St. Lucie River. The project will also require a new individual permit application with SFWMD.

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

Staff Findings: All on-site lighting will be shielded by landscaping along the perimeter of the parcel. According to the submitted conceptual photometric plan, all on-site lighting fixtures have been positioned as to not expel any glare onto any adjacent properties or rights-of-way. On-site lighting will be required to be permitted through the City's Building Department following site plan approval. Upon submittal of a building permit for onsite lighting, the applicant, developer, or successors shall be required to submit a signed and sealed photometric plan for review.

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

Staff Findings: The proposed use will be less burdensome on the neighboring properties due to the reduction in size and scale of the proposed boat sales and service facility. In regard to the existing approval, the proposed structure is significantly smaller in square footage and scale, and also provide a greater setback from the adjacent residential building to the north.

The existing approval allows for the construction of a dry boat storage/showroom, which allows for a ground floor footprint of approximately 30,000 ft² and is approximately 50% of the total upland portion of the Property. The Proposed Project only has a footprint of approximately 18,200 square feet. The site will be primarily utilized for sales and minor service of boats being manufactured at the Willis Custom Yachts off-site location.

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.

Staff Findings: The existing Harborage development was approved by Resolution No. 196-04 in 2004 and later amended by Resolution No. 50-2018. The Property is a part of the Harborage site plan, as it was approved to have a Dry Storage/Showroom on the Property. The Proposed Project will be a more desirable use than the vacant condition, the approved use, and the previous use. The subject site is consistent with the recently approved Atlantic Point Marina development to the south, as it is plans to develop a boat barn, marina use and more commercial uses. Overall, the Proposed Project is consistent with the purpose of the CRA, and it provides a more aesthetically pleasing use and design than what exists there today and the large showroom that was approved previously.

Structural architectural details are integrated into the building structure and design. The relief and form of the maintenance building and the attached 2-story building is compatible with the scale and character of the surrounding buildings to the north and the recently approved Atlantic Point Marina to the south. These elements include a raised parapet, overhangs, a recessed façade, display windows, and a public art mural. Landscaped buffers and a decorative aluminum fence enhance the compatibility between the proposed use and the surrounding uses. In addition, the equipment and refuse services will be screened and not visible to the public.

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.

Staff Findings: The Property is located adjacent to the St. Lucie Waterway and is therefore part of the Stuart waterfront. The proposed use of boat sales and service is consistent with uses adjacent to the St. Lucie Waterway and within the CRA. Marine/Industrial is a waterfront district and permits the continuation of industrial/marine uses.

In accordance with Land Development Code Section 11.01.11(G)(6) subsection a through h, the factors that the City Commission or Community Redevelopment Board shall consider when making its determination are as follows:

- 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.***

Staff Findings: NW Flagler Avenue is identified as a local roadway and is currently constructed as an undivided two-lane roadway. The submitted site plan identifies single site access (*ingress/egress*) and will allow for full right-in/right-out and left-in/left-out turning movements. Additionally, the site plan identifies pedestrian and ADA sidewalk connections leading from the existing Harborage boardwalk through the site and connecting with the site to the south (*Atlantic Point Marina*).

- 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 off-street parking and loading areas on adjacent and nearby properties.***

Staff Findings: The proposed off-street parking and loading areas will be shielded by landscaping along the north, south, and west perimeter of the property. According to the submitted conceptual photometric plan, all onsite lighting fixtures have been positioned as to not expel any glare onto any adjacent properties or the Flagler Avenue right-of-way. On-site lighting will be required to be permitted through the City's Building Department following site plan approval.

- 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.***

Staff Findings: The proposed refuse area is situated along the north property boundary and will be enclosed by the standard dumpster enclosure, as per the City of Stuart requirements outlined under LDC Section 6.08.01(E). In addition, the perimeter of the dumpster enclosure will be required to be landscaped according to the submitted landscape plan.

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

Staff Findings: Water and wastewater services are currently available along NW Flagler Avenue through the City of Stuart Utilities Department. Utility connections will be reviewed by the City of Stuart Utility Department at time of Site Permitting.

- 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.***

Staff Findings: The site was previously home to Palm City Yachts and has been historically utilized for similar industrial activities and/or uses. The site is currently vacant and cleared of all vegetation. Upon site plan approval, the site will be landscaped with green/silver buttonwood, red maple, orange geiger tree, eagleston holly, alexander/cabbage palms, green island ficus, cocoplum, and yew pine. All plant material will consist of Florida native plant material and drought tolerant plant species.

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

Staff Findings: The submitted site plan identifies a proposed monument sign situated south of the entrance along NW Flagler Avenue. According to LDC Section 6.11.12(A)(1), ground/monument signs must provide a minimum ten (10) foot setback from the right-of-way. The proposed monument sign location provides a ten (10) foot minimum setback from the property line and approximately twenty-five (25) feet from the right-of-way. The location of the monument sign does not appear to affect traffic safety for vehicles entering or exiting the site and allows ample space for vehicle line-of-sight. (See Exhibit 1.5 below)

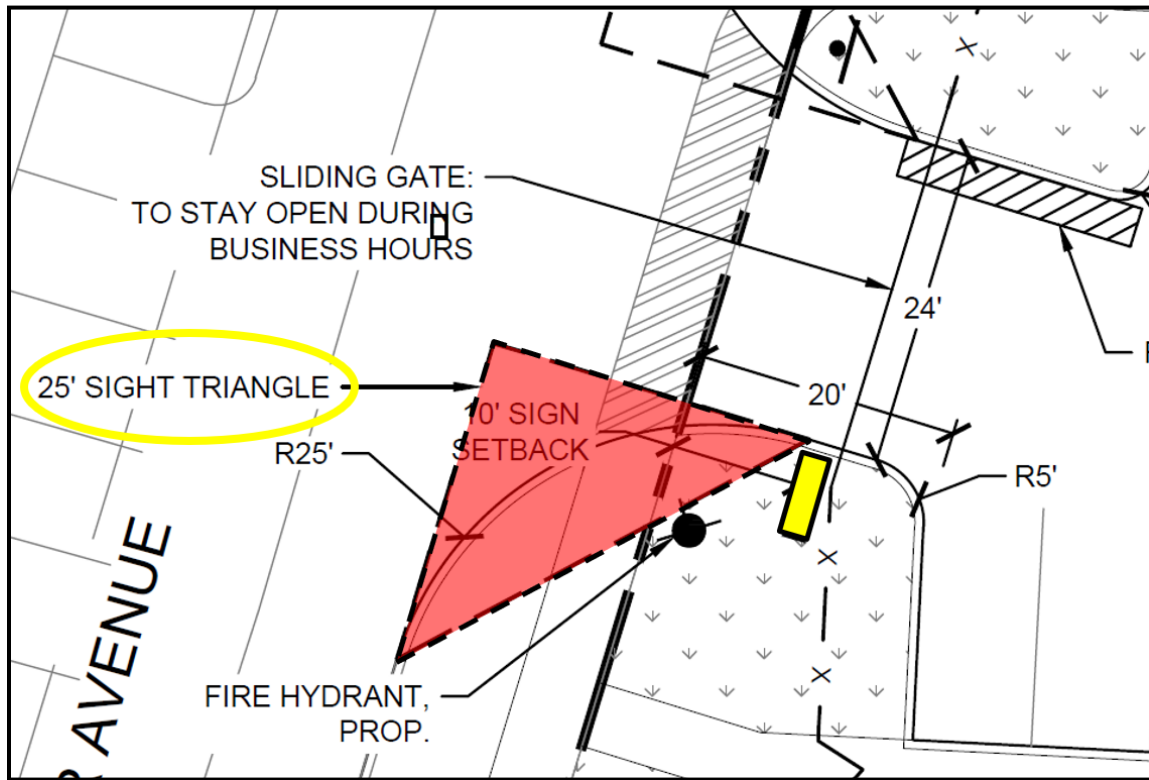


Exhibit 1.5: Sign Line of Sight Diagram

As a condition of the site plan approval, the applicant, developer, or their successor shall be required to submit a building permit to the City's Development Department for all proposed wall signs, monument sign, canopy signs, or window signs to be located on-site.

g. Required yards and open spaces.

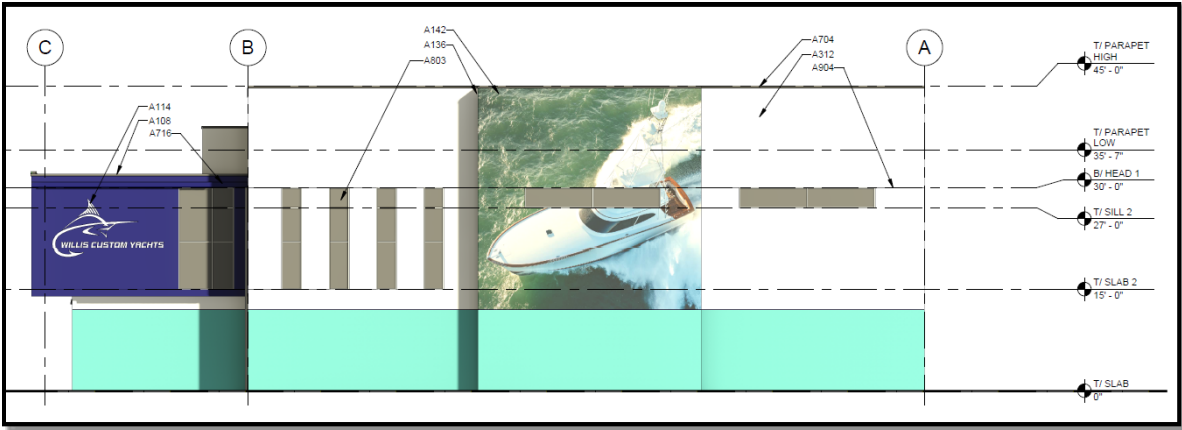
Staff Findings: According to the site plan, the proposed boat sales office and workshop will be setback ninety-six (96) feet from the north, twenty-three (23) to twenty-seven (27) feet from the west, twenty (20) feet from the south, and one hundred & ten (110) feet from the east property boundaries. As required with through a Major Urban Code Conditional Use approval, the applicant shall install required landscaping within the minimum required landscape buffer along the perimeter, as well as installing landscaping throughout the site and vehicular terminal island plantings.

According to landscaping requirements outlined under the City's Land Development Code, the proposed Major Urban Code Conditional Use and site plan approval does not require minimum open space standards.

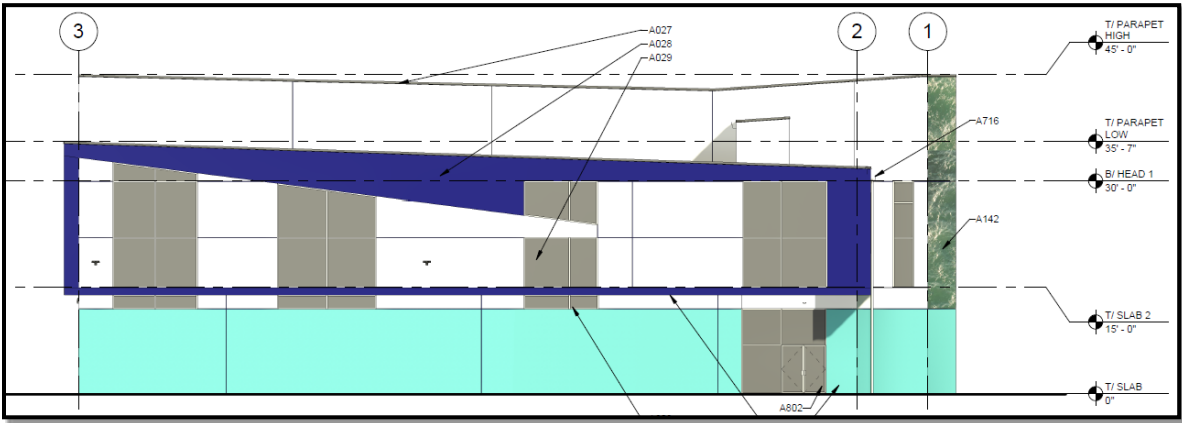
h. Height of proposed structures including consideration of the effects thereof on adjacent and nearby properties.

Staff Findings: According to the submitted architectural building elevations, the proposed service maintenance building will not be taller than forty-five (45) feet, while the boat sales office and workshop will be constructed no taller than thirty-seven (37) feet in height.

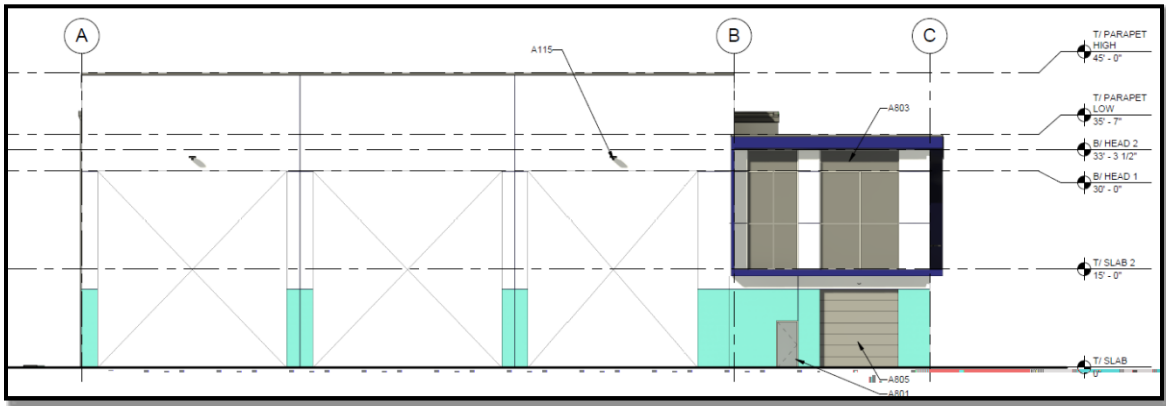
Architectural Elevations:



West Elevation



North Elevation



East Elevation

The proposed height of the maintenance building is forty-five (45) feet and is proportional and complimentary to surrounding buildings in the area. The proposed height of the Atlantic Point Marina project to the south is forty-five (45) feet with an additional fifteen (15) feet to the top of the roof. The Harborage residential buildings located to the north of the Property has a height of forty-two (42) feet.

E. Comprehensive Plan Review

The proposed petition for a Major Urban Code Conditional Use complies with the following Objectives and Policies of the City of Stuart Comprehensive Plan:

Chapter 1, Objective 1.A7. Future Land Use Categories: *The Future Land Use categories defined below provide general descriptions intended to encompass all present and future land uses in the City of Stuart. The "Table of Land Use Densities and Intensities" provides specific density and intensity measures that shall establish the maximum density and intensity allowed in each land use category. The Future Land Use Map establishes the optimum, overall distribution of land uses as well as can be established on a City-wide basis. Neither these policies nor the Future Land Use Map shall be construed to mean that every parcel in a designated area is suitable for the designated use. Other plan objectives and policies will be applied to ensure that any proposed development will be suitable for the particular site. Similarly, the Future Land Use Map does not assure the landowner the right to the most intense use allowable under the designated future land use category. The City shall have the discretion to decide that the permitted land use shall be more limited than the maximum allowable under the future land use category; provided, that the City shall approve some development that is consistent with the City's plan.*

Staff Findings: The request to amend the Future Land Use Map from Industrial to Marine/Industrial is based on Comprehensive Plan Policy 1.A7.1., as it pertains to the use category options available for consideration within the City of Stuart's jurisdiction. Applicable Future Land Use categories reviewed in accordance with Comprehensive Plan Policy 1.A7.1. include the current Industrial and proposed Marine/Industrial designations based on the findings below.

Policy 1.A7.1E. Industrial: *Land uses and activities predominantly connected with manufacturing, assembly, processing, packaging, research, or storage of products. Additional permitted uses in such areas include warehousing, wholesale activity, machine repair, and limited indoor retail sales and professional and other offices. Also, public facilities and electric distribution substations are allowed.*

Policy 1.A7.1M. Marine/Industrial: *Waterfront district which permits continuation of industrial/marine uses while encouraging mixed use development including multi-family residential; commercial; office; lodging; marinas; and civic uses. Also, public facilities and electric distribution substations are allowed.*

Staff Findings: The Industrial land use designation does not call out marina use in the list of land uses and activities predominantly connected with such a land use. The Marine/Industrial Future Land Use category clearly identifies industrial/marine uses in the land use category. A land use change from Industrial to Marine/Industrial is considered more consistent based on such factors as location within the CRA, previous uses related to marine industrial activities, proximity to the waterfront, and primarily based on the surrounding land use map designations as predominantly Marine/Industrial. The Industrial land use designation may be considered out of date and not applicable based on these factors.

Objective 1.B3. Desirable Pattern of Land Uses: *Promote and enhance a pattern of land uses that are convenient to City residents, businesses, and visitors; that avoid inappropriate or wasteful use of land; and that encourage efficient use of land, resources, and facilities. Future land uses shall be designated to support the existing or planned community character, thereby prohibiting the development or expansion of uses which are inconsistent with the community's*

character. Reduce blighted areas through redevelopment. Land development and use regulations shall include provisions to ensure consistency with this Comprehensive Plan.

Staff Findings: The requested petition is consistent with Objective 1.B3., desirable pattern of land uses when assessing the request to change the land use from Industrial to Marine/Industrial in an area of the city whereby most properties surrounding the subject site have a Marine/Industrial designation.

Objective 1.B1. Compact Urban Form: *Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart to achieve a compact urban form.*

Staff Findings: The property is within a well-established urban area of the city. Re-use of the vacant industrial marina property on a site located within lands predominantly designed Marine/Industrial offers the opportunity to redevelop the site with uses consistent with established development patterns.

Objective 1.B3. Desirable Pattern of Land Uses: *Promote and enhance a pattern of land uses that are convenient to City residents, businesses, and visitors; that avoid inappropriate or wasteful use of land; and that encourage efficient use of land, resources, and facilities. Future land uses shall be designated to support the existing or planned community character, thereby prohibiting the development or expansion of uses which are inconsistent with the community's character. Reduce blighted areas through redevelopment. Land development and use regulations shall include provisions to ensure consistency with this Comprehensive Plan.*

Staff Findings: The proposed land use change from Industrial to Marine/Industrial offers the same land use designation as the majority of the well-established and developed properties within this part of the city. Reuse of a vacant industrial property to accommodate marine/industrial type use offers an effective use of land, resources, and facilities consistent with the character of the area.

Policy 1.B3.2. *All development shall be compatible with and complementary to surrounding land uses and shall not unduly affect existing approved activities.*

Staff Findings: Most of the properties within proximity to the site and within this part of the city have a Marine/Industrial Future Land Use designation. Such properties are established uses including water dependent marine-based uses, residential and mixed-use condos, offices, and commercial developments. A recently approved Atlantic Point Marina facility south of the subject property establishes a larger 7.94-acre Marine/Industrial land use designation with an approved site plan for a commercial/marina facility on the vacant parcel.

The request to amend the Future Land Use on the subject property from Industrial to Marine/Industrial is consistent with the recently approved Atlantic Point Comprehensive Plan Amendment and provides a similar land use pattern along this part of the city. Re-use of a property with a more effective site layout and mix of uses will add significant improvement in terms of design consistent with the Comprehensive Plan policies and objectives.

Goal Statement C – *The future land use goal for the Community Redevelopment Area (CRA) [is] to maintain and strengthen the beauty, economic viability, cultural resources, and social importance of the area. This shall be accomplished through mixed-use zoning, preservation of historic buildings, innovative zoning and land use regulations, demolition, reconstruction or substantial renovation of existing buildings and infrastructure, enhancement of marine resources, and other measures to promote urban redevelopment.*

Staff Findings: The property has been the subject of a demolition of existing marina-based uses on the now vacant lands. Effective reuse of a vacant property located within the heart of the CRA will strengthen

opportunities for economic viability, offering enhancement of marine resources and promote urban development.

Policy 1.C3.3. *The City shall promote waterfront access through FLUE Objective 1.A2 and its associated policies in order to increase the attractiveness and desirability of the CRA for new development and redevelopment.*

Staff Findings: The proposal, when completed, will achieve waterfront access in pedestrian, boat, and access to waterfront within the heart of the CRA.

Policy 1.C3.5. *The City shall promote compact urban form and discourage urban sprawl consistent with FLUE Objective B1 and Policy B1.1.*

Staff Findings: The property is a brownfield, infill project, replacing old buildings and bringing the entire site up to date while introducing additional use and accessibility within an established urban area.

Policy 1.C3.12. *The City of Stuart shall promote land use patterns which complement multiple modes of transportation, including transit, pedestrian and bicycle amenities, and marine transit such as ferries, water taxis and upland support facilities (e.g., designated anchorages, marinas, dinghy accommodations, canoe/kayak launches and the City's "blueways" program).*

Staff Findings: The proposed Marine/Industrial land use is consistent with established land use patterns within this part of the city on lands abutting the St. Lucie River. The request to amend the land use from Industrial to Marine/Industrial is consistent with the objective, offering proposed water-based uses within proximity downtown Stuart.

Chapter 11, Economic Development Element Goal Statement – *The City will develop and maintain an economic environment that will encourage the creation, expansion and retention of business within city limits while maintaining a high quality of life for its residents.*

Objective 11.A1. - Retain existing businesses and attracting new businesses. *Provide supporting services for the retention of existing businesses and attracting new businesses.*

Staff Findings: Effective reuse of the site in the form of new water-based marina type facility and, fosters marine industry related business expansion and retention in a central location of the City of Stuart CRA.

Policy 11.A1.1. *The city will seek to ensure the allocation of an appropriate quantity of lands that are desirable for commercial and industrial purposes to serve future growth needs of the city.*

Staff Findings: A proposal to amend the land use from Industrial to Marine/Industrial provides an opportunity for additional uses, not limiting a waterfront property to only industrial uses. The concurrent request to consider a Major Urban Code Conditional Use request to accept marine use on the property is consistent with the land use change to Marine/Industrial. Retaining employment-based use opportunities on the existing property and providing opportunity for uses accessible for public enjoyment.

Policy 11.A1.2. *The city will seek to prioritize the development of sites with high visibility and direct access to major transportation corridors for targeted and other industries and uses that encourage job creation.*

Staff Findings: The proposed mix of uses will be well-served and accommodated with access to St. Lucie River, easy access to Okeechobee Waterway, the Intracoastal Waterway, and the Atlantic Ocean. Flagler Avenue is parallel to the subject property and easy access exists to Dixie Highway.

Policy 11.A1.4. *The city will encourage the designation and preservation of industrial land for industrial uses.*

Staff Findings: The request to amend the land use from Industrial to Marine/Industrial is consistent with the

property location and the pattern of land use designations to the north. Rather than removing the Industrial land use designation, the comprehensive plan amendment provides the opportunity for additional commercial uses conducive with water-based activities.

Maximum Buildout Analysis:

Comprehensive Plan: Element 1, Table of Land Use Densities, and Intensities

Policy 1.A7.2: Gross densities, gross intensities, and proportional use amounts for each land use category are established in the “Table of Land Use Densities and Intensities” that is adopted as part of the Future Land Use Element of the Comprehensive Plan.

FLU		Residential			Non-Residential			
			UPUD, RPUD, or Major UCE					
	In/Out CRA	General	Not ALF	ALF	% Residential	General	> 2.0 FAR	% Non-Residential
Industrial (Existing)	In	None			0%	< 3.0 FAR	< 10-acres	100%
	Out	None			0%	< 1.0 FAR		100%
Marine/Industrial (Proposed)		<15du/ac	<15du/ac	N/A	0-25%	< 3.0 FAR	< 5 Acres	0-100%

Policy 1.A7.4 The City will establish and monitor land use tracking and monitoring procedures to ensure that the specified proportions and acreage limitations are not exceeded and that plan amendments will be adopted in a timely manner if development does not occur as expected and desired.

Staff Findings: Analysis of the existing lands designated Marine/Industrial land use included the map review of existing developed properties including a mix of residential and mixed-use condominiums, marina and commercial/office uses along the waterfront properties. Based on a map assessment property with a Marine/Industrial land use total approximately +/- 20 acres.

The table of land use densities and intensities identifies a 0-25% Non-Residential threshold for properties with a Marine/Industrial land use designation. Existing uses on lands with a Marine/Industrial land use identify approximately +/- 5 acres, or 25% of those acres being residential uses such as condominiums or part of a mixed-use development.

Based specifically on the small-scale comprehensive plan amendment to change the future land use designation from Industrial to Marine/Industrial, staff finds no identified issues regarding maximum and minimum buildout thresholds for non-residential and residential use on the subject property. A more detailed assessment of the site-specific use at the site plan review stage will provide a detailed assessment based on actual proposed residential or non-residential uses.

F. Development Review

Building Review:

N/A comments provided pertained to the separate application review of the request for Major Urban Code Conditional Approval.

Fire:

N/A comments provided pertained to the separate application review of the request for Major Urban Code Conditional Approval.

Public Works Review:

The Public Works Department provided the following comments: The City of Stuart has sufficient water and wastewater plan capacity to serve the maximum buildout for the proposed Willis Custom Yachts located at 151 NW Flagler Avenue, Stuart, Florida. This letter should not be construed as a commitment on behalf of the City to provide water and sewer service to the property until such time final design plans have been approved and all water and sewer availability fees have been paid.

Police Review:

N/A comments provided pertained to the separate application review of the request for Major Urban Code Conditional Approval.

Engineering Review:

Captec provided the following review comments:

CAPTEC Engineering (*CAPTEC*) has reviewed the submittal materials received via email on August 29, 2022. The Applicant is requesting a Small-Scale Comprehensive Plan Amendment to change the subject land use from existing Industrial to proposed Marine/Industrial.

The following items were reviewed by CAPTEC with comments as noted:

1. Justification Statement CAPTEC does not have any comments on the Justification Statement.
2. Environmental Plan and Statement CAPTEC has reviewed the Environmental Plan and Statement and has determined that it is sufficient.

The following items are not Civil Engineering review items, and were therefore not reviewed:

1. Traffic Statement CAPTEC Engineering, Inc. performed this review for the City of Stuart in order to confirm compliance with the applicable City of Stuart Codes and Regulations. Neither the Reviewer nor the City of Stuart is the Design Engineer of Record and, therefore, neither entity accepts responsibility for the accuracy or contents of the design documents and/or other data submitted by the Applicant. This project has not been reviewed for any Martin Count/FDOT criteria.

Environmental Review:

Review Comments received from EW Consultants applicable to the Small-Scale CPA:

LAND DEVELOPMENT CODE CHAPTER 5- RESOURCE PROTECTION STANDARDS

Section 5.01.00 – Avoidance or Minimization of Wetland and other Environmental Impacts

In accordance with the requirements of Section 5.01.01, the applicant should provide a demonstration that the specified

means of “environmental impact avoidance and minimization techniques have been employed to the greatest extent practicable in preparation of the proposed site plan”. For the purposes of the Small-Scale Comprehensive Plan Amendment review, a site plan is not required, thus no assessment of avoidance and minimization is required at this time.

Section 5.02.00 – Environmental Assessment Report for Sites with Wetlands or Greater Than One Acre

An “Environmental Plan and Statement” has been provided by the applicant for the subject property as requested in the completeness review. This document does not follow the specific Code outline for an Environmental Assessment Report; however, a full Environmental Assessment Report would be premature in relation to the Small-Scale Comprehensive Plan Amendment review. At such time as a site plan is under review, an Environmental Assessment Report prepared in accordance with Section 5.02.00 will be required. Section 5.03.00 – Wetlands No agency-verified wetland determination was provided, however, provision of an agency verified wetland determination would be premature in relation to the Small-Scale Comprehensive Plan Amendment review. At such time as a site plan is under review, an agency verified wetland determination will be required.

Section 5.04.00 - Environmentally Sensitive Lands

The “Environmental Plan and Statement” does not clearly indicate whether native vegetative areas exist on site, however, provision of native vegetation inventory would be premature in relation to the Small-Scale Comprehensive Plan Amendment review. In the event that native vegetative areas exist on site, preservation requirements will need to be addressed during site plan review. Section 5.05.00 – Trees A tree survey was previously submitted however, City staff indicated that a “Tree Survey, Disposition Chart, and Tree Replacement Calculation - not required to be submitted as part of the Small-Scale Comprehensive Plan Amendment” in the Completeness Letter dated July 10, 2022.

***LAND DEVELOPMENT CODE CHAPTER 11- PROCESSING OF PLAN APPLICATIONS Section 11.01.07.
"Small scale" comprehensive plan amendment application.***

Pursuant to Section 11.01.07.G, natural or environmentally sensitive resources are not one of the criteria to be considered by the local planning agency as part of their review of the "Small scale" comprehensive plan amendment application review and recommendation.

COMPREHENSIVE PLAN ELEMENT V. CONSERVATION

The Objectives of Element 5 (Conservation Element) were not specifically addressed in the Justification Statement provided by the applicant. The Completeness Letter provided by the city did not specify which elements of the Comprehensive Plan, and specifically Element 5, were to be addressed, thus there are no further environmental comments in relation to this Small-Scale Comprehensive Plan Amendment review.

Traffic Review:

O'Rourke Engineering, Inc. provided the following review comments:

Policy 2. 15.1. The TCEA is a specific geographic area established in the Comprehensive Plan for urban redevelopment and infill development. The TCEA exists entirely within the designated CRA and EUSA. Transportation level of service standards shall not be applied (for concurrency purposes) to any development occurring within the TCEA as depicted on the TCEA Map to promote urban redevelopment and infill development. The property is located within the City's TCEA Boundary.

LAND USE PLAN AMENDMENT: The City of Stuart has requested that a supplemental traffic analysis be prepared that addresses the potential max development for the site. The current land use is Industrial, and the proposed land use is Marine/Industrial. The maximum allowable square footage is 234,440 with an FAR of 3.0 and a lot size of 1.794-

acres. The land use high cube warehouse was applied as a worst-case trip generation for the current Future Land Use. The highest allowable use for the proposed Future Land Use of Marine/Industrial is commercial retail space. Residential use is also allowed under Marine/Industrial, but this would support the development of only twenty-seven (27) residential units which would generate substantially less traffic compared to 234,440 ft² of commercial space.

TRIP GENERATION METHODOLOGY: The vehicular trip generation estimate aims to approximate the number of new vehicle trips entering and exiting the site for various purposes (*e.g., visitor trips, etc.*) during peak periods. The Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition was applied for the trip generation analysis because of its widely accepted methodology. Since the project is not a mixed-use development, no internal capture was assumed. The land uses High-Cube Fulfillment Center Warehouse (*ITE land use code 155*), and Shopping Center (*ITE land use code 820*) were applied for the analysis of the current and proposed Future Land Uses, respectively.

ROADWAY LINK ANALYSIS: The land use plan analysis requires a five-year and long-range roadway capacity analysis. Tables 2a and 2b identified within the Traffic Impact Analysis prepared by WGI, Inc. summarizes the five-year impacts for the AM and PM peak hour at 50% project build-out (*e.g., 50% of the project traffic*) for the year 2027. Table 3 summarizes the 2040/2045 long range traffic conditions for the PM peak hour at full-build out. The long-range roadway capacity analysis evaluates only the incremental change between the existing and proposed Future Land Use scenarios. If this intense land use was able to be constructed, the impact would exceed 5% or more of the roadway capacity for almost all roadway segments in the study area except portions of NW Flagler Avenue for both the 5-year and long-range analysis. However, the total projected peak hour traffic is not projected to exceed any roadway segments LOS D directional distribution roadway capacity for either the 5-year or long-range analysis. This shows that the roadway segments in the study area should be able to effectively support future roadway peak hour volumes.

In accordance with the state and local laws the applicant could mitigate their impacts at the time of site plan development through mitigations or a developer agreement such as a “proportionate share agreement”. Therefore, the proposed land use could be accommodated even in the worst-case scenario. The Worst-Case Scenario Supplemental Traffic Analysis for the proposed Land Use Plan amendment for 151 NW Flagler followed the procedures and outline defined in the City of Stuart Land Development Code.

School Board Review:

The request is specifically for a small-scale comprehensive plan amendment to change the land use from Industrial to Marine/Industrial. The School Board will be consulted at the site plan stage in the process should any residential units be proposed to be accommodate on the subject property. The School Board requires the completion of a School Capacity form as part of a site plan submission and review process. This form requires such details as the number of residential units, square footage, and unit type. Such a review is not applicable as part of a small-scale comprehensive plan amendment.

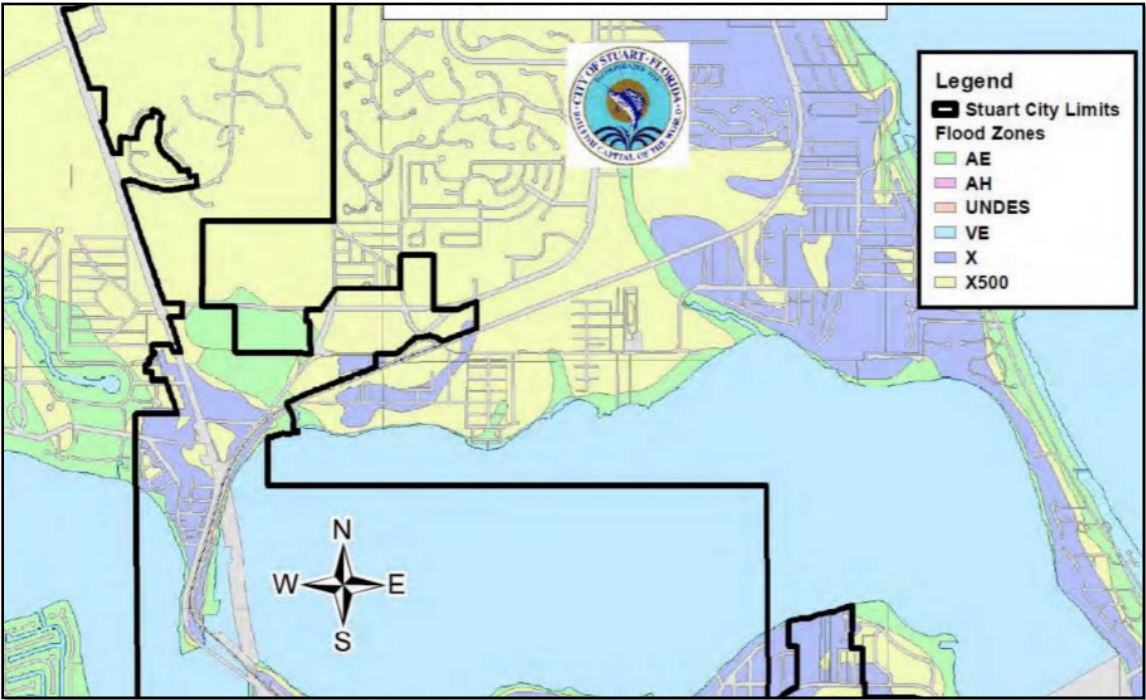
In summary of the request for a small-scale amendment to change the future land use from Industrial to Marine/Industrial, the completed project review provides a determination the project complies with objectives and policies within the City’s Comprehensive Plan, Land Development Code.

G. Staff Recommendation

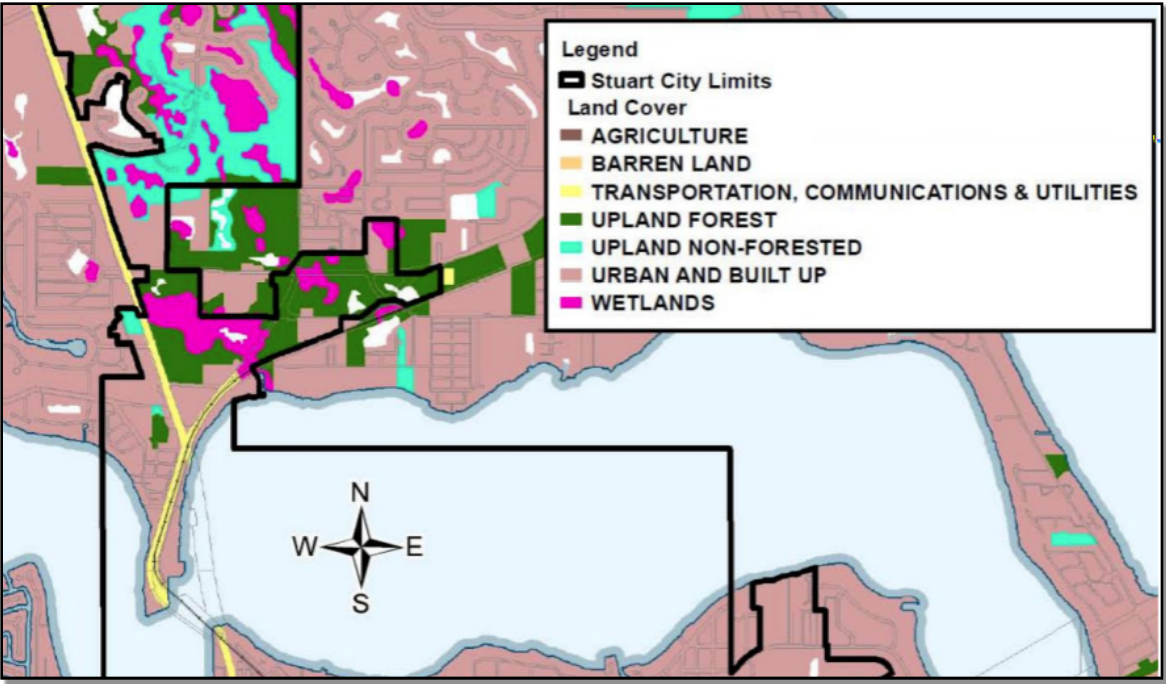
Staff has reviewed the petition for a Major Urban Code Conditional Use and recommends the City’s Community Redevelopment Board (CRB) forward a recommendation for approval to the City Commission.

G. Map Exhibits

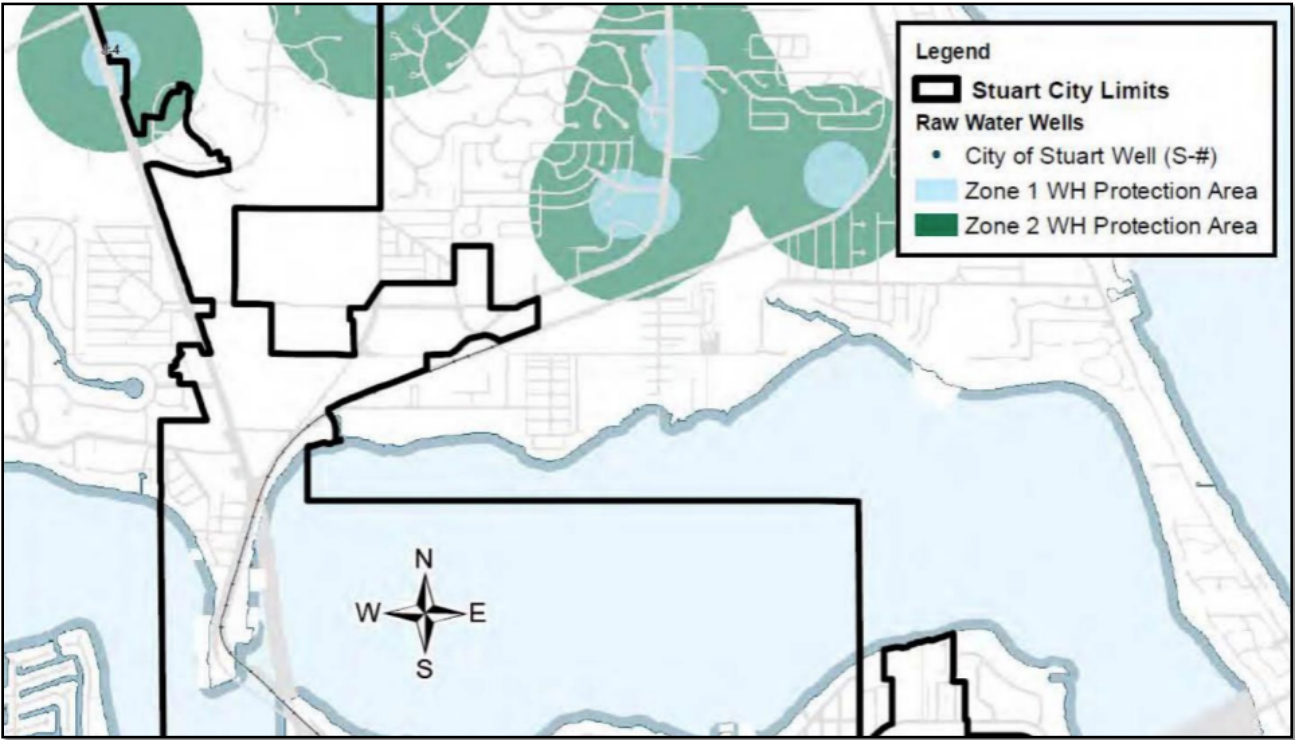
Multiple maps were reviewed based on City of Stuart GIS documentation. Extracts are provided as follows based on the maps reviewed, with no issues identified in the assessment of a request for a small-scale comprehensive plan amendment.



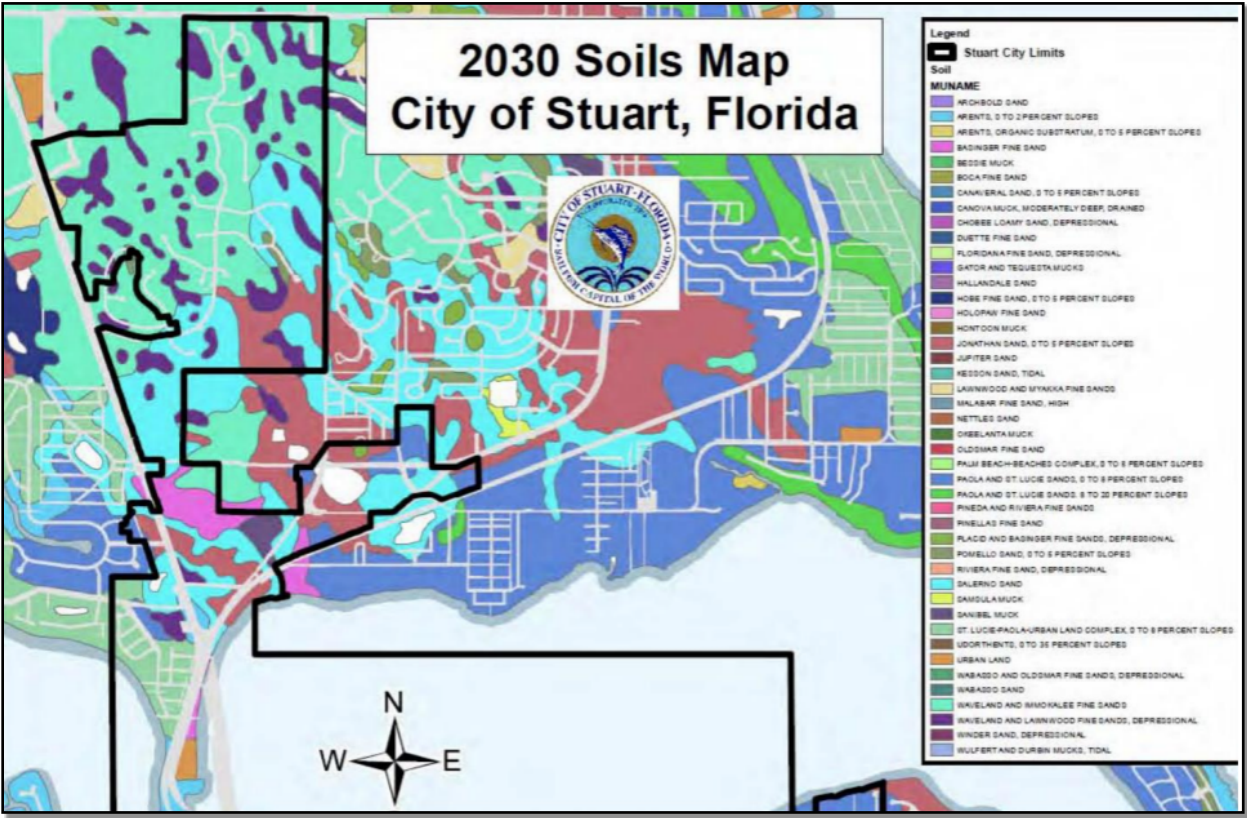
Flood Zones Map Extract City of Stuart Comp Plan: Subject property X and AE flood zone categories



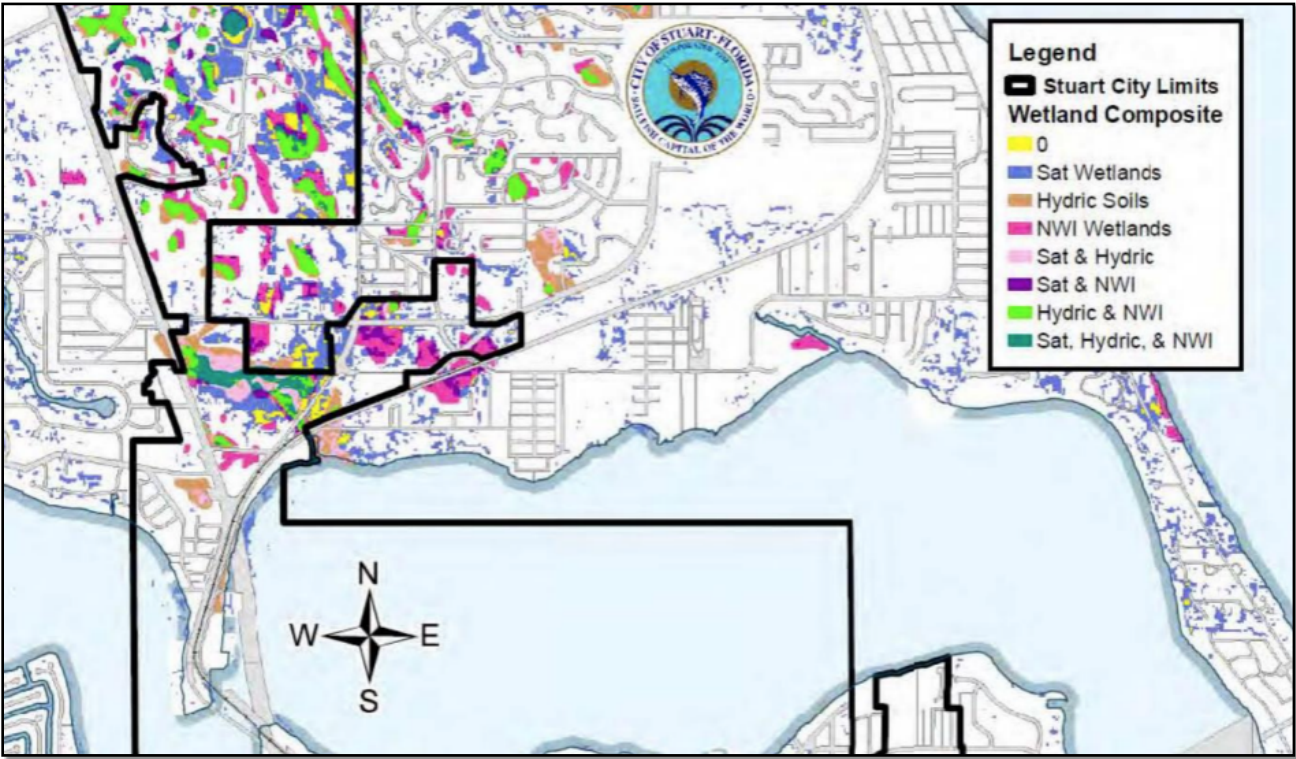
Land Cover Map: City of Stuart Comp Plan: Subject property within an area identified as Urban and Built Up



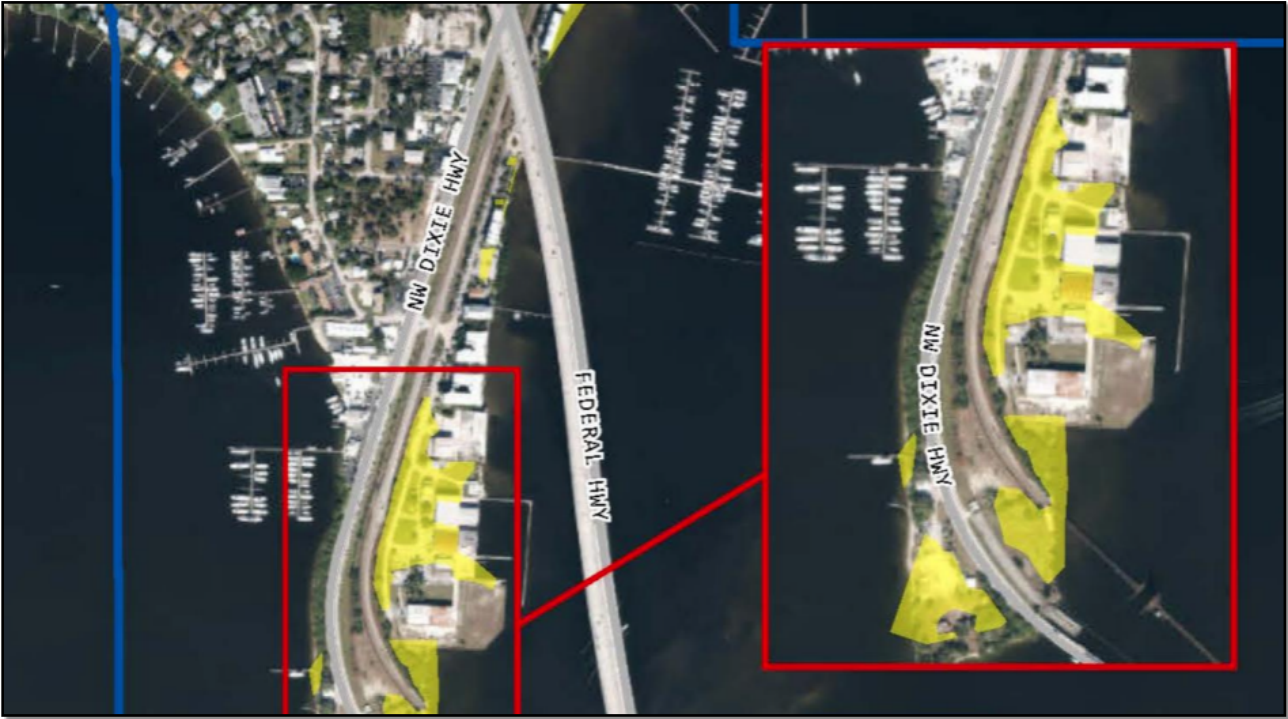
Planned Wells Map City of Stuart Comp Plan: Subject property within no planned wells area.



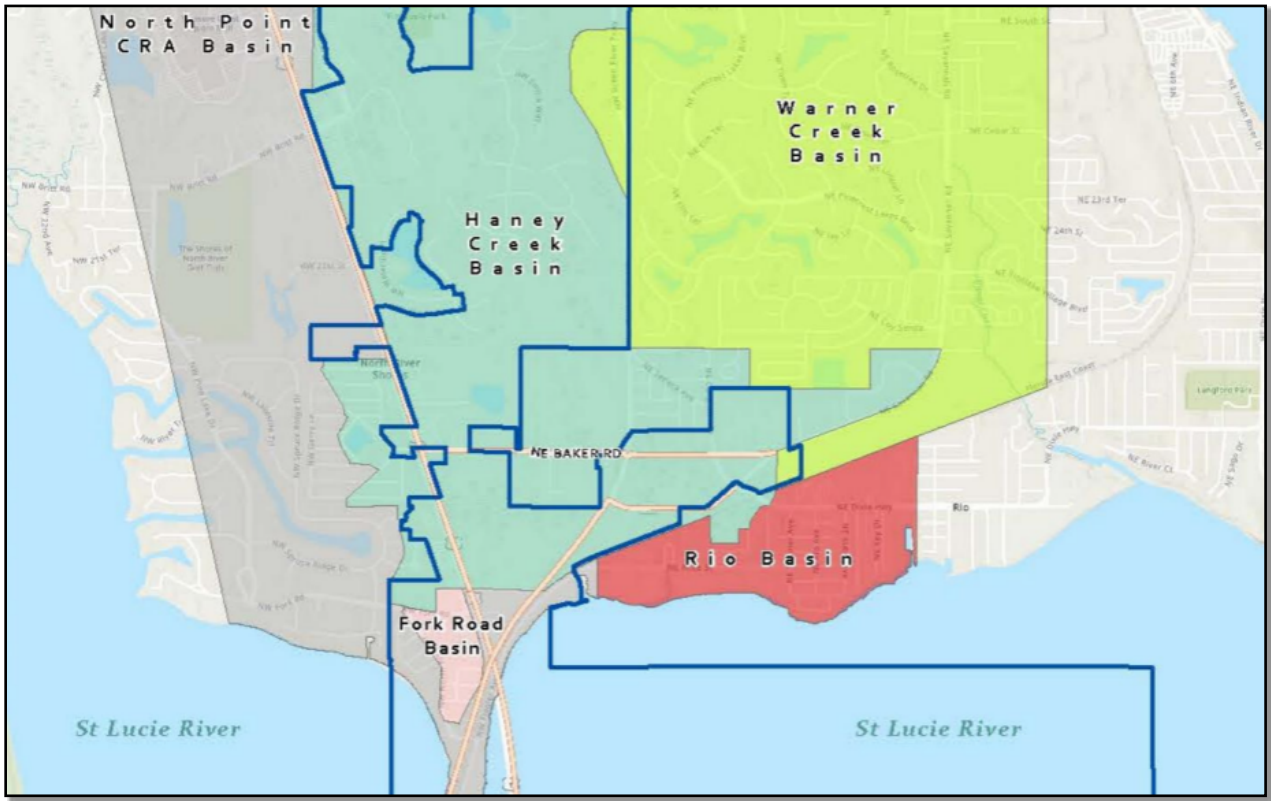
Soils Map City of Stuart Comp Plan: Subject property within Urban Land



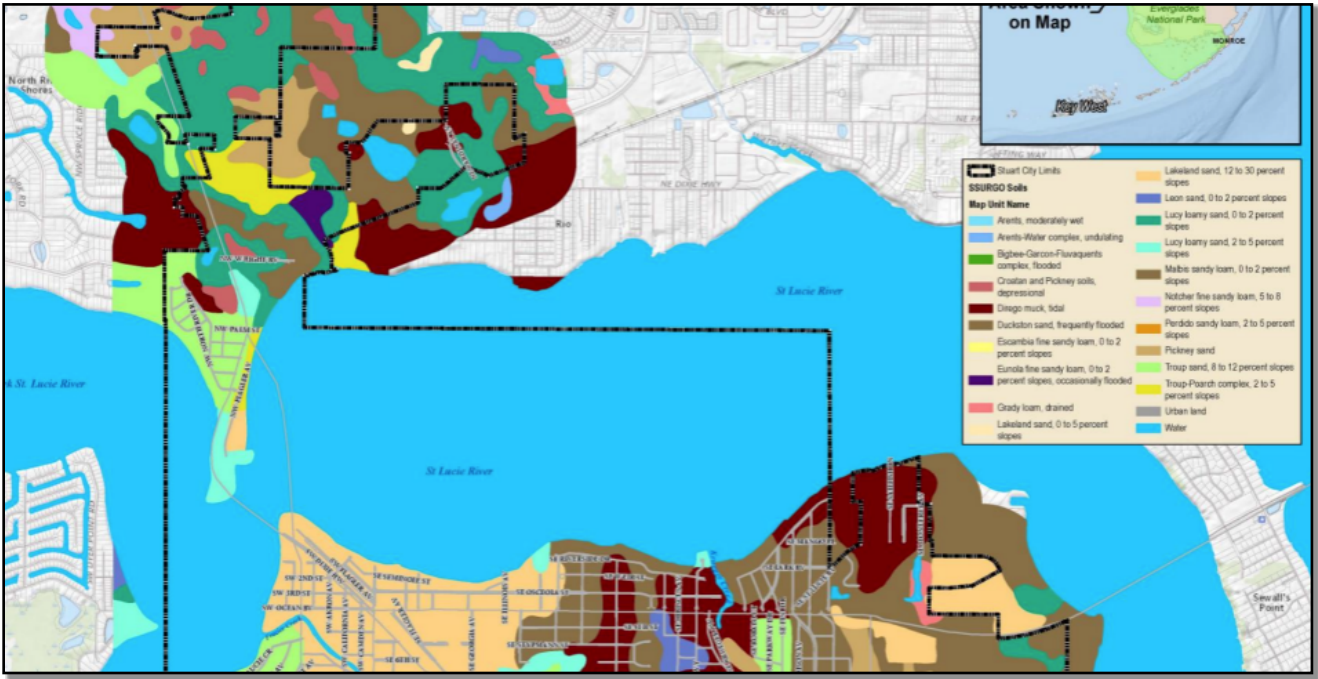
Wetlands Map City of Stuart Comp Plan: No wetlands identified on map



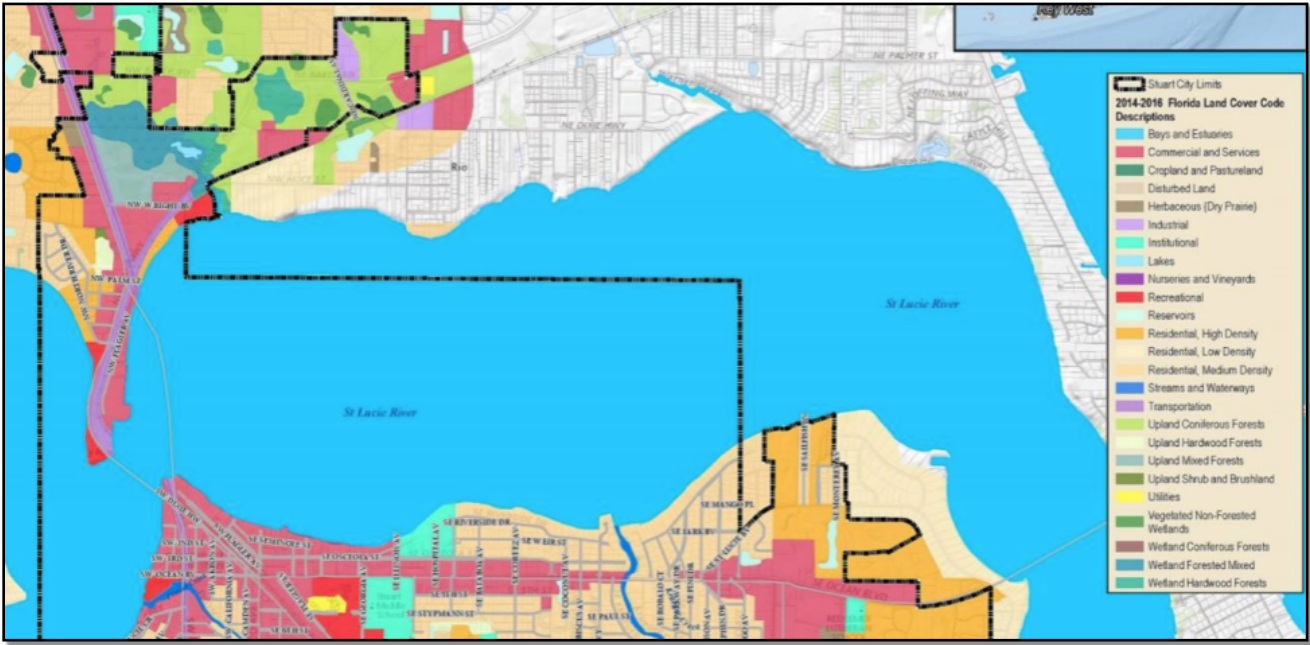
Coastal High Hazard Area Map Extract:



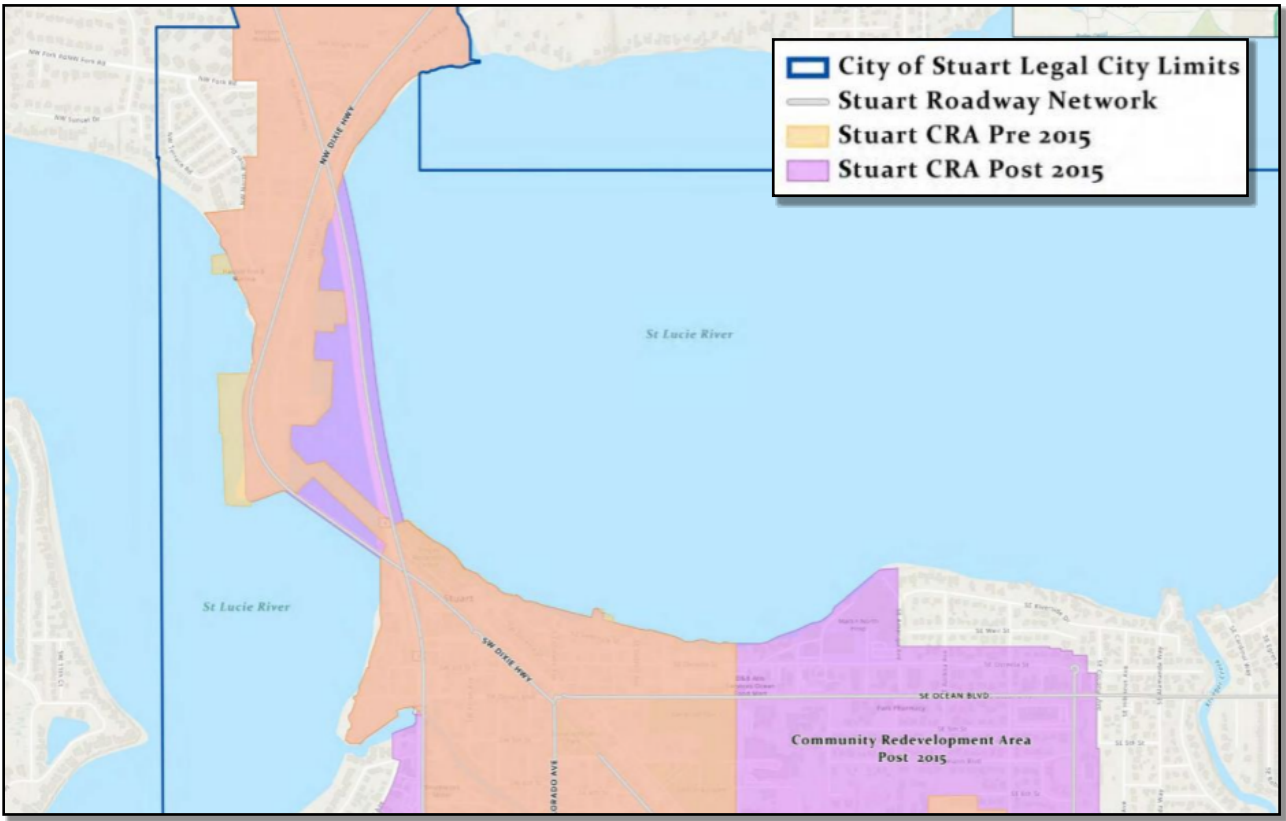
Watershed Basin: North Point CRA Basin



SSURGO Soil Types Map



Florida Land Cover Map

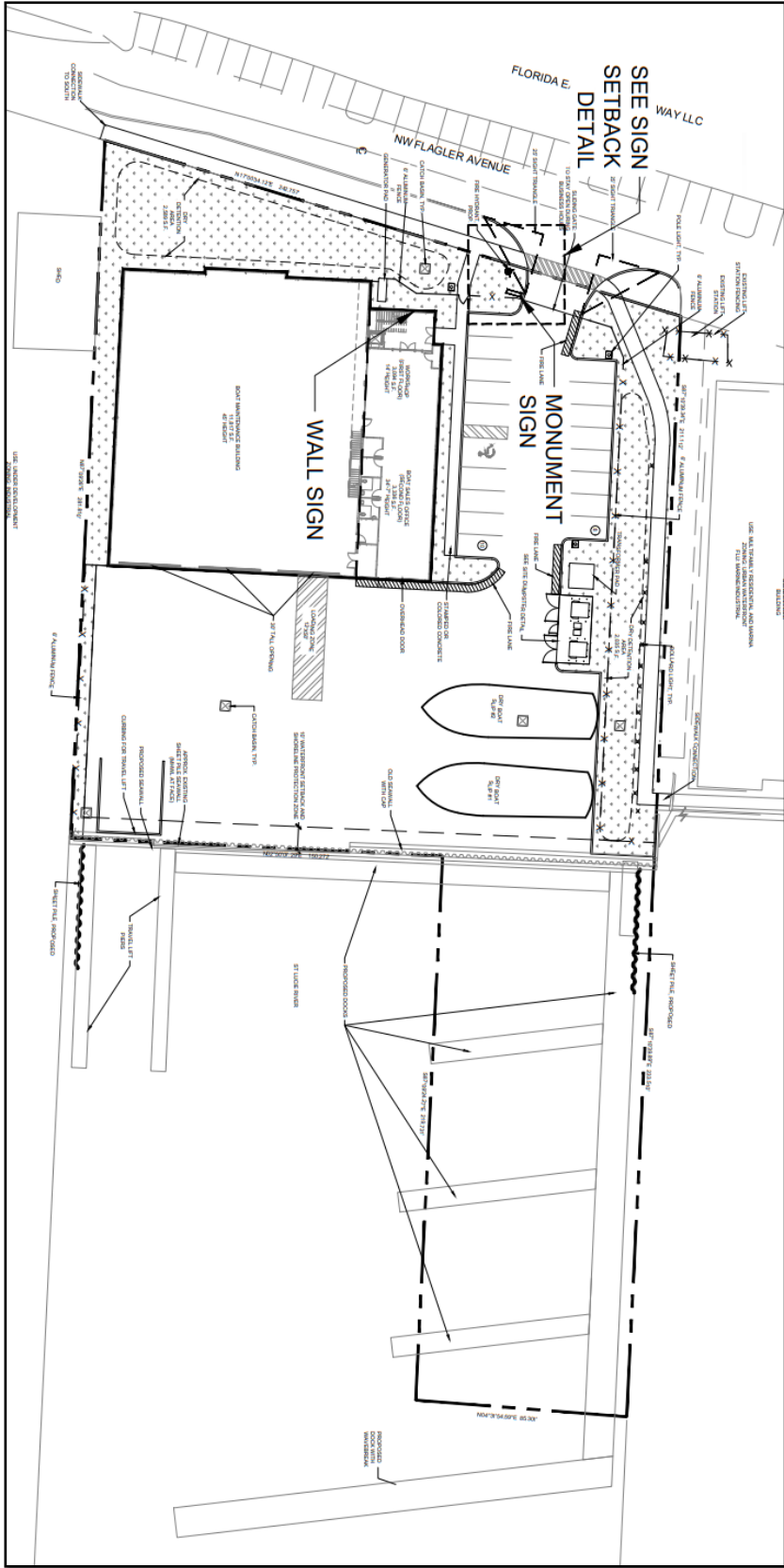


Community Redevelopment Area (CRA) Map



Zones inside the Special Flood Hazard Area (SFHA)		Zones outside the Special Flood Hazard Area (SFHA)	
Zone	Explanation	Zone X or Zone B	An area of moderate flood hazard that is determined to be outside the Special Flood Hazard Area between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood.
Zone AE	Areas subject to inundation by the 1-percent-annual chance-flood event determined by detailed methods. Mandatory flood insurance purchase requirements and floodplain management standards apply.	Zone X or Zone C (Not Shaded)	An area of minimal flood hazard that is determined to be outside the Special Flood Hazard Area and higher than the elevation of the 0.2-percent-annual-chance (or 500-year) flood
Zone VE	Areas subject to inundation by the 1-percent-annual chance flood event with additional hazards due to storm-induced velocity wave action. Mandatory flood insurance purchase requirements and floodplain management standards apply.		

FEMA Flood Zones Map



Proposed Site Plan

Stuart

RECEIVED
JUN 29 2022
DEVELOPMENT
Received By: _____

City of Stuart
121 SW Flagler Ave.
Stuart, FL 34994
development@ci.stuart.fl.us
(772) 288-5326

Received by: _____

Reviewed by: _____

Urban Code Conditional Use Application

Project ID#

22206008
(Staff Entry)

Pre-App Conference Date:

1/14/2022

Application Date:

SITE INFORMATION

Project Name: Willis Custom Yachts	Parcel ID#: 32-37-41-004-020-00061-9
Site Address: 151 NW Flagler Avenue, Stuart FL 34994	
Subdivision: Riverside Park	Lot(s):
Site Acreage: 1.79 acres (1.09 upland acres)	Flood Zone/Base Flood Elevation: Zone AE/Elev 5
Current Zoning District / CRA Subdistrict (if applicable): Industrial	
Current Comprehensive Plan Future Land Use Designation: Industrial	
Existing Land Use: Vacant	Proposed Land Use: Boat sales and service use
Proposed Square Footage (if applicable): 18,720 SF	Proposed Density (if applicable): N/A

PETITIONER INFORMATION

Property Owner: 151 NW Flagler LLC	Phone Number / Email Address: Contact Agent
Property Owner's Mailing Address: 151 NW Flagler Ave, Stuart FL 34994	
Applicant (if not Owner):	Phone Number / Email Address:
Applicant's Mailing Address:	
Agent/Contact Person: Matthew Barnes, AICP	Phone Number / Email Address: 561-713-1687 / matthew.barnes@wginc.com
Agent's Mailing Address: 2035 Vista Parkway, West Palm Beach, FL 33411	
Architect: Eric Luttmann, AIA	Engineer: Adam Schildmeier, PE
Planner: Matthew Barnes, AICP	Landscape Architect: Bryan Jackman

Statement of Ownership and Designation of Authorized Agent

(Please Print or Type)

Before me, the undersigned authority, personally appeared David Tobin, as Manager
Who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting approval of a Urban Code Conditional Use in the City of Stuart, FL.
3. That he/she has appointed Matthew Barnes to act as an authorized agent on his/her behalf to accomplish the above project.

Name of Owner: 151 NW Flagler, LLC
Signature of Owner: [Signature] By: David Tobin, Manager
225 NE Manner Blvd, Suite 510 Boca Raton, FL 33432
Street Address City, State, Zip Code
P.O. Box City, State, Zip Code
(561) 620-0454 (561) 620-0457
Telephone Number Fax Number
dst@tobinreyes.com
Email Address:

STATE OF FLORIDA, COUNTY OF Palm Beach

Sworn and subscribed before me by means of ☒ physical presence or ☐ online notarization, this

19th day of April, 2022 By David Tobin

Personally Known OR Produced Identification
Type of Identification Produced:

Nichole Pavez
Notary Public

My Commission expires:

08-25-23



Nichole Pavez
Comm. #GG907343
Expires: August 25, 2023
Bonded Thru Aaron Notary

Financial Responsibility Form

(Please Print or Type)

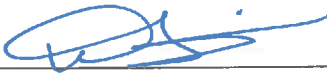
The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will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

Name: <u>David Tobin</u>
Title: <u>Manager</u>
Company: <u>151 NW Flagler, LLC</u>
Company Address: <u>151 NW Flagler</u>

City/State/Zip Code: <u>Stuart FL 34994</u>
Telephone Number:
Facsimile Number:
Email Address (optional):

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

1. Signed this 19th day of May, 2022.



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

Application Requirements

Fee:

- \$1,598.00 – Major Urban Code Conditional Use Permit (Community Redevelopment Board and City Commission Approval)
- \$532.00 – Minor Urban Code Conditional Use Permit (Community Redevelopment Board)

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 Urban Code 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 Urban Code 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 Urban Code Conditional Use Permit (include additional pages if needed).

See attached Justification Statement.

(over)

**JUSTIFICATION STATEMENT
URBAN CODE MAJOR CONDITIONAL USE
FOR
WILLIS CUSTOM YACHTS**

151 NW Flagler Ave, Stuart FL

Prepared by:

WGI, INC.

2350 Vista Parkway
West Palm Beach, FL 33411
(561) 687-2220
www.wginc.com

Initial Submittal: June 28th, 2022
Insufficiency Submittal: August 15th, 2022
First Resubmittal: January 11th, 2023



CITY OF STUART - Planning & Zoning Department
121 SW Flagler Avenue, Stuart, FL 34994

Introduction

The subject property is located at 151 NW Flagler Avenue, to the east of Flagler Avenue and to the west of the St. Lucie River (the "Property"), in the City of Stuart, Florida (the "City"). The Property is identified by the following Parcel Control Number (PCN): 32-37-41-004-020-00061-9 and has a total of 1.794-acres which includes a total of approximately 1.36-upland acres and 0.43 acres of submerged lands. The Property has a Future Land Use (FLU) designation of Industrial and a Zoning District classification of Industrial. The Property is located within the City's Community Redevelopment Agency ("CRA") boundary. According to historic aerial photographs and Google streetview images, the Property was previously developed as an industrial/marine use and has since been demolished, see **Figure 4** and **Figure 5**. The Property is currently vacant with remaining impervious surfaces on the site from the previous development. An aerial of the subject site (outlined in red) and surrounding areas is provided below in **Figure 1**.

Figure 1: Site Location Map



Request

On behalf of the property owner, 151 NW Flagler, LLC (the "Applicant"), WGI, Inc. requests an **Urban Code Major Conditional Use** to allow a boat sales and service use in the Industrial zoning district, see the Zoning Map provided in **Exhibit A**. A concurrent Small-Scale Comprehensive Plan Amendment Application to re-designate the FLU on the Property from Industrial to the Marine/Industrial FLU designation has been submitted to the City, see the Future Land Use Map provided in **Exhibit B**. The proposed boat sales and service development will accommodate a boat maintenance building, with an attached workshop and sales office (the "Proposed Project"). The Proposed Project also includes site improvements such as new docks and a new seawall. The Property is a part of the Harborage PUD development to the north and is listed as Building 10 on the site plan, therefore a PUD amendment is required. Condition #4 of Exhibit B of Resolution



No. 50-2018 (the last approved PUD for the Harborage) allows the owner of the Building 10 parcel to amend the Harborage development approval without the joinder of other property owners within Harborage. The condition states “A Unity of Title for density has been executed by the developer. Notwithstanding the preceding, any owner of the “Portside” parcel of “Building 10” parcel may amend the development approvals for the respective parcel, without joinder of other property owners within the Harborage development.”

Surrounding Uses

Table 1: Surrounding Land Uses			
Adjacent Land	Use	Future Land Use	Zoning
North	Harborage PUD Multifamily Residential and Marina	Marine/Industrial	Urban Waterfront (UW)
South	Atlantic Point Marina (Approved by the City Commission on May 23 rd) Marine Based Mixed-Use Development	Marine/Industrial	Industrial (I)
East	St. Lucie Waterway	Not Applicable	Not Applicable
West	Apex Marine Stuart Boat Repair Shop	Downtown	Urban Waterfront (UW)

Table 1 demonstrates that the request for a Major Urban Code Conditional Use to allow a boat sales and service use on the site is consistent with the parcel to the north, west, and south, which all have marine related uses. The parcel to the south, Atlantic Point Marina, was approved on May 23rd for a small-scale comprehensive plan amendment to change the designation of the FLU from Industrial to Marine/Industrial and a Major Urban Code Conditional Use to allow a mixed-use marina development in the Industrial zoning district. The proximity of the Property to the St. Lucie River further demonstrates the compatibility of Conditional Use to allow a more marine based use to be compatible with the surrounding uses and contextual to the parcel's proximity to the St. Lucie Waterway.

Appropriate Conditional Use Request

According to Section 2.01.03 – Table 1 in the City of Stuart's Land Development Code, Industrial is the only zoning district classification that is consistent with the Marine/Industrial Future Land Use Category requested in the concurrent Small Scale Comprehensive Plan Amendment application. Marine/Industrial is a more appropriate FLU designation for the subject site since it is a “waterfront district” and it permits the “continuation of industrial/marine uses”. Therefore, to make the Proposed Project possible in the proposed FLU category, a Major Urban Code Conditional Use request is appropriate. Since the Property is located within the Urban Code area, the Applicant can request a Major Urban Code Conditional Use for relief from permitted uses. The following information explains why the Proposed Project is appropriate and justifies the Conditional Use request.

The Property is located adjacent to the St. Lucie Waterway and is therefore part of the Stuart waterfront. The proposed use of boat sales and service is consistent with the uses that are adjacent to the St. Lucie Waterway and in the CRA, as demonstrated in **Table 1**. According to historic Google streetview images from 2019, the most recent use on the site was an industrial/marine use, see **Figures 4 and 5**. The previous use, known as Palm City Yachts, was a marine/industrial use. Historic aerials from 1994, see **Figure 2**, show the industrial/marine development that existed until its demolition in 2021.

Figure 2: 1994 Aerial of the Subject Site



Source: Google Earth

A boat sales and service use is consistent with the surrounding uses and it is consistent with the previous industrial/marine uses that were once located on the subject site, which in this case was Palm City Yachts. The Proposed Project is a desirable infill redevelopment project, that will improve the vacant site that exists today and is more desirable than the approved site plan for the site as shown in **Figure 3** (next page).

The Property is part of the Harborage development and in the last PUD approval a Dry Storage/Showroom building was approved for the Property. The intense building, known as Building 10 on the site plan, had a ground floor footprint of approximately 30,000 square feet, which was approximately 50% of the total upland portion of the Property. The Proposed Project only has a footprint of just under 15,000 square feet – half the size of Building 10.

The previously approved project did not maintain much pervious surface on the parcel, which would have hindered stormwater management. The previously approved project required 44 parking spaces (compared to 14 required parking spaces for the Proposed Project) and only 25 spaces were located on the Property, the other 19 parking spaces were located in the Flagler Avenue right-of-way. Sixteen of the 25 parking spaces on the Property actually encroached past the northern property line by eight feet, which would have left no room for a landscape buffer between Building 10 and its parking and the neighboring condominium building to the north.

The Proposed Project will preserve most of the existing Areca Palms on the common northern property line, which will provide a thick landscape screen, and there is approximately 25' of buffer area along the common northern property line where a sidewalk will connect to the Harborage sidewalk (and it will connect to the Atlantic Point project to the south) and there is approximately 17' of space for a dry retention area that will be planted with new trees to further screen and buffer the Proposed Project from the Harborage.

Finally, Building 10 was only setback 37' from the north property line whereas the building in the Proposed Project is setback 96' from the north property line – almost three times further.

Figure 3: Approved Site Plan

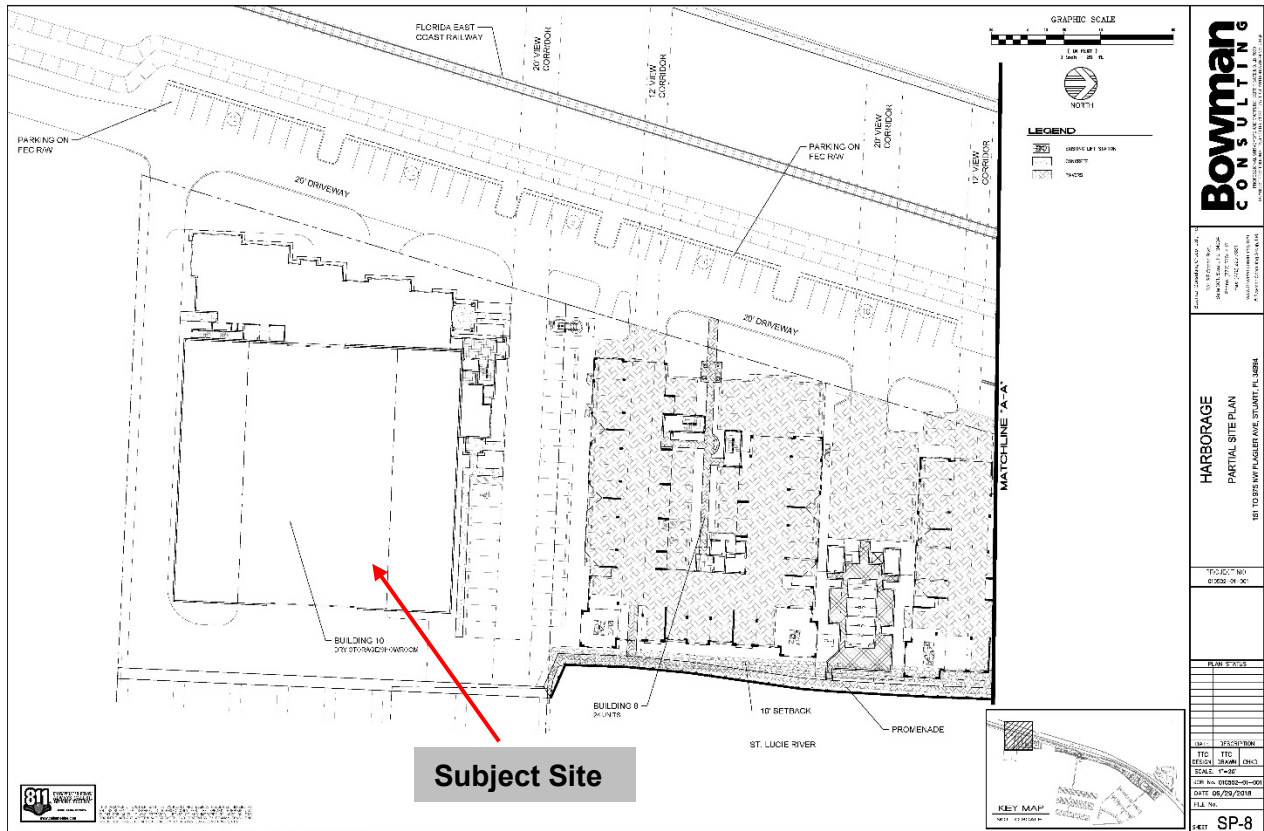


Figure 4: Previous Use on the Subject Site



Source: Google Streetview., May 2019

Figure 5: Previous Use on the Subject Site



Source: Google Earth

Overall, the Proposed Project will enhance the Property, which is located in the CRA. The mission of the CRA as stated in the *Community Redevelopment Agency 2021 Annual Report*, is “*To plan for a sustainable economic future while protecting and enhancing the unique character of the City.*” In its current state the Property is not consistent with the CRA’s mission as the vacant site does not generate revenue “for a sustainable economic future” and it does not enhance “the unique character of the City.” The Proposed Project is consistent with the CRA’s mission, as the boat sales and service use promotes infill redevelopment on a vacant site and the proposed use is consistent with the City of Stuart’s marine character. The Proposed Project will also bring jobs to the City in the marine industry. The Proposed Project is explained in further detail in the following section.

Proposed Project

The Applicant proposes to construct a boat maintenance building that is approximately 11,817 SF and an attached two-story workshop building and office/customer lounge. The workshop portion is approximately 3,094 SF and is proposed on the first floor and an approximately 3,336 SF boat sales office is proposed on the second floor. The total floor area of the proposed building is 18,247 square feet. In addition to the main structure, two dry dock boat slips are proposed on site. A dock and travel lift piers are proposed to extend from the eastern property line into the submerged lands and St. Lucie River.

The Applicant intends to use the Property in complement to their main manufacturing and repair site in unincorporated Martin County further up-river at 6800 SW Jack James Drive. The Proposed Project will serve customers who are testing their new boat purchase, which was manufactured or repaired at the offsite location. The maintenance building and workshop building will be used to make the final tweaks and improvements to the boat per the customer’s requests. The Property provides ideal access to the water for the boat delivery (by water) and client interaction with their new boat because it has access to the St. Lucie River — in addition to easy access to the Okeechobee waterway, the Intracoastal Waterway, and the Atlantic Ocean. Flagler Avenue is parallel to the subject property and provides easy access from Dixie Highway.



The established development pattern as a historic industrial/marine use provides an opportunity for infill development that is consistent with the scale and character of the existing multifamily and marina to the north, and the proposed mixed-use development and marina to the south. The Proposed Project is located approximately half a mile from downtown Stuart and is in the City of Stuart's CRA boundary.

The Proposed Project also includes 18 parking spaces, one loading zone, dry detention, a 6' wide sidewalk that will connect the sidewalk along the east side of the Harborage through the Property to the south where it will connect to the Atlantic Point project, and landscaped buffers along the north, west, and south property lines. Water-based improvements include a proposed seawall, docks, and a travel lift to lift boats out of the water. The Proposed Project will create a viable project on the vacant parcel, that also meets the City's code requirements and contributes to the public experience through a sidewalk connection and public art installation. Stormwater management will also be improved with the development of the vacant parcel, as the existing site has an extensive amount of impervious surface which will be reduced with the dry detention and landscape buffers proposed on the north and west boundary. The site plan included in this submittal identifies the pervious surface that is proposed on the site to manage the stormwater onsite.

To compliment the scale and design of adjacent properties, the boat maintenance building and the attached workshop/customer space has a marine contemporary design. The attached space is setback from the maintenance building which breaks up the façade, along with recessed façade elements. The building design has created an intricate façade that is broken up with recessed façade elements, large windows, and the attached building is setback from the maintenance building. The proposed height of the maintenance building is 45 feet, and it is proportional and complimentary to surrounding buildings in the area. The proposed height of the Atlantic Point Marina project to the south is 45 feet with an additional 15 feet to the top of the roof. The Harborage residential buildings located to the north of the Property has a height of 42 and a half feet.

Public art onsite is strongly encouraged by the City of Stuart and the CRA. The Proposed Project proposed to incorporate a nautical mural to compliment the marine-based use and the historic character of the City of Stuart. This art intends to benefit customers of the proposed building as well as the Stuart community, as it enhances the public view and intends to employ a local artist. The proposed public art will be a mural on the west facing façade of the proposed building. A conceptual depiction of the mural is provided in the architectural drawings. A final mural design will be applied for through the minor urban code conditional use process when an artist and final design are chosen by the Applicant.

Major Urban Code Conditional Use & Industrial Zoning District Analysis

Although industrially zoned, the development patterns, setbacks, and open space, pervious/impervious, and architectural design standards applied to the site are governed by a combination of the Industrial zoning district standards and the Urban Code standards. The Proposed Project has been designed to demonstrate appropriate stormwater management provisions with the dry detention areas included on the north and west property line to protect the St. Lucie River from unwanted runoff. The boat maintenance building has been setback 110' from the shoreline, far exceeding the required 10' shoreline protection zone. The previously existing building was only setback 15'-8" from the north property line and it was only setback a few feet from the east property line, which is depicted in **Figure 5**. The Proposed Project respects the shoreline protection zone and is more compatible with the neighboring property to the north. The proposed height of the main building is consistent with both the Industrial zoning designation and the Urban Code.

The previous industrial/marine use would have been grandfathered as a nonconforming use on the Property and therefore, redeveloping the Property with a similar use will require a Major Urban Code Conditional Use. A Major Urban Code Conditional Use approval includes provisions to allow uses not allowed in the underlying zoning district, which in this case is to allow a boat sales and service use in the Industrial district.



Section 11.01.11.-Major and minor conditional use approval application.

- A. Generally, A major conditional use approval is specific authorization granted by the city commission to permit certain uses of property, which are unique due to the nature of the use, size, location, or various characteristics particular to the zoning district. The issuance of a major conditional use approval is required for the use or occupancy of a structure specifically designated as a conditional use in the “zone district” chapter of this Code and is subject to the limitations and conditions specified therein.

Specific Regulations Requiring Consideration as a Major Urban Code Conditional Use:

The following regulations from the City’s Land Development Code require a Major Urban Code Conditional Use in the Industrial Zoning District:

- a) **Section 202.02 Table 2 Land Uses.** To allow the proposed boat sales and service use in the Industrial zoning district.
- b) **Section 3.01.03.G. a through f.** These urban code regulations relate to landscape buffer widths in relation to setbacks of the underlying zoning district or urban subdistrict. The Industrial zoning district does not have any required setbacks and the Property is not located within an urban subdistrict. Therefore, the provided landscape buffers are as per what is provided on the proposed site plan and landscape plan rather than not providing landscape buffers and landscape strips.
- c) **Section 3.01.04.A. 1.** To allow the proposed building wall material of a concrete tilt wall with a finish that will be similar in appearance to stucco.
- d) **Section 3.01.04.H. 6** To allow six-foot-tall fence in the front yard along Flagler Avenue for security purposes.
- e) **Section 3.01.04.P.** To allow a six-foot-tall fence in the front yard along Flagler Avenue for security purposes.
- f) **Section 3.01.04.R.** To allow a parapet wall over 24 feet to enhance the architectural character of the 2-story boat maintenance building.
- g) **Section 6.04.03.5.** To allow relief from the 50% of the shoreline protection zone as native vegetation. The shoreline protection zone is also the waterfront setback, and since the proposed development is a working waterfront, the area cannot be landscaped due to activity in the shoreline protection zone related to everyday activities that are crucial to the proposed business use.

Policy Section 11.01.11.G.5

The factors that the city commission or community redevelopment board shall consider when making its determination are as follows:

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

The Marine/Industrial FLU exists to the north and to the south of the Property. A mixed-use development with water-based uses such as a marina, exist to the north in the Harborage development. The Atlantic Point Marina use to the south was approved for a development with a marina, boat barn, and other water-based uses. More water-based uses exist to the west of Flagler Avenue. Therefore, the proposed use is consistent with the land uses in the immediate area.

- 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 proposed use has been designed to meet all code requirements and to provide a more suitable land use to the currently vacant property. The preliminary engineering plans do not indicate that the existing utilities and public infrastructure in place will be overtaxed. The Proposed Project will not have traffic counts higher than 20 peak hour trips and it will not overtax the load on public streets. A traffic statement that defers a traffic analysis has been provided with this application. No



residential development is proposed and therefore, the project does not apply to school concurrency.

- c) ***The proposed use will not be contrary to the future land use designation and will not have an adverse effect on the goals, policies, and objectives of the Comprehensive Plan.***

The concurrent small scale comprehensive plan amendment from Industrial to Marine/Industrial provides consistency with the adjacent uses to the north and the proposed development to the south of the Property and the proposed boat sales and service use is consistent with the intentions of the proposed FLU designation as established in the comprehensive plan.

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

Not applicable.

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

The Proposed Project will not have traffic counts higher than 20 peak hour trips and it will not overtax the load on public streets. A traffic statement that defers a traffic analysis has been provided with this application.

- f) ***The proposed use will not create drainage or a storm water quality problem.***

The preliminary engineering plans and stormwater calculations all provide sufficient information to demonstrate compliance with City policies. Due to this compliance, no stormwater quality problem is anticipated.

- g) ***The proposed use will not significantly reduce light or air to adjacent areas.***

Photometric plans are included in this application which demonstrate there is no impact of the Proposed Project to the adjacent areas. The proposed development has also followed the required distance and separation between established property boundaries as depicted in the site plan included in this application.

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

The proposed boat sales and service use is less burdensome on neighboring properties and on public infrastructure than the uses allowed by right in the Industrial zoning district. According to the City of Stuart's Land Development Code, the following uses are allowed in the Industrial zoning district:

- Automobile, repair services – major and minor.
- Boat storage, dry.
- Dry cleaning plant.
- Farm equipment and supply and sales.
- Gas stations.
- Newspaper publishing plant.
- Repair services.
- Retail intensive/non intensive sales and services.
- Shooting range, indoor.
- Fuel production facilities.
- Industrial, high impact and low impact use.
- Industrial parks.

- Sign painting/manufacturing shop.
- Telecommunication towers.
- Railroad freight stations.
- Truck terminals.
- Storage yards.
- Warehouse, general storage, mini storage, wholesale and distribution.
- Commercial nursery and tree farms.

The uses listed above, except for the boat storage, dry use, are not suitable for a development on the water. The uses listed above are also not suitable to be located adjacent to multifamily residential. The Proposed Project will provide the finishing touches and minor repairs and service to boats for customers at the Property. This use anticipates minimal noise, air, and light pollution to the adjacent developments as opposed to the uses listed above.

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 existing Harborage development was approved by Resolution No. 196-04 in 2004 and later amended by Resolution No. 50-2018. The Property is a part of the Harborage site plan, as it was approved to have a Dry Storage/Showroom on the Property. The Proposed Project will be a more desirable use than the vacant condition, the approved use, and the previous use. The subject site is consistent with the recently approved Atlantic Point Marina development to the south, as it is plans to develop a boat barn, marina use and more commercial uses. Overall, the Proposed Project is consistent with the purpose of the CRA and it provides a more aesthetically pleasing use and design than what exists there today and the large showroom that was approved previously. Initial architectural renderings are included in **Exhibit C**.

Structural architectural details are integrated into the building structure and design. The relief and form of the maintenance building and the attached 2-story building is compatible with the scale and character of the surrounding buildings to the north and the recently approved Atlantic Point Marina to the south. These elements include a raised parapet, overhangs, a recessed façade, display windows, and a public art mural. Landscaped buffers and a decorative aluminum fence enhance the compatibility between the proposed use and the surrounding uses. In addition, the equipment and refuse services will be screened and not visible to the public.

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 Property is an appropriate site for the proposed boat sales and service use in the City of Stuart. Other vacant sites are either not located on the waterfront or a boat sales and service use would not be compatible with the surrounding uses. The Marine/Industrial FLU is concentrated on the east side of Flagler Avenue. The other concentration of vacant waterfront parcels are surrounded by the Downtown FLU designations, which would not be as compatible for the proposed use. New development on the Property is an effective infill development project for a site where an industrial/marine based use once existed.

Policy Section 11.01.11. G.G.6. in applying the above standards, the decision-maker will consider each of the following factors:

- 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.***

Ingress, egress, pedestrian, and vehicular flow throughout the property has been designed effectively and efficiently. Customers will enter and leave through the gated driveway and sidewalk that will remain open during business hours. A 6' sidewalk is proposed to connect to the sidewalk on the property to the north and the sidewalk on the property to the south to create a continuous pedestrian pathway. The driveway widths exceed minimum standards required to accommodate emergency vehicles.

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 off-street parking and loading areas on adjacent and nearby properties.

Off-street parking is located on the northwest portion of the site and the parking spaces face both north and south. A 24.9' landscape buffer screens the parking that faces the adjacent use to the north and the proposed building screens the parking from the uses to the south. The loading zone is located to the east of the building and faces the St. Lucie River, minimizing the impact on adjacent properties. In addition to the off-street parking and loading zone placement, there is a gate that will close after business hours, which will limit the need for cars and trucks to use their headlights during ingress, egress, or circulation around the site.

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 refuse and service area is proposed on the north side of the property. FRP-1 demonstrates the garbage truck pick up detail and the site dumpster detail. A gated dumpster enclosure is proposed to screen the area to meet the City of Stuart's standards, to minimize the impact of the refuse area on adjacent properties.

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

The following utilities are available: City water and sewer, Centurylink fiber, FPL electric, MCI fiber and communication lines, Comcast, Resurgence Infrastructure Group fiber, AT&T, Sprint, and MCI. All utility companies will be consulted as part of the permit process. The Applicant intends to bury all overhead utilities and connect to the existing utilities.

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 specifically permitted and the uses and structures of adjacent and nearby properties.

The proposed landscape and architectural design for the Proposed Project is a considerable improvement on the previously existing structures and currently vacant Property. The architectural details and features of the proposed building intends to be a contemporary design with nautical features to enhance the compatibility with the surrounding Harborage and Atlantic Point Marina uses and represent the character of the City. Appropriate landscape screening is provided for the project. A 24.9 foot landscape buffer is provided to the north, a landscape buffer that varies in width from 23' to 45' is provided to the west and a 10' landscape buffer is provided to the south.

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



The photometric plans that are provided in this submittal package demonstrate that the exterior lighting will not create an impact to the glare, traffic safety, and economic effects of adjacent and nearby properties as it meets the City code. Signage is proposed to be a wall sign attached to the building and will meet the City of Stuart's maximum sign area of 100 square feet.

g. Required yards and open spaces.

The required landscape area is 20 percent and 22 percent of the Property is proposed to be landscaped in the Proposed Project. There are no required yards in the Industrial zoning district.

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

The proposed height of the maintenance building is 45 feet and is proportional and complimentary to surrounding buildings in the area. For instance, the proposed height of the Atlantic Point Marina project to the south is also 45 feet with an additional 15 feet to the top of the roof. The Harborage residential buildings located to the north have a height of 42 and a half feet. This meets Section 3.01.06.A.2.b.1 which states that projects that are undergoing a Major Urban Code Conditional Use must meet the following design objective, "The proposed building is proportional and complimentary to surrounding buildings in the area." The proposed height of 45 feet is consistent with the surrounding heights of 45 feet (plus an additional 15 to the top of the roof) and 42 and a half feet.

Conclusion

On behalf of the Applicant, we respectfully request and present the aforementioned justification for an Urban Code Major Conditional Use to allow a boat sales and service use on the Property.

Exhibit A: City of Stuart Zoning Map

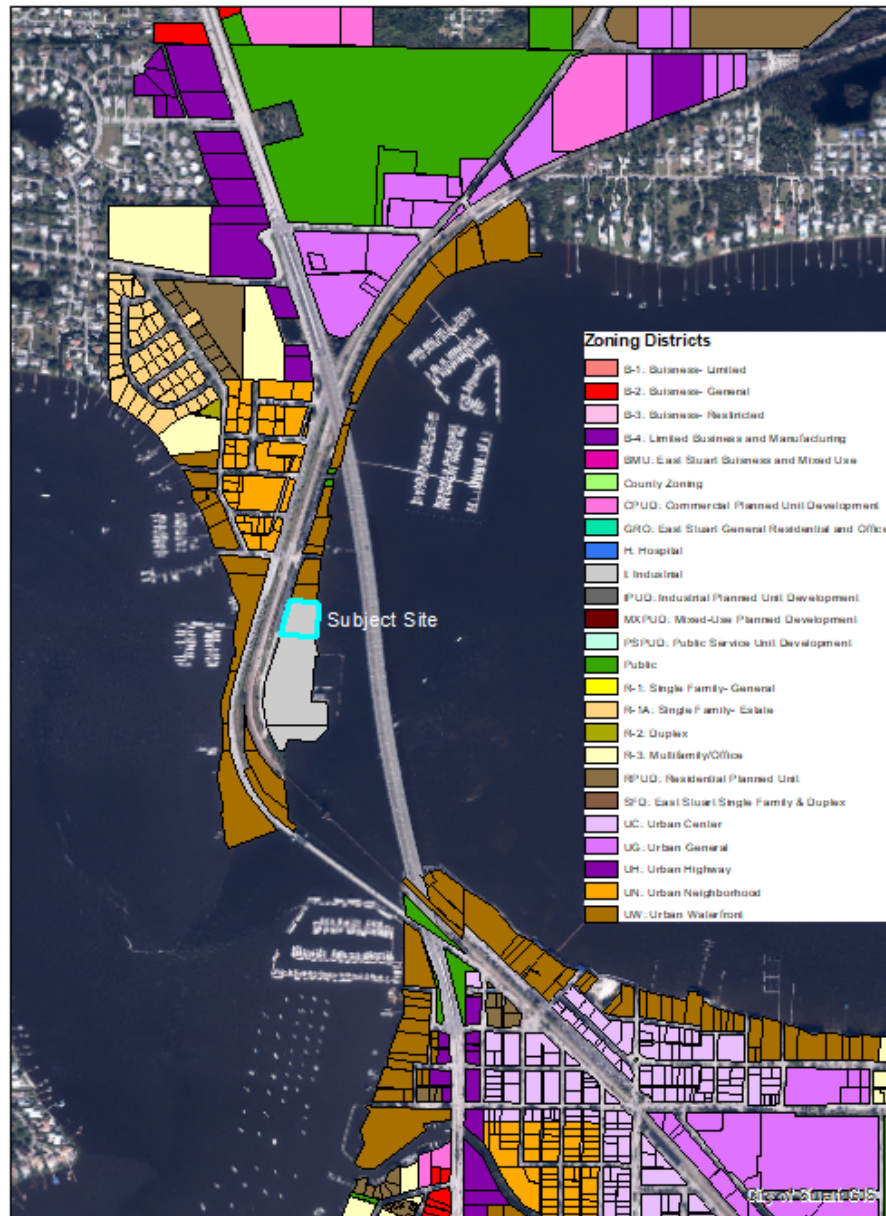


Exhibit B: Future Land Use Map

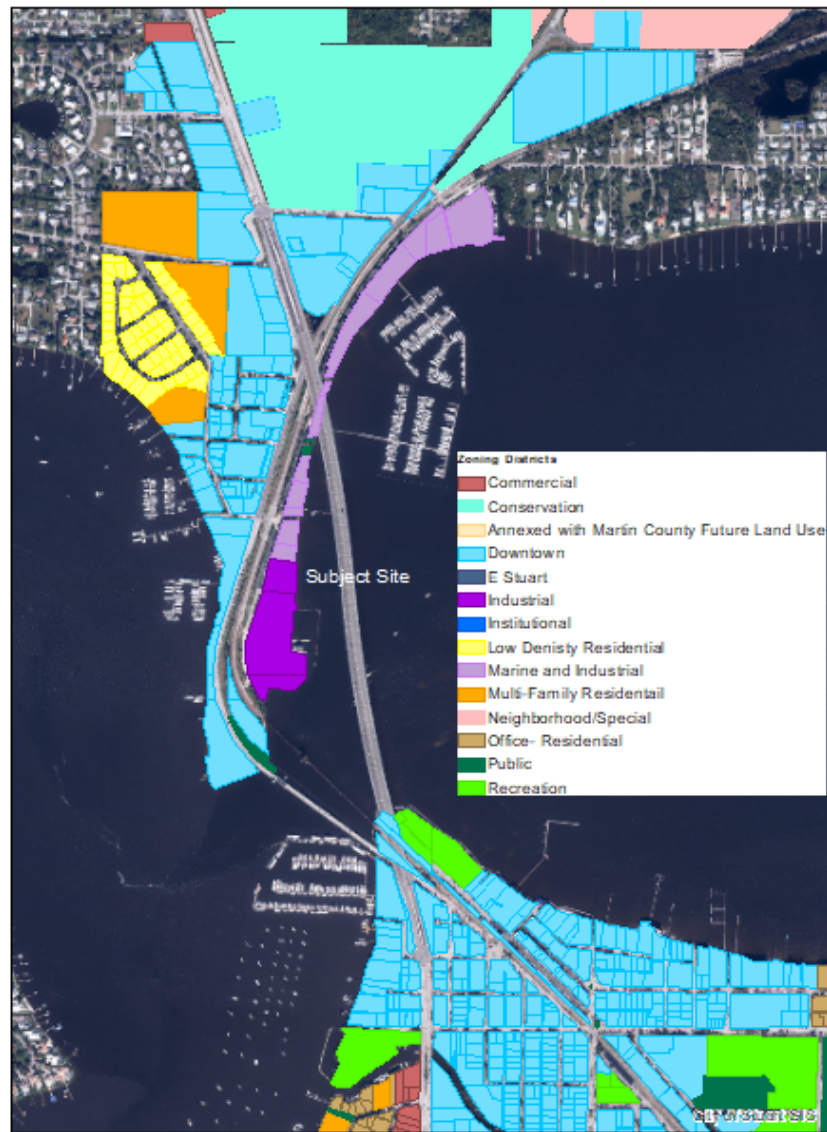


Exhibit C: Architectural Renderings





APPLICATION REQUIREMENTS

Major Urban Code Conditional Use

Item	Response
Pre-Application Meeting	A Pre-Application meeting took place with staff in January 2022.
Signed and Notarized Application	Provided with initial submittal.
Required Fees	Provided with initial submittal.
Digital Copy (all submitted documents and plans)	Required documents have been provided for the Major Urban Code Conditional Use only.
Project Narrative (include Small-scale Comprehensive Plan Analysis)	Required narrative has been provided for the Major Urban Code Conditional Use only.
School Concurrency Application	Not required for this project.
Location Plan (zoning, FLU of site and surrounding property)	Provided in Exhibit A and B of this justification statement.
ALTA Survey and Legal Description (include site acreage)	Included in initial submittal.
Site Plan	Included in initial submittal and revised per staff comments.
Landscape Plan	Included in initial submittal and revised per staff comments.
Streetscape Plan and Buffer Cross Sections	The buffer cross section is included in the landscape plans. The Proposed Project does not propose any streetscape improvements.
Tree Survey, Disposition Chart, and Tree Replacement Calculation	Included in initial submittal.
Stormwater Plan (conceptual) (prepared, signed and sealed by a licensed engineer)	Included in initial submittal and revised per staff comments.
Architectural Elevations	Included in initial submittal and revised per staff comments.
Utility Plan (Water and Sewer)	Included in initial submittal and revised per staff comments.
Dumpster – Waste Management details.	Included in initial submittal.
Traffic Statement (prepared, signed and sealed by a licensed engineer).	Included in initial submittal.
Environmental Plan & Statement (Soils, hydrology, flood plain elevation)	Included previously.
Photometric Plan	Included in initial submittal and revised per staff comments.



Item	Response
Auto Turn (Fire and Public Works access)	Included in initial submittal and revised per staff comments.
Sign Plan	A sign plan has been included.

WILLIS CUSTOM YACHTS

151 NW FLAGLER AVENUE

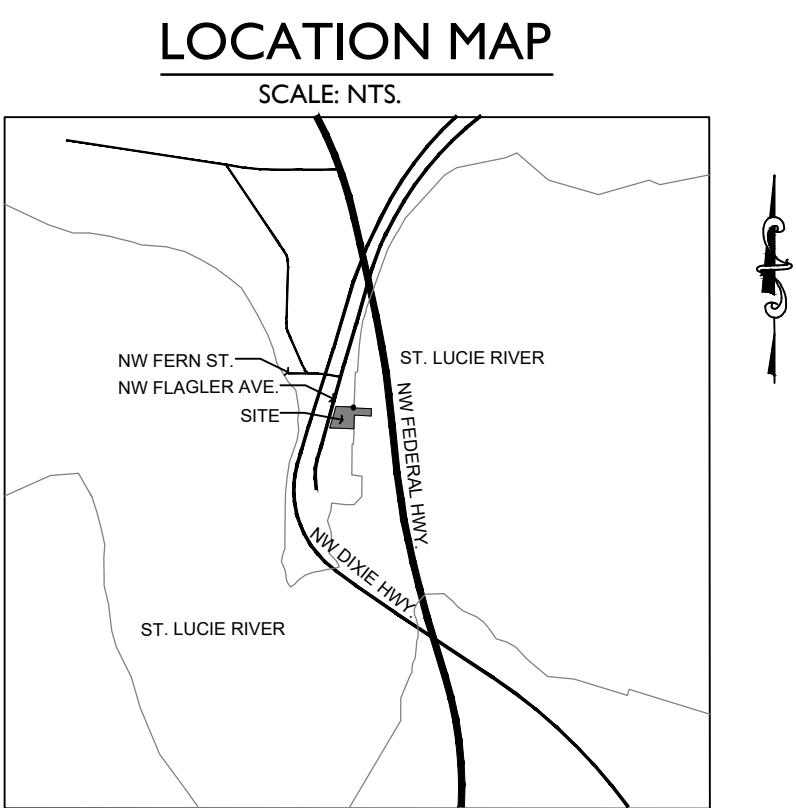
MAJOR URBAN CODE CONDITIONAL USE

SUBMITTAL - 01-11-2022

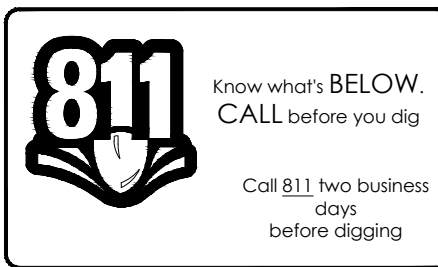
PREPARED FOR 151 NW FLAGLER LLC

SHEET SCHEDULE

SHEET NO.	SHEET TITLE
COVER	COVER
FSP-1	FINAL SITE PLAN
FSP-2	DETAILS
FSP-3	SIGNAGE



PROJECT TEAM	
CLIENT 151 NW FLAGLER LLC 6800 JACK JAMES DRIVE STUART, FL 34997	SITE PLANNER WGI, INC. 2035 VISTA PARKWAY WEST PALM BEACH, FL 33411 PHONE: (561) 687-2220 CONTACT: STEVE PICKET, PLA, ASLA
CIVIL ENGINEER WGI, INC. 2035 VISTA PARKWAY WEST PALM BEACH, FL 33411 PHONE: (561) 687-2220 CONTACT: TRAVIS DOUGLAS	SURVEYOR WGI, INC. 2035 VISTA PARKWAY WEST PALM BEACH, FL 33411 PHONE: (561) 687-2220 CONTACT: ERIC MATTHEWS
TRAFFIC ENGINEERING WGI, INC. 3230 W. COMMERCIAL BLVD., SUITE 300 FORT LAUDERDALE, FL 33309 PHONE: (954) 660-1660 CONTACT: DAVID TAXMAN, P.E.	LANDSCAPE ARCHITECT WGI, INC. 2035 VISTA PARKWAY WEST PALM BEACH, FL 33411 PHONE: (561) 687-2220 CONTACT: BRYAN JACKMAN
PHOTOMETRIC ENGINEER WGI, INC. 2021 EAST 5TH STREET, SUITE 200 AUSTIN, TX 78702 PHONE: (512) 669-5560 CONTACT: CASEY SVIEVEN	ARCHITECT WGI, INC. 3111 W. DR. MARTIN LUTHER KING JR. BLVD., SUITE 375 TAMPA, FL 33607 PHONE: (813) 574-3190 CONTACT: ERIC LUTTMANN



1. BLACK OR FLORESCENT COLORS WILL NOT BE UTILIZED AS A PREDOMINANT BUILDING COLOR.
2. ANY ROOFTOP UTILITIES OR FACILITIES SUCH AS AIR CONDITIONING UNITS AS WELL AS ALL EXTERIOR MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW.

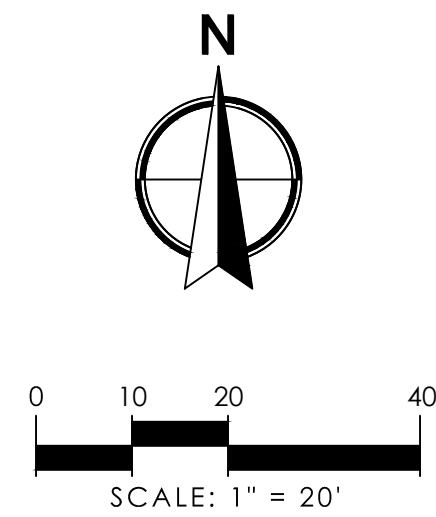
PARCEL SIZE	78,147 S.F	1.79 AC.
PARCEL CONTROL NUMBER	32-37-41-004-020-00061-9	
SITE ADDRESS	151 NW FLAGLER AVE, STUART	

<u>MAXIMUM BUILDING HEIGHT</u>	
INDUSTRIAL	45' 4 STORIES
EXISTING USE	VACANT
PROPOSED USE	BOAT SALES AND SERVICES
EXISTING ZONING	INDUSTRIAL
PROPOSED ZONING	INDUSTRIAL
EXISTING FUTURE LAND USE	INDUSTRIAL
PROPOSED FUTURE LAND USE	MARINE/INDUSTRIAL

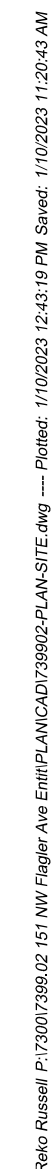
PERVIOUS (OPEN SPACE)	20,745 S.F.	0.67 AC.
PROJECT SITE		
LANDSCAPE AREA	15,085 S.F.	0.34 AC.
DRY DETENTION AREA	9,780 S.F.	0.22 AC.
	5,305 S.F.	0.12 AC.

OFF-STREET PARKING	REQUIRED	PROVIDED
BOAT BUILDING, INDOORS (1SP./1,000 S.F.)	14 SP.	18 SP.
FOR FIRST 10,000 SF. THEN (1SP./2,000 S.F.)		
ADA (INCL. IN TOTAL)	1 SP.	1 SP.
12'x50' LOADING SPACES	1 SP.	1 SP.

SCALE: 1":20,000



ZONING DISTRICT (IND.)	LOT DIMENSIONS		MAX BLDG. HEIGHT	MAX BLDG. FLOORS	YARD REQUIREMENTS		
	SIZE	WIDTH			FRONT	SIDE	REAR/ WATER
REQUIRED	N/A	100'	45'	4	0'	0'	10'
PROPOSED	78,178 SF. 1.79 AC.	243'	45'	2	23'	96' (NORTH) 10' (SOUTH)	110'

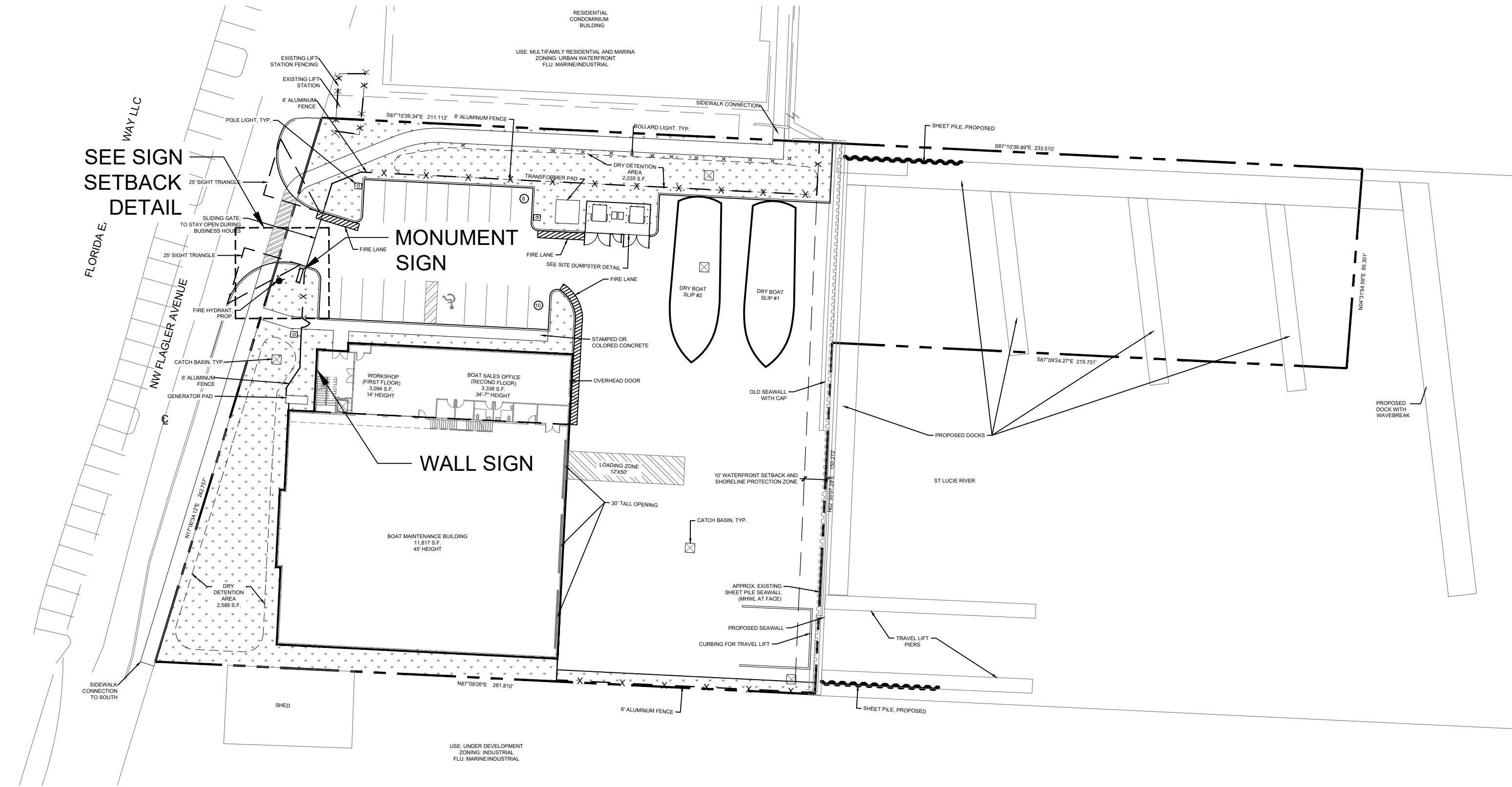
[illegible]

**WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART
MAJOR URBAN CODE
CONDITIONAL USE SITE PLAN**

SHEET:
FSP-1

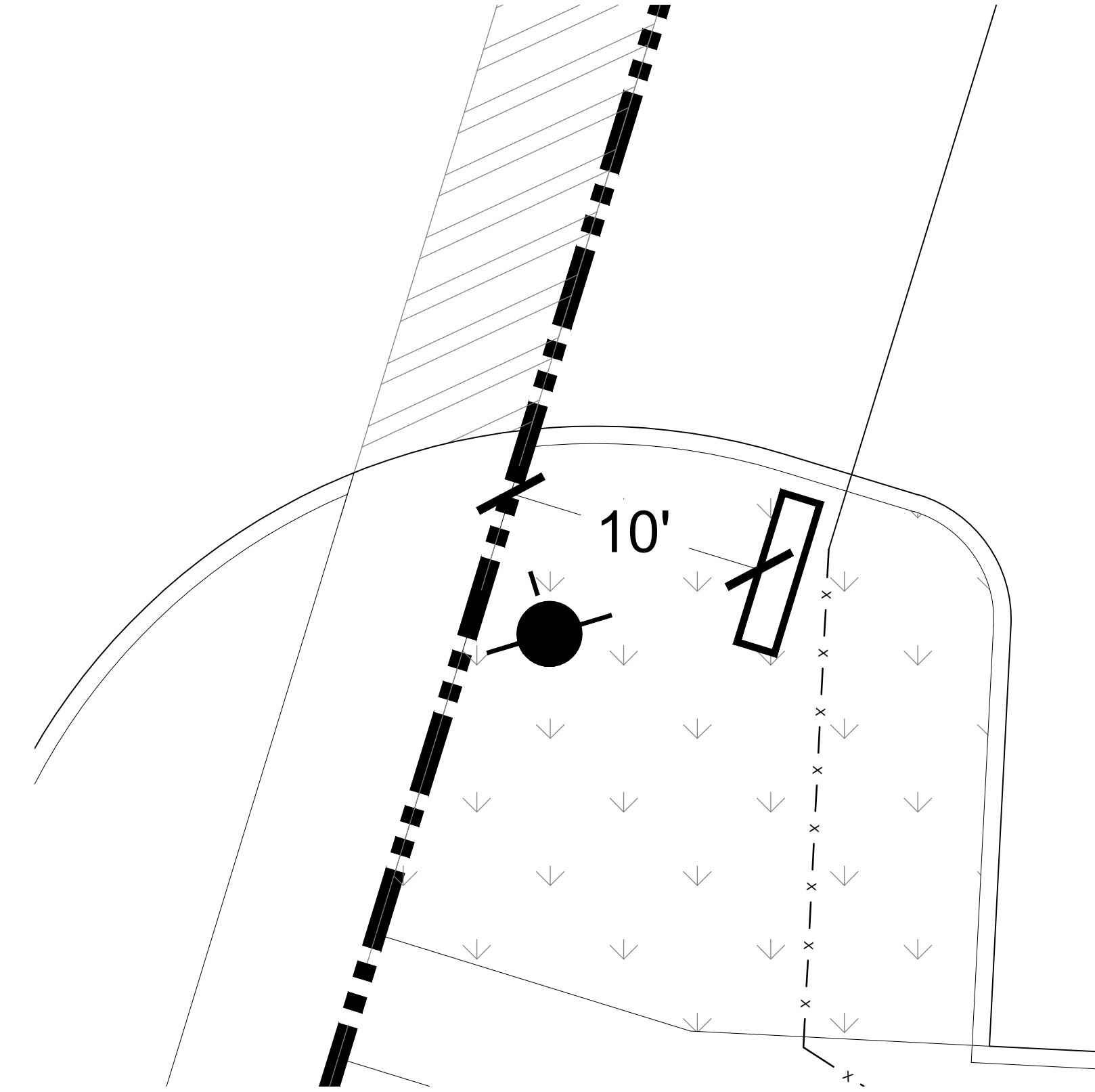
SIGNAGE KEY MAP

SCALE 1" : 20'



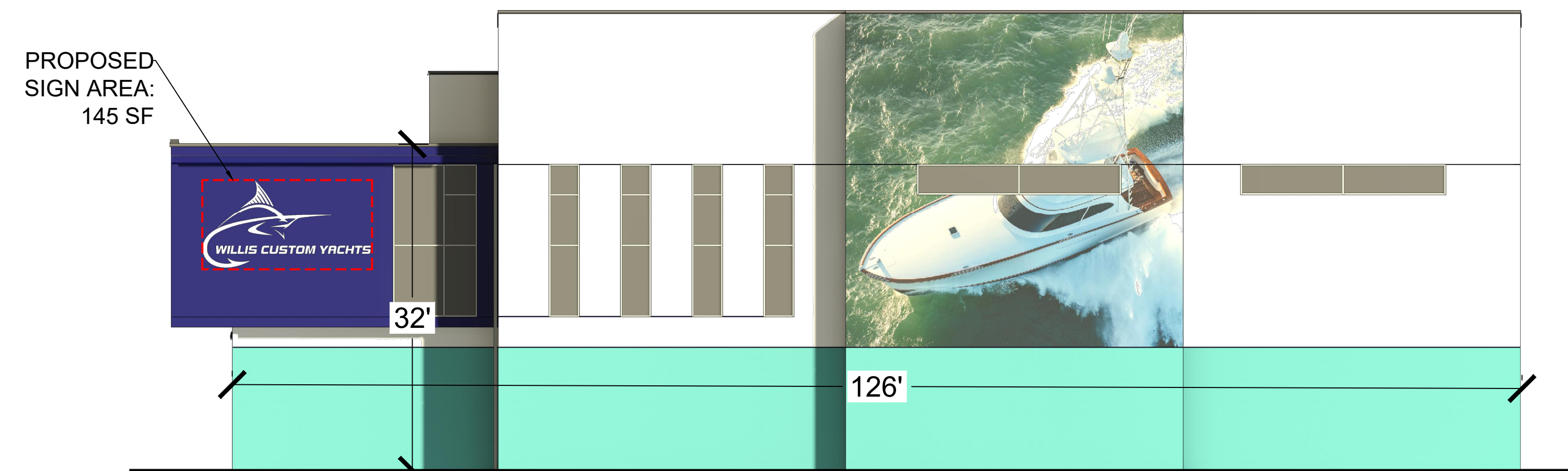
SIGN SETBACK DETAIL

SCALE 1" : 5'



WALL SIGN

SCALE 1" : 20'



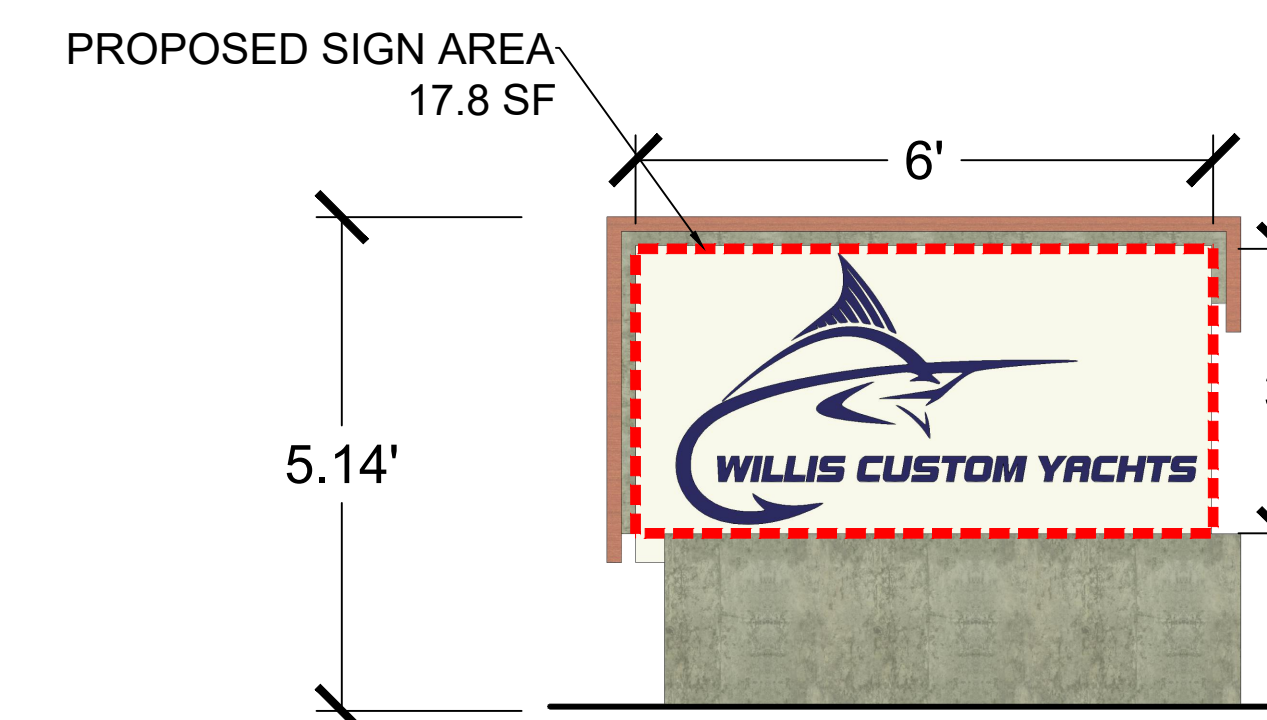
CALCULATED PER TABLE 6.11.09

126' x 25' = 3,150 SF
3,150 SF x 4.75% = 149.6 SF ALLOWABLE SIGN AREA

WEST FACADE

MONUMENT SIGN

SCALE 1" : 2'



CALCULATED PER TABLE 6.11.17

242' x 0.75' = 181.5 SF
(NOT TO EXCEED 100 SF PER FACE)

CAD	738002-PLAN-SIEDMG	NO.	DATE	DESCRIPTION	REVISIONS	BY
		0	2022-06-28	INITIAL SUBMITTAL		BPV
	JOB NO. 7399 02	1	2022-08-15	RESUBMITTAL		BPV
	DRAWN BY RR	2	2022-12-09	RESUBMITTAL		
	CHECK BY SP					
	DATE 2022-06-28					

151 NW FLAGLER AVENUE

MAJOR URBAN CODE

CONDITIONAL USE SITE PLAN

SHEET:
FSP-3

WILLIS CUSTOM YACHTS

151 NW FLAGLER AVENUE

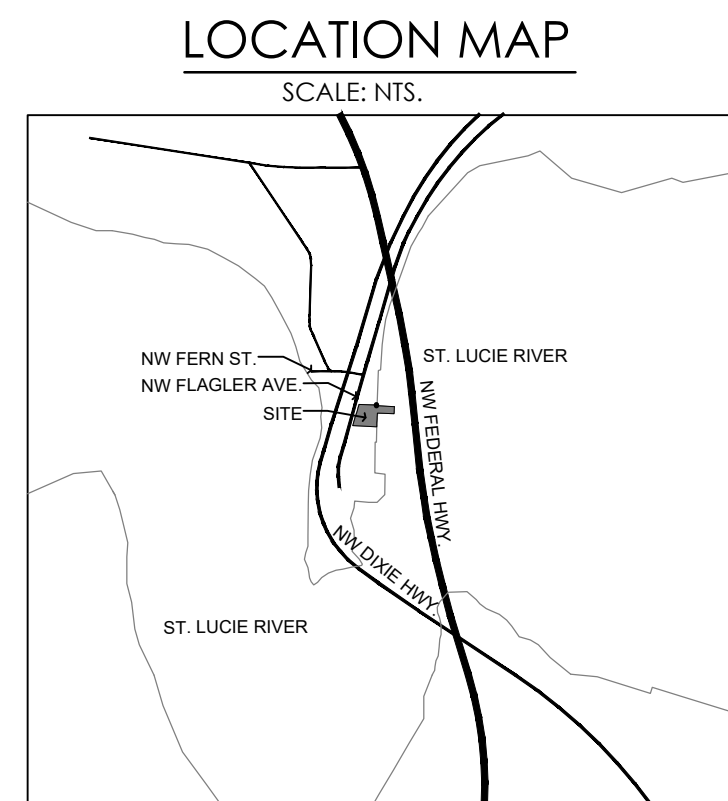
MAJOR URBAN CODE CONDITIONAL USE

SUBMITTAL - 1-11-2023

PREPARED FOR 151 NW FLAGLER LLC

SHEET SCHEDULE

SHEET NO.	SHEET TITLE
COVER	COVER
TD-101	TREE DISPOSITION PLAN
LP-101	LANDSCAPE PLAN
LP-500	LANDSCAPE DETAILS
LP-600	LANDSCAPE SPECIFICATIONS



PROJECT TEAM

CLIENT

151 NW FLAGLER LLC
6800 JACK JAMES DRIVE
STUART, FL 34997

CIVIL ENGINEER

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: TRAVIS DOUGLAS

TRAFFIC ENGINEERING

WGI, INC.
3230 W. COMMERCIAL BLVD., SUITE 300
FORT LAUDERDALE, FL 33309
PHONE: (954) 660-1660
CONTACT: DAVID TAXMAN, P.E.

PHOTOMETRIC ENGINEER

WGI, INC.
2021 EAST 5TH STREET, SUITE 200
AUSTIN, TX 78702
PHONE: (512) 669-5560
CONTACT: CASEY SVIEVEN

SITE PLANNER

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: STEVE PICKET, PLA, ASLA

SURVEYOR

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: ERIC MATTHEWS

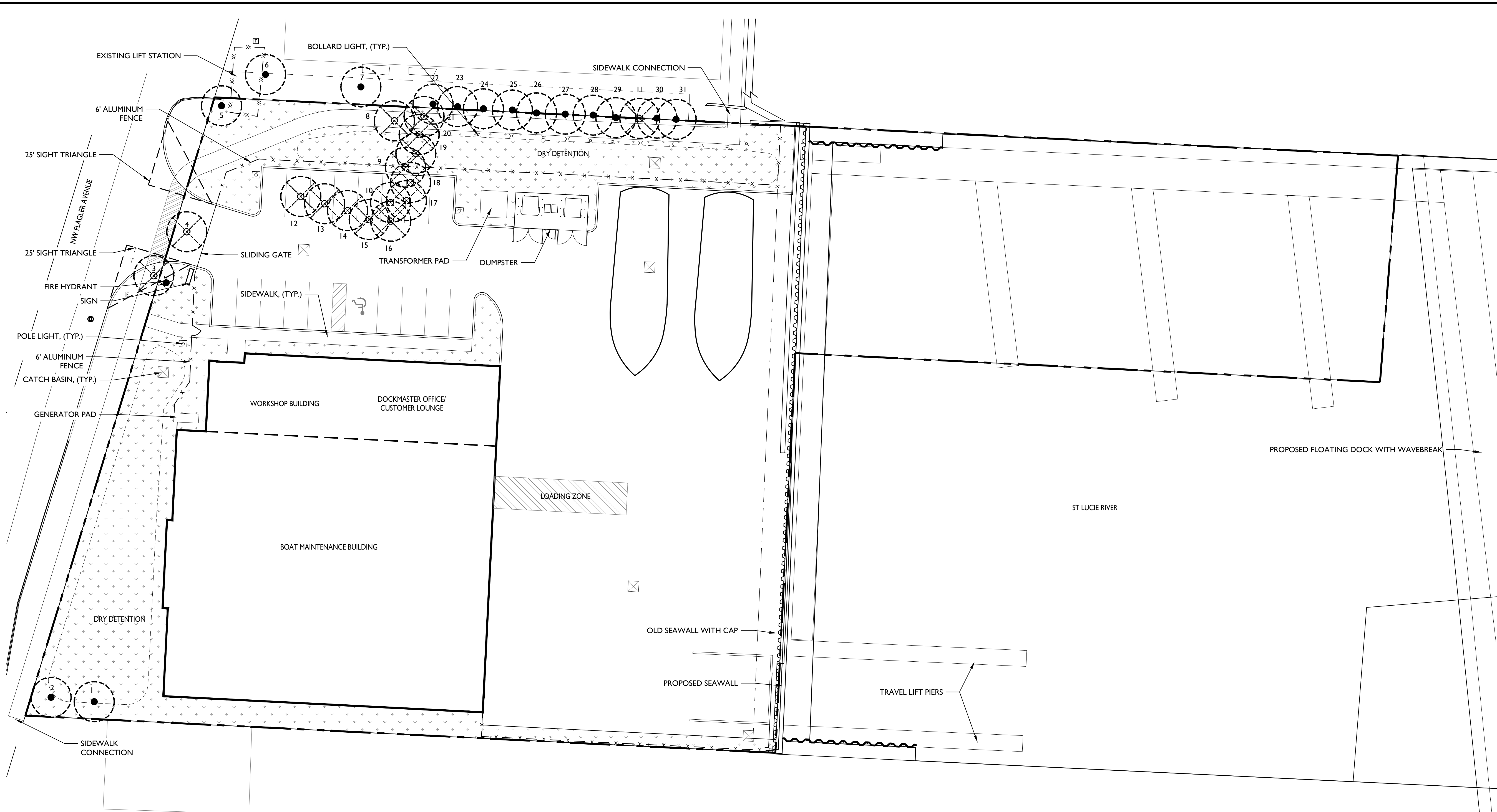
LANDSCAPE ARCHITECT

WGI, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PHONE: (561) 687-2220
CONTACT: BRYAN JACKMAN

ARCHITECT

WGI, INC.
3111 W. DR. MARTIN LUTHER KING JR. BLVD., SUITE 375
TAMPA, FL 33607
PHONE: (813) 574-3190
CONTACT: ERIC LUTTMANN

Bryan Jackson PL 170007590.02 151 NW Flagler Ave. Enfield, AZ 85087 Landscape 739902-TD.dwg — Plotted: 1/10/2023 3:16:55 PM, Saved: 1/10/2023 2:33:23 PM



LEGEND

TREE/ PALM TO PRESERVE

TREE/ PALM TO BE RELOCATED

TREE/ PALM TO BE REMOVED

2035 Vista Parkway, West Palm Beach, FL 33411
Phone No. 866.909.2220 www.wginc.com
Cert No. 6091 - LB No. 7055

REVISIONS		
NO.	DATE	DESCRIPTION
0	2022-06-28	INITIAL SUBMITTAL
1	2022-08-14	RESUBMITTAL
2	2023-01-11	RESUBMITTAL

CAD 739902-TD.DWG	JOB NO. 7399.02	BY BJ
	DRAWN BY BJ	
	CHECK BY JM	
	DATE 2022-06-28	

LANDSCAPE ARCHITECT
OF RECORD
JASON L. MIHALOVITS, PLA
FL#6667126

WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART
TREE DISPOSITION PLAN

SHEET:
TD-101

Tag #	Common Name	Scientific Name	DBH (inches)*	Mitigation	Disposition	Notes
1	Sabal Palm	<i>Sabal palmetto</i>	5'		Preserve	
2	Sabal Palm	<i>Sabal palmetto</i>	6'		Preserve	
3	Sabal Palm	<i>Sabal palmetto</i>	5'	N/A	Remove	
4	Senegal Date Palm	<i>Phoenix reclinata</i>	4'	N/A	Remove	
5	Sabal Palm	<i>Sabal palmetto</i>	4'		Preserve	
6	Schefflera	<i>Brassaia actinophylla</i>	15'		N/A	Offsite, Codominant, FLEPPC Cat 1. Invasive Species
7	Christmas Palm	<i>Adonidia merrillii</i>	6'	N/A	N/A	Offsite
8	Coconut Palm	<i>Cocos nucifera</i>	25'	N/A	Remove	
9	Sabal Palm	<i>Sabal palmetto</i>	20'	N/A	Remove	
10	Queen Palm	<i>Syagrus romanzoffianum</i>	25'	N/A	Remove	Very poor health
11	Queen Palm	<i>Syagrus romanzoffianum</i>	20'	N/A	Remove	Poor health
12	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
13	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
14	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
15	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
16	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
17	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
18	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
19	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
20	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
21	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'	N/A	Remove	Cluster
22	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
23	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
24	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
25	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
26	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
27	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
28	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
29	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
30	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
31	Areca Palm	<i>Chrysalidocarpus lutescens</i>	15'		Preserve	Cluster
				Required Hardwood Mitigation:	0	
				Required Palm Mitigation:	16	(10 Areca, 2 Sabal, 2 Queen, 1 Senegal Date, 1 Coconut)
				Hardwoods Relocated:	0	
				Palms Relocated:	0	
				Hardwoods Preserved:	0	
				Palms Preserved:	13	(10 Areca, 3 Sabal)
*All palms are measured in feet to clear trunk except for Areca which are measured in overall height						

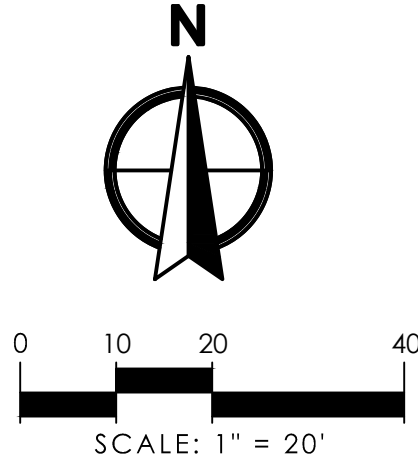
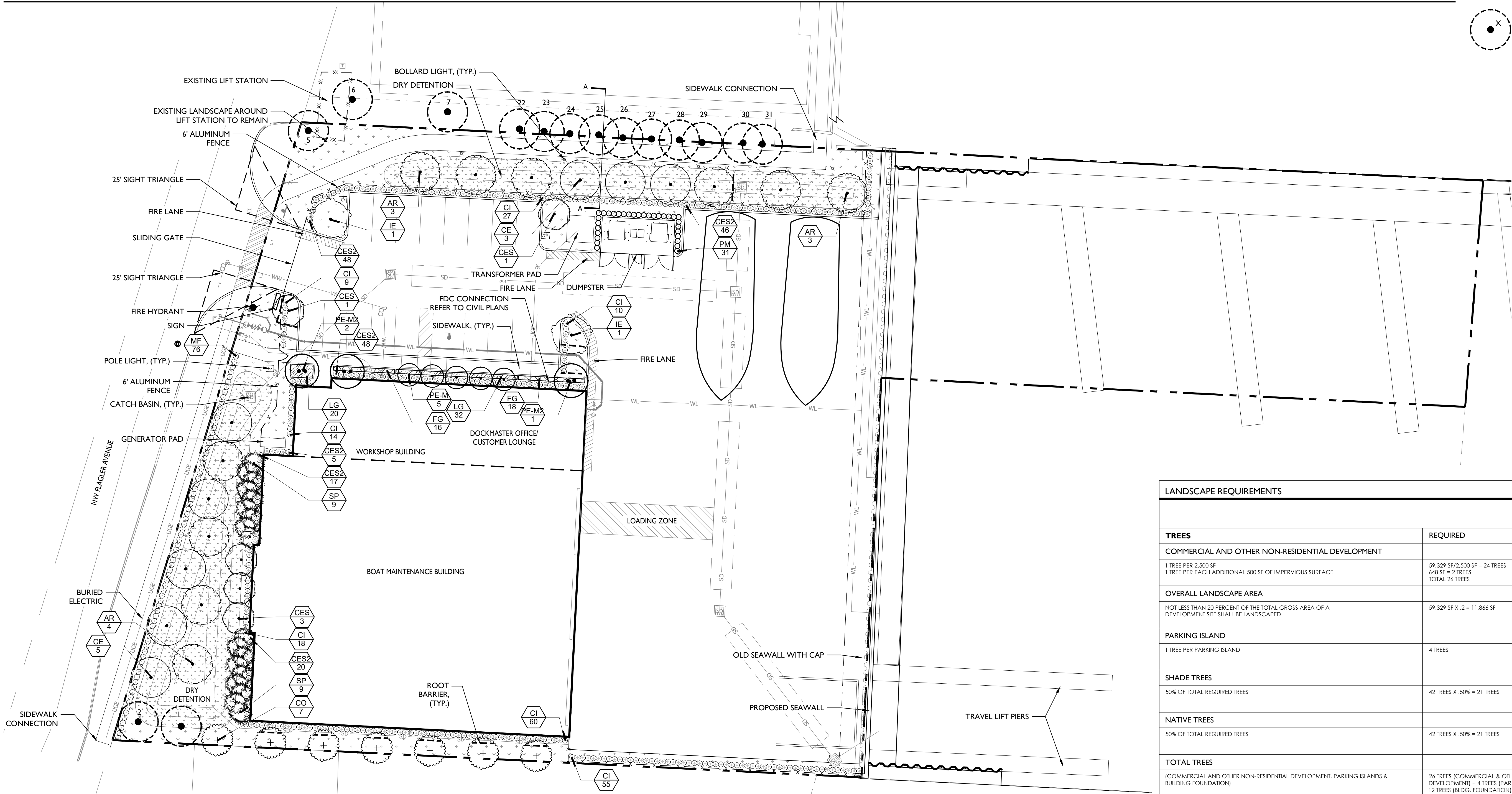
Know what's BELOW.
CALL before you dig

Call 811 two business days before digging

0 10 20 40

SCALE: 1" = 20'

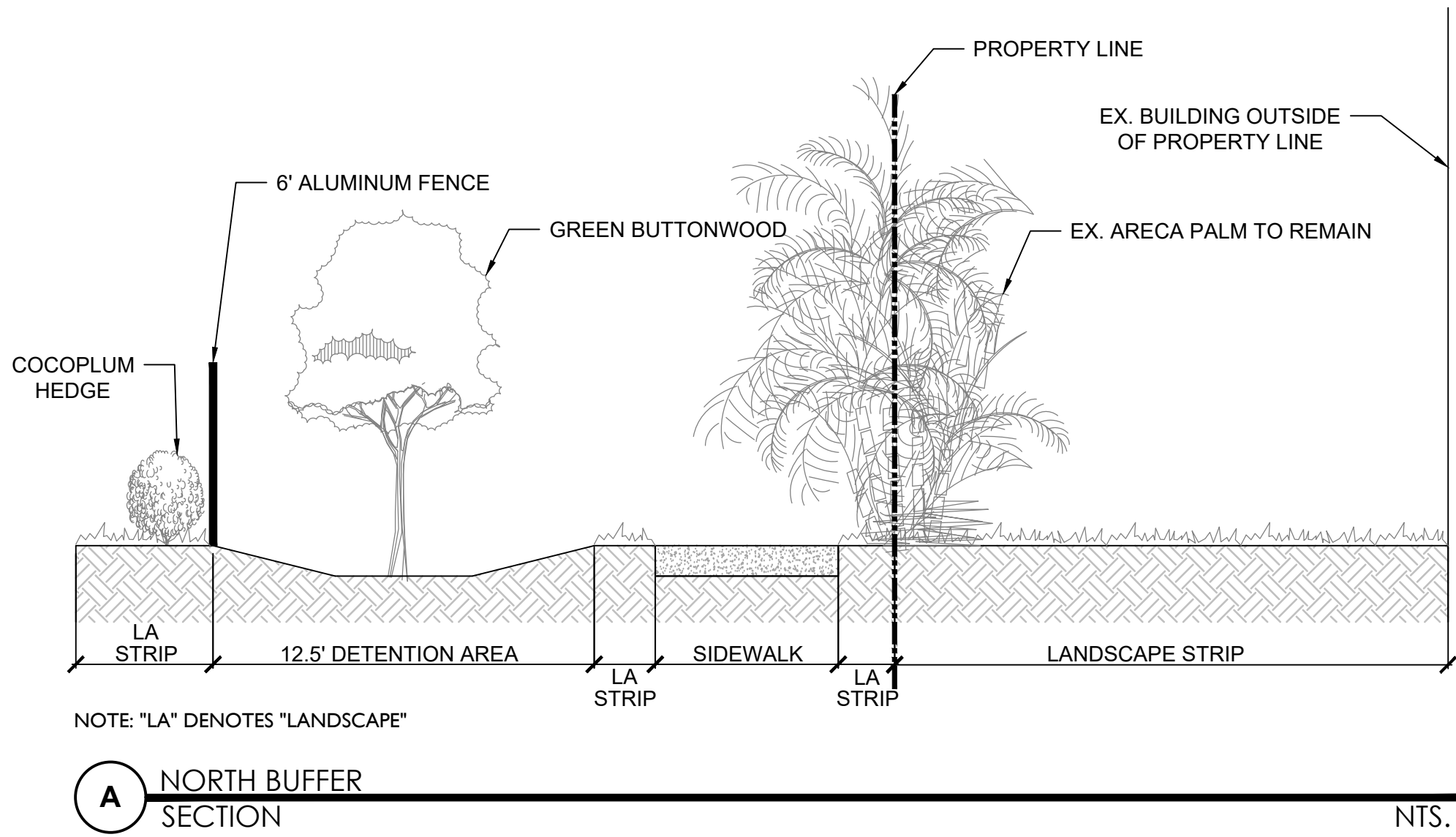
Bryan Jackson P:\1700\1700-02-151 NW Flagler Ave. Erieland\DWG\1700-02-151 LP.dwg — Plotted: 1/10/2023 3:30:54 PM Saved: 1/10/2023 3:30:59 PM



LANDSCAPE REQUIREMENTS		
CITY OF STUART, FLORIDA		
TREES	REQUIRED	PROVIDED
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT		
1 TREE PER 2,500 SF 1 TREE PER EACH ADDITIONAL 500 SF OF IMPERVIOUS SURFACE	59,329 SF/2,500 SF = 24 TREES 648 SF = 2 TREES TOTAL 26 TREES	32 TREES + (18 PALMS & 3 EX. PALMS @ 2:1 = 10 TREES) TOTAL 42 TREES
OVERALL LANDSCAPE AREA		
NOT LESS THAN 20 PERCENT OF THE TOTAL GROSS AREA OF A DEVELOPMENT SITE SHALL BE LANDSCAPED	59,329 SF X .2 = 11,866 SF	13,086 SF (22%)
PARKING ISLAND		
1 TREE PER PARKING ISLAND	4 TREES	4 TREES
SHADE TREES		
50% OF TOTAL REQUIRED TREES	42 TREES X .50% = 21 TREES	32 TREES
NATIVE TREES		
50% OF TOTAL REQUIRED TREES	42 TREES X .50% = 21 TREES	32 TREES & 18 PALMS (100%)
TOTAL TREES		
(COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT, PARKING ISLANDS & BUILDING FOUNDATION)	26 TREES (COMMERCIAL & OTHER NON-RES. DEVELOPMENT) + 4 TREES (PARKING ISLAND) + 12 TREES (BLDG. FOUNDATION) = 42 TREES	32 TREES + (18 PALMS & 3 EX. PALMS @ 2:1 = 10 TREES) TOTAL 42 TREES
LANDSCAPE AREAS		
NORTH 10' LANDSCAPE STRIP ADJACENT TO PARKING	*NOT REQUIRED	
1 CANOPY TREE PER 25 LINEAR FEET 1 SHRUB PER 2 LINEAR FEET (MIN 24" HT INSTALLED)	222 LF/25 = 9 TREES 222 LF/2 = 111 SHRUBS	9 TREES + (1 EX. PALM @ 2:1 = 0 TREES) TOTAL 9 TREES 121 SHRUBS
SOUTH 10' LANDSCAPE STRIP ADJACENT TO PRIVATE PROPERTY	*NOT REQUIRED	
1 CANOPY TREE PER 25 LINEAR FEET 1 SHRUB PER 2 LINEAR FEET (MIN 24" HT INSTALLED)	172 LF/25 = 7 TREES 172 LF/2 = 84 SHRUBS	6 TREES + (2 EX. PALMS @ 2:1 = 1 TREE) TOTAL 7 TREES 55 SHRUBS ADDED TO SOUTHEAST
WEST 10' LANDSCAPE STRIP ADJACENT TO RIGHT-OF-WAY	*NOT REQUIRED	
1 CANOPY TREE PER 25 LINEAR FEET 1 SHRUB PER 2 LINEAR FEET (MIN 24" HT INSTALLED)	215 LF/25 = 9 TREES 215 LF/2 = 108 SHRUBS	9 TREES 76 SHRUBS
BUILDING FOUNDATION		
1 CANOPY TREE PER 30 LINEAR FEET 1 SHRUB PER 2 LINEAR FEET (MIN 24" HT INSTALLED)	360 LF/30 = 12 TREES 360 LF/2 = 180 SHRUBS	3 TREES + (18 PALMS @ 2:1 = 9 TREES) TOTAL 12 TREES 182 SHRUBS
MITIGATION		
16 PALMS REMOVED	16 PALMS	11 PALMS (3 DOUBLE PALMS COUNT AS 6) 5 PALMS TO BE BOUGHT OUT

*ALL BUFFERS ARE NOT REQUIRED. ALL 3 BUFFER TREE REQUIREMENTS ARE BEING MET

XERISCAPE LANDSCAPING		
OPTION	POSSIBLE	AWARDED
1. UTILIZATION OF MOISTURE SENSING CONTROLLER OTHER THAN RAIN SWITCH	5	TBD
2. PLAN SUBMITTED WITH LOW, MODERATE AND HIGH WATER USAGE ZONES INDICATED ON THE LANDSCAPE PLAN	5	5
3. GRASS 25-50% OF THE GRASS AREAS ARE MADE UP OF DROUGHT TOLERANT GRASS SPECIES FROM THE LIST 51% OR MORE OF THE GRASS AREAS ARE MADE UP OF DROUGHT TOLERANT GRASS SPECIES FROM THE LIST	5 10	- 10
4. SHRUBS 25-50% OF THE REQUIRED SHRUBS ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST 51% OR MORE OF THE REQUIRED SHRUBS ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST	5 10	- 10
5. TREES 25-50% OF THE REQUIRED TREES ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST 51% OR MORE OF THE REQUIRED TREES ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST	5 10	- 10
6. EXTRA SHADE TREES IN VEHICULAR USE AREAS 25% MORE THAN THE REQUIRED SHADE TREES PLANTED IN THE VEHICULAR USE AREA 50% MORE THAN THE REQUIRED SHADE TREES PLANTED IN THE VEHICULAR USE AREA	5 10	- 10
7. SOD AREA LESS THAN 50% OF LANDSCAPE AREA	10	-
8. UTILIZATION OF COMPACTED MULCHED (USE OF CYPRESS MULCH NOT RECOMMENDED IN ORDER TO PROTECT NATURAL CYPRESS WETLANDS) PLANTING BEDS AT LEAST 3" IN DEPTH IN ALL PLANTED AREAS EXCEPT GROUND COVER	10	10
TOTAL	50 REQUIRED	55



A NORTH BUFFER SECTION

NTS.

REVISIONS		BY	
NO.	DESCRIPTION	DATE	DATE
0	2022-06-28 INITIAL SUBMITTAL	BJ	
1	2022-08-15 RESUBMITTAL	CB	
2	2023-01-11 RESUBMITTAL	BJ	
CAD 738902.LPDWG			
JOB NO.	7399.02	BJ	
DRAWN BY		JM	
CHECK BY			
DATE	2022-06-28		

LANDSCAPE ARCHITECT
OF RECORD
JASON L. MIHALOVITS, PLA
FL#6667126

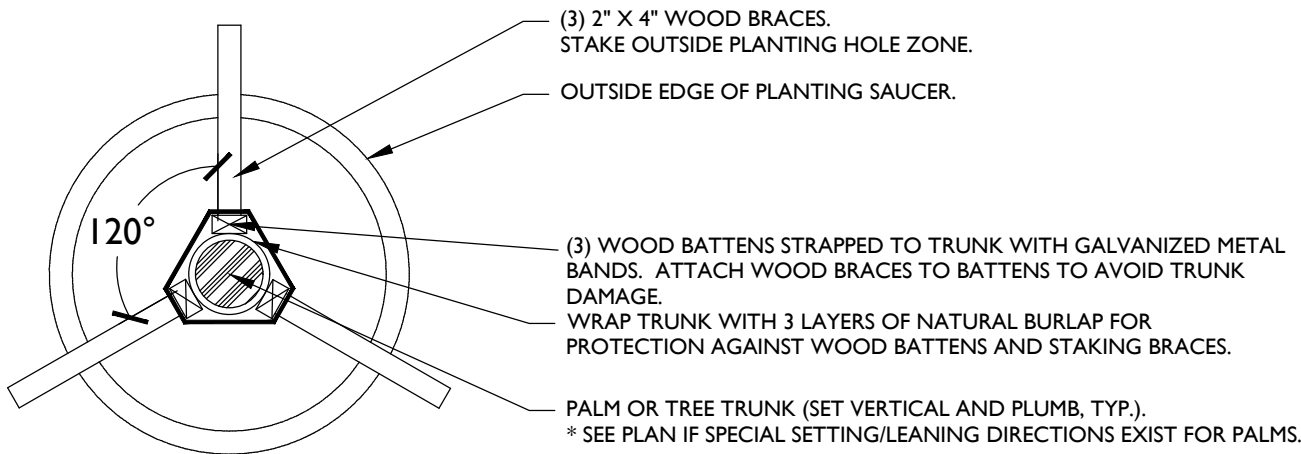
WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART
LANDSCAPE PLAN

SHEET:
LP-101

SMALL PALM STAKING PLAN

NOTE:
1. APPLICABLE TO ALL PALMS WITH CALIPER SIZE OF LESS THAN SIX (6) INCHES.
2. ALL TREE SUPPORTS MATERIALS ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED. TYPICALLY SIX MONTHS FOR SHADE TREES OR ONE YEAR FOR PALMS.

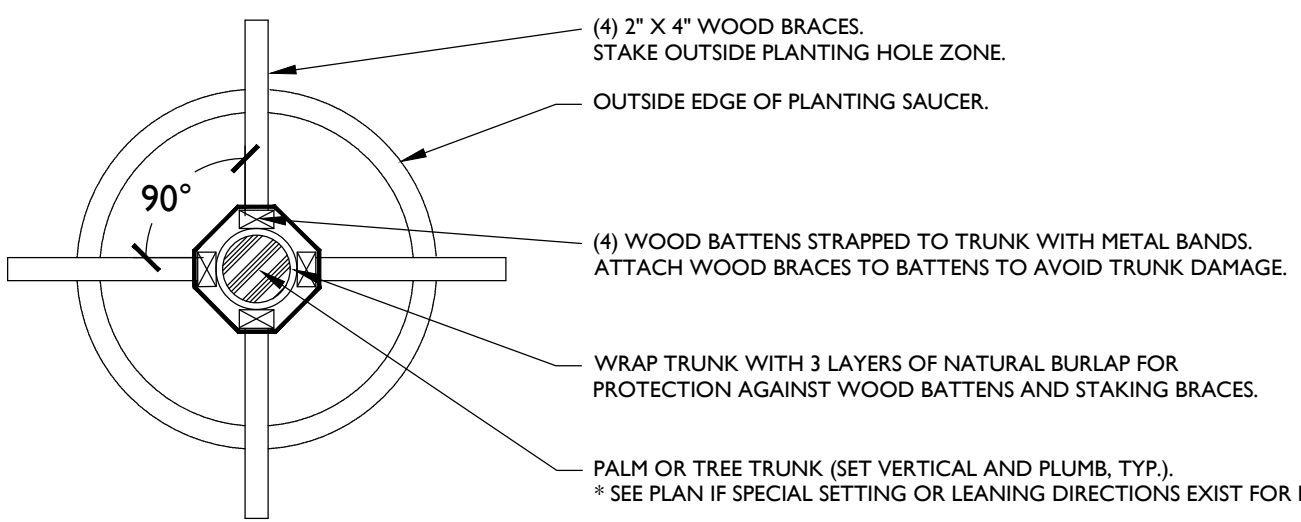
NTS.



LARGE PALM OR TREE STAKING PLAN

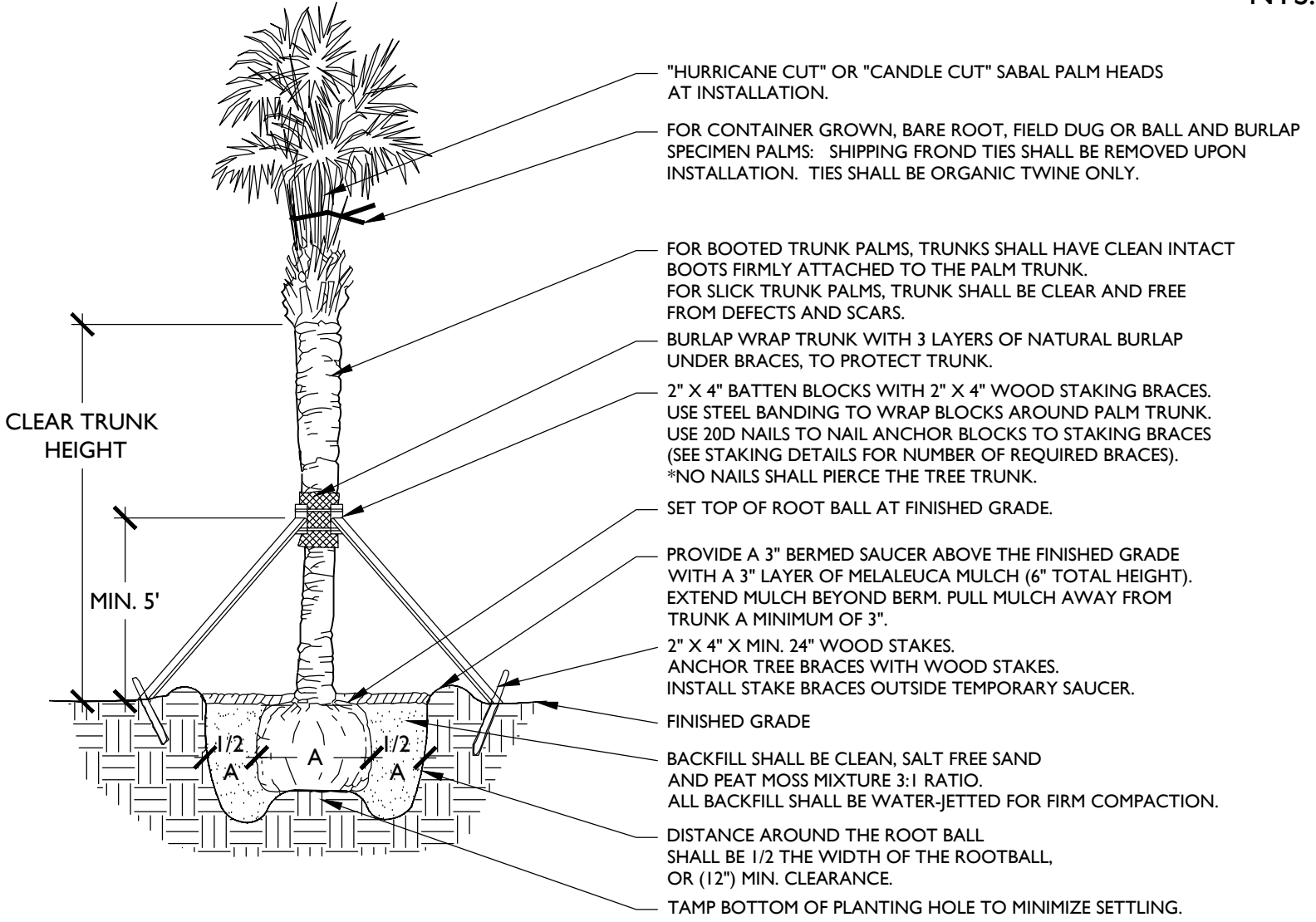
NOTE:
1. APPLICABLE TO ALL MULTI-TRUNK PALMS AND PALMS WITH CALIPER SIZE OF SIX (6) INCHES OR GREATER
2. ALL TREE SUPPORTS MATERIALS ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED. TYPICALLY SIX MONTHS FOR SHADE TREES OR ONE YEAR FOR PALMS.

NTS.



PALM PLANTING DETAIL

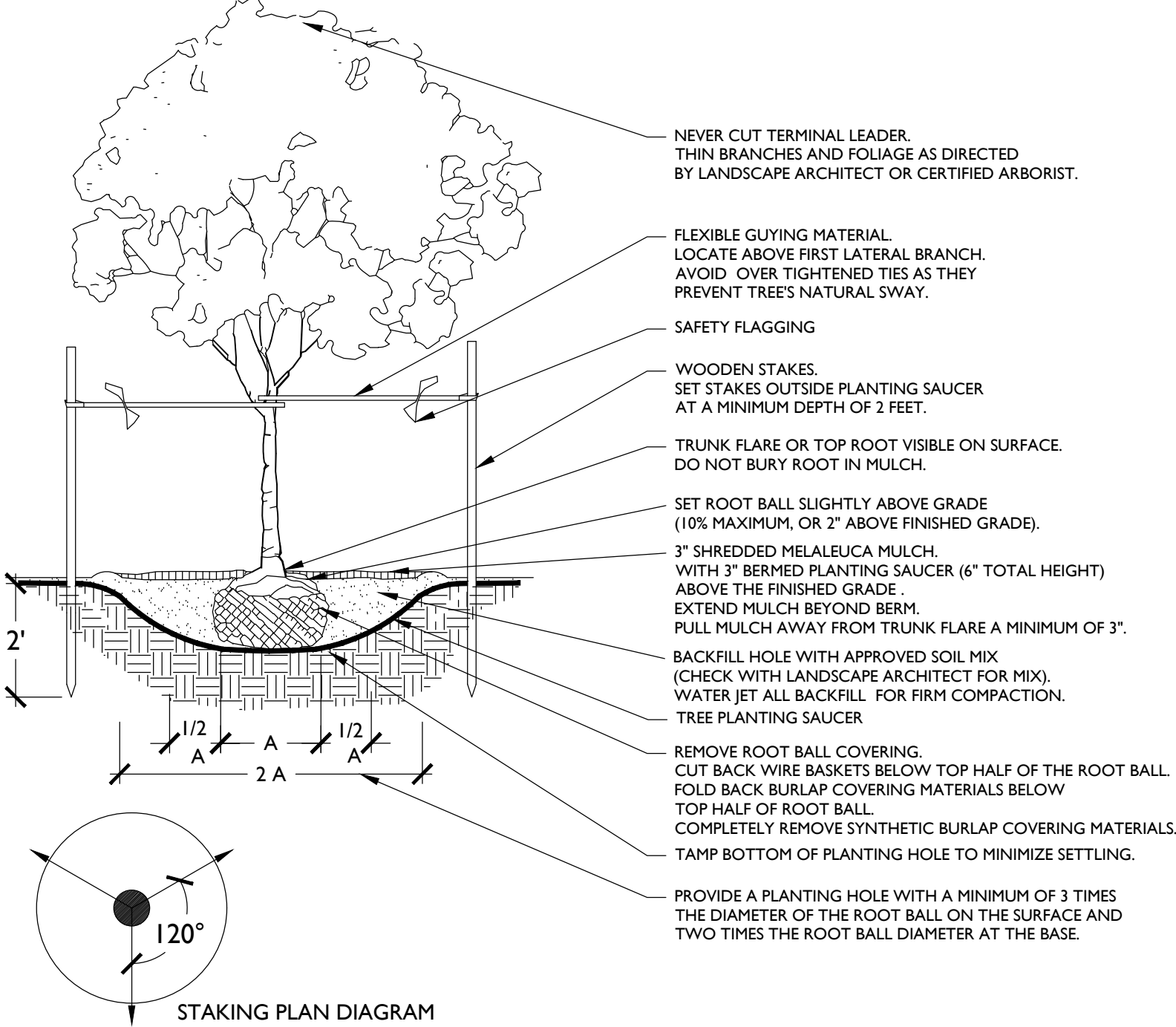
NTS.



TREE PLANTING DETAIL

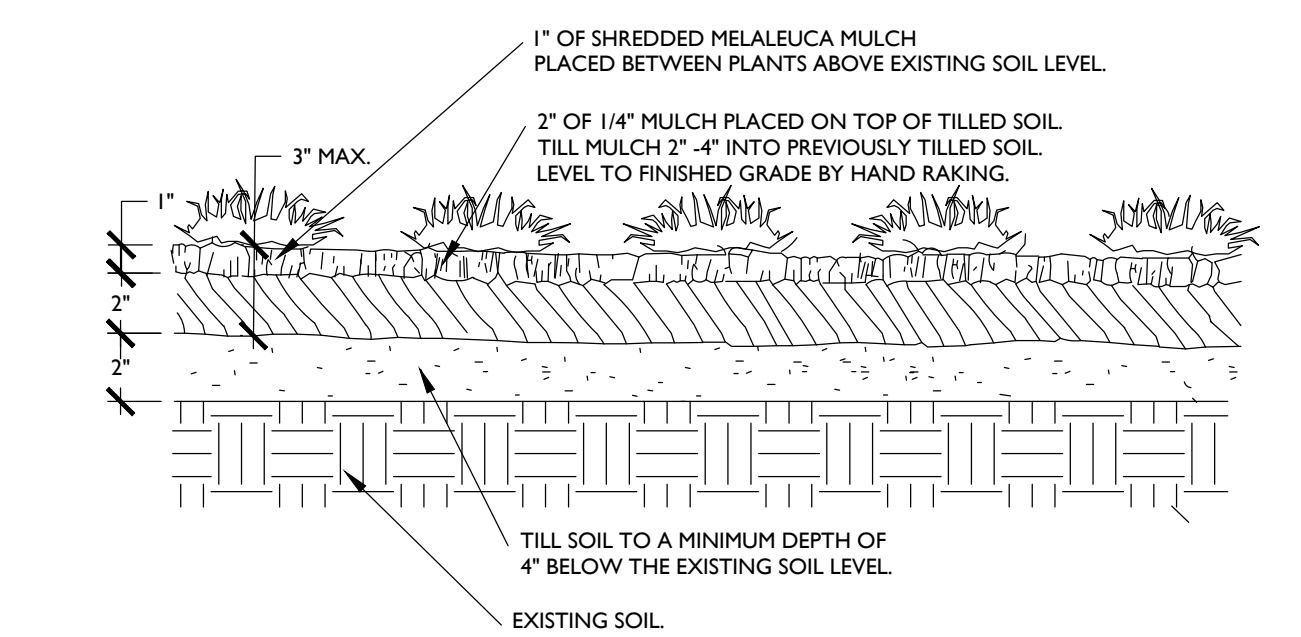
NOTE:
1. ALL TREE SUPPORT MATERIALS ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED. TYPICALLY SIX MONTHS TO ONE YEAR AFTER PLANTING FOR SHADE TREES.

NTS.



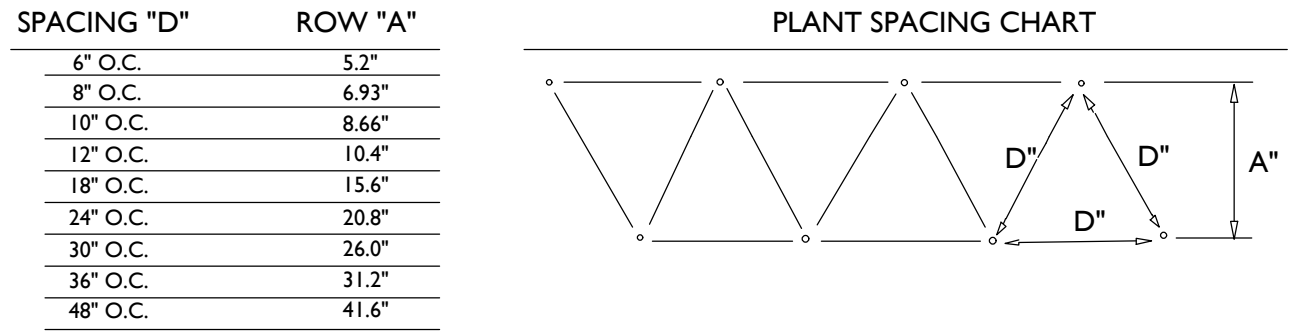
GROUND COVER DETAIL

NTS.



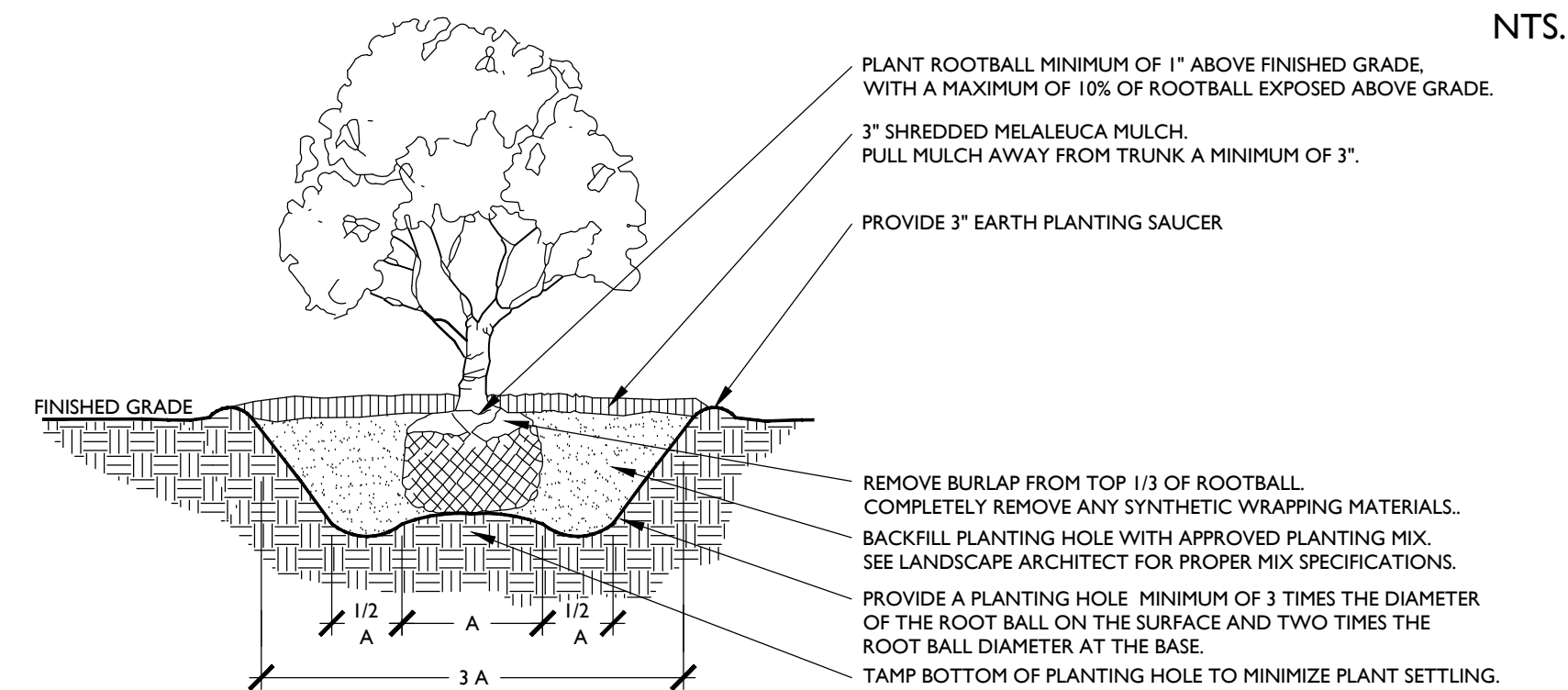
PLANT SPACING DETAIL

NTS.



SHRUB PLANTING DETAIL

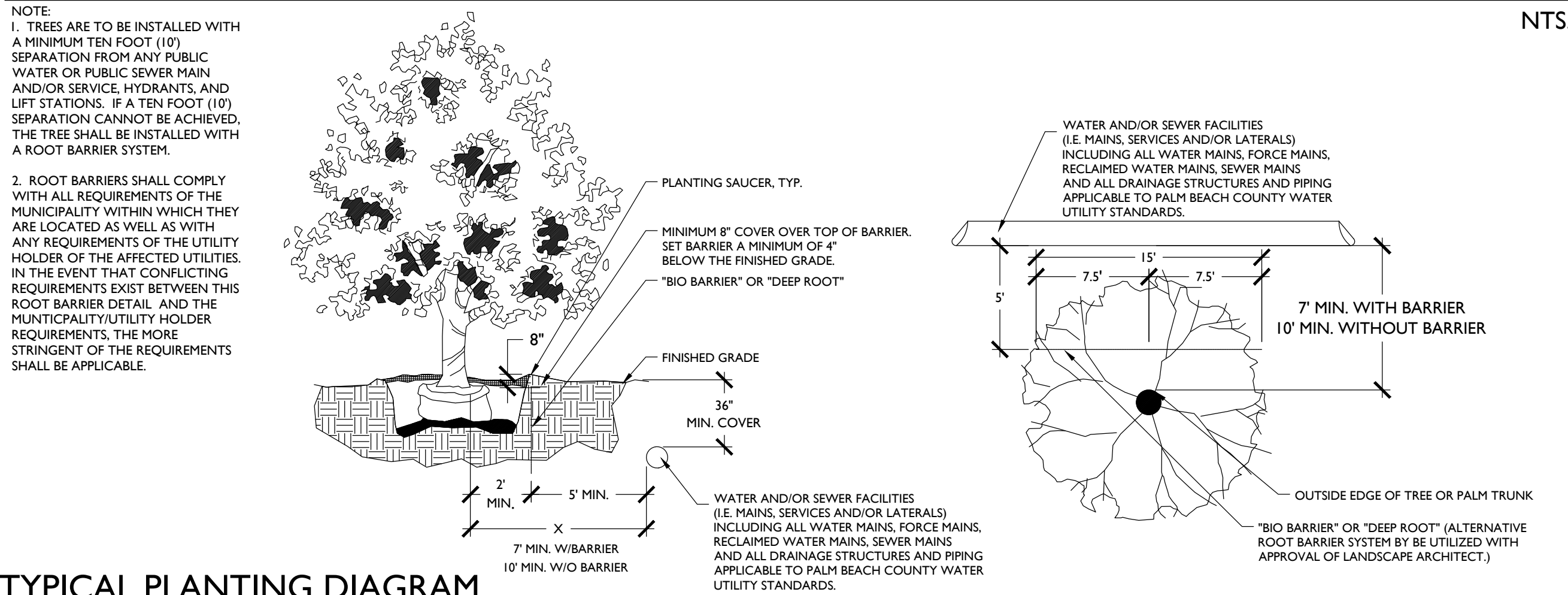
NTS.



ROOT BARRIER DETAIL

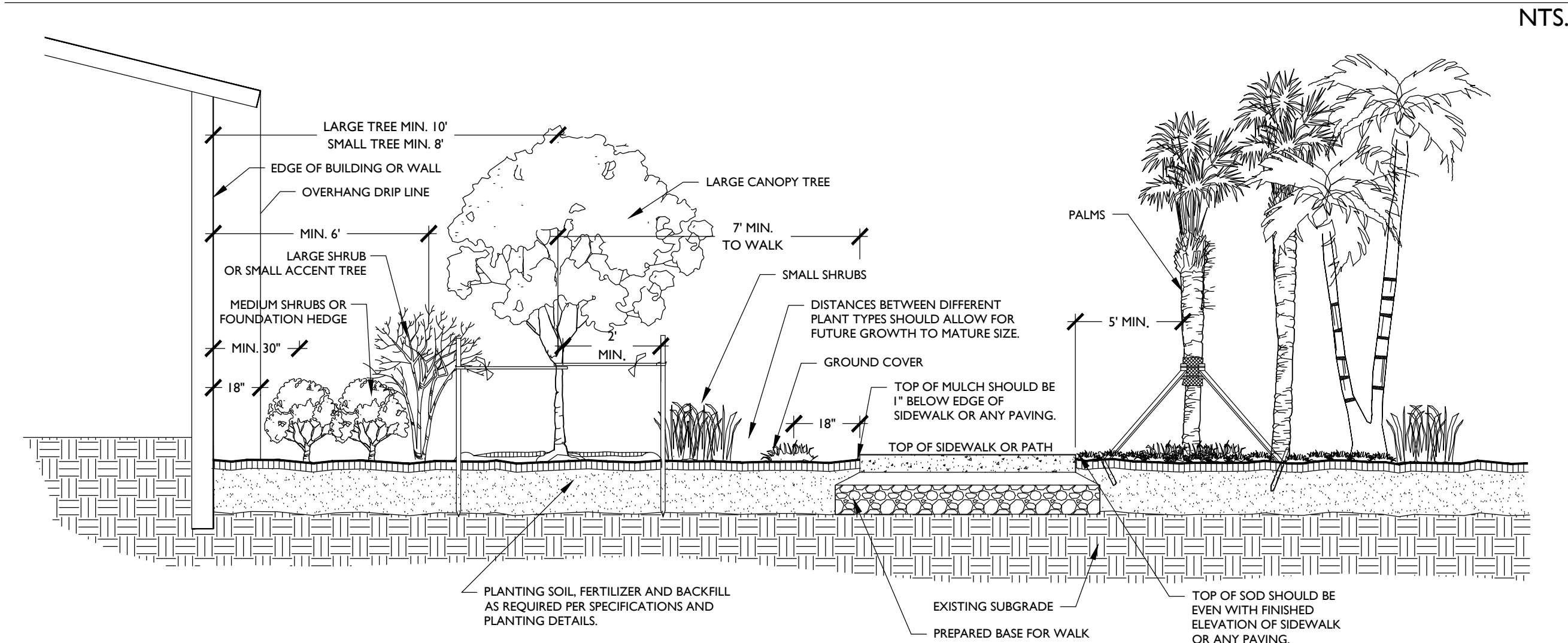
NOTE:
1. TREES ARE TO BE INSTALLED WITH A MINIMUM TEN FOOT (10') SEPARATION FROM ANY PUBLIC WATER OR PUBLIC SEWER MAIN AND/OR SERVICE, HYDRANTS, AND LIFT STATIONS. IF A TEN FOOT (10') SEPARATION CANNOT BE ACHIEVED, THE TREE SHALL BE INSTALLED WITH A ROOT BARRIER SYSTEM.
2. ROOT BARRIERS SHALL COMPLY WITH ALL REQUIREMENTS OF THE MUNICIPALITY WITHIN WHICH THEY ARE LOCATED AS WELL AS WITH ANY REQUIREMENTS OF THE UTILITY HOLDER OF THE AFFECTED UTILITIES. IN THE EVENT THAT CONFLICTING REQUIREMENTS EXIST BETWEEN THIS ROOT BARRIER DETAIL AND THE MUNICIPALITY/UTILITY HOLDER REQUIREMENTS, THE MORE STRINGENT OF THE REQUIREMENTS SHALL BE APPLICABLE.

NTS.



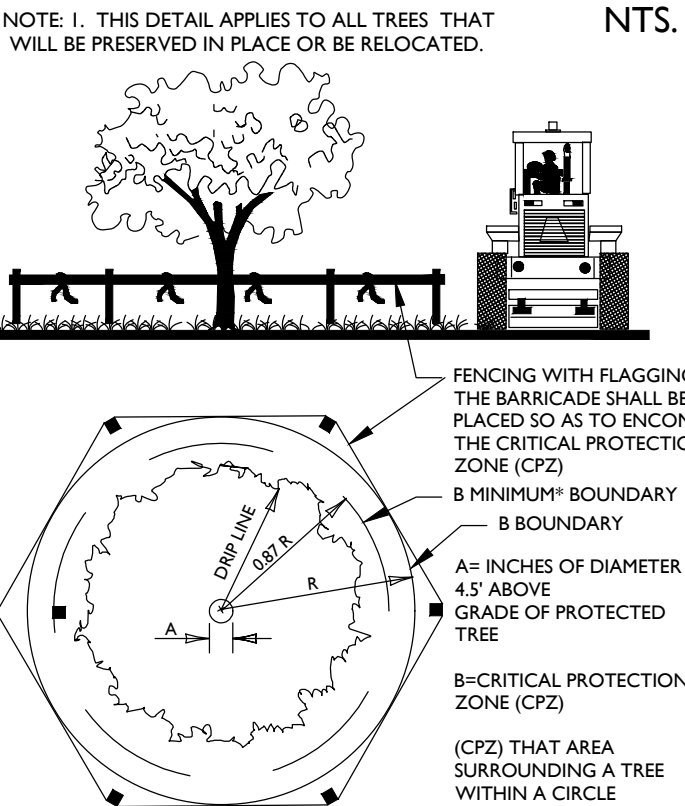
TYPICAL PLANTING DIAGRAM

NTS.



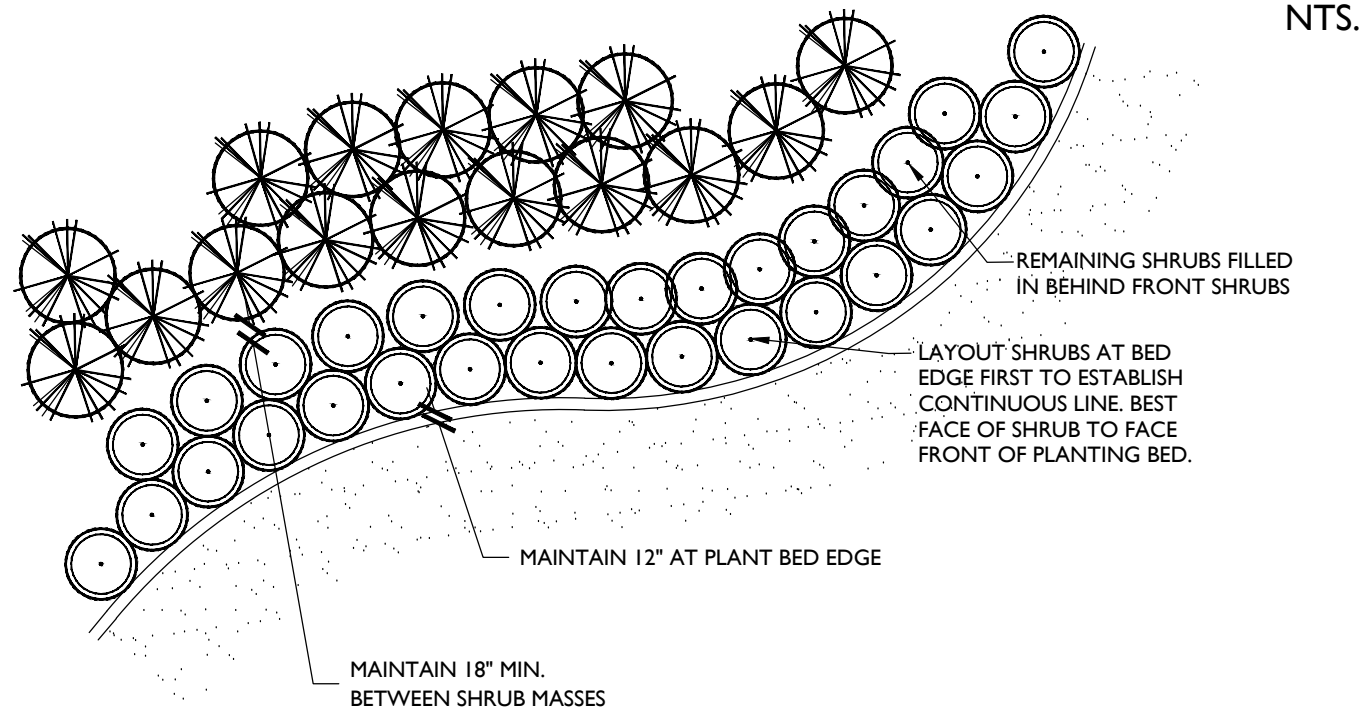
TREE PROTECTION DETAIL

NTS.



SHRUB AND GROUND COVER PLANTING DETAIL

NTS.



PLANT SCHEDULE OVERALL

TREES	QTY	COMMON NAME	BOTANICAL NAME	WATER USAGE	NATIVE	REMARKS
AR	10	Red Maple	Acer rubrum	MEDIUM	YES	12' HT. X 6' SPRD., MIN. 2.5" CAL.
CE	8	Green Buttonwood	Conocarpus erectus	LOW	YES	12' HT. X 6' SPRD., MIN. 2.5" CAL.
CES	5	Silver Buttonwood	Conocarpus erectus var. sericeus	LOW	YES	12' HT. X 6' SPRD., MIN. 2.5" CAL.
CO	7	Orange Geiger Tree	Cordia sebestena	LOW	YES	12' HT. X 6' SPRD., MIN. 2.5" CAL.
IE	2	Eagleston Holly	Ilex x attenuata 'Eagleston'	MEDIUM	YES	12' HT. X 6' SPRD., 2.5" CAL.
PALM TREES	QTY	COMMON NAME	BOTANICAL NAME	WATER USAGE	NATIVE	REMARKS
PE-M	5	Alexander Palm	Ptychosperma elegans	MEDIUM	NO	MITIGATION-16' GW, SINGLE TRUNK
PE-M2	3	Alexander Palm	Ptychosperma elegans	MEDIUM	NO	MITIGATION-18' GW, DOUBLE TRUNK
SP	18	Cabbage Palmetto	Sabal palmetto	LOW	YES	14' CT., BOOTED
SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	WATER USAGE	NATIVE	REMARKS
CJ	193	Coccolium	Chrysobalanus icaco	LOW	YES	24" HT. X 24" SPRD. @ 24" O.C.
CES2	184	Silver Buttonwood	Conocarpus erectus var. sericeus	LOW	YES	24" HT. X 24" SPRD. @ 24" O.C.
MF	76	Simpson's Stopper	Myrcianthes fragrans	LOW	YES	24" HT. X 24" SPRD. @ 24" O.C.
PM	31	Yew Pine	Podocarpus macrophyllus	MEDIUM	NO	48" HT. X 24" SPRD. @ 24" O.C.
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	WATER USAGE	NATIVE	REMARKS
FG	34	Green Island Ficus	Ficus microcarpa 'Green Island'	LOW	NO	12' HT. X 12' SPRD. @ 18" O.C.
LG	52	Evergreen Giant Lilyturf	Liriope muscari 'Evergreen Giant'	LOW	NO	12' HT X 12" SPRD. @ 18" O.C.

ALL PLANT MATERIALS TO BE FLORIDA #1 OR BETTER
SOD: ST. AUGUSTINE FLORATAM, BAHIA SOD IN DRY DETENTION - QUANTITY TO BE DETERMINED IN FIELD

LANDSCAPE NOTES:

- STRUCTURAL ELEMENTS AND HARDSCAPE FEATURES INDICATED ON LANDSCAPE PLANS ARE FOR INFORMATIONAL PURPOSES ONLY. LANDSCAPE PLANS ARE TO BE UTILIZED FOR LOCATION OF LIVING PLANT MATERIAL ONLY. LANDSCAPE PLANS SHOULD NOT BE UTILIZED FOR STAKING AND LAYOUT OR LOCATION OF ANY STRUCTURAL SITE FEATURES INCLUDING BUT NOT LIMITED TO: BUILDINGS, SIGNAGE, PATHWAYS, EASEMENTS, BERMS, WALL, FENCES, UTILITIES OR ROADWAYS.
- CONTRACTOR SHALL ACQUIRE ALL APPLICABLE FEDERAL, STATE, LOCAL, JURISDICTIONAL OR UTILITY COMPANY PERMITS REQUIRED PRIOR TO REMOVAL, RELOCATION, AND/OR INSTALLATION OF LANDSCAPE MATERIALS INDICATED WITHIN PLAN DOCUMENTS. THE CONTRACTOR SHALL HAVE PERMITS "IN HAND" PRIOR TO STARTING WORK. LANDSCAPE ARCHITECT SHALL BEAR NO RESPONSIBILITY FOR WORK PERFORMED WITHOUT PERMITTED DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CHANGES TO THE WORK, AT NO ADDITIONAL COST TO THE OWNER, AS A RESULT OF UNAUTHORIZED WORK PRIOR TO RECEIPT OF PERMIT.
- TREES SHOWN ON THIS PLAN ARE FOR GRAPHIC REPRESENTATION ONLY. TREE SPACING IS BASED ON DESIGN REQUIREMENTS AND THE TREES SHOWN ON THESE PLANS ATTEMPT TO ACCOMPLISH THAT SPACING WHILE MAINTAINING THE REQUIRED SETBACKS FROM UTILITIES. IN THE EVENT OF A CONFLICT, AFFECTED PLANT MATERIAL SHALL BE FIELD ADJUSTED WITH THE APPROVAL OF THE LANDSCAPE ARCHITECT TO AVOID CONFLICTS WITH THE WITH EXISTING AND PROPOSED UTILITIES, LIGHT POLES, DRAINAGE STRUCTURES OR LINES, LAKE MAINTENANCE EASEMENTS OR OTHER AFFECTED SITE FEATURES.
- ANY PLANTING WITHIN THE SIGHT TRIANGLES SHALL PROVIDE UNOBSTRUCTED VIEWS AT A LEVEL BETWEEN 30" AND 8' ABOVE THE PAVEMENT.
- ALL UTILITY BOXES/ STRUCTURES TO BE SCREENED ON 3 SIDES W/ APPROVED PLANTING MATERIAL.
- IRRIGATION IS REQUIRED PROVIDING 100% COVERAGE WITH A MAXIMUM OF 50% OVERLAP. AN AUTOMATIC RAIN SENSOR MUST BE INCLUDED.
- ALL PLANT MATERIAL TO BE INSTALLED SHALL CONFORM TO FLORIDA POWER AND LIGHTS (FPLS) RIGHT TREE RIGHT PLACE GUIDELINES.
- IN CASE OF DISCREPANCIES PLANS TAKE PRECEDENCE OVER PLANT LIST.
- LANDSCAPE CONTRACTOR RESPONSIBLE FOR VERIFICATION OF ALL QUANTITIES PRIOR TO BIDDING.
- REMOVAL OF EXISTING VEGETATION IS RESPONSIBILITY OF LANDSCAPE CONTRACTOR.
- RELOCATION OF EXISTING VEGETATION IS RESPONSIBILITY OF LANDSCAPE CONTRACTOR. REFER TO SPECIFICATIONS FOR RELOCATION INSTRUCTIONS.
- ALL PLANT MATERIAL TO BE FLORIDA GRADE #1 AT TIME OF INSTALLATION UNLESS OTHERWISE NOTED.

WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART

LANDSCAPE DETAILS

SHEET:
LP-500



2035 Vista Parkway West Palm Beach, FL 33411
Phone No. 866.909.2220 www.wgln.com
Cert No. 6091 - LB No. 7055

NO.	DATE	DESCRIPTION	BY
0	2022-06-28	INITIAL SUBMITTAL	BU
1	2022-08-15	RESUBMITTAL	CB
2	2023-01-11	RESUBMITTAL	BU

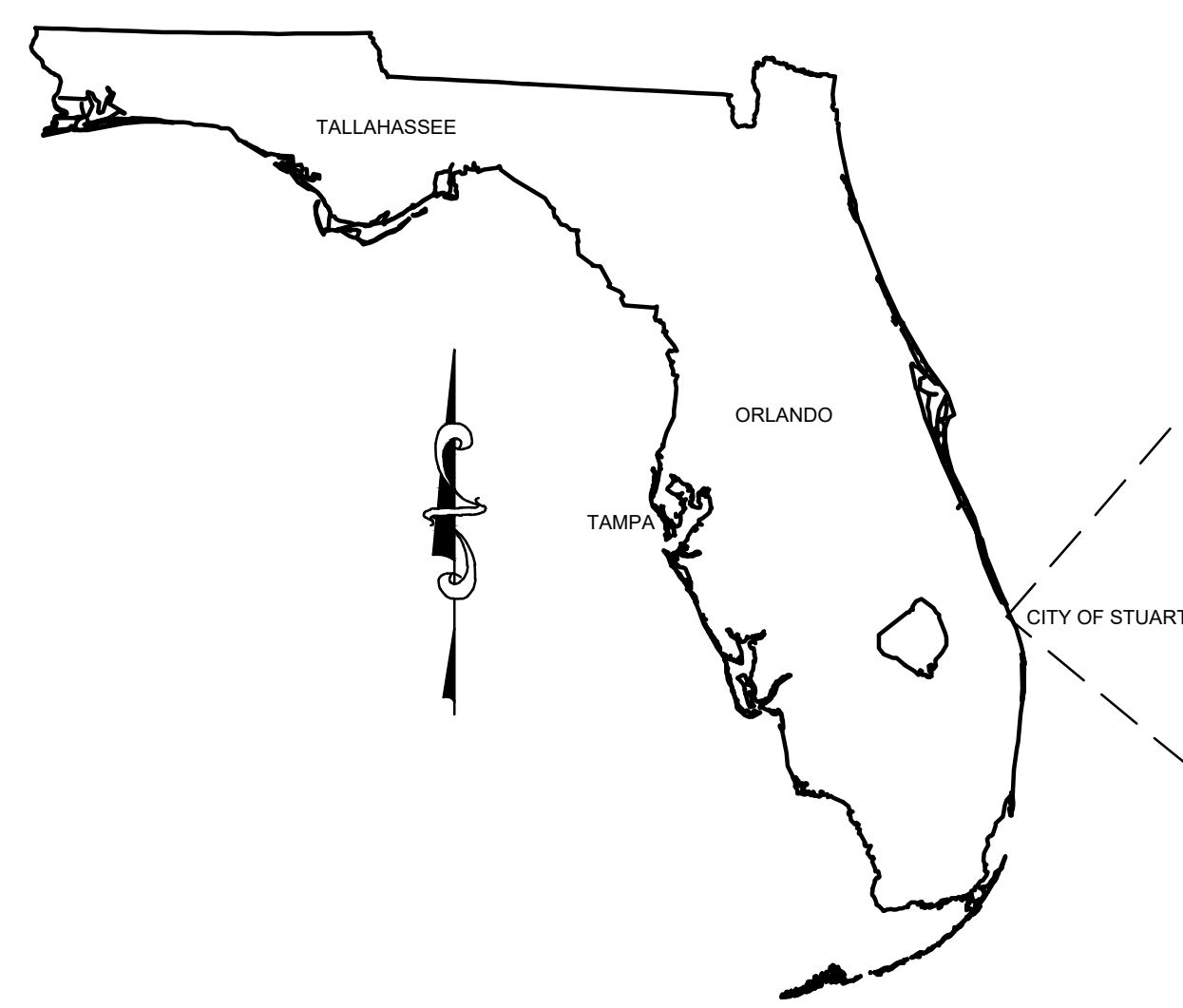
LANDSCAPE ARCHITECT
OF RECORD
JASON L. MIHALOVITS, PLA
FL#6667128

SHEET:
LP-500

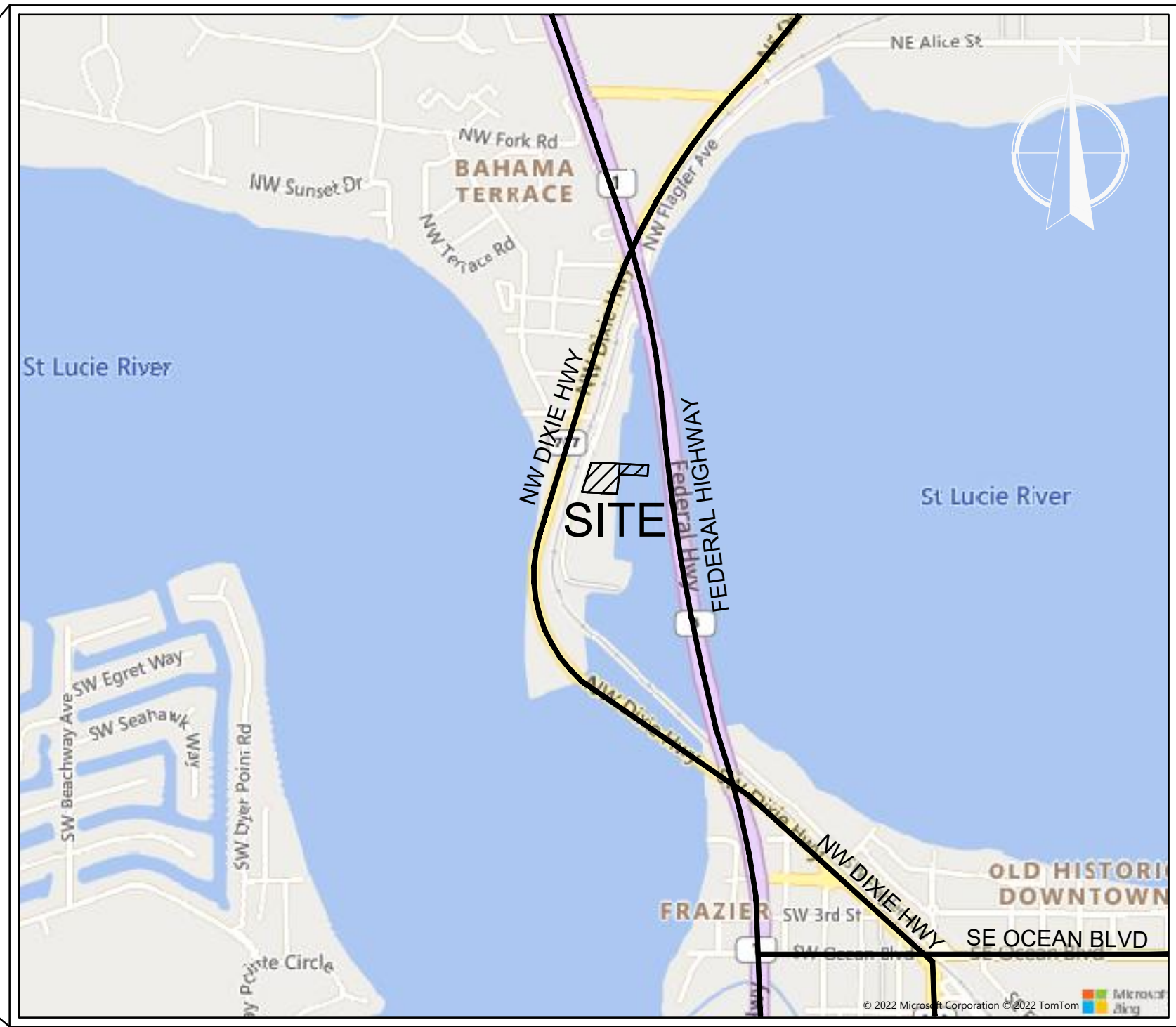
WILLIS CUSTOM YACHTS

151 NW FLAGLER AVENUE

PRELIMINARY ENGINEERING PLANS



LOCATION MAP



PROJECT LOCATED IN
SECTION 32 / TOWNSHIP 37 SOUTH / RANGE 41 EAST
MARTIN COUNTY, FL

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
C-01	COVER
C-02	PRELIMINARY ENGINEERING PLANS
C-03	PRELIMINARY WATER & SEWER PLANS
C-04	CONSTRUCTION DETAILS
C-05	CONSTRUCTION DETAILS
C-06	CONSTRUCTION DETAILS

PERMIT TRACKING			
PERMITTING AGENCY	PERMIT NAME	PERMIT NUMBER	EXPIRATION DATE

VERTICAL DATUM: NORTH AMERICAN VERTICAL
DATUM OF 1988 (NAVD88)

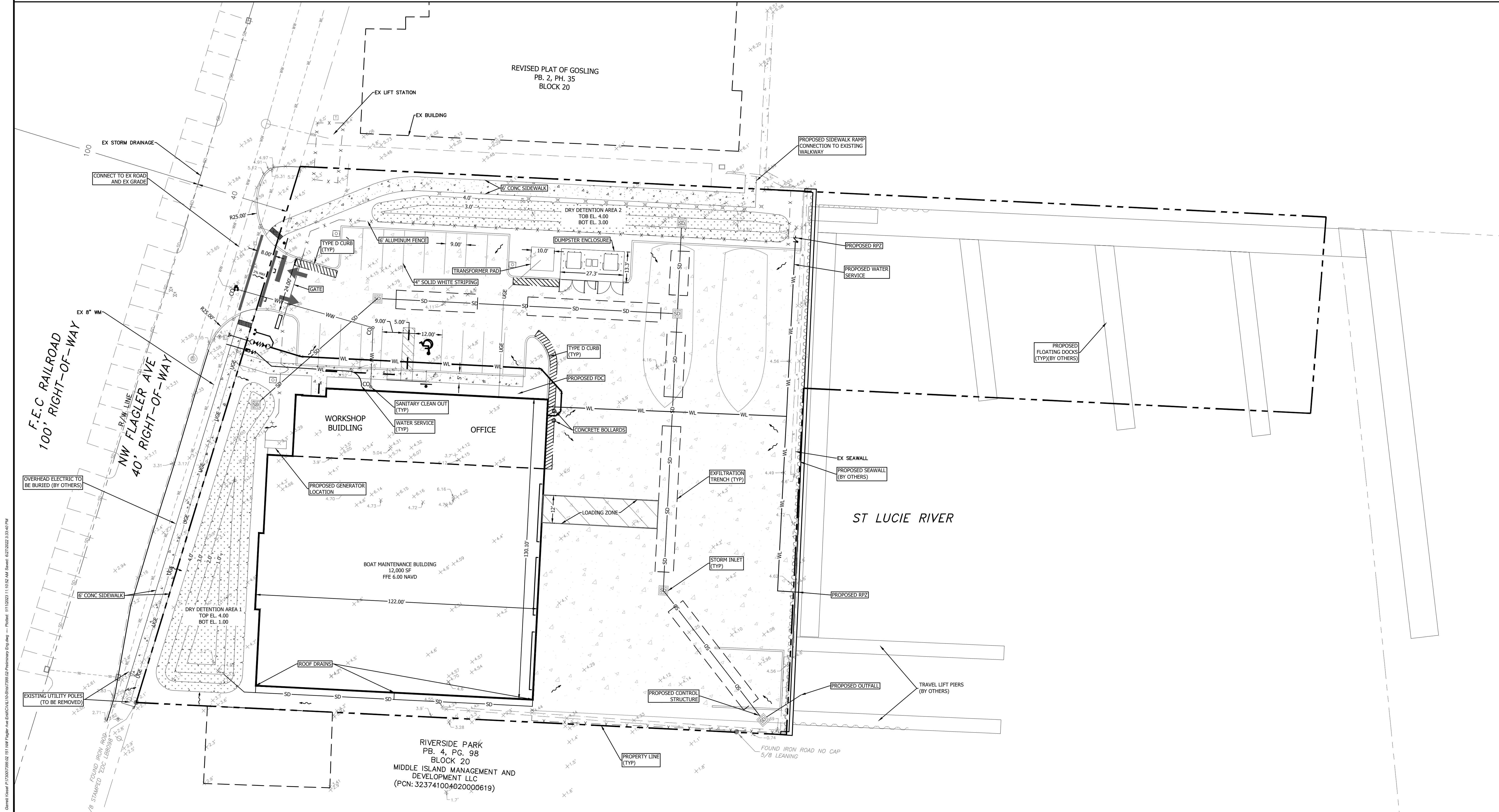
HORIZONTAL DATUM: NORTH AMERICAN DATUM OF
1983, FLORIDA STATE PLANES, EAST ZONE, U.S.
FEET (NAD83)



LEGAL DESCRIPTION

PARCELS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2

C:\Users\jgall\OneDrive\Documents\Projects\11103023\11103023_Preliminary Eng.dwg -- Plotted: 11/10/2023 11:10:52 AM Sheet: 62/2022 3.35x40 PM



LANDUSE:

	ACREAGE	Percent
Buildings/Walks	0.35	25.8%
Pavements/Walks	0.67	48.9%
Dry Detention Bottom (V)	0.06	4.5%
Dry Detention Bank (H)	0.06	4.5%
Open Space	0.22	16.3%
TOTAL AREA:	1.36	100.0%
Total Impervious:	1.02	74.78%
Total Pervious:	0.34	25.22%

FLOODZONE:

FLOOD ZONE: AE (EL 5' NAVD)
FIRM PANEL 12085C0134H

GENERAL NOTES:

- ALL ELEVATION ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). NGVD29 = NAVD88 + 1.48'
- THE UTILITY AND DRAINAGE IMPROVEMENTS PROPOSED ARE PRELIMINARY AND SUBJECT TO CHANGE.
- REFER TO PLUMBING PLANS FOR WATER AND SEWER CONNECTION INFORMATION WITH THE PROPOSED BUILDING.
- THE PROJECT IS TO BE CONSTRUCTED IN ONE PHASE.

UTILITY NOTES:

- WATER, SEWER, AND FIRE PROTECTION SERVICE WILL BE PROVIDED BY THE CITY OF STUART UTILITIES DEPARTMENT VIA CONNECTIONS TO EXISTING MAINS LOCATED ON THE WESTERN PROPERTY BOUNDARY.
- ALL UTILITY DESIGN AND CONSTRUCTION WILL BE IN CONFORMANCE WITH THE LATEST STANDARDS OF THE CITY OF STUART AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP), AND FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), AND THE AMERICAN WATER WORKS ASSOCIATION (AWWA).
- THE ON-SITE UTILITY SYSTEM FOR WATER, SEWER, AND FIRE PROTECTION WILL BE PRIVATELY OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER OR A DESIGNATED PROPERTY OWNERS ASSOCIATION UPON PROPER LEGAL ESTABLISHMENT.
- ALL POINTS OF SERVICE FOR WATER AND SEWER SHALL BE LOCATED WITHIN THE EXISTING RIGHT-OF-WAY.
- THE PROPOSED GRAVITY SEWER WILL COLLECT WASTEWATER FROM THE BUILDING AND CONVEY IT TO THE EXISTING GRAVITY SYSTEM WITHIN THE EXISTING RIGHT-OF-WAY.
- THE DEVELOPER SHALL FILE ALL REQUIRED PERMITS AND AGREEMENTS PRIOR TO CONSTRUCTING OR MODIFYING ANY PORTION OF UTILITY INFRASTRUCTURE ASSOCIATED WITH THE APPROVED SITE PLAN.
- THE DEVELOPMENT WILL RECEIVE ELECTRICAL AND COMMUNICATION SERVICE FROM LOCAL PROVIDER SYSTEMS. PRIOR TO CONSTRUCTION COMPLETION THE DEVELOPER SHALL PROVIDE EASEMENTS FOR ON-SITE PRIVATE ELECTRICAL AND COMMUNICATION UTILITIES WHERE REQUIRED.

DRAINAGE NOTES:

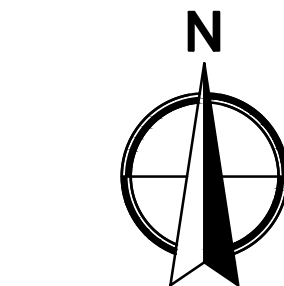
- THE PROPOSED PROJECT WILL IMPLEMENT A STORM WATER MANAGEMENT SYSTEM WHICH INCLUDES INLETS, EXFILTRATION TRENCH, AND DRY DETENTION AREAS. THE SYSTEM WILL BE DESIGNED IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD), FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, CITY OF STUART, MARTIN COUNTY, AND FLORIDA DEPARTMENT OF TRANSPORTATION.
- THE PROJECT WILL PROVIDE THE REQUIRED PRETREATMENT AND NURTIENT REMOVAL WITHIN THE DRY DETENTION AND EXFILTRATION PRIOR TO DISCHARGE TO THE ST. LUCIE RIVER.
- THE PROJECT WILL REQUIRE A NEW INDIVIDUAL PERMIT APPLICATION WITH SFWMD.

LEGEND

	ASPHALT
	CONCRETE SIDEWALK
	CONCRETE PAVEMENT
	DRY DETENTION BASIN

LEGEND

	PROPERTY LINE
	EASEMENT / SETBACK
	ACCESSIBLE ROUTE (ADA)
	WATER LINE
	EX WATER LINE
	WASTEWATER LINE
	EX WASTEWATER LINE
	STORM DRAIN LINE
	EX STORM DRAIN LINE
	OVERHEAD UTILITY
	UNDERGROUND UTILITY
	FENCE



0 10 20 40
SCALE: 1" = 20'

REVISIONS				BY
NO.	DATE	DESCRIPTION	INITIAL	
0	2022-06-28	INITIAL SUBMITTAL		
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

CAD 735012 PRELIMINARY ENGR'G
JOB NO. 7399.01
DRAWN BY GAT/DL
CHECK BY TD
DATE 2022-06-24

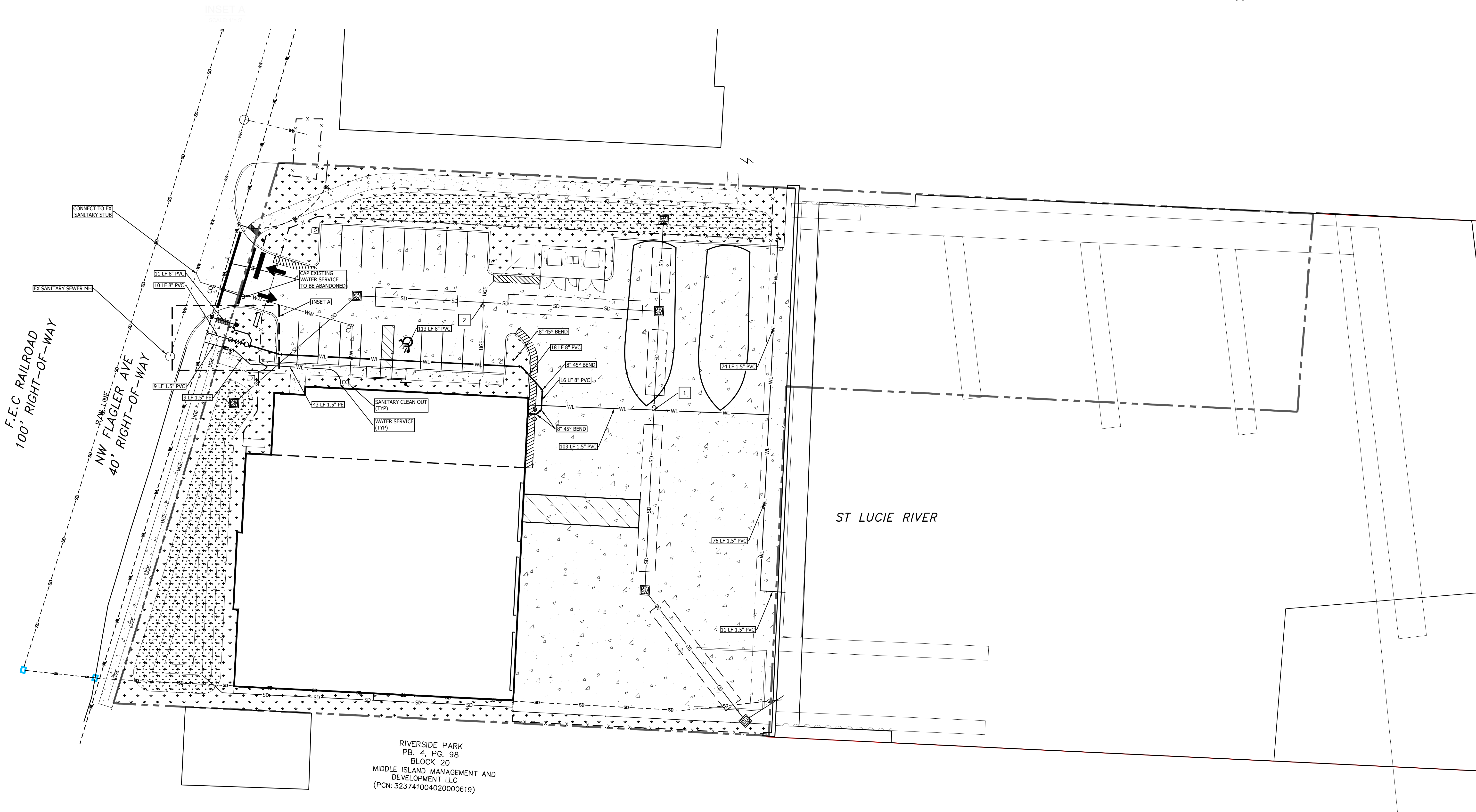
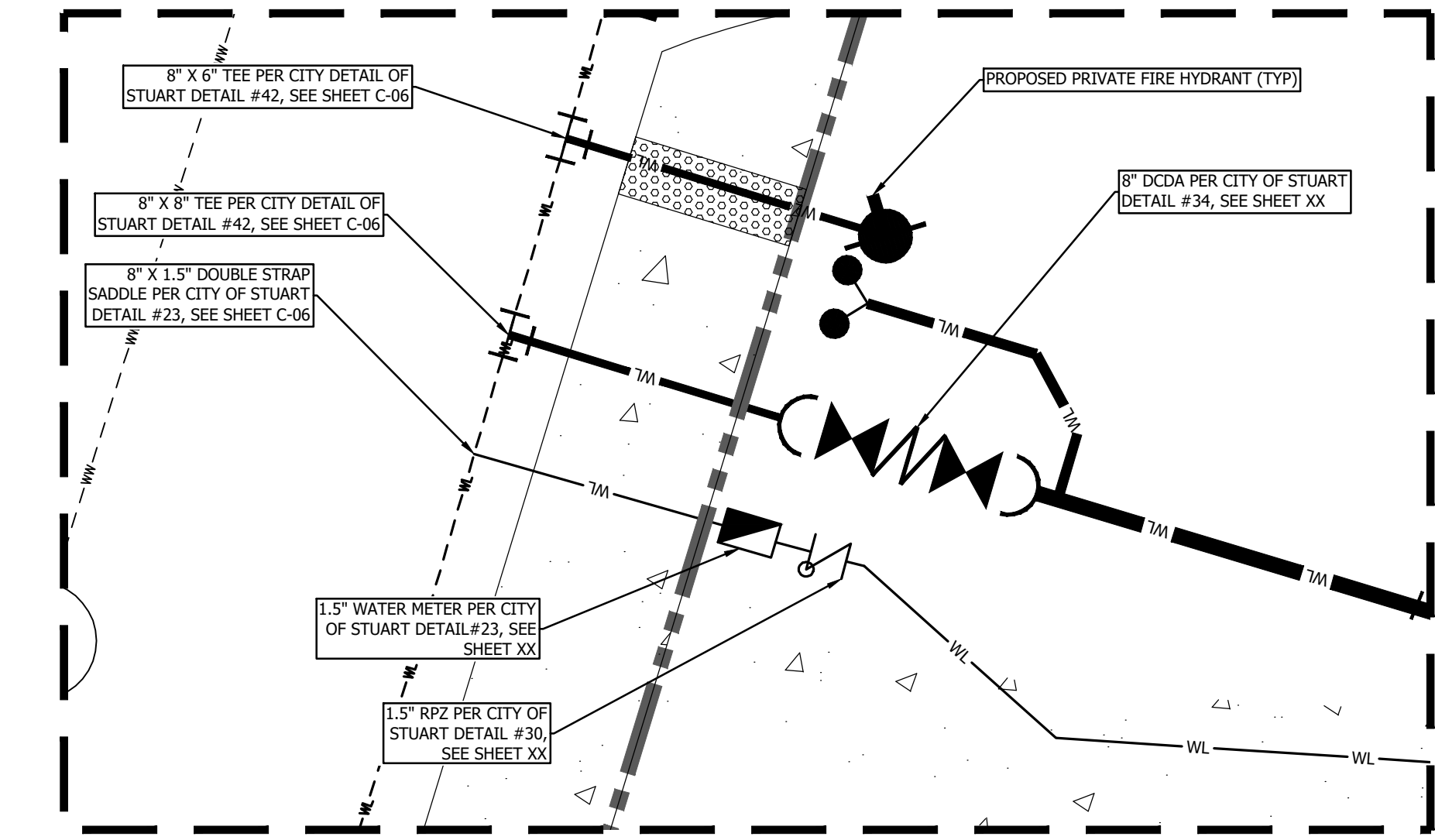
ENGINEER OF RECORD
TRAVIS D. DOUGLAS
PE# 88589

WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART
PRELIMINARY ENGINEERING PLANS

SHEET:
C-02

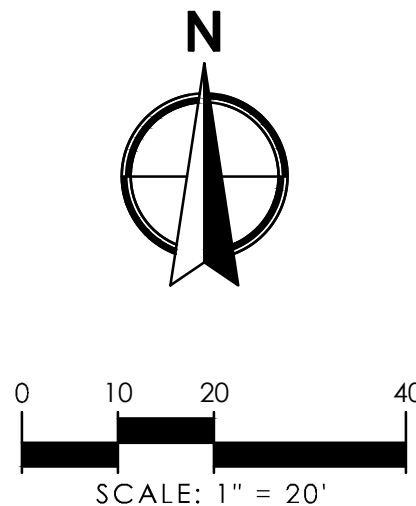
WGL
2035 Vista Parkway, West Palm Beach, FL 33411
Phone No. 866.909.2220 www.wginc.com
Cert No. 6091 - LB No. 7065

C:\Users\jgall\OneDrive\Documents\Projects\151 NW Flagler Ave\151 NW Flagler Ave.dwg --- Plotted: 1/12/2023 3:47:28 PM Saved: 1/12/2023 3:01:09 PM



- UTILITY NOTES:
1. WATER, SEWER, AND FIRE PROTECTION SERVICE WILL BE PROVIDED BY THE CITY OF STUART UTILITIES DEPARTMENT VIA CONNECTIONS TO EXISTING MAINS LOCATED ON THE WESTERN PROPERTY BOUNDARY.
 2. ALL UTILITY DESIGN AND CONSTRUCTION WILL BE IN CONFORMANCE WITH THE LATEST STANDARDS OF THE CITY OF STUART AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP), AND FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), AND THE AMERICAN WATER WORKS ASSOCIATION (AWWA).
 3. THE ON-SITE UTILITY SYSTEM FOR WATER, SEWER, AND FIRE PROTECTION WILL BE PRIVATELY OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER OR A DESIGNATED PROPERTY OWNERS ASSOCIATION UPON PROPER LEGAL ESTABLISHMENT.
 4. ALL POINTS OF SERVICE FOR WATER AND SEWER SHALL BE LOCATED WITHIN THE EXISTING RIGHT-OF-WAY.
 5. THE PROPOSED GRAVITY SEWER WILL COLLECT WASTEWATER FROM THE BUILDING AND CONVEY IT TO THE EXISTING GRAVITY SYSTEM WITHIN THE EXISTING RIGHT-OF-WAY.
 6. THE DEVELOPER SHALL FILE ALL REQUIRED PERMITS AND AGREEMENTS PRIOR TO CONSTRUCTING OR MODIFYING ANY PORTION OF UTILITY INFRASTRUCTURE ASSOCIATED WITH THE APPROVED SITE PLAN.
 7. THE DEVELOPMENT WILL RECEIVE ELECTRICAL AND COMMUNICATION SERVICE FROM LOCAL PROVIDER SYSTEMS. PRIOR TO CONSTRUCTION COMPLETION THE DEVELOPER SHALL PROVIDE EASEMENTS FOR ON-SITE PRIVATE ELECTRICAL AND COMMUNICATION UTILITIES WHERE REQUIRED.

LEGEND	
	BOUNDARY / R.O.W.
	EASEMENT / SETBACK
	CURB / EDGE OF PMT
	EXISTING CONTOUR
	PROPOSED CONTOUR
	OHE
	UGE
	UNDERGROUND UTILITY
	WL
	WATER LINE
	WW
	WASTEWATER LINE
	SD
	STORM DRAINAGE LINE
	GAS
	GAS LINE
	DIRECTION OF FLOW
	RETAINING/SCREEN WALL
	WATER METER VAULT
	WATER VALVE
	WASTEWATER MANHOLE
	UTILITY POLE
	CLEAN-OUT
	GUY WIRE
	ELEC TRANSFORMER PAD
	STORM DRAIN INLET
	STORM DRAIN MANHOLE
	TREE W/ TAG (TO REMAIN)



2035 Vista Parkway, West Palm Beach, FL 33411
Phone No. 866.509.2220 www.wginc.com
Cert No. 6091 - LB No. 7055

REVISIONS		BY	
NO.	DATE	DESCRIPTION	INITIAL
0	2022-06-28	INITIAL SUBMITTAL	

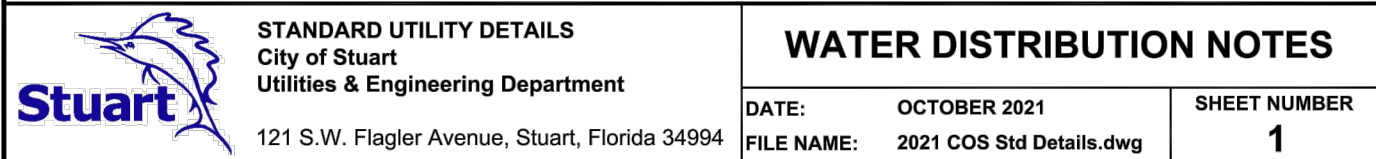
CAD 73502AVS.DWG	JOB NO. 7399.01
DRAWN BY GAT/DL	CHECK BY TD
DATE 2022-06-24	

ENGINEER OF RECORD
TRAVIS D. DOUGLAS
PE# 88589

WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART
PRELIMINARY WATER & SEWER PLANS

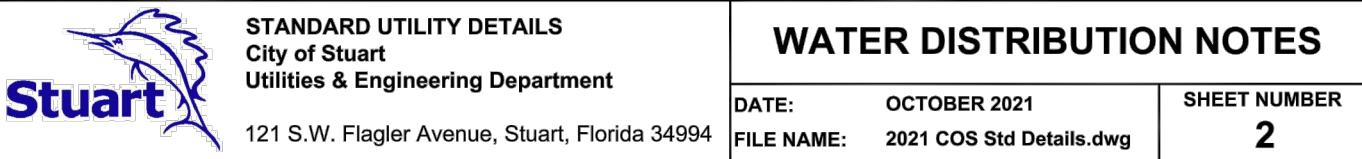
SHEET:
C-03

1. ALL CONSTRUCTION MATERIAL, INSTALLATION AND TESTING SHALL CONFORM TO THE STANDARD SPECIFICATIONS OF THE CITY OF STUART.
2. WATER MAIN WHERE SPECIFIED AS POLYVINYL CHLORIDE (PVC) SHALL CONFORM TO AWWA C-900 OR C-905, PRESSURE CLASS 150 OR 235, DR (18).
3. MIN. CLASS 50 WATER MAIN, WHERE SPECIFIED AS DUCTILE IRON PIPE, SHALL CONFORM TO ANSI/AWWA C-150/A-21.50 OR ANSI/AWWA C-151/A-21.51 AND SHALL BE PRESSURE CLASS 350 (MINIMUM).
4. POLYVINYL CHLORIDE WATER MAIN SHALL BE BLUE IN COLOR. ALL PIPE REQUIRES THHN TRACER WIRE.
5. FITTINGS SHALL BE CAST OR DUCTILE IRON, CONFORMING TO AWWA C-110 AND ANSI A21.11, CLASS 250 MINIMUM, CEMENT LINED, AND SEAL COATED.
6. GATE VALVES SHALL BE RESILIENT WEDGE SEAT. VALVES SHALL CONFORM TO AWWA C-509, AS WELL AS THE CITY OF STUART'S APPROVED PRODUCTS LIST.
7. WATER LINES SHALL BE BACKFILLED AND COMPACTED IN ACCORDANCE WITH THE CITY OF STUART'S DESIGN AND CONSTRUCTION STANDARDS. THE CONTRACTOR SHALL SUBMIT CERTIFIED DENSITY TESTS AS REQUIRED BY THE CITY, THE COUNTY AND FDOT. IN CASES WHERE PAVED AREAS FALL WITHIN THE JURISDICTION OF LOCAL OR STATE AGENCIES, THE COMPACTION REQUIREMENTS SHALL NOT BE LESS THAN THE MINIMUM REQUIRED BY THE APPROPRIATE RESPONSIBLE AGENCY.
8. NO FIELD CHANGES OR DEVIATIONS FROM THE DESIGN SHALL BE MADE WITHOUT PRIOR APPROVAL OF THE ENGINEER AND CITY/COUNTY/FDOT.
9. THE CONTRACTOR SHALL NOTIFY THE ENGINEER, CITY OF STUART AND COUNTY/FDOT 48 HOURS PRIOR TO COMMENCING CONSTRUCTION.
10. A PRE-CONSTRUCTION CONFERENCE BETWEEN THE ENGINEER, THE CONTRACTOR, THE CITY, COUNTY/FDOT AND ANY OTHER APPLICABLE AGENCIES SHALL BE MANDATORY PRIOR TO COMMENCEMENT OF CONSTRUCTION.
11. TRAFFIC CONTROL, BARRICADES, ETC., SHALL BE IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF OF TRANSPORTATION STANDARDS AND APPROVED BY THE CITY ENGINEER.
12. MINIMUM COVER SHALL BE 36" FOR MAINS 8" IN DIAMETER OR LESS AND 48" FOR MAINS 10" IN DIAMETER OR MORE, EXCEPT AS APPROVED BY THE ENGINEER AND CITY/COUNTY/FDOT.
13. DISTURBED AREAS SHALL BE RESTORED IN CONFORMANCE WITH THE APPLICABLE GOVERNING AGENCY REQUIREMENTS.
14. EXISTING UTILITIES AND DRAINAGE SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION AND PROTECTED BY THE CONTRACTOR.
15. WATER MAINS SHALL BE TESTED AND DISINFECTED IN ACCORDANCE WITH THE APPLICABLE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND AWWA C-601 FOR DISINFECTION.

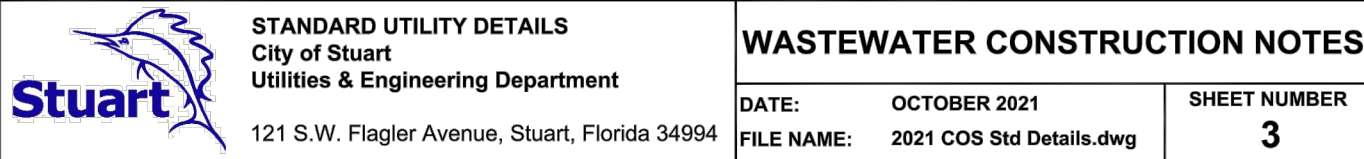


16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING EXISTING UTILITIES AND DRAINAGE.
17. THE CONTRACTOR SHALL FURNISH RECORD DRAWING INFORMATION TO THE ENGINEER INCLUDING LOCATIONS OF VALVES, SERVICE CONNECTIONS, BLOWOFFS, AIR RELEASE VALVES, AND ANY OTHER PERTINENT INFORMATION NECESSARY TO LOCATE ITEMS CONSTRUCTED UNDER THIS PROJECT, AS REQUIRED BY THE UTILITIES ENGINEER.
18. THE CONTRACTOR SHALL TAP EXISTING LINES UNDER THE SUPERVISION OF THE CITY OF STUART ONLY AFTER TESTING AND DISINFECTION HAS BEEN COMPLETED AND APPROVED ON THE TAPPING SLEEVE AND VALVE. REVERSE TAPS ARE STRICTLY PROHIBITED (TAPS ON MAIN ARE TO BE ON THE SAME SIDE AS THE PROPOSED METER LOCATION).
19. SAMPLE POINT TAPS SHALL BE PLACED APPROXIMATELY 3 FEET AWAY FROM GATE VALVES, AS SHOWN, FOR TESTING. FOLLOWING TESTING AND STERILIZATION OF WATER LINES, CONTRACTOR SHALL PLACE A BRASS PLUG IN CORPORATION STOPS, AND CURB STOPS SHALL BE REMOVED FROM TESTING LOCATIONS.
20. MECHANICAL RESTRAINTS TO BE USED ON ALL FITTINGS AND PLACED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND CITY OF STUART REQUIREMENTS, MORE STRINGENT SHALL APPLY.
21. ALL MAINS SHALL BE TESTED AT A MINIMUM OF 150 PSI. TESTING METHODS SHALL CONFORM TO AWWA C-600.

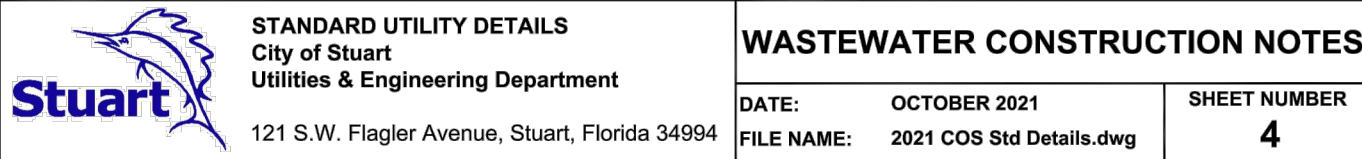
22. PRIOR TO ANY TESTING, ALL MAINS 3 INCHES IN DIA. AND LARGER SHALL HAVE A LINE SWAB PASSED THROUGH THE ENTIRE LENGTH OF THE LINE. NOTE: SWAB SHOULD BE PLACED IN 1ST JOINT OF NEW LINE. END OF MAIN SHOULD BE "TURNED UP" AT 45° AND EXTENDED SO THAT SWABBING AND A FULL BORE FLUSH CAN BE ACCOMPLISHED. THE SWAB SHOULD BE PLACED WHERE LINES BRANCH, SWABS WILL BE PLACED IN BRANCH LINES AND SEQUENTIALLY SWABBED AND FLUSHED.
23. 10 FEET MINIMUM HORIZONTAL AND 12 INCHES MINIMUM VERTICAL SEPARATION SHALL BE MAINTAINED BETWEEN THE WATER MAIN AND ANY WASTEWATER LINES. THE DISTANCE SHALL BE MEASURED FROM OUTSIDE OF PIPE TO OUTSIDE OF PIPE OR STRUCTURE. WHERE THIS MINIMUM SEPARATION CANNOT BE MAINTAINED, THE CROSSING SHALL BE ARRANGED SO THAT THE WASTEWATER PIPE JOINTS AND THE WATER MAIN PIPE JOINTS ARE EQUIDISTANT FROM THE POINT OF CROSSING, AND THE WATER MAIN SHALL BE CONSTRUCTED OF DUCTILE IRON PIPE (CIP) AND THE CROSSING SUFFICIENTLY ABOVE THE DIP MUST BE USED TO PROVIDE A MINIMUM SEPARATION OF 10 FEET BETWEEN ANY TWO (2) JOINTS. ALL JOINTS ON THE WATER MAIN WITHIN 20 FEET OF THE CROSSING MUST BE MECHANICALLY RESTRAINED. A MINIMUM VERTICAL CLEARANCE OF 6 INCHES MUST BE MAINTAINED AT ALL CROSSINGS.
24. WHERE A WATER MAIN IS TO BE INSTALLED BELOW A STORM DRAIN PIPE, A MINIMUM OF 6 INCHES OF VERTICAL CLEARANCE BETWEEN PIPES SHALL BE CONSTRUCTED OF DIP AT THE CROSSING, AND SHALL BE MECHANICALLY RESTRAINED WITHIN 20 FEET OF THE CROSSING.
25. CONTRACTOR SHALL COMPLY WITH FLORIDA TRENCH SAFETY ACT REQUIREMENTS.



1. ALL CONSTRUCTION MATERIAL, INSTALLATION AND TESTING SHALL CONFORM TO THE STANDARD SPECIFICATIONS OF THE CITY OF STUART.
2. GRAVITY SEWER MAIN SHALL BE POLYVINYL CHLORIDE (PVC) SDR-26, GREEN IN COLOR.
3. THE MANHOLE BASE SHALL BE SET ON A FIRM, DRY, AND STABLE OR COMPACTED BASE FOUNDATION. IF NECESSARY, THE CONTRACTOR SHALL INSTALL ROCK TO PROVIDE A FIRM AND SUITABLE MANHOLE BASE FOUNDATION.
4. WASTEWATER LINES SHALL BE BACKFILLED AND COMPACTED IN ACCORDANCE WITH THE CITY OF STUART DESIGN AND CONSTRUCTION STANDARDS. THE CONTRACTOR SHALL SUBMIT CERTIFIED DENSITY TESTS AS REQUIRED BY THE CITY. IN CASES WHERE AREAS FALL WITHIN THE JURISDICTION OF LOCAL OR STATE AGENCIES, THE COMPACTION REQUIREMENTS SHALL NOT BE LESS THAN THE MINIMUM REQUIRED BY THE APPROPRIATE RESPONSIBLE AGENCY.
5. A 1% MINIMUM SLOPE SHALL BE MAINTAINED ON ALL SANITARY SERVICE LATERALS.
6. THE CONTRACTOR SHALL FURNISH RECORD DRAWING INFORMATION TO THE ENGINEER CONSISTING OF PIPE SIZES, LOCATION OF SERVICE TIE WYES, DIAMETER OF SERVICES, LOCATION OF ANY FITTINGS, FINAL RIM AND INVERT ELEVATION OF ALL MANHOLES AND ANY OTHER PERTINENT INFORMATION NECESSARY TO LOCATE ITEMS CONSTRUCTED UNDER THIS PROJECT.
7. MAINTAIN 10 FEET HORIZONTAL DISTANCE BETWEEN WATER MAINS AND SEWER MAINS AS A MINIMUM.
8. WASTEWATER FORCE MAINS, WASTEWATER COLLECTION LINES, AND STORM SEWERS SHOULD CROSS UNDER WATER MAINS WHENEVER POSSIBLE. A MINIMUM VERTICAL DISTANCE OF 12 INCHES BETWEEN THE INVERT OF THE UPPER PIPE AND THE CROWN OF THE LOWER PIPE SHALL BE PROVIDED WHENEVER POSSIBLE. WHERE THIS MINIMUM SEPARATION CANNOT BE MAINTAINED, THE CROSSING SHALL BE ARRANGED SO THAT THE WASTEWATER PIPE JOINTS AND THE WATER PIPE JOINTS ARE EQUIDISTANT FROM THE POINT OF CROSSING, AND THE WATER MAIN SHALL BE CONSTRUCTED OF DIP AT THE CROSSING. SUFFICIENT LENGTHS OF DIP MUST BE USED TO PROVIDE A MINIMUM SEPARATION OF 10 FEET BETWEEN ANY TWO (2) JOINTS. ALL JOINTS ON THE WATER MAIN WITHIN 20 FEET OF THE CROSSING MUST BE MECHANICALLY RESTRAINED. A MINIMUM VERTICAL CLEARANCE OF 6 INCHES MUST BE MAINTAINED AT ALL CROSSINGS.
9. A PRE-CONSTRUCTION CONFERENCE BETWEEN THE ENGINEER, THE CONTRACTOR, CITY OF STUART UTILITIES & ENGINEERING DEPT., COUNTY/FDOT AND ANY OTHER NECESSARY AGENCY SHALL BE MANDATORY PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
10. NO FIELD CHANGES OR DEVIATIONS FROM THE DESIGN SHALL BE MADE WITHOUT PRIOR APPROVAL FROM THE ENGINEER, CITY, OR COUNTY/FDOT.
11. TRAFFIC CONTROL, BARRICADES, ETC. SHALL BE IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARDS.
12. CONTRACTOR SHALL NOTIFY THE CITY OF STUART 48 HOURS PRIOR TO COMMENCING CONSTRUCTION.
13. WASTEWATER FORCE MAIN SHALL BE POLYVINYL CHLORIDE CONFORMING TO AWWA C-900, AND SHALL BE CLASS 150, DR-18 (12" AND SMALLER), OR DR-21, AWWA C-905 (14" AND LARGER).
14. WASTEWATER FORCE MAIN SHALL BE GREEN IN COLOR. WASTEWATER FORCE MAIN SHALL HAVE THIN WIRE & LOCATOR TAPE WITH "SEWER" MARKED ON TAPE.
15. FITTINGS SHALL BE CAST OR DUCTILE IRON, CONFORMING TO AWWA C-110 AND ANSI A21.1, CLASS 250 MINIMUM, CEMENT LINING, AND EPOXY COATED.
16. WASTEWATER FORCE MAIN SHALL BE MARKED BY THE USE OF CONTINUOUS COPPER WIRE (GREEN IN COLOR) PERMANENTLY ATTACHED TO THE TOP OF THE FORCE MAIN.



17. MINIMUM COVER SHALL BE 48 INCHES. PIPES WITH LESS COVER REQUIRE PRIOR APPROVAL OF THE ENGINEER AND CITY OF STUART AND SHALL BE CONSTRUCTED OF DUCTILE IRON PIPE.
18. ALL MANHOLES SHALL HAVE SEWER RAIN GUARDS INSTALLED.
19. THE CONTRACTOR SHALL COMPLY WITH THE FLORIDA TRENCH SAFETY ACT REQUIREMENTS.
20. PRIOR TO ANY TESTING, ALL MAINS 3 INCHES IN DIA. AND LARGER SHALL HAVE A LINE SIZE SWAB PASSED THROUGH THE ENTIRE LENGTH OF THE LINE. NOTE: SWAB SHOULD BE PLACED IN 1st. JOINT OF NEW LINE. END OF MAIN SHOULD BE "TURNED UP" AT 45° AND EXTENDED SO THAT SWABMING AND A FULL BORE FLUSH CAN BE COMPLETED. BLOW OFF ASSY. CAN BE USED TO CLEAR MAINS. WHERE LINES BRANCH, SWABS WILL BE PLACED IN BRANCH LINES AND SEQUENTIALLY SWABBED AND FLUSHED.



1. SANITARY SEWER, FORCE MAINS, AND STORM SEWERS SHOULD CROSS UNDER WATER MAINS WHENEVER POSSIBLE. SANITARY SEWERS, FORCE MAINS AND STORM SEWERS CROSSING WATER MAINS SHALL BE LAID TO PROVIDE A MINIMUM VERTICAL DISTANCE OF 12 INCHES BETWEEN THE INVERT OF THE UPPER PIPE AND THE CROWN OF THE LOWER PIPE WHENEVER POSSIBLE.

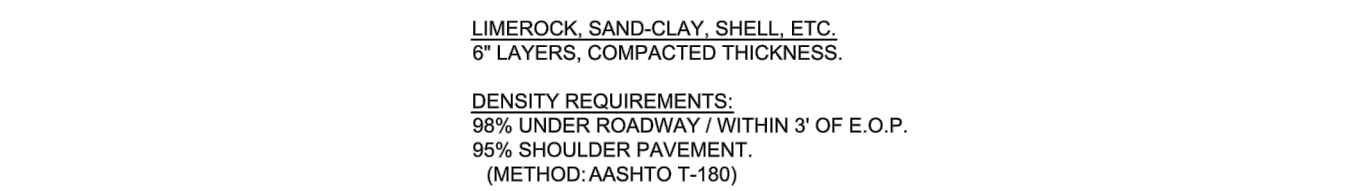
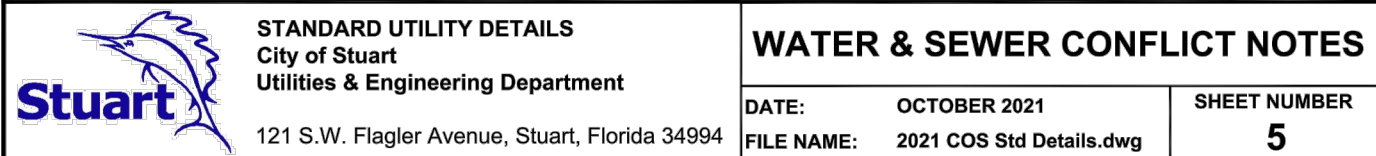
WHERE SANITARY SEWER, FORCE MAINS, STORM SEWERS MUST CROSS A WATER MAIN LESS THAN 12 INCHES VERTICAL DISTANCE, BOTH THE SEWER AND WATER MAIN SHALL BE CONSTRUCTED OF DIP AT THE CROSSING (DIP NOT REQUIRED FOR STORM SEWERS). SUFFICIENT LENGTHS OF DIP MUST BE USED TO PROVIDE A MINIMUM SEPARATION OF 10 FEET BETWEEN TWO JOINTS. ALL JOINTS ON THE WATER MAIN WITHIN 20 FEET OF THE CROSSING MUST BE MECHANICALLY RESTRAINED. A MINIMUM VERTICAL CLEARANCE OF 6 INCHES MUST BE MAINTAINED AT ALL CROSSINGS.

ALL CROSSINGS SHALL BE ARRANGED SO THAT THE SEWER PIPE JOINTS AND WATER MAIN PIPE JOINTS ARE EQUIDISTANT FROM THE POINT OF CROSSING (PIPES CENTERED ON THE CROSSING).

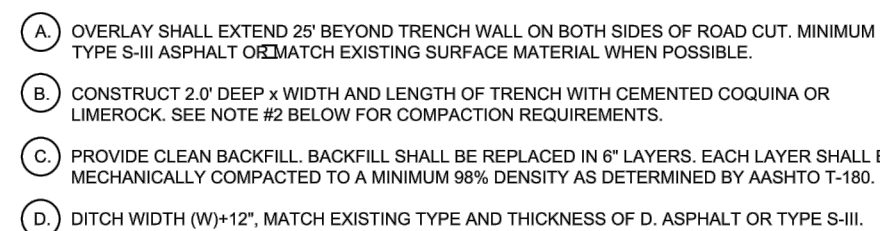
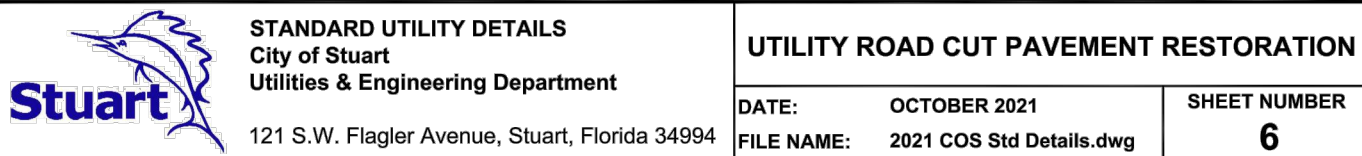
WHERE A NEW PIPE CONFLICTS WITH AN EXISTING PIPE WITH LESS THAN 12 INCHES VERTICAL CLEARANCE, THE NEW PIPE SHALL BE CONSTRUCTED OF DIP (EXCEPT STORM SEWERS) AND NEW PIPES SHALL BE ARRANGED TO MEET THE CROSSING REQUIREMENTS ABOVE.
2. A MINIMUM 10-FOOT HORIZONTAL SEPARATION SHALL BE MAINTAINED BETWEEN ANY TYPE OF SEWER AND WATER MAIN IN PARALLEL INSTALLATIONS WHENEVER POSSIBLE.

IN CASES WHERE IT IS NOT POSSIBLE TO MAINTAIN A 10-FOOT HORIZONTAL SEPARATION, THE WATER MAIN MUST BE LAID IN A SEPARATE TRENCH OR ON A UNDISTURBED EARTH SLOPE LOCATED ON ONE SIDE OF THE SEWER OR FORCE MAIN AT SUCH AN ELEVATION THAT THE BOTTOM OF THE WATER MAIN IS AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER.

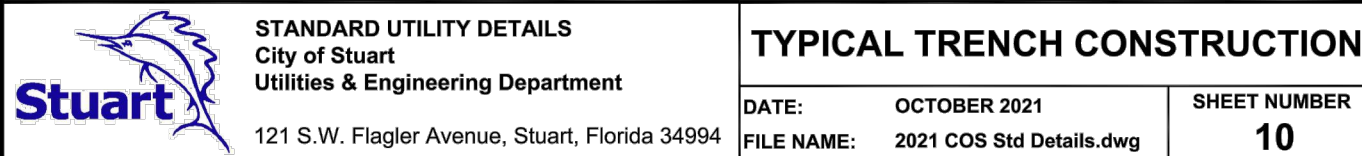
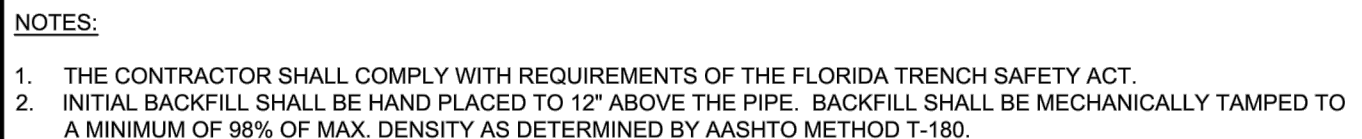
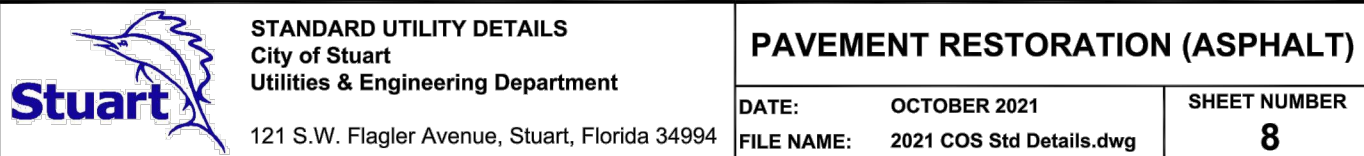
WHERE IT IS NOT POSSIBLE TO MAINTAIN A VERTICAL DISTANCE OF 18 INCHES IN PARALLEL INSTALLATIONS, THE WATER MAIN SHALL BE CONSTRUCTED OF DIP AND THE SEWER OR THE FORCE MAIN SHALL BE CONSTRUCTED OF DIP. THE STORM SEWER SHALL BE CONSTRUCTED WITH A MINIMUM VERTICAL DISTANCE OF 6 INCHES. THE WATER MAIN SHALL ALWAYS BE ABOVE THE SEWER JOINTS ON THE WATER MAIN SHALL BE LOCATED AS FAR APART AS POSSIBLE FROM JOINTS ON THE SEWER OR FORCE MAIN (STAGGERED JOINTS).
3. ALL DIP SHALL BE PRESSURE CLASS 350, MINIMUM, ADEQUATE PROTECTIVE MEASURES AGAINST CORROSION SHALL BE USED AS DETERMINED BY THE DESIGN ENGINEER.



PAVEMENT RESTORATIONS FOR LONGITUDINAL CUTS IN ARTERIAL STREETS SHALL INCLUDE FULL LANE WIDTH RESURFACING FOR EACH LANE WITHIN THE LIMITS OF THE CUT.



2. REPLACED BASE MATERIAL OVER DITCH SHALL BE AS SHOWN ABOVE.
3. BASE MATERIAL SHALL BE PLACED IN 6" LAYERS OR AS OTHERWISE APPROVED AND EACH LAYER THOROUGHLY MECHANICALLY COMPACTED TO 98% DENSITY AS DETERMINED BY AASHTO T-180.
4. FINAL ASPHALT COMPACTED PAVEMENT JOINTS SHALL BE MILLED TO MATCH EXISTING ASPHALT.
5. PAVEMENT JOINTS SHALL BE MECHANICALLY SAWED.
6. SURFACE MATERIAL WILL BE CONSISTENT WITH EXISTING SURFACE OR AS OTHERWISE DIRECTED (TYPE S-III) AND PLACED IN ACCORDANCE WITH FOOT REQUIREMENTS.
7. A MINIMUM OF TWO (2) DENSITY TESTS SHALL BE TAKEN FOR EACH 6' LIFT OF SUBGRADE AND EACH OPEN CUT EXPOSED WHEN THE DENSITY OF THE SUBGRADE IS GREATER THAN 6-11% THE BASE SHALL BE CONSTRUCTED IN TWO (2) OR MORE COURSES. PROCTORS FOR MATERIALS USED IN BACK-FILLING SHALL BE OBTAINED BY A CERTIFIED LABORATORY. DENSITY TESTS SHALL BE CONDUCTED BY A CERTIFIED LABORATORY OR THE PERMITTEE'S CONSULTANTS. THE PERCENTAGE OF MAXIMUM DENSITY REQUIRED SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS. A COPY OF ALL COMPLETED AND ACCEPTED DENSITY TESTS SHALL BE FURNISHED TO THE UTILITIES & ENGINEERING DEPT. AND/OR THE ENGINEER OF RECORD.



2035 Vista Parkway, West Palm Beach, FL 33411
 Phone No. 866.909.2220 www.wgln.com
 Cert No. 6091 - LB No. 7055

[illegible]

CAD 7399.02-PDD DETAILS.DWG
JOB NO. 7399.01
DRAWN BY GAT/DL
CHECK BY TD
DATE 2022-06-24

ENGINEER OF RECORD
TRAVIS D. DOUGLAS
PE# 88589

WILLIS CUSTOM YACHTS
151 NW FLAGLER AVENUE
CITY OF STUART
CONSTRUCTION DETAILS

SHEET:
C-05

INDEX OF ARCHITECTURAL DRAWINGS

GENERAL	AG000	COVER SHEET
ARCHITECTURAL	AA101	FIRST FLOOR PLAN
ARCHITECTURAL	AA102	SECOND FLOOR PLAN
ARCHITECTURAL	AA103	ROOF PLAN
ARCHITECTURAL	AA201-a	EXTERIOR ELEVATIONS - MONOCHROMATIC
ARCHITECTURAL	AA201-b	EXTERIOR ELEVATIONS - COLOR
ARCHITECTURAL	AA901	PERSPECTIVES
TOTAL SHEETS: 7		

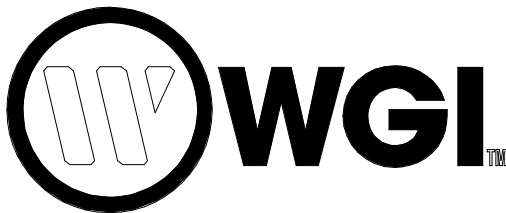
PROJECT LOCATION:
151 NORTHWEST FLAGLER AVE.
STUART, FL 34994



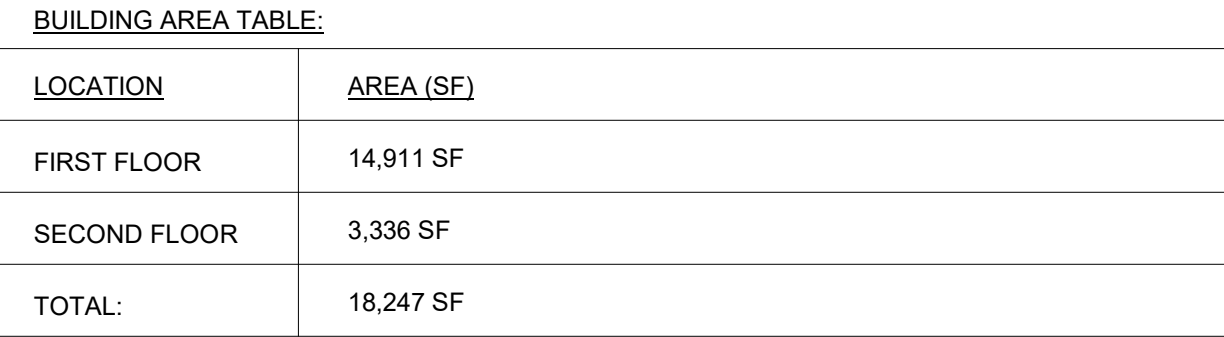
WILLIS CUSTOM YACHTS
151 NW Flagler Ave., Stuart, FL 34994
CITY OF STUART

ARCHITECTURAL PLANS

PROJECT NUMBER: 7399.02		REVISIONS		
JOB NO.	NO.	DATE	DESCRIPTION	BY
	1	2022-09-28	INITIAL SUBMITTAL	CP
DRAWN BY	2	2023-01-11	FIRST RESUBMITTAL	WK
CHECK BY				



3111 W. Dr. Martin Luther King Jr. Blvd., Suite 375, Tampa, FL 33607
Phone No. 813.574.3190 www.wginc.com
Cert No. 6091 - LB No. 7055

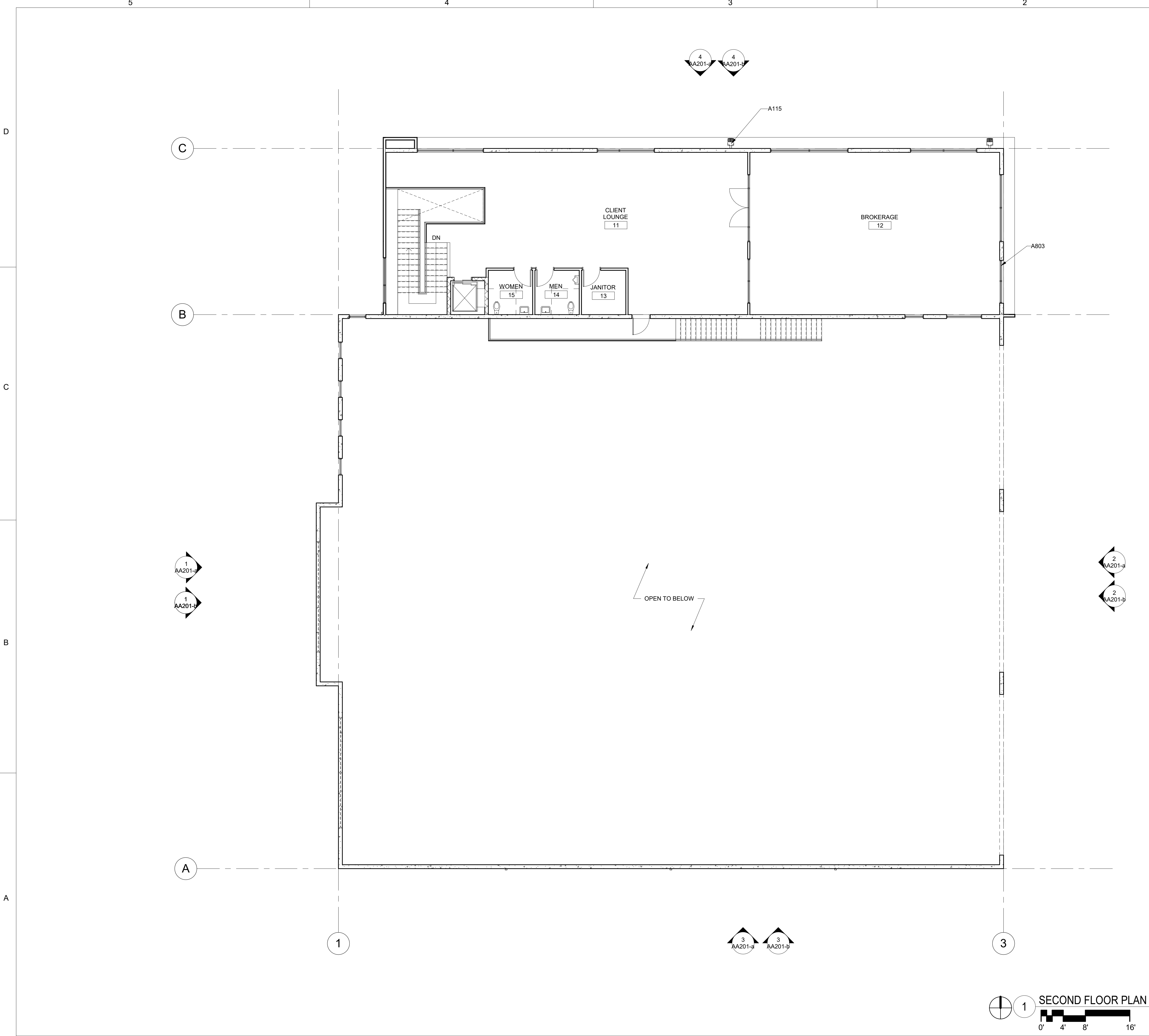


REVISIONS			BY
NO.	DATE	DESCRIPTION	GP
1	2022-06-28	INITIAL SUBMITTAL	WFL
2	2023-01-11	FIRST RESUBMITTAL	

PROJECT NUMBER:	7095.02
JOB NO.	
DRAWN BY	CP
CHECK BY	EL

WILLIS CUSTOM YACHTS
151 NW Flagler Ave., Stuart, FL 34994
CITY OF STUART
FIRST FLOOR PLAN

SHEET:
AA101



KEYNOTE LEGEND

NO.	DESCRIPTION
A803	ALUMINUM STOREFRONT SYSTEM

BUILDING AREA TABLE:	
LOCATION	AREA (SF)
FIRST FLOOR	14,911 SF
SECOND FLOOR	3,336 SF
TOTAL:	18,247 SF

PROJECT NUMBER: 7055.02

JOB NO.

DRAWN BY: CP

CHECK BY: EL

WILLIS CUSTOM YACHTS

151 NW Flagler Ave., Stuart, FL 34994

CITY OF STUART

SECOND FLOOR PLAN

BY: CP

DATE: 2023/05/28

NO.: 1

DESCRIPTION: INITIAL SUBMITTAL

REVISIONS:

BY: WK

DATE: 2023/05/11

NO.: 2

DESCRIPTION: FIRST PRE-SUBMITTAL

REVISIONS:

BY:

DATE:

NO.:

DESCRIPTION:

REVISIONS:

BY:

DATE:

NO.:

DESCRIPTION:

REVISIONS:

BY:

DATE:

NO.:

DESCRIPTION:

REVISIONS:

1

SECOND FLOOR PLAN

0'

4'

8'

16'

WGL

3111 W. Co. Martin Luther King Jr. Blvd., Suite 575, Tampa, FL 33607

Phone No. 813.574.3160

www.wglinc.com

Cert No. 6091 - LB No. 7055

SHEET:

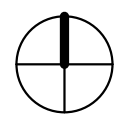
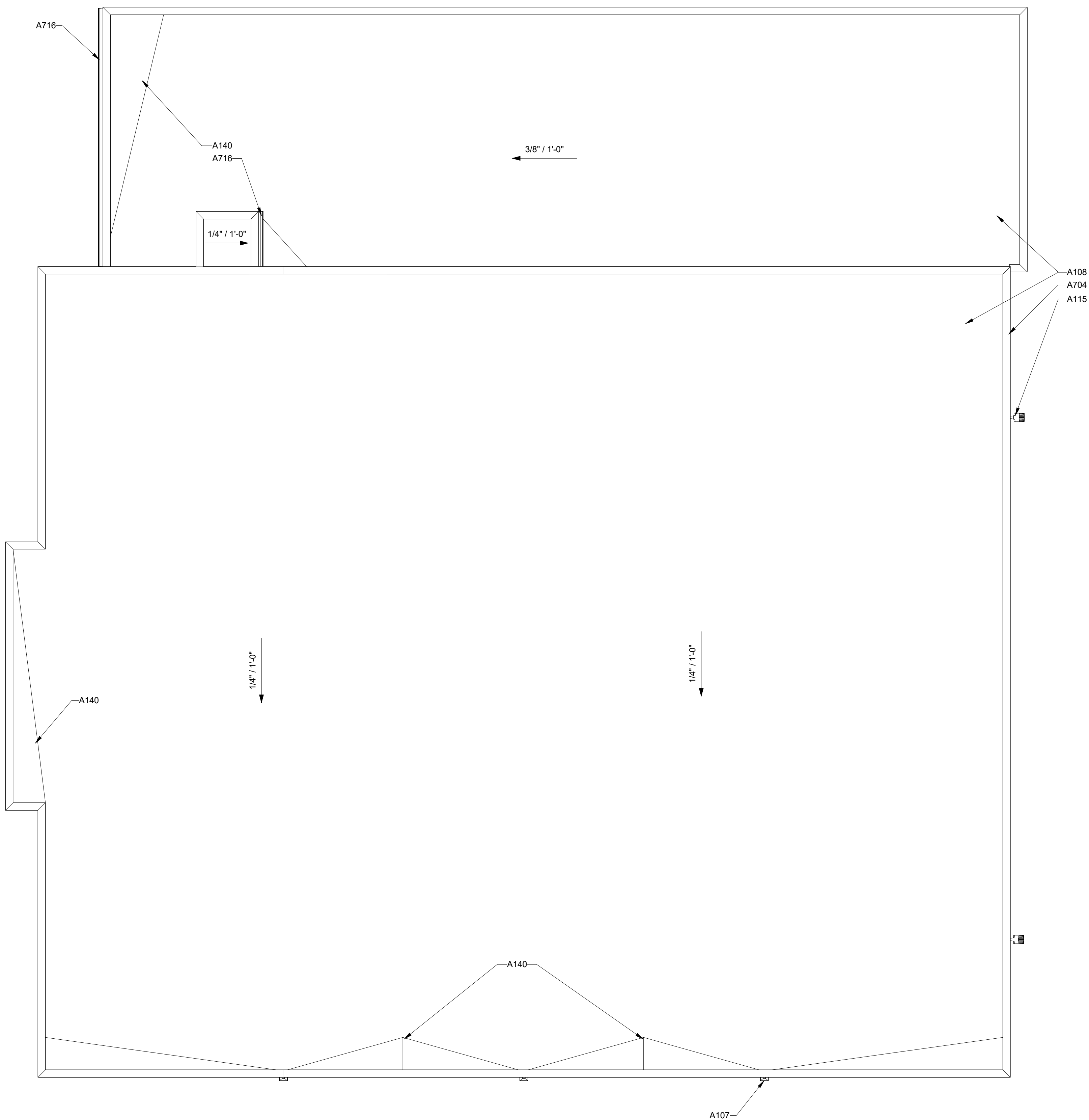
AA102

D

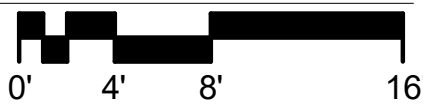
C

B

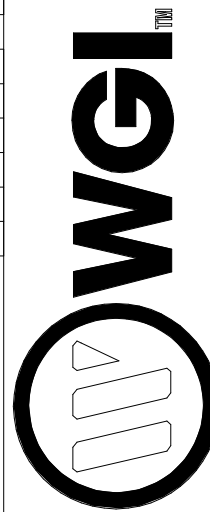
A



ROOF PLAN



KEYNOTE LEGEND	
NO.	DESCRIPTION
A107	ROUND METAL CONDUCTOR HEAD AND DOWNSPOUT, TYP.
A108	LOW SLOPE ROOF MEMBRANE SYSTEM BEHIND PARAPET WALLS
A115	ARCHITECTURAL WALL MOUNTED LIGHT FIXTURE, TYP.
A140	PRE-FABRICATED ROOF CRICKET
A704	FABRICATED METAL WALL COPING SYSTEM
A716	FABRICATED ROUND METAL GUTTER AND DOWNSPOUT SYSTEM



3111 W. Dr. Martin Luther King Jr. Blvd., Suite 375, Tampa, FL 33607
Phone No. 813.574.3190 www.wginc.com
Cert No. 6091 - LB No. 7055

[illegible]

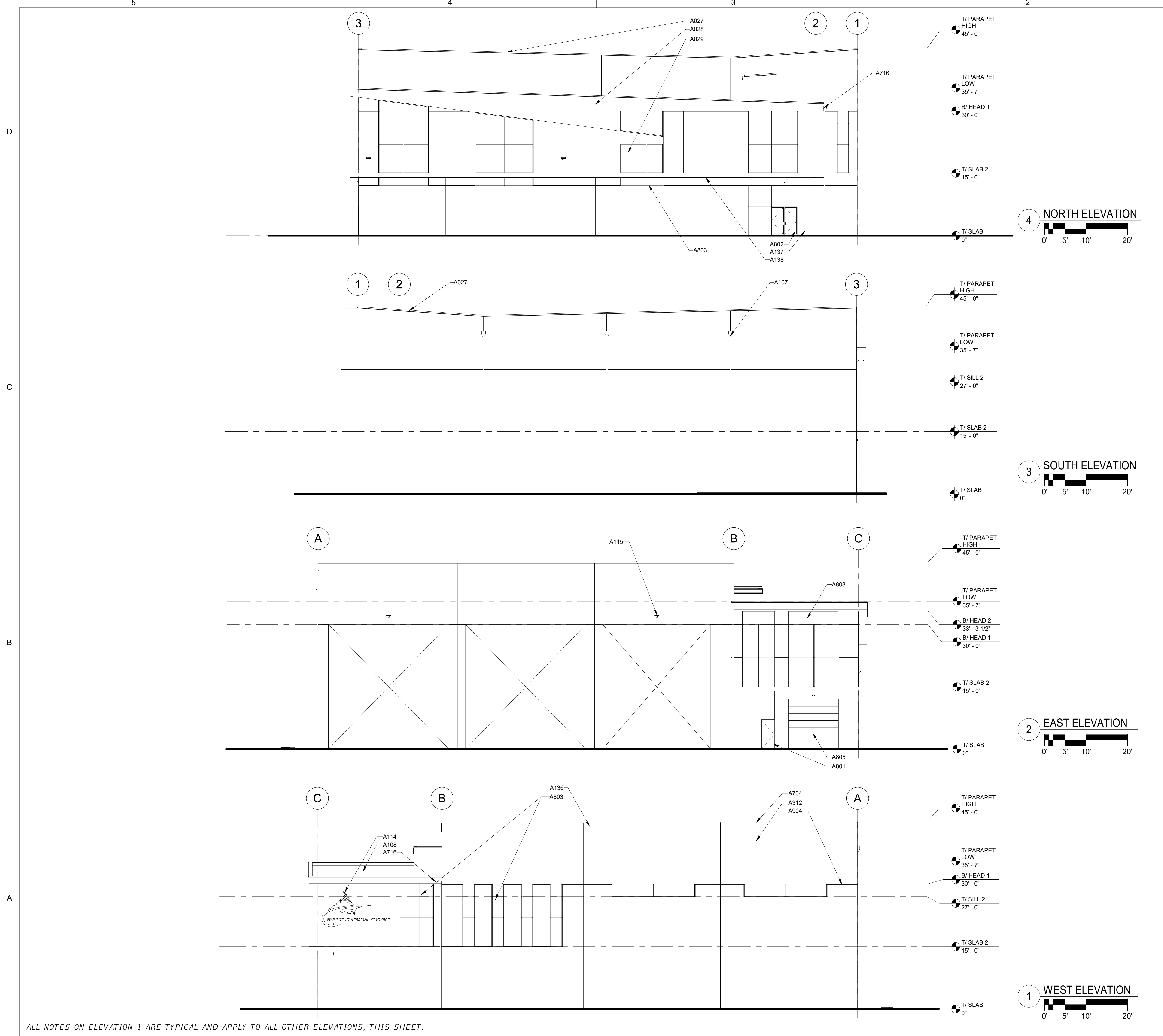
WILLIS CUSTOM YACHTS

151 NW Flagler Ave., Stuart, FL 34994

CITY OF STUART

ROOF PLAN

SHEET:
AA103



KEYNOTE LEGEND

NO.	DESCRIPTION
A027	VARYING PEAKED ROOF FORMS, PER CITY OF STUART, SPECIAL ZONING CODE REQUIREMENTS
A028	INTEGRATED ARCHITECTURAL FORM DETAILED COMPONENT, PER CITY OF STUART, SPECIAL ZONING CODE REQUIREMENTS
A029	DISPLAY STOREFRONTS, PER CITY OF STUART, SPECIAL ZONING CODE REQUIREMENTS
A107	ROUND METAL CONDUCTOR HEAD AND DOWNSPOUT, TYP.
A108	LOW SLOPE ROOF MEMBRANE SYSTEM BEHIND PARAPET WALLS
A114	WILLIS CUSTOM YACHTS WALL MOUNTED SIGNAGE
A115	ARCHITECTURAL WALL MOUNTED LIGHT FIXTURE, TYP.
A136	2" MIN. ELEVATION PLANE VARIATION AS REQUIRED BY STUART, FL URBAN CODE.
A137	RECESSED WALL DEFINING BUILDING ENTRANCE
A138	METAL STRUCTURE DIFFERENTIATING MIXED USE PROGRAM
A312	TILT-UP CONCRETE WALL PANELS, TYP.
A704	FABRICATED METAL WALL COPING SYSTEM
A716	FABRICATED ROUND METAL GUTTER AND DOWNSPOUT SYSTEM
A801	HOLLOW METAL DOOR & FRAME WITH COATING SYSTEM, TYP.
A802	ALUMINUM STOREFRONT ENTRY DOOR
A803	ALUMINUM STOREFRONT SYSTEM
A805	OVERHEAD ROLL-UP DOOR, TYP.
A904	STUCCO REVEAL JOINT

WGI

3111 W. Martin Luther King Jr. Blvd., Suite 575, Tampa, FL 33607
Phone No. 813.574.3160, www.wgiinc.com
Cert No. 6091 - LB No. 7055

PROJECT NUMBER: 7055.02

JOB NO.

DRAWN BY: CP

CHECK BY: EL

WILLIS CUSTOM YACHTS

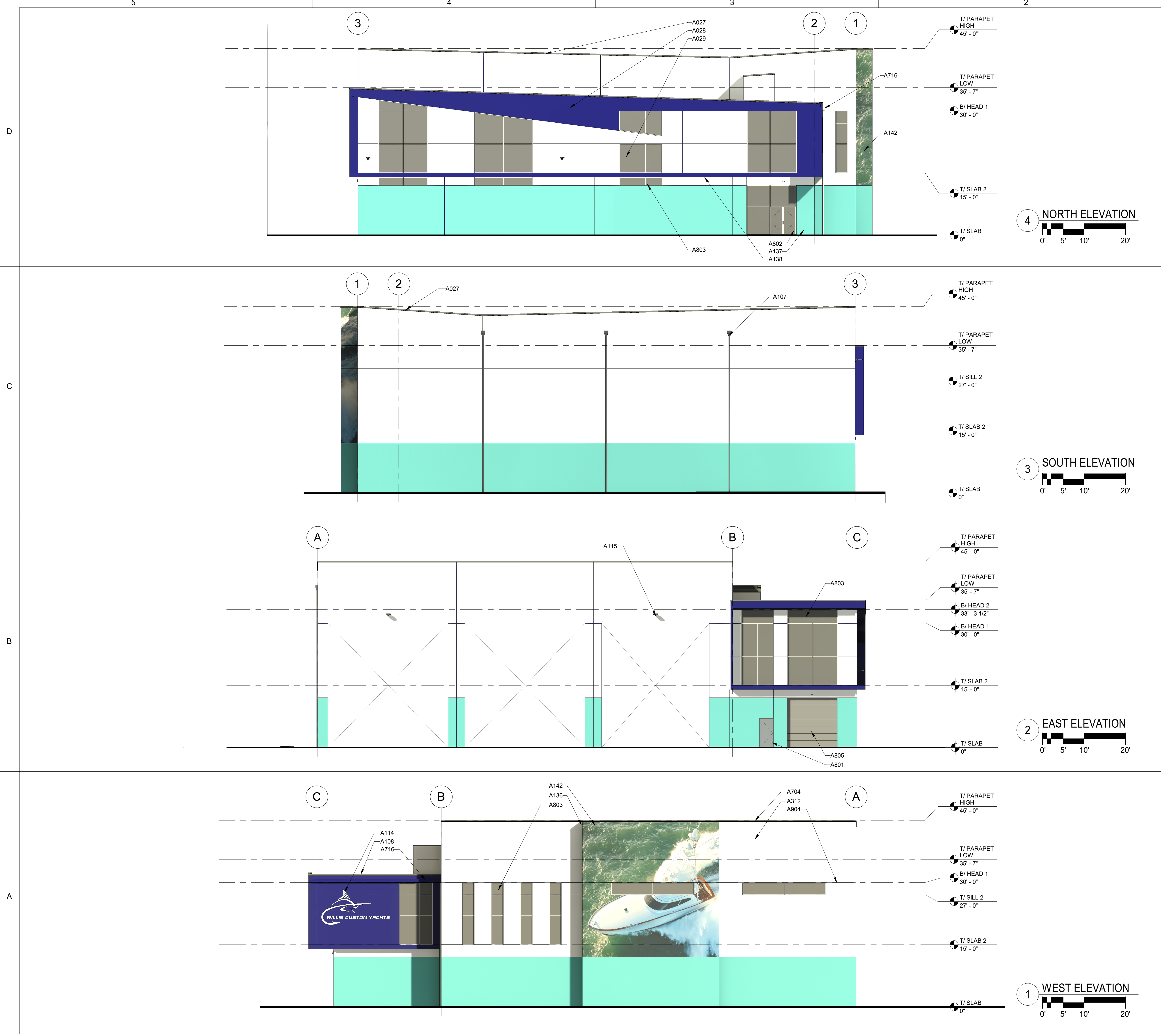
151 NW Flagler Ave., Stuart, FL 34994

CITY OF STUART

EXTERIOR ELEVATIONS - MONOCHROMATIC

SHEET:

AA201-a



KEYNOTE LEGEND

NO.	DESCRIPTION
A027	VARYING PEAKED ROOF FORMS, PER CITY OF STUART, SPECIAL ZONING CODE REQUIREMENTS
A028	INTEGRATED ARCHITECTURAL FORM DETAILED COMPONENT, PER CITY OF STUART, SPECIAL ZONING CODE REQUIREMENTS
A029	DISPLAY STOREFRONTS, PER CITY OF STUART, SPECIAL ZONING CODE REQUIREMENTS
A107	ROUND METAL CONDUCTOR HEAD AND DOWNSPOUT, TYP.
A108	LOW SLOPE ROOF MEMBRANE SYSTEM BEHIND PARAPET WALLS
A114	WILLIS CUSTOM YACHTS WALL MOUNTED SIGNAGE
A115	ARCHITECTURAL WALL MOUNTED LIGHT FIXTURE, TYP.
A136	2" MIN. ELEVATION PLANE VARIATION AS REQUIRED BY STUART, FL URBAN CODE.
A137	RECESSED WALL DEFINING BUILDING ENTRANCE
A138	METAL STRUCTURE DIFFERENTIATING MIXED USE PROGRAM
A142	MURAL BY LOCAL ARTIST
A312	TILT-UP CONCRETE WALL PANELS, TYP.
A704	FABRICATED METAL WALL COPING SYSTEM
A716	FABRICATED ROUND METAL GUTTER AND DOWNSPOUT SYSTEM
A801	HOLLOW METAL DOOR & FRAME WITH COATING SYSTEM, TYP.
A802	ALUMINUM STOREFRONT ENTRY DOOR
A803	ALUMINUM STOREFRONT SYSTEM
A805	OVERHEAD ROLL-UP DOOR, TYP.
A904	STUCCO REVEAL JOINT

WGI

3111 W. Dr. Martin Luther King Jr. Blvd., Suite 315, Tampa, FL 33607
Phone No. 813.513.3160, www.wgiinc.com
Cert No. 6091 - LB No. 7055

PROJECT NUMBER: 7055.02

NO.

DATE

DESCRIPTION

BY

1	2023/05/28	INITIAL SUBMITTAL	CP
2	2023/06/11	FIRST RESUBMITTAL	WK

DRAWN BY

AUTHOR

CHECK BY

WILLIS CUSTOM YACHTS

151 NW Flagler Ave., Stuart, FL 34994

CITY OF STUART

EXTERIOR ELEVATIONS - COLOR

SHEET:

AA201-b

D

C



B

A

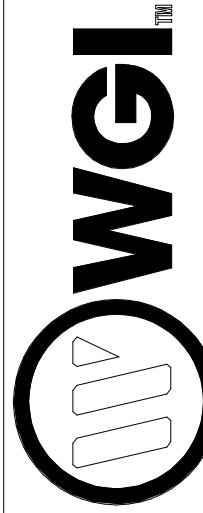


NOTE:
ALL 3-DIMENSIONAL IMAGES ARE FOR ILLUSTRATIVE PURPOSES
ONLY. THEY ARE NOT TO BE USED FOR THE CONSTRUCTION AND
DETAILING OF THE PROJECT.

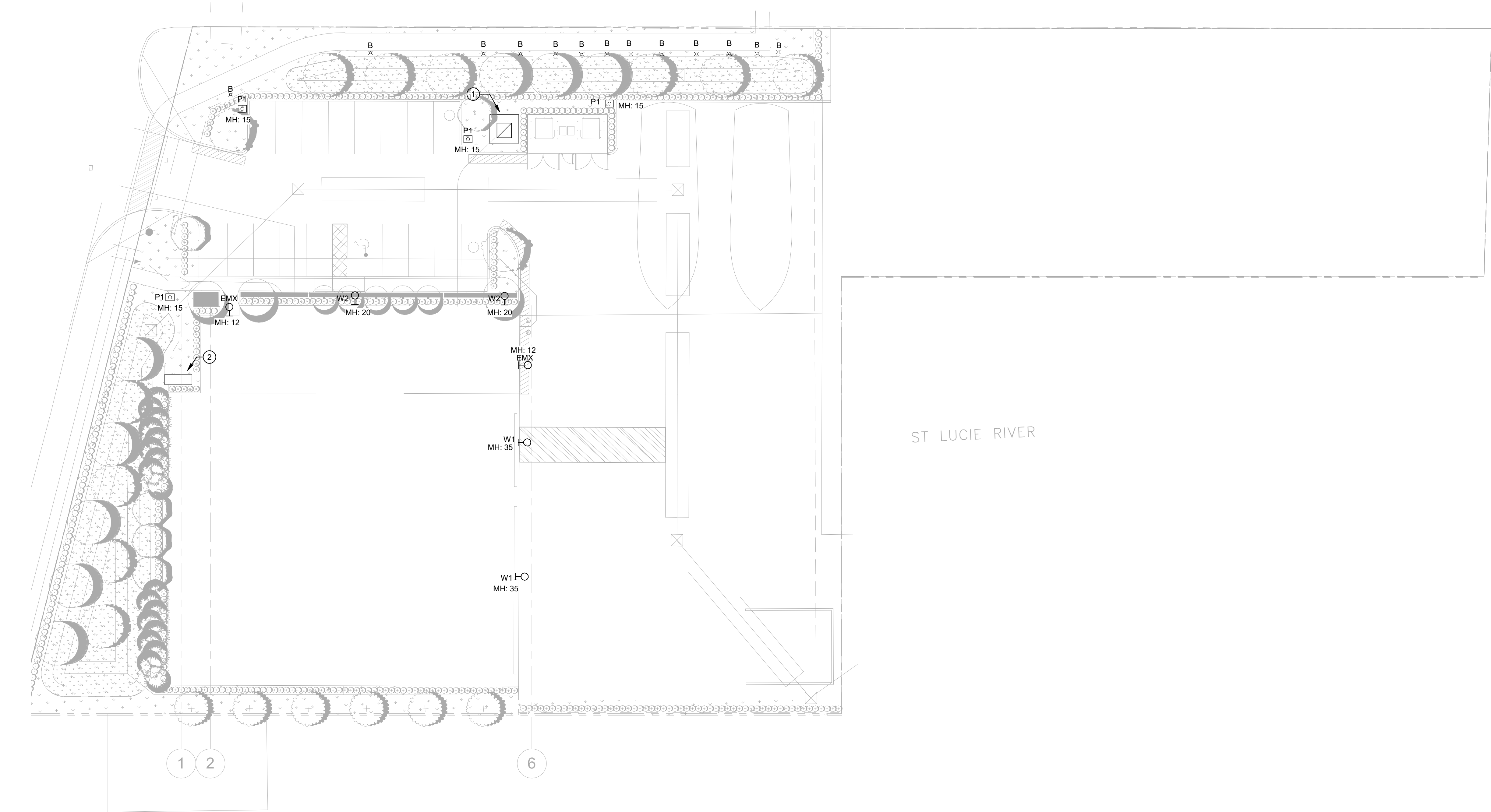
[illegible]

WILLIS CUSTOM YACHTS
151 NW Flagler Ave., Stuart, FL 34994
CITY OF STUART
PERSPECTIVES

SHEET:
AA901



3111 W. Dr. Martin Luther King Jr. Blvd., Suite 375, Tampa, FL 33607
Phone No. 813.574.3190 www.wginc.com
Cert No. 6091 - LB No. 7055



KEYNOTES - E1.00

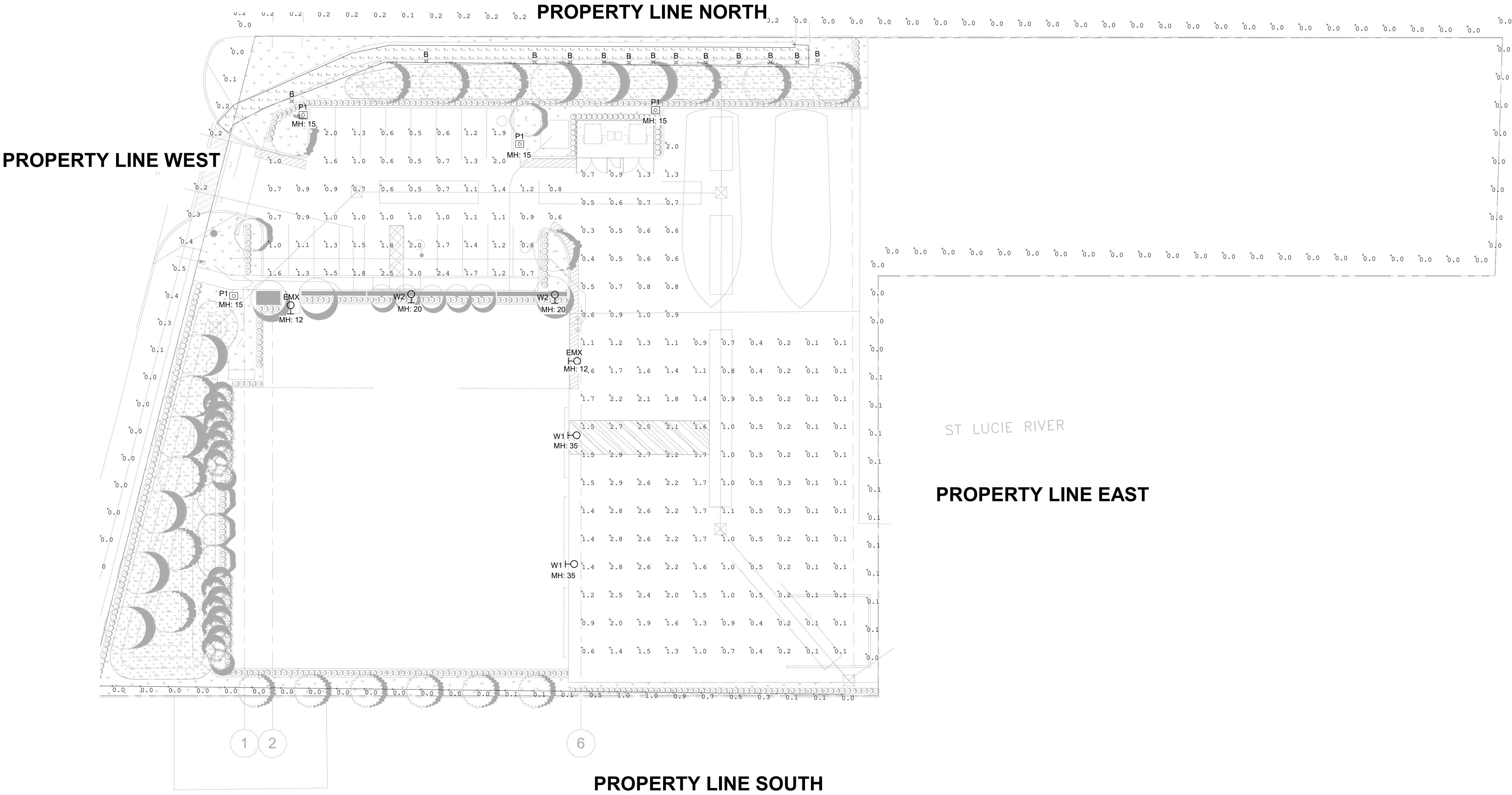
- 1 PROPOSED TRANSFORMER LOCATION FOR NEW BUILDING. EQUIPMENT PROVIDED UNDER A SEPARATE PERMIT. SHOWN FOR REFERENCE ONLY. COORDINATE EXACT LOCATION WITH FPL.
- 2 PROPOSED NEW BUILDING GENERATOR PAD LOCATION. EQUIPMENT PROVIDED UNDER A SEPARATE PERMIT. SHOWN FOR REFERENCE ONLY.

1 OVERALL SITE PLAN
1" = 20'-0"

WILLIS CUSTOM YACHTS
151 NW Flagler Ave
City of Stuart
ELECTRICAL SITE PLAN

SHEET:
E1.00

CAD	REVISIONS				BY
	NO.	DATE	DESCRIPTION		
JOB NO.	7399.02	2022-05-24	INITIAL SUBMITTAL		
DRAWN BY	ML	2022-12-07	PERMIT COMMENT RESPONSE		
CHECK BY	CS				
DATE	1/10/23				



1 SITE PHOTOMETRIC
1" = 20'-0"

WILLIS CUSTOM YACHTS
151 NW Flagler Ave
City of Stuart
SITE LIGHTING PHOTOMETRIC

SHEET:
E1.01

CAD	NO.	DATE	REVISIONS		BY
			DESCRIPTION		
	0	2022-05-24	INITIAL SUBMITTAL		
	1	2022-12-07	PERMIT COMMENT RESPONSE		
JOB NO.	7399.02				
DRAWN BY	ML				
CHECK BY	CS				
DATE	1/10/23				

LIGHTING CONTROL NOTES COMPLIANCE - LIGHTING IS DESIGNED IN COMPLIANCE WITH THE 2020 FLORIDA ENERGY CONSERVATION CODE. PARKING LOT: - ALL PARKING LOT LIGHTING SHALL BE SHALL BE 'ON' BY PHOTOCELL AND 'OFF' BY ASTRONOMIC TIME CLOCK. VERIFY SCHEDULE WITH OWNER'S REPRESENTATIVE. GENERAL: - PROVIDE FUNCTIONAL TESTING AND COMMISSIONING OF AUTOMATIC LIGHTING SYSTEMS BY A REGISTERED DESIGN PROFESSIONAL. PROVIDE TWO HOURS OF TRAINING FOR THE OWNER AT TIME OF COMMISSIONING.
--

OUTDOOR LIGHTING

Quantity of Illumination [IES Recommended Light Levels] RP-8-18

Parking Lots and Walkways/Bikeways	Ave. FC	Min. FC	Uniformity *
Parking lots active: normal pre-curfew <i>Asphalt/Concrete</i>		0.5 / 1.0	15:1
Parking lots active: enhanced security (<i>IES G1-2016</i>)	3.0		4:1
Walkways/Bikeways High Activity (<i>vehicle and pedestrian</i>)	1.9	0.9	4:1
Walkways/Bikeways High Activity (<i>pedestrians only</i>)	0.9	0.5	4:1
Walkways/Bikeways Medium Activity (<i>pedestrians only</i>)	0.5	0.2	4:1
Walkways/Bikeways Low Activity (<i>med. density residential</i>)	0.4	0.1	4:1
Walkways/Bikeways Low Activity (<i>low density residential</i>)	0.3	0.1	6:1
Walkways/Bikeways Low Activity (<i>rural and semi-rural</i>)	0.2	0.1	10:1

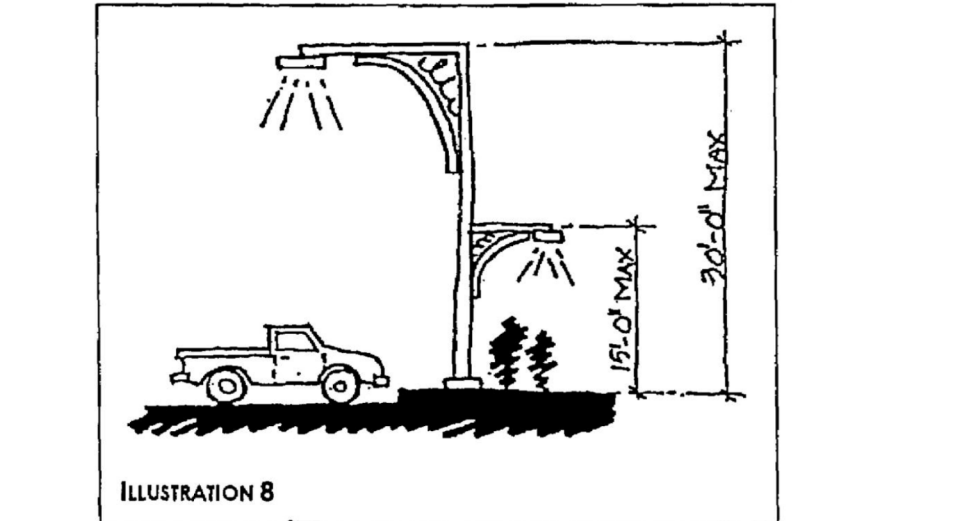
* Uniformity: max/min for normal parking lots and avg/min for all others shown, including enhanced security parking lots

Application and Task	Maintained Horizontal		Maintained Vertical		Comments
	Average (fc) ¹	Range (fc) ²	Average (fc) ¹	Range (fc) ²	
EXTERIOR					
Parking (Covered)	5	-	-	-	1 Min; 10:1 Max-Min Uniformity
Parking (Uncovered) Zone 3 (Urban)	1.5	0.75 - 3	0.8	0.4 - 1.6	
Parking (Uncovered) Zone 2 (Suburban)	1	0.5 - 2	0.6	0.3 - 1.2	
Gas Station Canopy	12.5	10 - 15	-	-	
Safety (Building Exterior)	1	0.5 - 2	-	-	

IES LIGHT LEVEL STANDARDS

02/22, 9:01 AM Stuart, FL Land Development Code

- A. *Purpose and Intent.* All commercial development shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the entire site. The lighting and lighting fixtures shall be integrated and designed so as to enhance the visual impact of the project on the community.
- B. *Shielding.* Lighting shall be designed so as to prevent direct glare, light spillage and hazardous interference with automotive and pedestrian traffic on adjacent streets and all adjacent properties.
- C. *Fixture height.* Lighting fixtures shall be a maximum of 30 feet in height within a parking lot and shall be a maximum of 15 feet in height within non-vehicular pedestrian areas (see Illustration 8).



- D. *Design.* Lighting shall be used to accent key architectural elements and to emphasize landscape features. Light fixtures shall be designed as an integral design element that complements the design of the project through style, material or color.
- E. Lighting details shall be exhibited on all landscape plans and reviewed for public safety concerns in accordance with site plan review procedures.
- F. Lighting on a proposed non-residential or multi-family residential use shall be designed and installed so the light source does not shine directly onto adjacent residential uses or a residential zoning district. Light emanating from a proposed non-residential or multi-family residential use

CITY OF STUART ORDINANCES

LIGHT FIXTURE SCHEDULE								
TYPE	MANUFACTURER	FIXTURE CATALOG NO.	LAMPS		FIXTURE WATTS	VOLTAGE	MOUNTING	REMARKS
			LAMP #	LAMP TYPE				
B	LITHONIA	RADB-LED-P1-27K-SYM-MVOLT-DBL XD	1	LED, 2700K	5 W	120 V	LANDSCAPE	LED BOLLARD FIXTURE.
EMX	LITHONIA	AFF-PEL-UVOLT-LTP-WT	1	LED	3 W	120 V	WALL	EXTERIOR WALL FIXTURE. WET LISTED, PROVIDE EM BATTERY PACK AS INDICATED ON PLANS.
P1	LITHONIA	RAD1 LED-P1-40K-SYM-MVOLT	1	LED, 4000K, 3000 LUMENS	25 W	120 V	POLE	POLE MOUNT LIGHTING FIXTURE. MH: 15'
W1	LITHONIA	RSX1 LED-P3-40K-R4-MVOLT-HS	1	LED, 4000K, 12930 LUMENS	109 W	120 V	WALL	EXTERIOR WALL SCENCE WITH TYPE IV DISTRIBUTION.
W2	LITHONIA	RSX1 LED-P4-40K-R4-MVOLT-HS	1	LED, 4000K, 15085 LUMENS	133 W	120 V	WALL	EXTERIOR WALL SCENCE WITH TYPE IV DISTRIBUTION.

LIGHTING FIXTURE SCHEDULE NOTES
1. ALL LIGHT FIXTURE FINISHES SHALL BE SELECTED AND APPROVED BY OWNER PRIOR TO INSTALLATION. 2. TYPE 'P1' FIXTURES SHALL BE PROVIDED WITH 15'-0" HEIGHT, ROUND TAPERED STEEL POLE.

Calculation Summary

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Parking	Illuminance	Fc	1.19	3.0	0.5	2.38	6.00
Pathway	Illuminance	Fc	0.72	2.0	0.1	7.20	20.00
Property Line East	Illuminance	Fc	0.02	0.1	0.0	N.A.	N.A.
Property Line North	Illuminance	Fc	0.08	0.2	0.0	N.A.	N.A.
Property Line South	Illuminance	Fc	0.19	1.0	0.0	N.A.	N.A.
Property Line West	Illuminance	Fc	0.12	0.5	0.0	N.A.	N.A.
Security	Illuminance	Fc	1.04	2.9	0.1	10.40	29.00

Sec. 11.6.4. - Lighting Standards.

Adequate and quality lighting of the sidewalk and street area is essential to creating a safe and inviting streetscape.

11.6.4.A. General Lighting Standards.

1. Lighting fixtures shall be appropriately chosen for the PMUV. There shall be consistency in creating a unifying scheme of illumination that is appropriate to the scale of the street and the level of evening activity.
2. Lamp styles should not be mixed along any one particular block of a street.
3. Light fixtures shall be downcast or low cut-off fixtures to prevent glare and light pollution.
4. In order to conserve energy and reduce long-term costs, energy-efficient lamps shall be used for all Public Realm lighting.

11.6.4.B. Light Levels.

1. Lighting standards protect against glare, preserve the night sky, and reduce unnecessary energy use from over lighting. Rural zones tend to be darker, while higher levels of outdoor lighting may be more suitable in mixed use urban zones.
2. It is the intent of this Article to follow Dark Sky provisions as established by the International Dark-Sky Association (IDA). All outdoor lighting within the Public Realm should be IDA-approved fixtures.
3. The standards in Table 6.4 maintain the desired general ambient light levels across the Transect. Light levels in the Civic Transect Zone shall be consistent with and not contribute to excessive light pollution, as determined by the Settlement Architect.

11.6.4.C. Street Lighting.

See Part 6. Thoroughfare Standards

11.6.4.D. Parking Lot Lighting.

1. All fixtures shall be full cutoff, downward facing.
2. Light fixtures located within the interior area of a parking lot shall not exceed 30 feet in height. Light fixtures located along the perimeter edge of a parking area within 50 feet of a property line shall not exceed 15 feet.

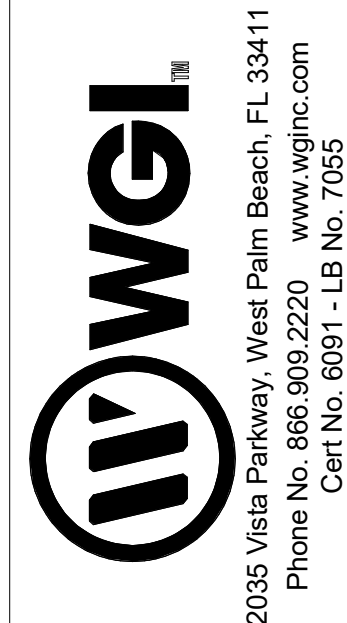
11.6.4.E. Pedestrian Walkway Lighting.

1. Light fixtures located along pedestrian walkways adjacent to parking lots shall not exceed 15 feet in height.
2. Light fixtures located along internal pedestrian walkways or paths not adjacent to a parking area shall not exceed 10 feet in height.

EXPAND						
TABLE 6-4: LIGHT LEVELS	T1: Natural	T2: Rural	T3: Edge	T4-R: General T4-O: General	T5: Mixed Use Center	SD-W: Workplace
Ambient Light Levels	none	very low	very low	low	medium	medium
Standards						
Maximum Lighting Standards	Minimal electric lighting; should be turned off most of the time	Minimal lighting, all Full Cutoff	Minimal lighting, all Full Cutoff	Full Cutoff lighting	Full Cutoff lighting, some low wattage, non-Full Cutoff lighting	Full Cutoff lighting, some low wattage, non-Full Cutoff lighting
No lighting level measured at the building Frontage Line shall exceed:	0.5 fc	1.0 fc	1.0 fc	1.0 fc	2.0 fc	2.0 fc
Required Shielding	Fully shielded Luminaire with no uplight or better	Fully shielded Luminaire with no uplight or better	Fully shielded Luminaire with no uplight or better	Shielded Luminaire or better	Partially shielded Luminaire or better	Partially shielded Luminaire or better

1. All exterior building or security lighting must be full cutoff, shielded, and/or angled downward to focus the light only on the intended doorway or walkway as necessary.
2. Security lighting is encouraged to be provided with regular pedestrian light fixtures where visible from the street or Public Realm to match others used on site.
3. Building mounted architectural "accent lights" are encouraged to emphasize architectural character and signage.
4. Business owners are encouraged to assist with lighting the sidewalk and to accent their business location by having display window and interior lighting on at night. Lighting shall be designed in such a way as to prevent the direct view of the light source to neighboring residential areas.
5. Foci of Civic Open Spaces, especially Plazas and Squares, should be lit along the Right-of-Ways to define and identify the space.
6. Facial points such as sculptures, fountains, and towers, especially those visible to pedestrians and vehicles, may be illuminated to call attention to the element and to provide a form of wayfinding.

MARTIN COUNTY, FL ORDINANCES



CAD		REVISIONS			BY
JOB NO.	NO.	DATE	DESCRIPTION		
7989.02	0	2022-06-24	INITIAL SUBMITTAL		
	1	2022-12-07	PERMIT COMMENT RESPONSE		
DRAWN BY	ML				
CHECK BY	CS				
DATE	1/10/23				

WILLIS CUSTOM YACHTS
151 NW Flagler Ave
City of Stuart
LIGHTING DIAGRAMS

SHEET:
E6.00



Lithonia ESXI Area LEI



Specifications

Diameter: D = 8.25"
(20.96cm)

Height: H = 41.5"
(105.41cm)

Weight (max): 20lbs
(9.07Kg)

EXAMPLE: RADB LED P4 30K SYM MVOLT BTS BCCDNATXD DBLXD

RAD LED									
Series	Performance Package	Color temperature	Distribution	Voltage	Control options	Ballard type ¹ needed			
RAD LED	P1	30K 2000K	ASY Asymmetric ²	4000-44	Shipped installed	Slm Top			
P2	30K 3000K	SYM Symmetric	120	PE	Photoelectric cell, button type ^{3,4}	RTS	Slm top, painted to match shell ⁵	BTI	Tail top painted to match shell ⁵
P3	35K 3500K		108	DWG	0-10V dimming driver (for control)	RTSWBD	Slm top, white ^{1,6}	BTIBRBD	Tail top, black textured ¹
P4	40K 4000K		240 ⁷	ETWH	Emergency lighting bagpack (certified in UL-list 20) MAEBS1 ^{8,9}	RTSWBD	Slm top, black ^{1,6}	BTIBLBD	Tail top, black ¹
P5 ¹⁰	50K 5000K		480			RTSWBD	Slm top, dark bronze textured ¹	BTIBDBD	Tail top, dark bronze textured ¹
			347	FAO	Field adjustable output ¹¹	RTSDBRD	Slm top, dark bronze ^{1,6}	BTITNATD	Tail top, natural aluminum textured ¹
			480	PIR	Motion sensor Bi-Voc ^{12,13}	RTSNALD	Slm top, natural aluminum textured ¹	BTITDND	Tail top, natural aluminum textured ¹
						RTSWAGD	Slm top, natural aluminum ^{1,6}	BTITWHGD	Tail top, white textured ¹
						RTSWAGD	Slm top, white textured ¹	BTITWDWD	Tail top, white ¹

Bolland crown (request)		Other options		Finish (request)	
Deep Crown		Flat Crown			
BCC	Deep crown, painted to match shaft †	BCF	Flat crown, painted to match shaft †	H24 ^{5,6}	34" overall height
BCDWHQ	Deep crown, white †	BCF6	Flat crown, black textured †	H36 ^{5,6}	36" overall height
BCD6BQ	Deep crown, black †	BCF6EDQ	Flat crown, black †	H36 ^{5,6}	36" overall height
BCD6LBQ	Deep crown, black textured †	BCF6EDQ	Flat crown, black †	L/A8	Without anchor bolts
BCD6B7BQ	Deep crown, dark bronze textured †	BCF6B7BQ	Flat crown, dark bronze textured †		
BCD6B7BQ	Deep crown, dark bronze textured †	BCF6B7BQ	Flat crown, dark bronze †		
BCD6SBQ	Deep crown, dark bronze †	BCF6N4BQ	Flat crown, natural aluminum textured †		
BCD6N4BQ	Deep crown, natural aluminum textured †	BCF6N4BQ	Flat crown, natural aluminum textured †		
BCD6N4BQ	Deep crown, natural aluminum †	BCF6N4BQ	Flat crown, natural aluminum †		
BCD6N4BQ	Deep crown, white textured †	BCF6N4BQ	Flat crown, white textured †		
BCD6N4BQ	Deep crown, white textured †	BCF6N4BQ	Flat crown, white †		
				D6B6	Dark bronze
				D6LB	Dark
				D6N4B	Natural aluminum
				D6WB	White
				D6B7B	Textured dark bronze
				D6B7B	Textured black
				D6N4B	Textured natural aluminum
				D6N4B	Textured white

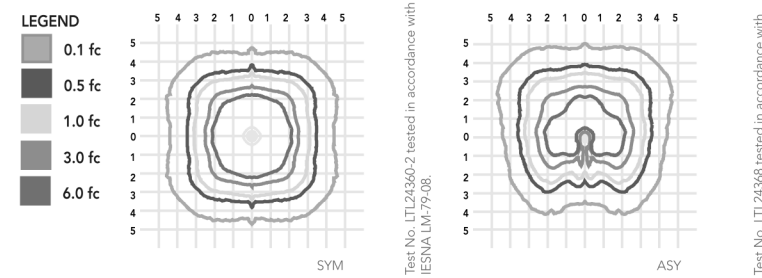
Ordered and shipped separately:			
RAD8AB U	Anchor bolts (4)	RK1RADB BCOT (FINISH) U	Base cover with bolt caps
RAD8ABC DDEKD U	Replacement anchor bolt covers	RK1RADB EMTESTIMAG U	Emergency test stylus

- | | | | |
|---|--|---|--|
| 1 | PS only available in SYM distribution. | 6 | ETWH and PIR only available in full height. Not available with H24, H30 or H36. |
| 2 | ASY has only two illuminated quadrants driven at higher drive currents to generate similar output as the SYM-4 quadrant product. | 7 | PIR not available with ETWH. |
| 3 | PIR not available with 208V or 240V. | 8 | Architectural and custom color values (additional leadtimes and cost may apply). |
| 4 | PE only available with ASY. | 9 | 42" Height is standard. H24, H30 and H36 have longer leadtimes. |
| 5 | FE, PIR and FAO not available with BTS. | | |

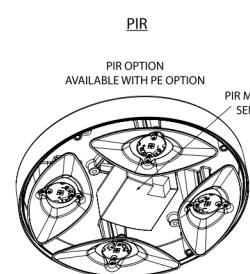


To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's [RADEAN Bollard homepage](#).

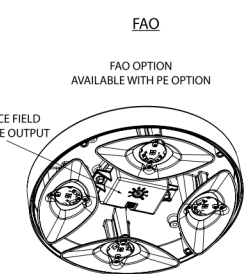
Isofootcandle plots for the RADB. Distances are in units of mounting height (3.5').



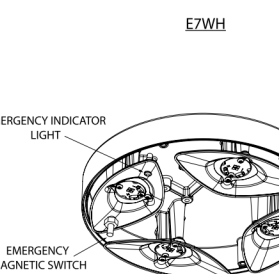
Options



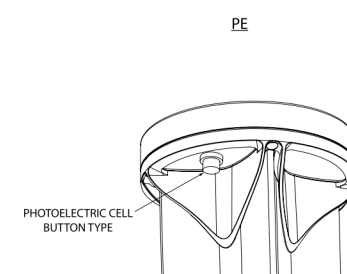
Only available with BTT top.



Only available with BTT top



Only available with ASY



Only available with ASY

Performance Data

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Actual performance may differ as a result of end-user environment and application. Actual wattage may differ by +/- 8% when operating between 120-480V +/- 10%.

Performance Data

DNAX Finishes*		2700K					3000K					3500K					4000K					5000K					
Light Engines	Performance Package	System Watts					System Watts					System Watts					System Watts					System Watts					
		Lumens	B	U	LPW	LPW	Lumens	B	U	LPW	LPW	Lumens	B	U	LPW	LPW	Lumens	B	U	LPW	LPW	Lumens	B	U	LPW	LPW	
Symmetric (4 light engines)	P1	5	345	0	1	0	66	362	0	1	0	69	370	0	1	0	71	380	0	1	0	73	382	0	1	0	73
	P2	8	644	0	1	0	81	677	0	1	0	85	692	0	1	0	87	711	0	1	0	89	713	0	1	0	89
	P3	13	1036	1	1	0	77	1068	1	1	0	81	1112	1	1	0	83	1142	1	1	0	85	1146	1	1	0	85
	P4	19	1660	1	1	0	79	1534	1	1	0	83	1558	1	1	0	84	1610	1	1	0	87	1616	1	1	0	87
	P5	32	3124	1	1	0	72	2400	1	1	0	75	2464	1	1	0	77	2531	1	1	0	79	2561	1	1	0	79
Asymmetric (2 light engines)	P1	5	345	0	1	0	66	338	0	1	0	63	335	0	1	0	64	344	0	1	0	66	356	0	1	0	66
	P2	8	584	0	1	0	73	610	0	1	0	77	627	0	1	0	78	644	0	1	0	81	646	0	1	0	81
	P3	13	938	0	1	0	70	985	0	1	0	73	1007	0	1	0	75	1035	0	1	0	77	1038	0	1	0	77
	P4	19	1323	0	1	0	71	1300	0	1	0	75	1420	0	1	0	76	1459	0	1	0	78	1464	0	1	0	78

***Note:** Lumen output varies based on finish. Silver color shown, for black (worst) or white (best) photometry, see specific photometric files downloadable from www.acuitybrands.com

Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a **25°C ambient**, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LUF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

	Projected LED Lumen Maintenance			
	25,000	50,000	75,000	100,000
P1	0.94	0.89	0.85	0.80
P2	0.94	0.89	0.85	0.80
P3	0.94	0.89	0.85	0.80
P4	0.94	0.89	0.85	0.80
P5	0.94	0.89	0.85	0.80

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output from 0-40°C (32-104°F).

Ambient		LAT Factor
0	32°F	1.03
5	41°F	1.03
10	50°F	1.02
15	59°F	1.01
20	68°F	1.01
25	77°F	1
30	86°F	0.99
35	95°F	0.99
40	104°F	0.98

Electrical Load

	Watts @ 120V (W)	Watts @227V (W)	@130V (A)	@208V (A)	@240V (A)	@227V (A)	Watts @147V (W)	Watts @400V (W)	@147V (A)	@400V (A)
PR35 5	5	6	0.0445	0.0399	0.0276	0.0262	10	10	0.0443	0.0393
PR35 9	9	10	0.0751	0.0471	0.0429	0.0395	14	14	0.0525	0.0514
PR35 14	14	16	0.1147	0.0627	0.0637	0.0571	18	18	0.0611	0.0641
PR40 10	10	11	0.1086	0.0605	0.0589	0.0539	23	23	0.0509	0.0511
PR35M 5	5	6	0.0444	0.0391	0.0279	0.0265	9	9	0.0441	0.0393
PR35M 9	10	10	0.0754	0.0461	0.0421	0.0391	13	13	0.0502	0.0503
PR35M 13	14	14	0.1127	0.0607	0.0598	0.0544	18	18	0.0502	0.0435
PR35M 18	19	19	0.1535	0.0867	0.0796	0.0713	22	22	0.0601	0.0601
PR35M 22	24	24	0.2029	0.1027	0.1036	0.1040	26	26	0.0879	0.0870

WILLIS CUSTOM YACHTS
151 NW Flagler Ave
City of Stuart
LIGHTING DIAGRAMS

SHEET:
E6.05





August 9, 2022

Tim Voelker
Utilities & Engineering Director
Public Works / Utilities & Engineering
Stuart, FL 34994

(772) 288-5332

**Re: Traffic Analysis for Land Use Plan Amendment – Worst Case Scenario Supplement Analysis
151 NW Flagler Avenue, Stuart, FL**

Dear Mr. Voelker,

WGI, Inc. has been retained by Gulf Building, LLC to prepare a Traffic Impact Analysis (TIA) for the proposed boat maintenance and sales building located at 151 NW Flagler Avenue in the City of Stuart, Martin County, Florida. The development plans to include an 18.72 KSF boat maintenance/sales building. The proposed site is located on the east side of NW Flagler Ave and west of NW Federal Highway in the City of Stuart. The buildout for the project is expected in 2024. **Figure 1** shows the study site map.

LAND USE PLAN AMENDMENT

The City of Stuart has requested that a supplemental traffic analysis be prepared that addresses the potential max development for the site. The current land use is Industrial, and the proposed land use is Marine Industrial. The maximum allowable square footage is 234,440 with an FAR of 3.0 and a lot size of 1.794 acres. The land use high cube warehouse was applied as a worst-case trip generation for the current future land use. The highest allowable use for the proposed future land use of Marine Industrial is commercial retail space. Residential use is also allowed under Marine Industrial, but this would support the development of only 27 residential units which would generate substantially less traffic compared to 234,440 SF of commercial space.

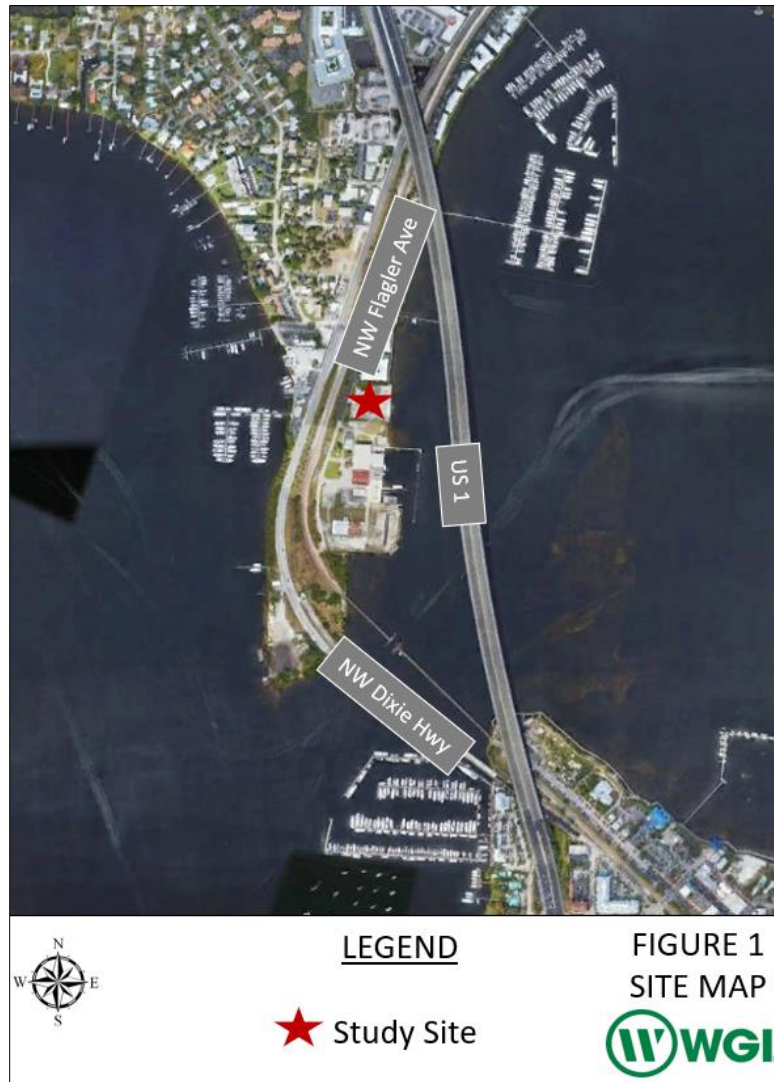


Figure 1: Site Map – 151 NW Flagler Project

TRIP GENERATION METHODOLOGY

The vehicular trip generation estimate aims to approximate the number of new vehicle trips entering and exiting the site for various purposes (e.g., visitor trips, etc.) during peak periods. The Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition* was applied for the trip generation analysis because of its widely accepted methodology. Since the project is not a mixed-use development no internal capture was assumed. The land uses High-Cube Fulfillment Center Warehouse (ITE land use code 155) and Shopping Center (ITE land use code 820) were applied for the analysis of the current and proposed future land uses, respectively.



Table 1 provides the comparison of the projected trip generation for the existing and proposed future land uses for a typical weekday and the AM and PM peak hours.

Table 1: Trip Generation Rates

Daily

	Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
						In	Out	In	Out	Total
Existing Future Land Use	High-Cube Fulfillment Center Warehouse - Sort	155	234440	Sft	T=6.44(X)	50%	50%	755	755	1,510
Proposed Future Land Use	Shopping Center	820	234440	Sft	T=37.01(X)	50%	50%	4,338	4,338	8,677
TOTALS (Proposed - Existing)								3,583	3,583	7,167

AM Peak Hour

	Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
						In	Out	In	Out	Total
Existing Future Land Use	High-Cube Fulfillment Center Warehouse - Sort	155	234440	Sft	T=0.87(X)	81%	19%	165	39	204
Proposed Future Land Use	Shopping Center	820	234440	Sft	T=0.84(X)	62%	38%	122	75	197
TOTALS (Proposed - Existing)								(43)	36	(7)

PM Peak Hour

	Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
						In	Out	In	Out	Total
Existing Future Land Use	High-Cube Fulfillment Center Warehouse - Sort	155	234440	Sft	T=1.20(X)	39%	61%	110	172	281
Proposed Future Land Use	Shopping Center	820	234440	Sft	T=3.40(X)	48%	52%	383	414	797
TOTALS (Proposed - Existing)								273	243	516

Source: WGI, 2022.

ROADWAY LINK ANALYSIS

The land use plan analysis requires a five-year and long-range roadway capacity analysis. **Tables 2a and 2b** summarize the five-year impacts for the AM and PM peak hour at 50% project build-out (e.g., 50% of the project traffic) for the year 2027. **Table 3** summarizes the 2040/2045 long range traffic conditions for the PM peak hour at full-build out. The long-range roadway capacity analysis evaluates only the incremental change between the existing and proposed future land use scenarios.

If this intense land use was able to be constructed, the impact would exceed 5% or more of the roadway capacity for almost all roadway segments in the study area except portions of Flagler Avenue for both the 5-year and long-range analysis. However, the total projected peak hour traffic is not projected to exceed any roadway segments LOS D directional distribution roadway capacity for either the 5-year or long-range analysis. This shows that the roadway segments in the study area should be able to effectively support future roadway peak hour volumes.



Table 2a: Five-Year Roadway Link Analysis (AM Peak Hour)

Segment	From	To	Direction		Lanes	Is Project Traffic 5% or More of Capacity?	D Factor	2021 Volume Peak Hour Peak Direction	Growth Rate	Committed Trips	2027 Volume Peak Hour Peak Direction ⁽²⁾	LOS D Directional Peak Hour ⁽¹⁾	Directional Peak Project Volume ⁽⁴⁾	Project Percent Assignment	Directional Percent Project of Capacity	Total Traffic (Peak Direction)	Can Project Meet Concurrency
Dixie Hwy	Joan Jefferson Way	Fern St	NB	IN	2L	no	0.332	147	1.016	12	176	880	27	45%	3.12%	204	Yes
	Joan Jefferson Way	Fern St	SB	OUT	2L	no	0.668	296	1.016	14	345	880	17	45%	1.91%	362	Yes
	Fern St	Wright	NB	OUT	2L	no	0.332	147	1.016	12	176	880	17	45%	1.91%	193	Yes
	Fern St	Wright	SB	IN	2L	no	0.668	296	1.016	10	341	880	27	45%	3.12%	368	Yes
Flagler Ave	Fern St	Project Driveway	NB	OUT	2L	yes	0.681	49	1.016	0	54	675	37	100%	5.54%	91	Yes
	Fern St	Project Driveway	SB	IN	2L	yes	0.319	23	1.016	0	25	675	61	100%	9.04%	86	Yes
	Fern St	Alice	NB	OUT	2L	no	0.681	49	1.016	21	75	675	4	10%	0.55%	79	Yes
	Fern St	Alice	SB	IN	2L	no	0.319	23	1.016	22	47	675	6	10%	0.90%	53	Yes
Fern St	Dixie	Flagler	EB	IN	2L	yes	0.681	49	1.016	21	75	750	55	90%	7.33%	130	Yes
	Dixie	Flagler	WB	OUT	2L	no	0.319	23	1.016	22	47	750	34	90%	4.49%	81	Yes

⁽¹⁾ 2020 FDOT Quality Level of Services Handbook Tables

⁽²⁾ Turning movement peak hour counts on 8/11/2021, except Dixie which are from July 2020, grown 7 years

⁽³⁾ Martin County 2019 Level of Service Inventory Report

⁽⁴⁾ Estimated 50% of max development would occur by 2027

Source: WGL, 2022.

Table 2b: Five-Year Roadway Link Analysis (PM Peak Hour)

Segment	From	To	Direction		Lanes	Is Project Traffic 5% or More of Capacity?	D Factor	2021 Volume Peak Hour Peak Direction	Growth Rate	Committed Trips	2027 Volume Peak Hour Peak Direction ⁽²⁾	LOS D Directional Peak Hour ⁽¹⁾	Directional Peak Project Volume ⁽⁴⁾	Project Percent Assignment	Directional Percent Project of Capacity	Total Traffic (Peak Direction)	Can Project Meet Concurrency
Dixie Hwy	Joan Jefferson Way	Fern St	NB	IN	2L	yes	0.332	416	1.016	12	477	880	86	45%	9.78%	563	Yes
	Joan Jefferson Way	Fern St	SB	OUT	2L	yes	0.668	180	1.016	14	215	880	93	45%	10.60%	308	Yes
	Fern St	Wright	NB	OUT	2L	yes	0.332	416	1.016	12	477	880	93	45%	10.60%	570	Yes
	Fern St	Wright	SB	IN	2L	yes	0.668	180	1.016	10	211	880	86	45%	9.78%	297	Yes
Flagler Ave	Fern St	Project Driveway	NB	OUT	2L	yes	0.681	28	1.016	0	31	675	207	100%	30.70%	238	Yes
	Fern St	Project Driveway	SB	IN	2L	yes	0.319	52	1.016	0	57	675	191	100%	28.34%	248	Yes
	Fern St	Alice	NB	OUT	2L	no	0.681	28	1.016	21	52	675	21	10%	3.07%	73	Yes
	Fern St	Alice	SB	IN	2L	no	0.319	52	1.016	22	79	675	19	10%	2.83%	98	Yes
Fern St	Dixie	Flagler	EB	IN	2L	yes	0.681	28	1.016	21	52	750	172	90%	22.96%	224	Yes
	Dixie	Flagler	WB	OUT	2L	yes	0.319	52	1.016	22	79	750	187	90%	24.87%	266	Yes

⁽¹⁾ 2020 FDOT Quality Level of Services Handbook Tables

⁽²⁾ Turning movement peak hour counts on 8/11/2021, except Dixie which are from July 2020, grown 7 years

⁽³⁾ Martin County 2019 Level of Service Inventory Report

⁽⁴⁾ Estimated 50% of max development would occur by 2027

Source: WGL, 2022.



Table 3: Long-Range Roadway Link Analysis (PM Peak Hour)

Segment	From	To	Direction		Lanes	Is Project Traffic 5% or More of Capacity?	2040/2045 AADT	K Factor	D Factor	2021 Volume Peak Hour Peak Direction	Growth Rate	2045 Volume Peak Hour Peak Direction	LOS D Directional Peak Hour	2045 Directional Peak Project Volume	Project Percent Assignment	Directional Percent Project of Capacity	Total Traffic (Peak Direction)	Can Project Meet Concurrency
Dixie Hwy	Joan Jefferson Way	Fern St	NB	IN	2L	yes	10,234	0.09	0.698	416	1.016	619	880	123	45%	13.95%	741	Yes
	Joan Jefferson Way	Fern St	SB	OUT	2L	yes	10,234	0.09	0.302	180	1.016	183	880	109	45%	12.42%	292	Yes
	Fern St	Wright	NB	OUT	2L	yes	10,234	0.09	0.698	416	1.016	423	880	109	45%	12.42%	532	Yes
	Fern St	Wright	SB	IN	2L	yes	10,234	0.09	0.302	180	1.016	183	880	123	45%	13.95%	306	Yes
Flagler Ave	Fern St	Project Driveway	NB	OUT	2L	yes	na	na	0.350	28	1.016	28	675	243	100%	35.98%	271	Yes
	Fern St	Project Driveway	SB	IN	2L	yes	na	na	0.650	52	1.016	53	675	273	100%	40.43%	326	Yes
	Fern St	Alice	NB	OUT	2L	yes	na	na	0.350	28	1.016	28	675	24	10%	3.60%	53	Yes
	Fern St	Alice	SB	IN	2L	yes	na	na	0.650	52	1.016	53	675	27	10%	4.04%	80	Yes
Fern St	Dixie	Flagler	EB	IN	2L	yes	na	na	0.350	28	1.016	28	750	246	90%	32.75%	274	Yes
	Dixie	Flagler	WB	OUT	2L	yes	na	na	0.650	52	1.016	53	750	219	90%	29.15%	271	Yes



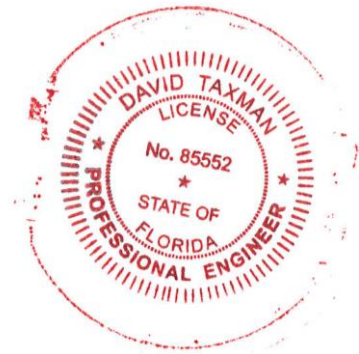
In accordance with the state and local laws the applicant could mitigate their impacts at the time of site plan development through mitigations or a developer agreement such as a "proportionate share agreement". Therefore, the proposed land use could be accommodated even in the worst-case scenario. The Worst-Case Scenario Supplemental Traffic Analysis for the proposed Land Use Plan amendment for 151 NW Flagler followed the procedures and outline defined in the City of Stuart Land Development Code. Please let us know if there are any comments/questions. Please contact me via email at David.taxman@wginc.com or via telephone at (954) 556-7894 if you have any questions.

Respectfully submitted,

WGI, Inc.

A handwritten signature in blue ink that reads "David Taxman".

David Taxman, P.E.
Mobility Market Leader



Attachments: ITE Land Use Code 155 and 820 worksheets

DATA SOURCE:
 Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:
 155

LAND USE GROUP:
 (100-199) Industrial

LAND USE:
 155 - High-Cube Fulfillment Center Warehouse

LAND USE SUBCATEGORY:
 Sort

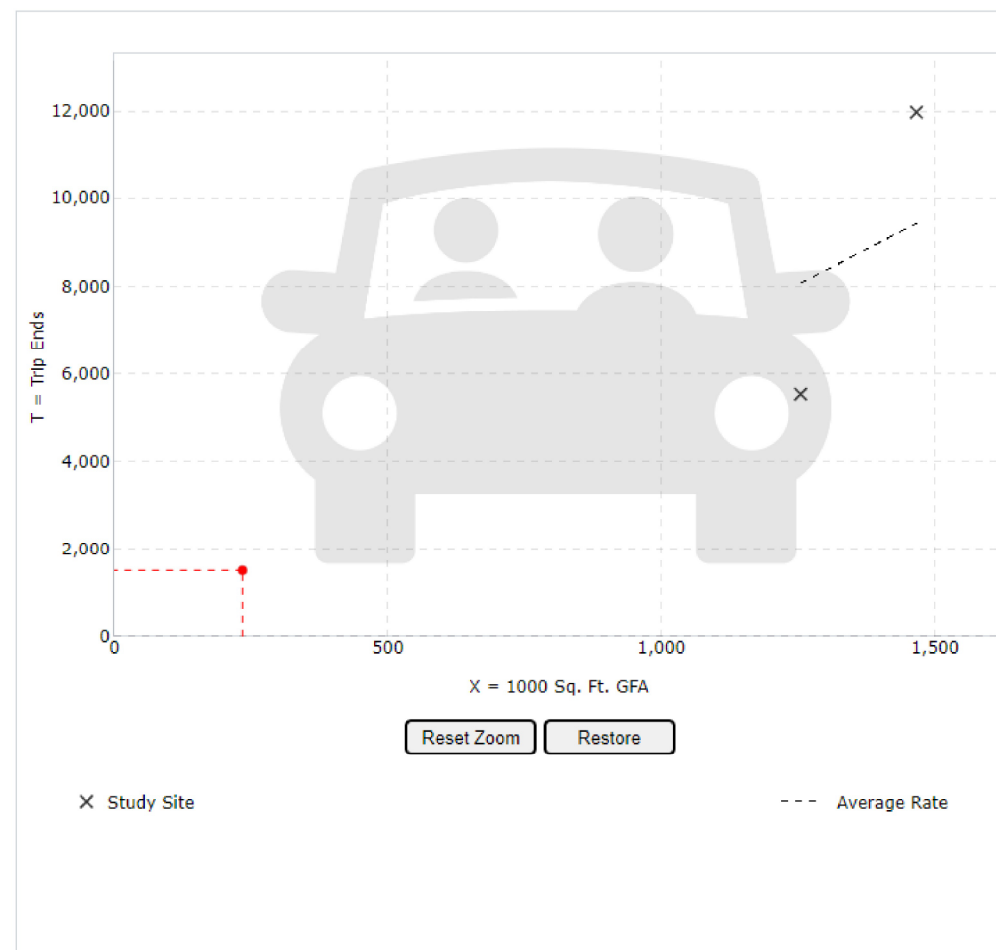
SETTING/LOCATION:
 General Urban/Suburban

INDEPENDENT VARIABLE (IV):
 1000 Sq. Ft. GFA

TIME PERIOD:
 Weekday

TRIP TYPE:
 Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:
 234.44 Calculate



Land Use:
High-Cube Fulfillment Center Warehouse - Sort (155) Click for Description and Data Plots
Independent Variable:
1000 Sq. Ft. GFA
Time Period:
Weekday
Setting/Location:
General Urban/Suburban
Trip Type:
Vehicle
Number of Studies:
2
Avg. 1000 Sq. Ft. GFA:
1360
Average Rate:
6.44
Range of Rates:
4.41 - 8.18
Standard Deviation:

Fitted Curve Equation:
Not Given
R²:

Directional Distribution:
50% entering, 50% exiting
Calculated Trip Ends:
Average Rate: 1510 (Total), 755 (Entry), 755 (Exit)

Use the mouse wheel to Zoom Out or Zoom In.
 Hover the mouse pointer on data points to view X and T values.

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

155



LAND USE GROUP:

(100-199) Industrial

LAND USE :

155 - High-Cube Fulfillment Center Warehouse

LAND USE SUBCATEGORY:

Sort

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

Vehicle

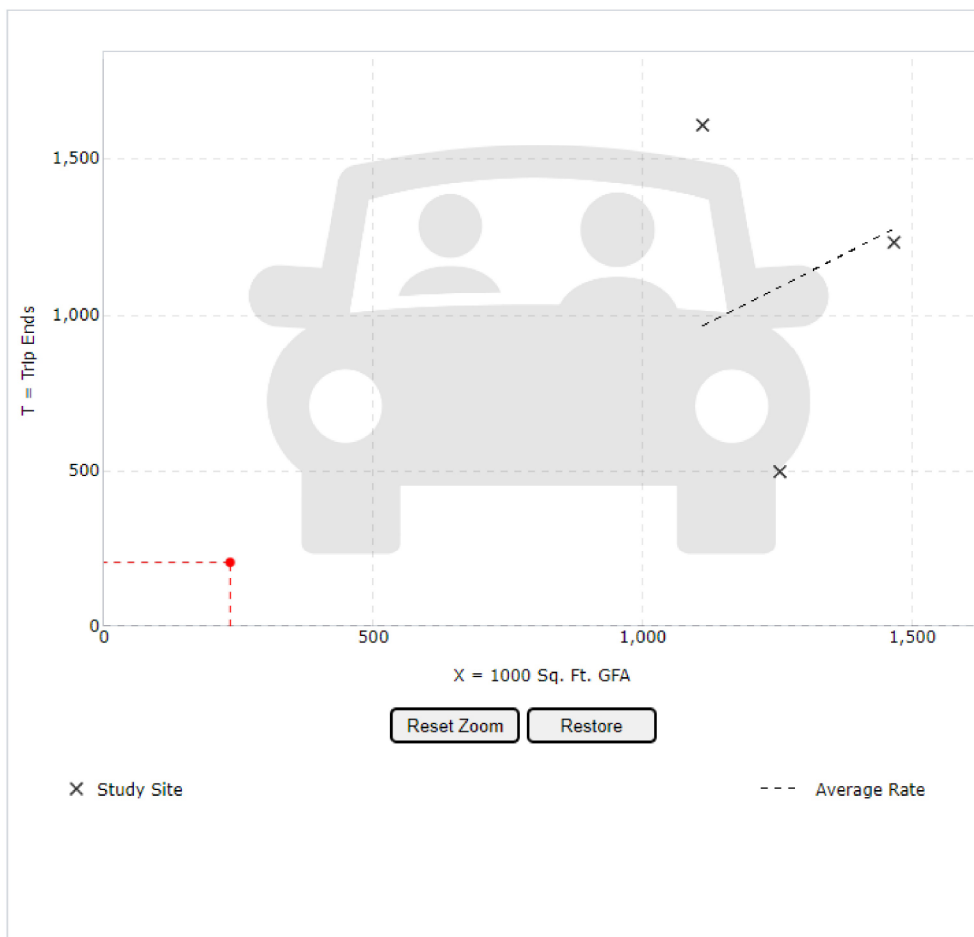
ENTER IV VALUE TO CALCULATE TRIPS:

234.44

Calculate

Data Plot and Equation

Caution – Small Sample Size



DATA STATISTICS

Land Use:

High-Cube Fulfillment Center Warehouse - Sort (155) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday
Peak Hour of Adjacent Street Traffic
One Hour Between 7 and 9 a.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

3

Avg. 1000 Sq. Ft. GFA:

1277

Average Rate:

0.87

Range of Rates:

0.40 - 1.45

Standard Deviation:

0.51

Fitted Curve Equation:

Not Given

R²:

Directional Distribution:

81% entering, 19% exiting

Calculated Trip Ends:

Average Rate: 204 (Total), 165 (Entry), 39 (Exit)

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

155



LAND USE GROUP:

(100-199) Industrial

LAND USE:

155 - High-Cube Fulfillment Center Warehouse

LAND USE SUBCATEGORY:

Sort

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

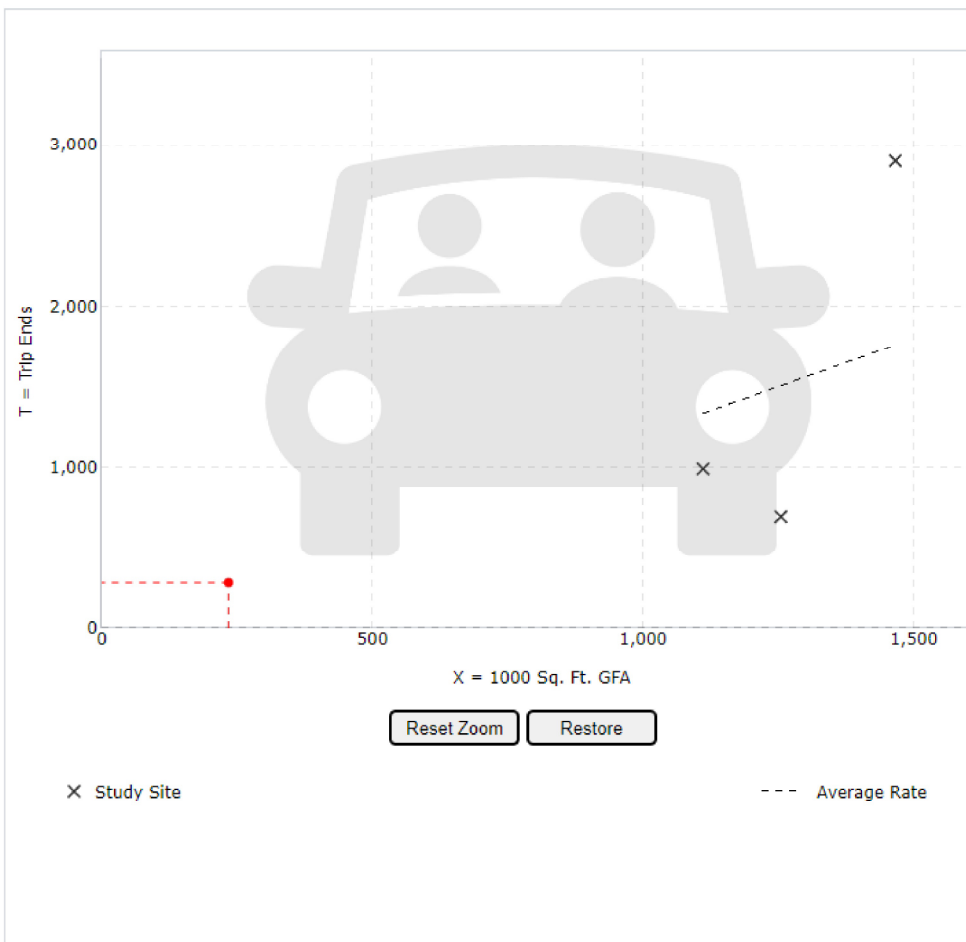
TRIP TYPE:

Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

234.44

Calculate



Land Use:

High-Cube Fulfillment Center Warehouse - Sort
(155) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic
One Hour Between 4 and 6 p.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

3

Avg. 1000 Sq. Ft. GFA:

1277

Average Rate:

1.20

Range of Rates:

0.55 - 1.98

Standard Deviation:

0.77

Fitted Curve Equation:

Not Given

R²:

Directional Distribution:

39% entering, 61% exiting

Calculated Trip Ends:

Average Rate: 281 (Total), 109 (Entry), 172 (Exit)

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

820



LAND USE GROUP:

(800-899) Retail

LAND USE :

820 - Shopping Center (>150k)

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GLA

TIME PERIOD:

Weekday

TRIP TYPE:

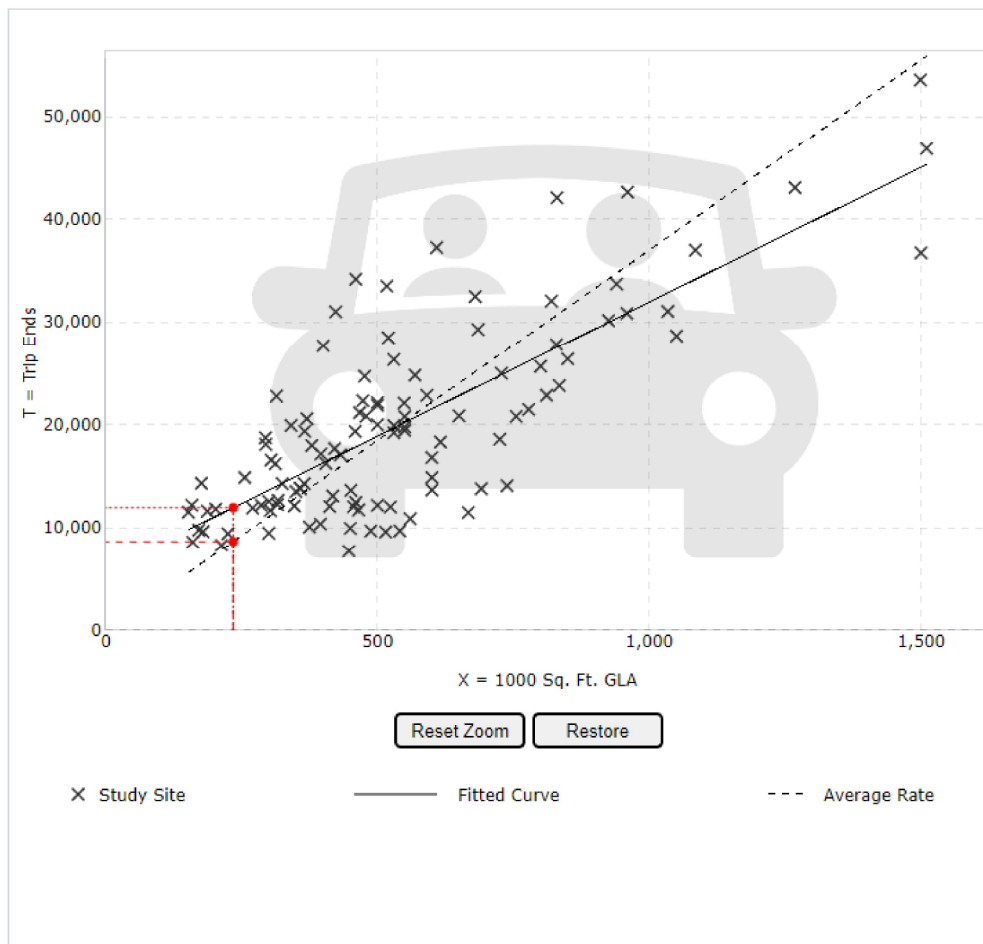
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

234.44

Calculate

Data Plot and Equation



Use the mouse wheel to Zoom Out or Zoom In.
Hover the mouse pointer on data points to view X and T values.

DATA STATISTICS

Land Use:

Shopping Center (>150k) (820) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GLA

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

108

Avg. 1000 Sq. Ft. GLA:

538

Average Rate:

37.01

Range of Rates:

17.27 - 81.53

Standard Deviation:

12.79

Fitted Curve Equation:

 $T = 26.11(X) + 5863.73$ R²:

0.60

Directional Distribution:

50% entering, 50% exiting

Calculated Trip Ends:

Average Rate: 8677 (Total), 4338 (Entry), 4339 (Exit)

Fitted Curve: 11985 (Total), 5992 (Entry), 5993 (Exit)

Query

Filter

Data Plot and Equation

Caution – Small Sample Size

DATA STATISTICS

Land Use:

High-Cube Fulfillment Center Warehouse - Sort
(155) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

2

Avg. 1000 Sq. Ft. GFA:

1360

Average Rate:

6.44

Range of Rates:

4.41 - 8.18

Standard Deviation:

Fitted Curve Equation:

Not Given

 R^2 :

Directional Distribution:

50% entering, 50% exiting

Calculated Trip Ends:

Average Rate: 1510 (Total), 755 (Entry), 755 (Exit)

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

155



LAND USE GROUP:

(100-199) Industrial

LAND USE:

155 - High-Cube Fulfillment Center Warehouse

LAND USE SUBCATEGORY:

Sort

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday

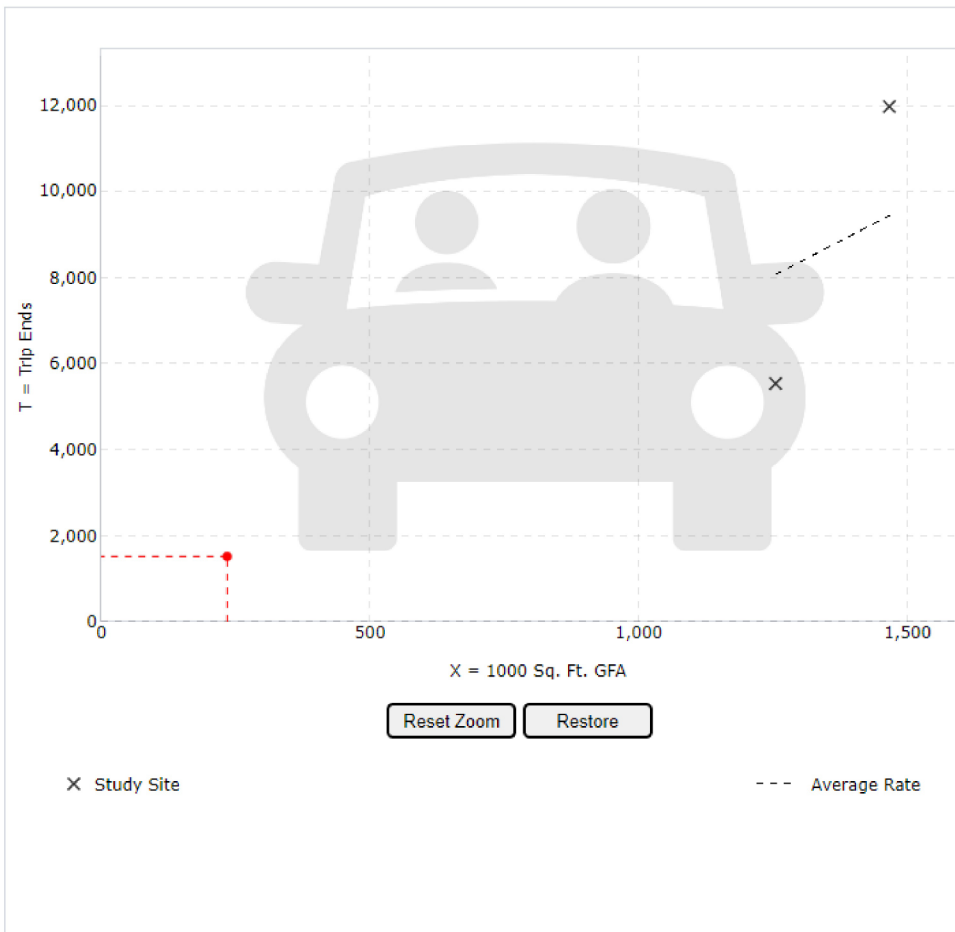
TRIP TYPE:

Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

234.44

Calculate



DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

820



LAND USE GROUP:

(800-899) Retail

LAND USE :

820 - Shopping Center (>150k)

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GLA

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

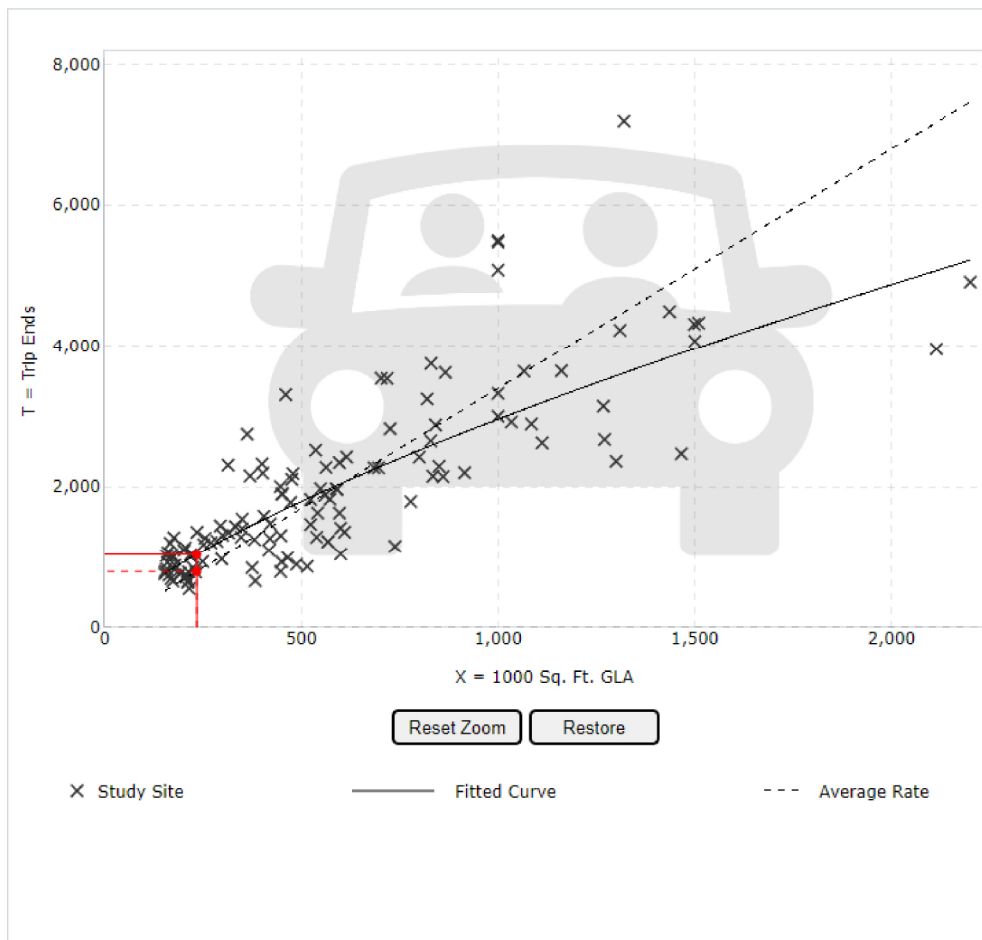
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

234.44

Calculate

Data Plot and Equation



Use the mouse wheel to Zoom Out or Zoom In.
 Hover the mouse pointer on data points to view X and T values.

DATA STATISTICS

Land Use:

Shopping Center (>150k) (820) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GLA

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic
 One Hour Between 4 and 6 p.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

126

Avg. 1000 Sq. Ft. GLA:

581

Average Rate:

3.40

Range of Rates:

1.57 - 7.58

Standard Deviation:

1.26

Fitted Curve Equation:

 $\ln(T) = 0.72 \ln(X) + 3.02$ R^2 :

0.70

Directional Distribution:

48% entering, 52% exiting

Calculated Trip Ends:

Average Rate: 797 (Total), 383 (Entry), 414 (Exit)

Fitted Curve: 1042 (Total), 500 (Entry), 542 (Exit)

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Community Redevelopment Board**

Meeting Date: 6/6/2023

Prepared by: Pinal Gandhi-Savdas, Paula Sesta

Title of Item:

PRESENTATION ON THE DOWNTOWN TRAM SERVICE

Summary Explanation/Background Information on Agenda Request:

The Downtown Tram Service is operated by the Public Works Department. Paula Sesta and Milton Leggett will provide an update on the ridership, route system, grants, historical tours, operating expenses and promoting tram services.

The CRA supports and funds the micro-transit system in the downtown. The CRA funded approximately \$180,000 for the tram service from FY 2021- FY 2023. Prior to that time, the tram service was partially funded by the Transit Development Grant from the FDOT.

Funding Source:

N/A

Recommended Action:

Provide feedback to improve the functionality of the tram service.

ATTACHMENTS:

1. Presentation



CITY OF STUART MICRO TRANSIT SYSTEMS



28,723 Riders

In 2018 and 2019
we had over
40,000 riders but
due to Covid our
ridership
declined.
Currently, the
ridership is
increasing

Ridership in 2021

ROUTES

Fixed and On-Call

The tram runs 7 days a week:

Mon-Thurs 10 AM to 7 PM

Fri-Sat 10 AM to 9 PM

Sun 10 AM to 5 PM



SCHEDULED STOPS

1. Kiwanis Park-n-Ride
2. Martin County Courthouse
(M-F until 5pm only)
3. Osceola Park Park-n-ride
4. Haney Circle (Colorado/Osceola)
5. Flagler Park
6. City Hall
8. Sailfish Park-n-Ride



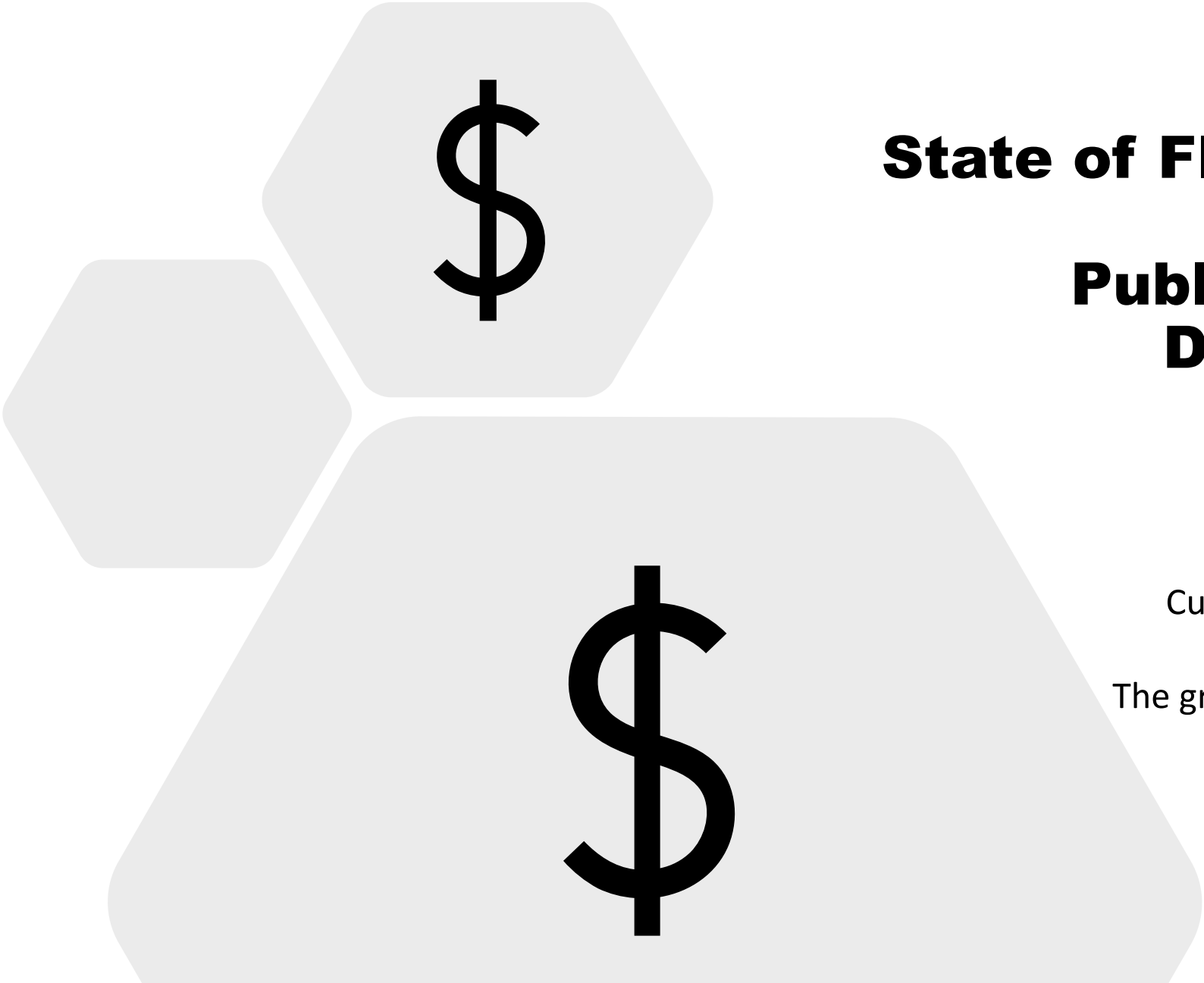
ONCALL - LOCATIONS

772-260-0126

7. Akron Ave. | W. Ocean
9. Kindred St.
(M-F until 5pm)
10. Hospital
11. Sailor's Return
(after 3pm only)



Route Map



State of Florida Department of Transporations Public Transit Service Development Grant

Currently, we have a grant to promote the
trams and to do tours

The grant is in effect until May 2023 and is up
to \$35,000 in reimbursable funds



Tours/Events for 2021

- 116 Historic Tours
- 673 Mini Tours
- 41 Other Events
- These average an additional 336 per month



Payroll

Repairs

EXPENSES

2021 Total Yearly Expenses

\$108,780

We have 5 part-time leisure drivers and 6 trams

Communication

Supplies

In 2021 we installed an advertising panel on one of the trams. There are 4 spaces on each side available. The front and rear panels are for City of Stuart display. The panel are available for local businesses to advertise their business on. The cost to advertise is \$200 per month with a minimum of 3 month or if 6-months is paid in full the cost is \$1,000. Currently, we have 3 panels occupied.

ADVERTISING PANEL



COMPLIMENT LETTERS

Everyone loves the tours-Here are some of the many letters we receive each week

Last Saturday I had the pleasure of touring Stuart with Sandy. It was educational and fun. This is definitely an asset to the city. Here is hoping this service continues for a long time to come. Thank you.

Just me sandy!

We enjoyed our historic tour of Stuart today. It was very informative. Gary was a great guide with lots of stories, humour, and knowledge of Stuart.

Frank & Gayle
Corning

On Tuesday, March 22, several ladies from our condo, Hutchinson Island Club, took the tram tour. Our tour guide was Gary. He did an amazing job! He was both entertaining and informative. We all enjoyed the tour and had a wonderful time. Several of us want to take it again with our husbands because we know they will enjoy it as well. I just wanted to thank the City of Stuart for providing the tour, and let you know that Gary did a great job. Thanks!

Robin Stacks

Dear Paula- just a note to say thank you for the wonderful tour of Stuart. Sandy was a terrific ambassador for the city and made the tour interesting and entertaining. This is a super service for the city!
Regards, Jan Juntunen

Just wanted to say what an amazing job Sandy did giving us our tram tour yesterday. We learned so much about Florida and Stuart. He makes the tour entertaining and informative, so much information. What a wonderful experience!
Jay and Linda Turner

Hi Paula

Thank you for Friday's free tour of historic Stuart. Very interesting and Gary was a wealth of knowledge about the area. My husband and I really enjoyed it.

The ladys at the Museum were very helpful and informative also. As a past President of my towns Historical Society I appreciate the work that they have to do with such an extensive collection. Good job ladies.

Thanks again, Be safe,
Deb & Steve Flattery

Hi Paula,

We went on a city tour with Sandy this past Wed, Mar 23. First, I have to say what an ambassador this city has in him. His historical facts and love of Stuart exudes from him. It made us love Stuart more than we already do. We are in the marina at Sunset Bay and feel very fortunate to be here.

In addition, what this city does for its residents is unlike any I have ever. The tram is such a wonderful asset to get around. We appreciate the ability to jump on the tram from the marina as well as enjoying the rides around town.

Thank you to the city of Stuart for all you do, Sandy Williamson and Dan Kirsch

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST Community Redevelopment Board

Meeting Date: 6/6/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

DOWNTOWN TRAM WRAP PROGRAM (RC):

RESOLUTION No. 07-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE BOARD TO APPROVE IMPLEMENTATION OF THE DOWNTOWN TRAM WRAP PROGRAM TO INCREASE VISIBILITY, ATTRACT RIDERS, AND PROMOTE MICRO-TRANSIT SERVICE; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Community Redevelopment Agency:

On May 22, 2023, the board directed staff to bring the item back to CRB for feedback. The comments from the board included:

- Consider a design that is consistent with the City branding (e.g. colors, font, graphics).
- Investment in trams vs. future programming of service/operation
- The tram wrap color scheme to be consistent with the various needs of the community (e.g. historic tours, commuter system, fixed-route service for parking lots, on-call).

Community Redevelopment Board:

On May 2, 2023, there was no action taken due to lack of quorum.

Summary/Background:

On April 10, 2023, the City Commission directed staff to bring forward the Downtown Tram wrap concept for consideration. Pursuant to the Board's direction, the staff developed the included vinyl wrap concept with different art elements to make the trams stand out. The goal is to make the program more enjoyable and memorable. The conceptual storyboard is supported by Main Street, Downtown Business Association and The Creek District Boards. The agenda item is seeking direction from the CRA regarding the program. Should the City move forward with the program and, if so, what style is appropriate? Is there a recommended theme that should be followed and what consistency regarding branding is advised?

Funding Source:

CRA TIF Fund Balance

Recommended Action:

Motion to approve Resolution No. 07-2023, implementation of the Downtown Tram Wrap Program.

ATTACHMENTS:

1. R07-2023 CRA - Tram Wrap Program
2. Transit Storyboard
3. Letters of Support - DBA, Main Street, Creek District



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

RESOLUTION NUMBER 07-2023 CRA

A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE BOARD TO APPROVE IMPLEMENTATION OF THE DOWNTOWN TRAM WRAP PROGRAM TO INCREASE VISIBILITY, ATTRACT RIDERS, AND PROMOTE MICRO-TRANSIT SERVICE; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City of Stuart adopted a Community Redevelopment Plan which supports improving and promoting micro-transit for public benefit in Downtown Stuart; and

WHEREAS, the City is proposing to wrap the trams to increase visibility and attract riders; and

WHEREAS, the artwork/design will be reproduced on vinyl wrap and applied to up to six (6) trams; and

Resolution Number 07-2023 CRA
Downtown Tram Wrap Program

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

SECTION 1: The Community Redevelopment Agency authorized the Board Chairperson to execute the resolution to implement the Downtown Tram Wrap Program.

SECTION 2: This resolution shall take effect upon adoption.

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

TROY MCDONALD, CHAIRPERSON
BECKY BRUNER, VICE CHAIRPERSON
EULA R. CLARKE, BOARD MEMBER
CHRISTOPHER COLLINS, BOARD MEMBER
CAMPBELL RICH, BOARD MEMBER
MICAH HARTOWSKI, EX-OFFICIO BOARD MEMBER
TOM CAMPENNI, EX-OFFICIO BOARD MEMBER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
CHAIRPERSON

APPROVED AS TO FORM
AND CORRECTNESS:

PAUL J. NICOLETTI
INTERIM CITY ATTORNEY

TRAM REBRAND

MARCH 2023 - PAGE 1 OF 3



TRAM #1

Two-tone blue with pink hibiscus



TRAM #2

Two-tone pink with green palm trees



TRAM #3

Two-tone green with pink hibiscus



TRAM REBRAND

MARCH 2023 - PAGE 2 OF 3



TRAM #4

Two-tone lime with pink hibiscus



TRAM #2

Two-tone pink with yellow hibiscus



TRAM #3

Two-tone green with yellow



TRAM REBRAND

MARCH 2023 - PAGE 3 OF 3



TRAM #4

Two-tone pink with pink hibiscus

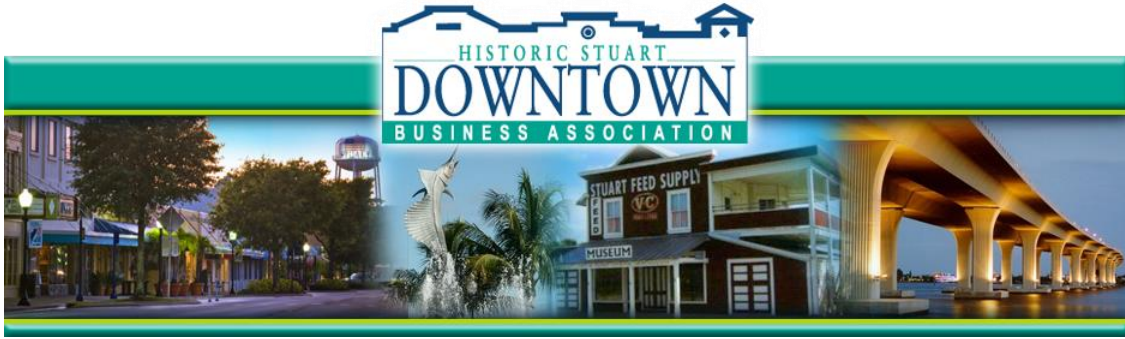


TRAM #2

Two-tone blue with palm trees







April 26, 2023

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

RE: Tram Rebrand

Dear Pinal,

Thanks for including our organization in your planning for the rebranding of the trams. We always enjoy giving input from the merchant point of view.

The Downtown Business Association of Stuart (DBA) would like to lend its support to the rebranding of the trams with the colorful wrap designs you presented @ our April 26, 2023, DBA meeting. We feel the designs will be eye-catching and create more tram ridership. The designs may invite a cool photo opportunity and will lead to more tram awareness.

The DBA enjoys the collaborative relationship between the City of Stuart CRA and staff. This partnership is critical to the overall well-being of historic downtown Stuart.

Sincerely,

Bill Moore
President, DBA
Owner, Kilwins of Stuart



P.O. Box 3035
Stuart, FL 34995

Board of Directors

Joe Flanagan,
President

Jim Hatch,
Vice President

Brian Ake,
Treasurer

Mike McCarty,
Design Chair

Paul Nunley

Jim McCabe

Cherie White

Michele P. Miller

Gloria Floyd

Director

Candace Callahan

Office

201 SW Flagler Ave.
Stuart, FL 34994
772-286-2848

May 28, 2023

Michael Mortell, City Manager City of Stuart
City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994

Dear Michael,

Stuart Mainstreet was presented the tram wrap design concepts on April 11th. Our board reviewed the designs and provided feedback on the various options. The board all agreed the wrap would enhance the aesthetics of the tram therefore we are in support of the trams wraps.

Thank you,

Mike McCarty,
Design Committee Chair, Stuart Main Street

THE CREEK DISTRICT

of Arts & Entertainment
STUART, FLORIDA

April 27, 2023

Dear City of Stuart Commissioners:

I am writing on behalf of the Board of Directors of The Creek District of Arts and Entertainment, Inc., a not-for-profit organization created with the mission of establishing and promoting a vibrant arts and entertainment district in downtown Stuart, in support of the proposed new tram wraps.

Pinal Gandhi-Savdas attended our most recent Board meeting to present conceptual illustrations of the trams in new, colorful wraps. The response of the members of our Board was immediate and enthusiastic. Certainly in The Creek District we appreciate the trams as they ferry visitors and residents throughout the area. Yet, over time, they tend to fade into the background, both visually and in our conscience. The introduction of color, and the consensus among the Board was the brighter the better, makes the trams more visible, attractive and fun. In this way they will draw more attention to themselves, which, hopefully, will increase ridership and awareness.

We encourage you to approve the proposed design changes and apply them to every tram in the fleet. I suspect you will be rewarded with the smiles and delight of all who watch and wave as the tram passes by.

Most sincerely,



Duncan Hurd, President
Board of Directors

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Community Redevelopment Board**

Meeting Date: 6/6/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

CRA BUDGET AMENDMENT #03-2023 FOR FY 2023 (RC):

RESOLUTION No. 06-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #03 TO THE FY 2023 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO ALLOCATE TO WRAP THE DOWNTOWN TRAMS TO INCREASE VISIBILITY, ATTRACT RIDERS, AND PROMOTE MICRO-TRANSIT SERVICE; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Staff is requesting to allocate \$10,000 to implement the Downtown Tram Wrap Program. The artwork/design approved by the board will be reproduced as vinyl wraps and applied to up to three (3) trams for the initial phase. The estimated cost to wrap each tram is approximately \$2,300. The wraps are intended to last at least 5-7 years but may be removed at any time at the discretion of the board.

Funding Source:

FROM: CRA Fund Balance - \$10,000
TO: Downtown Tram Wrap - \$10,000

Recommended Action:

Motion to approve Resolution No. 06-2023 authorizing a budget allocation of \$10,000 for the Downtown Tram Wrap Program.

ATTACHMENTS:

1. R06-2023 CRA - Budget Amendment #03-2023 - Downtown Tram Wrap
2. Tram Wrap Estimate Ampersand



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

RESOLUTION NUMBER 06-2023 CRA

A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #03 TO THE FY 2023 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO ALLOCATE TO WRAP THE DOWNTOWN TRAMS TO INCREASE VISIBILITY, ATTRACT RIDERS, AND PROMOTE MICRO-TRANSIT SERVICE; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

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

SECTION 1: The Community Redevelopment Agency of the City of Stuart hereby authorizes a FY 2023 budget transfer as follows:

FROM: CRA Fund Balance - \$10,000
TO: Downtown Tram Wrap - \$10,000

SECTION 2: This resolution shall take effect upon adoption.

Resolution Number 06-2023 CRA
Budget Amendment #03 to FY 2023 CRA Budget

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

TROY MCDONALD, CHAIRPERSON
BECKY BRUNER, VICE CHAIRPERSON
EULA R. CLARKE, BOARD MEMBER
CHRISTOPHER COLLINS, BOARD MEMBER
CAMPBELL RICH, BOARD MEMBER
MICAH HARTOWSKI, EX-OFFICIO BOARD MEMBER
TOM CAMPENNI, EX-OFFICIO BOARD MEMBER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

PAUL J. NICOLETTI
INTERIM CITY ATTORNEY



553 S.E. Monterey Rd
Stuart, FL 34994
772-283-1359

Quote: 22343

Date QUOTE: 3/6/23
Completion Date:

Name	Salesperson	Email
Paula Sesta	Brad Love	psesta@ci.stuart.fl.us

City of Stuart
300 SW St. Lucie Avenue
Stuart, FL 34994-2139

Phone	Fax
772-600-1258	

Quote Category
Tram Wrap

Qty	Product ID	Color	Description	Unit Price	Total Price
1	PROOF_SETUP		Proofing Setup	80.00	80.00
1	WRAP_SQFTCU STM		Tram Wrap Sides & Back [728 sqin @13x56]	644.05	644.05
1	WRAP_SQFTCU STM		Tram Wrap - Front & Mirrors [4320 sqin @60x72]	959.04	959.04
1	LABOR Wrap		Wrap Graphics Installation Labor	360.00	360.00
1	LABOR Remove		Graphics Removal Labor	280.00	280.00

Subtotal	2,323.09
Sales Tax	
Shipping	
Total	2,323.09

Note:
Quote valid for 30 days. Hours: Monday - Friday 8:00 AM - 4:30 PM
Orders require a 50% deposit of the quoted amount, to start design work. Projects are not put into the schedule until a deposit is received. By placing the deposit, you are accepting Ampersand Graphics terms and condition*. The remainder of the balance is due on receipt (DOR). No refunds, account credit only. **CASH or CHECK** is preferred payment method.
If paying with **CREDIT CARD** a **3.5%** service charge will be applied by the credit card processing company to card at time of purchase.
Standard production time is 10 business days from order & design approval. Printing Trade Customs of +/- 10% overage/underage apply. Any charges for dies, screens or designs does not imply the sale or transfer of such equipment or files.

Authorized By: Signature

Printed Name

Title

Date

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Community Redevelopment Board**

Meeting Date: 6/6/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

EXECUTE FACILITIES AGREEMENTS WITH FP&L AND BINDING COST ESTIMATE PAYMENT FOR CONVERTING OVERHEAD UTILITY LINES TO UNDERGROUND.

RESOLUTION NUMBER 08-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CHAIRPERSON TO ACCEPT AND EXECUTE AGREEMENTS WITH FLORIDA POWER AND LIGHT (FP&L) FOR UNDERGROUND FACILITIES CONVERSION IN DOWNTOWN; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The Downtown Underground Overhead Utilities Project includes the conversion of overhead utilities on SW Seminole Street from SW St Lucie Avenue to S Colorado Avenue, and SW Osceola Street from St Lucie Avenue to S Colorado Avenue; SW St Lucie Street from SW Seminole Street to SW Flagler Avenue; and S Colorado Avenue from SW Seminole Street to SW Flagler Avenue (map attached). The improvements will increase reliability, specifically following storm events, as well as add aesthetic benefits to the downtown. The project was initially anticipated to be completed in two phases, so that's why you will note that the agreements will refer to the projects as Phase 1 and Phase 2. However, to better coordinate the improvements, the underground conversion (Phase 1 and Phase 2) will be constructed in conjunction with the streetscape project.

FPL has provided an underground facilities conversion agreement and a binding cost estimate, known as the Contribution In Aid of Construction (C.I.A.C), required for converting the area to underground. The execution of agreements and payment in the amount of \$46,026 for Phase 1 and \$141,222 for Phase 2 is required to commence the construction process. FPL will supply the materials for the conversion. The city's contractor will be responsible for hiring an FP&L approved contractor and constructing all the underground facilities and transferring all the electric services to the new underground system. The city's contractor will also install all the conduit facilities required by Comcast and AT&T to accommodate the conversion of their overhead cable. Comcast and AT&T will install their respective equipment facilities and perform their respective service conversion. For reference, please see attached Engineer's Opinion of Probable Costs for Seminole Street in the amount of \$760,000 and Osceola Street in the amount of \$2.71 M. This includes contingency and CEI (construction observation) services for the construction of undergrounding and streetscape.

Funding Source:

Funding for this expenditure is budgeted in the CRA FY 2023 Budget (Downtown Undergrounding of Utilities Seminole & Osceola and Utilities Agreements - \$3.1 M).

Recommended Action:

Motion to Approve Resolution No. 08-2023 CRA to execute facilities agreements with FP&L.

ATTACHMENTS:

1. R08-2023 CRA - FPL Underground Conversion Agreements
2. BCE-City of Stuart - Seminole Street (Phase 1)
3. BCE - City of Stuart - Osceola Street (Phase 2)
4. Cost Estimate_ Seminole Street (Phase 1)
5. Cost Estimate _ Osceola Street (Phase 2)
6. Project Map



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

RESOLUTION NUMBER 08-2023 CRA

A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CHAIRPERSON TO ACCEPT AND EXECUTE AGREEMENTS WITH FLORIDA POWER AND LIGHT (FPL) FOR UNDERGROUND FACILITIES CONVERSION IN DOWNTOWN; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Community Redevelopment Agency (CRA) supports the undergrounding of utility facilities, for reasons of public safety and aesthetics; and

WHEREAS, the CRA will be constructing a Streetscape Project along Seminole Street from St Lucie Avenue to S Colorado Avenue (approximately 600 linear feet), consisting of streetscape improvements and underground facilities conversion; and

WHEREAS, the CRA will continue undergrounding along Osceola Street from St Lucie Avenue to S Colorado Avenue, SW St Lucie Avenue from SW Seminole Street to SW Flagler Avenue; and S Colorado Avenue from SW Seminole Street to SW Flagler Avenue as part of the facilities conversion project.

WHEREAS, FPL provided the attached "Applicant-Installed Facilities Agreement" for Seminole Street referred to as Phase 1 and the binding cost estimate, known as the Contribution In Aid of Construction (C.I.A.C.) payment in the amount of \$46,026 for purchasing the material for converting overhead utility lines to underground; and

Resolution Number 08-2023 CRA
FP&L Facilities Conversion Agreements

WHEREAS, FPL provided the attached “Applicant-Installed Facilities Agreement” for Osceola Street referred to as Phase 2 and the binding cost estimate, known as the Contribution In Aid of Construction (C.I.A.C.) payment in the amount of \$141,222 for purchasing the material for converting overhead utility lines to underground; and

WHEREAS, Section 15 Sole Source Procurements of the City policy exempts from competitive bid and competitive proposal requirements of the Purchasing Ordinance sole source suppliers and services; and

WHEREAS, staff recommends accepting the proposals and approving the facilities agreements; and

WHEREAS, funding for this expenditure is available in the CRA FY 2023 Budget.

WHEREAS, staff recommends that the CRA Board approve the attached agreements between the CRA and FP&L.

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

SECTION 1: The Community Redevelopment Agency Board hereby authorizes the execution of the attached agreements with FP&L for the underground facilities conversion in Downtown Stuart.

SECTION 2: This resolution shall take effect upon adoption.

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

TROY MCDONALD, CHAIRPERSON
BECKY BRUNER, VICE CHAIRPERSON
EULA R. CLARKE, BOARD MEMBER
CHRISTOPHER COLLINS, BOARD MEMBER
CAMPBELL RICH, BOARD MEMBER
MICAH HARTOWSKI, EX-OFFICIO BOARD MEMBER
TOM CAMPENNI, EX-OFFICIO BOARD MEMBER

YES	NO	ABSENT	ABSTAIN

Resolution Number 08-2023 CRA
FP&L Facilities Conversion Agreements

ADOPTED this ____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
CHAIRPERSON

APPROVED AS TO FORM
AND CORRECTNESS:

PAUL J. NICOLETTI
INTERIM CITY ATTORNEY



May 4th, 2023

Pinal Gandhi-Savdas
CRA Administrator/Development
City of Stuart
121 SW Flagler Ave.
Stuart, FL 34994

**Re: City of Stuart
Electric Facilities Conversion – Ballpark Estimate
City of Stuart, Phase 1
WR # 11531233**

Dear Mrs. Gandhi-Savdas:

FPL welcomes the opportunity to assist you in determining if underground service is right for your area. As per your request, we have completed the binding cost estimate for the project designated as the City of Stuart – Phase 1. The binding cost estimate amount, known as the Contribution In Aid of Construction (C.I.A.C.), required for converting the area to underground is \$46,026. The underground drawings for the project are being finalized and a full set will be sent to you once they are complete. In addition, the cost estimate includes a more than \$122,567 adjustment credit for both FPL's ASRC (Avoided Storm Restoration Cost) waiver and as required in the CIAC formula, tariff Section 12.1, credit for an equivalent overhead system designed at the current hardened (i.e. extreme wind) standard. Further the cost assumes the following:

- Customer completes all the work.
- All work will be performed during the daylight hours, Monday through Friday, 8 A.M. to 5 P.M.. Any after hours work, e.g. disconnect/reconnect service appointments or requiring construction at night, would be an additional expense for the Town.

This binding cost estimate is valid for 180 days and a response must be received within that timeframe. Should you agree to move forward with the project, please sign and return the enclosed documents. Once we receive the acceptance package (e.g. partially executed documents and C.I.A.C. payment), we will commence the construction process (i.e. initiate bid requests and material purchasing). Any deposits that you have already paid will be applied towards the C.I.A.C. and you must pay the remaining difference of \$45,357 before we begin construction. Failure to execute the applicable Agreement and pay the C.I.A.C.

specified in the Agreement within the 180-day time limit, or termination of the Agreement, shall result in the expiration of the binding cost estimate. However, if you choose to cancel your request or not respond in time, your engineering deposit will not be returned and the estimate will be withdrawn.

This estimate only includes the charges to be paid to FPL. There are additional costs which are the customer's responsibility and should also be considered. These potential costs include:

- Site restoration (sod, landscaping, pavement, sidewalks, etc).
- Rearrangement of customer electric service entrances (requires electrician) from overhead to underground. Also, additional customer expense if local inspecting authorities require customer wiring to be brought up to current codes.
- Removal and burial of other utilities (e.g. telecom, CATV, etc.).
- Any project scope changes that modify the enclosed drawings.
- Acquiring, describing, securing and recording of easements for underground facilities.

We look forward to working with you and your staff as this project progresses. If you have any questions, please contact me at (561-389-9976).

Sincerely,



Andrea Castleblanco
Project Manager
Overhead to Underground Conversions
FPL

Attachments

Overhead to Underground Conversion - Customer Cost Sheet

Project: City of Stuart Phase 1

Date Estimate Provided to Customer: 5/4/2023

Customer Performs All UG Work

1) \$	101,617	The estimated cost to install the requested underground facilities
2) \$	26,050	The estimated cost to remove the existing overhead facilities and the installation of required overhead facilities to serve the new underground system.
3) \$	40,926	The net book value of the existing overhead facilities
4) \$	(94,831)	The estimated cost that would be incurred to install new overhead facilities, in lieu of underground, to replace the existing overhead facilities (the "Hypothetical Overhead Facilities")
5) \$	-	The estimated salvage value of the existing overhead facilities to be removed
6) \$	(18,130)	The 30-year net present value of the estimated non-storm underground vs overhead operational costs differential
7) \$	(9,606)	The 30-year net present value of the estimated average Avoided Storm Restoration Costs ("ASRC")

Total CIAC \$ 46,026 Contribution-In-Aid-of Construction

Engineering Dep \$ 669 Less the Engineering Deposit previously collected for this project.

Net Due to FPL \$ 45,357

Cost Breakdowns for Customer Contributions

	Total	Labor/Vehicle	Material	Direct Engineering, Supervision, and Support
New UG Install (+)	\$ 101,617	\$ -	\$ 78,777	\$ 22,840
Credit for equivalent OH (-)	\$ (94,831)	\$ (37,023)	\$ (45,964)	\$ (11,844)
OH Removal Cost & Make Ready (+)	\$ 26,050	\$ 17,375	\$ 4,482	\$ 4,193
Total	\$ 32,836	\$ (19,648)	\$ 37,295	\$ 15,189
Net Book Value (+)	\$ 40,926			
Operational Costs Differential	\$ (18,130)	0.09 miles		\$205,862 per mile
Avoided Storm Rest Costs	\$ (9,606)			\$109,074 per mile
Salvage Value (-)	\$ -			
Total CIAC	\$ 46,026			
Engineering Deposit (-)	\$ 669	Engineering deposit previously collected		
Net Due FPL	\$ 45,357			

Major Material Breakdown

	Quantity	Item
Install	4,306	Primary UG Cable (feet)
	0	UG Switch Cabinet (0 Vista Sw's)
	8	UG Transformer (each)
	0	Splice box for UG feeder (each)
Remove	2,165	OH Primary Conductor (feet)
	11	Poles (each)
	7	OH Transformer (each)
	912	Primary UG Cable (feet)

**APPLICANT-INSTALLED FACILITIES AGREEMENT FOR UNDERGROUND
CONVERSIONS (WR # 11531233)**

This Agreement, made and entered into this _____ day of _____, 20_____, by and between the CITY OF STUART (the “Applicant”), a Florida municipal corporation with an address of 121 SW Flagler Ave. Stuart, FL 34994 and FLORIDA POWER & LIGHT COMPANY (“FPL”), a Florida corporation organized under the laws of the State of Florida, with an address of P.O. Box 14000, 700 Universe Boulevard, Juno Beach, FL 33408-0429.

WITNESSETH:

WHEREAS, the Applicant has executed the appropriate underground facilities conversion agreement (“Conversion Agreement”) with FPL to convert certain overhead electric distribution facilities (collectively the “Existing Overhead Facilities”) to underground distribution facilities (collectively the “Underground Facilities”), as described in the aforementioned Conversion Agreement (hereinafter the “Conversion”);

WHEREAS, the Applicant desires to perform itself, or through its Contractors, certain Work as such term is described in Exhibit A associated with the Conversion;

WHEREAS, FPL is willing, subject to all the terms and conditions set forth below in this Agreement, to allow the Applicant to perform the Work based on Applicant’s assurance that such Work will be in accordance with FPL’s designs, instructions, standards and specifications, and such Work will not adversely impact FPL or its electric customers;

NOW, THEREFORE, in recognition of the foregoing premises, and in consideration of the covenants and promises set forth herein below, FPL and Applicant do hereby agree as follows:

1. **Compliance with Tariff.** Applicant shall comply with and abide by the requirements, terms, and conditions of this Agreement, the Conversion Agreement, and FPL’s electric tariff (the “Tariff”).
2. **Conditions for Work to be Performed.** Applicant shall, at its own cost and expense, perform or cause to be performed, all Work, as described in Exhibit A, in accordance with the terms and conditions of this Agreement and the standards and specifications shown in Exhibit B. The Applicant shall provide all survey and staking to ensure that all Underground Facilities are installed as shown in the Conversion Agreement and provide As-Built prints to FPL within two (2) weeks of installation, signed and certified by a Florida registered surveyor along with a FPL “Redline” document.
3. **Commencement of Work.** Applicant shall perform the Work, or any portion of the Work, only upon receipt of a notice to proceed containing the approved drawings, specifications and instructions from FPL (“Notice to Proceed”). After receipt of the Notice to Proceed, Applicant shall provide written notice of intent to commence work to FPL at least five (5) days prior to commencement of such Work. Applicant shall not perform any excavation

work without first notifying Sunshine State One Call for identification and marking of existing underground utilities and complying with the excavation requirements set forth in Florida Statute Chapter 556.

4. **Materials.** All Materials are to be supplied by FPL and shall be picked up by Applicant at the following address _____ at a mutually agreed upon time, typically with 5 business days minimum notice, but no more than 15 business days notice, unless mutually agreed upon. Alternatively, FPL will, at Applicant's expense, have the material delivered to a mutually agreed upon location. Applicant assumes liability for any materials lost, stolen or damaged once these materials are picked up by, or delivered to, the Applicant.
5. **Contractors.** Applicant may enter into a contract with a contractor for the performance of the Work, or any portion thereof, provided that the contractor has been approved by FPL in writing prior to execution of such contract. Applicant shall not make any substitution of any contractor for the performance of Work unless the substitution is approved by FPL in writing. The Applicant's contractor(s) shall perform ALL work as outlined within Exhibit A & Exhibit B. No contract or purchase order between Applicant and its contractor(s) shall bind or purport to bind FPL, but each contractor entering into a contract with Applicant with respect to the Work shall name FPL as an intended third-party beneficiary and include a provision permitting its assignment to FPL upon FPL's written request, following default by Applicant or termination or expiration of this Agreement. Applicant shall provide FPL with written certification from each of its contractors performing Work that all warranties, guarantees and obligations of such contractors are equivalent or better than those granted by such contractor to FPL for similar work and shall require that each such contractor name FPL as an intended third party beneficiary of such warranties, guarantees and obligations with the same rights of enforcement as Applicant. Applicant shall assign all representations, warranties, guaranties, and obligations of all contractors at the request and direction of FPL, and without recourse to Applicant, to FPL upon default by Applicant or termination or expiration of this Agreement; provided, however, that, notwithstanding such assignment, Applicant shall be entitled to enforce each such representation, warranty, guaranty, and obligation so long as Applicant has any liability under this Agreement. Applicant hereby assigns to FPL, effective as of the termination or expiration of this Agreement, all representations, warranties, guaranties and obligations of all Contractors.
6. **Right of Entry.** FPL reserves the right, together with its agents or designees to enter the Jobsite as it may elect for the purpose of inspecting the Work, or constructing or installing such collateral work as it may desire, or testing, boring or surveying, or any other purpose.
7. **Inspection and Correction of Deficiencies.**
 - 7.1. All Work shall be properly inspected and tested, if appropriate, by Applicant and shall at all times be subject to additional inspection by FPL and its designee(s).

- 7.2. Neither the failure to make such inspection, nor the failure to discover defective workmanship, materials, or equipment, nor approval of or payment to Applicant for such Work shall prejudice the rights of FPL thereafter to correct or reject the same.
- 7.3. Applicant shall correct any deficiencies found with the Work, including but not limited to discrepancies that are inconsistent with FPL's design, instructions, standards or specifications within two (2) business days. If Applicant does not adequately rectify the identified deficiencies in the required timeframe, FPL may, at its sole discretion, perform, or have performed by its contractor the required repairs and Applicant shall pay FPL for any costs incurred. These requirements apply whether the discovery of deficiencies occurs while Applicant is performing its Work or while FPL, or its contractor, is performing its portion of the work.
- 7.4. If any Work or part thereof is covered over contrary to the requirements of this Agreement or the written request of FPL, it must, if required by FPL, be uncovered for observation and inspection and covered again at Applicant's sole expense.
- 7.5. If any Work that FPL has not specifically requested to observe and inspect prior to being covered has been covered, FPL may request to see such Work or part thereof and it shall be uncovered by Applicant. If such Work or part thereof is found to be in accordance with this Agreement, the cost of uncovering and covering again shall be paid by FPL. If such Work or part thereof fails to meet the requirements of this Agreement, Applicant shall pay all costs of uncovering, correcting, and covering again.
- 7.6. Applicant shall pay FPL for all time spent reviewing and inspecting Applicant's Work.
- 7.7. No electric customers shall be connected to the Underground Facilities prior to all deficiencies being rectified.

8. Indemnity / Liability of Applicant.

- 8.1. Subject to the provisions and limitations of Florida law, Applicant shall protect, defend, indemnify and hold FPL free and unharmed from and against any liabilities whatsoever resulting from or in connection with this Agreement, the Conversion or in connection with the performance of the Work by the Applicant, its employees, agents, Contractors or Contractors' employees. The Applicant's indemnity obligations to FPL shall not apply to any claims or liabilities that are caused by the sole negligence of FPL.
- 8.2. Applicant shall assume full responsibility for all damages and all restoration arising in connection with the Work.

9. **Design Work.** FPL shall provide all design, instruction, standards and specifications necessary to perform the Conversion.
10. **Completion of Work and Ownership.** Applicant shall complete the Work by _____, 20_____ and notify FPL when said Work is complete. Upon FPL's final written approval of the completion of the Work ("Acceptance"), Applicant acknowledges that all rights, title and interest, free and clear of all liens, in and to the Work shall vest in FPL. If requested by FPL, Applicant shall provide FPL, in a form acceptable to FPL, an affidavit of Applicant certifying payment of all indebtedness to all Contractors and a written release of liens from Applicant and each Contractor.
11. **No Liability by FPL.** FPL assumes no liability due to any damage, misunderstanding of installation drawings or specifications, or any actions due to Applicant or its Contractor.
12. **Suspension for Cause:**
- 12.1. FPL may at its sole discretion, by Notice, temporarily suspend the Work, or any portion thereof, under this Agreement when the performance by Applicant or its contractor is unsatisfactory by FPL to obtain the results required by this Agreement.
- 12.2. The methods by which Applicant performs its Work are entirely the responsibility of Applicant. FPL's right to suspend Work is intended solely to verify that the Work being performed by Applicant and its Contractor conforms to the design, instruction, standards and specifications and shall not obligate FPL to review the efficiency, adequacy or safety of Applicant's or its Contractors methods or means of operation or construction.
- 12.3. Any additional costs incurred by Applicant resulting from such suspension shall be borne solely by Applicant.
- 12.4. If Applicant immediately corrects the unsatisfactory condition FPL shall authorize resumption of the Work. Applicant's failure to immediately effect correction of the unsatisfactory conditions shall be cause for termination of this Agreement.
13. **Termination for Cause:**
- 13.1. FPL may, upon Notice to Applicant, and without prejudice to any remedy available to FPL under law, in equity or under this Agreement, terminate the whole or any part of this Agreement for cause and take possession of the Work without termination charge, penalty or obligation in the event Applicant fails to perform a material obligation under this Agreement and fails to cure such material obligation default within a reasonable period of time, but in no event more than ten (10) business days, after Notice from FPL specifying the nature of such default (any such termination referred to as a "Termination for Cause").

13.2. In the event of Termination for Cause by FPL, Applicant shall:

- a. Unless instructed otherwise in the Notice, immediately stop all Work hereunder;
- b. Issue no further contracts except with the prior written consent of FPL;
- c. Assign to FPL, to the extent requested by FPL, all rights of Applicant under contracts outstanding;
- d. Terminate, to the extent requested by FPL, outstanding contracts;
- e. Fully cooperate and refrain from hindering or interfering in any manner with any other persons or parties currently or prospectively performing the Work; and
- f. Take any other action toward termination, or toward preservation of the Work, that FPL may direct.

13.3. Upon a Termination for Cause, all obligations of FPL hereunder shall terminate effective immediately. Upon such Termination for Cause, FPL may either rework or take over the terminated Work and proceed to provide such materials, supplies, equipment and labor of both FPL and FPL contractors, as may be reasonably necessary to complete said Work. FPL may have any partially fabricated portion of the Work removed from Applicant's or contractor's facilities upon Notice to Applicant. Applicant shall be liable for any increase of FPL's costs, including rework costs, incurred by FPL as a result of FPL's termination of the contract for cause.

13.4. In the event of Termination for Cause, FPL shall have no liability to Applicant for costs incurred by Applicant as a result of such termination.

14. **Termination Prior to Construction.** Applicant may terminate this Agreement at any time prior to the start of construction. If Applicant elects to still complete the Conversion, then the Contribution-In-Aid-of-Construction (CIAC) amount provided in the Conversion Agreement shall be revised accordingly. The revised Conversion Agreement must be executed and any additional CIAC due received by FPL prior to the start of construction.

15. **Assignment.** This Agreement is not assignable.

16. **Applicant's Payments to FPL.** Any monies that are owed by Applicant to FPL under this Agreement shall be paid to FPL within thirty (30) days of FPL producing an invoice.

17. **Notice.** As used herein, the term "Notice" shall mean any formal written correspondence providing notice of action, purpose, intent or the like given under the provisions of this Agreement. Unless otherwise provided in this Agreement, Notice shall be delivered in person, by courier or by certified mail and shall be effective when received. General correspondence is not categorized as Notice.

IN WITNESS WHEREOF, FPL and Applicant have executed this Agreement for the provision of Applicant-Installed facilities to be effective as of the date first above written.

For: _____

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)

Approved as to Terms and Conditions: _____
(signature/title)

Approved as to Form and Legal Sufficiency: _____
(signature/title)

For **FLORIDA POWER & LIGHT COMPANY**

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)

FLORIDA POWER & LIGHT COMPANY

UNDERGROUND FACILITIES CONVERSION AGREEMENT

This Agreement, is made and entered into this _____ day of _____, 2023, by and between The City of Stuart (“Applicant”), with an address of 121 SW Flagler Ave, Stuart, FL, 34994 and FLORIDA POWER & LIGHT COMPANY (“FPL”), a Florida corporation with an address of 700 Universe Boulevard, Juno Beach, FL 33408-0429.

WHEREAS, the Applicant has requested that FPL convert certain overhead electric distribution facilities located within the following boundaries (the “Conversion”):

Phase 1 - St Lucie - Colorado Ave & W Seminole St - SW Flagler Ave

NOW THEREFORE, in consideration of the foregoing premises and the covenants and agreements set forth herein, and other consideration the sufficiency of which is hereby acknowledged, the parties intending to be legally bound, hereby covenant and agree as follows:

1. **Avoided Storm Restoration Cost (“ASRC”) Eligibility Criteria.** The Applicant represents and warrants that it meets, and is capable and willing to enforce, the applicable eligibility criteria for the Conversion.
2. **Contribution-in-Aid-of-Construction (CIAC).** The Applicant shall pay FPL a CIAC as required by FPL’s Electric Tariff and Section 25-6.115 of the Florida Administrative Code.

i. CIAC (excluding ASRC)	\$ <u>73,762</u>
ii. ASRC	\$ <u>- 9,606</u>
iii. Operational Cost Differential	\$ <u>-18,130</u>
iv. CIAC Due	\$ <u>46,026</u>

In the event the actual cost of the Conversion (excluding ASRC) exceeds the estimate, the CIAC (excluding ASRC) shall be adjusted by the lesser of (a) the difference between the actual cost of the Conversion and the estimate, or (b) 10% of the CIAC (excluding ASRC) identified above. The ASRC shall also be adjusted accordingly and the Applicant shall pay FPL the resulting difference in the amount of the CIAC Due.

3. **Applicant-Installed Facilities.** The Applicant may, upon entering into an applicant-installed facilities agreement satisfactory to FPL, construct and install all or a portion of the Underground Facilities. Such work must meet FPL’s construction standards and FPL will own and maintain the completed facilities. The Applicant agrees to rectify any deficiencies, found by FPL, prior to the connection of any customers to the Underground Facilities and the removal of the Existing Overhead Facilities.
4. **Compliance with Tariff.** The Applicant agrees to comply with and abide by the requirements, terms, and conditions of FPL’s Electric Tariff.

FLORIDA POWER & LIGHT COMPANY

5. **Timing of Conversion.** Upon compliance by the Applicant with the requirements, terms, and conditions of FPL's Electric Tariff, this Agreement and any other applicable agreements, FPL will proceed in a timely manner with the Conversion in accordance with the construction drawings and specifications set forth in Attachment A hereof.
6. **Relocation.** In the event that the Underground Facilities are part of, or are for the purposes of, relocation, then this Agreement shall be an addendum to the relocation agreement between FPL and the Applicant. In the event of any conflict between the relocation agreement and this Agreement or the Electric Tariff, this Agreement and the Electric Tariff shall control.
7. **Term.** This Agreement shall remain in effect for as long as FPL or any successor or assign owns or operates the Underground Facilities.
8. **ASRC Repayment.** If the Applicant does not satisfy the relevant eligibility criteria, the Applicant shall repay the ASRC within 30 days of written notice from FPL of such failure. Additionally, if at any point within 30 years of completion of the Underground Facilities installation, the Applicant elects to have electric service within the Conversion Area supplied by a provider other than FPL, the Applicant shall repay FPL a pro-rata share of the ASRC. The pro-rata share (which shall reflect partial years) shall be determined as follows:

$$\text{ASRC} * [(30 - \text{years since the Underground Facilities completion date}) / 30]$$

Non-governmental-Applicants shall provide, at the time of execution of this Agreement, either a surety bond or irrevocable bank letter of credit (the "Security Instrument") in a form acceptable to FPL evidencing ability to repay the ASRC. This Security Instrument shall remain in effect until such time as all customers within the Conversion Area are converted. The Applicant may provide either an amended or replacement Security Instrument in a form acceptable to FPL at any time to reflect the pro-rata adjustments to the ASRC amount. If, upon notice of cancellation or prior to expiration of the Security Instrument, a replacement Security Instrument in a form acceptable to FPL is not provided by the Applicant to FPL, FPL will require the third party issuing the Security Instrument to pay the full balance due in accordance with this Agreement in cash.

9. **Termination Prior to the Conversion Completion.** Failure by the Applicant to comply with any of the requirements, terms, or conditions of this Agreement or FPL's Electric Tariff shall result in termination of this Agreement. The Applicant may terminate this Agreement at any time prior to the start of the Conversion and the CIAC paid by the Applicant will be refunded to the Applicant; provided however, that the refund of the CIAC shall be offset by any costs incurred by FPL in performing under the Agreement up to the date of termination.
10. **Assignment.** The Applicant shall not assign this Agreement without the written consent of FPL.
11. **Adoption and Recording.** This Agreement shall be adopted by the Applicant and maintained in the official records of the Applicant for the duration of the term of this Agreement. This Agreement also shall be recorded in the Official Records of the County in which the Underground Facilities are located, in the place and in the manner in which deeds are typically recorded.
12. **Conflict between Terms of Franchise Agreement.** In the event of a conflict between the terms of this Agreement and any permit or franchise agreement entered into by Applicant and FPL, the terms of this Agreement shall control.

FLORIDA POWER & LIGHT COMPANY

- 13. Applicability.** This subpart applies to requests for underground facilities addressing the conversion of existing overhead facilities. In order for the Company to take action pursuant to a request for conversion:
- the conversion area must be at least two contiguous city blocks or 1,000 feet in length;
 - all electric services to the real property on both sides of the existing overhead primarily lines must be part of the conversion;
 - all other existing overhead utility facilities (e.g. telephone, CATV, etc.) must also be converted to underground facilities.

IN WITNESS WHEREOF, FPL and the Applicant have executed this Agreement on the date first set forth above.

CITY OF STUART

Signed _____

Name _____

Title _____

Signed _____

Name _____

Title _____

Approved as to Terms and Conditions (if required by
Applicant)

Signed _____

Name _____

Title _____

Approved as to Form and Legal Sufficiency (if required by Applicant)

Signed _____

Name _____

Title _____

FPL

Signed _____

Name _____

Title _____

**CITY/COUNTY RIGHT-OF-WAY
AGREEMENT FOR UNDERGROUND CONVERSIONS**

THIS AGREEMENT (the “**Agreement**”) is made and entered into this _____ day of _____, 20____ by and between City of Stuart (“**Local Government**”), a Florida municipal corporation or county with an address of 121 SW Flagler Ave. Stuart, FL 34994 and Florida Power & Light Company (“**FPL**”), a Florida corporation with an address of P.O. Box 14000, 700 Universe Boulevard, Juno Beach, FL 33408-0429.

WHEREAS, Local Government has requested that FPL convert certain overhead electric distribution facilities located within the following boundaries (the “**Conversion**”):

St Lucie - Colorado Ave & W Seminole St - SW Flagler Ave

_____ (collectively, the “**Existing Overhead Facilities**”) to underground facilities, including transformers, switch cabinets and other appurtenant facilities some of which may be installed above ground (collectively, the “**Underground Facilities**”) and has further requested that certain of the Underground Facilities be placed in certain of its road rights-of-way (“**Local Government ROW**”) and/or certain road rights-of-way owned by or under the jurisdiction of other agencies (“**Other ROW**”). Local Government ROW and Other ROW may be referred to collectively as “**ROW**”; and

WHEREAS, the Local Government has agreed to pay FPL the cost of such Conversion as required by FPL’s electric tariff and Section 25-6.115 of the Florida Administrative Code and has or will enter into a separate Underground Facilities Conversion Agreement with FPL; and

WHEREAS, FPL is willing, subject to the terms and conditions set forth in this Agreement, FPL’s electric tariff and Section 25-6.115 of the Florida Administrative Code, to place certain of the Underground Facilities in the ROW.

NOW THEREFORE, in recognition of the foregoing premises and the covenants and agreements set forth herein, and other consideration the sufficiency of which is hereby acknowledged, intending to be legally bound hereby, the parties covenant and agree as follows:

1. The foregoing recitals are true and correct, and are hereby incorporated by reference into this Agreement.

2. Conditions Precedent to Placement of Underground Facilities in ROW

- (a) Local Government covenants, represents and warrants that:
 - (i) Local Government has full legal right and authority to enter into this Agreement;
 - (ii) Local Government has full legal right and authority to take all actions and measures necessary to fulfill Local Government's obligations under this Agreement;
 - (iii) Local Government hereby authorizes the use of the ROW by FPL for the purposes stated herein.
- (b) All applicable permits for FPL to install, construct, or maintain Underground Facilities in ROW must be issued on a timely basis by the appropriate agency, subject to the timely filing for permits by FPL.
- (c) Local Government agrees to provide, at its expense, a legal description that is acceptable to FPL of the ROW to be occupied by the Underground Facilities at a time before FPL initiates the design of the Underground Facilities. Said legal description shall be made part of this Agreement and attached as Exhibit "A".
- (d) FPL agrees to identify and document all existing FPL underground facilities within the ROW that will not be included under this Agreement. Local Government shall reimburse FPL's reasonable costs and expenses to deliver said documentation. Said documentation shall be made part of this Agreement and attached as Exhibit "B".
- (e) FPL warrants that the design of the Underground Facilities to which Local Government has agreed are in compliance with all operational and safety guidelines, codes and standards. FPL and Local Government have mutually agreed upon the location of the facilities within the ROW as per the construction drawings. Said construction drawings shall be attached as Exhibit "C" to this agreement, are part of this agreement, and may be amended to reflect changes to location of facilities as required.

3. Relocation and Rearrangement of FPL Facilities. If the Local Government or other agency with control over the Local Government ROW or Other ROW, for any reason whatsoever, requires that FPL relocate or rearrange, in whole or in part, any Underground Facilities (as they are to exist as a result of this Conversion, or as they may later be modified, upgraded, or otherwise altered) from or within the Local Government ROW or Other ROW, the Local Government, notwithstanding any language to the contrary in any applicable permit or franchise agreement, and prior to any such relocation by FPL, shall provide FPL with a substitute location, satisfactory to FPL, obtain any easements that may be necessary, and shall pay FPL for the costs of any such relocation, adjustment or rearrangement, now or in the future. Local Government shall reimburse FPL for all costs to locate, expose, protect or support the Underground Facilities, whether underground or above ground, in the event of future construction or excavation in close proximity to the Underground Facilities, when such services are required by Local Government or other agency with control over the Local Government

ROW or Other ROW Local Government shall use its best efforts in any design and construction of its future road improvement projects to avoid or mitigate the necessity of relocating or adjusting the Underground Facilities in Local Government ROW and, to the extent reasonably practicable, in Other ROW.

Local Government shall only be responsible for relocation costs associated with replacement facilities conforming to FPL standards in effect at the time of relocation. Any costs associated with the replacement facilities to provide increased capacity, improved reliability, future use facilities, or other such enhancements over and above the FPL standards in effect at the time of the relocation shall not be the responsibility of Local Government.

Nothing herein shall preclude Local Government from obtaining reimbursement for any and all costs requiring FPL to relocate or rearrange any of its Underground Facilities from that entity which initiated the requirement for the relocation or rearrangement of the facilities, excluding only other agencies which own or have jurisdiction over the ROW.

FPL shall be responsible for any and all costs of removal or relocation when such removal or relocation is initiated by FPL. Additionally, FPL agrees that when any portion of a street is excavated by FPL in the location, relocation or repair of any of its facilities when said location, relocation or repair is initiated by FPL, the portion of the street so excavated shall, within a reasonable time and as early as practical after such excavation, be replaced by FPL at its expense in a condition as good as it was at the time of such excavation.

4. **Abandonment or Sale of Local Government ROW.** If the Local Government desires to subsequently abandon or discontinue use of the Local Government ROW, and ownership of the land is transferred to a private party, the Local Government, as a condition of and prior to any such sale, abandonment, or vacation, shall grant FPL an easement satisfactory to FPL for the Underground Facilities then existing within the ROW or require the transferee to so grant FPL an easement satisfactory to FPL at the time of transfer. If ownership of the Local Government ROW is transferred to another public entity, that public entity shall take the ROW subject to the terms and conditions of this Agreement.

5. **Term.** This Agreement shall remain in effect for as long as FPL or any successor or assign owns or operates the Underground Facilities placed in the ROW.

6. **Title and Ownership of Underground Facilities.** Title and ownership of Underground Facilities installed by FPL as a result of this Agreement shall, at all times, remain the property of FPL.

7. **Conversion Outside ROW.** In the event that the FPL Underground Facilities are not, for any reason other than the sole error of FPL or its contractors,

constructed within the ROW, Local Government shall grant or secure, at Local Government's sole cost and expense, new easements or ROW grants for the benefit of FPL for the placement of the Underground Facilities in these areas, and shall secure subordinations of any mortgages affecting these tracts to the interest of FPL. In the alternative, at the discretion of Local Government, Local Government shall reimburse FPL for all costs incurred to remove said facilities which were constructed outside the ROW and for reinstallation within the ROW. FPL shall be responsible at completion of construction for notifying Local Government in writing of FPL's approval and acceptance of the conversion as being constructed within the ROW. Upon acceptance there shall be no further responsibility on the Local Government for relocations referenced in this paragraph.

8. **Agreement Subject to FPL's Electric Tariff.** This Agreement is subject to FPL's electric tariff, including but not limited to the general rules and regulations for electric service and the rules of the Florida Public Service Commission.

9. **Venue; Waiver of Jury Trial.** This Agreement shall be enforceable in Martin County, Florida, and if legal action is necessary by either party with respect to the enforcement of any or all of the terms or conditions herein, exclusive venue for the enforcement of same shall lie in Martin County, Florida. By entering into this Agreement, FPL and the Local Government expressly waive any rights either party may have to a trial by jury of any civil litigation related to or arising out of this Agreement. This Agreement shall be construed in accordance with the laws of the State of Florida.

10. **Attorney Fees.** In the event it becomes necessary for either party to institute or defend legal proceedings as a result of the failure of the other party to comply with the terms, covenants, or provisions of this Agreement, each party in such litigation shall bear its own cost and expenses incurred and extended in connection therewith, including, but not limited to attorneys' fees and court costs through all trial and appellate levels.

11. **Assignment.** The Local Government shall not assign this Agreement without the written consent of FPL.

12. **Recording.** This Agreement shall be adopted by the Local Government and maintained in the official records of Local Government for the duration of the term of this Agreement. This Agreement also shall be recorded in the Official Records of the County in which the Underground Facilities are located, in the place and in the manner in which deeds are typically recorded.

13. **Conflict between Terms of Permit or Franchise Agreement.** In the event of a conflict between the terms of this Agreement and any permit or franchise agreement entered into by Local Government and FPL, the terms of this Agreement shall control.

14. **Notice.** Any notice, instruction or other communication to be given to either party hereunder shall be in writing and shall be hand delivered, telecopied, sent by Federal Express or a comparable overnight service or by U. S. registered or certified mail, with return receipt requested and postage prepaid to each party at their respective addresses set forth below:

As to Local Government:

With copies to:

As to FPL:

IN WITNESS WHEREOF, Florida Power & Light Company and Local Government have executed this Agreement on the date first set forth above.

For **LOCAL GOVERNMENT:**

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)

Approved as to Terms and Conditions: _____
(signature/title)

Approved as to Form and Legal Sufficiency: _____
(signature/title)

For **FLORIDA POWER & LIGHT COMPANY**

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)



NOTIFICATION OF FPL FACILITIES

Customer/Agency City of Stuart
 Developer/Contractor Name City of Stuart
 Location of Project: St Lucie - Colorado Ave & W Seminole St - SW Flagler Ave
 City: City of Stuart
 FPL Representative: Andrea Castelblanco
 Developer/Contractor Representative: Pinal Gandhi-Savdas

Date of Meeting/Contact: May 4th, 2023
 Project Number/Name: Stuart Ph 1 (Seminole) OH-UG Conversion
 Phone: 561-389-9976
 FPL Work Request #/Work Order #: 11531233

FPL calls your attention to the fact that there may be energized, high voltage electric lines, both overhead and underground, located in the area of this project. It is imperative that you visually survey the area and that you also take the necessary steps to identify all overhead and underground facilities prior to commencing construction to determine whether the construction of any proposed improvements will bring any person, tool, machinery, equipment or object closer to FPL's power lines than the OSHA-prescribed limits. If it will, you must either re-design your project to allow it to be built safely given the pre-existing power line location, or make arrangements with FPL to either deenergize and ground our facilities, or relocate them, possibly at your expense. You must do this before allowing any construction near the power lines. It is impossible for FPL to know or predict whether or not the contractors or subcontractors, and their employees, will operate or use cranes, digging apparatus or other mobile equipment, or handle materials or tools, in dangerous proximity to such power lines during the course of construction, and, if so, when and where. Therefore, if it becomes necessary for any contractor or subcontractor, or their employees, to operate or handle cranes, digging apparatus, draglines, mobile equipment, or any other equipment, tools or materials in such a manner that they might come closer to underground or overhead power lines than is permitted by local, state or federal regulations, you and any such contractor or subcontractor must notify FPL in writing of such planned operation prior to the commencement thereof and make all necessary arrangements with FPL in order to carry out the work in a safe manner. Any work in the vicinity of the electric lines should be suspended until these arrangements are finalized and implemented.

The National Electrical Safety Code ("NESC") prescribes minimum clearances that must be maintained. If you build your structure so that those clearances cannot be maintained, you may be required to compensate FPL for the relocation of our facilities to comply with those clearances. As such, you should contact FPL prior to commencing construction near pre-existing underground or overhead power lines to make sure that your proposed improvement does not impinge upon the NESC clearances.

It is your responsibility and the responsibility of your contractors and subcontractors on this project to diligently fulfill the following obligations:

1. Make absolutely certain that all persons responsible for operating or handling cranes, digging apparatus, draglines, mobile equipment or any equipment, tool, or material capable of contacting a power line, are in compliance with all applicable state and federal regulations, including but not limited to U.S. Department of Labor OSHA Regulations, while performing their work.
2. Make sure that all cranes, digging apparatus, draglines, mobile equipment, and all other equipment or materials capable of contacting a power line have attached to them any warning signs required by U.S. Department of Labor OSHA Regulations.
3. Post and maintain proper warning signs and advise all employees, new and old alike, of their obligation to keep themselves, their tools, materials and equipment away from power lines per the following OSHA minimum approach distances (refer to OSHA regulations for restrictions):

<u>*Power Line Voltages</u>	<u>**Personnel and Equipment</u> (29 CFR 1910.333 and 1926.600)	<u>Cranes and Derricks</u> (29 CFR 1926.1407, 1408)	<u>Travel under or near Power Lines (on construction sites, no load)</u> (29 CFR 1926.600 – Equipment) (1926.1411 – Cranes and Derricks)	
0 - 750 volts	10 Feet	10 Feet	4 Feet	4 Feet
751 - 50,000 volts	10 Feet	10 Feet	4 Feet	6 Feet
69,000 volts	11 Feet	15 Feet	10 Feet	10 Feet
115,000 volts	13 Feet	15 Feet	10 Feet	10 Feet
138,000 volts	13 Feet	15 Feet	10 Feet	10 Feet
230,000 volts	16 Feet	20 Feet	10 Feet	10 Feet
500,000 volts	25 Feet	25 Feet	16 Feet	16 Feet

*When uncertain of the voltage, maintain a distance of 20 feet for voltages up to 350,000 volts and 50 feet for voltages greater than 350,000 volts.

**For personnel approaching insulated secondary conductors less than 750 volts, avoid contact (Maintain 10 Feet to bare energized conductors less than 750 volts). For qualified personnel and insulated aerial lift equipment meeting requirements of 29 CFR 1910.333, distances may be reduced to those shown in 29 CFR 1910.333 Table S-5.

4. All excavators are required to contact the Sunshine State One Call of Florida, phone number 1-800-432-4770 or 811 a minimum of two working days (excluding weekends) in advance of commencement of excavation to ensure facilities are located accurately.
5. Conduct all locations and excavations in accordance with the Florida Statute 556 of the Underground Facilities Damage Prevention & Safety Act and all local city and county ordinances that may apply.
6. When an excavation is to take place within a tolerance zone, an excavator shall use increased caution to protect underground facilities. The protection requires hand digging, pot holing, soft digging, vacuum methods, or similar procedures to identify underground facilities.

A copy of this notification must be provided by you to each contractor and subcontractor on this project, to be shared with their supervision and employees prior to commencing work on this project.

Email
 Means by which this notification was provided to customer and/or contractor

pgandhi@ci.stuart.fl.us
 Address

 FPL Representative Signature

 Date

 Customer/Developer/Contractor Representative Signature

 Date



April 20th, 2023

Pinal Gandhi-Savdas
CRA Administrator/Development
City of Stuart
121 SW Flagler Ave.
Stuart, FL 34994

**Re: City of Stuart
Electric Facilities Conversion – Ballpark Estimate
City of Stuart, Phase 2
WR # 11543990**

Dear Mrs. Gandhi-Savdas:

FPL welcomes the opportunity to assist you in determining if underground service is right for your area. As per your request, we have completed the binding cost estimate for the project designated as the City of Stuart – Phase 1. The binding cost estimate amount, known as the Contribution In Aid of Construction (C.I.A.C.), required for converting the area to underground is \$145,191. The underground drawings for the project are being finalized and a full set will be sent to you once they are complete. In addition, the cost estimate includes a more than \$371,205 adjustment credit for both FPL's ASRC (Avoided Storm Restoration Cost) waiver and as required in the CIAC formula, tariff Section 12.1, credit for an equivalent overhead system designed at the current hardened (i.e. extreme wind) standard. Further the cost assumes the following:

- Customer completes all the work.
- All work will be performed during the daylight hours, Monday through Friday, 8 A.M. to 5 P.M.. Any after hours work, e.g. disconnect/reconnect service appointments or requiring construction at night, would be an additional expense for the Town.

This binding cost estimate is valid for 180 days and a response must be received within that timeframe. Should you agree to move forward with the project, please sign and return the enclosed documents. Once we receive the acceptance package (e.g. partially executed documents and C.I.A.C. payment), we will commence the construction process (i.e. initiate bid requests and material purchasing). Any deposits that you have already paid will be applied towards the C.I.A.C. and you must pay the remaining difference of \$141,222 before we begin construction. Failure to execute the applicable Agreement and pay the C.I.A.C.

specified in the Agreement within the 180-day time limit, or termination of the Agreement, shall result in the expiration of the binding cost estimate. However, if you choose to cancel your request or not respond in time, your engineering deposit will not be returned and the estimate will be withdrawn.

This estimate only includes the charges to be paid to FPL. There are additional costs which are the customer's responsibility and should also be considered. These potential costs include:

- Site restoration (sod, landscaping, pavement, sidewalks, etc).
- Rearrangement of customer electric service entrances (requires electrician) from overhead to underground. Also, additional customer expense if local inspecting authorities require customer wiring to be brought up to current codes.
- Removal and burial of other utilities (e.g. telecom, CATV, etc.).
- Any project scope changes that modify the enclosed drawings.
- Acquiring, describing, securing and recording of easements for underground facilities.

We look forward to working with you and your staff as this project progresses. If you have any questions, please contact me at (561-389-9976).

Sincerely,



Andrea Castleblanco
Project Manager
Overhead to Underground Conversions
FPL

Attachments

Overhead to Underground Conversion - Customer Cost Sheet

Project: City of Stuart Phase 2

Date Estimate Provided to Customer: 04/20/2023

Customer Performs All UG Work

1) \$	264,322	The estimated cost to install the requested underground facilities
2) \$	165,813	The estimated cost to remove the existing overhead facilities and the installation of required overhead facilities to serve the new underground system.
3) \$	86,260	The net book value of the existing overhead facilities
4) \$	(173,952)	The estimated cost that would be incurred to install new overhead facilities, in lieu of underground, to replace the existing overhead facilities (the "Hypothetical Overhead Facilities")
5) \$	-	The estimated salvage value of the existing overhead facilities to be removed
6) \$	(128,937)	The 30-year net present value of the estimated non-storm underground vs overhead operational costs differential
7) \$	(68,316)	The 30-year net present value of the estimated average Avoided Storm Restoration Costs ("ASRC")

Total CIAC \$ 145,191 Contribution-In-Aid-of Construction

Engineering Dep \$ 3,968 Less the Engineering Deposit previously collected for this project.

Net Due to FPL \$ 141,222

Cost Breakdowns for Customer Contributions

	Total	Labor/Vehicle	Material	Direct Engineering, Supervision, and Support
New UG Install (+)	\$ 264,322	\$ -	\$ 203,582	\$ 60,740
Credit for equivalent OH (-)	\$ (173,952)	\$ (56,385)	\$ (93,726)	\$ (23,841)
OH Removal Cost & Make Ready (+)	\$ 165,813	\$ 94,922	\$ 50,358	\$ 20,533
Total	\$ 256,183	\$ 38,537	\$ 160,214	\$ 57,432
Net Book Value (+)	\$ 86,260			
Operational Costs Differential	\$ (128,937)	0.63 miles		\$205,862 per mile
Avoided Storm Rest Costs	\$ (68,316)			\$109,074 per mile
Salvage Value (-)	\$ -			
Total CIAC	\$ 145,191			
Engineering Deposit (-)	\$ 3,968	Engineering deposit previously collected		
Net Due FPL	\$ 141,222			

Major Material Breakdown

	Quantity	Item
Install	12,762	Primary UG Cable (feet)
	0	UG Switch Cabinet (0 Vista Sw's)
	12	UG Transformer (each)
	1	Splice box for UG feeder (each)
Remove	4,820	OH Primary Conductor (feet)
	18	Poles (each)
	18	OH Transformer (each)
	0	Primary UG Cable (feet)

**APPLICANT-INSTALLED FACILITIES AGREEMENT FOR UNDERGROUND
CONVERSIONS (WR # 11543990)**

This Agreement, made and entered into this _____ day of _____, 20_____, by and between the CITY OF STUART (the "Applicant"), a Florida municipal corporation with an address of 121 SW Flagler Ave. Stuart, FL 34994 and FLORIDA POWER & LIGHT COMPANY ("FPL"), a Florida corporation organized under the laws of the State of Florida, with an address of P.O. Box 14000, 700 Universe Boulevard, Juno Beach, FL 33408-0429.

WITNESSETH:

WHEREAS, the Applicant has executed the appropriate underground facilities conversion agreement ("Conversion Agreement") with FPL to convert certain overhead electric distribution facilities (collectively the "Existing Overhead Facilities") to underground distribution facilities (collectively the "Underground Facilities"), as described in the aforementioned Conversion Agreement (hereinafter the "Conversion");

WHEREAS, the Applicant desires to perform itself, or through its Contractors, certain Work as such term is described in Exhibit A associated with the Conversion;

WHEREAS, FPL is willing, subject to all the terms and conditions set forth below in this Agreement, to allow the Applicant to perform the Work based on Applicant's assurance that such Work will be in accordance with FPL's designs, instructions, standards and specifications, and such Work will not adversely impact FPL or its electric customers;

NOW, THEREFORE, in recognition of the foregoing premises, and in consideration of the covenants and promises set forth herein below, FPL and Applicant do hereby agree as follows:

1. **Compliance with Tariff.** Applicant shall comply with and abide by the requirements, terms, and conditions of this Agreement, the Conversion Agreement, and FPL's electric tariff (the "Tariff").
2. **Conditions for Work to be Performed.** Applicant shall, at its own cost and expense, perform or cause to be performed, all Work, as described in Exhibit A, in accordance with the terms and conditions of this Agreement and the standards and specifications shown in Exhibit B. The Applicant shall provide all survey and staking to ensure that all Underground Facilities are installed as shown in the Conversion Agreement and provide As-Built prints to FPL within two (2) weeks of installation, signed and certified by a Florida registered surveyor along with a FPL "Redline" document.
3. **Commencement of Work.** Applicant shall perform the Work, or any portion of the Work, only upon receipt of a notice to proceed containing the approved drawings, specifications and instructions from FPL ("Notice to Proceed"). After receipt of the Notice to Proceed, Applicant shall provide written notice of intent to commence work to FPL at least five (5) days prior to commencement of such Work. Applicant shall not perform any excavation

work without first notifying Sunshine State One Call for identification and marking of existing underground utilities and complying with the excavation requirements set forth in Florida Statute Chapter 556.

4. **Materials.** All Materials are to be supplied by FPL and shall be picked up by Applicant at the following address _____ at a mutually agreed upon time, typically with 5 business days minimum notice, but no more than 15 business days notice, unless mutually agreed upon. Alternatively, FPL will, at Applicant's expense, have the material delivered to a mutually agreed upon location. Applicant assumes liability for any materials lost, stolen or damaged once these materials are picked up by, or delivered to, the Applicant.
5. **Contractors.** Applicant may enter into a contract with a contractor for the performance of the Work, or any portion thereof, provided that the contractor has been approved by FPL in writing prior to execution of such contract. Applicant shall not make any substitution of any contractor for the performance of Work unless the substitution is approved by FPL in writing. The Applicant's contractor(s) shall perform ALL work as outlined within Exhibit A & Exhibit B. No contract or purchase order between Applicant and its contractor(s) shall bind or purport to bind FPL, but each contractor entering into a contract with Applicant with respect to the Work shall name FPL as an intended third-party beneficiary and include a provision permitting its assignment to FPL upon FPL's written request, following default by Applicant or termination or expiration of this Agreement. Applicant shall provide FPL with written certification from each of its contractors performing Work that all warranties, guarantees and obligations of such contractors are equivalent or better than those granted by such contractor to FPL for similar work and shall require that each such contractor name FPL as an intended third party beneficiary of such warranties, guarantees and obligations with the same rights of enforcement as Applicant. Applicant shall assign all representations, warranties, guaranties, and obligations of all contractors at the request and direction of FPL, and without recourse to Applicant, to FPL upon default by Applicant or termination or expiration of this Agreement; provided, however, that, notwithstanding such assignment, Applicant shall be entitled to enforce each such representation, warranty, guaranty, and obligation so long as Applicant has any liability under this Agreement. Applicant hereby assigns to FPL, effective as of the termination or expiration of this Agreement, all representations, warranties, guaranties and obligations of all Contractors.
6. **Right of Entry.** FPL reserves the right, together with its agents or designees to enter the Jobsite as it may elect for the purpose of inspecting the Work, or constructing or installing such collateral work as it may desire, or testing, boring or surveying, or any other purpose.
7. **Inspection and Correction of Deficiencies.**
 - 7.1. All Work shall be properly inspected and tested, if appropriate, by Applicant and shall at all times be subject to additional inspection by FPL and its designee(s).

- 7.2. Neither the failure to make such inspection, nor the failure to discover defective workmanship, materials, or equipment, nor approval of or payment to Applicant for such Work shall prejudice the rights of FPL thereafter to correct or reject the same.
- 7.3. Applicant shall correct any deficiencies found with the Work, including but not limited to discrepancies that are inconsistent with FPL's design, instructions, standards or specifications within two (2) business days. If Applicant does not adequately rectify the identified deficiencies in the required timeframe, FPL may, at its sole discretion, perform, or have performed by its contractor the required repairs and Applicant shall pay FPL for any costs incurred. These requirements apply whether the discovery of deficiencies occurs while Applicant is performing its Work or while FPL, or its contractor, is performing its portion of the work.
- 7.4. If any Work or part thereof is covered over contrary to the requirements of this Agreement or the written request of FPL, it must, if required by FPL, be uncovered for observation and inspection and covered again at Applicant's sole expense.
- 7.5. If any Work that FPL has not specifically requested to observe and inspect prior to being covered has been covered, FPL may request to see such Work or part thereof and it shall be uncovered by Applicant. If such Work or part thereof is found to be in accordance with this Agreement, the cost of uncovering and covering again shall be paid by FPL. If such Work or part thereof fails to meet the requirements of this Agreement, Applicant shall pay all costs of uncovering, correcting, and covering again.
- 7.6. Applicant shall pay FPL for all time spent reviewing and inspecting Applicant's Work.
- 7.7. No electric customers shall be connected to the Underground Facilities prior to all deficiencies being rectified.

8. Indemnity / Liability of Applicant.

- 8.1. Subject to the provisions and limitations of Florida law, Applicant shall protect, defend, indemnify and hold FPL free and unharmed from and against any liabilities whatsoever resulting from or in connection with this Agreement, the Conversion or in connection with the performance of the Work by the Applicant, its employees, agents, Contractors or Contractors' employees. The Applicant's indemnity obligations to FPL shall not apply to any claims or liabilities that are caused by the sole negligence of FPL.
- 8.2. Applicant shall assume full responsibility for all damages and all restoration arising in connection with the Work.

9. **Design Work.** FPL shall provide all design, instruction, standards and specifications necessary to perform the Conversion.
10. **Completion of Work and Ownership.** Applicant shall complete the Work by _____, 20_____ and notify FPL when said Work is complete. Upon FPL's final written approval of the completion of the Work ("Acceptance"), Applicant acknowledges that all rights, title and interest, free and clear of all liens, in and to the Work shall vest in FPL. If requested by FPL, Applicant shall provide FPL, in a form acceptable to FPL, an affidavit of Applicant certifying payment of all indebtedness to all Contractors and a written release of liens from Applicant and each Contractor.
11. **No Liability by FPL.** FPL assumes no liability due to any damage, misunderstanding of installation drawings or specifications, or any actions due to Applicant or its Contractor.
12. **Suspension for Cause:**
- 12.1. FPL may at its sole discretion, by Notice, temporarily suspend the Work, or any portion thereof, under this Agreement when the performance by Applicant or its contractor is unsatisfactory by FPL to obtain the results required by this Agreement.
- 12.2. The methods by which Applicant performs its Work are entirely the responsibility of Applicant. FPL's right to suspend Work is intended solely to verify that the Work being performed by Applicant and its Contractor conforms to the design, instruction, standards and specifications and shall not obligate FPL to review the efficiency, adequacy or safety of Applicant's or its Contractors methods or means of operation or construction.
- 12.3. Any additional costs incurred by Applicant resulting from such suspension shall be borne solely by Applicant.
- 12.4. If Applicant immediately corrects the unsatisfactory condition FPL shall authorize resumption of the Work. Applicant's failure to immediately effect correction of the unsatisfactory conditions shall be cause for termination of this Agreement.
13. **Termination for Cause:**
- 13.1. FPL may, upon Notice to Applicant, and without prejudice to any remedy available to FPL under law, in equity or under this Agreement, terminate the whole or any part of this Agreement for cause and take possession of the Work without termination charge, penalty or obligation in the event Applicant fails to perform a material obligation under this Agreement and fails to cure such material obligation default within a reasonable period of time, but in no event more than ten (10) business days, after Notice from FPL specifying the nature of such default (any such termination referred to as a "Termination for Cause").

- 13.2. In the event of Termination for Cause by FPL, Applicant shall:
- a. Unless instructed otherwise in the Notice, immediately stop all Work hereunder;
 - b. Issue no further contracts except with the prior written consent of FPL;
 - c. Assign to FPL, to the extent requested by FPL, all rights of Applicant under contracts outstanding;
 - d. Terminate, to the extent requested by FPL, outstanding contracts;
 - e. Fully cooperate and refrain from hindering or interfering in any manner with any other persons or parties currently or prospectively performing the Work; and
 - f. Take any other action toward termination, or toward preservation of the Work, that FPL may direct.
- 13.3. Upon a Termination for Cause, all obligations of FPL hereunder shall terminate effective immediately. Upon such Termination for Cause, FPL may either rework or take over the terminated Work and proceed to provide such materials, supplies, equipment and labor of both FPL and FPL contractors, as may be reasonably necessary to complete said Work. FPL may have any partially fabricated portion of the Work removed from Applicant's or contractor's facilities upon Notice to Applicant. Applicant shall be liable for any increase of FPL's costs, including rework costs, incurred by FPL as a result of FPL's termination of the contract for cause.
- 13.4. In the event of Termination for Cause, FPL shall have no liability to Applicant for costs incurred by Applicant as a result of such termination.
14. **Termination Prior to Construction.** Applicant may terminate this Agreement at any time prior to the start of construction. If Applicant elects to still complete the Conversion, then the Contribution-In-Aid-of-Construction (CIAC) amount provided in the Conversion Agreement shall be revised accordingly. The revised Conversion Agreement must be executed and any additional CIAC due received by FPL prior to the start of construction.
15. **Assignment.** This Agreement is not assignable.
16. **Applicant's Payments to FPL.** Any monies that are owed by Applicant to FPL under this Agreement shall be paid to FPL within thirty (30) days of FPL producing an invoice.
17. **Notice.** As used herein, the term "Notice" shall mean any formal written correspondence providing notice of action, purpose, intent or the like given under the provisions of this Agreement. Unless otherwise provided in this Agreement, Notice shall be delivered in person, by courier or by certified mail and shall be effective when received. General correspondence is not categorized as Notice.

IN WITNESS WHEREOF, FPL and Applicant have executed this Agreement for the provision of Applicant-Installed facilities to be effective as of the date first above written.

For: _____

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)

Approved as to Terms and Conditions: _____
(signature/title)

Approved as to Form and Legal Sufficiency: _____
(signature/title)

For **FLORIDA POWER & LIGHT COMPANY**

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)

FLORIDA POWER & LIGHT COMPANY

UNDERGROUND FACILITIES CONVERSION AGREEMENT

This Agreement, is made and entered into this _____ day of _____, 2023, by and between The City of Stuart (“Applicant”), with an address of 121 SW Flagler Ave, Stuart, FL, 34994 and FLORIDA POWER & LIGHT COMPANY (“FPL”), a Florida corporation with an address of 700 Universe Boulevard, Juno Beach, FL 33408-0429.

WHEREAS, the Applicant has requested that FPL convert certain overhead electric distribution facilities located within the following boundaries (the “Conversion”):

Phase 2 - SW Osceola St & S Colorado Ave

NOW THEREFORE, in consideration of the foregoing premises and the covenants and agreements set forth herein, and other consideration the sufficiency of which is hereby acknowledged, the parties intending to be legally bound, hereby covenant and agree as follows:

1. **Avoided Storm Restoration Cost (“ASRC”) Eligibility Criteria.** The Applicant represents and warrants that it meets, and is capable and willing to enforce, the applicable eligibility criteria for the Conversion.
2. **Contribution-in-Aid-of-Construction (CIAC).** The Applicant shall pay FPL a CIAC as required by FPL’s Electric Tariff and Section 25-6.115 of the Florida Administrative Code.

i. CIAC (excluding ASRC)	\$ <u>342,442</u>
ii. ASRC	\$ <u>- 68,316</u>
iii. Operational Cost Differential	\$ <u>-128,937</u>
iv. CIAC Due	\$ <u>145,191</u>

In the event the actual cost of the Conversion (excluding ASRC) exceeds the estimate, the CIAC (excluding ASRC) shall be adjusted by the lesser of (a) the difference between the actual cost of the Conversion and the estimate, or (b) 10% of the CIAC (excluding ASRC) identified above. The ASRC shall also be adjusted accordingly and the Applicant shall pay FPL the resulting difference in the amount of the CIAC Due.

3. **Applicant-Installed Facilities.** The Applicant may, upon entering into an applicant-installed facilities agreement satisfactory to FPL, construct and install all or a portion of the Underground Facilities. Such work must meet FPL’s construction standards and FPL will own and maintain the completed facilities. The Applicant agrees to rectify any deficiencies, found by FPL, prior to the connection of any customers to the Underground Facilities and the removal of the Existing Overhead Facilities.
4. **Compliance with Tariff.** The Applicant agrees to comply with and abide by the requirements, terms, and conditions of FPL’s Electric Tariff.

FLORIDA POWER & LIGHT COMPANY

5. **Timing of Conversion.** Upon compliance by the Applicant with the requirements, terms, and conditions of FPL's Electric Tariff, this Agreement and any other applicable agreements, FPL will proceed in a timely manner with the Conversion in accordance with the construction drawings and specifications set forth in Attachment A hereof.
6. **Relocation.** In the event that the Underground Facilities are part of, or are for the purposes of, relocation, then this Agreement shall be an addendum to the relocation agreement between FPL and the Applicant. In the event of any conflict between the relocation agreement and this Agreement or the Electric Tariff, this Agreement and the Electric Tariff shall control.
7. **Term.** This Agreement shall remain in effect for as long as FPL or any successor or assign owns or operates the Underground Facilities.
8. **ASRC Repayment.** If the Applicant does not satisfy the relevant eligibility criteria, the Applicant shall repay the ASRC within 30 days of written notice from FPL of such failure. Additionally, if at any point within 30 years of completion of the Underground Facilities installation, the Applicant elects to have electric service within the Conversion Area supplied by a provider other than FPL, the Applicant shall repay FPL a pro-rata share of the ASRC. The pro-rata share (which shall reflect partial years) shall be determined as follows:

$$\text{ASRC} * [(30 - \text{years since the Underground Facilities completion date}) / 30]$$

Non-governmental-Applicants shall provide, at the time of execution of this Agreement, either a surety bond or irrevocable bank letter of credit (the "Security Instrument") in a form acceptable to FPL evidencing ability to repay the ASRC. This Security Instrument shall remain in effect until such time as all customers within the Conversion Area are converted. The Applicant may provide either an amended or replacement Security Instrument in a form acceptable to FPL at any time to reflect the pro-rata adjustments to the ASRC amount. If, upon notice of cancellation or prior to expiration of the Security Instrument, a replacement Security Instrument in a form acceptable to FPL is not provided by the Applicant to FPL, FPL will require the third party issuing the Security Instrument to pay the full balance due in accordance with this Agreement in cash.

9. **Termination Prior to the Conversion Completion.** Failure by the Applicant to comply with any of the requirements, terms, or conditions of this Agreement or FPL's Electric Tariff shall result in termination of this Agreement. The Applicant may terminate this Agreement at any time prior to the start of the Conversion and the CIAC paid by the Applicant will be refunded to the Applicant; provided however, that the refund of the CIAC shall be offset by any costs incurred by FPL in performing under the Agreement up to the date of termination.
10. **Assignment.** The Applicant shall not assign this Agreement without the written consent of FPL.
11. **Adoption and Recording.** This Agreement shall be adopted by the Applicant and maintained in the official records of the Applicant for the duration of the term of this Agreement. This Agreement also shall be recorded in the Official Records of the County in which the Underground Facilities are located, in the place and in the manner in which deeds are typically recorded.
12. **Conflict between Terms of Franchise Agreement.** In the event of a conflict between the terms of this Agreement and any permit or franchise agreement entered into by Applicant and FPL, the terms of this Agreement shall control.

FLORIDA POWER & LIGHT COMPANY

- 13. Applicability.** This subpart applies to requests for underground facilities addressing the conversion of existing overhead facilities. In order for the Company to take action pursuant to a request for conversion:
- the conversion area must be at least two contiguous city blocks or 1,000 feet in length;
 - all electric services to the real property on both sides of the existing overhead primarily lines must be part of the conversion;
 - all other existing overhead utility facilities (e.g. telephone, CATV, etc.) must also be converted to underground facilities.

IN WITNESS WHEREOF, FPL and the Applicant have executed this Agreement on the date first set forth above.

CITY OF STUART

Signed _____

Name _____

Title _____

Signed _____

Name _____

Title _____

Approved as to Terms and Conditions (if required by
Applicant)

Signed _____

Name _____

Title _____

Approved as to Form and Legal Sufficiency (if required by Applicant)

Signed _____

Name _____

Title _____

FPL

Signed _____

Name _____

Title _____

**CITY/COUNTY RIGHT-OF-WAY
AGREEMENT FOR UNDERGROUND CONVERSIONS**

THIS AGREEMENT (the “**Agreement**”) is made and entered into this _____ day of _____, 20____ by and between City of Stuart (“**Local Government**”), a Florida municipal corporation or county with an address of 121 SW Flagler Ave. Stuart, FL 34994 and Florida Power & Light Company (“**FPL**”), a Florida corporation with an address of P.O. Box 14000, 700 Universe Boulevard, Juno Beach, FL 33408-0429.

WHEREAS, Local Government has requested that FPL convert certain overhead electric distribution facilities located within the following boundaries (the “**Conversion**”):

SW Osceola St & S Colorado Ave

_____ (collectively, the “**Existing Overhead Facilities**”) to underground facilities, including transformers, switch cabinets and other appurtenant facilities some of which may be installed above ground (collectively, the “**Underground Facilities**”) and has further requested that certain of the Underground Facilities be placed in certain of its road rights-of-way (“**Local Government ROW**”) and/or certain road rights-of-way owned by or under the jurisdiction of other agencies (“**Other ROW**”). Local Government ROW and Other ROW may be referred to collectively as “**ROW**”; and

WHEREAS, the Local Government has agreed to pay FPL the cost of such Conversion as required by FPL’s electric tariff and Section 25-6.115 of the Florida Administrative Code and has or will enter into a separate Underground Facilities Conversion Agreement with FPL; and

WHEREAS, FPL is willing, subject to the terms and conditions set forth in this Agreement, FPL’s electric tariff and Section 25-6.115 of the Florida Administrative Code, to place certain of the Underground Facilities in the ROW.

NOW THEREFORE, in recognition of the foregoing premises and the covenants and agreements set forth herein, and other consideration the sufficiency of which is hereby acknowledged, intending to be legally bound hereby, the parties covenant and agree as follows:

1. The foregoing recitals are true and correct, and are hereby incorporated by reference into this Agreement.

2. Conditions Precedent to Placement of Underground Facilities in ROW

- (a) Local Government covenants, represents and warrants that:
 - (i) Local Government has full legal right and authority to enter into this Agreement;
 - (ii) Local Government has full legal right and authority to take all actions and measures necessary to fulfill Local Government's obligations under this Agreement;
 - (iii) Local Government hereby authorizes the use of the ROW by FPL for the purposes stated herein.
- (b) All applicable permits for FPL to install, construct, or maintain Underground Facilities in ROW must be issued on a timely basis by the appropriate agency, subject to the timely filing for permits by FPL.
- (c) Local Government agrees to provide, at its expense, a legal description that is acceptable to FPL of the ROW to be occupied by the Underground Facilities at a time before FPL initiates the design of the Underground Facilities. Said legal description shall be made part of this Agreement and attached as Exhibit "A".
- (d) FPL agrees to identify and document all existing FPL underground facilities within the ROW that will not be included under this Agreement. Local Government shall reimburse FPL's reasonable costs and expenses to deliver said documentation. Said documentation shall be made part of this Agreement and attached as Exhibit "B".
- (e) FPL warrants that the design of the Underground Facilities to which Local Government has agreed are in compliance with all operational and safety guidelines, codes and standards. FPL and Local Government have mutually agreed upon the location of the facilities within the ROW as per the construction drawings. Said construction drawings shall be attached as Exhibit "C" to this agreement, are part of this agreement, and may be amended to reflect changes to location of facilities as required.

3. Relocation and Rearrangement of FPL Facilities. If the Local Government or other agency with control over the Local Government ROW or Other ROW, for any reason whatsoever, requires that FPL relocate or rearrange, in whole or in part, any Underground Facilities (as they are to exist as a result of this Conversion, or as they may later be modified, upgraded, or otherwise altered) from or within the Local Government ROW or Other ROW, the Local Government, notwithstanding any language to the contrary in any applicable permit or franchise agreement, and prior to any such relocation by FPL, shall provide FPL with a substitute location, satisfactory to FPL, obtain any easements that may be necessary, and shall pay FPL for the costs of any such relocation, adjustment or rearrangement, now or in the future. Local Government shall reimburse FPL for all costs to locate, expose, protect or support the Underground Facilities, whether underground or above ground, in the event of future construction or excavation in close proximity to the Underground Facilities, when such services are required by Local Government or other agency with control over the Local Government

ROW or Other ROW Local Government shall use its best efforts in any design and construction of its future road improvement projects to avoid or mitigate the necessity of relocating or adjusting the Underground Facilities in Local Government ROW and, to the extent reasonably practicable, in Other ROW.

Local Government shall only be responsible for relocation costs associated with replacement facilities conforming to FPL standards in effect at the time of relocation. Any costs associated with the replacement facilities to provide increased capacity, improved reliability, future use facilities, or other such enhancements over and above the FPL standards in effect at the time of the relocation shall not be the responsibility of Local Government.

Nothing herein shall preclude Local Government from obtaining reimbursement for any and all costs requiring FPL to relocate or rearrange any of its Underground Facilities from that entity which initiated the requirement for the relocation or rearrangement of the facilities, excluding only other agencies which own or have jurisdiction over the ROW.

FPL shall be responsible for any and all costs of removal or relocation when such removal or relocation is initiated by FPL. Additionally, FPL agrees that when any portion of a street is excavated by FPL in the location, relocation or repair of any of its facilities when said location, relocation or repair is initiated by FPL, the portion of the street so excavated shall, within a reasonable time and as early as practical after such excavation, be replaced by FPL at its expense in a condition as good as it was at the time of such excavation.

4. **Abandonment or Sale of Local Government ROW.** If the Local Government desires to subsequently abandon or discontinue use of the Local Government ROW, and ownership of the land is transferred to a private party, the Local Government, as a condition of and prior to any such sale, abandonment, or vacation, shall grant FPL an easement satisfactory to FPL for the Underground Facilities then existing within the ROW or require the transferee to so grant FPL an easement satisfactory to FPL at the time of transfer. If ownership of the Local Government ROW is transferred to another public entity, that public entity shall take the ROW subject to the terms and conditions of this Agreement.

5. **Term.** This Agreement shall remain in effect for as long as FPL or any successor or assign owns or operates the Underground Facilities placed in the ROW.

6. **Title and Ownership of Underground Facilities.** Title and ownership of Underground Facilities installed by FPL as a result of this Agreement shall, at all times, remain the property of FPL.

7. **Conversion Outside ROW.** In the event that the FPL Underground Facilities are not, for any reason other than the sole error of FPL or its contractors,

constructed within the ROW, Local Government shall grant or secure, at Local Government's sole cost and expense, new easements or ROW grants for the benefit of FPL for the placement of the Underground Facilities in these areas, and shall secure subordinations of any mortgages affecting these tracts to the interest of FPL. In the alternative, at the discretion of Local Government, Local Government shall reimburse FPL for all costs incurred to remove said facilities which were constructed outside the ROW and for reinstallation within the ROW. FPL shall be responsible at completion of construction for notifying Local Government in writing of FPL's approval and acceptance of the conversion as being constructed within the ROW. Upon acceptance there shall be no further responsibility on the Local Government for relocations referenced in this paragraph.

8. **Agreement Subject to FPL's Electric Tariff.** This Agreement is subject to FPL's electric tariff, including but not limited to the general rules and regulations for electric service and the rules of the Florida Public Service Commission.

9. **Venue; Waiver of Jury Trial.** This Agreement shall be enforceable in Martin County, Florida, and if legal action is necessary by either party with respect to the enforcement of any or all of the terms or conditions herein, exclusive venue for the enforcement of same shall lie in Martin County, Florida. By entering into this Agreement, FPL and the Local Government expressly waive any rights either party may have to a trial by jury of any civil litigation related to or arising out of this Agreement. This Agreement shall be construed in accordance with the laws of the State of Florida.

10. **Attorney Fees.** In the event it becomes necessary for either party to institute or defend legal proceedings as a result of the failure of the other party to comply with the terms, covenants, or provisions of this Agreement, each party in such litigation shall bear its own cost and expenses incurred and extended in connection therewith, including, but not limited to attorneys' fees and court costs through all trial and appellate levels.

11. **Assignment.** The Local Government shall not assign this Agreement without the written consent of FPL.

12. **Recording.** This Agreement shall be adopted by the Local Government and maintained in the official records of Local Government for the duration of the term of this Agreement. This Agreement also shall be recorded in the Official Records of the County in which the Underground Facilities are located, in the place and in the manner in which deeds are typically recorded.

13. **Conflict between Terms of Permit or Franchise Agreement.** In the event of a conflict between the terms of this Agreement and any permit or franchise agreement entered into by Local Government and FPL, the terms of this Agreement shall control.

14. **Notice.** Any notice, instruction or other communication to be given to either party hereunder shall be in writing and shall be hand delivered, telecopied, sent by Federal Express or a comparable overnight service or by U. S. registered or certified mail, with return receipt requested and postage prepaid to each party at their respective addresses set forth below:

As to Local Government:

With copies to:

As to FPL:

IN WITNESS WHEREOF, Florida Power & Light Company and Local Government have executed this Agreement on the date first set forth above.

For **LOCAL GOVERNMENT:**

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)

Approved as to Terms and Conditions: _____
(signature/title)

Approved as to Form and Legal Sufficiency: _____
(signature/title)

For **FLORIDA POWER & LIGHT COMPANY**

By: _____
(signature)

Name: _____
(print or type)

Title: _____
(print or type)



NOTIFICATION OF FPL FACILITIES

Customer/Agency City of Stuart
 Developer/Contractor Name City of Stuart
 Location of Project: SW Osceola St & S Colorado Ave
 City: City of Stuart
 FPL Representative: Andrea Castelblanco
 Developer/Contractor Representative: Pinal Gandhi-Savdas

Date of Meeting/Contact: April 20th, 2023
 Project Number/Name: Stuart Ph 2 (SW Osceola)OH-UG Conversion

Phone: 561-389-9976
 FPL Work Request #/Work Order #: 11543990

FPL calls your attention to the fact that there may be energized, high voltage electric lines, both overhead and underground, located in the area of this project. It is imperative that you visually survey the area and that you also take the necessary steps to identify all overhead and underground facilities prior to commencing construction to determine whether the construction of any proposed improvements will bring any person, tool, machinery, equipment or object closer to FPL's power lines than the OSHA-prescribed limits. If it will, you must either re-design your project to allow it to be built safely given the pre-existing power line location, or make arrangements with FPL to either deenergize and ground our facilities, or relocate them, possibly at your expense. You must do this before allowing any construction near the power lines. It is impossible for FPL to know or predict whether or not the contractors or subcontractors, and their employees, will operate or use cranes, digging apparatus or other mobile equipment, or handle materials or tools, in dangerous proximity to such power lines during the course of construction, and, if so, when and where. Therefore, if it becomes necessary for any contractor or subcontractor, or their employees, to operate or handle cranes, digging apparatus, draglines, mobile equipment, or any other equipment, tools or materials in such a manner that they might come closer to underground or overhead power lines than is permitted by local, state or federal regulations, you and any such contractor or subcontractor must notify FPL in writing of such planned operation prior to the commencement thereof and make all necessary arrangements with FPL in order to carry out the work in a safe manner. Any work in the vicinity of the electric lines should be suspended until these arrangements are finalized and implemented.

The National Electrical Safety Code ("NESC") prescribes minimum clearances that must be maintained. If you build your structure so that those clearances cannot be maintained, you may be required to compensate FPL for the relocation of our facilities to comply with those clearances. As such, you should contact FPL prior to commencing construction near pre-existing underground or overhead power lines to make sure that your proposed improvement does not impinge upon the NESC clearances.

It is your responsibility and the responsibility of your contractors and subcontractors on this project to diligently fulfill the following obligations:

1. Make absolutely certain that all persons responsible for operating or handling cranes, digging apparatus, draglines, mobile equipment or any equipment, tool, or material capable of contacting a power line, are in compliance with all applicable state and federal regulations, including but not limited to U.S. Department of Labor OSHA Regulations, while performing their work.
2. Make sure that all cranes, digging apparatus, draglines, mobile equipment, and all other equipment or materials capable of contacting a power line have attached to them any warning signs required by U.S. Department of Labor OSHA Regulations.
3. Post and maintain proper warning signs and advise all employees, new and old alike, of their obligation to keep themselves, their tools, materials and equipment away from power lines per the following OSHA minimum approach distances (refer to OSHA regulations for restrictions):

<u>*Power Line Voltages</u>	<u>**Personnel and Equipment</u> (29 CFR 1910.333 and 1926.600)	<u>Cranes and Derricks</u> (29 CFR 1926.1407, 1408)	<u>Travel under or near Power Lines (on construction sites, no load)</u> (29 CFR 1926.600 – Equipment) (1926.1411 – Cranes and Derricks)	
0 - 750 volts	10 Feet	10 Feet	4 Feet	4 Feet
751 - 50,000 volts	10 Feet	10 Feet	4 Feet	6 Feet
69,000 volts	11 Feet	15 Feet	10 Feet	10 Feet
115,000 volts	13 Feet	15 Feet	10 Feet	10 Feet
138,000 volts	13 Feet	15 Feet	10 Feet	10 Feet
230,000 volts	16 Feet	20 Feet	10 Feet	10 Feet
500,000 volts	25 Feet	25 Feet	16 Feet	16 Feet

*When uncertain of the voltage, maintain a distance of 20 feet for voltages up to 350,000 volts and 50 feet for voltages greater than 350,000 volts.

**For personnel approaching insulated secondary conductors less than 750 volts, avoid contact (Maintain 10 Feet to bare energized conductors less than 750 volts). For qualified personnel and insulated aerial lift equipment meeting requirements of 29 CFR 1910.333, distances may be reduced to those shown in 29 CFR 1910.333 Table S-5.

4. All excavators are required to contact the Sunshine State One Call of Florida, phone number 1-800-432-4770 or 811 a minimum of two working days (excluding weekends) in advance of commencement of excavation to ensure facilities are located accurately.
5. Conduct all locations and excavations in accordance with the Florida Statute 556 of the Underground Facilities Damage Prevention & Safety Act and all local city and county ordinances that may apply.
6. When an excavation is to take place within a tolerance zone, an excavator shall use increased caution to protect underground facilities. The protection requires hand digging, pot holing, soft digging, vacuum methods, or similar procedures to identify underground facilities.

A copy of this notification must be provided by you to each contractor and subcontractor on this project, to be shared with their supervision and employees prior to commencing work on this project.

Email
 Means by which this notification was provided to customer and/or contractor

pgandhi@ci.stuart.fl.us
 Address

 FPL Representative Signature

 Date

 Customer/Developer/Contractor Representative Signature

 Date

Seminole Street and SW Osceola Street Undergrounding

Engineers Opinion of Conceptual Probable Construction Costs

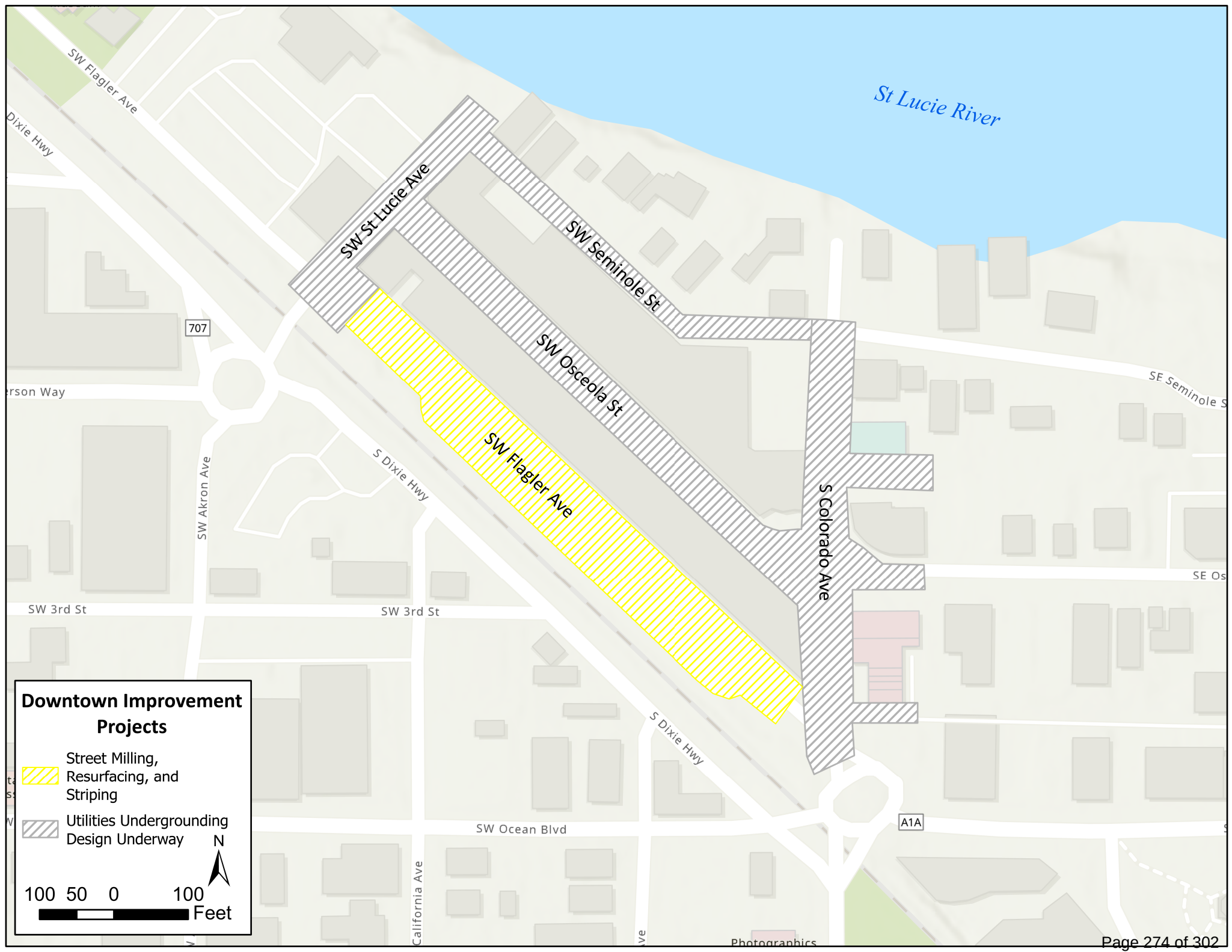
Seminole Street				
ENGINEERING SERVICES				
Kimley-Horn Construction Observation (exclusive of Streetscape)	1	LS	\$ 82,000.00	\$ 82,000.00
FRANCHISE UTILITY WORK				
Florida Power and Light BCE Estimate	1	LS	\$ 33,866.00	\$ 33,866.00
Comcast Cost Estimate	1	LS	\$ 77,645.63	\$ 77,645.63
ATT Cost Estimate	1	LS	\$ 95,000.00	\$ 95,000.00
Description	Estimated Quantity	Unit	Unit Price	Extended Total
GENERAL CONDITIONS				
Mobilization	1	LS	\$ 34,000.00	\$ 34,000.00
P&P Bonds	1	LS	\$ 14,000.00	\$ 14,000.00
Site Cleaning, Debris Removal, Tree Protection, Specialty Signage	1	LS	\$ 10,000.00	\$ 10,000.00
Maintenance of Traffic	1	LS	\$ 27,000.00	\$ 27,000.00
UNDERGROUND UTILITIES				
FPL Primary 2" PVC 1PN1C (I) incl. wire pull	80	LF	\$ 36.00	\$ 2,880.00
FPL Primary 2" PVC 3PN3C (I) incl. wire pull	880	LF	\$ 33.00	\$ 29,040.00
FPL 6" PVC Feeder (I) incl. wire pull	770	LF	\$ 35.00	\$ 26,950.00
FPL 2" Service Conduit (I) incl. wire pull	120	LF	\$ 26.00	\$ 3,120.00
(1) FPL 2" Secondary Service Conduit (I) incl. wire pull	260	LF	\$ 27.00	\$ 7,020.00
(2) FPL 2" Secondary Service Conduit (I) incl. wire pull	130	LF	\$ 30.00	\$ 3,900.00
Customer Owned Services	1	LS	\$ 75,000.00	\$ 75,000.00
FPL Open delta Transformer Installation (I)	3	EA	\$ 3,125.00	\$ 9,375.00
FPL Single Phase Transformer Installation (I)	1	EA	\$ 2,500.00	\$ 2,500.00
30" FPL Handholes (I)	7	EA	\$ 1,200.00	\$ 8,400.00
Loop Primary into existing TX	2	EA	\$ 3,625.00	\$ 7,250.00
Intercept existing service/primary/feeder riser	6	EA	\$ 4,450.00	\$ 26,700.00
Removal of all risers up poles (Primary/Secondary/Service)	4	EA	\$ 2,500.00	\$ 10,000.00
ATT Main Conduit 1" PVC (F/I)	200	LF	\$ 25.00	\$ 5,000.00
ATT Main Conduit 2" PVC (F/I)	150	LF	\$ 35.00	\$ 5,250.00
ATT Main Conduit 4" PVC (F/I)	500	LF	\$ 38.00	\$ 19,000.00
(2) ATT Main Conduit 4" PVC (F/I)	60	LF	\$ 60.50	\$ 3,630.00
Comcast Main 2-3" PVC (F/I)	650	LF	\$ 48.00	\$ 31,200.00
Comcast Main 3-3" PVC (F/I)	100	LF	\$ 55.50	\$ 5,550.00
Comcast Main 4-3" PVC (F/I)	40	LF	\$ 82.00	\$ 3,280.00
Comcast 2" Service Conduit (F/I)	250	LF	\$ 32.00	\$ 8,000.00
ATT 30"x48" Service Handholes (F/I)	9	EA	\$ 3,850.00	\$ 34,650.00
Streetlight Replacement	3	EA	\$ 2,000.00	\$ 6,000.00
			Sub Total	\$ 420,000.00
			20% Contingency	\$ 42,000.00
			Construction Costs =	\$ 470,000.00
			Seminole Street Total	\$ 760,000.00

SW Osceola Street				
Description	Estimated Quantity	Unit	Unit Price	Extended Total
ENGINEERING SERVICES				
Kimley-Horn Construction Observation (concurrent with Phase 1 and Streetscape)	1	LS	\$ 160,000.00	\$ 160,000.00
FRANCHISE UTILITY WORK SW Osceola Street				
Florida Power and Light BCE Estimate	1	LS	\$ 91,595.00	\$ 91,595.00
Comcast Cost Estimate	1	LS	\$ 155,291.26	\$ 155,291.26
ATT Cost Estimate	1	LS	\$ 142,500.00	\$ 142,500.00
SW Osceola Street Estimated Cost Based on Linear Foot	2000	LF	\$ 890.00	\$ 1,780,000.00
			SW Osceola Street Total	\$ 2,330,000.00

Seminole Street Total \$ 760,000.00
SW Osceola Street Total \$ 2,330,000.00

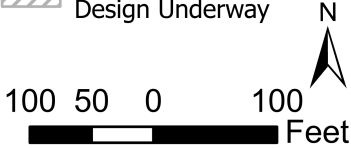
The Consultant has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to Consultant at this time and represent only the Consultant's judgment as a design professional familiar with the construction industry. The Consultant cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.

Date:05/24/23 City of Stuart SW Osceola Street Engineer's Opinion of Probable Construction Cost				
Description	Estimated Quantity	Unit	Unit Price	Extended Total
ENGINEERING SERVICES				
Kimley-Horn Construction Observation (concurrent with Phase 1 and Streetscape)	1	LS	\$ 160,000.00	\$ 160,000.00
FRANCHISE UTILITY WORK SW Osceola Street				
Florida Power and Light BCE Estimate (Phase 2 - Dated 4/20/2023)	1	LS	\$ 145,191.00	\$ 145,191.00
Comcast Cost Estimate	1	LS	\$ 100,000.00	\$ 100,000.00
ATT Cost Estimate (Phase 2 - Dated October 22, 2022)	1	LS	\$ 76,826.91	\$ 76,826.91
GENERAL CONDITIONS				
Mobilization, Demobilization, Video	1	LS	\$ 147,000.00	\$ 147,000.00
P&P Bonds	1	LS	\$ 59,000.00	\$ 59,000.00
Site Cleaning, Debris Removal, Tree Protection, Specialty Signage	1	LS	\$ 20,000.00	\$ 20,000.00
Private Property Restoration	1	LS	\$ 54,000.00	\$ 54,000.00
Survey	1	LS	\$ 50,000.00	\$ 50,000.00
Maintenance of Traffic	1	LS	\$ 117,000.00	\$ 117,000.00
UNDERGROUND UTILITIES				
FPL Primary 2" PVC 1PN1C (l) incl. wire pull	81	LF	\$ 28.05	\$ 2,272.05
FPL Primary 2" PVC 2PN2C (l) incl. wire pull	339	LF	\$ 38.50	\$ 13,051.50
FPL Primary 2" PVC 3PN3C (l) incl. wire pull	1100	LF	\$ 46.75	\$ 51,425.00
FPL Primary 2" PVC 4PN4C (l) incl. wire pull	510	LF	\$ 52.80	\$ 26,928.00
FPL Primary 2" PVC 5PN5C (l) incl. wire pull	37	LF	\$ 62.15	\$ 2,299.55
FPL Primary 2" PVC 6PN6C (l) incl. wire pull	412	LF	\$ 69.30	\$ 28,551.60
FPL Primary 2" PVC 7PN7C (l) incl. wire pull	14	LF	\$ 89.65	\$ 1,255.10
FPL 6" PVC Feeder (l) incl. wire pull	1390	LF	\$ 50.60	\$ 70,334.00
FPL Customer Owned Services	1	LS	\$ 352,000.00	\$ 352,000.00
FPL 2" Secondary Service Conduit (l) incl. wire pull	495	LF	\$ 28.60	\$ 14,157.00
(2) FPL 2" Secondary Service Conduit (l) incl. wire pull	636	LF	\$ 39.60	\$ 25,185.60
(3) FPL 2" Secondary Service Conduit (l) incl. wire pull	96	LF	\$ 48.40	\$ 4,646.40
(4) FPL 2" Secondary Service Conduit (l) incl. wire pull	239	LF	\$ 58.30	\$ 13,933.70
FPL Three Phase Transformer Installation (l)	1	EA	\$ 4,235.00	\$ 4,235.00
FPL Open Delta Transformer Installation (l)	5	EA	\$ 3,630.00	\$ 18,150.00
FPL Single Phase Transformer Installation (l)	1	EA	\$ 2,057.00	\$ 2,057.00
FPL Primary Splice Box (l)	1	EA	\$ 2,057.00	\$ 2,057.00
FPL Feeder Splice Box (l)	1	EA	\$ 5,445.00	\$ 5,445.00
30" FPL Handholes (l)	17	EA	\$ 1,119.25	\$ 19,027.25
Removal of all risers up poles (Primary/Secondary/Service)	1	EA	\$ 1,639.00	\$ 1,639.00
(2) ATT Main Conduit 4" PVC (F/l)	612	LF	\$ 45.10	\$ 27,601.20
ATT Service Conduit 2" (F/l)	193	LF	\$ 28.60	\$ 5,519.80
(2) ATT Service Conduit 2" (F/l)	60	LF	\$ 34.65	\$ 2,079.00
(4) ATT Service Conduit 2" (F/l)	8	LF	\$ 50.60	\$ 404.80
(2) Comcast Main Conduit 2" PVC (F/l)	2030	LF	\$ 31.68	\$ 64,310.40
(4) Comcast Main Conduit 2" PVC (F/l)	65	LF	\$ 44.88	\$ 2,917.20
Comcast 2" Service Conduit (F/l)	494	LF	\$ 25.08	\$ 12,389.52
(2) Comcast 2" Service Conduit (F/l)	32	LF	\$ 28.49	\$ 911.68
(3) Comcast 2" Service Conduit (F/l)	3	LF	\$ 31.90	\$ 95.70
(4) Comcast 2" Service Conduit (F/l)	21	LF	\$ 35.31	\$ 741.51
ATT 30"x48" Vault (F/l)	6	EA	\$ 3,630.00	\$ 21,780.00
Intercept existing ATT service/equipment	4	EA	\$ 1,320.00	\$ 5,280.00
Intercept existing Comcast service/equipment	3	EA	\$ 1,320.00	\$ 3,960.00
Streetlight Fixture and Arm (F/l)	7	EA	\$ 15,000.00	\$ 105,000.00
Streetlight 2" Conduit (F/l)	301	LF	\$ 14.03	\$ 4,221.53
Streetlight Pull Box 13" x 24" (F/l)	4	EA	\$ 990.00	\$ 3,960.00
Milling/Resurfacing and Striping	13377	SY	\$ 22.00	\$ 294,294.00
Sawcut/ Remove / Replace Existing Pavers With Weed Barrier/57 Stone Base	700	SF	\$ 44.00	\$ 30,800.00
Asphalt Trench Repair	1900	LF	\$ 82.50	\$ 156,750.00
Concrete Sidewalk 4" Thick w/ Paint	375	SY	\$ 83.00	\$ 31,125.00
Modified B-Curb Construction	190	LF	\$ 44.00	\$ 8,360.00
F-Curb Construction	16	LF	\$ 44.00	\$ 704.00
Curb Removal	184	LF	\$ 27.50	\$ 5,060.00
Sidewalk Extension	130	LF	\$ 35.00	\$ 4,550.00
Asphalt Removal	375	SF	\$ 24.20	\$ 9,075.00
Allowance				
Meter Disconnect (F/l)	1	LS	\$ 100,000.00	\$ 100,000.00
			Direct Construction Cost Sub Total	\$ 2,010,000.00
			20% Contingency	\$ 201,000.00
			Construction Costs =	\$ 2,220,000.00
			SW Osceola Street Total	\$ 2,710,000.00
The Consultant has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to Consultant at this time and represent only the Consultant's judgment as a design professional familiar with the construction industry. The Consultant cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.				



Downtown Improvement Projects

-  Street Milling, Resurfacing, and Striping
-  Utilities Undergrounding Design Underway



CITY OF STUART, FLORIDA

AGENDA ITEM REQUEST

Community Redevelopment Board

Meeting Date: 6/6/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

DISCUSSION & DELIBERATION - PROPOSED ART/VINYL WRAPPING ON TRAFFIC CONTROL BOXES WITHIN THE CITY LIMITS

Summary Explanation/Background Information on Agenda Request:

The Community Redevelopment Agency Board requested staff to bring the item to consider installing colorful wraps on traffic signal boxes within the city limits. Many cities and counties are brightening their communities by enhancing the dull, metal-plated traffic signal boxes with colorfully themed photographs using a vinyl wrapping method.

Recently, a similar project was completed in Palm City, Martin County. The project was initiated by the County Commissioner of that district. The "bird theme" photographs were donated to the County by a local business owner in Palm City to implement the project.

Other neighboring cities such as the City of Port St Lucie and City of Fort Pierce have also implemented similar projects (see attached proposal).

The City of Stuart has 37 traffic boxes within the city limits. Of the total, there are 25 traffic boxes within the Community Redevelopment Area. The goal is to add attractive and creative artwork along the CRA corridors and enhance the experience of residents and visitors. The artwork should reflect a theme that represents Stuart. The artwork could include areas of historical significance, iconic landmarks, nature, wildlife, or the environment. Beautification of the traffic signal boxes is consistent with the CRA plan and within the purview of the Board.

Staff will work with a professional to prepare a proposal identifying street view and photograph options for each traffic box location for board review and approval. Upon approval, the artwork will be printed on vinyl wraps and placed onto traffic boxes. The cost is approximately \$850 per box (see attached quote from Ampersand). The sign company will do site assessment, measurements, create large graphics, and installation. This does not include staff time to prepare the proposal and collect high resolution artwork.

The County owns and maintains the traffic boxes. The city will be responsible for maintaining the vinyl wrapping. The life expectancy is about 3-5 years.

Funding Source:

N/A

Recommended Action:

The staff is looking for directions on the following:

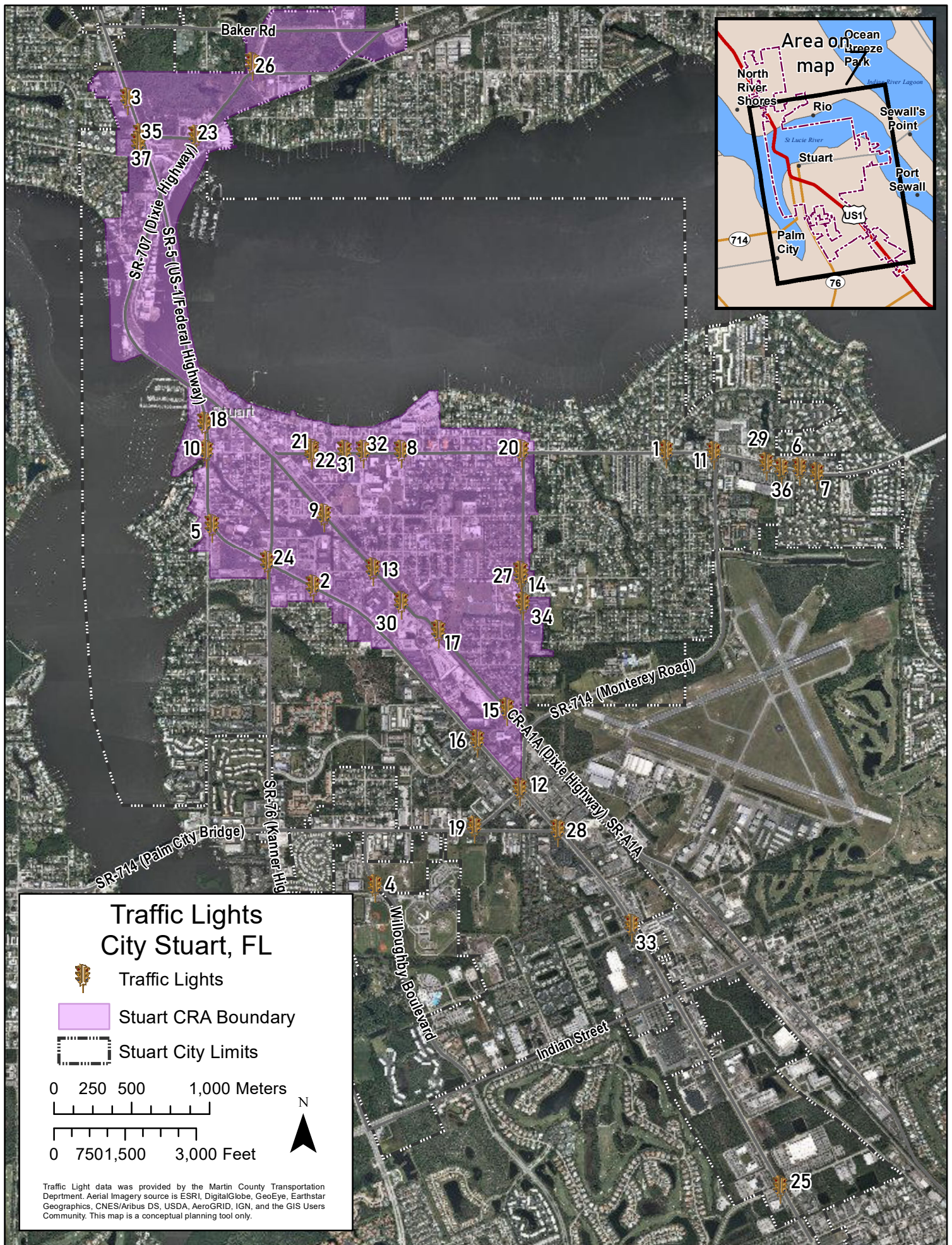
1. Does the board want to wrap the traffic signal boxes?
2. Identify areas for wrap - CRA only or citywide
3. Funding source for wraps - CRA (\$21,000 - \$25,000) or citywide (\$31,000 - \$35,000)
4. Artwork theme (note - additional costs for artwork are possible)

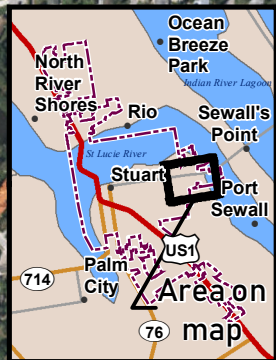
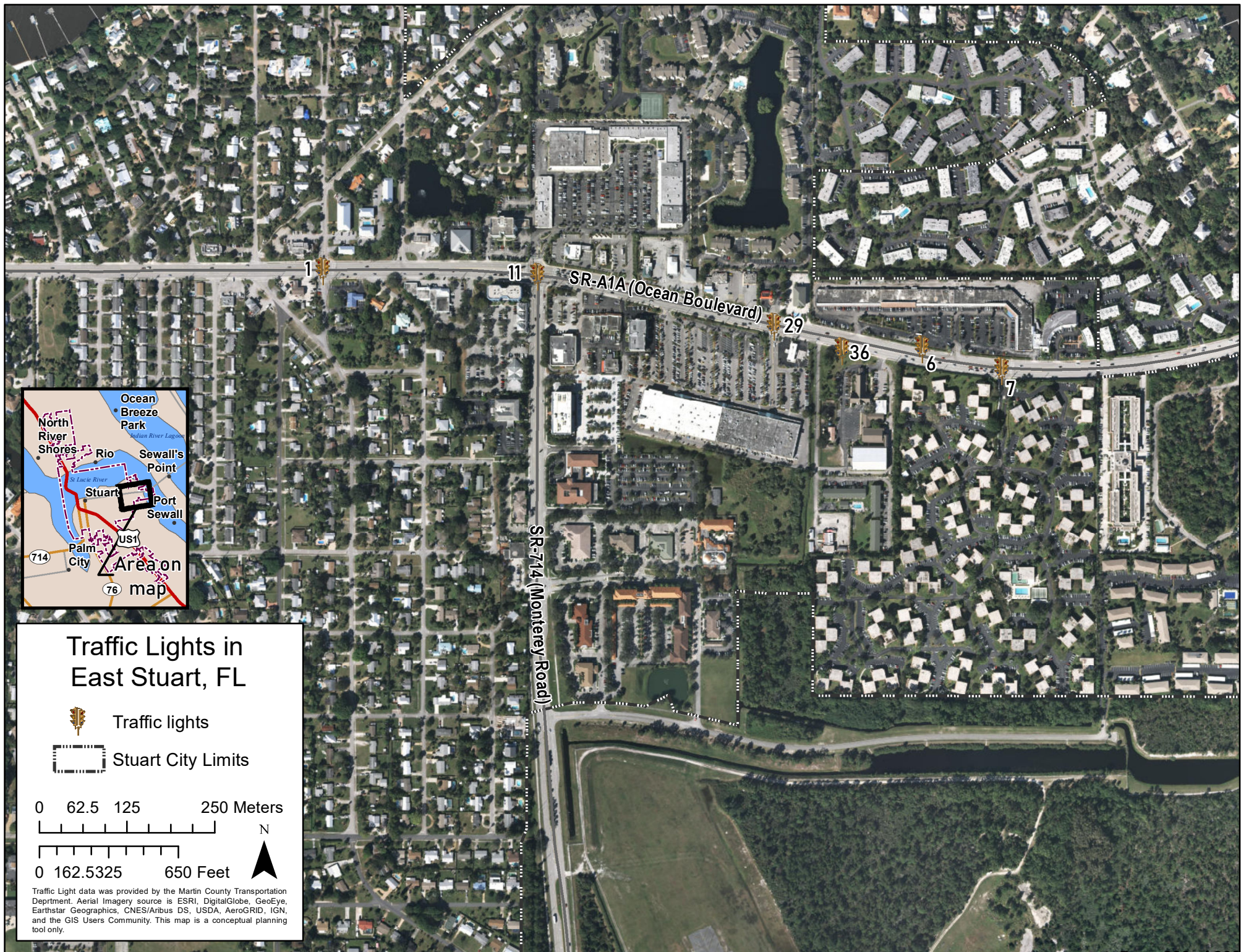
ATTACHMENTS:

1. Traffic lights within city limits
2. Traffic lights intersections
3. Traffic lights within CRA
4. Traffic lights Stuart East
5. Traffic lights Mid Stuart
6. Traffic lights North Stuart
7. Traffic lights South Stuart
8. Example - Fort Pierce - Traffic Signal Box Design Proposal
9. Quote for Wrap



Label ID	Shape *	Name	X_Coord	Y_Coord	Intersection
1	Point Z	SGNL	-80.227176	27.197419	SE Ocean Blvd & SE Martin Ave
2	Point Z	SGNL	-80.250096	27.189721	US 1 & SE Johnson Ave
3	Point Z	SGNL	-80.261929	27.218049	US 1 & NW River Shores Blvd
4	Point Z	SGNL	-80.246212	27.172352	SE Willoughby Blvd
5	Point Z	SGNL	-80.256636	27.193294	US 1 & SW Pine Ave
6	Point Z	SGNL	-80.21856	27.196369	SE Ocean Blvd
7	Point Z	SGNL	-80.217418	27.196082	SE Ocean Blvd
8	Point Z	SGNL	-80.244345	27.197503	SE Ocena Blvd
9	Point Z	SGNL	-80.249378	27.193855	SE Dixie Hwy & SE Martin Luther King Jr Blvd
10	Point Z	SGNL	-80.256969	27.197574	US 1 & SW Ocean Blvd
11	Point Z	SGNL	-80.22409	27.197332	SE Ocean Blvd & Monterey Rd
12	Point Z	SGNL	-80.236787	27.17791	US 1 & SE Monterey Rd
13	Point Z	SGNL	-80.24622	27.190673	SE Dixie Hwy & SE Florida St
14	Point Z	SGNL	-80.236613	27.190165	SE Palm BEach Rd & SE 10th St
15	Point Z	SGNL	-80.237596	27.182585	SE Dixie Hwy & SE Christie Way
16	Point Z	SGNL	-80.23954	27.180724	US 1 & SE Central Pkwy
17	Point Z	SGNL	-80.242003	27.187083	SE Dixie Hwy
18	Point Z	SGNL	-80.257055	27.199193	US 1 & SW Joan Jefferson Way
19	Point Z	SGNL	-80.239749	27.175722	SE Monterey Rd
20	Point Z	SGNL	-80.236524	27.197498	SE Ocean Blvd & SE Palm Beach Rd
21	Point Z	SGNL	-80.250139	27.197603	SE Ocean Blvd & SE Detroit Ave
22	Point Z	SGNL	-80.250141	27.197474	SE Ocean Blvd
23	Point Z	SGNL	-80.257521	27.215822	NW Dixie Hwy & NW Wright Blvd
24	Point Z	SGNL	-80.253047	27.191112	US 1 & Kanner Hwy
25	Point Z	SGNL	-80.220091	27.15474	US 1 & SE Market Pl
26	Point Z	SGNL	-80.253815	27.220033	NE Dixie Hwy & NW Green River Pkwy
27	Point Z	SGNL	-80.236662	27.190446	SE Palm Beach Rd
28	Point Z	SGNL	-80.234364	27.175494	US 1 & SE Monterey Rd Ext
29	Point Z	SGNL	-80.220691	27.19667	SE Ocean Blvd
30	Point Z	SGNL	-80.244396	27.188757	SE Dixie Hwy
31	Point Z	SGNL	-80.247999	27.197516	SE Ocean Blvd
32	Point Z	SGNL	-80.246811	27.197513	SE Ocean Blvd
33	Point Z	SGNL	-80.229592	27.169945	US 1 & SE Luckhardt St
34	Point Z	SGNL	-80.236508	27.188662	SE Palm Beach Rd
35	Point Z	SGNL	-80.261108	27.215926	US 1 & NW Wright Blvd
36	Point Z	SGNL	-80.219715	27.196348	SE Ocean Blvd
37	Point Z	SGNL	-80.26124	27.215436	NW Fork Rd





Traffic Lights in East Stuart, FL

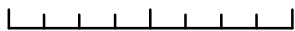


Traffic lights



Stuart City Limits

0 62.5 125 250 Meters

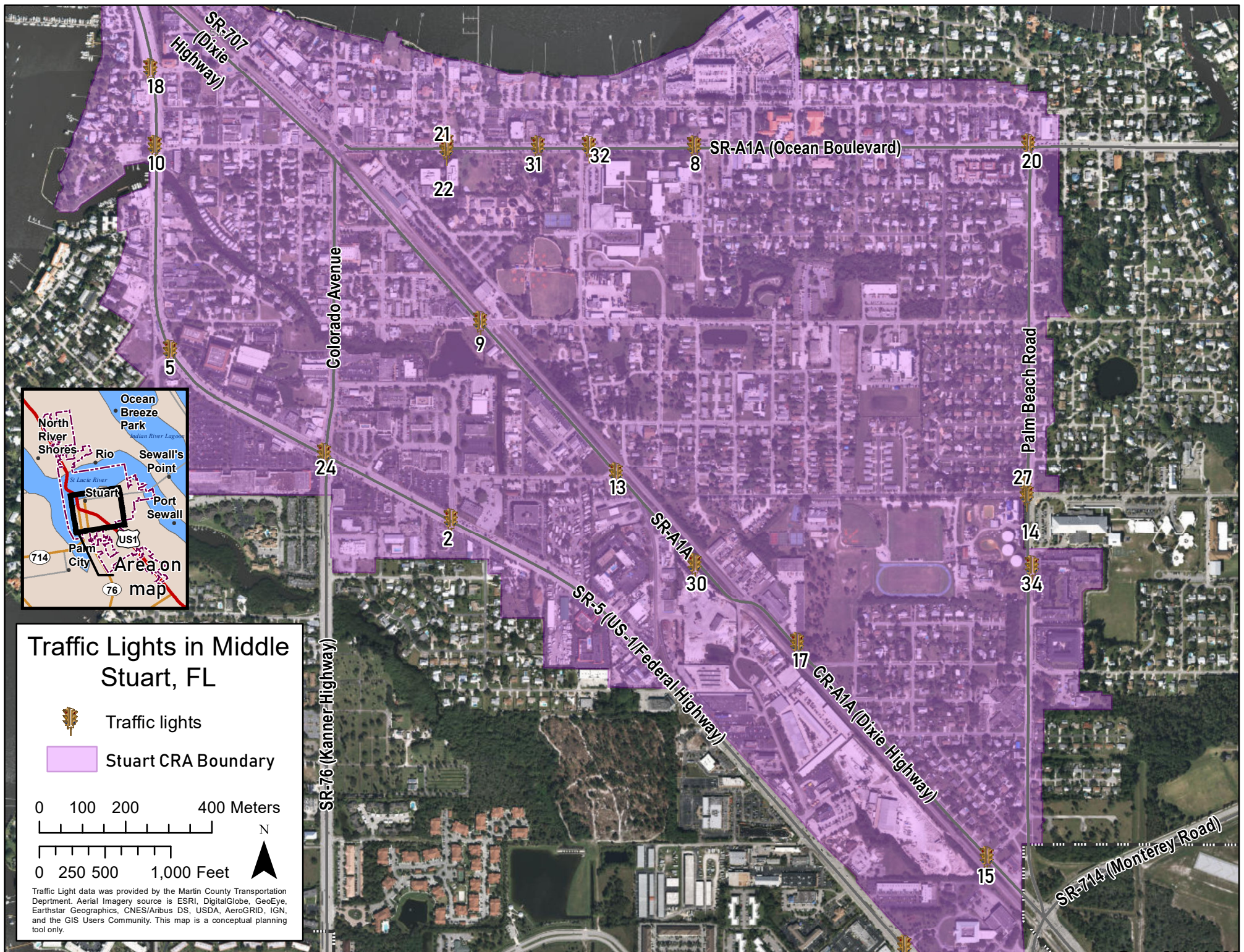


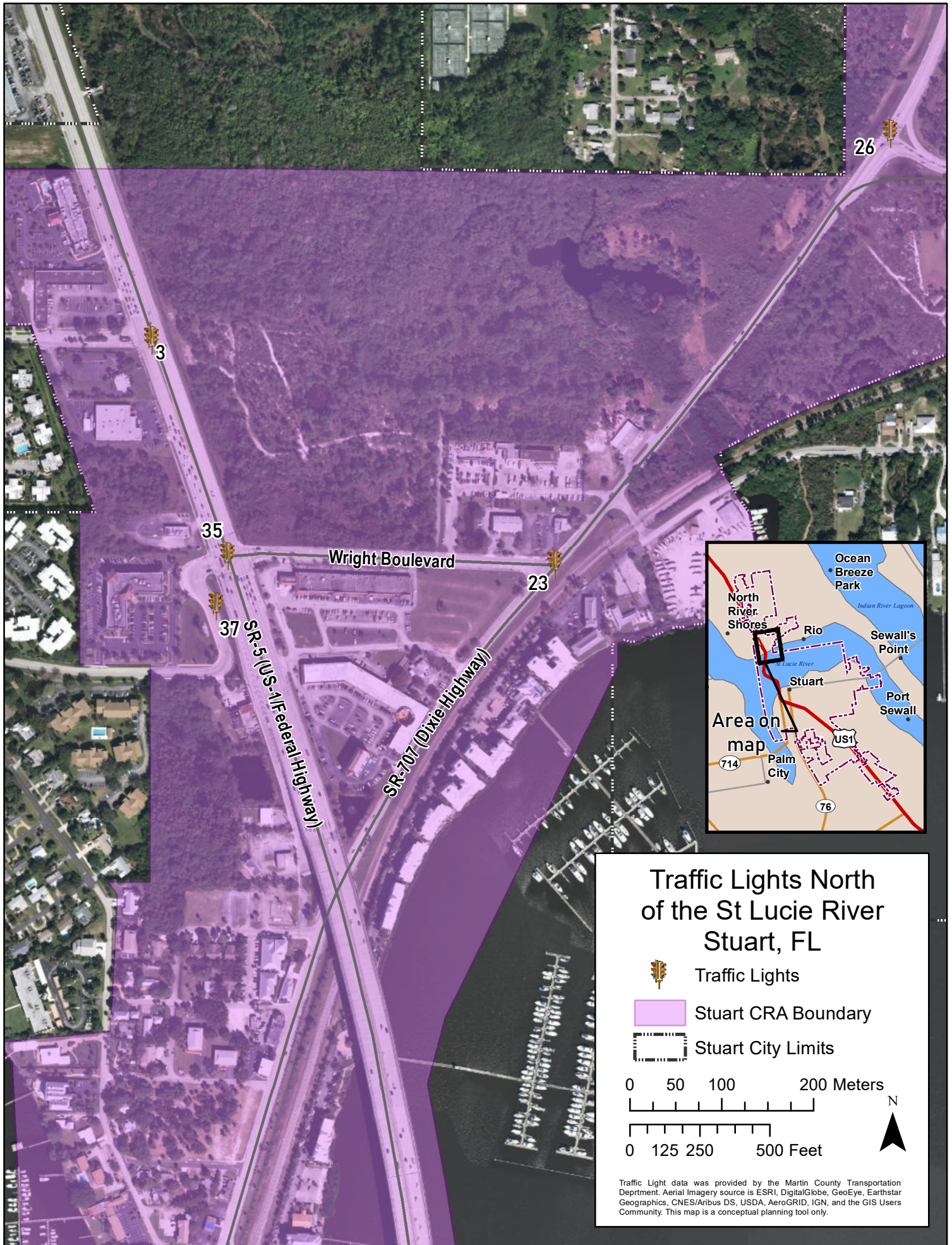
N

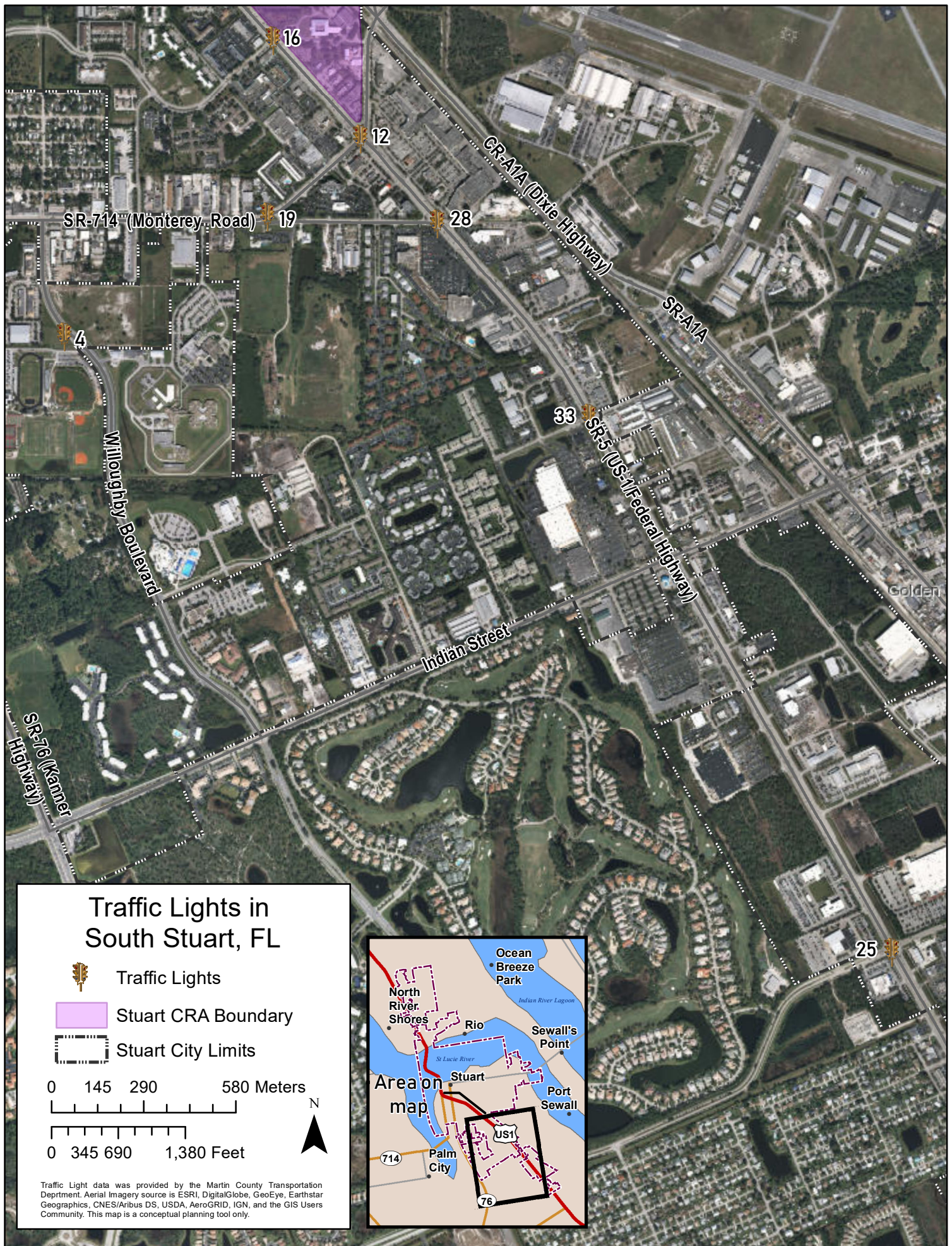
0 162.5325 650 Feet



Traffic Light data was provided by the Martin County Transportation Department. Aerial Imagery source is ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, AeroGRID, IGN, and the GIS Users Community. This map is a conceptual planning tool only.



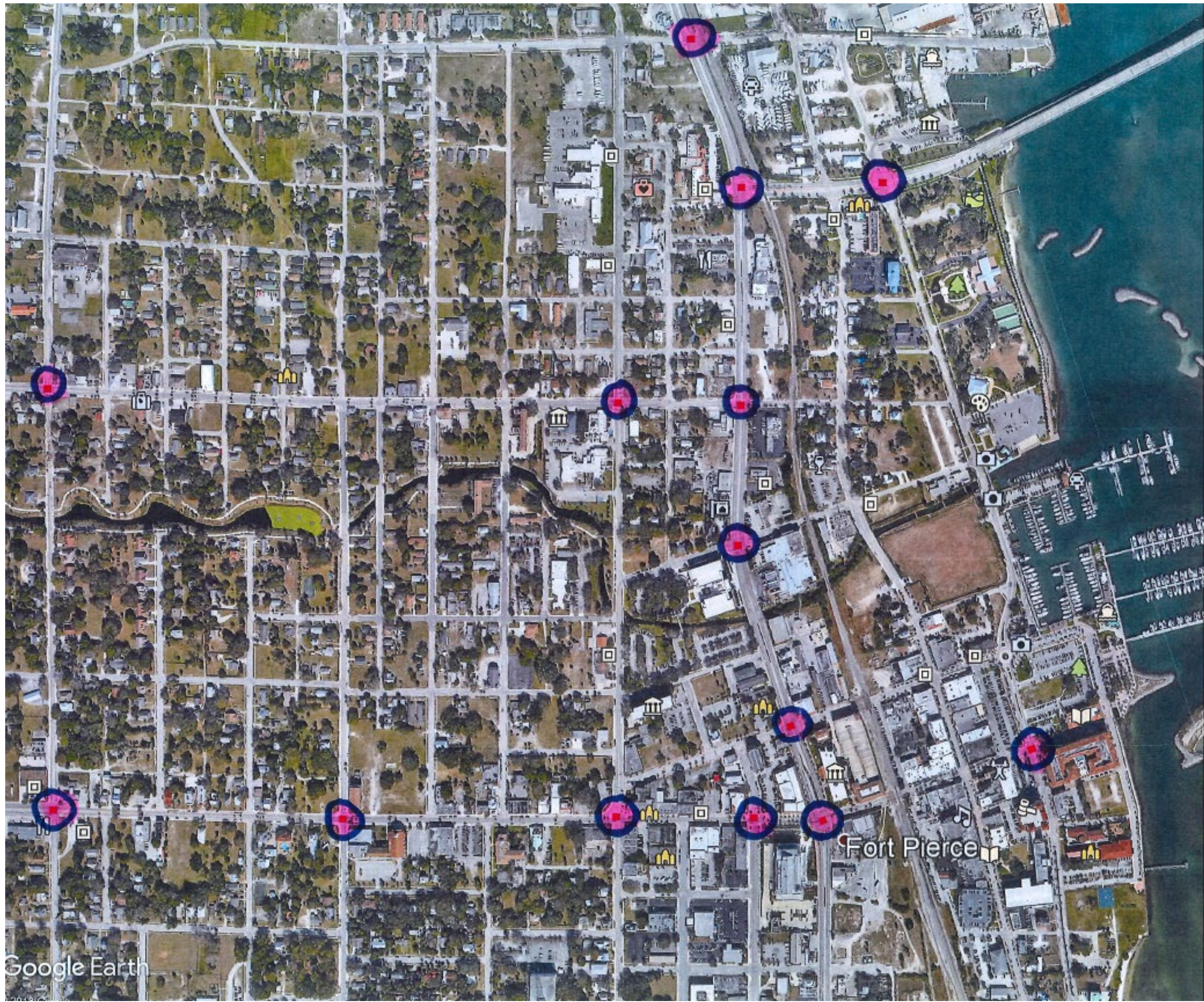




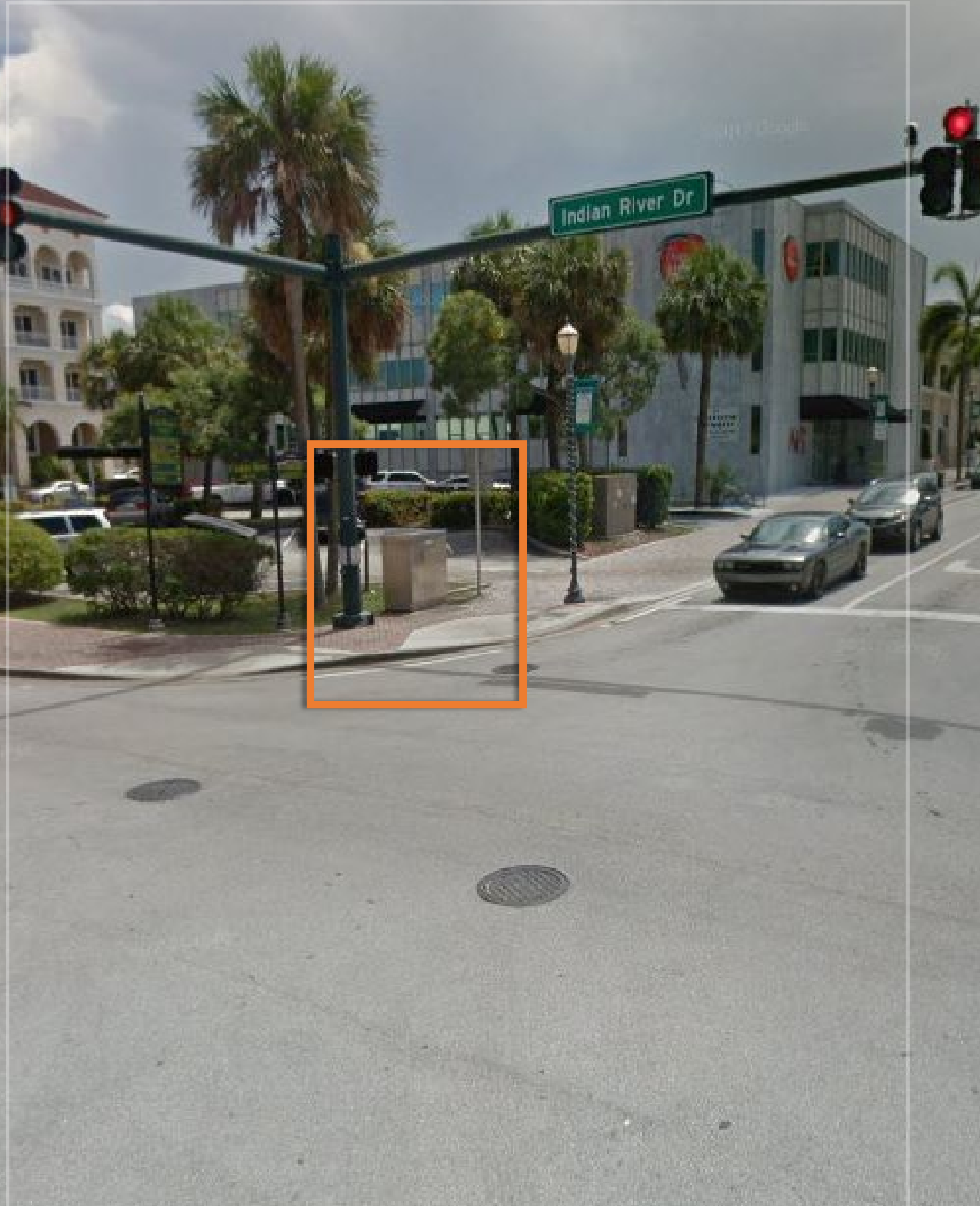
TRAFFIC SIGNAL BOXES

WRAP PROPOSAL 5.2.19

PROPOSED LOCATIONS



Orange Ave. + Indian River Dr.



DESCRIPTION

- Night shot of Orange Avenue to capture lights and nightlife, even during the day.
- Alternative: Orange blossom pattern to accentuate the “orange” in Orange Avenue.



Orange Ave. + US 1



DESCRIPTION

- Wrap design featuring: “Welcome to Downtown Fort Pierce” creates gateway entrance into downtown and provides visitors with a sense of place.
- Wayfinding can be incorporated into the sign if dimensions are suitable.
- Smaller box can feature “call to action” and include hashtag.

Orange Ave. + 5th St.

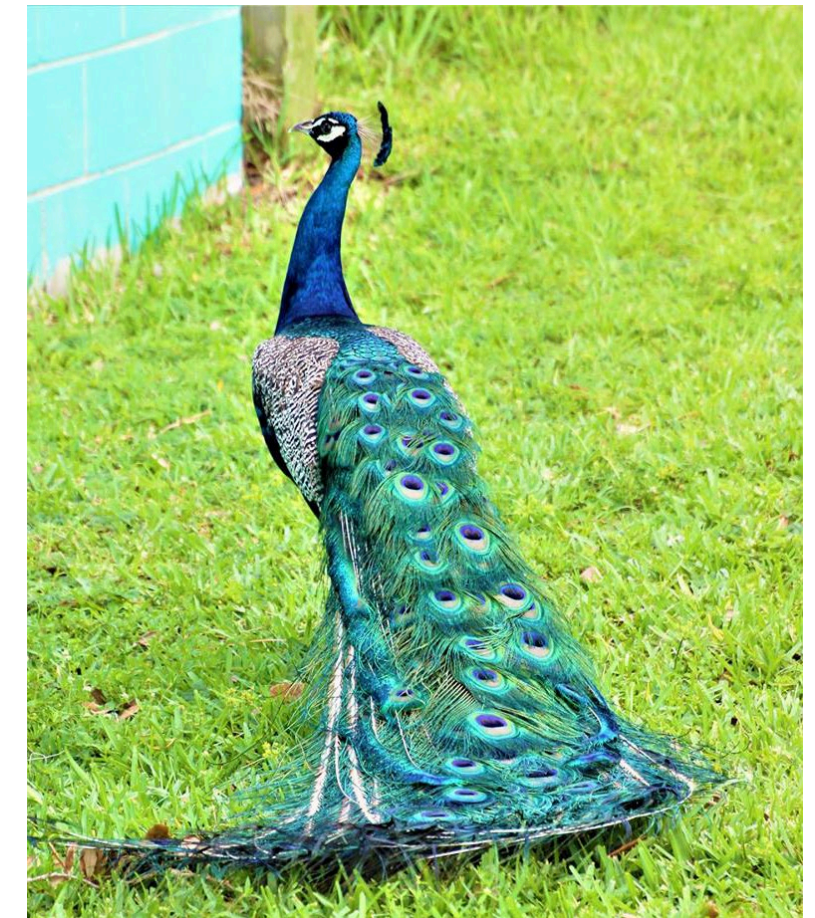


DESCRIPTION

- Since this box is located next to the historic Arcade Building and the Historic Post Office, featuring historic photos of this corridor will accentuate our history.
- Being that the photos/postcards are old, the resolution might not be suitable for one entire image, in that case the alternative will be to collage several images/postcards of this corridor.
- Note – all wrapped boxes in the PAD will feature the PAD logo for brand awareness.



Orange Ave. + 7th St.



DESCRIPTION

- This box is located in the heart of Peacock Arts District and where the majority of peacocks reside; therefore this box will highlight our local feathered friends.
- Note - all wrapped boxes in the PAD will feature the PAD logo for brand awareness.



Orange Ave. + 10th St.

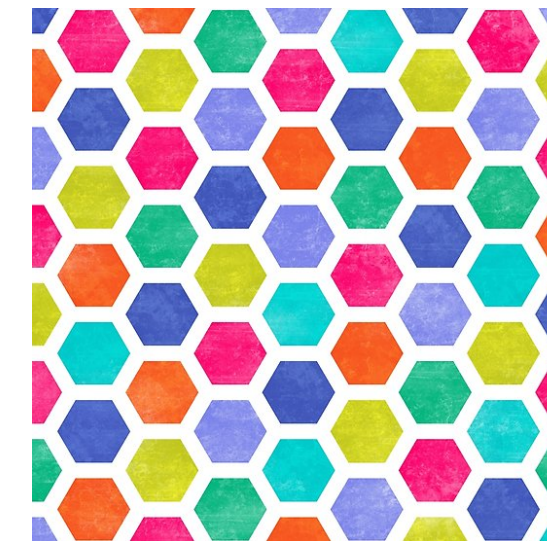
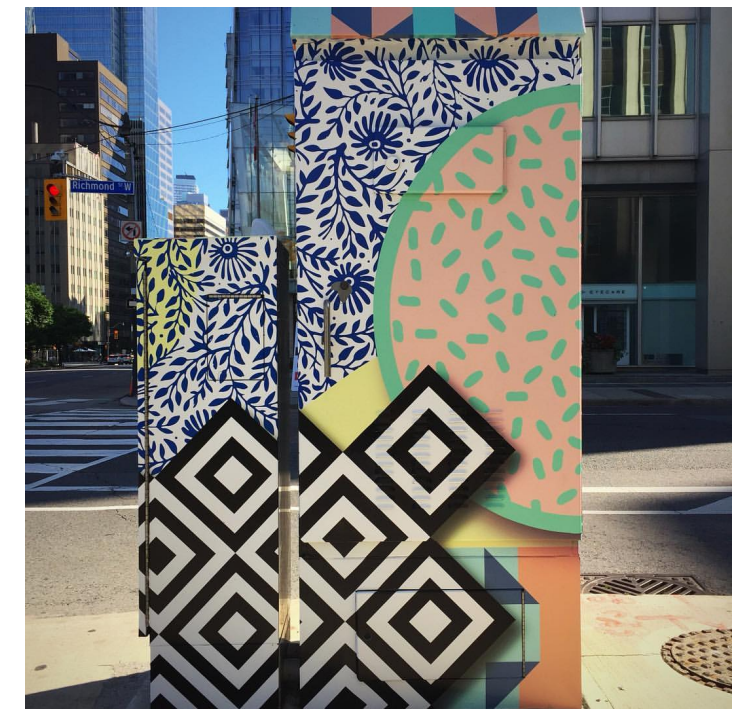


DESCRIPTION

- This box is located on 10th Street next to St. Mark Missionary Baptist Church. Royal Poinciana trees were recently planted all along 10th Street and they will soon grow and bloom. The concept of this box is to accentuate the natural surrounding of 10th Street by featuring artwork of royal Poinciana blooms while also including peacock feathers.
- Alternative: Incorporate photo to highlight Old St. Anastasia School.
- Note - all wrapped boxes in the PAD will feature the PAD logo for brand awareness.



Orange Ave. + 13th St.



DESCRIPTION

- This box is located at the gateway to the Peacock Arts District (once the boundaries are expanded). It is near a vacant gas station and a vacant lot across the street. The vibe of this box will be bright, colorful and inspiring to help infuse vitality into this area.
- Alternative: Pay tribute to Edwin Binney with a background of crayons with the PAD logo overtop.

US 1 + Avenue A



DESCRIPTION

- This box is located in front of Old City Hall. Located on the renamed Marina Way, this box can feature an image of the marina at the end of the road, directing US1 travelers to the marina.
- Alternative: The City has discussed accentuating Dan McCarty Memorial Highway. This box could emphasize the history of Governor McCarty and his memorial highway.



US 1 + Avenue C



DESCRIPTION

- This box is located at the corner of US 1 and Backus Ave. I've already spoken to Marshall at the Backus Gallery and they will be selected a piece or pieces of Backus' work to wrap this box.



US 1 + Seaway Dr.



DESCRIPTION

- This box is located at the gateway to the South Beach and should capture the beachy, vibrant vibe as well as draw attention to South Hutchinson Island to US 1 travelers that may not know what it has to offer.



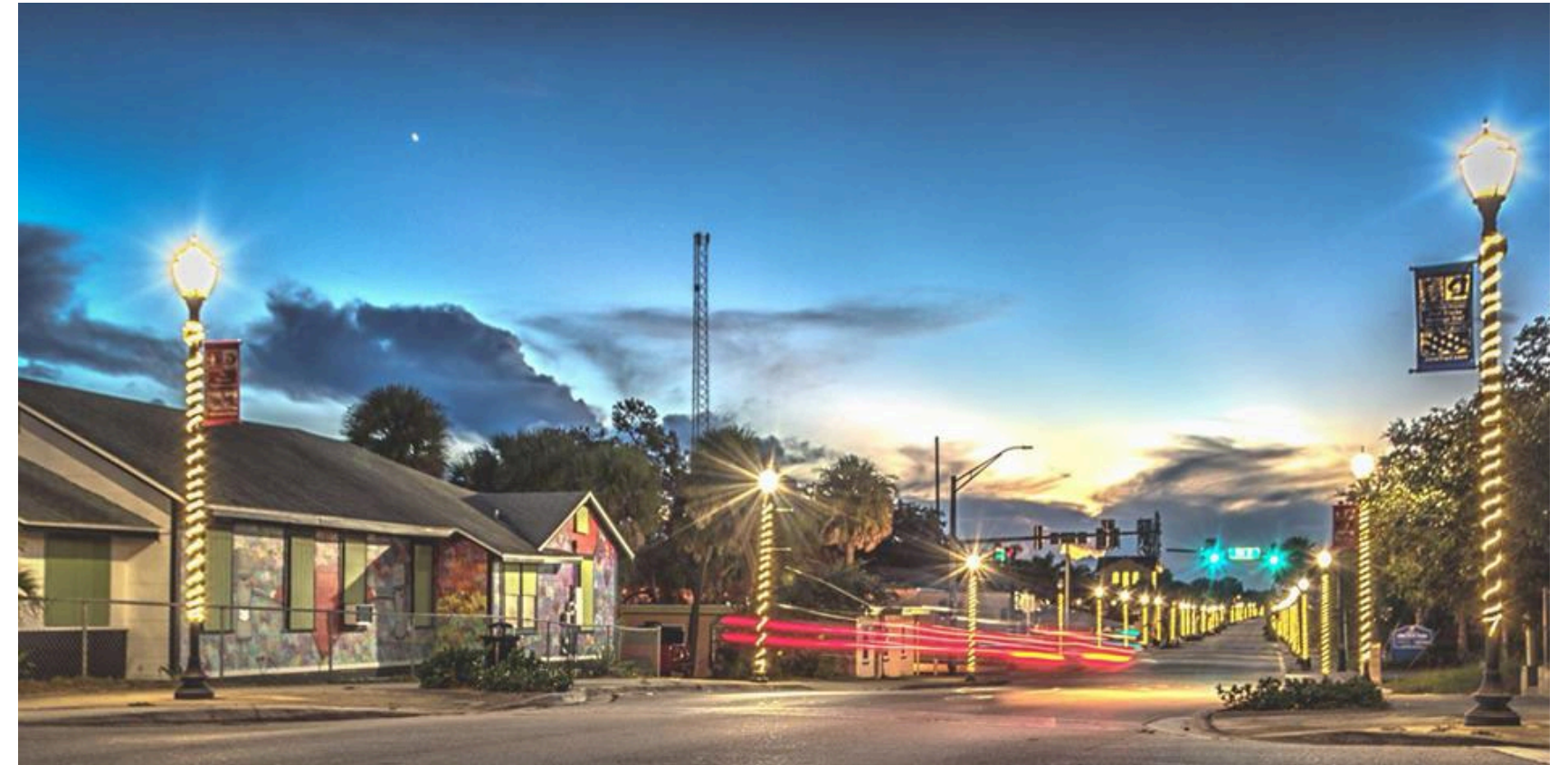
Seaway Dr. + Indian River Dr.



DESCRIPTION

- This box is located at the gateway to the South Beach and should capture the beachy, vibrant vibe as well as draw attention to South Hutchinson Island to US 1 travelers that may not know what it has to offer.

US 1 + Avenue D



DESCRIPTION

- This box is located at the gateway of Lincoln Park.
- I'm awaiting feedback from staff regarding their vision for these boxes.



US 1 + Avenue H



DESCRIPTION

- This box is located at the entrance of the Port and should draw visibility to this new activity generator.
- Alternative: Use shot of Indian River Lagoon



Avenue D + 7th St.



DESCRIPTION

- This box is located across the street from the “Welcome to Lincoln Park” sign and adjacent to the wrapped transformer box at the Community Services Building.
- I am awaiting feedback from staff for their vision for wraps on Avenue D.



Avenue D + 13th St.

DESCRIPTION

- This box is located directly next to a building so I'm not sure it is a great location for a wrap.
- Potential alternatives are:
 - Avenue D and 25th Street
 - US1 and Delaware Avenue



Avenue D + 25th St.



US 1 + Delaware Ave.



<ALTERNATIVES>



553 S.E. Monterey Rd
Stuart, FL 34994
772-283-1359

Quote: 22973

Date QUOTE: 5/26/23
Completion Date:

Name	Salesperson	Email
Pinal Gandhi-Savdas	Angelica Gilchrist	pgandhi@ci.stuart.fl.us

City of Stuart
300 SW St. Lucie Avenue
Stuart, FL 34994-2139

Phone	Fax
772-283-2532	

Quote Category
77" Cabinet Wrap Hidden Oaks

Qty	Product ID	Color	Description	Unit Price	Total Price
1	PROOF_SETUP		Proofing Setup	40.00	40.00
1	WRAP_SQFTCU STM		77" Cabinet Wrap - with Installation [3388 sqin @77x44]	776.07	776.07

Subtotal	816.07
Sales Tax	
Shipping	
Total	816.07

Note:

Quote valid for 30 days. Hours: Monday - Friday 8:00 AM - 4:30 PM

Orders require a 50% deposit of the quoted amount, to start design work. Projects are not put into the schedule until a deposit is received. By placing the deposit, you are accepting Ampersand Graphics terms and condition*. The remainder of the balance is due on receipt (DOR). No refunds, account credit only.

Standard production time is 10 business days from order & design approval. Printing Trade Customs of +/- 10% overage/underage apply. Any charges for dies, screens or designs does imply the sale or transfer of such equipment or files.

Authorized By: Signature

Printed Name

Title

Date

Report Date: 5/26/2023

Page # 1/1

Page 301 of 302

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Community Redevelopment Board**

Meeting Date: 6/6/2023

Prepared by: Jodi Nentwick

Title of Item:

LIVE LOCAL ACT (SB102) STAFF PRESENTATION

Summary Explanation/Background Information on Agenda Request:

On March 29, 2023, Governor Ron DeSantis signed into law Senate Bill 102 (Live Local Act) which becomes **effective July 1, 2023**. The Live Local Act, among other things, seeks to provide available and affordable housing for the Florida workforce within their communities. To accomplish this goal, the State has pre-empted local regulations related to density and height of residential construction that meets certain requirements.

The Live Local Act mandates that local governments administratively approve development applications which include affordable housing on parcels that are zoned commercial, industrial or mixed-use, even if the local comprehensive plan and zoning regulations prohibit multifamily residential housing in those areas if the application meets certain criteria. **This law expires on October 1, 2033.**

Funding Source:

N/A

Recommended Action:

Staff Presentation

ATTACHMENTS: