



AGENDA

COMMUNITY REDEVELOPMENT BOARD

AUGUST 1, 2023

AT 4:00 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD

Chair - Tom Campenni

Vice Chair - Nikolaus Schroth

Board Member - VACANT

Board Member - Chris Lewis

Board Member - Frank McChrystal

Board Member - Seth Owens

Board Member - VACANT

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 07/11/2023 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 151 NW FLAGLER, LLC, TO CONSIDER A PETITION FOR A MINOR URBAN CODE CONDITIONAL USE FOR PUBLIC ART (QUASI-JUDICIAL):

RESOLUTION 02-2023 CRB; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD (CRB) OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR URBAN CODE CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK REQUIRED AS A CONDITION OF DEVELOPMENT FOR THE WILLIS CUSTOM YACHT FACILITY LOCATED AT 151 NW FLAGLER AVENUE IN THE CITY OF STUART, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO INSTALL AN ART WRAP ON THE FRONT FAÇADE OF THE BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

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

4. US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN AND PROGRAM:

RESOLUTION No.12-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, APPROVING AND ADOPTING THE US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN AND PROGRAM; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

5. LDC AMENDMENT IN RELATION TO US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN AND PROGRAM:

ORDINANCE No. 2520-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING SECTION 2.04.06 ENTITLED "SUPPLEMENTAL BUILDING SETBACKS ON CERTAIN STREETS" IN CHAPTER II AND SECTION 3.01.03 ENTITLED "URBAN STANDARDS AND REGULATIONS FOR DESIGNATED URBAN SUBDISTRICTS" IN CHAPTER III OF THE CITY OF STUART LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6. TRAM PROGRAM ACTION PLAN

STAFF UPDATE

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: 8/1/2023

Prepared by: Susej Meleqi

Title of Item:

APPROVAL OF 07/11/2023 CRB MINUTES

Summary Explanation/Background Information on Agenda Request:

APPROVAL OF 07/11/2023 CRB MINUTES

Funding Source:

N/A

Recommended Action:

Approve minutes.

ATTACHMENTS:

1. 07112023 CRB Minutes

**MINUTES
COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART
JULY 11, 2023
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

COMMUNITY REDEVELOPMENT BOARD

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

ADMINISTRATIVE

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

CALL TO ORDER

4:09 PM

ROLL CALL

PRESENT: Chair Campenni, Board Member Lewis, Board Member McChrystal, Board Member Owens, Board Member Schroth

ABSENT: Board Member Hartowski

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. APPROVAL OF 06/06/2023 CRB MINUTES

4:10 PM MOTION: Approve.

MOVED BY: Nikolaus Schroth

SECONDED BY: Seth Owens

Motion approved unanimously.

APPROVAL OF AGENDA

4:10 PM MOTION: Approve.

MOVED BY: Chris Lewis

SECONDED BY: Nikolaus Schroth

Motion approved unanimously.

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

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

None.

ACTION ITEMS

2. APPOINTMENT OF VICE CHAIR

4:11 PM MOTION: Nominate Nik Schroth.

MOVED BY: Chris Lewis

SECONDED BY: Frank McChrystal

Motion approved unanimously.

3. PRESENTATION OF STYPMANN NEIGHBORHOOD SIDEWALK AND DRAINAGE IMPROVEMENTS

Pinal Gandhi Savdas, CRA Executive Director, introduced the item, the reasoning and streets for the improvements, and the different requests the residents have asked for.

Joe Capra, Captec Engineering, presented the areas of improvement and stated there are some sidewalks already there but will be repaired if needed and not in ADA compliance, spoke about what would be done on each street in the Stypmann neighborhood, Storm water drainage on Balboa Ave, and asked the Board for their recommendations.

Chair Campenni asked if stop signs are truly meant to slow down traffic.

Interim City Manager Michael Mortell stated they are meant to regulate traffic volume/counts.

Mr. Capra stated the difference between speed tables and stop signs.

PUBLIC COMMENT:

1. Duncan Stewart - 5th St; Stated that 5th street is just a shortcut for people to get to work and states that the people who drive there do not slow down as there is no stop sign and no policing is done. In support of the homeowners who would like the sidewalks on the commercial side.
2. Eric Wickstrom - 5th St; Questioned one of the plans and stated he is in favor of roundabouts but is not in favor for narrowing the streets. He continued to state the different improvements he is in favor or not in favor for.
3. Leslie Haviland - 5th St; Is not in favor of having speed tables on several streets, does not think its fair to have sidewalks put in on Highschool Ave as it will take their parking spots.

4. John Church - Stypmann Ave; Stated people roll the stop sign and he doesn't think it will help. Also, questioned the various sidewalk plans. He commended the CRA and Engineering company for working on this project.
5. Don Cuozzo - 5th St; Stated there is drainage issues on his street and asphalt breakage. He stated that he's opposed to the street tables.
6. Cullen Caston - 5th St; Commented on the impact some of these improvements are going to have on different residential homes.

Board Members discussed the options of sidewalks, right of ways, on street parking, and different resident requests.

CONTINUING PUBLIC COMMENT

7. Peter Burbine - 6th St; Commented that he believes Cortez Ave could use a sidewalk but was not sure that the side streets would need it.

Board Members continued discussing the following options for funding for the drainage system, a drainage system on Balboa Ave, speed bumps, roundabouts, or stop signs, making Cortez and Stypmann a 4-way stop, and the location of the roundabouts.

CONTINUING PUBLIC COMMENT:

8. Jessica Seymour - Osceola St; Believes it's very important to do the roundabouts and stop signs on Cortez as it does get a lot of traffic.

5:16 PM MOTION: No sidewalk, except on the east side of High School Ave, use roundabouts to control traffic on Cortez, and approve drainage as recommended.

MOVED BY: Nikolaus Schroth

SECONDED BY: Chris Lewis

VOTE: Motion passes 4/1.

YES: Tom Campenni, Chris Lewis, Seth Owens, Nikolaus Schroth

NO: Frank McChrystal

4. UPDATE TO EAST STUART MASTER PLAN:

RESOLUTION No. 09-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, APPROVING AN UPDATE TO THE EAST STUART MASTER PLAN; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Jessica Seymour, Treasure Coast Regional Planning Council, presented the East Stuart Master Plan, different projects on the priority list, funding sources for individual owners, next steps, and recommendations.

Board Member McChrystal asked what flushing alleyway means.

Ms. Seymour explained the meaning and stated it was an expression.

Vice Chair Schroth asked if we have talked to land owners and furthered his discussion by not agreeing with the City to tell landowners what to do with their property.

Ms. Seymour explained they did reach out to several land owners and stated that this is just a plan and it does not change the owners' rights.

Vice Chair Schroth and Ms. Seymour continued their discussion.

5:44 PM MOTION: Provided that on page 2 we put a big disclaimer that states this is not to be interpreted in any mannerism on the document.

MOVED BY: Nikolaus Schroth

SECONDED BY: Chris Lewis

Motion approved unanimously.

5. DISCUSSION & DELIBERATION - DOWNTOWN TRAM SYSTEM

Paula Sesta, Tram Coordinator, spoke about the advertising of the tram and stated she is working with the marketing company to get the color right; fluorescent green.

Chair Campenni asked the question of where the tram should go within the CRA .

Board Member McChrystal asked if the trams were run by the City or a private company.

Ms. Sesta stated it was run by the City.

Board Member Lewis and Vice Chair Schroth asked Ms. Sesta if there was something she thought the tram program needed that has not yet been done and would need board approval.

Ms. Sesta and Board Members discussed the fixed tram routes, on call routes, an app to see the trams' current location, charging for a tram ride or history tour, tram stop enclosures, East Stuart route, needing to have better marketing and making the public aware of what the tram does, and having trams onsite for different events.

Chair Campenni requested Ms. Gandhi Savdas to bring this to the CRA so the Board can make decisions based off of the discussion.

PUBLIC COMMENT:

1. Sylvia Stewart - 5th St; Recommended that the tram coordinate to stop at the Marty.
2. Helen McBride - Flamingo Ave; Believes that we should have better marketing for the trams.

STAFF UPDATE

None.

ADJOURNMENT

6:08 PM

Susej T. Meleqi, Deputy City Clerk

Tom Campenni, Chair

**Minutes to be approved at the CRB
Meeting this 1st day of August, 2023.**

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

Meeting Date: 8/1/2023

Prepared by: Kristopher McCrain

Title of Item:

A REQUEST FROM 151 NW FLAGLER, LLC, TO CONSIDER A PETITION FOR A MINOR URBAN CODE CONDITIONAL USE FOR PUBLIC ART (QUASI-JUDICIAL):

RESOLUTION 02-2023 CRB; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD (CRB) OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR URBAN CODE CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK REQUIRED AS A CONDITION OF DEVELOPMENT FOR THE WILLIS CUSTOM YACHT FACILITY LOCATED AT 151 NW FLAGLER AVENUE IN THE CITY OF STUART, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO INSTALL AN ART WRAP ON THE FRONT FAÇADE OF THE BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The applicant is seeking a Minor Urban Code Conditional Use approval to allow for the permitting and installation of required public art to be installed at Willis Custom Yachts, located at 151 NW Flagler Avenue, in Stuart.

Funding Source:

According to LDC Section 3.01.08(C)(2), the required minimum cost of public art must be equal to or greater than one (1%) percent of the estimated cost of vertical construction. The estimated vertical construction cost for the proposed development is \$5.5 million. One percent of \$5.5 million equals \$55,000, which is the minimum cost or value required for public art.

Recommended Action:

Staff has reviewed the Minor Urban Code Conditional Use petition for Public Art and recommends the Community Redevelopment Board grant approval for the required public artwork, via CRB Resolution 02-2023.

ATTACHMENTS:

1. CRB Resolution No. 02-2023
2. CRB Staff Report
3. Application Packet
4. Martin County Arts Council Review
5. Public Notice Packet
6. Resolution 42-2023 (UC Conditional Use Approval)



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

* * * * *

RESOLUTION NO.: 02-2019 CRB

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR URBAN CODE CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK REQUIRED AS A CONDITION OF DEVELOPMENT FOR THE WILLIS CUSTOM YACHT FACILITY LOCATED AT 151 NW FLAGLER AVENUE IN THE CITY OF STUART, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO INSTALL AN ART WRAP ON THE FRONT FAÇADE OF THE BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, pursuant to Section 3.01.08 of the Land Development Regulations of City of Stuart, 151 NW Flagler Avenue, LLC (Owner) filed an application on June 6, 2023, for a Minor Urban Code Conditional Use permit to allow Willis Custom Yachts to install a 3M Outdoor Art Wrap on the front façade of the building to fulfil the projects public art requirement located in the within the City’s Community Redevelopment Area (CRA); and

WHEREAS, the Community Redevelopment Board held a properly noticed hearing on August 1, 2023, to consider the application for a Minor Urban Code Conditional Use for

required public artwork; and

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

NOW THEREFORE, BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT BOARD, OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: Subject to the conditions attached hereto, the Community Redevelopment Board hereby grants a Minor Urban Code Conditional Use approval to 151 NW Flagler Avenue, LLC, (owner) for the property located at 151 NW Flagler Avenue, Stuart, Florida.

SECTION 2: A legal description of the Property is set forth in “**Exhibit A**” of this Resolution. A map depicting the property and location is attached hereto as; “**Exhibit B**” and made a part hereof by reference; and

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

SECTION 4: The Community Redevelopment Board (CRB) approves the 3M Art Wrap, as depicted on the Justification Statement prepared by WGI, Inc., dated June 6, 2023, and attached hereto as “**Exhibit D**”.

SECTION 5: This Resolution shall take effect immediately 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:

TOM CAMPENNI, CHAIR

NIKOLAUS SCHROTH, VICE CHAIR

CHRIS LEWIS, BOARD MEMBER

FRANK MCCHRYSTAL, BOARD MEMBER

SETH OWENS, BOARD MEMBER

MICAH HARTOWSKI, BOARD MEMBER

YES	NO	ABSENT	ABSTAIN

ADOPTED on the first and final reading this _____ day of _____, 2023.

ATTEST:

MARY KINDEL
CITY CLERK

TOM CAMPENNI,
CRB, BOARD CHAIR

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

Print Name: _____

By: _____
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 Tom Campenni,
Board Chair, 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**

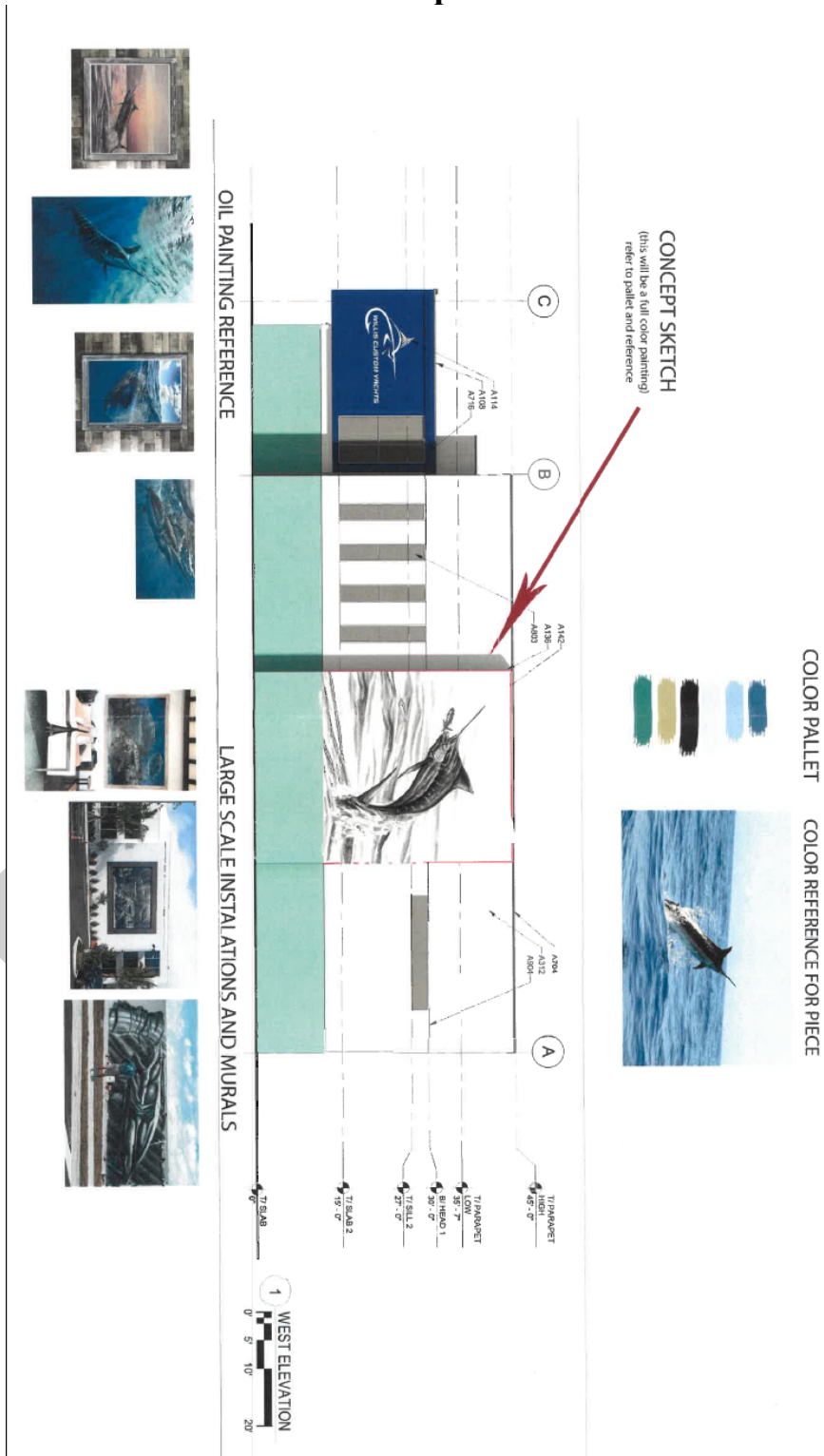


Exhibit “C”
Conditions of Approval

1. The applicant, developer, or successor shall install the approved high-resolution artwork on 3M outdoor material, as depicted on the Justification Statement prepared by WGI, Inc., dated June 6, 2023, prior to the issuance of a Certificate of Occupancy for the project.
2. Any proposed change to the approved art shall require a Minor Urban Code Conditional Use approval by the Community Redevelopment Board (CRB).
3. The applicant, developer, or successor shall be responsible for the maintenance of artwork in perpetuity.

Exhibit “D” Proposed Art

KSCOTT & WILLIS PUBLIC SPACE ART PROPOSAL





To: Community Redevelopment Board (*CRB*)
Through: Jodi Nentwick-Kugler, Development Director
From: Kristopher McCrain, Principal Planner
Date: August 1, 2023
Subject: Willis Custom Yachts – Public Art
Minor Urban Code Conditional Use (Project No.: Z23060002)

The applicant is seeking a Minor Urban Code Conditional Use approval to allow for the permitting and instillation of required public art to be installed at Willis Custom Yachts, located at 151 NW Flagler Avenue, in Stuart.

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

Zoning: Urban Waterfront

Future 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 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. The site is zoned Urban Waterfront, with an Industrial/Waterfront Future Land Use designation, and is situated within the City of Stuart's Community Redevelopment Area (CRA).

On July 24, 2023, the City Commission granted a Major amendment to the Harborage Urban Code Conditional Use to allow relief from the following:

- To allow the proposed boat sales and service use within the Harborage Development.
- To allow the proposed building wall material of a concrete tilt wall with a finish that will be similar in appearance to stucco, as per LDC Section 3.01.04(A)(1).
- To provide relief from requiring a second vista within the building façade, as per LDC Section 3.01.03(E)(1)(f).
- To allow a maximum building height of forty-five (45) feet within the Urban Waterfront zoning district, as per LDC Section 3.01.03(E)(2)(a).
- To provide relief from requiring balconies and balcony rails on the waterfront side of a building, as per LDC Section 3.01.03(E)(4)(b).
- To allow a six (6) foot tall fence within a front yard along for security purposes, as per LDC Section 3.01.04(H)(6).
- To allow a six (6) foot tall fence within the minimum required front yard setback for security purposes, per LDC Section 3.01.04(P).
- To allow a parapet wall over twenty-four (24) feet to enhance the architectural character of the 2-story boat maintenance building, as per LDC Section 3.01.04(R).
- To allow relief from the shoreline protection zone to allow stabilized paved concrete to be installed for the proposed boat crane, as per LDC Section 5.06.02.

The development includes 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.

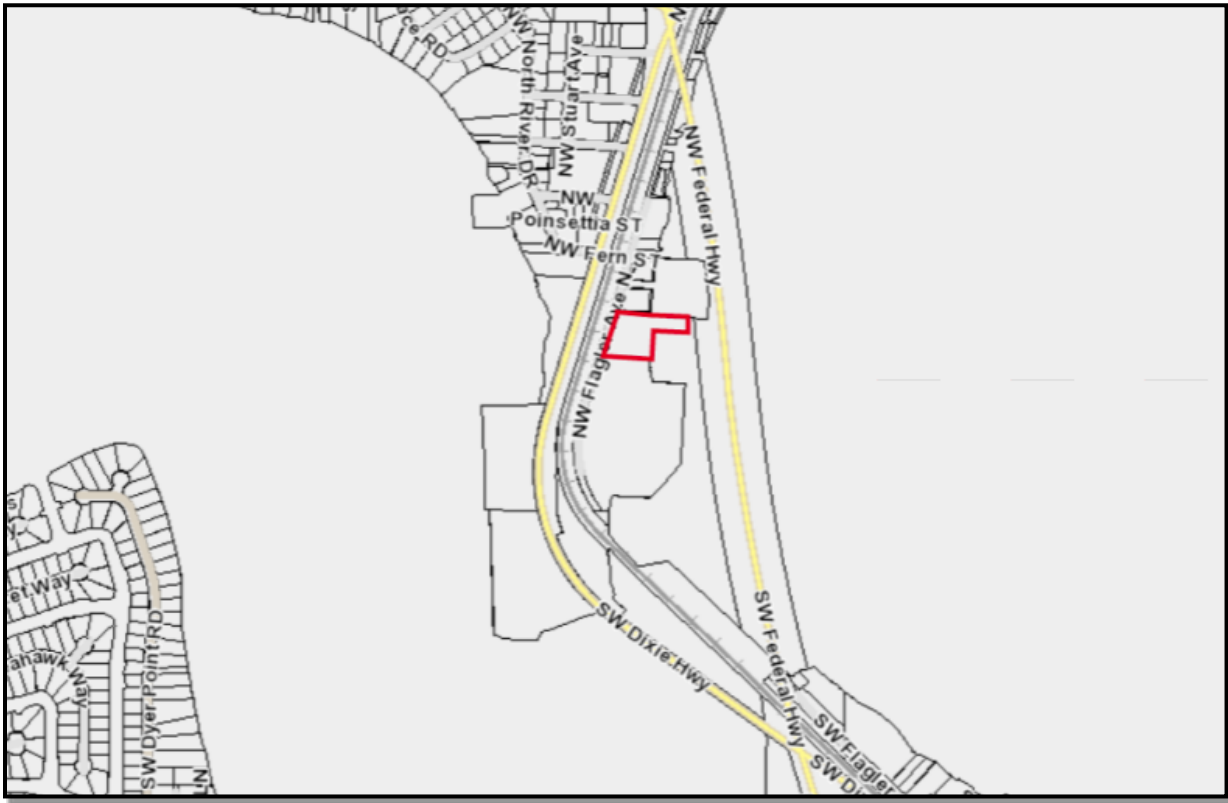


Exhibit 1.0: Location Map (Source: City of Stuart GIS 2022 Location Map)



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



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

Adjacent Land Uses & Zoning Designations:

Location		Zoning District	Future Land Use	Existing Land Use
Subject Property		Urban Waterfront	Marine/Industrial	Vacant (<i>Former Marina</i>)
Adjacent Parcels	North	Urban Waterfront	Marine/Industrial	Harborage Yacht Residential & Mixed-Use Condominiums
	South	Urban Waterfront	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. Land Development Code Review

Pursuant to Land Development Code Section 3.01.08, An application for a Minor Urban Code Conditional Use shall be submitted to construct and install a required work of art.

The Community Redevelopment Board (CRB) shall be governed by the following criteria in the exercise of their discretion to approve, approve with conditions, or disapprove the proposed installation of public art. In specific cases, the Board shall have the authority to exercise discretion and approve a proposal that proves to be an exceptional work of art yet does not meet all of the following criteria.

1. The proposed art conforms to the definition of public art contained in this section.

According to the definition for Public Art, as outlined under the City of Stuart Land Development Code, *Chapter 12 – Definitions*, public art means “*an artistic work that is an expression of a historic person, place or event or an expression of an important local theme that is represented in good taste and craftsmanship. The work may be a fountain, mural, sculpture, painting, or other generally acceptable art form as directed by the Community Redevelopment Board. The work must be original, not reproducible, and must be created individually by an artist or team of artists. Public art may be displayed in a public venue including public lobbies as approved by the Community Redevelopment Board*”.

The proposed art conforms to the above definition for public art. The proposed art is an expression of an important local theme that directly ties into the community and character of the property and surrounding uses. The art is also represented in good taste and craftsmanship as the artist who has been commissioned is a local artist with reputable credentials as described in the attached “Artist Background” section of the justification statement. Additionally, the work will be a K.C. Scott original piece of artwork that will not be reproducible by other individuals.

2. The proposed art meets or exceeds the valuation requirement as provided herein.

According to LDC Section 3.01.08(C)(2), the required minimum cost of public art must be equal to or greater than one (1%) percent of the estimated cost of vertical construction.

The estimated vertical construction cost for the proposed development is \$5.5 million. One percent of \$5.5 million equals \$55,000, which is the minimum cost or value required for the public art. A breakdown of the estimated costs for the commissioned work of art provided by the artist is as follows:

Portion of Public Art	Cost
Artwork	\$32,000
3M Material	\$21,000
Instillation	\$2,000
<i>Total</i>	<i>\$55,000</i>

3. The proposed art meets the location requirements.

Pursuant to Chapter 12 of the Land development Code, “*Public art location means a location accessible to the general public or is clearly visible to the general public from another public space*”

such as city park or public right-of-way”.

The proposed public art will be readily visible to the public from NW Flagler Avenue and the proposed sidewalk.

4. *The proposed art is visible from a public right-of-way and will enrich the open space.*

The proposed public art will be visible from NW Flagler Avenue, which is a public road, and will also be visible from the public sidewalk along NW Flagler Avenue. The proposed art is an expression of an important local nautical theme that directly ties into the community and character of the property and surrounding uses and will enrich the open space in which it is located. A graphic detailing the proposed location of the public art in relation to the public right-of-way is provided below. An architectural rendering is also included below.

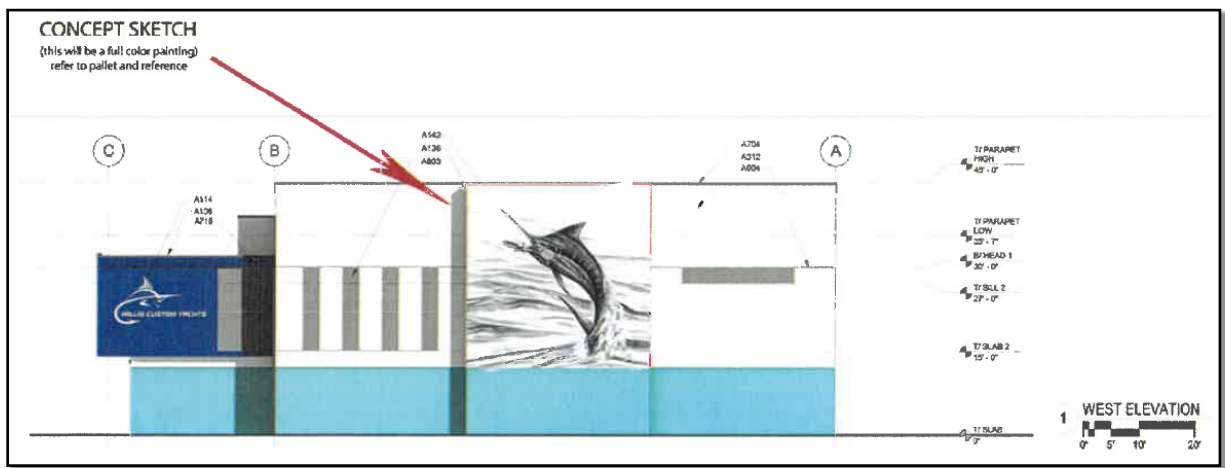


5. *The proposed art is of exceptional quality and enduring value.*

The artist commissioned to create the public art is a local artist with reputable credentials as described in the “Artist Background” section of the justification. Additionally, the artwork will be a K.C. Scott original piece that will not be reproducible by other individuals, adding to the value of this one-of-a-kind piece of art.

6. *The proposed art is an appropriate scale to the development site.*

The proposed artwork will be approximately 33-feet by 33-feet in size; therefore, the public art will take up approximately one-third of the total western wall face. The art is located on a portion of the wall face that protrudes forward and will further emphasize the art. A conceptual figure of where the public art will be located on the western elevation of the building is provided below.



7. *The proposed art is compatible with the neighborhood and not injurious to the neighborhood or otherwise detrimental to the public welfare.*

The nautical themed artwork will coincide with neighboring businesses that also have nautical themed public art. The surrounding uses are mainly marine oriented and focus on boats and other water sports; therefore, the art will tie into the business characteristics of the surrounding area.

8. *The proposed artwork reflects cultural diversity.*

The proposed artwork targets the marine environment and culture found throughout the city, especially within the surrounding area. The realistic depiction of South Florida waterways will remain culturally relevant to those who utilize the marine waters for commercial and/or recreational purposes.

9. *The proposed art does not constitute a safety hazard.*

The proposed artwork will be flat against an exterior wall and will not require additional improvements or safety measures. The artwork will remain out of reach from the public and is intended to remain for “viewing only”.

10. The proposed art does not require extraordinary maintenance.

This piece will be created in a 36x48 inch small-scale oil painting, which will then be reproduced for large-scale installation. The work will then be printed in high-resolution on 3M outdoor material. The material has a 5-7-year life expectancy and will require minimal maintenance. The advantage of the wrap over a hand painted material is that it is much more durable and can be easily replaced due to normal wear and tear or damage over time.

C. Consultant Review

The Development Department has forwarded this application and the submitted documents to the Martin County Arts Council for review of compliance with the minimum standards outlined under Land Development Code Section 3.01.08.

 <i>Inspiring participation and passion for the arts in our community</i> DIRECTORS Karen L. Barnes Gabiella Ferraro Ken Hooper-Capozzi Sheryl Levine Nicki van Vonne EX-OFFICIO MEMBERS Doug Smith Martin County BOCC Becky Bruner City of Stuart Amy Pritchett Martin County School Board Nancy Johnson Economic Council of Martin County Nancy K. Turrell Executive Director 80 SE Ocean Boulevard Stuart, FL 34994-2234 Phone: 772-287-6676 Fax: 772-288-5301 www.martinarts.org info@martinarts.org	MEMORANDUM TO: City of Stuart Community Redevelopment Agency Board FR: Nancy K. Turrell, Executive Director RE: Willis Custom Yachts (151 SW Flagler Ave) Mural DT: June 29, 2023 Per our agreement, the proposal for the Willis Custom Yacht project has been reviewed. First and foremost, it is our opinion that the subject matter for the location is entirely appropriate. The artist's body of work support the selection of the image of a marlin, and it fits as the location is so close to the St. Lucie River, although some will likely question why it's not a Sailfish since Stuart is known as the Sailfish Capital. Having some level of knowledge with the other developments that will be constructed nearby, the neighborhood's focus on our local marine life makes it an area of interest for visitors and residents. This cohesive approach aligns with the commercial uses of the facilities along Flagler, north of the old Roosevelt Bridge, which are largely related to our waterways and recreation activities such as fishing and boating. We concur with the use of a 3M material as a way to reproduce the original artwork on the outside of the building knowing how difficult, not to mention costly, it can be to maintain an outdoor mural. In the location with the western exposure, this spot will be subject to intense UV risk, so approaching the project this way makes sense. We are glad that the original artwork will be found within the facility should anyone wish to observe it, as well. We recommend approval of this mural.
--	---

D. Staff Recommendation

Staff has reviewed the Minor Urban Code Conditional Use petition for Public Art and recommends the Community Redevelopment Board grant approval of Resolution 02-2023 CRB, subject to the following conditions:

1. The applicant, developer, or successor shall install the approved high-resolution artwork on 3M outdoor material, as depicted on the Justification Statement prepared by WGI, Inc., dated June 6, 2023, prior to the issuance of a Certificate of Occupancy for the project.
2. Any proposed change to the approved art shall require a Minor Urban Code Conditional Use approval by the Community Redevelopment Board (*CRB*).
3. The applicant, developer, or successor shall be responsible for the maintenance of artwork in perpetuity.



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#

Z23060002
(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): 18,247 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 Luttman, AIA	Engineer: Travis Douglas, 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 Minor 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:

225 NE Mizner Blvd, Suite 510

Street Address

P.O. Box

561-620-0656

Telephone Number

dst@tobinreyes.com

Email Address:

David Tobin, Manager

By: Name/Title

Boca Raton, FL 33432

City, State, Zip Code

City, State, Zip Code

561-620-0657

Fax Number

STATE OF FLORIDA, COUNTY OF Palm Beach

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

21 day of February, 2023 By David Tobin

Personally Known OR Produced Identification
Type of Identification Produced:

Nichole Pavez

Notary Public

My Commission expires:

08/25/2023



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: David Tobin
Title: Manager
Company: 151 NW Flagler, LLC
Company Address: 151 NW Flagler Ave

City/State/Zip Code: Stuart FL 34994
Telephone Number: 561-620-0656
Facsimile Number: 561-620-0657
Email Address (optional): dst@tobinreyes.com

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

1. Signed this 21 day of February, 2023.



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



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

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 MINOR 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 6th, 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 is currently undergoing a Future Land Use (FLU) Amendment to change the FLU designation from Industrial to Marine Industrial. The property retains a Zoning District classification of Industrial. Along with the FLU Amendment, there is also a Major Urban Code Conditional Use application in process to allow for a boat sales and service use in the Industrial Zoning District. The Property is located within the City's Community Redevelopment Agency ("CRA") boundary. Currently, the property is 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 Minor Conditional Use** for the approval of the proposed Public Art as required in Section 3.01.08 of the Land Development Code (LDC). The Public Art will be in addition to the proposed development currently under review with the City Commission and will be used to enrich the surrounding area.



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 , 2022) 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)

Artist Background

K.C. Scott, originally a Michigan native now living in the South Florida area, is being commissioned to produce the public art that is the subject of this Minor Urban Code Conditional Use request. K.C. has previously been commissioned to create public art at the Atlantic Point Marina, which is directly south of the Property. The following is a biography provided by K.C. Scott.

K.C. Scott grew up on one of Michigan's true treasures, Gull Lake. This is one of the best fishing lakes in the state of Michigan. It's also the place where K.C.'s father introduced him to the world of fishing and diving. He spent his time chasing anything that would bite and snorkeling to experience the underwater world firsthand. To escape the winter cold, each spring his family vacationed in the Florida Keys. There, K.C. spent every waking hour on the water chasing tarpon, snapper, grouper and any creature willing to put up a fight. During those magical days he fell in love with the ocean, its mysteries, and its creatures.

Artistic, even at a young age, K.C. won many awards throughout Elementary and High School. However, art was not the career path he chose. His father, a golf professional, ran the family business of multiple golf courses. K.C.'s early exposure to the game of golf led to a love and passion for the game. From a young age he excelled on the golf course winning many junior and amateur tournaments. His success on the golf course earned him a scholarship to play golf at the collegiate level. He chose Michigan State University where he played for two years, then decided to transfer to Barry University in Miami Shores, Florida. He competed for three years at Barry and graduated with a degree in Business and Sport Management. After college he turned professional and put his golf game up against the best. He competed on Mini Tour circuits all over the U.S. with a fair amount of success, the highlight of his professional career coming in 2003 when he qualified for the PGA Tour's Buick Open. However, after six years of dedication and frustration on the golf circuit he decided to take a break from the game he loved.

In the fall of 2008, the needed break from golf allowed him time to venture back into his passion of art and the underwater world. In a very short period of time K.C.'s work started to draw major attention, which fueled his fire to create more, intriguing works of art. Fortunately, his vast experience of both fresh and saltwater fish gave him a huge catalog of images to pull from and put on canvas. K.C. paints what moves him. The beauty of the bluegills and largemouth bass of his native waters of Gull Lake, Michigan and the redbfish, snook, tarpon and sailfish of his home in Florida, all inspire him to create his lifelike images on canvas. He not only catches these fish and studies them for points of reference to make sure his paintings are as lifelike as possible, but he also does his best to get in the water and photograph them in their natural environment. For him, the fish and their environment exist as one. He wants people to feel as though they are face to



face with the fish, and make it seem they could reach out, touch the canvas, and feel the cool waters of the lakes and oceans!

Please see **Figures 2 and 3** below for examples of commercial and residential work K.C. Scott has created.

Find more of K.C.'s work at WWW.KSCOTTART.COM or contact him at web@kscottart.com

Figure 2 – Commercial Examples of K.C.'s Work



Figure 3 – Residential Examples of K.C.’s Work



Review Criteria

The following section details the review criteria that will be used when evaluating the requested Minor Urban Code Conditional Use application.

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

- A. Generally. A Minor Condition Use approval is required for a Minor Urban Code Conditional Use. Issuance of a Minor Conditional Use approval is granted by the City Community Redevelopment Board.

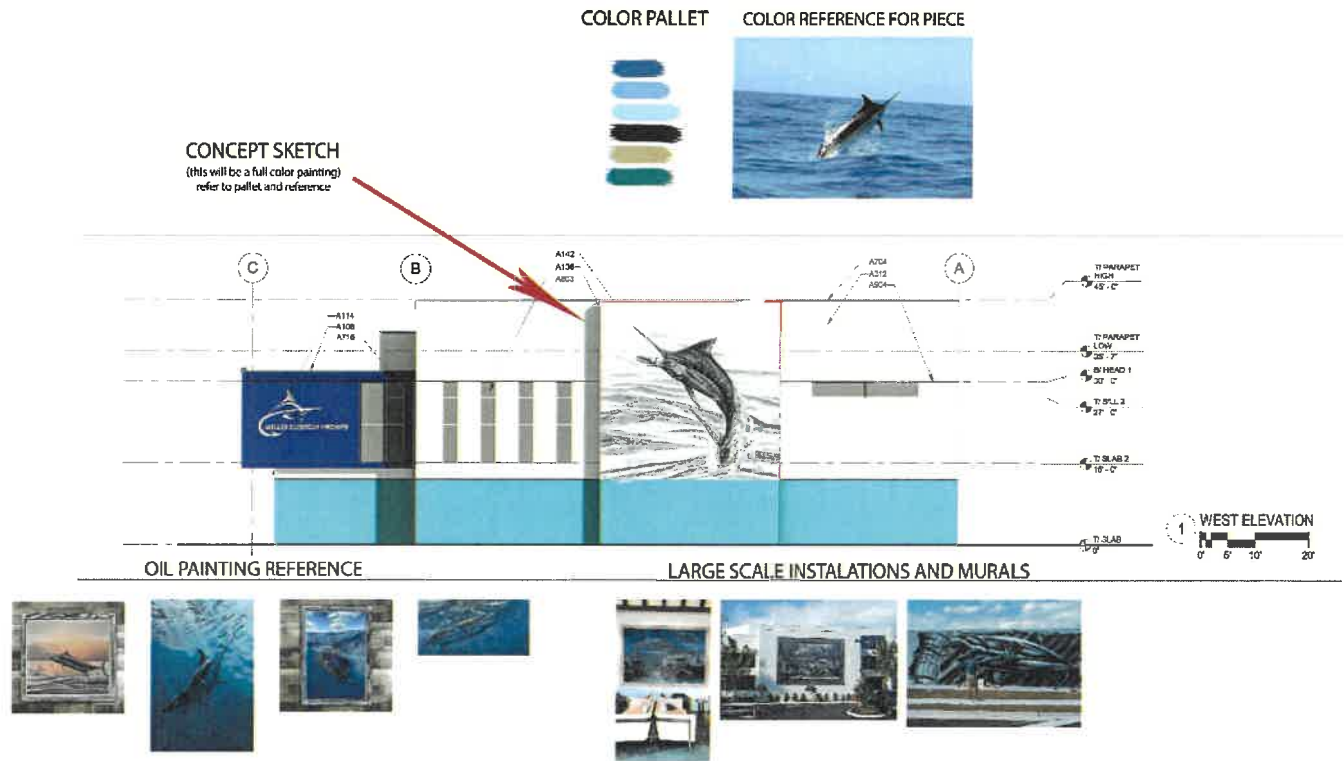
Specific Regulations Requiring Consideration as a Minor Urban Code Conditional Use:

An application for a Minor Urban Code Conditional Use shall be made to construct and install a work of art. The application shall include the artist's resume and portfolio establishing the artist's credentials and abilities, a detailed description of the work of art, its proposed location on the development site and the cost evaluation as set forth below. Drawings and renderings depicting the artist(s) portfolio, the proposed work of art in terms of size/scale, color, shape, materials, and maintenance program shall be included in sufficient detail to provide the board with a clear understanding of the work of art proposed.

Figure 4 below details the proposed Public Art that is the subject of this request.

Figure 4 – Proposed Public Art by K.C. Scott

KSCOTT & WILLIS PUBLIC SPACE ART PROPOSAL



The artwork will be originally created depicting a Blue Marlin in a realistic action-packed scene that plays out seasonally in South Florida waters. The piece will be created in a 36x48 inch small-scale oil painting then reproduced for large-scale installation. The work will be printed in high resolution on 3M outdoor material. The material has a 5-to-7-year life expectancy and will require minimal maintenance. The advantage of the wrap over a hand painted material is that it is much more durable and can be easily replaced due to wear and tear or damage over time. This allows for the art to be changed in 5 to 7 years if desired.

Section 3.01.08(F) – Standards for Work of Art and Review Criteria

1. The proposed art conforms to the definition of public art contained in this section

The definition of public art contained in Chapter XII of the City of Stuart's LDC reads as follows:

"Public art means an artistic work that is an expression of a historic person, place or event or an expression of an important local theme that is represented in good taste and craftsmanship. The work may be a fountain, mural, sculpture, painting or other generally acceptable art form as directed by the community redevelopment board. The work must be original, not reproducible, and must be created individually by an artist or team of artists. Public art may be displayed in a public venue including public lobbies as approved by the community redevelopment board."



The proposed art conforms to this definition of public art. The proposed art is an expression of an important local theme that directly ties into the community and character of the Property and surrounding uses. The art is also represented in good taste and craftsmanship as the artist who has been commissioned to create the art is a local artist with reputable credentials as described in the "Artist Background" section of this justification. Additionally, the work will be a K.C. Scott original piece of artwork that will not be reproducible by other individuals.

2. The proposed art meets or exceeds the valuation requirement as provided herein;

According to Section 3.01.08.C.2, the required minimum cost of public art must be equal to or greater than one percent of the estimated cost of vertical construction.

The estimated vertical construction cost of the proposed development is \$5.5 million. One percent of 5.5 million equals \$55,000, which is the minimum cost or value required for the public art. The proposed public art for this site is estimated to cost \$55,000, which is equal to the required minimum cost for public art.

A breakdown of the estimated costs for the commissioned work of art has been provided by the artist and is as follows:

Portion of Public Art	Cost
<i>Artwork</i>	<i>\$32,000</i>
<i>3M Material</i>	<i>\$21,000</i>
<i>Installation</i>	<i>\$2,000</i>
Total	\$55,000

3. The proposed art meets the location requirements;

Public art location requirements are defined in Section 3.01.06 – Urban Code Conditional Use requirements in the LDC as follows:

"All public art required under this section shall be readily visible to the public. All public art intended to meet the requirements of this section that is visible from a public right-of-way or is exterior to a building must be approved by the community redevelopment board as a minor Urban Code conditional use."

The proposed public art in this request will be readily visible to the public from the NW Flagler Road and the proposed sidewalk that is a part of the Major Urban Code Conditional Use application request that will be under consideration by the City Commission on June 26th, 2023; therefore, the public art will meet the location requirements contained in Section 3.01.06.

4. The proposed art is visible from a public right-of-way and will enrich the open space

The proposed public art will have frontage on NW Flagler Road, which is a public road, and will also be visible from the proposed public sidewalk along the western portion of the property that is a part of the Major Urban Code Conditional Use that is currently under review by the City. The proposed art is an expression of an important local nautical theme that directly ties into the community and character of the Property and surrounding uses and will enrich the open space in which it is located. A graphic detailing the proposed location of the public art in relation to the public rights-of-way is provided below as **Figure 5**. An architectural rendering is also included in **Figure 6**. This rendering depicts an example of a view of the location of the public art from a public right of way.

Figure 5 – Location of Public ROWs and Public Art



Figure 6 – 3D Rendering of Public Art View



5. The proposed art is of exceptional quality and enduring value;

The artist commissioned to create the public art is a local artist with reputable credentials as described in the "Artist Background" section of this justification. Additionally, the work will be a K.C. Scott original piece of artwork that will not be reproducible by other individuals adding to the value of this one-of-a-kind piece.

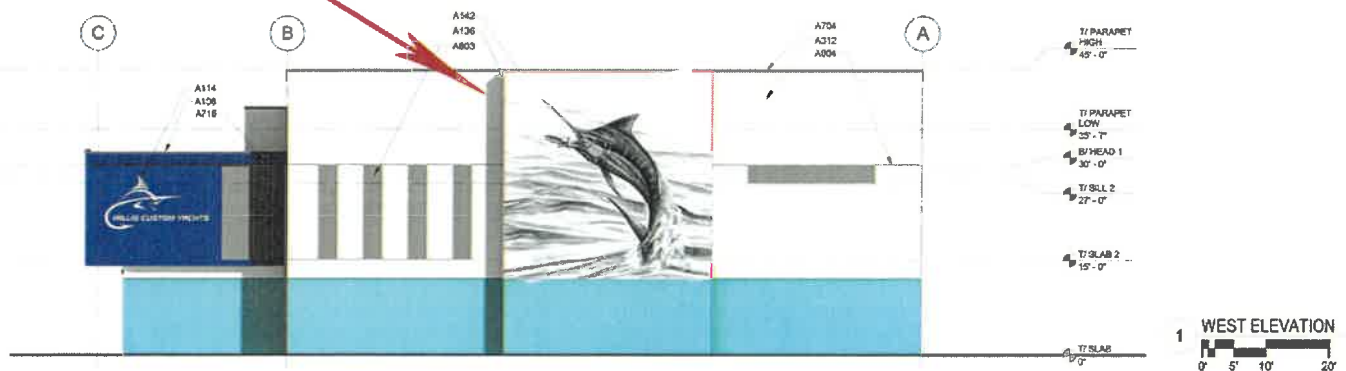
6. The proposed art is an appropriate scale to the development site;

*The proposed Public Art will be 33-feet by 33-feet in size; therefore, the Public Art will take up approximately one-third of the total western wall face. The art is located on a portion of the wall face that protrudes forward and will further emphasize the art. A conceptual figure of where the Public Art will be located on the western elevation of the building has been provided below in **Figure 7**.*

Figure 7 – West Elevation View of Proposed Public Art

CONCEPT SKETCH

(this will be a full color painting)
refer to pallet and reference



- 7. The proposed art is compatible with the neighborhood and not injurious to the neighborhood or otherwise detrimental to the public welfare;**

The nautical themed work of art will coincide with neighboring businesses that also have nautical themed public art. The surrounding uses are mainly marine oriented and focus on boats and other water sports; therefore, the art will tie into the business characteristics of the surrounding area.

- 8. The proposed art work reflects cultural diversity;**

The proposed public art targets the marine environment and culture that can be found within the City, especially within the area where the Property is located. The realistic depiction of South Florida waterways will remain culturally relevant to those who utilize the marine waters for commercial and recreational purposes.

- 9. The proposed art does not constitute a safety hazard:**

The proposed public art will be flat against an exterior wall and will not require additional improvements or safety measures. The proposed art is out of reach from the public and is intended to remain for "viewing only".

- 10. The proposed art does not require extraordinary maintenance.**

The piece will be created in a 36x48 inch small-scale oil painting then reproduced for large-scale installation. The work will be printed in high resolution on 3M outdoor material. The material has a 5-to-7-year life expectancy and will require minimal maintenance. The advantage of the wrap over a hand painted material is that it is much more durable and can be easily replaced due to wear and tear or damage over time.

Conclusion

On behalf of the Applicant, WGI respectfully requests and presents the aforementioned justification for an Urban Code Minor Conditional Use to approve the Public Art application for the property.

KSCOTT & WILLIS PUBLIC SPACE ART PROPOSAL

COLOR PALLET

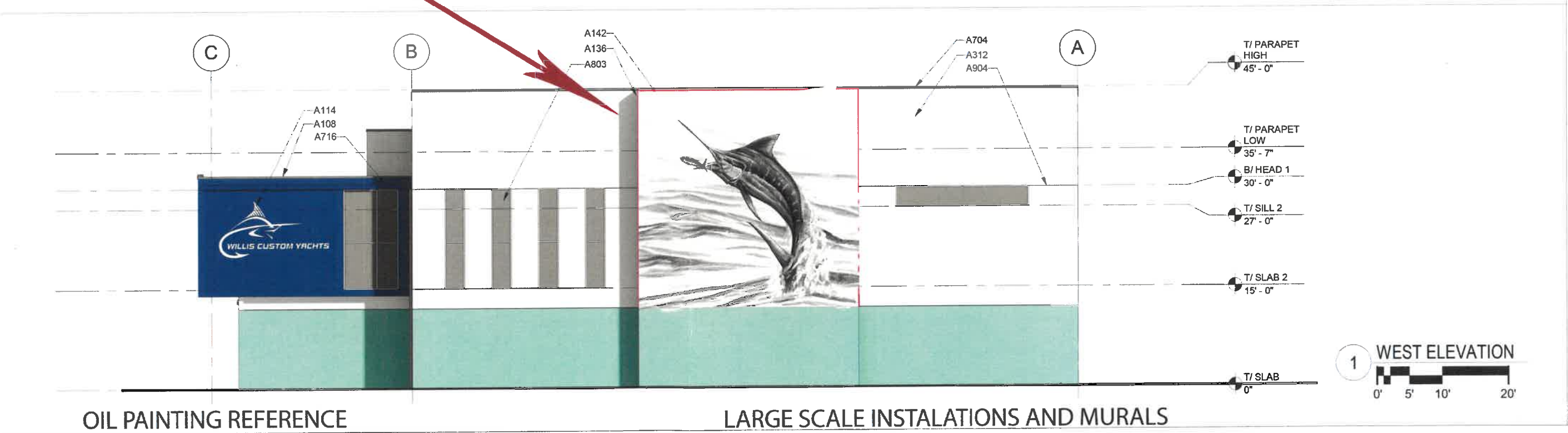


COLOR REFERENCE FOR PIECE



CONCEPT SKETCH

(this will be a full color painting)
refer to pallet and reference



OIL PAINTING REFERENCE

LARGE SCALE INSTALATIONS AND MURALS





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

DIRECTORS

Karen L. Barnes
Gabiella Ferraro
Ken Hooper-Capozzi
Sheryl Levine
Nicki van Vonno

EX-OFFICIO MEMBERS

Doug Smith
Martin County BOCC
Becky Bruner
City of Stuart
Amy Pritchett
Martin County School Board
Nancy Johnson
Economic Council of Martin County

Nancy K. Turrell
Executive Director

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

MEMORANDUM

TO: City of Stuart Community Redevelopment Agency Board
FR: Nancy K. Turrell, Executive Director
RE: Willis Custom Yachts (151 SW Flagler Ave) Mural
DT: June 29, 2023

Per our agreement, the proposal for the Willis Custom Yacht project has been reviewed.

First and foremost, it is our opinion that the subject matter for the location is entirely appropriate. The artist's body of work support the selection of the image of a marlin, and it fits as the location is so close to the St. Lucie River, although some will likely question why it's not a Sailfish since Stuart is known as the Sailfish Capital.

Having some level of knowledge with the other developments that will be constructed nearby, the neighborhood's focus on our local marine life makes it an area of interest for visitors and residents. This cohesive approach aligns with the commercial uses of the facilities along Flagler, north of the old Roosevelt Bridge, which are largely related to our waterways and recreation activities such as fishing and boating.

We concur with the use of a 3M material as a way to reproduce the original artwork on the outside of the building knowing how difficult, not to mention costly, it can be to maintain an outdoor mural. In the location with the western exposure, this spot will be subject to intense UV risk, so approaching the project this way makes sense. We are glad that the original artwork will be found within the facility should anyone wish to observe it, as well.

We recommend approval of this mural.

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 / we are) 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 July 17, 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 posted notification sign be made a part of this Affidavit; and

That notice was sent, and property was posted at least fifteen (15) days prior to the scheduled public hearing for this item.

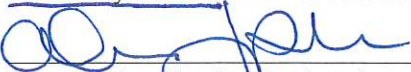


SIGNED (AUTHORIZED AGENT)

STATE OF FLORIDA, COUNTY OF PALM BEACH

Sworn and subscribed before me by means of physical presence this 17th day of July, 2023, by Matthew Barnes.

Personally Known OR Produced Identification


Type of Identification Produced:

Notary Public, State of Florida
(Notary Seal)

My Commission expires:

April 19, 2025



ALICIA JOSEPH
Commission # HH 118672
Expires April 19, 2025
Bonded Thru Budget Notary Services

Notice to Surrounding Property Owners

Subject: Public Hearing before the Community Redevelopment Board

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 a Minor Urban Code Conditional Use petition to permit and install public art located at 151 NW Flagler Avenue, for a project known as Willis Custom Yachts.

Dear Property Owner:

Please be advised that the City of Stuart will conduct a public hearing before the Community Redevelopment Board (CRB) on **Tuesday, August 1, 2023, beginning at 5:30PM, or soon thereafter**, to consider the above request.

The Public Hearing will take place in the Stuart City Hall Commission Chambers, located at 121 S.W. Flagler Avenue in Stuart. The meeting may also be virtually attended via Zoom, and a link will be made available on the City of Stuart website (www.cityofstuart.us) prior to the scheduled meeting.

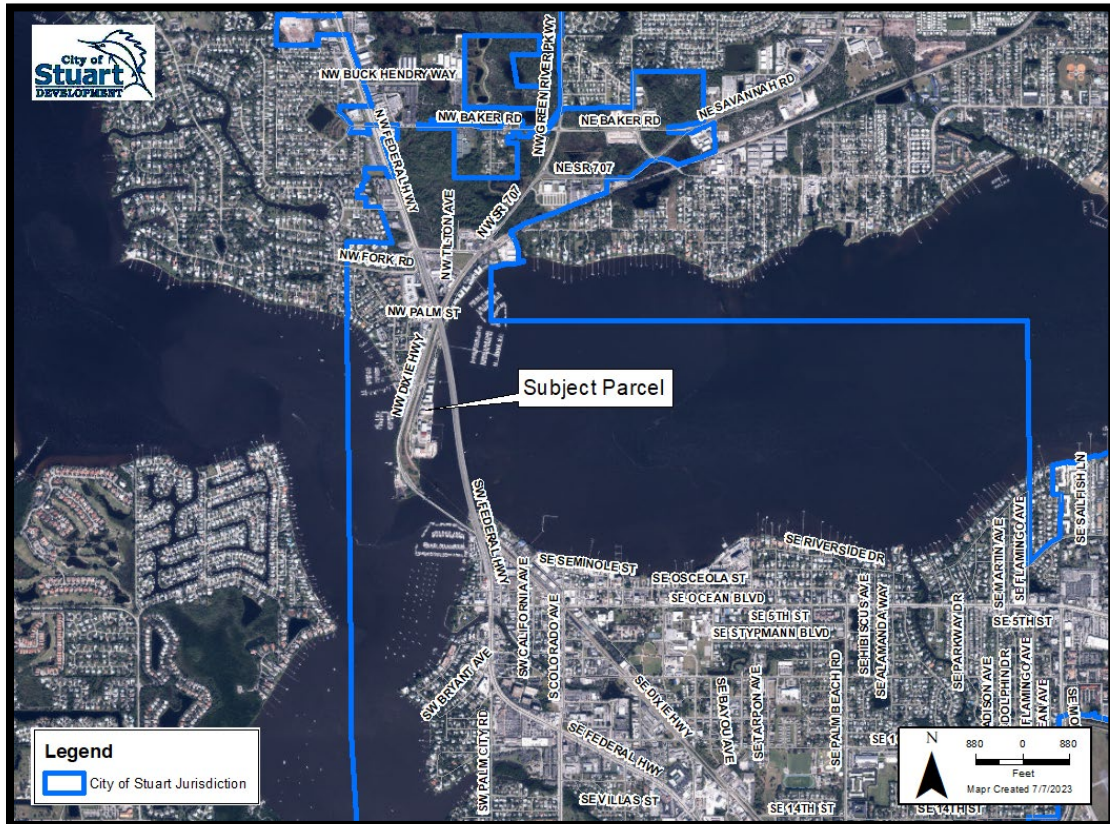
All interested parties and citizens may appear and be heard as to any and all matters pertinent to the request. A copy of the application is available for inspection at the Office of the City Development Department located at 121 S.W. Flagler Avenue in Stuart. If you have any questions regarding this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

Sincerely,

Kris McCrain

Kris McCrain
Principal Planner

Location Maps



Sign Specifications

Pursuant to Ordinance 2266-2013

Sections 11.01.08.6.A.2, 11.01.08.9.A.3, 11.01.09.6.B, 11.01.09.9.B, and 11.02.02

The City of Stuart requires a notification by posting for the public hearing required for your application. The following is a representation of the sign that is required for proper notification.

Please have a sign created and installed to the following specifications:

- The sign shall be installed perpendicular to, and clearly visible from, the nearest public street in a location approved by the Development Department in advance of installation.
- The sign shall not be less than 36 by 48 inches in dimension when adjacent to arterial roads and not less than 24 by 36 inches in dimension when adjacent to non-arterial roads.
- The sign shall have a uniform "City blue" background.
- The sign shall have white lettering of a font size that is legible.
- The sign shall be double-sided and waterproof.

The sign is required to be installed at least fifteen (15) days prior to the public hearing, or before **Monday, July 17, 2023**. After installation of the sign, please complete the included Affidavit Attesting to Notification by Posting form and return it to the City of Stuart Development Department. Please include a photo of the sign after it has been installed.

Failure to provide posted notice continuously from the time posted notice is to commence until the Public Hearing or the hearing which is the subject of the notice shall not be deemed as failure to give notice required by this code and action taken by the City subsequent to such notice shall not be deemed void for lack of posted notice. Lost signs or signs which become illegible for any reason shall be replaced by the applicant or petitioner as reasonably soon as possible upon notification to do so by the City. Signs shall be removed within five days of the conclusion of the noticed public hearing or hearing.

Should you have any questions regarding the sign posting, please contact Kris McCrain at (772) 600-1268, or by email at kmccrain@ci.stuart.fl.us.

Sign Specifications

(36" Non-Arterial Road)

**NOTICE OF PUBLIC HEARING
MINOR URBAN CODE CONDITIONAL USE
FOR REQUIRED PUBLIC ART
Parcel I.D.: 32-37-41-004-020-00061-9**

**A petition for a Minor Urban Code Conditional Use to permit
and install public art at 151 NW Flagler Avenue, for a project
known as Willis Custom Yachts.**

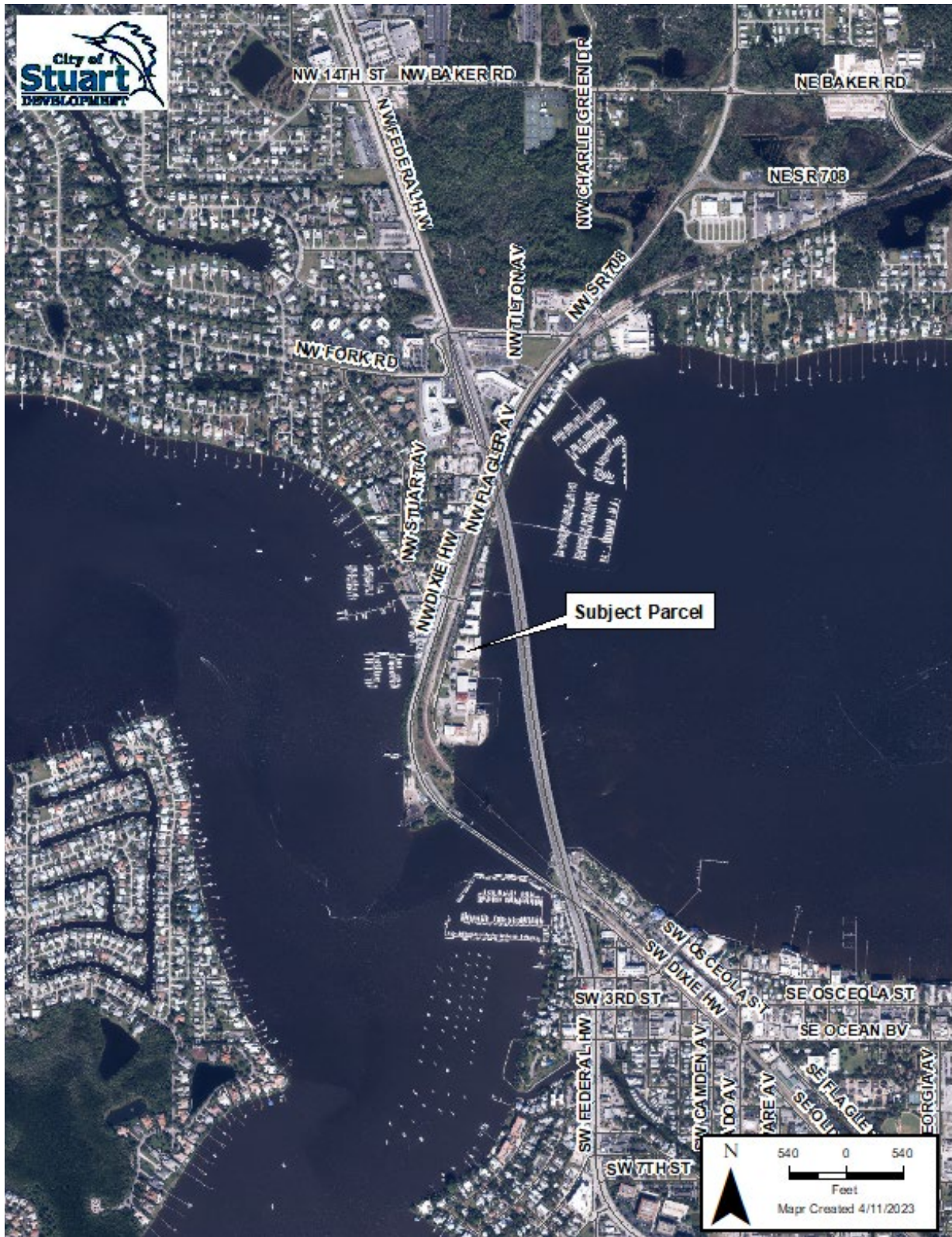
**COMMUNITY REDEVELOPMENT BOARD
Tuesday, August 1, 2023, at 4:00PM**

CITY OF STUART, CITY HALL
121 SW FLAGLER AVENUE, STUART FL. 34994
(772) 288-5326
8:30 AM-4:00PM
VISIT WWW.CITYOFSTUART.US FOR MORE INFORMATION

(24" Non-Arterial)

Sign Specifications

Local Roads



Pictures of Signs Posted







**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 ALLOWED USES AND CONDITIONAL USES INCLUDING FENCING REQUIREMENTS, SHORELINE BUFFER REQUIREMENTS, AND CERTAIN ARCHITECTURAL ELEMENTS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, on October 14, 2002, the City Commission ap) and Ordinance 1872-02, adopting the Urban Code Overlay Zone (Urban District), and redesignated the underlying zoning for the Harborage Development (FKA Northside Marina) to the Urban Waterfront Subdistrict.

WHEREAS, on October 25, 2004, the City Commission granted a Major Site Plan approval and Urban Code exceptions for the Harborage Development (FKA Northside Marina), via Resolution 196-04, to increase the permitted density from 15 dwelling units per acre to 22.07 dwelling units per acre, permit parking within a building envelope, reduce the front setback of building #6 from ten (10) feet to zero feet, permit the construction of a dry boat storage building, increase building height of the project's dry boat storage building, mixed-use condominium/yacht sales building and mixed-use cafe/yacht sales/condominium building from thirty-five (35) feet to forty-five (45) feet.

WHEREAS, on October 25, 2004, the City Commission granted a Major Urban Code Conditional Use, authorizing several changes to the Harborage Development (FKA Northside Marina) Development Order (Resolution 196-04) including, removal of the emergency gate at the property' s north boundary; a new parking allocation plan; revisions to the site's traffic patterns, including the reorientation of certain parking spaces from 60° to 90°; the designation of boat slips for intensive "live-aboard" use; the creation of new parking spaces; voiding a requirement to build a new parking structure in the event an existing parking lease with the Florida East Coast Railroad is dissolved; and to include conditions of approval including, but not limited to "Condition #4", which states: *"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"*.

WHEREAS, on May 11, 2023, the Local Planning Agency (LPA) held a properly noticed hearing to consider the Major Urban Code Conditional Use Amendment application representing 151 NW Flagler Avenue, LLC (owner), for a 1.794-acre parcel of land to be known as Willis Custom Yachts, and voted to forward a recommendation of approval to the City Commission;

WHEREAS, on June 6, 2023, the Community Redevelopment Board (CRB) held a properly noticed hearing to consider the Major Urban Code Conditional Use Amendment application representing 151 NW Flagler Avenue, LLC (owner), for a 1.794-acre parcel of land to be known as Willis Custom Yachts, and voted to forward a recommendation of approval to the City Commission;

WHEREAS, on June 26, 2023, the City Commission held a properly noticed hearing at a regularly scheduled meeting to consider the Major Urban Code Conditional Use Amendment application representing 151 NW Flagler Avenue, LLC (owner), for a 1.794-acre parcel of land to be known as Willis Custom Yachts;

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 amendment; and

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

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

SECTION 1: the legal description of the property, reflecting the 1.794-acre parcel, is set forth in **Exhibit "A"** attached hereto and made a part hereof by reference. A map depicting the property is attached hereto as **Exhibit "B"** and made a part hereof by reference. The Conditions of development for the property are attached hereto as **Exhibit "C"** and made a part hereof by reference.

SECTION 2: The following documents on file as public records of the City of Stuart, at the City Clerk's office in City Hall, shall be deemed a part of the development conditions applicable to the Property, and shall replace any earlier approvals:

1. **Site Plan** prepared by WGI, inc., dated June 28, 2022. Last revised through December 9, 2022.
2. **Landscape Plan** prepared by WGI, inc., dated June 28, 2023. Last revised on January 11, 2023.
3. **Boundary Survey** prepared by WGI, inc., Eric R. Matthews, PSM (LS#6717), dated January 10, 2022.
4. **Architectural Plans and Elevations** prepared by WGI, inc., dated June 28, 2022. Last Revised on January 11, 2023.
5. **Photometric Plan** prepared by WGI, inc., dated June 24, 2022. Last Revised on January 10, 2023.
6. **Traffic Impact Analysis** prepared by WGI, inc., dated August 9, 2022.

7. **Environmental Impact Analysis** prepared by WGI, inc., John Abbott, PG, CEP, dated August 9, 2022.
8. **Preliminary Engineering Plans** prepared by WGI, inc., dated June 24, 2023. Last Revised on January 11, 2023.
9. **Preliminary Drainage Report** prepared by WGI, inc., Travis Douglas, PE, dated June 24, 2022.

SECTION 3: The Applicant, 151 NW Flagler Avenue LLC, is requesting a Major Urban Code Conditional Use Amendment to allow boat sales and service uses within an 18,247 square foot maintenance and sales building within the Harborage Development, and provide relief from certain provisions of the Land Development Code (LDC), including:

- To allow the proposed building wall material of a concrete tilt wall with a finish that will be similar in appearance to stucco, as per LDC Section 3.01.04(A)(1).
- To provide relief from requiring a second vista within the building façade, as per LDC Section 3.01.03(E)(1)(f).
- To allow a maximum building height of forty-five (45) feet within the Urban Waterfront zoning district, as per LDC Section 3.01.03(E)(2)(a).
- To provide relief from requiring balconies and balcony rails on the waterfront side of a building, as per LDC Section 3.01.03(E)(4)(b).
- To allow a six (6) foot tall fence within a front yard along for security purposes, as per LDC Section 3.01.04(H)(6).
- To allow a six (6) foot tall fence within the minimum required front yard setback for security purposes, per LDC Section 3.01.04(P).
- To allow a parapet wall over twenty-four (24) feet to enhance the architectural character of the 2-story boat maintenance building, as per LDC Section 3.01.04(R).
- To allow relief from the shoreline protection zone to allow stabilized paved concrete to be installed for the proposed boat crane, as per LDC Section 5.06.02.

SECTION 4: 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 5: 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 outlined within this Resolution conflicts with any contractual provision between the City and the applicant, developer, or successor, this Resolution shall prevail.

SECTION 6: 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 7: 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 8: 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 9: 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 10: 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.

(Remainder of page intentionally left blank.)

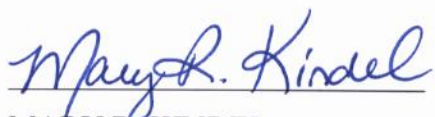
Passed on the 26th day of June, 2023 as a Single Reading.

Commissioner CLARKE offered the foregoing Resolution and moved its adoption. The motion was seconded by Commissioner BRUNER 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
Y			
Y			
Y			
Y			
Y			

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

Alicia Plasencia

Print Name: Alicia Plasencia

By: [Signature]

David Tobin (151 NW Flagler Avenue, LLC)

[Signature]

Print Name: Melissa Roa

OWNERS ACKNOWLEDGMENT

The above Resolution, Acceptance and Agreement was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 29 day of June, 2023, by **David Tobin, Agent for 151 NW Flagler Avenue, LLC** who ☒ is personally known to me or ☐ has produced _____ as identification.

(Notary)



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

[Signature]

Notary Public, State of Florida
My Commission Expires:

CITY'S ACKNOWLEDGMENT

The above Resolution, Acceptance and Agreement was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 6th day of July, 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)



Susej Teresa Meleqi
Comm.: HH 224191
Expires: Feb. 3, 2026
Notary Public - State of Florida

Smeleqi

Signature of Notary Public

Printed Name: Susej T. Meleqi

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

1. ***Local Planning Agency Recommended Condition of Approval:*** The Architectural plans and elevations approved under this Major Urban Code Conditional Use shall be utilized with the design of the proposed development. A deviation of more than 5% of the approved architectural plans shall require a Minor amendment to the Major Urban Code Conditional Use and review and approval from the Local Planning Agency (*LPA*) & City Commission.
2. All Construction activities and/or boat servicing uses, shall be limited between the hours of 7:00AM to 7:00PM, Monday through Saturday, and between 12:00PM and 7:00PM on Sundays.
3. All on- site crane, forklift equipment, and other heavy equipment shall be equipped with a White Noise Back- Up Alarm, as approved by the Occupational Safety & Health Administration (OSHA).
4. Erosion and dust control measures to be implemented during construction shall be provided on the civil engineering plans and submitted during final site plan review. Water trucks shall be provided by the applicant as necessary during construction to reduce dust generated on-site.
5. Except as otherwise set forth in the Willis Custom Yachts Major Urban Code Conditional Use Approval, all development shall comply with the City Land Development Code. Any modifications to the Master Site Plan or Architectural Plan which exceeds 10% of the approved building footprint, building setbacks, gross square footage, building location, parking size, location and number of parking, drainage areas, architecture, or location of landscaping, may be approved under an Administrative Variance approved by the City's Development Director, provided however, the Development Director may refer the matter to the City Commission for approval via public hearing.
6. All applicable State or Federal permits must be obtained before the commencement of any development activities. Issuance of this development order/permit/approval by the City of Stuart does not in any way create any right on the part of an applicant to obtain a permit from a State or Federal agency and does not create any liability on the part of the City of Stuart for the issuance of this order/permit/approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a State or Federal agency or undertakes actions that result in a violation of State or Federal law.
7. Any existing mangroves shall be maintained and protected during construction and thereafter. Any trimming shall only be permitted by the Florida Department of Environmental Protection.
8. All development activities shall comply with the City's Concurrency Management System prior to the issuance of building permits.
9. Except as provided herein, all development shall comply with City Land Development Code.

10. The site permit and dumpster permit, both require a separate building permit with the City of Stuart Building Department.
11. The applicant, developer, or successor shall provide a digital boundary survey and final civil/engineering plans to the City of Stuart Building Department upon the submittal of a site permit. Civil Plans shall be reviewed and approved by all applicable City departments prior to the issuance of a site permit.
12. Final development plans and construction drawings shall be reviewed and approved by all necessary City departments prior to the issuance of any site permit or building permit(s).
13. Required regulatory agency permits, pertaining to upland site improvement works, including but not limited to the South Florida Water Management District, Department of Environmental Protection, and Army Corp of Engineers, shall be obtained by the applicant, developer, or successor, and copies provided to the City of Stuart Development Department prior to the commencement of any upland site improvements and/or development activities.
14. Regulatory agency permits pertaining to improvements within the submerged lands and below the high-water line, including but not limited to the South Florida Water Management District, Department of Environmental Protection, and Army Corp of Engineers, shall be obtained by the applicant, developer, or successor, and copies provided to the City of Stuart Development Department prior to the commencement of any development activities taking place within said submerged lands and below the high-water line.
15. Any permit for docks/piers shall be required to comply with the Land Development Code provisions of 5.06.02 (*Shoreline Protection Zone Delineation*) and shall be accompanied with valid permits from the South Florida Water Management District and/or the Florida Department of Environmental Protection.
16. All dock facilities and marine related bulkheads, hardened shorelines, etc. shall be maintained by the property owner, any new marine related improvements, modification, repairs and permitting associated with such facilities shall be accomplished by, and the responsibility of, the owner. There shall be no liveboards permitted per the definition of the Department of Environmental Protection.
17. Any sidewalks or roads damaged during construction shall be repaired and/or replaced by the applicant, as per the City's specification.
18. On-site lighting shall not negatively impact or create a visual nuisance to adjacent properties.
19. All Landscape areas shall be provided with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition.
20. A Landscape Maintenance Agreement, executed in accordance with the City Land Development Regulations, shall be submitted for review and approval prior to the issuance of the Certificate of Completion.

21. Banners and any other sign or advertising device not in accordance with the City's Land Development Regulations are prohibited on the property.
22. All on-site signage, including monument sign, are to be approved by a separate permit and shall comply with the City of Stuart Land Development Code Section 6.11.00.
23. Any right-of-way improvements and parking within the right-of-way shall be maintained and operated by the applicant, developer, or successor, in perpetuity or until alternative maintenance arrangements are signed off by the City's Public Works director.
24. All connections to the existing and future boardwalk shall remain open without fee to the public.
25. The applicant shall comply with all applicable Handicap Accessibility standards.
26. Prior to receiving a Certificate of Occupancy, the applicant, developer, or successor shall receive approval for the development's required public art, pursuant to Section 3.01.08.
27. Unless a longer timetable is granted by the Community Redevelopment Board (CRB) and City Commission, a building permit shall be obtained no later than twelve (12) months from the approval date of a Major Urban Code Conditional Use. A Certificate of Occupancy shall be obtained no later than thirty (30) months from the issuance of a building permit, pursuant to Section 3.01.06(A)(2)(a) of the City of Stuart Land Development Code.
28. No temporary or modular buildings are permitted on the property except for a permitted temporary construction trailer.
29. Billboards are prohibited on the property.
30. No Live aboard vessels are allowed in the submerged land lease area connected to this Major Urban Code Conditional Use approval. No residential activities shall be permitted on the subject property.
31. All Construction shall be installed, inspected, and tested in accordance with the City of Stuart Minimum Design and Construction Standards latest edition, and the City of Stuart Specifications and Ordinances, where applicable. In case of discrepancies between the construction plans and afore mentioned manuals, the most restrictive shall apply.
32. All plans shall be routed through the Permit Technician in the City of Stuart Development Department. Approval of the Urban Code Conditional Use shall not be construed to be a license to proceed with work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of the City Code. Approval shall not prevent the City of Stuart from requiring a correction of errors in plans, construction, or violation of City Code.
33. No manufacturing uses shall be permitted on-site.

34. The following uses shall be permitted:

- a. Limited boat repair services, indoor
- b. Retail sales (*new boats only*)

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

Meeting Date: 8/1/2023

Prepared by: Jordan Pinkston

Title of Item:

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

Summary Explanation/Background Information on Agenda Request:

The Stuart CRA Business Improvement Reimbursement Program is an incentive program designed to encourage visible, exterior improvements to commercial properties within the Community Redevelopment Area. The program provides a reimbursement of 50% of the total project costs up to \$10,000.

The CRA outreach efforts to promote the program included distributing an electronic newsletter to City contact list, distributing flyers to local businesses, mailing postcards to local business owners, and Social Media - Twitter, Facebook, Instagram.

We allocated \$50,000 FY2023, \$30,000 of which was awarded to three applicants during the previous cycle. The board requested to have a second application cycle this fiscal year in hopes to award the remaining \$20,000 allocated for the program. The CRA received 7 applications for the second FY2023 application cycle, which exceeds the total remaining funds.

The presentation with project details is attached.

Funding Source:

The CRA has \$20,000 remaining for Business Improvement Grant Programs in FY 2023.

Recommended Action:

Provide staff with a final Evaluation Matrix score for each application and recommendation for FY 2023 BIRP Cycle #2 grant disbursement.

ATTACHMENTS:

1. BIRP FY23_Cycle #2_Presentation

BUSINESS IMPROVEMENT *Grant Program*



Jordan Pinkston
CRA Program Manager



Program Description

- The Stuart CRA Business Improvement Grant Program is an incentive program designed to encourage visible, exterior improvements to commercial businesses and to encourage investment within the Stuart Community Redevelopment Area.
- Reimbursement of 50% of the project costs not to exceed \$10,000.



Program Goals

Shade

Provide shade over pedestrian walkways where feasible.

Private Property Landscape

Guidelines amended to encourage voluntary upgrades of landscaping/shade trees.

Walkability

Improves conditions for walking and pedestrian activities.

Public Outreach

BUSINESS IMPROVEMENT

Grant Program



**APPLICATION DEADLINE
APPROACHING!**

- Deadline: January 26, 2024
- Reimbursement grants available up to \$10,000



Newsletter

City of Stuart email list



Flyers

Distributed flyers to
local businesses



Postcards

Sent Postcards



Social Media

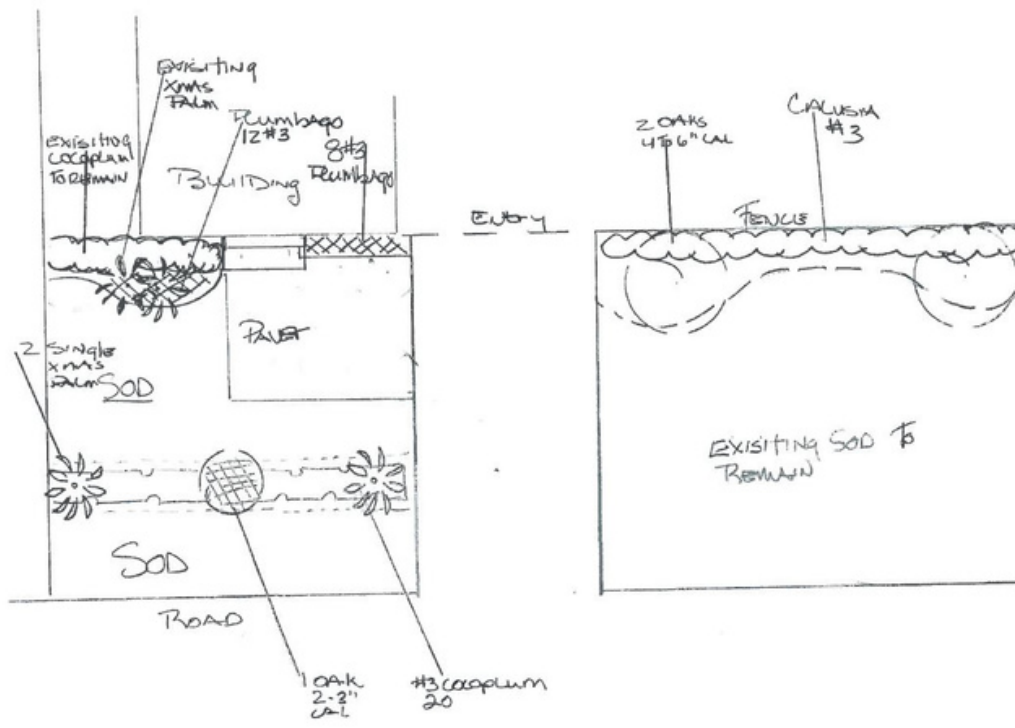
Twitter, Facebook,
Instagram



FY2023 - Applications

Cycle #2

Controlled



Evaluation Matrix

- Minimum of 60 points required for funding.

Evaluation Criteria	Possible Points	Awarded Points
Visual Impact • Improvement in the attractiveness of the location and the level of blight or deterioration removed; • Highly visual elements of the buildings are being improved and visible from the street; • For building facades that are not visible from the street, the improvements allowed will serve to remove blight or deterioration condition; • Level of improvements impact on overall appearance of the property.	30	
Urban Street Impact • Upgrade landscaping around the perimeter of the property that abuts the public right-of-way and interior parking lot; or within the public right-of-way if there are site limitations. • Bike racks, benches, lighting, etc. • Level of improvements improve the pedestrian and transportation functionality of the property.	30	
Economic Impact • Amount of additional funding expended by business; • Facade project is part of a larger project that improves other exterior or interior parts of the building); • Reuse of vacant or underutilized property; • Adjacent to other CRA projects (streetscape improvements, sidewalks, neighborhood improvements); • Location within high traffic and/or high visibility area (Federal Highway, Dixie Highway, Ocean Blvd., Martin Luther King Jr. Blvd., Old Downtown District, "The Creek" Arts & Entertainment District, etc.); or Located within the approved priority area (map attached); • Will serve as a catalyst for redevelopment activity on the corridor or neighborhood.	10	
Historic/Community Impact • Renovation and rehabilitation of historic buildings (listed on the City of Stuart Local Historic Register, National Historic Register, "1991 Historic Properties Survey" or local landmark designation)	10	

American Sprinkler & Pump

Location: 834 SE Lincoln Avenue

Improvements:

- Landscaping
- Lighting

Total Improvement Costs: \$16,524

Total Potential Grant Match: \$8,262

SE Johnson Avenue



SE Dixie Highway

SE Lincoln Avenue



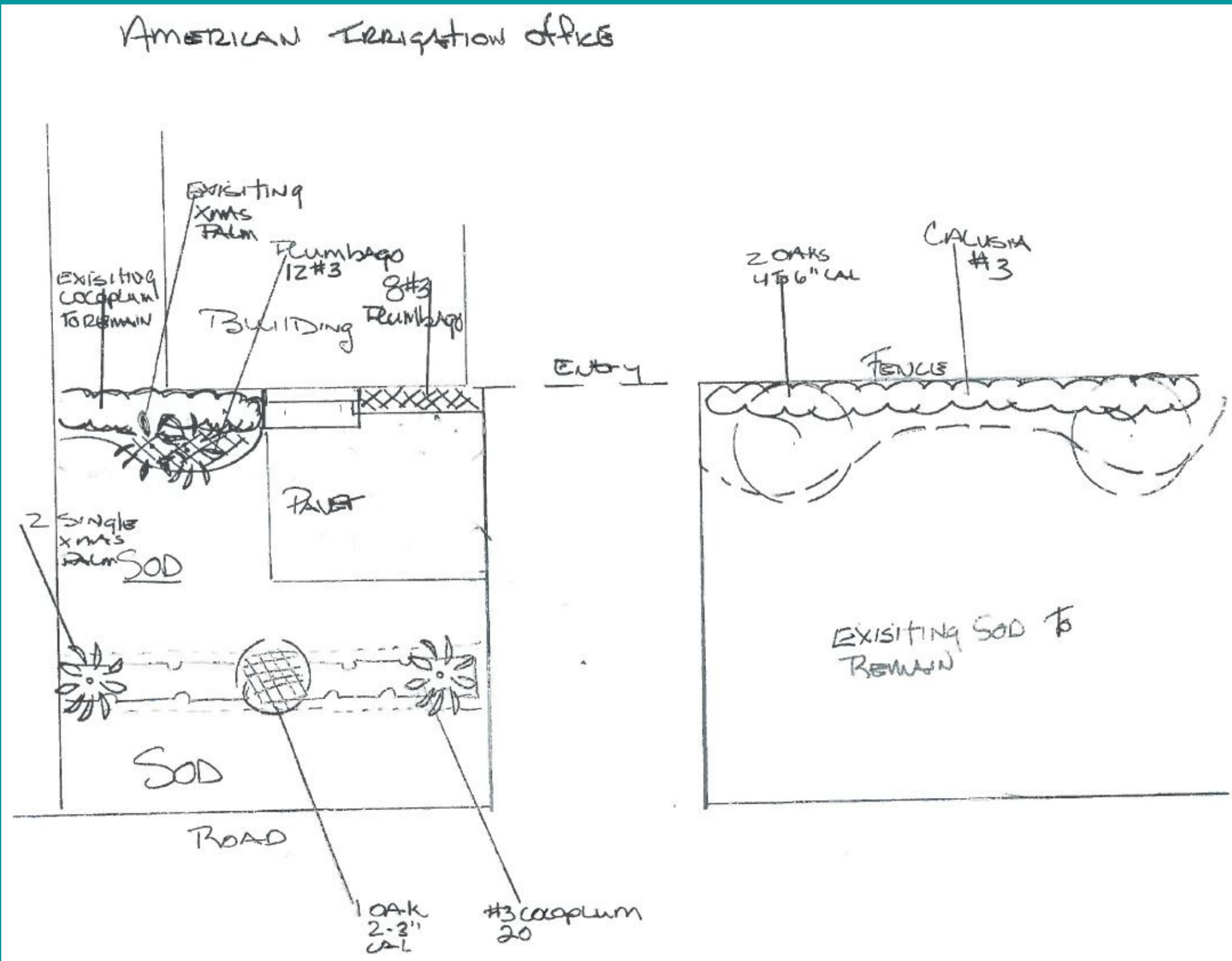
American Sprinkler & Pump

Landscaping – Existing



American Sprinkler & Pump

Landscaping – Proposed



American Sprinkler & Pump

Evaluation Matrix

Improvements:

- Landscaping
- Entryway Repaving

Total Improvement Costs: \$16,524

Total Potential Grant Match: \$8,262

Evaluation Criteria	Possible Points	Awarded Points
Visual Impact • Improvement in the attractiveness of the location and the level of blight or deterioration removed; • Highly visual elements of the buildings are being improved and visible from the street; • For building facades that are not visible from the street, the improvements allowed will serve to remove blight or deterioration condition; • Level of improvements impact on overall appearance of the property.	30	
Urban Street Impact • Upgrade landscaping around the perimeter of the property that abuts the public right-of-way and interior parking lot; or within the public right-of-way if there are site limitations. • Bike racks, benches, lighting, etc. • Level of improvements improve the pedestrian and transportation functionality of the property.	30	
Economic Impact • Amount of additional funding expended by business; • Facade project is part of a larger project that improves other exterior or interior parts of the building); • Reuse of vacant or underutilized property; • Adjacent to other CRA projects (streetscape improvements, sidewalks, neighborhood improvements); • Location within high traffic and/or high visibility area (Federal Highway, Dixie Highway, Ocean Blvd., Martin Luther King Jr. Blvd., Old Downtown District, "The Creek" Arts & Entertainment District, etc.); or Located within the approved priority area (map attached); • Will serve as a catalyst for redevelopment activity on the corridor or neighborhood.	10	
Historic/Community Impact • Renovation and rehabilitation of historic buildings (listed on the City of Stuart Local Historic Register, National Historic Register, "1991 Historic Properties Survey" or local landmark designation)	10	



Edward Jones Office

Location: 522 Colorado Avenue

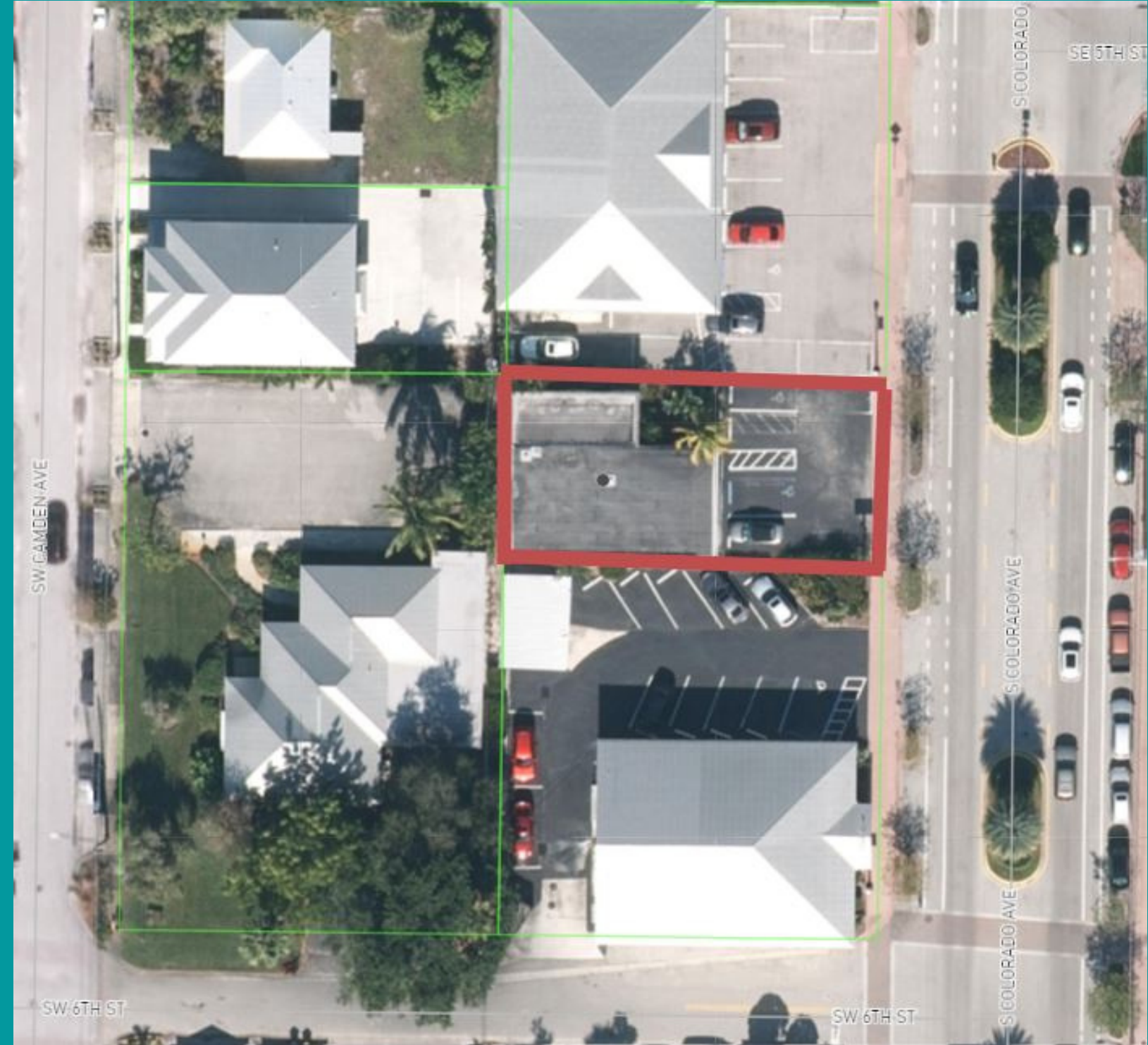
Improvements:

- Landscaping
- Benches
- Parking Improvements
- Exterior Painting

Total Improvement Costs: \$7,525

Total Potential Grant Match: \$3,762

SW Camden Avenue



SW Colorado Avenue

SW 6th Street

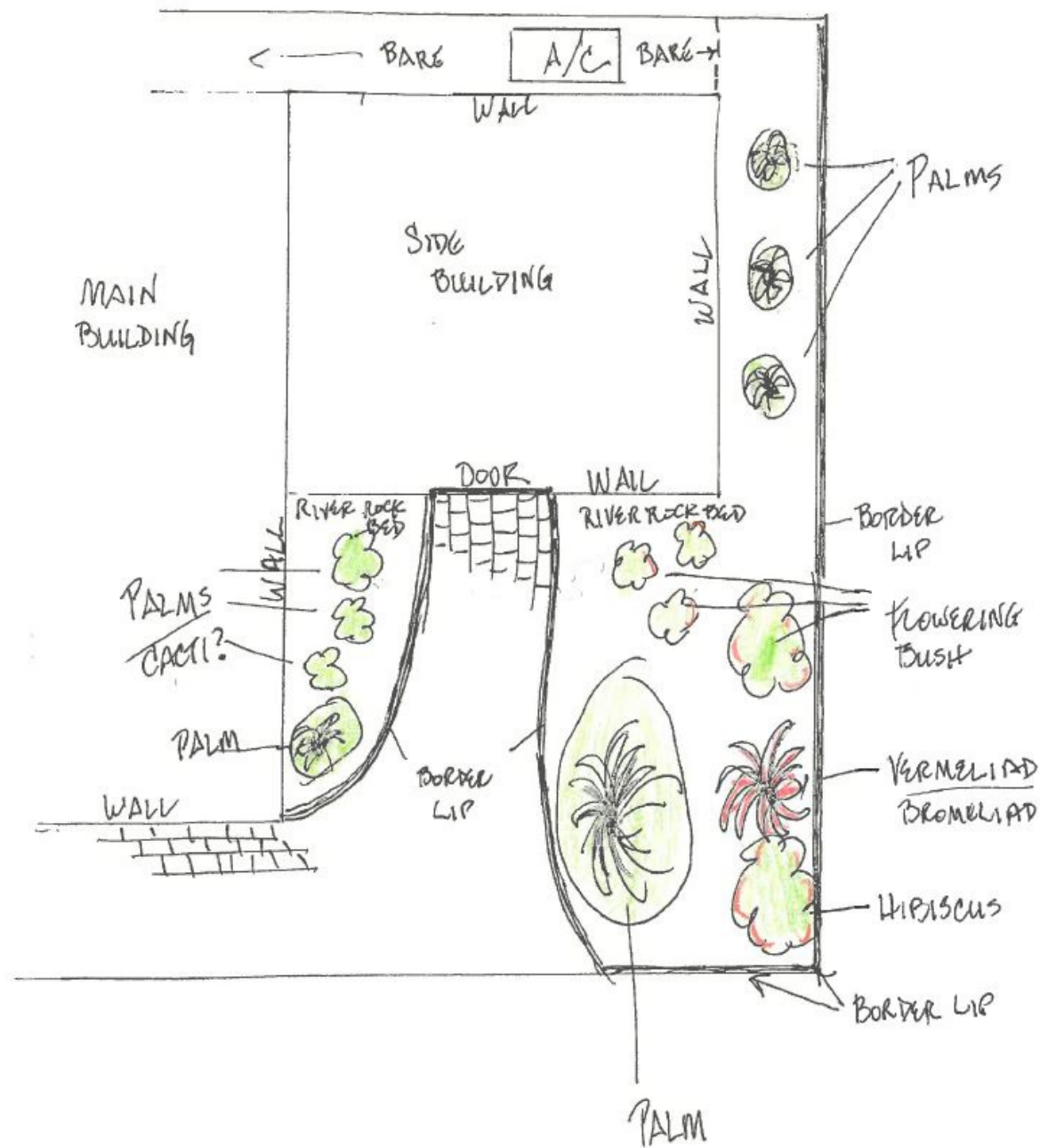
Edward Jones Office

Landscaping – Existing



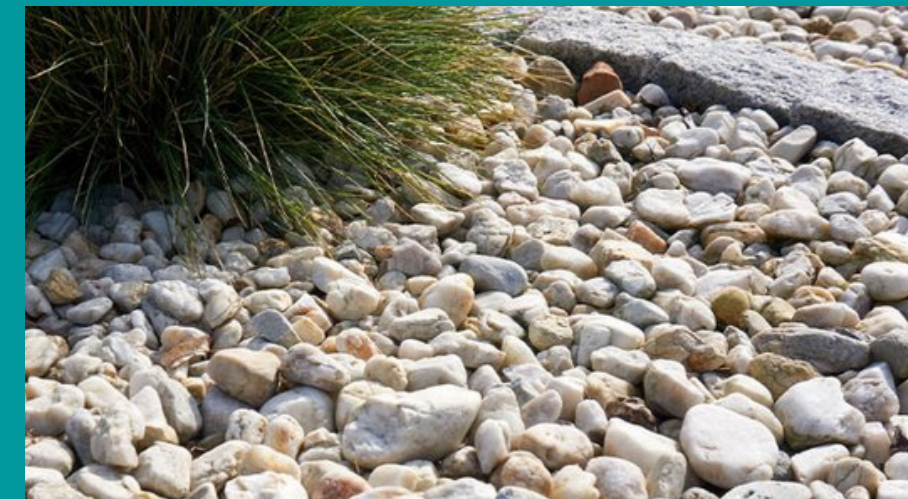
Edward Jones Office

Landscaping – Proposed



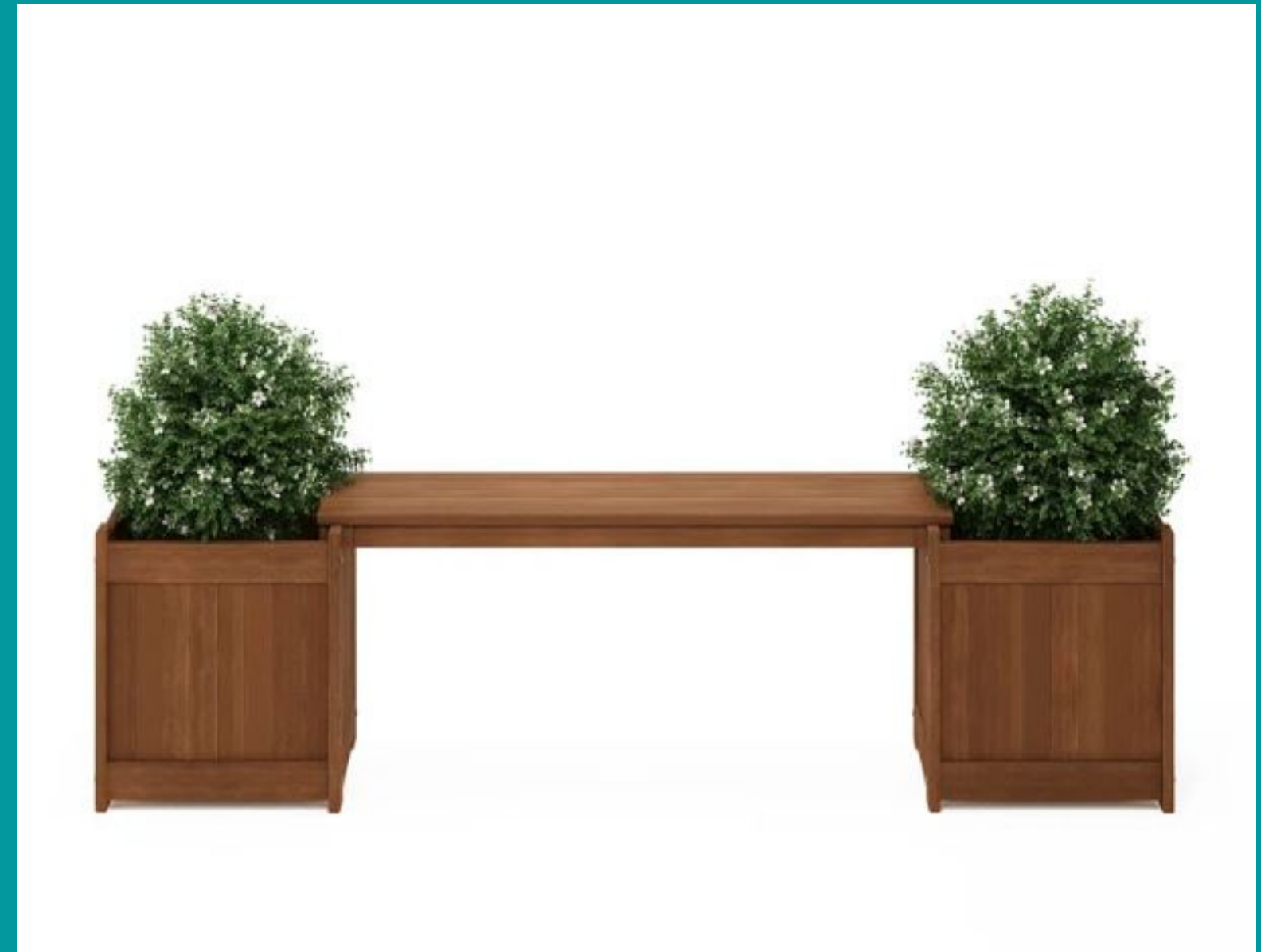
522 COLORADO AVE
STUART, 34994

NO WATER OUTLET
PLANTS MUST BE SELF-IRRIGATING



Edward Jones Office

Benches – Existing & Proposed



Edward Jones Office

Parking Improvements

Controlled



Edward Jones Office

Exterior Painting

Controlled



Edward Jones Office

Evaluation Matrix

Improvements:

- Landscaping
- Entryway Repaving

Total Improvement Costs: \$7,525

Total Potential Grant Match: \$3,763

Evaluation Criteria	Possible Points	Awarded Points
Visual Impact • Improvement in the attractiveness of the location and the level of blight or deterioration removed; • Highly visual elements of the buildings are being improved and visible from the street; • For building facades that are not visible from the street, the improvements allowed will serve to remove blight or deterioration condition; • Level of improvements impact on overall appearance of the property.	30	
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Historic/Community Impact • Renovation and rehabilitation of historic buildings (listed on the City of Stuart Local Historic Register, National Historic Register, "1991 Historic Properties Survey" or local landmark designation)	10	



OxyPros Inc.

Location: 808 SE Dixie Highway

Improvements:

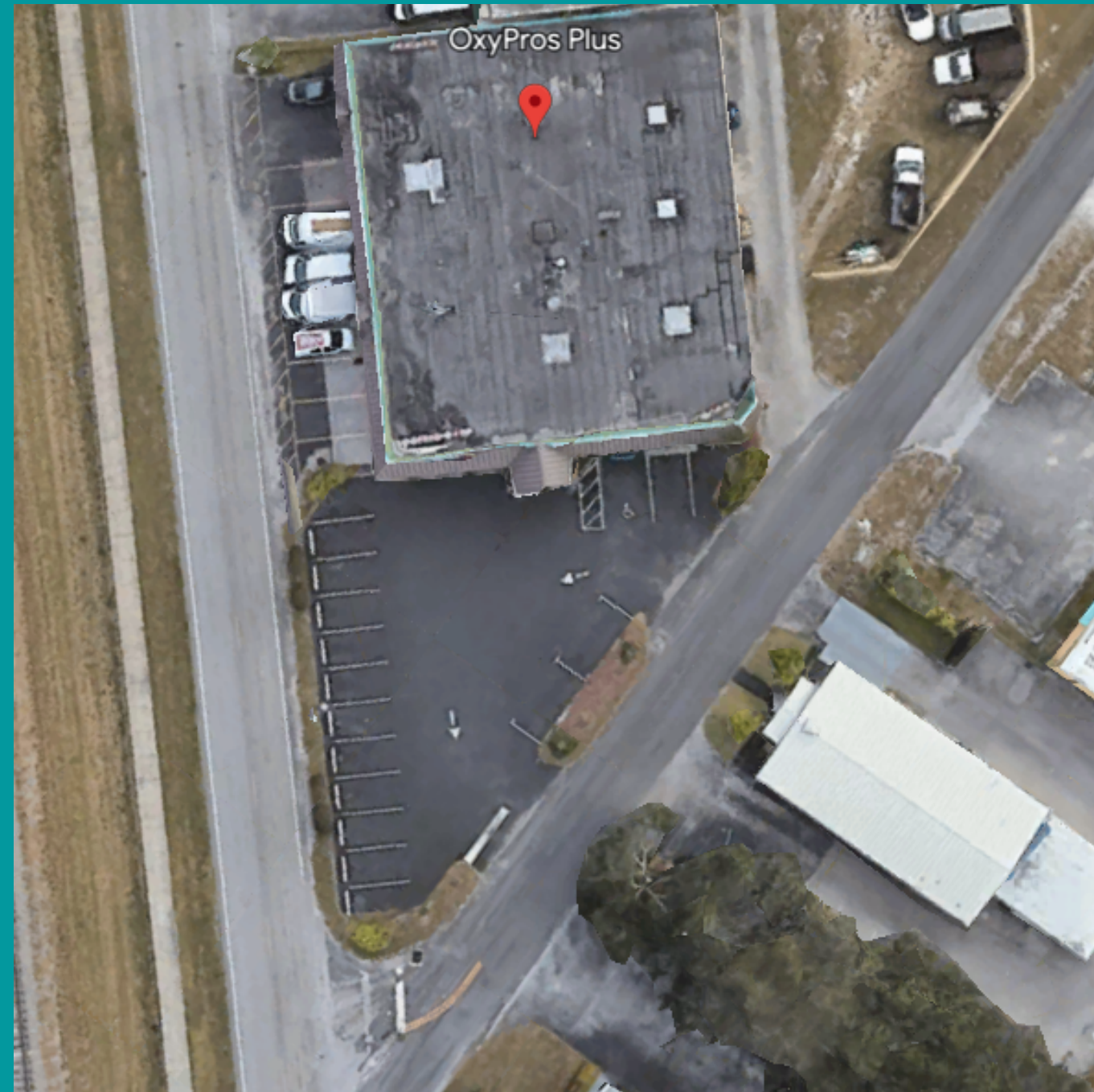
- Landscaping
- Entryway Repaving

Total Improvement Costs: \$13,685

Total Potential Grant Match: \$6,843



SE Dixie Highway

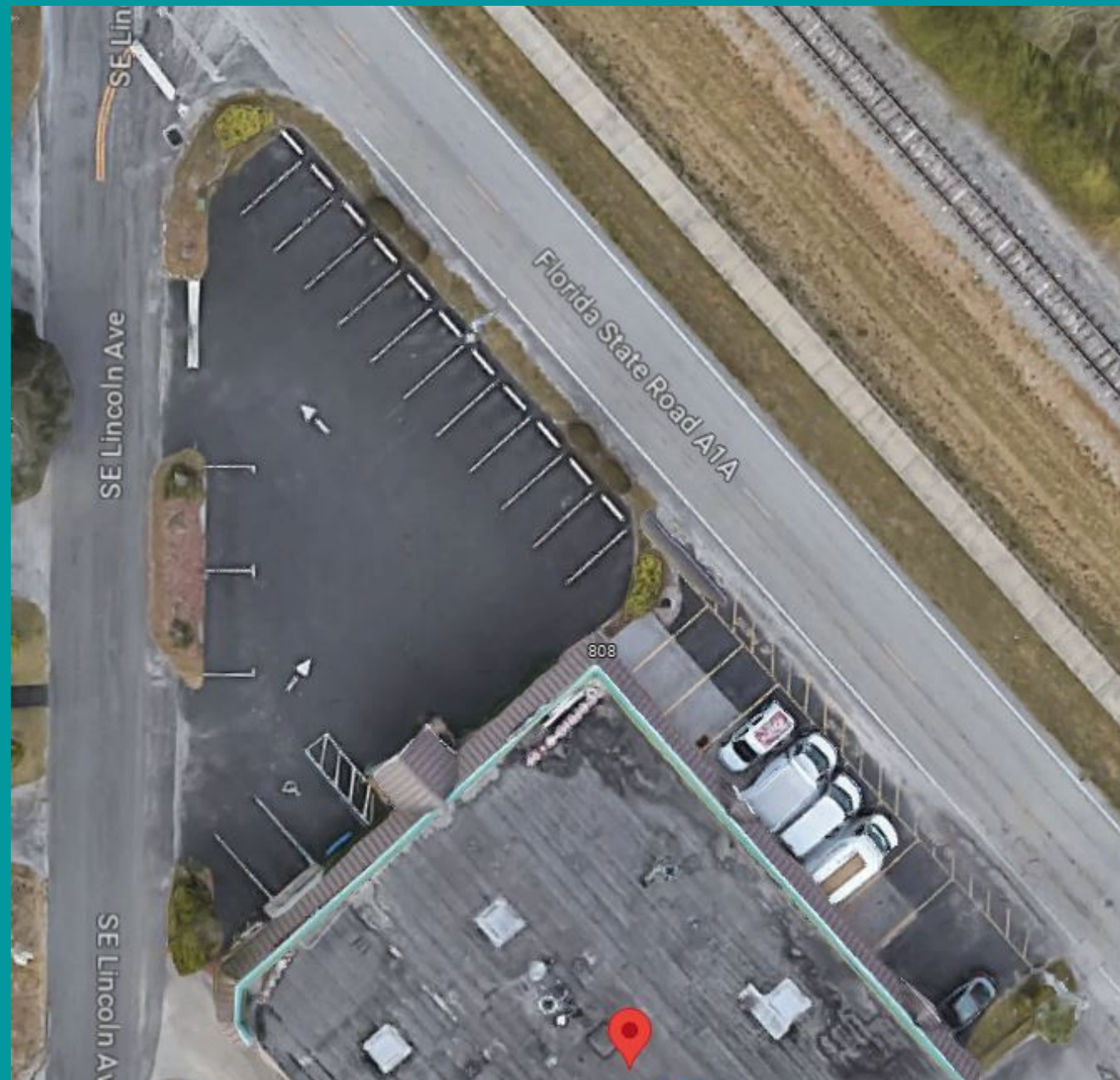


SE Lincoln Avenue



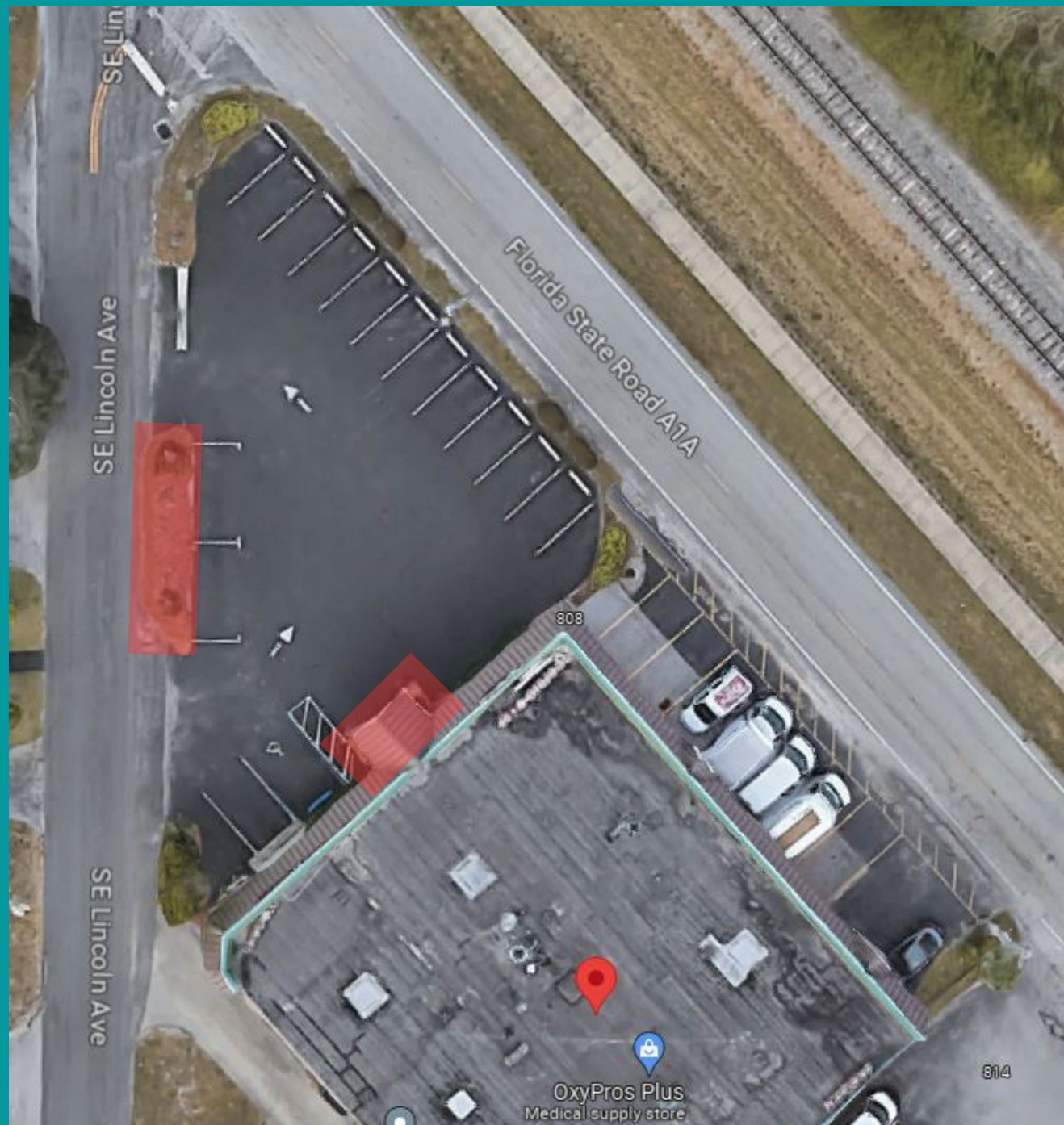
OxyPros Inc.

Landscaping – Existing



OxyPros Inc.

Landscaping – Proposed



OxyPros Inc.

Entryway – Existing & Proposed



Oxy Pros Inc.

Evaluation Matrix

Improvements:

- Landscaping
- Entryway Repaving

Total Improvement Costs: \$13,685

Total Potential Grant Match: \$6,843

Evaluation Criteria	Possible Points	Awarded Points
Visual Impact • Improvement in the attractiveness of the location and the level of blight or deterioration removed; • Highly visual elements of the buildings are being improved and visible from the street; • For building facades that are not visible from the street, the improvements allowed will serve to remove blight or deterioration condition; • Level of improvements impact on overall appearance of the property.	30	
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Historic/Community Impact • Renovation and rehabilitation of historic buildings (listed on the City of Stuart Local Historic Register, National Historic Register, "1991 Historic Properties Survey" or local landmark designation)	10	



Prescription Shop

Location: 622 S. Colorado Avenue

Improvements:

- Landscaping
- Parking Lot Improvements
- Mural Preservation

Total Improvement Costs: \$15,606

Total Potential Grant Match: \$7,803



SE Martin Luther King Jr. Blvd.

S. Colorado Avenue



Prescription Shop

Landscaping – Existing



Prescription Shop

Landscaping – Proposed



Prescription Shop

Parking Lot Improvements



-  Rock Installation
-  Repaving

Prescription Shop

Mural Preservation

Controlled



Prescription Shop

Evaluation Matrix

Improvements:

- Landscaping
- Entryway Repaving

Total Improvement Costs: \$15,606

Total Potential Grant Match: \$7,803

Evaluation Criteria	Possible Points	Awarded Points
Visual Impact • Improvement in the attractiveness of the location and the level of blight or deterioration removed; • Highly visual elements of the buildings are being improved and visible from the street; • For building facades that are not visible from the street, the improvements allowed will serve to remove blight or deterioration condition; • Level of improvements impact on overall appearance of the property.	30	
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Historic/Community Impact • Renovation and rehabilitation of historic buildings (listed on the City of Stuart Local Historic Register, National Historic Register, "1991 Historic Properties Survey" or local landmark designation)	10	



Avonlea Commerce Center Association, Inc.

Location: 435 NE Baker Road

Improvements:

- Repaving Entryway
- Plants
- Pressure Washing
- Awning Replacement
- Customer Benefit Improvements

Total Improvement Costs: \$34,602

Total Potential Grant Match: \$10,000

Preserve Trail North



NE Baker Road

Avonlea Commerce Center

Repaving Entryway

Controlled



Avonlea Commerce Center

Plants

Controlled



Avonlea Commerce Center

Pressure Washing
Controlled



Avonlea Commerce Center

Awning Replacement

Controlled

After...

Before...



Avonlea Commerce Center

Customer Benefit Improvements

- Benches
- Bike Racks
- Announcement Box



Avonlea Commerce Center

Evaluation Matrix

Improvements:

- Repaving
- Plants
- Pressure Washing
- Awning Replacement
- Customer Benefit Improvements
 - Benches
 - Bike Rack
 - Announcement Box

Total Improvement Costs: \$34,602

Total Potential Grant Match: \$10,000

Evaluation Criteria	Possible Points	Awarded Points
Visual Impact • Improvement in the attractiveness of the location and the level of blight or deterioration removed; • Highly visual elements of the buildings are being improved and visible from the street; • For building facades that are not visible from the street, the improvements allowed will serve to remove blight or deterioration condition; • Level of improvements impact on overall appearance of the property.	30	
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Historic/Community Impact • Renovation and rehabilitation of historic buildings (listed on the City of Stuart Local Historic Register, National Historic Register, "1991 Historic Properties Survey" or local landmark designation)	10	

Nancy Albert Design & Consulting Group

Location: 439 NE Baker Road, Unit 503

Improvements:

- Awning Installation
- Impact Glass

Total Improvement Costs: \$18,205

Total Potential Grant Match: \$9,103

NE Cardinal



NE Baker Road

Nancy Albert Design & Consulting Group

Awnings

Controlled



Nancy Albert Design & Consulting Group

Impact Glass
Controlled



Nancy Albert Design & Consulting Group

Evaluation Matrix

Improvements:

- Landscaping
- Entryway Repaving

Total Improvement Costs: \$18,205

Total Potential Grant Match: \$9,103

Evaluation Criteria	Possible Points	Awarded Points
Visual Impact • Improvement in the attractiveness of the location and the level of blight or deterioration removed; • Highly visual elements of the buildings are being improved and visible from the street; • For building facades that are not visible from the street, the improvements allowed will serve to remove blight or deterioration condition; • Level of improvements impact on overall appearance of the property.	30	
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Historic/Community Impact • Renovation and rehabilitation of historic buildings (listed on the City of Stuart Local Historic Register, National Historic Register, "1991 Historic Properties Survey" or local landmark designation)	10	



Oasis Pamper Nail & Spa

Location: 746 SW Federal Highway, Unit A

Improvements:

- Marquee Sign

Total Improvement Costs: \$2,111

Total Potential Grant Match: \$1,056

SW Palm City Road



Oasis Pamper Nail & Spa

Marquee Sign

Controlled



PROPOSED SIGN
24" 192" = 4608 / 144 = 32 SF
ALLOWABLE SIGNAGE
25' X 1.5 = 37.5 SF

FLUSH MOUNT
BRONZE RETURNS
BRONZE TRIM CAP
RED FACES
RED LEDS



Oasis Pamper Nail & Spa

Evaluation Matrix

Improvements:

- Marquee Sign

Total Improvement Costs: \$2,111

Total Potential Grant Match: \$1,056

Evaluation Criteria	Possible Points	Awarded Points
Visual Impact • Improvement in the attractiveness of the location and the level of blight or deterioration removed; • Highly visual elements of the buildings are being improved and visible from the street; • For building facades that are not visible from the street, the improvements allowed will serve to remove blight or deterioration condition; • Level of improvements impact on overall appearance of the property.	30	
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Historic/Community Impact • Renovation and rehabilitation of historic buildings (listed on the City of Stuart Local Historic Register, National Historic Register, "1991 Historic Properties Survey" or local landmark designation)	10	

Recommendation

<u>Applicant</u>	<u>Address</u>	<u>Improvement Cost</u>	<u>Grant Match</u>
American Sprinkler & Pump	834 SE Lincoln Avenue	\$ 16,524.00	\$ 8,262.00
Edward Jones Office	522 Colorado Avenue	\$ 7,525.00	\$ 3,763.00
Oxy Pros Inc.	808 SE Dixie Highway	\$ 13,685.00	\$ 6,843.00
Prescription Shop	622 S. Colorado Avenue	\$ 15,606.00	\$ 7,803.00
Avonlea Commerce Center Association Inc.	435 NE Baker Road	\$ 34,602.00	\$ 10,000.00
Nancy Albert Design & Consulting Group	439 NE Baker Road, Unit 503	\$ 18,205.00	\$ 9,103.00
Oasis Pamper Nail & Spa	746 SW Federal Highway, Unit A	\$ 2,111.00	\$ 1,056.00

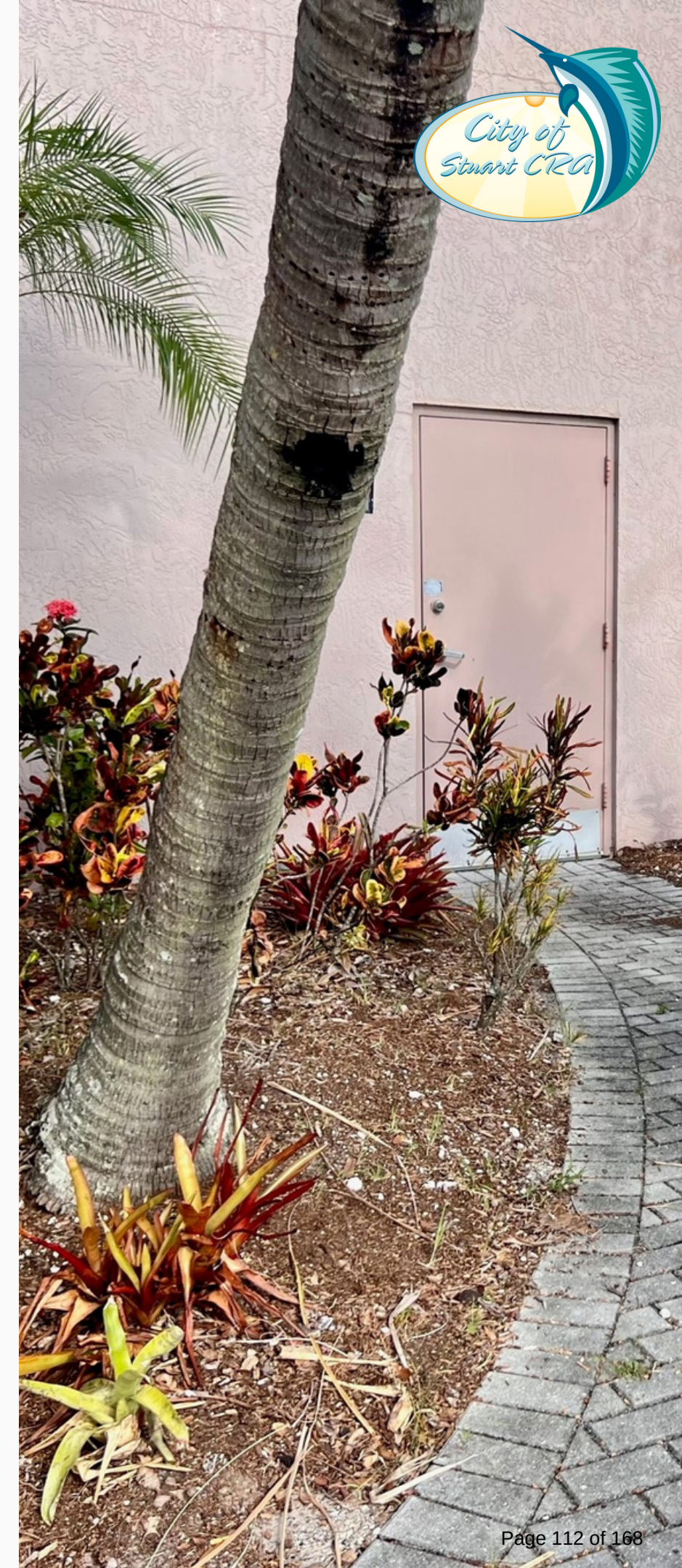




Recommendation

Staff is seeking board input on the Evaluation Matrix for each application. Please take this time to calculate the points awarded on the Evaluation Criteria sheet in front of you. Your scores will be collected and averaged to determine applicant's funding. A motion will then need to be made to accept the suggested funding amount and any conditions the board recommends.

Reminder: A minimum score of 60 is needed to receive funding from the program.



CITY OF STUART, FLORIDA

AGENDA ITEM REQUEST

Community Redevelopment Board

Meeting Date: 8/1/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN AND PROGRAM:

RESOLUTION No.12-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, APPROVING AND ADOPTING THE US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN AND PROGRAM; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

On October 25, 2021, by Resolution No. 10-2021 CRA, the Community Redevelopment Agency approved to enter into an Interlocal Agreement with the Treasure Coast Regional Planning Council to develop U-1/Federal Highway Street Tree Master Plan from SW Joan Jefferson Way to Kanner Highway/Colorado Avenue to identify opportunities for new tree plantings adjacent to the right-of-way and enhance public streets. The goals of the program are to improve sidewalk with shade for pedestrians and bicyclists, reduce vehicular speeding and beautify the corridor. An increase in tree canopy will improve air quality, reduce noise, help conserve energy, reduce the heat island effect, reduce stormwater runoff and increase property values.

The outreach included workshops, open houses and interviews with community stakeholders. The US-1/Federal Highway Street Tree Master Plan and Program was developed to implement the goals and vision for the corridor. The Master Plan identifies potential planting location strategies and recommendations of a limited palette of consistent tree species along the corridor. The intervention to add landscaping along the corridor will be part of any redevelopment, infill, or substantial improvement.

The Master Plan considers the existing conditions, users and ownership pattern along the corridor. All existing structures will remain and minimal impacts to existing parking or hardscape are illustrated in the plan. The Street Tree Planting Program will be implemented through coordination with property owners along the corridor to increase tree canopy and enhance public streets. The property owners may choose to participate in implementing the Master Plan and in return receive free tree(s) and/or palm(s) on the private portion of the US-1/Federal Highway frontage. Parcels may also be eligible for a parking credit for converting excess parking into shade trees. The tree and palm species included in the program are provided in the Master Plan. The City will be responsible for purchasing, planting the tree(s), and ninety days of watering. The property owners will be responsible for providing day-to-day care of the tree. The sample owner agreement and responsibility is included in the package. The funding of the program will be subject to appropriations and the availability of funds.

The Master Plan is intended to be flexible to business needs and modifications may be necessary for implementation. The Master Plan also recommends an update to the Land Development Code to reflect desired expectations for redevelopment.

Funding Source:

CRA FY 2024 Budget - \$150,000

Recommended Action:

Motion to approve Resolution No. 12-2023 CRA.

ATTACHMENTS:

1. R12-2023 CRA - Federal Highway Street Tree Planting Master Plan and Program
2. R12-2023 CRA - Exhibit A - Master Plan and Program



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

RESOLUTION NUMBER 12-2023 CRA

**A RESOLUTION OF THE BOARD OF COMMUNITY
REDEVELOPMENT AGENCY OF THE CITY OF STUART,
FLORIDA, APPROVING AND ADOPTING THE US-
1/FEDERAL HIGHWAY STREET TREE MASTER PLAN
AND PROGRAM; PROVIDING FOR CONFLICTS;
SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE,
AND FOR OTHER PURPOSES.**

* * * * *

WHEREAS, the City of Stuart has a long history of commitment to the value of trees to the community; and

WHEREAS, shade trees are a vital component to urban resiliency and a recognized priority of the City's Sustainability Action Plan; and

WHEREAS, on October 25, 2021, by Resolution No. 10-2021 CRA, the Community Redevelopment Agency approved to enter into an Interlocal Agreement with the Treasure Coast Regional Planning Council to develop U-1/Federal Highway Street Tree Program from SW Joan Jefferson Way to Kanner Highway/Colorado Avenue to enhance the usability of sidewalks as well as beautify the downtown gateway corridor; and

WHEREAS, the goals of the program is to improve sidewalks with shade for pedestrians and bicyclists, reduce vehicular speeding and beautify the corridor; and

WHEREAS, the outreach included workshops, open houses and interviews with community stakeholders; and

RESOLUTION No. 12-2023 CRA
US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN AND PROGRAM

WHEREAS, the US-1/Federal Highway Street Tree Master Plan and Program was developed to implement the goals and vision for the corridor; and

WHEREAS, the Master Plan identifies potential planting location strategies and recommendations of a limited palette of consistent tree species along the corridor; and

WHEREAS, a Master Plan and Street Tree Planting Program will be implemented through coordination with property owners along the corridor to increase tree canopy and enhance public streets; and

WHEREAS, the funding for the program will be subject to appropriations and the availability of fund; and

WHEREAS, staff recommends that the CRA Board approve the attached US-1/Federal Highway Street Tree Master Plan and Program.

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

SECTION 1: The Community Redevelopment Agency Board hereby approves the “US-1 Federal Highway Street Tree Master Plan and Program”, a copy of which is attached hereto as “Exhibit A”.

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 No. 12-2023 CRA
US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN AND PROGRAM

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

Draft 07-19-2023

EXHIBIT A



US1- FEDERAL HIGHWAY STREET TREE MASTER PLAN & PROGRAM

DRAFT JULY 2023

PREPARED FOR:



CITY COMMISSION

Troy McDonald, Mayor
Eula Clarke, Commissioner
Becky Bruner, Commissioner
Campbell Rich, Commissioner
Christopher Collins, Commissioner

COMMUNITY
REDEVELOPMENT AGENCY

Troy McDonald, Chairperson
Becky Bruner, Vice Chairperson
Eula Clarke, Board Member
Christopher Collins, Board Member
Campbell Rich, Board Member
Tom Campenni, Board Member
Micah Hartowski, Board Member

COMMUNITY
REDEVELOPMENT BOARD

Tom Campenni, Chairperson
Nikolaus Schroth, Vice Chairperson
Micah Hartowski, Board Member
Chris Lewis, Board Member
Frank McChrystal, Board Member
Seth Owens, Board Member

STAFF

Mike Mortell, City Manager
Jodi Nentwick-Kugler, Development Director
Pinal Gandhi-Savdas, CRA Executive Director
Jordan Pinkston, CRA Program Manager

PREPARED BY:



Thomas Lanahan, Executive Director
Dana Little, Urban Design Director
Jessica Seymour, Principal Program Coordinator, Project Manager

CONSULTANTS FOR TCRPC

Lauren Moss Clark, Urban Designer
Lucido & Associates, Landscape Architecture

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I. Program Background & Goals.....	4
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III. Summary of Recommendations.....	20
Appendix A. Draft US-1/Federal Highway Street Tree Master Plan	22
Appendix B. Land Development Code Recommendations.....	33
Appendix C. Sample Owner Agreement	37

COMMONLY USED ABBREVIATIONS

ADA	Americans with Disabilities Act
AADT	Annual Average Daily Traffic
CRA	Community Redevelopment Area
CRB	Community Redevelopment Board
FDOT	Florida Department of Transportation
FHWA	Federal Highway Administration
Martin MPO	Martin Metropolitan Planning Organization
NACTO	National Association of City Transportation Officials
RRR	Resurfacing, Restoration and Rehabilitation
TCRPC	Treasure Coast Regional Planning Council
TDP	Transit Development Plan
L RTP	Long Range Transportation Plan

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services, please call 288-5306 or email mkindel@ci.stuart.fl.us. Hearing-impaired individuals are requested to telephone the Florida Relay System at #711.

MASTER PLAN & PROGRAM GOALS

The City of Stuart has a long history of commitment to the value of trees to the community. The City has been recognized as a “Tree City USA” by the Arbor Day Foundation in 2015. Shade Trees are a vital component of urban resiliency and a recognized priority of the City’s [Sustainability Action Plan \(SAP\)](#). The SAP repeatedly references the value of trees for stormwater, reducing heat island effect, and increasing property values. The Community Redevelopment Agency (CRA) and Council seek to solicit stakeholder input, analyze potential planting location strategies, and provide recommendations for a limited palette of consistent, impactful tree species along the US-1/Federal Highway Corridor. This study follows a recommendation from the [Federal Highway Master Plan](#) and [Triangle District Master Plan](#), adopted in August of 2021, to develop a Street Tree Master Plan & Program to line the US-1/Federal Highway corridor with urban street trees to enhance the usability of sidewalks and the beauty of the corridor. The most critical need area within the CRA, is from the base of the Roosevelt Bridge at Joan Jefferson Way to the intersection of SE Colorado Avenue / Kanner Highway.

This segment of roadway has been identified as by the [Martin MPO Vision Zero Plan](#) as the number two Crash Site in the County for serious injuries and fatal crashes. Counter measures to reduce speeds are part of the recommendations. Urban trees have been found to be an effective countermeasure to reduce driver speed. The posted speed limit is currently 35-mph. The presence of a well-defined road edge may prompt drivers to be more attentive and cautious. ¹

PROGRAM GOALS:

- Improve sidewalks with shade for pedestrians and bicyclist
- Define the roadway to reduce vehicular speeding and driver stress
- Beautify corridor to benefit existing businesses and property owners

¹ https://depts.washington.edu/hhwb/Thm_SafeStreets.html

Arbor Day Foundation names Stuart a ‘Tree City USA’

Staff TCPalm

Published 10:53 a.m. ET April 13, 2016

STUART -- Stuart was named a 2015 Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management.

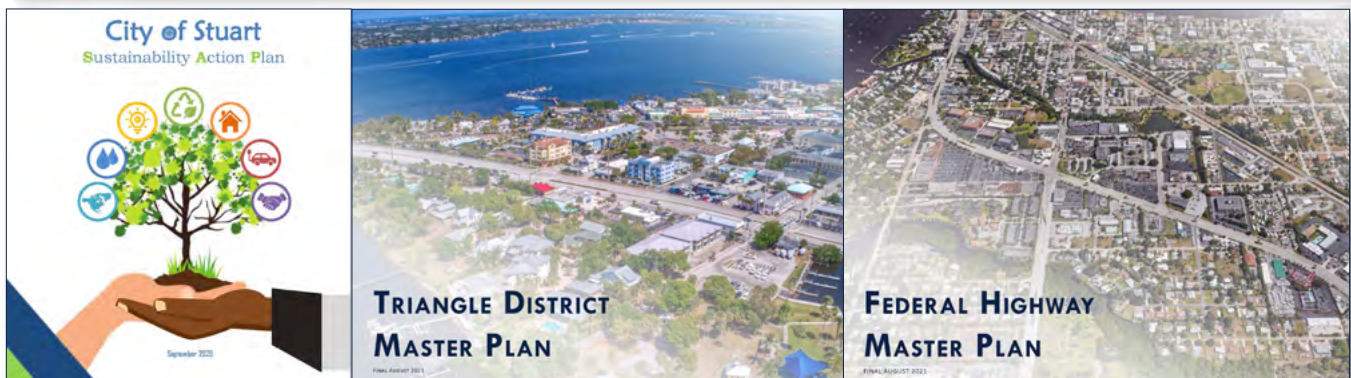


Figure 1 The Stuart News article headline announcing City of Stuart as a “Tree City USA” by the Arbor Day Foundation in 2015.

Figure 2 The cover of the Sustainability Action Plan, the Triangle District Master Plan, and the Federal Highway Master Plan.

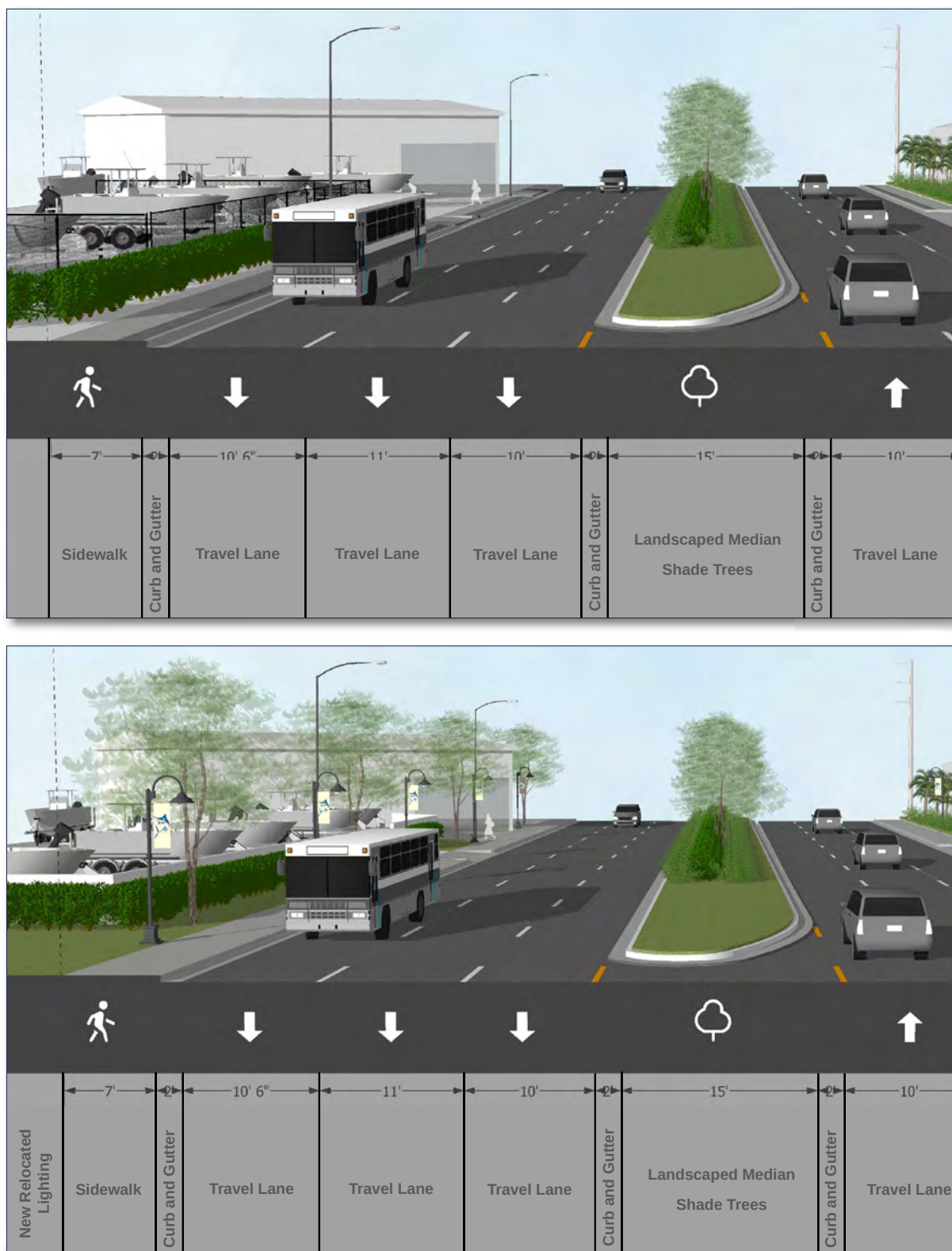


Figure 3 Excerpts from the [Federal Highway Master Plan](#) illustrating the existing conditions and proposed improvement with shade trees and additional landscaping.



Figure 4 Top left, the cover of the [Martin MPO Vision Zero Plan](#) where the study area is identified as an area in need of countermeasures.

Figure 5 Top right, The Stuart News article headline about Edwin Menninger "The Flowering Tree Man" who advocated for the planting of flowering trees throughout the City. These trees have become an identify character for the City.

Figure 6 Bottom, excerpt from the [Martin MPO Vision Zero Plan](#) where the study area is identified as the number 2 site for serious injuries and fatal crashes.



PUBLIX PLAZA IN 2000



PUBLIX PLAZA IN 2004

EXISTING CONTEXT

To the left are examples of the existing context. There is little shade and deficiencies in the sidewalk and bicycle network. The businesses along the roadway also suffer from a lack of attractive landscape in the area. Travelers are moving too fast to see the businesses. Trees have been found to reduce drivers speed and reduce levels of stress and frustration.¹ The responses in a survey conducted in 2021 reflected these same attitudes towards the corridor.

It is helpful to note that interventions to add additional landscaping along the corridor have happened before and should be a part of any redevelopment, infill, or substantial improvement. A small portion of the Publix Plaza was improved with landscaping in 2004 when four trees were added.

¹ https://depts.washington.edu/hhw/b/Thm_SafeStreets.html

Figure 7 Top left image of a cyclist on the sidewalk.

Figure 8 Top right image of a person on a mobility chair at the crosswalk.

Figure 9 An image of sidewalk with large FPL pole reducing the sidewalk width to only 3' wide.

Figure 10 An image of corridor with no sidewalk at the roadway and a vacant business.

Figure 11 Images below show precedent for incremental improvements over time. Red circles show where additional shade trees and landscaping was added. A portion of the median was also closed and landscaped.

OUTREACH

PROPERTY OWNERS

Workshops, open houses, and interviews were included to inform and seek participation in the program. A sample owner's agreement has been developed and is included in [Appendix C](#). Participating property owners have the benefit of:

- Improved street presence & beautification
- Improved stormwater response
- Opportunity to combine Street Tree Master Plan with CRA Commercial Grant Improvement dollars for other site improvements
- A reduction in required on-site parking spaces when converting parking to shade trees

COMMUNITY STAKEHOLDERS

To further inform the analysis, the TCRPC hosted a group interview on December 2, 2021. The interview was designed to further inform TCRPC to the opportunities and challenges related to the US-1/Federal Highway Street Tree Master Plan. Interviewees are included members of:

- UF/IFAS Master Gardeners
- Garden Club of Stuart
- Florida Native Plant Society

A presentation to the Stuart Downtown Business Association was also conducted on January 26, 2022 in order to solicit input.

Challenges identified included overhead utility lines and height clearances, diseases such as lethal bronzing effecting many palm species. Board support for the program goals was broadly shared.

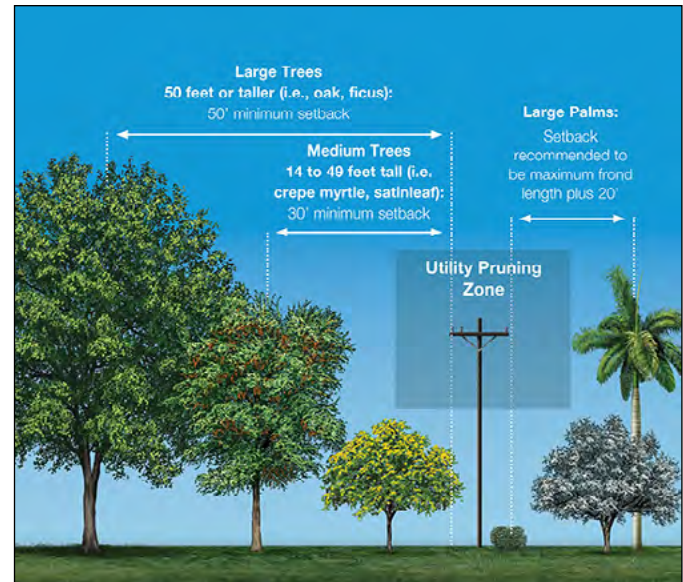


Figure 12 the image above is of FPL Right Tree, Right Place guidance. There are significant utility poles on the west side of the US-1/Federal Highway which have to be considered.



Figure 13 The image above shows palms effected by lethal bronzing. Lethal bronzing (LB) disease was discovered in Florida in 2006 and is caused by a phytoplasma—a type of bacteria that lacks a cell wall and cannot be cultured with artificial media.

STREET TREE OPPORTUNITY PLAN FOR STUDY AREA

To implement the goals outlined, the US-1/Federal Highway Master Plan was developed. The full implementation plan is included in [Appendix A](#). The Master Plan considers the existing conditions, users, and ownership patterns. All existing structures remain and minimal impacts to existing parking or hardscape are illustrated. Where significant sidewalk deficiencies occur, sidewalk interventions is recommended. The Master Plan is intended to be flexible to business needs and modifications may be necessary.

The plan follows the following principles:

- A preference for shade trees, 30 feet on-center whenever allowed by overhead utilities, adjacent uses, and soil volume.
- Palms and understory trees are specified when limited by overhead utilities, adjacent uses, and soil volume and are spaced 20 feet on-center.
- Trees and palms to be planted no further than 20 feet perpendicular from the sidewalk.
- A limited quantity of tree and palm species are specified to strengthen the visual impact along the large corridor. More information on the species identified can be found in Chapter II [Street Tree Cut Sheets](#).

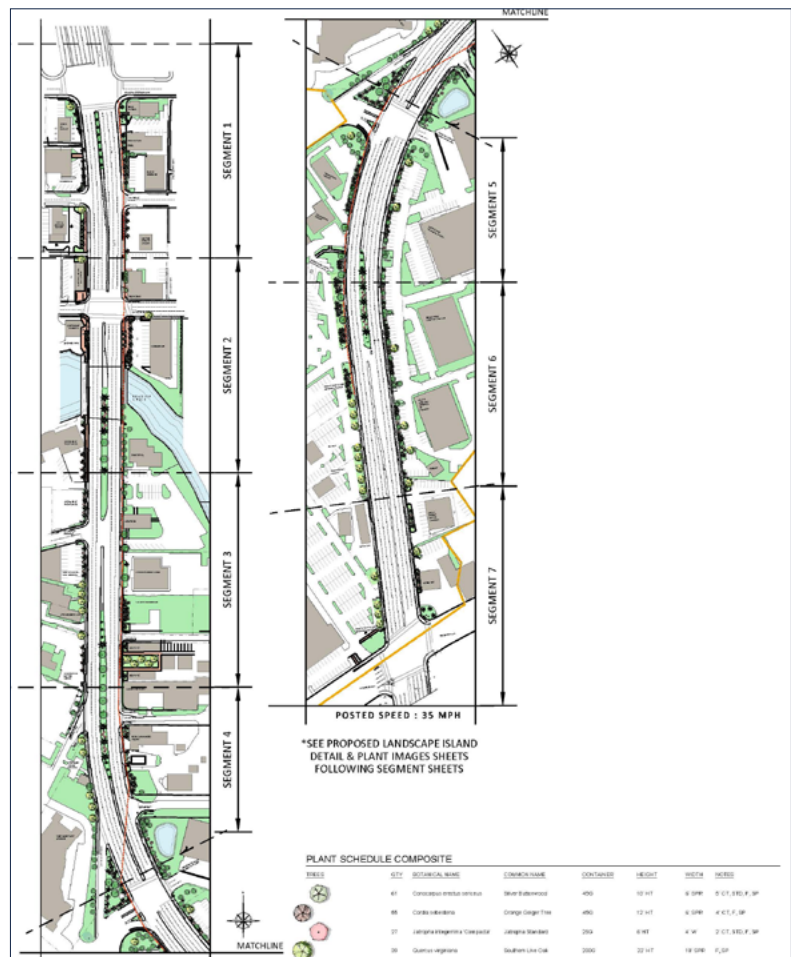


Figure 14 The image to the right is the key to the Federal Highway Street Tree Master Plan found in Appendix A.

RECOMMENDED UPDATES TO LAND DEVELOPMENT CODE

STREETSCAPE STANDARDS

Investment and efforts by the City will be diminished if the Land Development Code (LDC) is not updated to reflect desired expectations for redevelopment. This is particularly important for properties which are zoned Business-2 along the corridor where the setback treatment is less defined. Included in [Appendix B](#) is draft recommended language to define the setback expectations for future development.

The goal is to maintain tree investment by the City and provide a shared-use path or a wide sidewalk. A shared-use path or a wider sidewalk includes a bike facility which is significant since bike facilities do not exist today. The LDC includes flexibility in compliance between residential and different types of commercial uses and the necessary transitions from existing development to new development that may be necessary with long term implementation. Below are images of Broward Boulevard taken in 2011 to 2019 show a similar busy corridor where shaded trees, and a wide shared-use path has been implemented overtime.

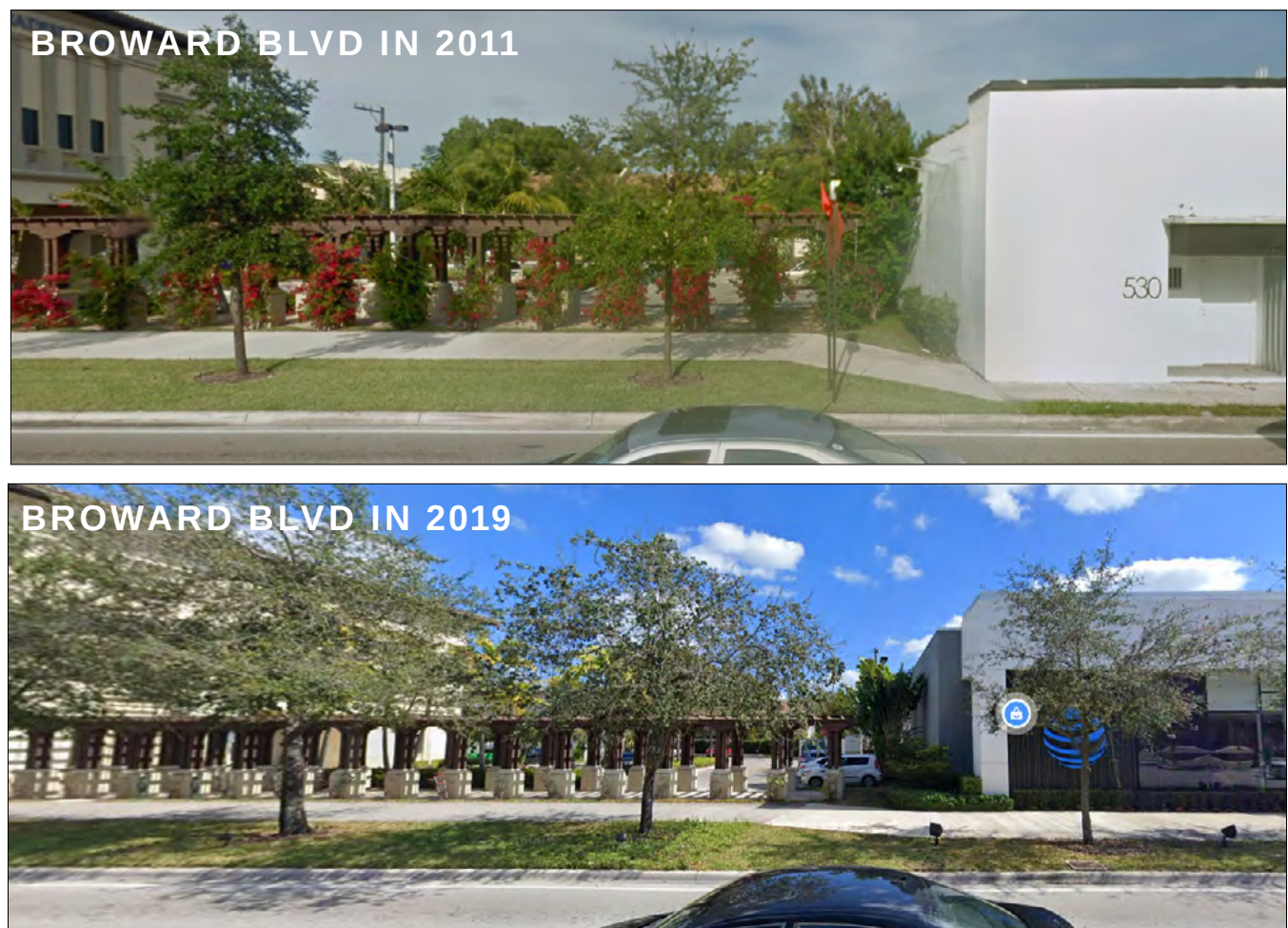
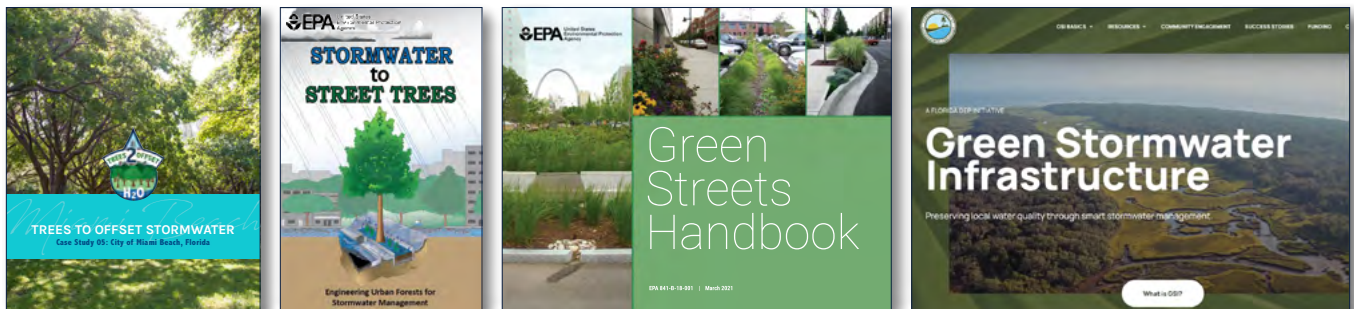


Figure 15 The images above are taken from Google Earth and show the change to the sidewalk conditions on Broward Blvd from 2011 to 2019 where front setback standards have been implemented.

LANDSCAPE CODE UPDATE

The City's landscape code was last updated in 2002. Since that time, the City has seen development under the landscape code, and there may be lessons learned and opportunities to improve the code and incorporated new practices. Adding more, popular native shade trees to the table found in Sec. 6.04.02 such as the *Bursera simaruba* or the Gumbo Limbo may give applicants more options and promote drought tolerate, native shade trees. A greater emphasis on shade trees at sidewalks may be another area for consideration. One of the new practices incorporated into codes across the state since 2002, is low-impact development (LID) practices and green stormwater infrastructure (GSI).

The LID refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration, or use of stormwater in order to protect water quality. GSI can be used to supplement or replace traditional gray stormwater infrastructure for managing the impacts of rain in urban areas. GSI reduces pollution and treats stormwater by retaining rainfall near its source instead of directing it to a centralized pond or treatment system. Helpful links can be found below.



FDOT RESURFACING PROJECT

FDOT FM #446110-1

C4 CONTEXT CLASSIFICATION

For context, it is important to note that the US-1/Federal Highway Street Tree Master Plan area coincides with the Resurfacing Project of State Road (SR) 5/US 1 from SE Contractors Way to North Jensen Beach Boulevard. Information on the Resurfacing Project is included below:

Project Limits: Winter 2023
Start Date: Summer 2023
Completion Date: Winter 2024

Scope of Work:

- Repave the existing travel lanes with the exception from SW Joan Jefferson Way to NW Wright Boulevard
- Construct sidewalks where feasible to fill in missing gaps
- Install new pavement markings
- Upgrade pedestrian pushbutton detectors at signalized intersections
- Upgrade lighting at signalized intersections
- Minor drainage improvements

STREET TREE CUT SHEETS

Street Tree Cut Sheets are provided as a quick reference guide for the species included in the *US-1/Federal Highway Street Tree Master Plan & Program*. There are six different types of plantings recommended as part of the program:

- A *Corridor Canopy Tree* to be used whenever allowed by vertical clearances.
- A *Under Utility Line Corridor Tree* to be used whenever a canopy tree is restricted by overhead lines.
- A *Median Flowering Tree* to be used in the median between existing oaks and gateway palms.
- A *Corridor Palm* to be used where soil dimensions do not allow for a tree placement or adjacent use is prohibitive.
- A *Median Gateway Palm* to be used within medians to announce the downtown with height and is consistent with existing downtown median palms.
- A *Median Frangible Palm* to be used within medians that do not provide adequate dimensions as specified in the FDOT standards for non-frangible elements such as a median that is less than eight feet.

Information included in the following *Street Tree Cut Sheets* is a provided courtesy of the Florida Friendly Plant List Database and resources from the UF/IFAS Extension. Follow links to their websites for more information.

US-1/FEDERAL HIGHWAY CORRIDOR: PLANT SELECTIONS

Corridor Canopy Tree	Southern Live Oak	<i>Quercus virginiana</i>
Under Utility Line Corridor Tree	Silver Buttonwood	<i>Conocarpus erectus</i> var. <i>sericeus</i>
	Pigeon Plum	<i>Coccoloba diversifolia</i>
Median Flowing Tree	Purple Trumpet Tree	<i>Tabebuia impetiginosa</i>
Corridor Palm	Foxtail Palm	<i>Wodyetia bifurcata</i>
Median Gateway Palm	Royal Palm	<i>Roystonea regia</i>
Median Frangible Palm	'Pygmy' Date Rubicola Hybrid	<i>Phoenix roebelenii</i> x <i>rupicola</i>



9A

9B

Stuart

10A

10B

11B








SOUTHERN LIVE OAK

QUERCUS VIRGINIANA

CORRIDOR CANOPY TREE



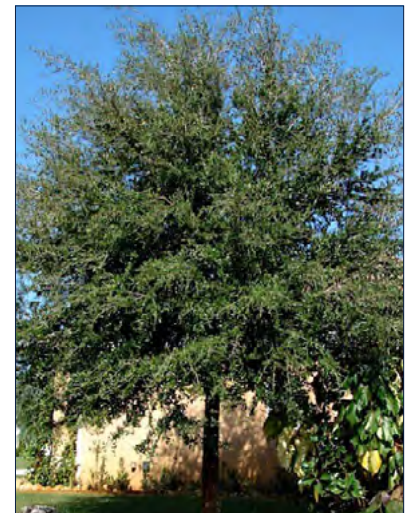
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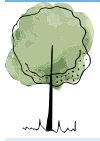
- Grows rapidly when young. Can live for centuries. Adapts to almost any type of soil. Tolerates salt spray and compacted soil.
- Works well as a street tree. Has superior wind resistance. Assumes a dwarf form on drier sites.
- Grows in a rounded shape. A live oak tree is a moderate grower, it needs full sun and room to spread its wings, as well as a well-drained planting location. Oaks are cold hardy, and fine in any Florida planting zone.
- Trimming is unnecessary for a young live oak tree but watering is critical. These trees must have regular irrigation to grow strong root systems that will support this large tree.
- Clear zone from sidewalks of 10 feet or more so roots don't cause problems. Avoid placing near other big trees that will shade it.



QUERCUS VIRGINIANA

	Native or Florida Friendly	Yes, both
	Zone	Zone 7-10
	Height and Canopy	Height: 40–80' Spread: 60–100'
	Growth Rate	Medium rate, with height increases of 13–24" per year
	Drought Tolerant	Has some flood and drought tolerance
	Soil preference & Maintenance	Very adaptable—growing in most soils
	Flowering/Fruiting	Produces green acorns
	Fruit/Leaf Litter	Some leaf litter with new growth
	Wildlife Value	Acorns provide food for many birds and mammals





PIGEON PLUM

COCCOLOBA DIVERSIFOLIA

UNDER UTILITY LINE CORRIDOR TREE



ATTRIBUTES

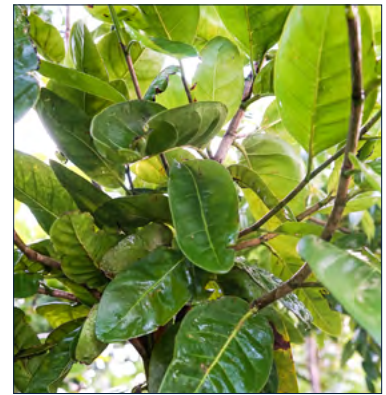
It is a Florida native with a nice shape and attractive exfoliating bark. Pigeon Plum also appears on most city-approved tree lists. The Pigeon Plum is very similar in appearance to its Sea Plum and Sea Grape relatives.

- Does well in full sun or part shade. Moderately fast growing in part shade, but In full sun, this plant is thought to be fast growing.
- creating a nice natural habitat for indigenous wildlife. It only drops for 2 months out of the year.
- No need for irrigation after becoming established. It gets a dense and compact canopy.
- This tree is both drought and salt tolerant. High wind tolerance makes this a hurricane resistant tree.



PIGEON PLUM COCCOLOBA DIVERSIFOLIA

	Native or Florida Friendly	Yes, both
	Zone	Zone 10-11
	Height and Canopy	Height of 15-25' and a spread of 20-35' at maturity
	Growth Rate	Medium rate, with height increases of 12-36" per year
	Drought Tolerant	High drought tolerance
	Soil preference & Maintenance	Moist well-drained soils
	Flowering/Fruiting	Producing year-round flowers/fruiting only once a year
	Fruit/Leaf Litter	Dropping fruit only two months out of the year
	Wildlife Value	Attracts birds

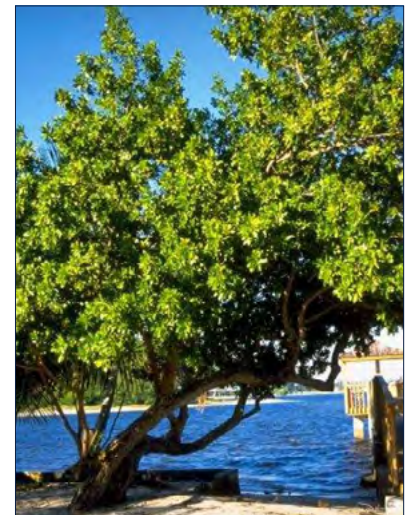


**SILVER BUTTONWOOD***CONOCARPUS ERECTUS VAR. SERICEUS***UNDER UTILITY LINE
CORRIDOR TREE****ATTRIBUTES**

- Silver Buttonwood is often seen as a small, somewhat asymmetrical shrub but is ideal for use as a screen, clipped hedge, or specimen planting. Due to the attractive bark and soft foliage, a multi-stemmed specimen can make a nice patio or street tree. Will often take on a picturesque, contorted appearance when exposed to constant seashore winds, creating an attractive specimen. The crown is more symmetrical 1/2 mile or more from the coast or on the inland side of a tall ocean-front building.
- A Florida native, silver buttonwood is ideal for seaside plantings as it is highly tolerant of full sun, sandy soils, and salty conditions. It withstands the rigors of urban conditions very well and makes a durable street or parking lot tree. Due to its small size, plant on 15-foot centers to form a closed canopy along a street. Purchase single-trunked trees for street and parking lot planting.

***CONOCARPUS ERECTUS VAR. SERICEUS***

	Native or Florida Friendly	Yes, both
	Zone	10 to 11
	Height and Canopy	Spread: 15 to 20 feet Height: 5 to 50 feet
	Growth Rate	Moderate
	Drought Tolerant	Yes
	Soil preference & Maintenance	Very adaptable—Well Drained, Slightly Acid to Alkaline (6.0-8.0)
	Flowering/Fruiting	White spring flowers
	Fruit/Leaf Litter	Brown, red fruit
	Wildlife Value	Attracts birds





PURPLE TRUMPET TREE

TABEBUIA IMPETIGINOSA

MEDIAN
FLOWERING TREE



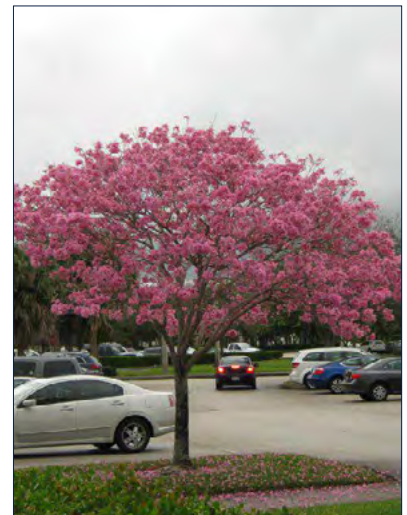
ATTRIBUTES

- Also known as a Purple Tabebuia, this small tree blooms showy, pinkish-purple, spring flowers in the spring.
- It has moderate wind resistance.
- No pests or diseases are of major concern although they can get leaf spot,
- Trees will have a better form if trained to a single trunk and staked until they are six to eight feet tall, at which time they can be allowed to grow naturally.
- Branching is often sparse allowing turf and other sun loving plants to grow beneath the canopy.
- Its common uses include tree lawn, highway median, deck or patio or even a container or planter tree.



TABEBUIA IMPETIGINOSA

	Native or Florida Friendly	Florida Friendly
	Zone	9a to 11
	Height and Canopy	Spread: 10 to 15 feet Height: 12 to 18 feet
	Growth Rate	Moderate
	Drought Tolerant	High
	Soil preference & Maintenance	Any texture, well drained, tolerates any soil pH (4.5-8.0)
	Flowering/Fruiting	Purple Flower in March, April and May
	Fruit/Leaf Litter	Deciduous
	Wildlife Value	Moderate



**FOXTAIL PALM***WODYETIA BIFURCATA***ATTRIBUTES**

- The common name is in reference to the fronds' appearance, which some people think resemble the bushy tail of a fox.
- Pale green, arching fronds with leaflets radiating from leaf stem, giving appearance of bottlebrush or foxtail; white, spring flowers; colorful clusters of red to orange/red fruit.
- Need to be fertilized 3-4 times a year.
- It survives best where temperatures do not fall below 30°F.
- The foxtail palm can reach heights of 30 feet, growing fast in full sun, but the plant is tolerant of both sunny and shady conditions.
- Foxtail palm prefers a well-drained soil with a slightly acidic pH. This palm is drought tolerant, but it exhibits the best growth when ample water is applied at its base.

**WODYETIA BIFURCATA**

	Native or Florida Friendly	Florida Friendly
	Zone	10 to 11
	Height and Canopy	Height: 20-30' Spread: 8'-20'
	Growth Rate	Slow
	Drought Tolerant	Medium
	Soil preference & Maintenance	Sandy, well-draining soil
	Flowering/Fruiting	No
	Fruit/Leaf Litter	Evergreen, white flower
	Wildlife Value	Moderate





ROYAL PALM

ROYSTONEA REGIA

MEDIAN GATEWAY PALM



ATTRIBUTES

- Royal palms are tall, smooth, cement gray trunk with a broad, dense crown of soft, gently drooping, feathery fronds; fragrant.
- They are commonly used in urban buffers and medians since they have been successfully grown in urban areas where air pollution, poor drainage, compacted soil, and drought are common. They also have high wind resistance.
- Royal palms are considered self-cleaning: naturally dying old leaves will cleanly drop off by themselves, at a rate of about one leaf per month.
- Royal palms have few serious insect pests and Compared to other palm species are relatively disease resistant. Ganoderma butt rot is the most serious problem on Royal Palms. It kills trees which it infects. The disease often enters the trunk through injuries on the lower trunk and roots.



ROYSTONEA REGIA

	Native or Florida Friendly	Native & Florida Friendly
	Zone	10 to 11
	Height and Canopy	Spread: 15 to 25 feet Height: 50 to 80 feet
	Growth Rate	Moderate
	Drought Tolerant	Medium
	Soil preference & Maintenance	Any Texture, Well Drained to Medium Drained, Acid to Slightly Alkaline
	Flowering/Fruiting	White, yellow summer flowers
	Fruit/Leaf Litter	Black fruit
	Wildlife Value	Moderate





PYGMY DATE RUBICOLA HYBRID

PHOENIX ROEBLENII X RUPICOLA

MEDIAN
FRANGIBLE PALM



ATTRIBUTES

- The pygmy date palm is one of the most popular small landscape palms in Florida. It is single-stemmed, but is often grown in clumps of 2–4 closely spaced individuals which, when older, give the impression of a multi-stemmed palm
- The feather-shaped (pinnate) leaves have slender petioles and basal leaflets that are modified into sharp 2–3 inch long spines. The slender, often crooked trunk varies in diameter from 3–6 inches and is covered with distinctive peg-like leaf bases.
- Older specimens will have a large mass of aerial root initials at the base of the trunk. Cream-colored male and female flowers are found on separate trees (dioecious) in the spring that are followed by small elongated reddish-brown fruits that turn black upon ripening.



PHOENIX ROEBLENII X RUPICOLA

	Native or Florida Friendly	Florida Friendly
	Zone	8a to 11
	Height and Canopy	Height: 6' - 12' Spread: 6' - 15'
	Growth Rate	Moderate
	Drought Tolerant	Yes
	Soil preference & Maintenance	Well-draining to sandy soil that is neutral to slightly alkaline
	Flowering/Fruiting	Yellow, summer flowers
	Fruit/Leaf Litter	Orange fruit
	Wildlife Value	Provides food for wildlife



RECOMMENDED ACTIONS

The table below outlines the recommended actions and the responsible or coordinating entities for those actions. In addition to the implementation of the US-1/Federal Highway Master Plan & Program, a comprehensive approach which includes a commitment to tree maintenance and canopy goals is recommended.

The commitment includes reaffirming the status as a Tree City USA and updating aspects of the Land Development Code. There are recommendations included in [Appendix B](#) for the streetscape standards to be added to the existing street-based setbacks on US-1/Federal Highway. Also listed is an update of the existing Landscape Code. An update to the Landscape Code is an opportunity to incorporate low-impact development practices, additional native trees species, and lessons learned from built projects since the landscape code was update in 2002.

The U.S. Forest Service in the [Urban Forest Toolkit](#) outlines general recommendations for improving tree canopy through policy and implementation and is an excellent resource.

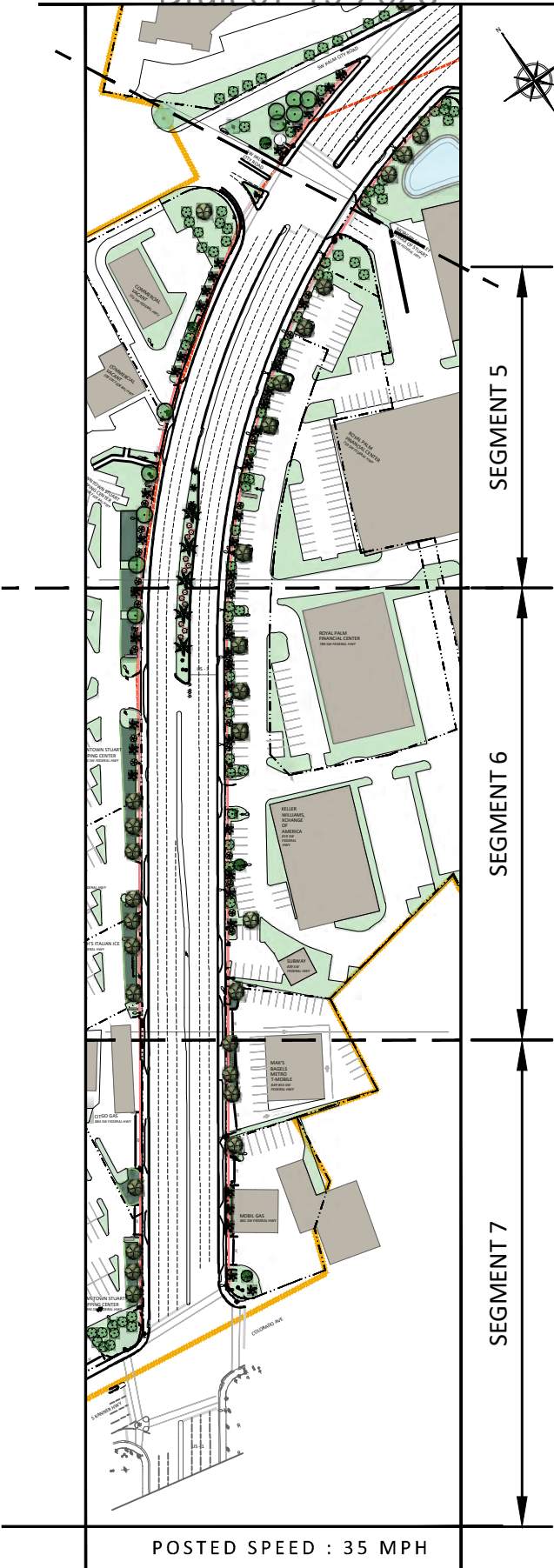
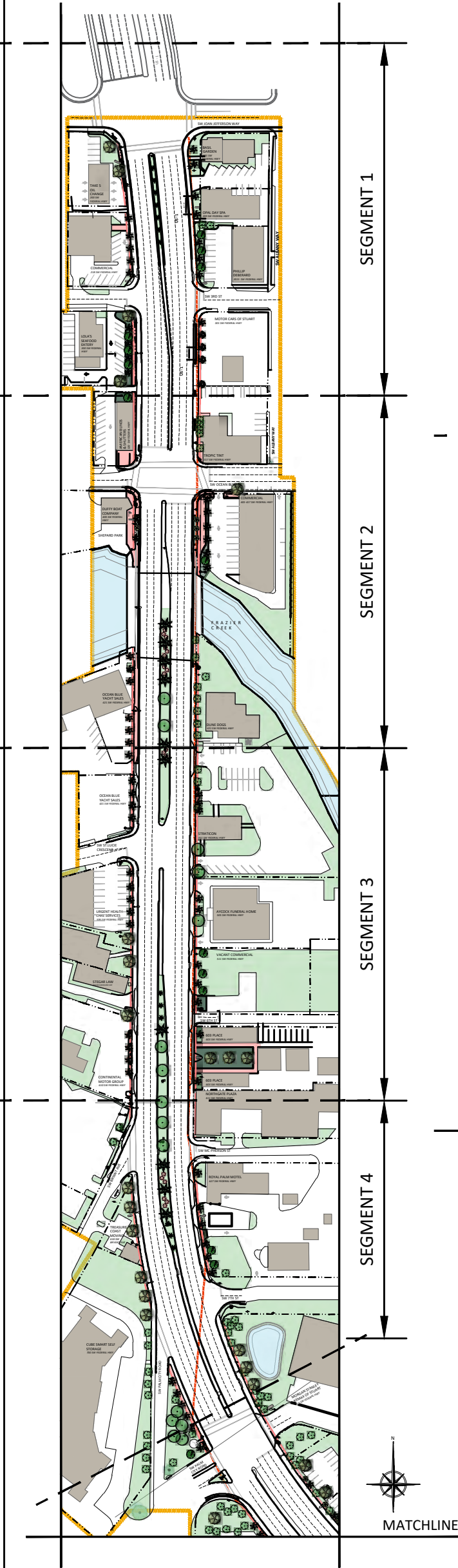
	<i>PRIORITIZED ACTION ITEMS</i>	<i>ENTITIES</i>	<i>TIME FRAME</i>
A	Re-establish as a Tree City USA	City of Stuart, Arbor Day Foundation	6 months
B	Update Land Development Code with Streetscape Standards at US-1/Federal Highway	City of Stuart	6 months
C	Adopt the US-1/Federal Highway Street Tree Master Plan	City of Stuart	6 months
D	Implement the US-1/Federal Highway Master Plan	Property Owners, City of Stuart, FDOT, Martin MPO	24 months+
	Host Open House & Outreach with Property Owners		
	Develop permit plans with Applicants		
	Bidding & Construction		
E	Additional Median Landscaping on US-1/Federal Highway	City of Stuart, FDOT, Martin MPO	24 months+
F	Review & Update City of Stuart Landscape Code	City of Stuart	Initiate within 12 months
G	Establish a Tree Inventory or Urban Tree Canopy Assessment	City of Stuart	12 months & ongoing
H	Nominate Florida Champion Trees on City Owned-Properties	City of Stuart, Urban Forestry Program at Florida Department of Agriculture & Consumer Services	12 months & ongoing

FUNDING SOURCES

There are two primary public agency funding sources for tree planting projects. These include the U.S. Forest Service in partnership with the Florida Urban and Community Forestry and the Florida Department of Transportation (FDOT). There are also corporate grant opportunities through nonprofit agencies like the Arbor Day Foundation. Each funding source is described briefly below. For more information follow the hyperlinks to the agencies' websites.

POTENTIAL FUNDING SOURCES	DESCRIPTION
 Florida Urban & Community Forestry Grants as part of the U.S. Forest Service Urban & Community Forestry Matching Grant Program	There are four grant categories offered: •Public Tree Inventory or Urban Tree Canopy Assessment •Urban Forest Management Planning •Urban Forestry Information and Education •Managing Community Forests Grant Program
 Florida Department of Transportation FDOT Beautification Grant District Four Landscape Contacts	It is available to State of Florida local governmental entities interested in providing landscaping and irrigation along State transportation facilities. Landscape projects funded by the Beautification Grant are typically used on FDOT Right-of-Ways but can in some instances extend onto publicly owned property that is contiguous to and visible from the Department's right of way.
 Arbor Day Foundation TD Green Space Grant Information	TD Green Space Grants support green infrastructure development, tree planting, forestry stewardship, and community green space expansion as a way to advance environmental and economic benefits toward a low-carbon economy. Through the program, municipalities are eligible to receive \$20,000 grants in support of local forestry projects in areas of great need within a community.
 Community Redevelopment Agency	CRA funds can be used as match funding for grants programs, design, planning, and implementation.
 Environmental Protection Agency Green Infrastructure Funding Opportunities	There may be ways to incorporate tree planting and low impact development goals simultaneously. In that case, other grant opportunities from EPA and FDEP may be possible funding or loan sources.
 Florida Department of Environmental Protection	•Federal 319(h) Grant & Nonpoint Source Funds •Resilient Florida Grants

APPENDIX A
US-1/FEDERAL HIGHWAY
STREET TREE MASTER PLAN



*SEE PROPOSED LANDSCAPE ISLAND
DETAIL & PLANT IMAGES SHEETS
FOLLOWING SEGMENT SHEETS

PLANT SCHEDULE TOTAL

TREES	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES
	16	Coccoloba diversifolia	Pigeon Plum	45G	12' HT	6' W	5' CT, SP
	30	Conocarpus erectus sericeus	Silver Buttonwood	45G	10' HT	6' SPR	5' CT, STD, F, SP
	30	Tabebuia impetiginosa	Purple Trumpet Tree	25G	6' HT	4' W	2' CT, STD, F, SP
	46	Quercus virginiana	Southern Live Oak	200G	22' HT	18' SPR	F, SP
EXISTING TREES TO REMAIN	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES
	20	Canopy Tree	Canopy Tree	Existing to Remain			
	95	Palm	Palm	Existing to Remain			
PALM TREES	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES
	15	Roystonea regia	Royal Palm	FG	18' CT		CERT, DC, STRAIGHT, SP
	16	Phoenix roebelenii x rupicola	Pygmy Date Rupicola Hybrid	FG	8' CT		FH, SP
	109	Wodyetia bifurcata	Foxtail Palm	FG	8' GW, 18' OA		FH, SP

Note, final tree or palm placement shall be coordinated with all utilities, utility easements, and located with Sunshine 811 and FPL's Right Tree, Right Place guidelines.



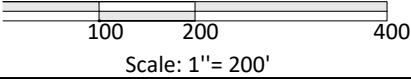
In Coordination
with:

lucido & associates

Street Tree Planting Program - US-1 Federal Highway Corridor

Full Intervention

Stuart, Florida



LEGEND	
	EXIST. SIGN/POST
	EXIST. LIGHT POLE
	EXIST. UTILITY POLE
	EXIST. SIGNAL POLE
	EXIST. SIGNAL BOX
	PED. SIGNAL
	EXIST. FIRE HYDRANT
	EXIST. INLET

	EXIST. POND OR WATERWAY
	EXIST. BUILDING FOOTPRINT
	EXIST. PERVIOUS LAWN/LANDSCAPE
	NEW PERVIOUS LAWN/ LANDSCAPE
	NEW SIDEWALK

PLANT SCHEDULE SEGMENT 1

TREES	QTY	BOTANICAL NAME
	7	Coccoloba diversifolia
	4	Quercus virginiana
EXISTING TREES TO REMAIN		
	2	Palm
PALM TREES		
	7	Phoenix roebelenii x rupicola
	21	Wodyetia bifurcata

SEGMENT 1

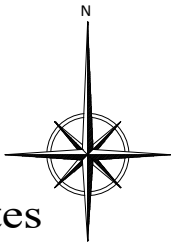
Note, final tree or palm placement shall be coordinated with all utilities, utility easements, and located with Sunshine 811 and FPL's Right Tree, Right Place guidelines.



In Coordination with:

lucido & associates

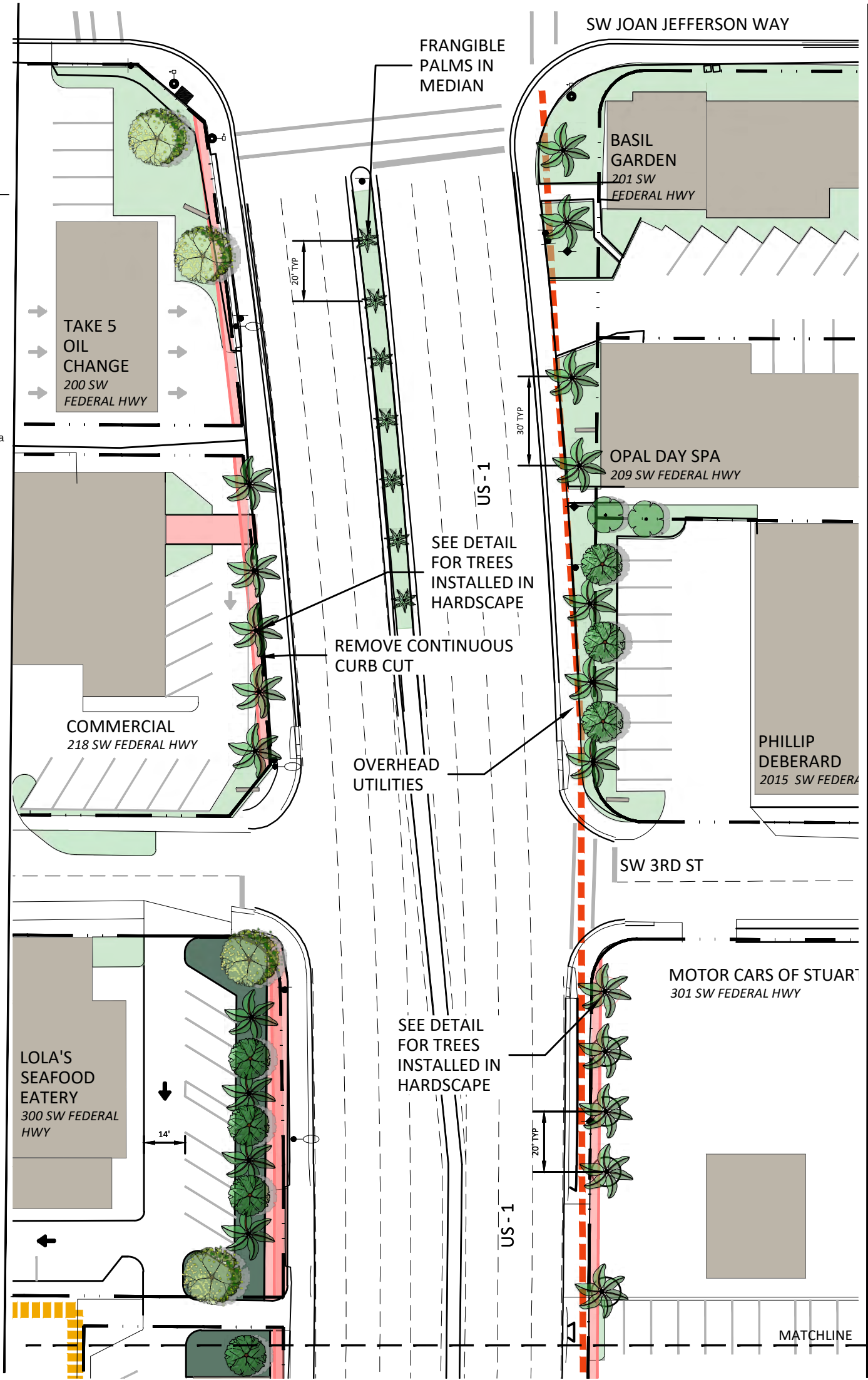
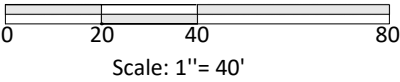
701 E Ocean Blvd., Stuart, Florida 34994 (772) 220-2100



Street Tree Planting Program - US-1 Federal Highway Corridor

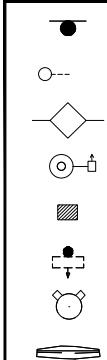
Full Intervention

Stuart, Florida



Drawn 7-19-2023

LEGEND



EXIST. SIGN/POST

EXIST. LIGHT POLE

EXIST. UTILITY POLE

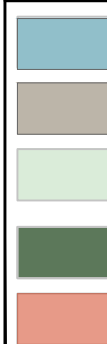
EXIST. SIGNAL POLE

EXIST. SIGNAL BOX

PED. SIGNAL

EXIST. FIRE HYDRANT

EXIST. INLET



EXIST. POND OR WATERWAY

EXIST. BUILDING FOOTPRINT

EXIST. PERVIOUS LAWN/LANDSCAPE

NEW PERVIOUS LAWN/ LANDSCAPE

NEW SIDEWALK

PLANT SCHEDULE SEGMENT 2

TREES	QTY	BOTANICAL NAME
	1	Coccoloba diversifolia
	4	Conocarpus erectus sericeus
	9	Tabebuia impetiginosa
	1	Quercus virginiana
EXISTING TREES TO REMAIN	QTY	BOTANICAL NAME
	2	Canopy Tree
	13	Palm
PALM TREES	QTY	BOTANICAL NAME
	5	Roystonea regia
	14	Wodyetia bifurcata

SEGMENT 2

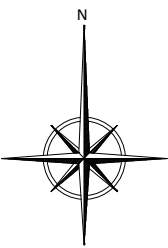
INFILL EXISTING TREES WITH ADDITIONAL PALMS TO ADD VISUAL HEIGHT TO MEDIANS

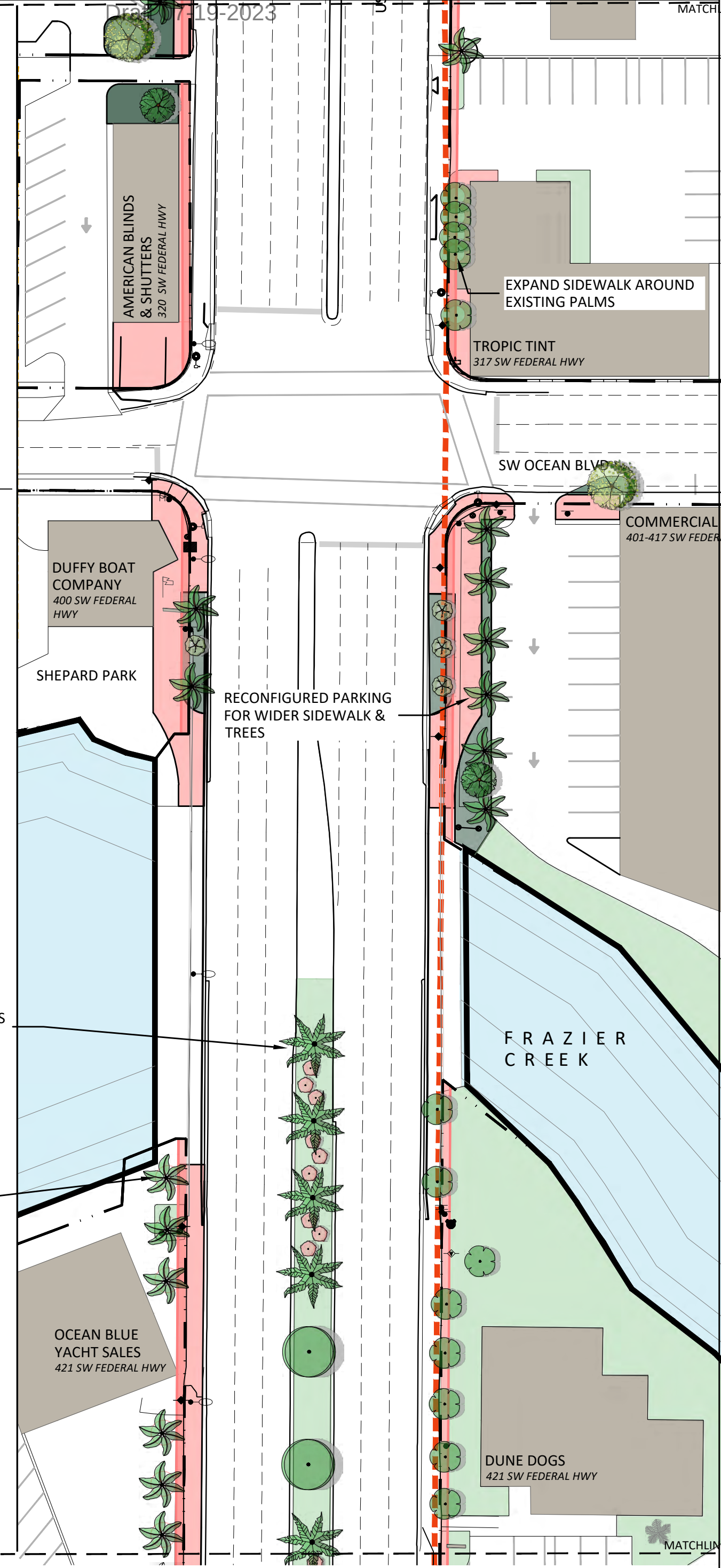
SEE DETAIL FOR TREES INSTALLED IN HARDSCAPE

Note, final tree or palm placement shall be coordinated with all utilities, utility easements, and located with Sunshine 811 and FPL's Right Tree, Right Place guidelines.

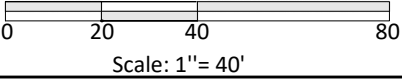


In Coordination with:
lucido & associates





Street Tree Planting Program - US-1 Federal Highway Corridor
Full Intervention
Stuart, Florida



LEGEND

EXIST. SIGN/POST

EXIST. LIGHT POLE

EXIST. UTILITY POLE

EXIST. SIGNAL POLE

EXIST. SIGNAL BOX

PED. SIGNAL

EXIST. FIRE HYDRANT

EXIST. INLET

EXIST. POND OR WATERWAY

EXIST. BUILDING FOOTPRINT

EXIST. PERVIOUS LAWN/LANDSCAPE

NEW PERVIOUS LAWN/ LANDSCAPE

NEW SIDEWALK

PLANT SCHEDULE SEGMENT 3

TREES	QTY	BOTANICAL NAME
	3	Coccoloba diversifolia
	3	Tabebuia impetiginosa
	6	Quercus virginiana
EXISTING TREES TO REMAIN	QTY	BOTANICAL NAME
	6	Canopy Tree
	3	Palm
PALM TREES	QTY	BOTANICAL NAME
	2	Roystonea regia
	3	Phoenix roebelenii x rupicola
	24	Wodyetia bifurcata

SEGMENT 3

INFILL EXISTING TREES WITH ADDITIONAL PALMS TO ADD VISUAL HEIGHT TO MEDIANS

SEE DETAIL FOR TREES INSTALLED IN HARDSCAPE

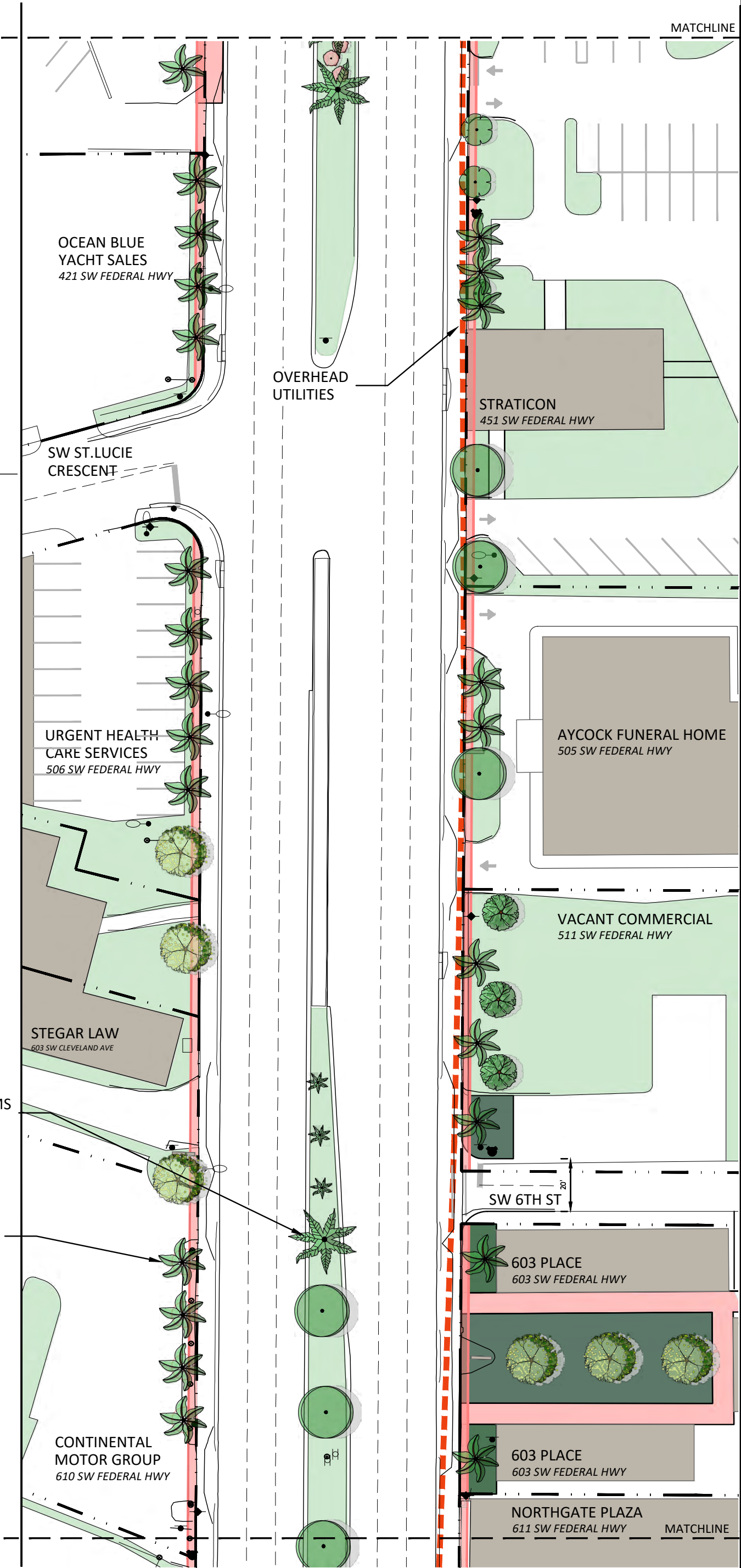
Note, final tree or palm placement shall be coordinated with all utilities, utility easements, and located with Sunshine 811 and FPL's Right Tree, Right Place guidelines.

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701 E Ocean Blvd., Stuart, Florida 34994

(772) 220-2100

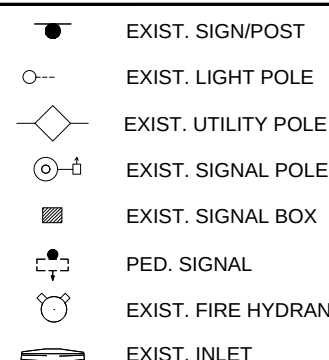


Street Tree Planting Program - US-1 Federal Highway Corridor

Full Intervention

Stuart, Florida

Draft 07-19-2023



LEGEND

EXIST. SIGN/POST

EXIST. LIGHT POLE

EXIST. UTILITY POLE

EXIST. SIGNAL POLE

EXIST. SIGNAL BOX

PED. SIGNAL

EXIST. FIRE HYDRANT

EXIST. INLET



EXIST. POND OR WATERWAY

EXIST. BUILDING FOOTPRINT

EXIST. PERVIOUS LAWN/LANDSCAPE

NEW PERVIOUS LAWN/ LANDSCAPE

NEW SIDEWALK

PLANT SCHEDULE SEGMENT 4

TREES	QTY	BOTANICAL NAME
	3	Coccoloba diversifolia
	6	Tabebuia impetiginosa
	9	Quercus virginiana
EXISTING TREES TO REMAIN	QTY	BOTANICAL NAME
	7	Canopy Tree
	27	Palm
PALM TREES	QTY	BOTANICAL NAME
	3	Roystonea regia
	3	Phoenix roebelenii x rupicola
	12	Wodyetia bifurcata

SEGMENT 4

Note, construction plans for the intersection of US-1 and SW Palm City Road shall be coordinated with MPO Feasibility Study recommendations and direction.

Note, final tree or palm placement shall be coordinated with all utilities, utility easements, and located with Sunshine 811 and FPL's Right Tree, Right Place guidelines.



In Coordination with:



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Street Tree Planting Program - US-1 Federal Highway Corridor

Full Intervention

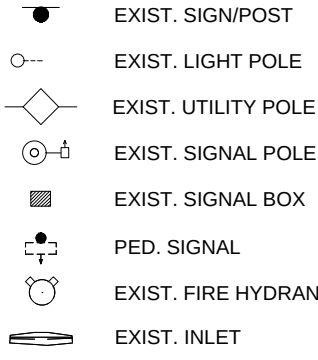
Stuart, Florida

7/5/2023 US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN & PROGRAM

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LEGEND



EXIST. SIGN/POST

EXIST. LIGHT POLE

EXIST. UTILITY POLE

EXIST. SIGNAL POLE

EXIST. SIGNAL BOX

PED. SIGNAL

EXIST. FIRE HYDRANT

EXIST. INLET



EXIST. POND OR WATERWAY

EXIST. BUILDING FOOTPRINT

EXIST. PERVIOUS LAWN/LANDSCAPE

NEW PERVIOUS LAWN/ LANDSCAPE

NEW SIDEWALK

PLANT SCHEDULE SEGMENT 5

TREES	QTY	BOTANICAL NAME
	10	Conocarpus erectus sericeus
	3	Tabebuia impetiginosa
	6	Quercus virginiana
EXISTING TREES TO REMAIN	QTY	BOTANICAL NAME
	4	Canopy Tree
	28	Palm
PALM TREES	QTY	BOTANICAL NAME
	2	Roystonea regia
	3	Phoenix roebelenii x rupicola
	18	Wodyetia bifurcata

SEGMENT 5

Note, final tree or palm placement shall be coordinated with all utilities, utility easements, and located with Sunshine 811 and FPL's Right Tree, Right Place guidelines.



In Coordination
with:

lucido & associates



701 E Ocean Blvd., Stuart, Florida 34994

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Street Tree Planting Program - US-1 Federal Highway Corridor
Full Intervention
Stuart, Florida

7/5/2023 US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN & PROGRAM

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LEGEND

EXIST. SIGN/POST

EXIST. LIGHT POLE

EXIST. UTILITY POLE

EXIST. SIGNAL POLE

EXIST. SIGNAL BOX

PED. SIGNAL

EXIST. FIRE HYDRANT

EXIST. INLET

EXIST. POND OR WATERWAY

EXIST. BUILDING FOOTPRINT

EXIST. PERVIOUS LAWN/LANDSCAPE

NEW PERVIOUS LAWN/ LANDSCAPE

NEW SIDEWALK

PLANT SCHEDULE SEGMENT 6

TREES	QTY	BOTANICAL NAME
	1	Coccoloba diversifolia
	16	Conocarpus erectus sericeus
	9	Tabebuia impetiginosa
	12	Quercus virginiana
EXISTING TREES TO REMAIN	QTY	BOTANICAL NAME
	1	Canopy Tree
	12	Palm
PALM TREES	QTY	BOTANICAL NAME
	2	Roystonea regia
	15	Wodyetia bifurcata

SEGMENT 6

Note, final tree or palm placement shall be coordinated with all utilities, utility easements, and located with Sunshine 811 and FPL's Right Tree, Right Place guidelines.

701 E Ocean Blvd., Stuart, Florida 34994

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Street Tree Planting Program - US-1 Federal Highway Corridor

Full Intervention

Stuart, Florida

7/5/2023 US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN & PROGRAM

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LEGEND

EXIST. SIGN/POST

EXIST. LIGHT POLE

EXIST. UTILITY POLE

EXIST. SIGNAL POLE

EXIST. SIGNAL BOX

PED. SIGNAL

EXIST. FIRE HYDRANT

EXIST. INLET

EXIST. POND OR WATERWAY

EXIST. BUILDING FOOTPRINT

EXIST. PERVIOUS LAWN/LANDSCAPE

NEW PERVIOUS LAWN/ LANDSCAPE

NEW SIDEWALK

PLANT SCHEDULE SEGMENT 7

TREES

1Coccoloba diversifolia

8Quercus virginiana

EXISTING TREES TO REMAIN

10Palm

PALM TREES

5Wodyetia bifurcata

SEGMENT 7

Note, construction plans for the intersection of US-1 and Kanner Highway hall be coordinated with MPO Priority Project #4462571 for a southbound right turn lane to northbound SR-5/US-1 with pedestrian enhancements.

Note, final tree or palm placement shall be coordinated with all utilities, utility easements, and located with Sunshine 811 and FPL's Right Tree, Right Place guidelines.

In Coordination
with:
lucido & associates

701 E Ocean Blvd., Stuart, Florida 34994

(772) 220-2100

Street Tree Planting Program - US-1 Federal Highway Corridor

Full Intervention

Stuart, Florida

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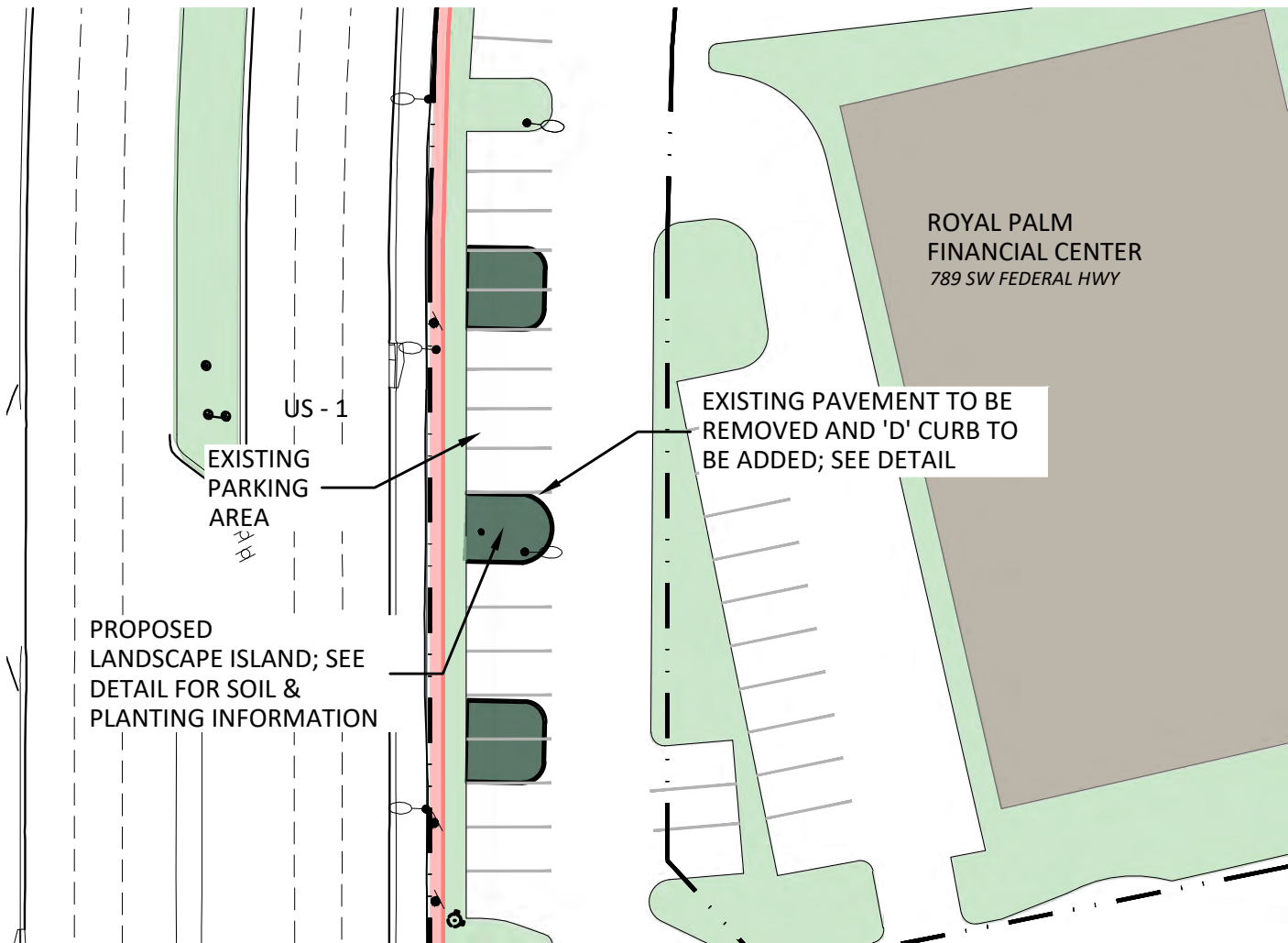
40

80

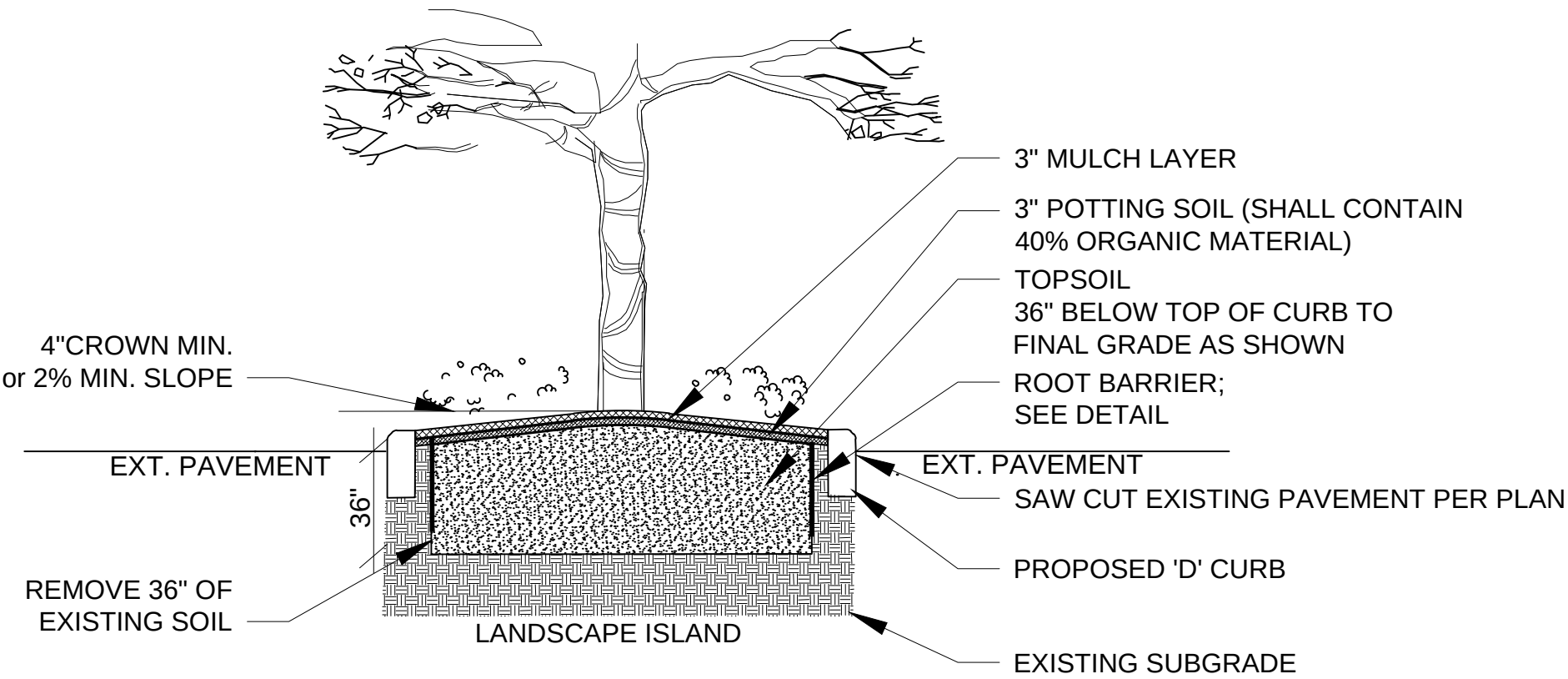
Scale: 1"= 40'

7/5/2023 US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN & PROGRAM

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TYPICAL PROPOSED LANDSCAPE ISLAND/AREA



PROPOSED LANDSCAPE AREA DETAIL

NOT TO SCALE

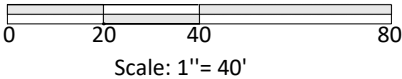
- *TOPSOIL SHALL BE NATURAL, FRIABLE, FINE LOAMY SOIL POSSESSING CHARACTERISTICS OF REPRESENTATIVE TOPSOIL IN THE VICINITY OF THE PROJECT SITE THAT PRODUCES HEAVY GROWTH.
- TOPSOIL SHALL HAVE A PH RANGE OF 5.5-7.4, FREE FROM SUBSOIL, WEEDS, LITTER, SODS, CLAY, STONES, STUMPS, ROOTS, TRASH, HERBICIDES, TOXIC SUBSTANCES, OR ANY OTHER MATERIAL WHICH MAY BE HARMFUL TO PLANT GROWTH, OR HINDER PLANTING OPERATIONS.
- TOPSOIL SHALL CONTAIN A MINIMUM OF 3% ORGANIC MATERIAL.
- TOPSOIL MUST PERCOLATE WATER AT A RATE OF 1" PER HOUR (SEE ALSO DRAINAGE TESTING DETAIL FOR TREES)
- LANDSCAPE AREA SOILS SHALL BE APPROVED BY LANDSCAPE ARCHITECT/OWNER PRIOR TO PLANTING

Street Tree Planting Program - US-1 Federal Highway Corridor

In Coordination
with:



Full Intervention
Stuart, Florida





Wodyetia bifurcata;
Foxtail Palm



Phoenix roebelenii x rupicola;
Hybrid Pygmy Date Palm



Roystonea regia
Royal Palm



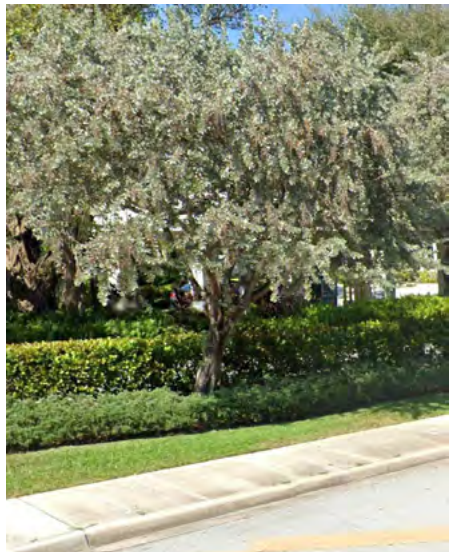
Quercus virginiana;
Live Oak



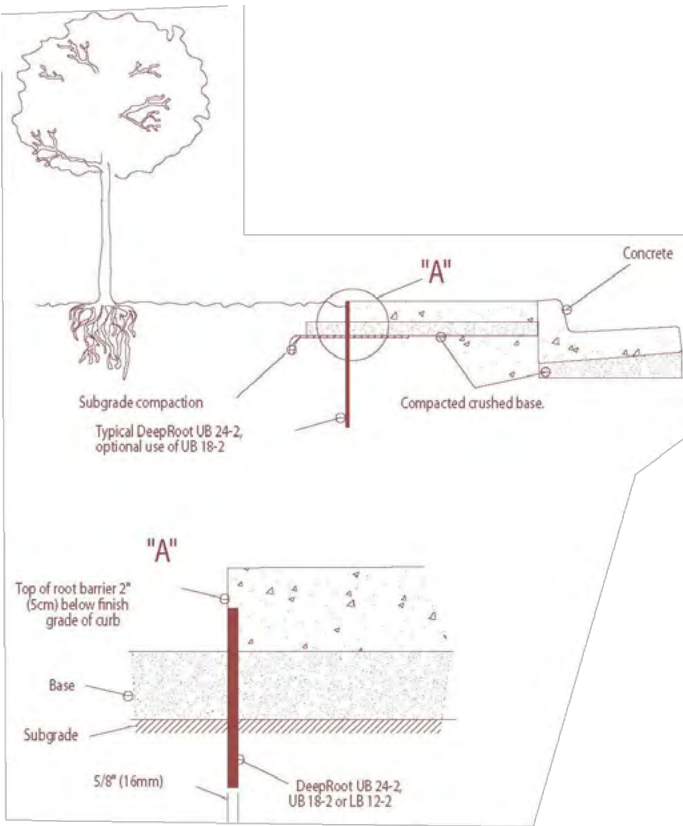
Coccoloba diversifolia;
Pigeon Plum



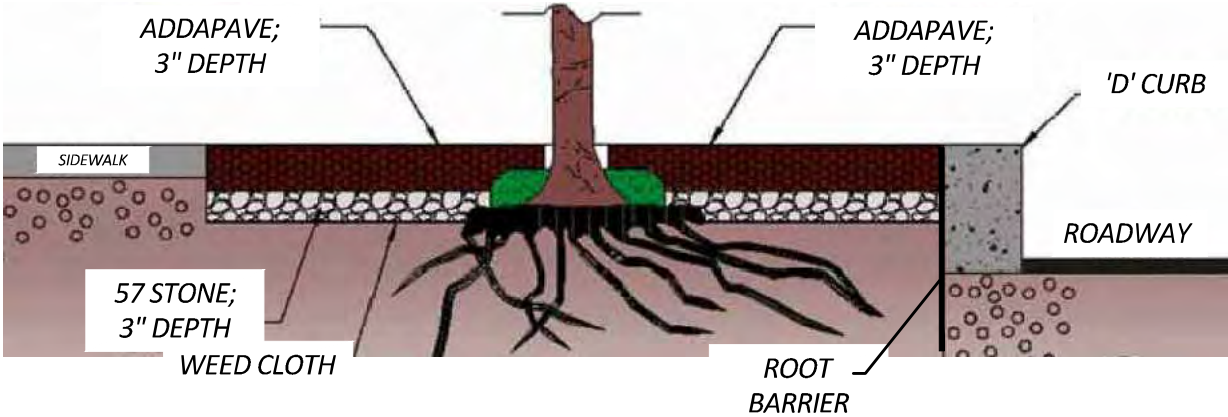
Tabebuia impetiginosa
Purple Trumpet Tree



Conocarpus erectus sericeus ;
Silver Buttonwood Tree



ROOT BARRIER DETAIL FOR PALM & TREES IN ALL LANDSCAPE AREAS



CHAMELEON WAYS
ADDAPAVE; COLOR TBD;
INSTALL PER ABOVE &
PER MANUFACTURE'S
RECOMMENDATIONS

4'X4' TYP.

EXISTING OR PROPOSED
SIDEWALK

INSTALLATION DETAIL FOR PALM TREES IMMEDIATELY ADJACENT TO HARDSCAPE

APPENDIX B
LAND DEVELOPMENT CODE
RECOMMENDATIONS

Sec. 2.04.06. Supplemental building setbacks on certain streets.

The following specific setbacks ~~and streetscape standards~~ shall apply to the streets so designated ~~per Figure 2.04-1~~, unless other provisions of this Code provide a greater setback. ~~Due to the level of specificity provided in Chapter III the setbacks which shall apply to certain parcels within those areas may not be shown. In cases where the above setbacks differ from those contained in Chapter III, Chapter III shall apply.~~

Figure 2.04-1:

	Street	Side	From	To	Front Setback (ft)
h	S. Dixie	West	E. (Eleventh) St.	Cut-off road	10
j	SW Palm City Ave.	Both	U.S.-1/SW- Federal Hwy.	City Limits	50 (from centerline)
m	E. Ocean Blvd.	Both	(sections East of CRA) SE Palm Beach Road		50 (from centerline)
e	U. S. Hwy. #_1/ SW Federal Hwy.	Both	W. Ocean Blvd.-S Joan Jefferson Way	S Dixie Cutoff Road S- City Limits	20-40 Build-to-Zone (from right-of-way)
	US-1 /SE Federal Hwy.	Both	S Dixie Cutoff Rd.	S City Limits	20

~~Note: The preceding table establishes applicable setbacks to streets so designated. Due to the level of specificity provided in chapter III, which applies to the Community Redevelopment Area (including the Urban District₂ and East Stuart District₂) and the S.E. Ocean Boulevard Overlay Zone, the setbacks which shall apply to certain parcels within those areas are not shown. In cases where the above setbacks differ from those contained in the chapter III, those contained in the chapter III shall apply. Refer to chapter III for a complete description of all building setbacks applicable to the CRA and S.E. Ocean Boulevard Overlay Zone.~~

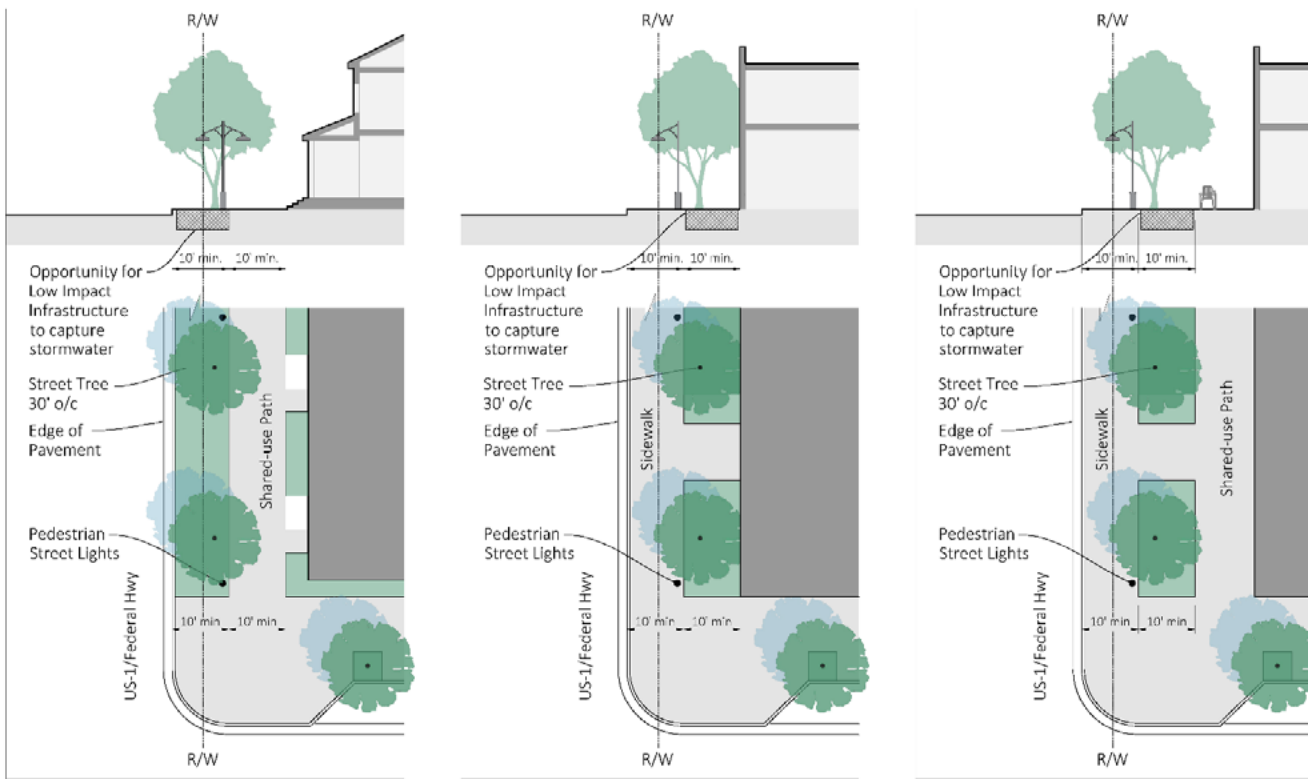
Streetscape standards. Front setback areas shall be detailed to augment public right-of-way design, to establish shaded, continuous routes for pedestrians and cyclists, and to organize landscaping and other elements to ensure a superior public realm. The standards and regulations set forth below shall apply to all *new development*, and *substantial renovation*.

1. **US-1/Federal Highway Streetscape from S Joan Jefferson Way to S Dixie Cutoff Rd.** A minimum streetscape area no less than 20 feet in width, measured from the back of curb, shall be provided. The streetscape area is a combination of public right of way and the required building setback. **Figure 2.04-2** illustrated possible means of meeting the streetscape standards. The streetscape area shall be organized as follows:

- a. **Shared-use path or sidewalk.** A continuous 10' pedestrian and cycling path shall be provided. Any portion of the shared-use path or sidewalk within the front setback area shall be improved as an extension of the public sidewalk and shall match the public sidewalk in design and material, providing a seamless physical transition.
- b. **Shade trees & landscaping area.** Shade trees provide a shaded environment for the pedestrian, improve stormwater management, reduce urban heat island effect, and improve the overall visual appearance of the street. Street trees shall be provided as follows:
 - i. Planted uniformly spaced at a minimum of 30 feet on center. Spacing of trees may only exceed 30 feet to accommodate curb cuts, fire hydrants, utilities, existing canopy trees. Shade trees are encouraged to be planted to separate pedestrians from vehicular travel lanes.
 - ii. Shade trees and landscape areas may be planted with tree boxes or other low impact green infrastructure to maximize the stormwater benefit.
 - iii. Shade trees shall be planted in accordance with the City of Stuart Landscape Code and shall be consistent with *US-1/Federal Highway Street Tree Master Plan* tree species.
 - iv. Shade Trees shall be trimmed to provide minimum 7' clear height at sidewalks and 14' clear height at streets.
 - v. If site constraints such as existing utility easements, infrastructure, or right-of-way constraints prevent the installation of required shade trees, the Development Director may

- approve a different organization of the streetscape elements. The building shall provide devices such as awnings or roof overhangs to establish a shaded pedestrian environment.
- c. **Dedication.** A sidewalk easement or dedication, in a form acceptable to the City Attorney, over any portion of the shared-use path or sidewalk located within the front setback shall be granted to the City. Shared-use path or sidewalk dedication consistent with the approved *US-1/Federal Highway Street Tree Master Plan* may be approved administratively by the Development Director. The property owner shall also be required to enter into a maintenance agreement, in a form acceptable to the City Attorney, requiring the property owner to be responsible for and maintain improvements made by the owner to meet the requirements of this section.
- d. **Building entrances.** The main entrance to every building shall be and face a public right-of-way or civic open space. The main entrance(s) to ground story commercial space(s) shall face a public right-of-way or civic open space. Doors allowing public access shall occur at intervals no greater than 150 feet per façade or side of building.
- e. **Frontage types.** Frontage Types define architectural characteristics for the detailing of building entrances. Frontage Types may be required as part of a Special Zoning Code areas. See Chapter III.
- f. **Parking Code Relief.** Relief from the Stuart Parking Code may be permitted when the streetscape setback is fully implemented as part of a substantial renovation or site renovation. The required on-site parking may be reduced by 10% or by the existing parking spaces lost in streetscape implementation, whichever is greater. Parking space credit shall be recorded and approved by administrative variance per Sec. 8.05.08. Failure to maintain landscaping will revoke parking space credit.

Figure 2.04-2:



From Sec. 3.01.03. Urban standards and regulations for designated urban subdistricts.**D. Urban highway ("UH").****1. Principal building placement.**

- a. The front building facade shall be constructed parallel to the street along the front property line with a minimum setback of ~~15~~ 20 feet and a maximum setback of ~~20~~ 40 feet for properties fronting on U.S. 1/SE Federal Highway. If a property does not front on U.S. 1/Federal Hwy., then the minimum setback shall be ~~zero~~ 0 feet and the maximum setback shall be not more than ~~ten~~ 20 feet.
- b. The side setbacks may be zero feet on each side.
- c. The rear setback is not less than 15 feet.
- d. For lots fronting U.S. 1/SE Federal Highway, the front street façade width of the principal building shall not be less than 40 percent of the lot width. For other lots, the width of the principal building shall be not less than 70 percent of the lot width.

APPENDIX C
SAMPLE OWNER AGREEMENT

TREE PLANTING & MAINTENANCE AGREEMENT

121 SW FLAGLER AVENUE, STUART, FL 34994
PHONE: 772-288-5300

PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING THE AGREEMENT.**PURPOSE:**

The City of Stuart Community Redevelopment Agency (CRA) implemented the US-1/Federal Highway Street Tree Master Plan & Program to increase the tree canopy and enhance public streets. Their presence improves air quality, reduces noise, helps conserve energy, reduced heat island effect, calms traffic, and beautifies the surrounding businesses. The program will be implemented in phases based on need and interest in participation.

ELIGIBLE PROPERTIES:

In Fiscal Year (___), the CRA will provide a free tree(s) and/or palm(s) to participating properties in “(___)” as identified on the attached map.

PROGRAM DESCRIPTION:

The Property Owner may choose to participate in implementing the US-1/Federal Highway Tree Program and in return receive free tree(s) and/or palm(s) on private portion of the US-1/Federal Highway frontage from the US-1/Federal Highway Master Plan. Parcels may also be eligible for a parking credit for converting excess parking into shade trees. The tree and palm species included in the program are included with the application packet along with the US-1/Federal Highway Street Tree Program. The City will be responsible for purchasing, planting the tree, and ninety days of watering. The property owner will be responsible to provide day-to-day care of the tree, which includes regular watering, pruning, mulching and fertilizing. The City will provide watering guidelines and tree care instructions for proper care of the tree over time.

The City’s US-1/Federal Highway Street Tree Program is contingent on continued funding by the CRA & City.

APPLICATION PROCESS:

1. If you would like to participate in the US-1/Federal Highway Street Tree Master Plan & Program, please complete the Program Application and return it by email to: (___) or you can drop it off at City Hall Development Department office located at 121 SW Flagler Avenue, between the hours of 8:30 AM and 5:00 PM, Monday through Friday. A Hold Harmless form is required as part of the application if the location selected falls within the private property. If you have any questions, please contact the (___), at (___) or via email at (___).
2. The deadline to submit an application is (___) for Spring planting (April 1 – May 31). All applications received will be entered, dated and categorized by address/zone for planting.
3. After you submit your application, you will be contacted by City staff to confirm your interest in the program.
4. The City staff will conduct a site visit to the property to determine the location of tree(s) and/or palm(s). Adjustments to the Master Plan if necessary will be recorded.
5. Once the plan is approved by the property owner and the City, the City will hire a contractor to install the tree at the approved location on a prescheduled day. Please note that the location may shift due to underground utilities.

APPLICATION DEADLINE: (___)

TREE PLANTING & MAINTENANCE AGREEMENT

121 SW FLAGLER AVENUE, STUART, FL 34994
PHONE: 772-288-5300

MAP OF US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN AREA



TREE PLANTING & MAINTENANCE AGREEMENT

121 SW FLAGLER AVENUE, STUART, FL 34994
PHONE: 772-288-5300

CARING FOR YOUR TREE

To participate in the City of Stuart US-1/Federal Highway Street Tree Master Plan, a property owner must agree to properly care for their tree as outlined in the following section. Please read the following section thoroughly before you sign the tree care agreement on the Program Application. By following these instructions, you will be able to give your tree a long, healthy life. Please note: Any trees that die due to lack of care or improper care will not be replaced.

WATERING

The single most important thing a new tree needs is water. An irrigation system does not supply enough water for a new tree. Water should be administered slowly in order to penetrate the soil deeply. Afterwards, the soil should be allowed to dry somewhat before the next watering.

The City will provide water as necessary during the first ninety (90) days, then property owner should follow the schedule below. Only increase frequency during dry periods.

- 3-6 months: 10 gallons of water 3 times per week
- 6-12 months: 10 gallons of water 2 times per week
- 12-18 months: 10 gallons of water once a week

STAKING

The tree may be staked by the City's contractor if setting occurs and tree begins to lean. The property owner is responsible for removing the stakes. The stakes should be removed completely between six months to a year, maximum.

FERTILIZING

For the most part, fertilizer is not necessary. If you choose to fertilize there are many types available at your local garden center or call a tree care professional. When using fertilizer, always follow the directions on the package. Too much fertilizer can cause much more damage than not using any at all.

PRUNING

City crews are trained in proper pruning methods; however, they prune trees for clearance only. This means they will trim branches that are hanging into the road or over a sidewalk. Pruning a tree when it is young is called "structural pruning," and property owner should feel free to do whatever extra trimming they feel is appropriate. The goal of structural pruning is to establish a strong trunk that has evenly spaced branches. This ensures that the tree will be stronger in future years, and less susceptible to damage during storms. Avoid pruning in the first year that the tree has been planted unless you see broken or diseased branches. These should always be removed right away.

MULCHING

The tree will be mulched by the City's contractor when it is installed. If you choose to re-mulch later, spread an even layer of mulch underneath the tree's canopy. This layer should be no deeper than 4 inches, and if you like to add fresh mulch every year do not exceed a 2" layer. Piling mulch up against the trunk of the tree, creating a "volcano" effect, is a very common mistake and is detrimental to tree health. Mulch should never touch the trunk of the tree because it can hold moisture against the trunk and cause decay and rot. The larger the mulch ring the better for the tree. The minimum is two to three feet.

TREE PLANTING & MAINTENANCE AGREEMENT

121 SW FLAGLER AVENUE, STUART, FL 34994
PHONE: 772-288-5300

To join your US-1/Federal Highway Street Tree Program in partnership with the City of Stuart the responsibilities are:

MAINTENANCE & WATERING

- The owner accepts responsibility for the tree's maintenance, both for the sake of its survival and for the beauty and safety of the neighborhood and all passersby. In addition to the information on the previous page, the City of Stuart staff will give additional information and advice about watering and further maintenance.
- The basin must also be weeded, kept full of soil, empty of trash and mulched as necessary.
- Trees will be installed, mulched, and watered by the City's contractor. Once the tree is planted, the property owner shall provide as much care and water as necessary during the first ninety (90) days. The establishment period is a minimum of ninety (90) days, but can vary depending on weather conditions. The City will provide tree care instruction for proper care of the tree. Trees that die due to neglect or lack of proper watering will not be replaced.
- The City of Stuart will provide initial watering for the first 90 days. After that, watering when needed, is the sole responsibility of the property owner.
- Maintenance responsibility can be voluntarily assumed by renters or even added to a lease; but ONLY THE PROPERTY OWNER can sign the TREE PLANTING & MAINTENANCE AGREEMENT.

PRE-PLANTING MEETING

There will be a brief pre-planting meeting with City staff to coordinate logistics.

I HAVE READ THE CITY OF STUART "TREE PLANTING & MAINTENANCE AGREEMENT" AND UNDERSTAND THE RESPONSIBILITIES I ASSUME IN PARTICIPATING THE US-1/ FEDERAL HIGHWAY STREET TREE PROGRAM IN COOPERATION WITH THE CITY OF STUART.

PROPERTY OWNER'S:	
MAILING ADDRESS OF OWNER:	
TELEPHONE # FOR OWNER:	
EMAIL FOR OWNER:	
ADDRESS OF PARTICIPATING PROPERTY:	
PARCEL ID NUMBER OF PARTICIPATING PROPERTY:	
HARDSCAPE INCLUDED IN MASTER PLAN?	
NAME & PHONE NUMBER OF TENANTS PLANNING TO CARE FOR TREES:	

TREE PLANTING & MAINTENANCE AGREEMENT

121 SW FLAGLER AVENUE, STUART, FL 34994
PHONE: 772-288-5300

DECLARATION OF RESTRICTIONS, COVENANTS & HOLD HARMLESS**FOR TREE PLANTING & MAINTENANCE AGREEMENT & PARKING CREDIT**

_____ (individually or collectively, the “Owner”), the owner of the real property described in Exhibit A attached hereto and incorporated herein by reference (the “Property”), does hereby covenant, agree and declare as follows:

1. Owner is lawfully seized of the Property and possessed of said land in fee simple and has good right to make the following declarations and covenants.
2. Owner has submitted a proposed landscape plan (the “Plan”) depicting the location of street trees consistent with the City of Stuart Tree Master Plan for the purpose of obtaining a tree parking credit, accepted by the City of Stuart a copy of which is attached hereto as “Exhibit A”, and shall thereafter provide for an adequate long term maintenance and continuation of street trees depicted on the plan.
 - Relief from the Stuart Parking Code may be permitted when the streetscape setback is fully implemented. Required on-site parking can be reduced by 10% or by the parking spaces lost in implementation, whichever is greater.
3. Owner agrees to maintain the street trees in accordance with American National Standards Institute (ANSI) Standard for Tree Care Operations A300, and Americans with Disabilities Act (ADA) requirements.
4. Owner shall not remove healthy trees without receiving prior permission from Development Director and obtaining a tree removal permit from the City of Stuart.
5. Owner shall remove and replace diseased or damaged trees. The replacement tree species and size shall be approved by Development Director.
6. Owner further agrees to defend, indemnify and hold City of Stuart harmless from and against any and all liability, loss, claim, suit, damage, charge or expense by which Owner may suffer, sustain, incur or in any way be subjected to, and for any damage to or loss of or destruction of any property whatsoever, including Owner’s Property, arising out of, resulting from, or in any way connected with the street trees or the replacement, presence, existence or removal of the street trees.
7. If, upon inspection, the City of Stuart determines that Owner has failed to properly maintain or replace the street trees in accordance with the Plan, the Owner acknowledges that the City of Stuart will in that event have the authority to order Owner to perform such maintenance or replacement of street trees within (30) thirty days or if in the case of diseased or damaged trees, upon a time required by the City of Stuart. In the event the maintenance and/or replacement is not performed within the specified time, Owner shall allow the City of Stuart to take all reasonable steps to maintain and/or replace the street trees. Owner acknowledges and understands that the City of Stuart is under no duty or obligation to maintain, replace or remove the street trees. Owner further agrees to reimburse the City of Stuart in full and upon demand for all costs incurred by the City of Stuart in the maintenance or replacement of the street trees and that it shall be liable to the City of Stuart for the reasonable costs of collection, including without limitation court costs and attorney fees.
8. Owner shall forfeit any parking code relief and reimburse the City of Stuart in full upon demand in the amount of any judgment rendered against the City of Stuart due to Owner’s failure to perform the obligations created by this instrument.

TREE PLANTING & MAINTENANCE AGREEMENT

121 SW FLAGLER AVENUE, STUART, FL 34994
 PHONE: 772-288-5300

The foregoing restrictions and covenants shall run with the land and shall be binding on Owner and all subsequent owners of the Property (or any portion thereof) and shall inure to the benefit of and be enforceable by the City of Stuart, its successors and assigns (although City of Stuart's failure to exercise its enforcement rights in any particular situation shall not be deemed a waiver of them). Owner, for itself and its successors in interest, further covenants to warrant and forever defend City of Stuart's enforcement rights regarding the foregoing restrictions and covenants against the adverse claims of all persons. Any plat recorded at or after the date of the filing of this Declaration shall reference the instrument number where this Declaration and its attachments are recorded and contain a note that the Owner is responsible for maintaining the trees.

WITNESS my/our hand(s), this ___ day of _____, 20__.

 Owner

 Owner

STATE OF FLORIDA

COUNTY OF MARTIN

Before me, _____, a Notary Public of the State and County

aforesaid, personally appeared _____

with whom I am personally acquainted, and who, upon oath, acknowledged _____

to be _____

the within named bargainer(s), _____ and that _____, as

such _____

being authorized to do so, executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal this _____ day of _____, 20__.

NOTARY PUBLIC

My Commission Expires:

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

Meeting Date: 8/1/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

LDC AMENDMENT IN RELATION TO US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN AND PROGRAM:

ORDINANCE No. 2520-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING SECTION 2.04.06 ENTITLED "SUPPLEMENTAL BUILDING SETBACKS ON CERTAIN STREETS" IN CHAPTER II AND SECTION 3.01.03 ENTITLED "URBAN STANDARDS AND REGULATIONS FOR DESIGNATED URBAN SUBDISTRICTS" IN CHAPTER III OF THE CITY OF STUART LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The CRA partnered with the Treasure Coast Regional Planning Council to develop the US-1/Federal Highway Street Tree Master Plan to implement the goals to improve sidewalk conditions along the US-1/Federal Highway corridor, define the roadway to reduce speeding and beautify the corridor to benefit the businesses and residents of the City of Stuart.

The plan recommends an update to the Land Development Code to reflect desired expectations for redevelopment. This is particularly important for properties along the US-1/Federal Highway corridor where the setback treatment is less defined. The attached ordinance will amend Sections 2.04.06 entitled "Supplemental Building Setbacks on Certain Streets" and Section 3.01.03 entitled "Urban Standards and Regulations for Designated Urban Subdistricts" of the City's Land Development Code to define the setback expectations for future development and streetscape standards for all new development and substantial renovation.

Funding Source:

N/A

Recommended Action:

Motion to approve Ordinance No. 2520-2023.

ATTACHMENTS:

1. Ordinance 2520-2023 - LDC Amendment
2. Ordinance 2520-2023 - Exhibit A



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

ORDINANCE NUMBER 2520-2023

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING SECTION 2.04.06 ENTITLED "SUPPLEMENTAL BUILDING SETBACKS ON CERTAIN STREETS" IN CHAPTER II AND SECTION 3.01.03 ENTITLED "URBAN STANDARDS AND REGULATIONS FOR DESIGNATED URBAN SUBDISTRICTS" IN CHAPTER III OF THE CITY OF STUART LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the City of Stuart has adopted a Land Development Code encompassing all development regulations; and

WHEREAS, the Community Redevelopment Agency partnered with the Treasure Coast Regional Planning Council to develop a Street Tree Planting Program for the US-1/Federal Highway corridor with urban street trees to enhance the usability of sidewalks and the beauty of the corridor; and

WHEREAS, the Land Development Code shall be updated to reflect desired expectations along the corridor with setback to provide a shared-use path or a wide sidewalk and shaded environment for the pedestrians and bicyclist; and

WHEREAS, the City Commission finds that the code amendment will improve sidewalks for pedestrians and bicyclist and enhance public safety; and

WHEREAS, on August 10, 2023, the Local Planning Agency held duly noticed public hearing to consider this ordinance; and

WHEREAS, on August 28, 2023, by Resolution No. 12-2023 CRA, the Community Redevelopment Agency approved the US-1/Federal Highway Street Tree Master Plan and Program; and

WHEREAS, the City Commission held duly noticed public hearings on August 28, 2023 and September 11, 2023 to consider this ordinance and provide for full public participation on the Land Development Code amendment process.

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

SECTION 1: The provisions of the Land Development Code as amended are hereby adopted as provided in the attached Exhibit “A” which is incorporated herein as set forth below.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3: If any word, clauses, sentence, paragraph, section or part thereof contained in this ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this ordinance.

SECTION 4: The provisions of this ordinance shall be codified into the City’s Land Development Code.

SECTION 5: This ordinance shall take effect upon adoption.

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:

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

YES	NO	ABSENT	ABSTAIN

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

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

Sec. 2.04.06. Supplemental building setbacks on certain streets.

The following specific setbacks and streetscape standards shall apply to the streets so designated per Figure 2.04-1, unless other provisions of this Code provide a greater setback. Due to the level of specificity provided in Chapter III the setbacks which shall apply to certain parcels within those areas may not be shown. In cases where the above setbacks differ from those contained in Chapter III, Chapter III shall apply.

Figure 2.04-1:

	Street	Side	From	To	Front Setback (ft)
b	S. Dixie	West	E. (Eleventh) St.	Cut-off road	10
j	<u>SW Palm City Ave.</u>	Both	<u>U.S.-1/SW Federal Hwy.</u>	City Limits	50 (from centerline)
m	E. Ocean Blvd.	Both	(sections East of CRA) <u>SE Palm Beach Road</u>		50 (from centerline)
e	U. S. Hwy. #_1/ <u>SW Federal Hwy.</u>	Both	W. Ocean Blvd. S Joan Jefferson Way	<u>S Dixie Cutoff Road S. City Limits</u>	<u>20-40 Build-to-Zone (from right-of-way)</u>
	<u>US-1 /SE Federal Hwy.</u>	<u>Both</u>	<u>S Dixie Cutoff Rd.</u>	<u>S City Limits</u>	<u>20</u>

Note: The preceding table establishes applicable setbacks to streets so designated. Due to the level of specificity provided in chapter III, which applies to the Community Redevelopment Area (including the Urban District₂ and East Stuart District₂) and the S.E. Ocean Boulevard Overlay Zone, the setbacks which shall apply to certain parcels within those areas are not shown. In cases where the above setbacks differ from those contained in the chapter III, those contained in the chapter III shall apply. Refer to chapter III for a complete description of all building setbacks applicable to the CRA and S.E. Ocean Boulevard Overlay Zone.

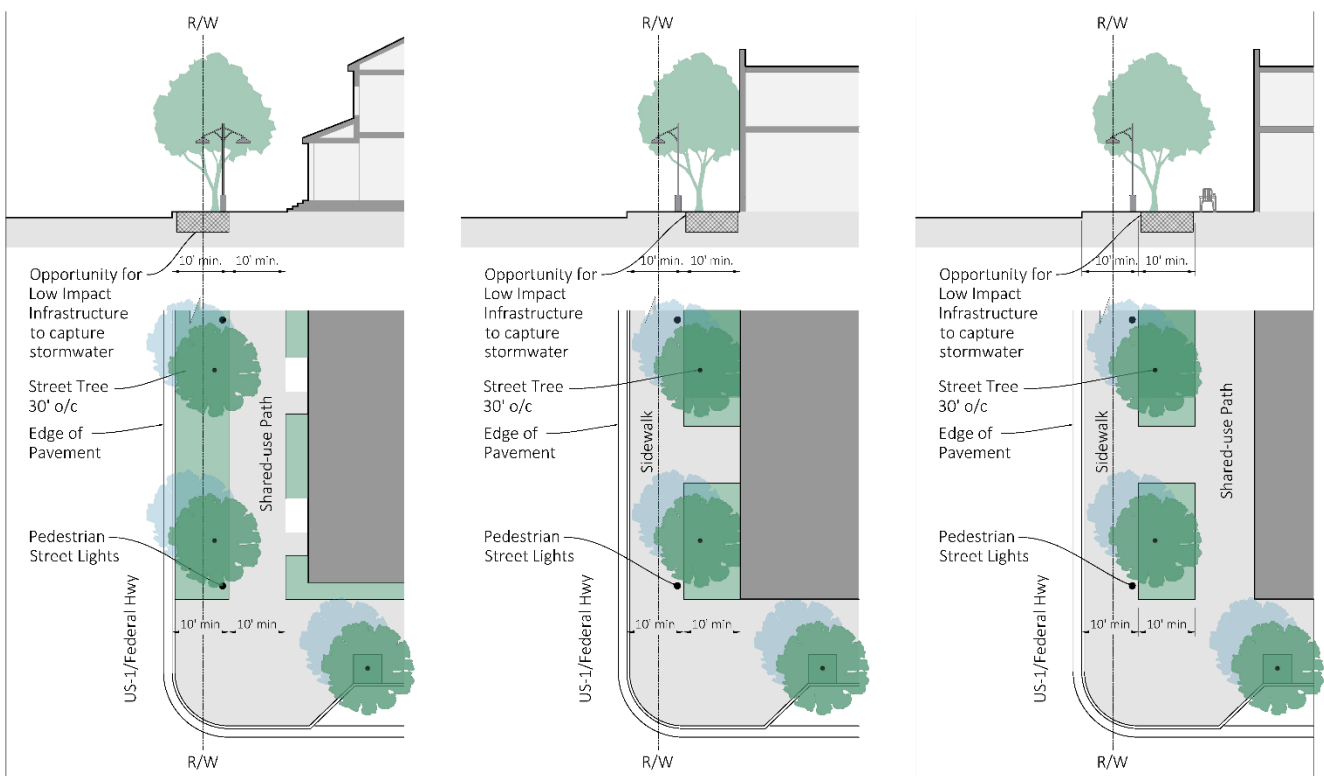
Streetscape standards. Front setback areas shall be detailed to augment public right-of-way design, to establish shaded, continuous routes for pedestrians and cyclists, and to organize landscaping and other elements to ensure a superior public realm. The standards and regulations set forth below shall apply to all *new development*, and *substantial renovation*.

1. **US-1/Federal Highway Streetscape from S Joan Jefferson Way to S Dixie Cutoff Rd.** A minimum streetscape area no less than 20 feet in width, measured from the back of curb, shall be provided. The streetscape area is a combination of public right of way and the required building setback. **Figure 2.04-2** illustrated possible means of meeting the streetscape standards. The streetscape area shall be organized as follows:

- a. **Shared-use path or sidewalk.** A continuous 10' pedestrian and cycling path shall be provided. Any portion of the shared-use path or sidewalk within the front setback area shall be improved as an extension of the public sidewalk and shall match the public sidewalk in design and material, providing a seamless physical transition.
- b. **Shade trees & landscaping area.** Shade trees provide a shaded environment for the pedestrian, improve stormwater management, reduce urban heat island effect, and improve the overall visual appearance of the street. Street trees shall be provided as follows:
 - i. Planted uniformly spaced at a minimum of 30 feet on center. Spacing of trees may only exceed 30 feet to accommodate curb cuts, fire hydrants, utilities, existing canopy trees. Shade trees are encouraged to be planted to separate pedestrians from vehicular travel lanes.
 - ii. Shade trees and landscape areas may be planted with tree boxes or other low impact green infrastructure to maximize the stormwater benefit.
 - iii. Shade trees shall be planted in accordance with the City of Stuart Landscape Code and shall be consistent with US-1/Federal Highway Street Tree Master Plan tree species.
 - iv. Shade Trees shall be trimmed to provide minimum 7' clear height at sidewalks and 14' clear height at streets.
 - v. If site constraints such as existing utility easements, infrastructure, or right-of-way constraints prevent the installation of required shade trees, the Development Director may

- approve a different organization of the streetscape elements. The building shall provide devices such as awnings or roof overhangs to establish a shaded pedestrian environment.
- c. **Dedication.** A sidewalk easement or dedication, in a form acceptable to the City Attorney, over any portion of the shared-use path or sidewalk located within the front setback shall be granted to the City. Shared-use path or sidewalk dedication consistent with the approved *US-1/Federal Highway Street Tree Master Plan* may be approved administratively by the Development Director. The property owner shall also be required to enter into a maintenance agreement, in a form acceptable to the City Attorney, requiring the property owner to be responsible for and maintain improvements made by the owner to meet the requirements of this section.
- d. **Building entrances.** The main entrance to every building shall be and face a public right-of-way or civic open space. The main entrance(s) to ground story commercial space(s) shall face a public right-of-way or civic open space. Doors allowing public access shall occur at intervals no greater than 150 feet per façade or side of building.
- e. **Frontage types.** Frontage Types define architectural characteristics for the detailing of building entrances. Frontage Types may be required as part of a Special Zoning Code areas. See Chapter III.
- f. **Parking Code Relief.** Relief from the Stuart Parking Code may be permitted when the streetscape setback is fully implemented as part of a substantial renovation or site renovation. The required on-site parking may be reduced by 10% or by the existing parking spaces lost in streetscape implementation, whichever is greater. Parking space credit shall be recorded and approved by administrative variance per Sec. 8.05.08. Failure to maintain landscaping will revoke parking space credit.

Figure 2.04-2:



From Sec. 3.01.03. Urban standards and regulations for designated urban subdistricts.

D. *Urban highway ("UH").*

1. *Principal building placement.*

- a. The front building facade shall be constructed parallel to the street along the front property line with a minimum setback of ~~15~~ 20 feet and a maximum setback of ~~20~~ 40 feet for properties fronting on U.S. 1/SE Federal Highway. If a property does not front on U.S. 1/Federal Hwy., then the minimum setback shall be ~~zero~~ 0 feet and the maximum setback shall be not more than ~~ten~~ 20 feet.
- b. The side setbacks may be zero feet on each side.
- c. The rear setback is not less than 15 feet.
- d. For lots fronting U.S. 1/SE Federal Highway, the front street façade width of the principal building shall not be less than 40 percent of the lot width. For other lots, the width of the principal building shall be not less than 70 percent of the lot width.

CITY OF STUART, FLORIDA

AGENDA ITEM REQUEST

Community Redevelopment Board

Meeting Date: 8/1/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

TRAM PROGRAM ACTION PLAN

Summary Explanation/Background Information on Agenda Request:

On July 11, 2023, the Community Redevelopment Board made recommendations to improve the service, ridership and reliability of the Tram. Below is a list of recommended actions for the City over a 1-2 year time period.

Recommended Immediate Action Items (1-2 years)

1. Robust marketing plan/campaign for the Tram service.
2. Provide more materials and handouts about the Tram to local businesses.
3. Opportunity for the Tram representative to speak directly to local businesses and at the Chamber of Commerce.
4. Additional marketing to local businesses for employees to park at park-and-ride locations and take the Tram to work.
5. Informative kiosks and outreach at key locations (e.g., Hospital, East Stuart Community, Neighborhoods).
6. Identify key location for Tram service in the East Stuart Neighborhood (e.g., Gertrude Daycare Center, 10th Street Recreation Center, Churches).
7. Install new shelters at high ridership locations (e.g., City Hall, Wellsfargo).
8. Advertising at Tram shelters for potential revenue generator.
9. Tram wrap advertising/sponsorship for potential revenue generator.
10. Consider charging for the historical tours after the grant expires.
11. Consider increasing the rental fees for special events.
12. Invest in live GPS Tracking System and Software for the Trams.
13. Coordinate with Marty for joint marketing opportunities.
14. Additional locations close to US-1/Federal Highway to facilitate the riders' last-minute connection with Marty.

Funding Source:

Each action item will be evaluated and prioritized based on cost and resources.

Recommended Action:

Motion to approve recommended action items for implementation.

ATTACHMENTS: