



City of Stuart

Development Department

121 SW Flagler Avenue ~ Stuart, FL 34994

Phone: (772) 288-5326 ~ Fax: 288-5388

January 31, 2019

Department of Economic Opportunity
Att. Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC160
Tallahassee, Florida 32399

Dear Mr. Eubanks,

On Monday, October 22, 2018 the City Commission adopted Ordinance No. 2371-2018 DEO# 18-02ESR for the Osprey Preserve - Large Scale Future Land Use Map Change (FLUM) and Rezoning at second reading for 86 attached homes and one single family home located on the south west corner of NW Green River Parkway and Jensen Beach Blvd. The amendment to the Future Land use map change requires the local government to transmit this adopted amendment to your agency for your records.

The following minor changes were between first and second reading are the following:

1. A continuous buffer has been added between the lake and wetland.
2. A 10 foot wide swath of littoral plantings including transitional plantings have been added at the lake on the western edge to the top of bank.
3. Additions to the Home Owners Association documents have been added that limit the use of high phosphorous fertilizer application by way of best management practices.

This package includes: (1 paper copy and 2 CD ROMS in PDF)

- Ordinance 2371-2018 (Adopted by the Stuart City Commission on October 22, 2018)
- Adopted land use and zoning maps
- Minutes from the October 22th City Commission meeting

Regards,

Thomas J. Reetz

Tom Reetz
Senior Planner
City of Stuart
121 SW Flagler Ave.
Stuart, Florida 34994

(Full packet including executed ordinance) www.cityofstuart.us/index.php/en/deo-transmittals



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

ORDINANCE NUMBER 2371-2018

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "LOW DENSITY RESIDENTIAL" FOR A 15.2 ACRE PORTION OF A 19.3 ACRE PARCEL ANNEXED BY ORDINANCE NO. 1560-97, OWNED BY E. CLARK GIBSON, LOCATED ON THE SOUTH WEST CORNER OF NW JENSEN BEACH BLVD AND NW GREEN RIVER PARKWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY BE REZONED FROM "CPUD" TO "RPUD" ON THE CITY'S OFFICIAL ZONING MAP; ESTABLISHING THE OSPREY PRESERVE RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF EIGHTY SIX (86) ATTACHED HOMES AND ONE (1) SINGLE FAMILY HOME; APPROVING A MASTER DEVELOPMENT PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTANT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

*** * * * ***

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by E. Clark Gibson Trustee, for a 15.2 acre portion of the 19.30 annexation parcel of land located on the south west corner of NW Jensen Beach Blvd. and NW Green River Parkway; and

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

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

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

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

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

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

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

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

SECTION 1: The following new documents are on file as public records of the City, at the office of the City Clerk in City Hall, and attached hereto as **Exhibit “D”**, hereinafter the “Development Documents”, shall be deemed a part of the development conditions, and shall supplement any earlier approvals:

- a. The Master Site Plan, Sheet 1 of 1, prepared by Lucido & Associates, dated 02.19.18, last revised on 10.02.18.**
- b. The ALTA/NSPS Land Title Survey – Osprey Preserve, by Associated Land Surveyors, Inc, dated 10.30.17.**
- c. The Landscape Plans, Sheet 1 of 5, prepared by Lucido & Associates, dated 02.20.18, and resubmitted on 10.10.18.**
- d. The Tree Preservation Plan, Sheet 2 of 5, prepared by Lucido & Associates, dated 02.20.18, last resubmitted on 10.10.18.**
- e. Architectural Floor Plans and Elevations for Osprey Preserve, Sht. P-7, First & Second Floor Plan, Front & Rear Elevations #4, 5 & 6, by Kelly & Kelly Architects, Dated February 16, 2018.**
- f. Preserve Area Management Plan by EW Consultants, Inc. dated June 2018.**

SECTION 2: The Future Land Use designation in the City's Comprehensive Land Use Plan shall be established as "Low Density Residential". This ordinance may not become effective until 31 days after adoption. If challenged within 30 days after adoption, this ordinance may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted large scale land use amendment is in compliance as defined in s. 163.3184(1)(b).

SECTION 4: The Land Development (Zoning) District designation on the City of Stuart Official Zoning Map shall be established as "RPUD" Residential Planned Unit Development subject to the appeal period stated in Section 2, above.

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

SECTION 6: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof is hereby repealed to the extent of such conflict. If any provision of this ordinance conflicts with any contractual provision between the City and the developer of the site, this ordinance shall prevail.

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

SECTION 8: This ordinance shall be effective upon the last of the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owner. However, the Future Land Use and Zoning Designations granted herein shall not be effective until thirty one (31) days after adoption, and as otherwise provided by law.

SECTION 9: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

PASSED on First Reading this 14th day of May, 2018.

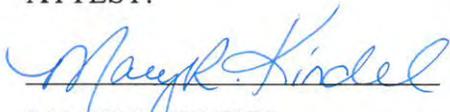
Commissioner BRUNER offered the foregoing ordinance and moved its adoption. The motion was seconded by Commissioner CLARKE and upon being put to a roll call vote, the vote was as follows:

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

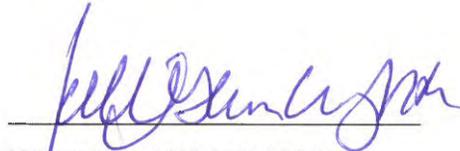
<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Y			
Y			
Y			
Y			
Y			

ADOPTED on second and final reading this 22ND day of October, 2018.

ATTEST:

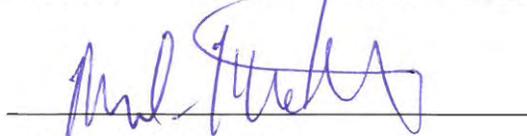


MARY R. KINDEL
CITY CLERK



KELLI GLASS LEIGHTON
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:



MICHAEL MORTELL
CITY ATTORNEY



ACCEPTANCE AND AGREEMENT

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

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

WITNESSES:

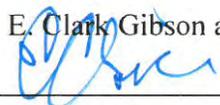


Print Name: Gisela Alvarado



Print Name: Tom Rantz

E. Clark Gibson as Trustee

By:  _____

OWNERS ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this 26th day of Oct., 2018, by E. Clark Gibson as Trustee,

Darcee M Pilarski

Notary Public, State of Florida

My Commission Expires:

07/18/2022



Notary Seal

Personally Known _____ OR Produced Identification X

Type of Identification Produced FL DL

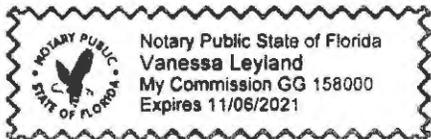
CITY'S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this 30 day of October, 2018, by KELLI GLASS LEIGHTON, MAYOR, and Mary Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

Vanessa Leyland

Notary Public, State of Florida

My Commission Expires:



Notary Seal

Personally Known ✓ OR Produced Identification _____

Type of Identification Produced _____

EXHIBIT A – LEGAL DESCRIPTION

Osprey Preserve

BEING A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, BEING A PORTION OF LOTS 13, 14, 15, AND 16, BLOCK 1, ST. LUCIE GARDENS, AS RECORDED IN PLAT BOOK 1, PAGE 35, ST. LUCIE (NOW MARTIN) COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PINEAPPLE PLANTATION PLAT TWO, A P.U.D., AS RECORDED IN PLAT BOOK 14, PAGE 26, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, POINT ALSO LYING ON THE SOUTH RIGHT OF WAY LINE OF JENSEN BEACH BOULEVARD (A 120 FOOT WIDE RIGHT OF WAY); THENCE SOUTH 89°27'41" EAST, ALONG THE SAID SOUTH RIGHT OF WAY LINE OF JENSEN BEACH BOULEVARD, FOR A DISTANCE OF 976.74 FEET TO A POINT; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE OF JENSEN BEACH BOULEVARD, SOUTH 44°37'33" EAST, FOR A DISTANCE OF 42.44 FEET, TO A POINT ON THE WEST LINE OF A ROAD EASEMENT (100 FOOT WIDE), AS RECORDED IN OFFICIAL RECORDS BOOK 1963, PAGE 1423, MARTIN COUNTY, FLORIDA; THENCE SOUTH 00°21'24" WEST ALONG SAID ROAD EASEMENT, FOR A DISTANCE OF 630.08 FEET TO A POINT ON A LINE THAT IS 660 FEET SOUTH OF, AND PARALLEL WITH THE SOUTH RIGHT OF WAY LINE OF JENSEN BEACH BOULEVARD; THENCE NORTH 89°27'41" WEST, DEPARTING SAID WEST LINE OF ROAD EASEMENT AND ALONG SAID PARALLEL LINE, FOR A DISTANCE OF 1005.37 FEET TO A POINT ON THE EAST LINE OF PINEAPPLE PLANTATION PLAT TWO, A P.U.D., AS RECORDED IN PLAT BOOK 14, PAGE 26, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE NORTH 00°14'17" EAST, ALONG SAID EAST LINE OF PINEAPPLE PLANTATION PLAT TWO, A P.U.D., FOR A DISTANCE OF 660.01 FEET TO THE POINT OF BEGINNING.

EXHIBIT C – DEVELOPMENT CONDITIONS

Approved Plans and Documents

2. The Osprey Preserve RPUD project and use thereof shall comply with the following drawings:
 - a. **The Master Site Plan, Sheet 1 of 1, prepared by Lucido & Associates, dated 02.19.18, last revised on 10.2.18.**
 - b. **The ALTA/NSPS Land Title Survey – Osprey Preserve, by Associated Land Surveyors, Inc, dated 10.30.17.**
 - c. **The Landscape Plans, Sheet 1 of 5, prepared by Lucido & Associates, dated 02.20.18, and resubmitted on 10.10.18.**
 - d. **The Tree Preservation Plan, Sheet 2 of 5, prepared by Lucido & Associates, dated 02.20.18, last resubmitted on 10.10.18.**
 - e. **Architectural Floor Plans and Elevations for Osprey Preserve, Sht. P-7, First & Second Floor Plan, Front & Rear Elevations #4, 5 & 6, by Kelly & Kelly Architects, Dated February 16, 2018.**
 - f. **Preserve Area Management Plan by EW Consultants, Inc. dated June 2018.**

3. Any modifications to the Master RPUD Site Plan that exceeds 10% of the approved building footprint, building setbacks, gross square footage, building location, parking size, location and number of parking, drainage areas, and location of landscaping may be approved by the City's Development Director, provided however, the Development Director may refer the matter to the City Commission for approval via a public hearing.

4. Development of the Subject Property as a RPUD shall include an impervious area of not more than 2000 square feet per lot and no more than (60%) impervious coverage for an individual lot within the RPUD. The maximum building height within the RPUD shall be 2 stories or 30 feet. Height shall be measured from the lowest permissible finished first

floor elevation to the surface of a flat roof or to the eave of a pitched roof. The peak of a pitched roof may not exceed 15 feet above the maximum building height.

Landscaping

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

Required Open Space and Native Preserve Area

8. Open Space. Not less than 39% of the RPUD shall be open space as depicted on the Master Site Plan by Lucido and Associates as described in Exhibit C. Required open space may include native vegetation areas and landscape buffers between the CPUD and adjacent property; however, other required landscaping shall not count towards the open space requirement.
9. Excluding wetlands defined by the South Florida Water Management District, not less than 20% of the total development site shall remain as undeveloped and recreated native vegetation area. The required native vegetation area may include open space areas and the landscape buffer between the site and adjacent property; however, other required landscaping shall not count towards the native vegetation requirement. The location of the native vegetation shall comply with the project's landscape plan, Shts. 1 of 4 & 2 of 4 by Lucido and Associates. The project shall adhere to the Preserve area mitigation and

monitoring plan prepared for Lucido & Associates and prepared by EW consultants dated February, 2018. The owner and developer shall adhere to the provisions of the Wetland Maintenance and Monitoring Plan and permanent maintenance will be the responsibility of the HOA.

Tree Mitigation

10. Except as follows, the project shall comply with Section 5.05.02 of the "Tree replacement and protection requirements" of the City's Land Development Code.
 - a. Prior to any development activities, in addition to the preserve area maintenance plan required herein, the developer shall provide a benchmark exhibit, acceptable to the city, prepared by the developer's environmental professional, accurately depicting the site's upland preserve areas in their final configuration, including existing and added plant materials as called for in the PAMP. This exhibit shall not include any materials planted in the preserve area for the purposes of tree mitigation.
 - b. In the event the developer proposes to meet any or all of the tree mitigation requirements of section 5.05.02 by planting within the upland preserve areas, the developer shall provide an additional exhibit, acceptable to the city, depicting the planted materials shown on the benchmark exhibit required above as well as any additional planting materials proposed for the purpose of tree mitigation. This exhibit shall include the environmental professional's certification that the addition of supplemental plantings for the purpose of tree mitigation does not compromise the environmental integrity, or sustainability of the site's preserve areas. This exhibit shall be made a part of the PAMP for the purpose of perpetual maintenance as called for therein.
 - c. In the event the developer chooses to address tree mitigation by planting in the project's preserve area or elsewhere on the site, the following shall occur: For plantings in the preserve area and upland transition zone at the lake, not less than

85% shall consist of Pines trees or shrubs (Wax Myrtle, Green Button wood and Cocoplum) and 15% Palms (Minimum 14 feet).

- d. The developer shall provide an affidavit of spending, including receipts, prior to certificate of occupancy.
- e. Prior to Site Plan approval, the applicant shall provide replacement fund a check in the amount of \$18,000 to be deposited in the City’s Tree Fund account.

Prior to Issuance of Site Permits

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

Development and Construction

- 15. The Developer shall construct the project’s infrastructure in one phase and is required to control the sales of lots in blocks and will create a lot sales and construction plan which shall be provided to the City’s Development Department for review and approval prior to application for the first building permit.
- 16. The Developer shall install landscaping (and gate if proposed) at the development’s entry as shown on the landscaping plan prior to the first certificate of occupancy for a

residential unit. The entry gate (if applicable) shall be made operational prior to issuance of the third certificate of occupancy.

17. The proposed cabana and pool landscaping shall be completed before the certificate of occupancy has been issued for the 10th residential unit or within 12 months from the start of any development activity.
18. The developer shall follow the guidelines for eradication of nuisance and exotic vegetation for both wetland and upland preserve areas as described in the Wetland Maintenance and Monitoring Plan by EW Consultants, Inc. dated February 2018 and be completed and inspected prior the first building permit is issued.
19. The property owner shall provide easements for licensed television services. Preserve area easements shall be dedicated to state agencies with the City of Stuart having the option to have those same easements.
20. The projects proposed drainage outfall to Green River Pkwy shall have Martin County approval before any developmental activity on the site occurs.
21. Water and Sewer Services shall be provided by Martin County Utilities. Additionally the development shall use reclaimed water (Purple Pipe) for watering common areas and make available to individual lots if made available by Martin County.
22. The Developer shall provide a decorative aluminum fence on lots with a retaining wall acceptable to the Development Department.
23. In the event of any conflict in the provisions of Exhibit 'C' Development Conditions and attached exhibits, Exhibit 'C' shall prevail.
24. Prior to certificate of occupancy of the last building, the applicant shall provide an engineer's written confirmation attesting that the RPUD's storm water system is in place and functioning in compliance with all approved plans and specifications.

25. Erosion and dust control measures to be implemented during construction shall be provided on the civil plans and submitted during site permit review. Water trucks shall be provided by the applicant as necessary during construction in order to reduce dust generated on-site.
26. All utility improvements constructed by the developer within Florida's Department of Transportation's right-of-way, shall be constructed in a manner and form acceptable to the FDOT. The developer shall grant any such utility easements necessary for this site as may be required by the FDOT.
27. The projects turn lanes as described on the project's Master Site plan shall be completed before the first certificate of occupancy is issued.
28. The project's storm water facilities, specifically the Native Planting schemes at the detention/retention areas/wetlands, will be designed using Low Impact Development "(LID) Techniques as described in the University of Florida IFSA Extension publication "LID Practices: Integration Wetlands and Enhancing Storm water Basins". The proposed dry retention shall have native grasses along the edges of the retention area are to become part of the stormwater filtration process.
29. The developer shall construct a minimum 8' wide sidewalk along the projects frontage on Green River Parkway and connect with the existing sidewalk on Jensen Beach Boulevard.
30. Temporary or freestanding storage units are prohibited on the property once construction is complete.
31. The installation of a Knox key switch to operate the gate (if applicable) is required for City of Stuart fire rescue and Martin County Fire Rescue and the gate codes are to be posted with the City's Police Department.

32. Site work including but not limited to land preparation, lake excavation, clearing and grading, drainage and water, sewer and irrigation lines, and private road shall be reviewed approved by the city's public works department and the city's engineering consultant prior to permitting. Specifically,
- a. Private Road & R.O.W. including pedestrian sidewalk
 - b. Proposed Lake
 - c. Dry Detention Area
 - d. Cabana and Pool
 - e. Existing wetland and Upland Preserve

Setbacks

33. The minimum building setbacks for the development shall be:

Front = 20'

Side Corner = 14'

Side = 5'

Rear = 15'

Signage

34. All signs throughout the PUD must have a consistent treatment, as to number, location, size, height, lighting, and materials with a unified theme throughout the Planned Unit

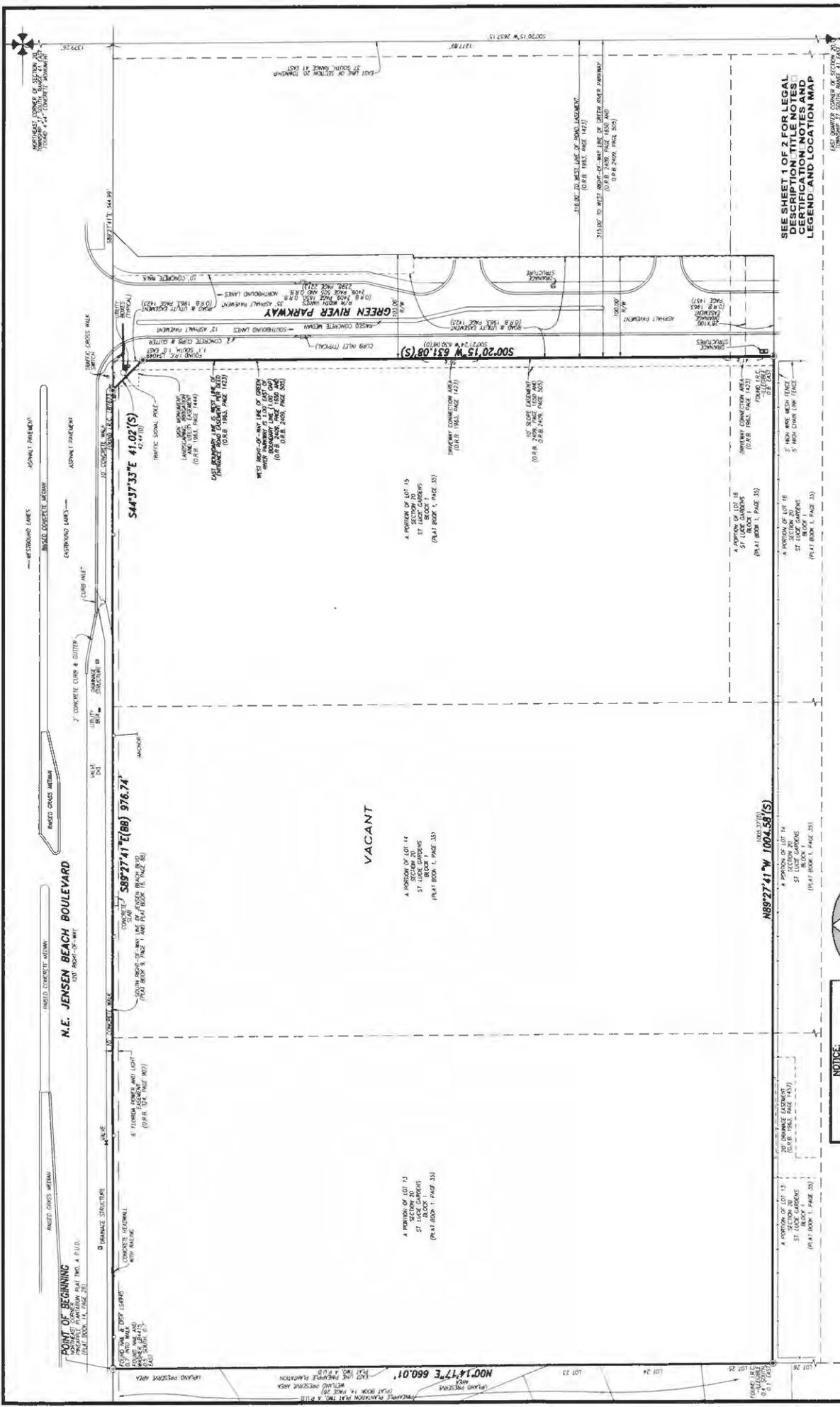
Development. The development's monument sign shall adhere to the City of Stuart Land Development Code.

Platting- HOA Requirements & Future Amendments

35. Plat approval per Section 11.01.06.1 shall occur prior to any future development permit for any development activity, no permit for development including site work and infrastructure, shall be issued by the City unless and until a plat has been approved by the City Commission and recorded in the public records.
36. The PUD may be conveyed to 87 separate home owners (two per lot), with the exception of lot 55 (a single family residence) without further amendment to this Ordinance. Prior to application for any development, the applicant/developer shall form a HOA (Homeowners Association) or other similar entity acceptable to the City Attorney, which shall be singularly responsible for the perpetual maintenance of the common site features.
37. If there are any encroachments in to the preserve area a notice of violation shall be issued to the developer or Home Owners Association which will be responsible for remedying the violation.
38. Any applications to amend this Ordinance shall be limited to the developer or the Home Owners Association.
39. The City may elect at any time to assign a future land use designation of "Conservation" to the PUD's preserve areas without objection by the owners. Further, the City may at its discretion, take over maintenance of the preserve area(s) without objection by the owners.

Land Contribution

40. The owner of the property shall contribute 1.78 acres of land just south of Jensen Beach Blvd. and adjacent to Green River Parkway to the City and with terms acceptable to the City Attorney prior to any site or building permits being released.



SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION, TITLE NOTES, CERTIFICATION NOTES AND LEGEND AND LOCATION MAP

DATE: 10/20/2017
 BY: [Signature]
 DESCRIPTION: ALTINSPS SURVEY

REVISIONS

DATE	DESCRIPTION
10/20/2017	ALTINSPS SURVEY

ALTAINSPS LAND TITLE SURVEY
OSPREY PRESERVE

OWN: BLS
 FIPS: [Number]
 DATE: 10/20/2017
 W.D.: [Number]
 COO: [Number]

ASSOCIATED LAND SURVEYORS INC.
 4101 BLVD. SUITE 200
 RIVERA BEACH FLORIDA 33414
 PHONE (813) 871-1112 FAX (813) 871-1111
 LB NO 7344 EMAIL: ALS@ASSOCIATEDLANDSURVEYORS.COM

GRAPHIC SCALE
 1" = 40'
 (IN FEET)

NOTICE
 THIS SURVEY DOCUMENT IS AN INSTRUMENT OF SERVICE AND IS NOT A CONTRACT. THE SURVEYOR HAS OBLIGATED HIMSELF TO THE CLIENT FOR WHICH IT WAS PREPARED. BEFORE ANY CONTRACT IS ENTERED INTO, THE CLIENT SHALL BE ADVISED OF THE SURVEYOR'S OBLIGATIONS AND THE CLIENT'S OBLIGATIONS. THE SURVEYOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND AUTHORIZATIONS FROM THE APPROPRIATE AGENCIES AND AGENCIES. THE SURVEYOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND AUTHORIZATIONS FROM THE APPROPRIATE AGENCIES AND AGENCIES. THE SURVEYOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND AUTHORIZATIONS FROM THE APPROPRIATE AGENCIES AND AGENCIES.

Key/Location



N.T.S.

Project Team
 Architect: Lucado & Associates
 1701 SW 22nd St., Suite 100
 Fort Lauderdale, FL 33304
 Phone: 954.576.1400
 Fax: 954.576.1402

Lead Designer
 Landscape Architect: [Name]
 1701 SW 22nd St., Suite 100
 Fort Lauderdale, FL 33304
 Phone: 954.576.1400
 Fax: 954.576.1402

Designer
 [Name]
 1701 SW 22nd St., Suite 100
 Fort Lauderdale, FL 33304
 Phone: 954.576.1400
 Fax: 954.576.1402

Checker
 [Name]
 1701 SW 22nd St., Suite 100
 Fort Lauderdale, FL 33304
 Phone: 954.576.1400
 Fax: 954.576.1402

Project Engineer
 [Name]
 1701 SW 22nd St., Suite 100
 Fort Lauderdale, FL 33304
 Phone: 954.576.1400
 Fax: 954.576.1402

Contractor
 [Name]
 1701 SW 22nd St., Suite 100
 Fort Lauderdale, FL 33304
 Phone: 954.576.1400
 Fax: 954.576.1402

Osprey Preserve RPUD

City of Stuart, Martin County, Florida

Landscape Details

Date	By	Description
02.20.18	BN	Initial Drawing
05.29.18	BN	1st Revisions
08.01.18	BN	2nd Revisions
09.19.18	BN	2nd Revisions

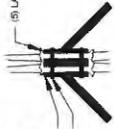


REG. #1018
 Thomas P. Lucado

Sheet
4 of 5

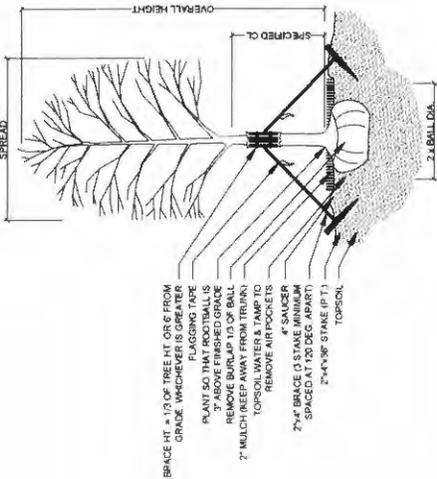
Designer: B.W.
 Manager: D.F.
 Project Number: 17-546
 Municipal Number:
 Computer File: Osprey Preserve - Landscape 1 - Tree Preparation - This Day
 © Lucado & Associates, Inc. All rights reserved. No portion of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Lucado & Associates, Inc.

(5) 2x4x16" WOOD BATTENS
 SECURE BATTENS W/ (3) 3/4" HIGH
 CARBON STEEL BATTENS IN PLACE DURING
 PLANTING PROJECT. DO NOT NAIL
 BATTENS TO TRUNK. BATTENS SHALL BE LOCATED IN
 RELATION TO THE HEIGHT OF THE
 TREE FOR ADEQUATE BRACING.



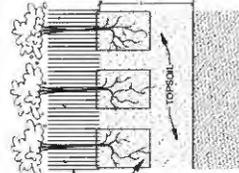
BRACING DETAIL NOT TO SCALE

WRAP TRUNK IN BURLAP & SECURE
 BATTENS W/ 3/4" HIGH CARBON STEEL BANDS
 2"x4" BRACE (3 STAGE MINIMUM)
 SPACED AT 120 DEG. APART
 2" MULCH (KEEP AWAY FROM TRUNK)
 FORM SAUCER WITH 4" CONTINUOUS RIM



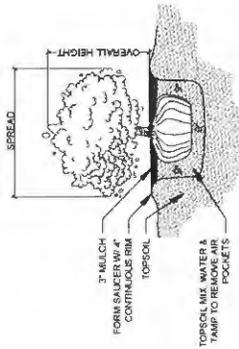
TREE PLANTING & STAKING NOT TO SCALE

BRACE W/ 1/2 OF TREE HT. OR 6' FROM
 GRADE, WHICHEVER IS GREATER
 FLAGGING TAPE
 PLANT SO THAT ROOTBALL IS
 3" ABOVE FINISHED GRADE
 REMOVE BURLAP 1/2 OF BALL
 FORM SAUCER WITH 4" CONTINUOUS RIM
 REMOVE AIR POCKETS
 2"x4" BRACE (3 STAGE MINIMUM)
 SPACED AT 120 DEG. APART
 2"x4"x36" STAKE (P.T.)
 TOPSOIL



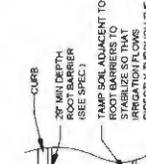
PLANT SPACING AS PER
 PLAN (TRIANGULAR)
 3" MULCH INSTALLED
 PREPARE BEDS AS PER
 WRITTEN SPECIFICATION

GROUNDCOVER PLANTING DETAIL NOT TO SCALE



SHRUB PLANTING NOT TO SCALE

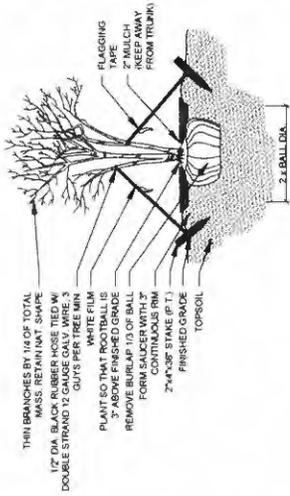
3" MULCH
 FORM SAUCER W/ 4"
 CONTINUOUS RIM
 TOPSOIL
 TOPSOIL MIX WATER &
 TAMP TO REMOVE AIR
 POCKETS



TOP OF ROOT
 BALL ABOVE
 FINISHED GRADE
 28" MIN DEPTH
 FINISHED GRADE
 (SEE SPEC.)
 TAMP SOIL ADJACENT TO
 ROOT BARRIERS TO
 STABILIZE SO THAT
 IRRIGATION FLOWS
 THROUGH THE
 ROOT BALL

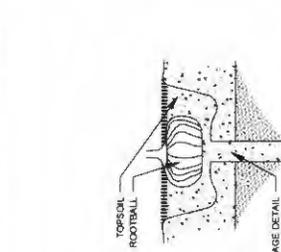
SPECIAL APPLICATIONS ROOT BARRIER DETAIL NOT TO SCALE

NOTES
 1- ROOT BARRIER SHALL BE INSTALLED WHEN ROOT BALL IS LOCATED WITHIN 1' OF PAVEMENT AND/OR CURB
 2- ROOT BARRIER SHALL BE 280-BARRIER 28" DEPTH OR APPROVED EQUAL
 3- ROOT BARRIER SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS



MULTI-TRUNK PLANTING & GUYING NOT TO SCALE

THIN BRANCHES BY 1/4 OF TOTAL
 MASS RETAIN NAT. SHAPE
 1/2" DIA. BLACK RUBBER HOSE TIED W/
 DOUBLE STRAND 1/2" GUYE PER TREE MIN
 WHITE FILM
 PLANT SO THAT ROOTBALL IS
 3" ABOVE FINISHED GRADE
 REMOVE BURLAP 1/2 OF BALL
 FORM SAUCER WITH 3"
 CONTINUOUS RIM
 2"x4"x36" STAKE (P.T.)
 FINISHED GRADE
 TOPSOIL

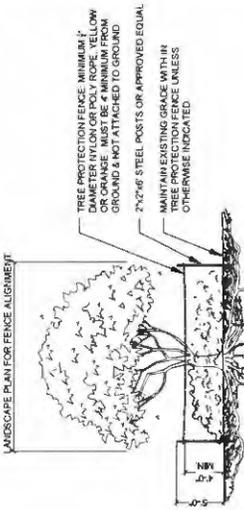


DRAINAGE TESTING DETAIL NOT TO SCALE

3" MULCH LAYER
 3" POTTING SOIL (SMALL CONTAIN
 40% ORGANIC MATERIAL)
 TOPSOIL MIX TOPSOIL CLBS TO
 FINAL GRADE AS SHOWN
 EXISTING SUBGRADE
 PAVEMENT

LANDSCAPE AREA PREPARATION DETAIL NOT TO SCALE

THE DETAIL SHOWS THE MEDIUM AND/OR LANDSCAPE ISLAND IS
 FOR GRAPHIC PURPOSES ONLY. SOIL PREPARATION SHALL APPLY TO ALL
 TREE, SHRUB, & GROUND COVER AREAS. THIS DOES NOT INCLUDE SOA AREAS



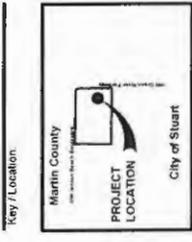
DRAINAGE TESTING/DRAINAGE CHANNEL REQUIREMENTS

PRIOR TO PLANTING, ALL PLANTING PITS SELECTED FOR TESTING
 SHALL BE TESTED IN THE FOLLOWING MANNER

- DIG EACH PLANTING PIT TO THE MINIMUM SPECIFIED SIZE
- FILL PLANTING PIT WITH TWELVE INCHES (12") OF WATER. IF
 THE WATER LEVEL DROPS MORE THAN ONE INCH (1") IN
 18 HOURS, THE DRAINAGE IS SUFFICIENT AND A DRAINAGE
 CHANNEL IS NOT REQUIRED. IF THE WATER LEVEL DROPS LESS
 THAN ONE INCH (1") IN THE FOUR (4) HOUR PERIOD, A
 DRAINAGE CHANNEL IS REQUIRED.
- WHERE REQUIRED, THE DRAINAGE CHANNEL MUST EXTEND
 DOWN THE SLOPE OF THE HIGH POROUS SOIL AND INTO POROUS
 SOIL (SEE DETAIL)
- ALL MATERIAL REMOVED FROM THE DRAINAGE CHANNEL
 SHALL BE DISCARDED
- WHERE BACKFILLS TO EXISTING PITS WITHIN THE PROPOSED
 SOIL MUST BE TAKEN TO KEEP THE CONSISTENCY OF THE
 SOIL THE SAME THROUGHOUT THE PLANTING PIT AND
 DRAINAGE CHANNEL

TREE PROTECTION BARRICADE NOT TO SCALE

NOTES
 1- TREE PROTECTION BARRICADE SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST
 2- NO PRUNING SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST
 3- NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING INCLUDING DURING
 FENCE INSTALLATION AND REMOVAL



Project Team

Client: City of Stuart
Project: Osprey Preserve RPUD

Architect: Lucido & Associates, Inc.
 17501 139th Ave, Suite 100
 Fort Lauderdale, FL 33324
 Phone: (954) 576-1100

Engineer: The Office Group, Inc.
 2000 N. US Highway 1
 Suite 111, Tallahassee, FL 32304
 Phone: (904) 833-1111

Contractor: The Office Group, Inc.
 2000 N. US Highway 1
 Suite 111, Tallahassee, FL 32304
 Phone: (904) 833-1111

City Engineer: City of Stuart
 1000 N. US Highway 1
 Suite 100, Stuart, FL 34997
 Phone: (888) 333-3333

Osprey Preserve RPUD

Tree Preservation Plan

City of Stuart, Martin County, Florida

Date: 02/20/15
 Description: Final Submission

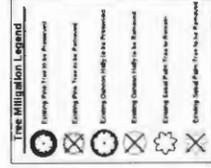
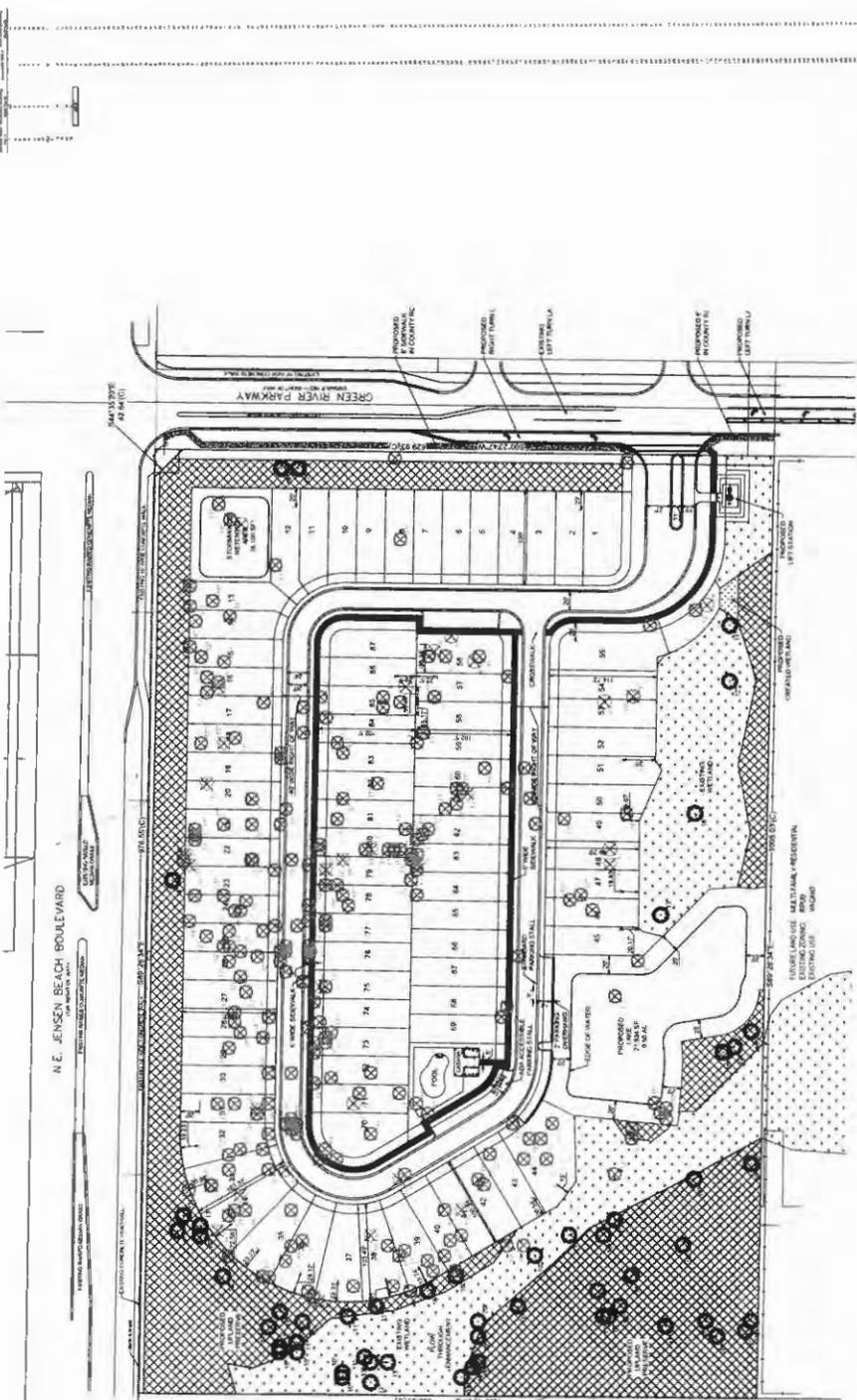


REG. # 0128
 Thomas D. Lucido

Sheet: **2 of 2**

Designer: B.V.V.
 Manager: D.J.
 Project Number: 171548
 Professional Number: 171548

City of Stuart, Florida
 City Engineer: [Signature]



EXISTING TREES TO BE PRESERVED

Tree #	Species	DBH (in)	Height (ft)	Health	Value (\$)
1	Live Oak	12	42	4	5,100
2	Live Oak	10	38	3	4,500
3	Live Oak	8	32	2	3,600
4	Live Oak	6	26	1	2,700
5	Live Oak	4	14	1	1,800
6	Live Oak	3	12	1	1,350
7	Live Oak	2	10	1	900
8	Live Oak	1	8	1	450
9	Live Oak	1	8	1	450
10	Live Oak	1	8	1	450
11	Live Oak	1	8	1	450
12	Live Oak	1	8	1	450
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26	Live Oak	1	8	1	450
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28	Live Oak	1	8	1	450
29	Live Oak	1	8	1	450
30	Live Oak	1	8	1	450
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32	Live Oak	1	8	1	450
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42	Live Oak	1	8	1	450
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77	Live Oak	1	8	1	450
78	Live Oak	1	8	1	450
79	Live Oak	1	8	1	450
80	Live Oak	1	8	1	450
81	Live Oak	1	8	1	450
82	Live Oak	1	8	1	450
83	Live Oak	1	8	1	450
84	Live Oak	1	8	1	450
85	Live Oak	1	8	1	450
86	Live Oak	1	8	1	450
87	Live Oak	1	8	1	450

MITIGATION DATA - COSTS/PLANTS

Tree #	Species	DBH (in)	Height (ft)	Health	Value (\$)
1	Live Oak	12	42	4	5,100
2	Live Oak	10	38	3	4,500
3	Live Oak	8	32	2	3,600
4	Live Oak	6	26	1	2,700
5	Live Oak	4	14	1	1,800
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22	Live Oak	1	8	1	450
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26	Live Oak	1	8	1	450
27	Live Oak	1	8	1	450
28	Live Oak	1	8	1	450
29	Live Oak	1	8	1	450
30	Live Oak	1	8	1	450
31	Live Oak	1	8	1	450
32	Live Oak	1	8	1	450
33	Live Oak	1	8	1	450
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81	Live Oak	1	8	1	450
82	Live Oak	1	8	1	450
83	Live Oak	1	8	1	450
84	Live Oak	1	8	1	450
85	Live Oak	1	8	1	450
86	Live Oak	1	8	1	450
87	Live Oak	1	8	1	450

NOTES:

- All tree data to be obtained on site, at owner's expense, at time of construction.
- All trees to be planted on separate plots - 10' x 10' (100 sq ft) per tree, plus 50% extra for soil and other site preparation.
- All trees to be planted on separate plots - 10' x 10' (100 sq ft) per tree, plus 50% extra for soil and other site preparation.
- All trees to be planted on separate plots - 10' x 10' (100 sq ft) per tree, plus 50% extra for soil and other site preparation.



KELLY & KELLY ARCHITECTURE, INC.
 100 S.W. 9TH STREET, SUITE 200
 MIAMI, FLORIDA 33135
 TEL: 305-375-1111
 FAX: 305-375-1112
 WWW.KELLYANDKELLY.COM

KELLY & KELLY ARCHITECTURE, INC.
 100 S.W. 9TH STREET, SUITE 200, MIAMI, FLORIDA 33135
 TEL: 305-375-1111 FAX: 305-375-1112



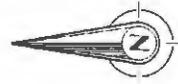
OSPREY PRESERVE
 PROPOSED DESIGN FOR
 MARTIN COUNTY, FLORIDA
 GREENRIVER PARKWAY

1/11/18
 6 FEB 18

1-7

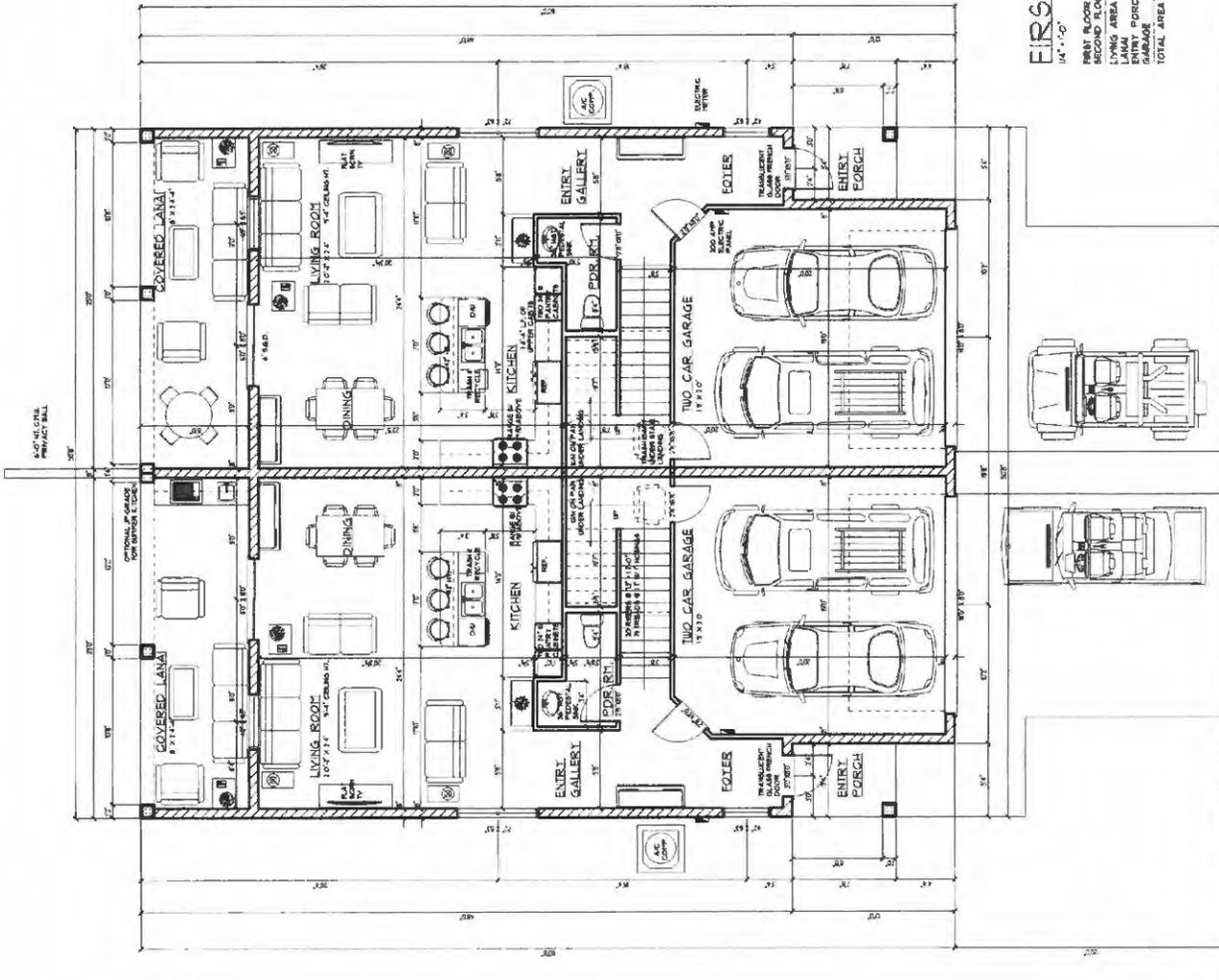


- WALL LEGEND**
- 8' CONCRETE WALL
 - 7' x 4' INTERIOR FRAME WALL
 - 7' x 6' INTERIOR FRAME WALL
 - 2' x 6' EXTERIOR PRAFE WALL



FIRST FLOOR PLAN
 1/4" = 1'-0"

FRONT PORCH	1,850
SECOND FLOOR	1,850
LIVING AREA	7,346
LAMA	2,022
ENTRY PORCH	472
COVERED LAMA	4,624
TOTAL AREA	23,964 SQ. FT.



PROPERTY LINE



KELLY & KELLY ARCHITECTS
 200 S.W. 8TH STREET, SUITE 100, FT. LAUDERDALE, FL 33304
 (954) 575-1111

PROPOSED DESIGN FOR
 OSPREY PRESERVE
 GREENRIVER PARKWAY
 MARTIN COUNTY, FLORIDA

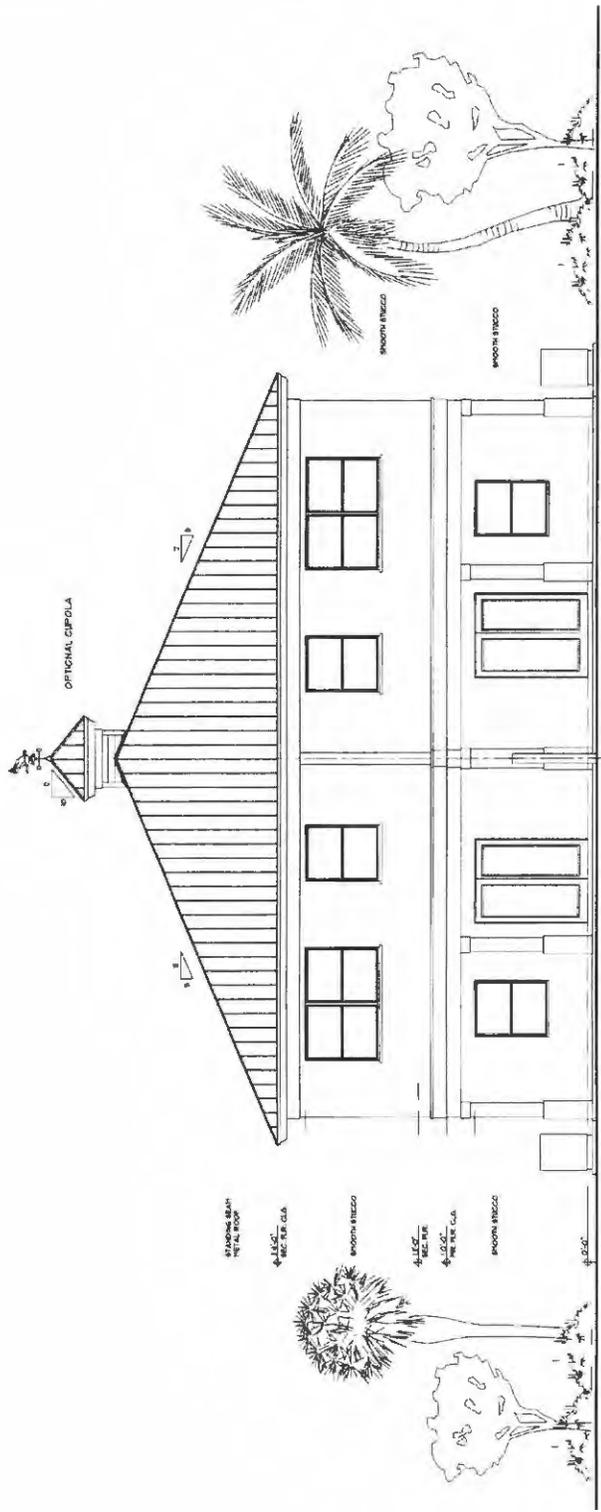


OSPREY PRESERVE
 GREENRIVER PARKWAY
 MARTIN COUNTY, FLORIDA

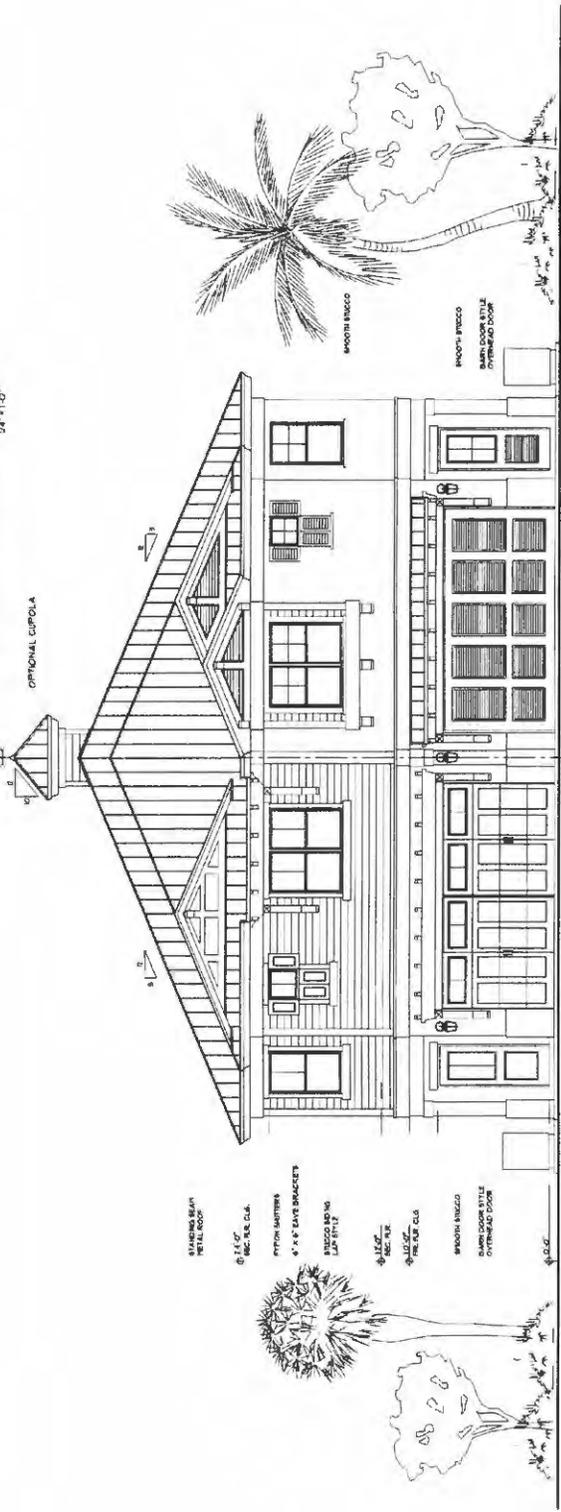
ARCHITECT

DATE: 11/11/11
 SHEET: 1 OF 1

1-7



REAR ELEVATION
 1/4" = 1'-0"



FRONT ELEVATION # FOUR
 1/4" = 1'-0"

BRANDS REAR
 RETAIL ROOF
 4" x 8" SIPS
 4" x 8" SIPS
 SMOOTH STUCCO
 4" x 8" SIPS
 4" x 8" SIPS
 SMOOTH STUCCO

BRANDS REAR
 RETAIL ROOF
 4" x 8" SIPS
 4" x 8" SIPS
 SMOOTH STUCCO
 4" x 8" SIPS
 4" x 8" SIPS
 SMOOTH STUCCO
 BRANDS REAR
 RETAIL ROOF



ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.
 DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.
 DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.

KELLY & KELLY ARCHITECTS
 100 S.W. 8TH STREET, SUITE 200, MIAMI, FL 33130-3600
 (305) 371-1111

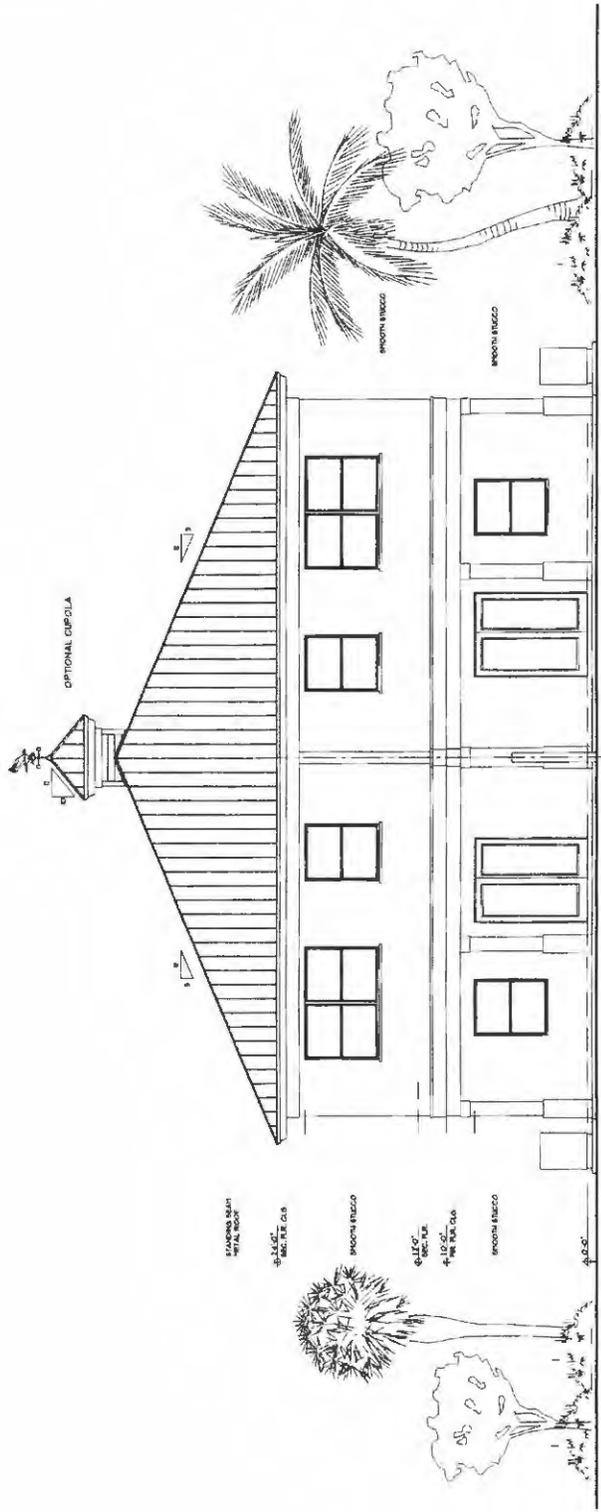


PROPOSED DESIGN FOR
OSPREY PRESERVE
 MARTIN COUNTY, FLORIDA
 GREENRIVER PARKWAY

1:1118
 1:6 FEB 15

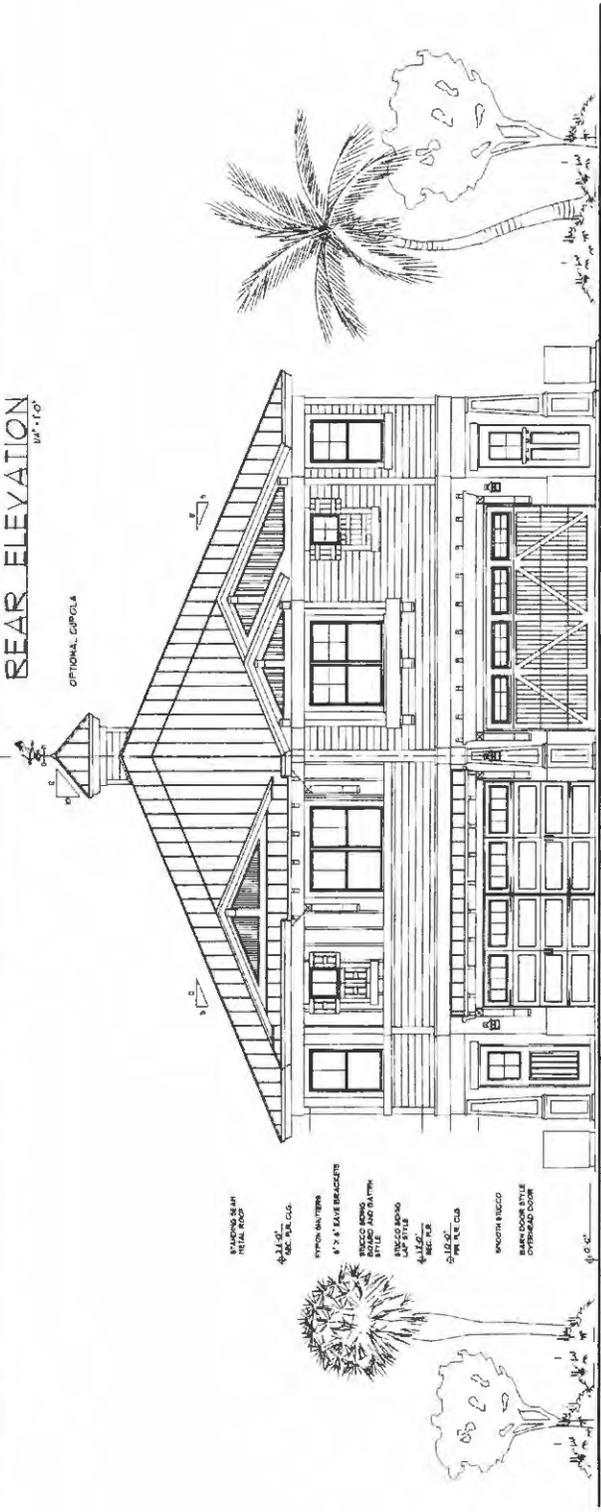
1:1118
 1:6 FEB 15

L-3
 1:1118
 1:6 FEB 15



REAR ELEVATION
 1/4" = 1'-0"

OPTIONAL CERULA
 1:1118
 1:6 FEB 15



FRONT ELEVATION # FIVE
 1/4" = 1'-0"

OPTIONAL CERULA
 1:1118
 1:6 FEB 15



Kelly & Kelly Architects
 700 S.W. 8th Street, Wynonah, FL 32793-8888
 (407) 253-8888

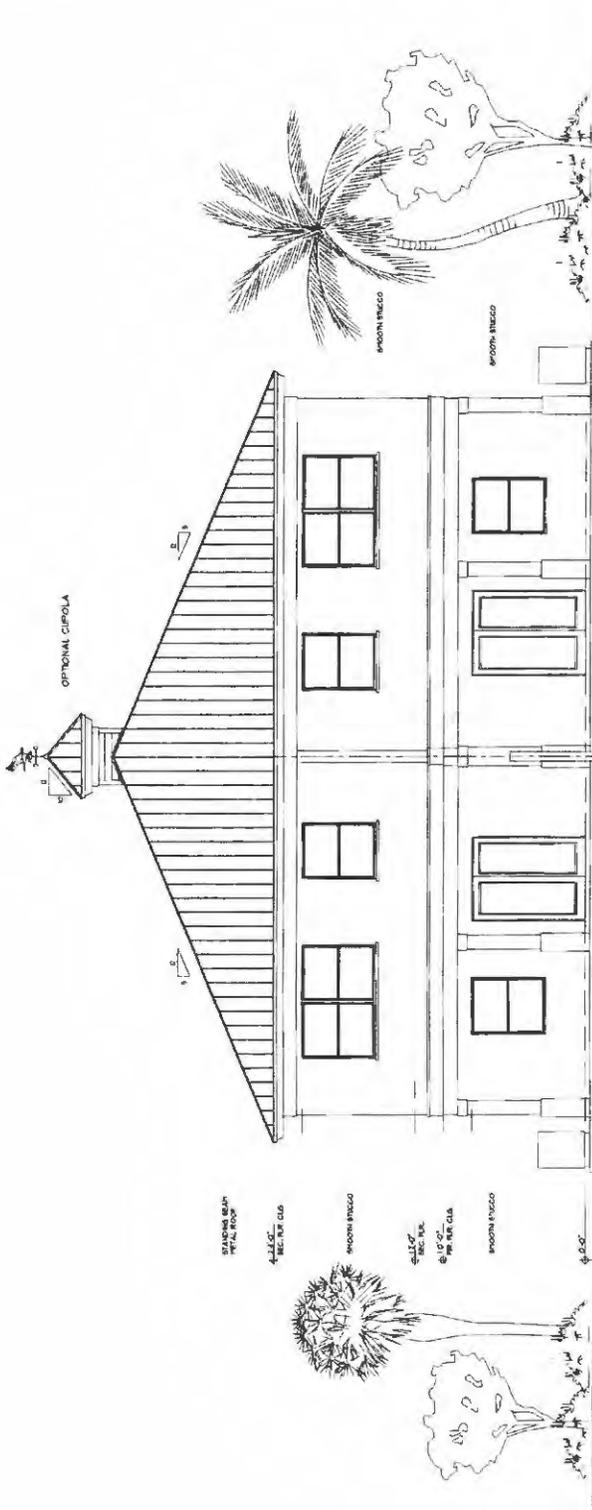
PROPOSED DESIGN FOR
OSPREY PRESERVE
 MARTIN COUNTY, FLORIDA
 GREENRIVER PARKWAY



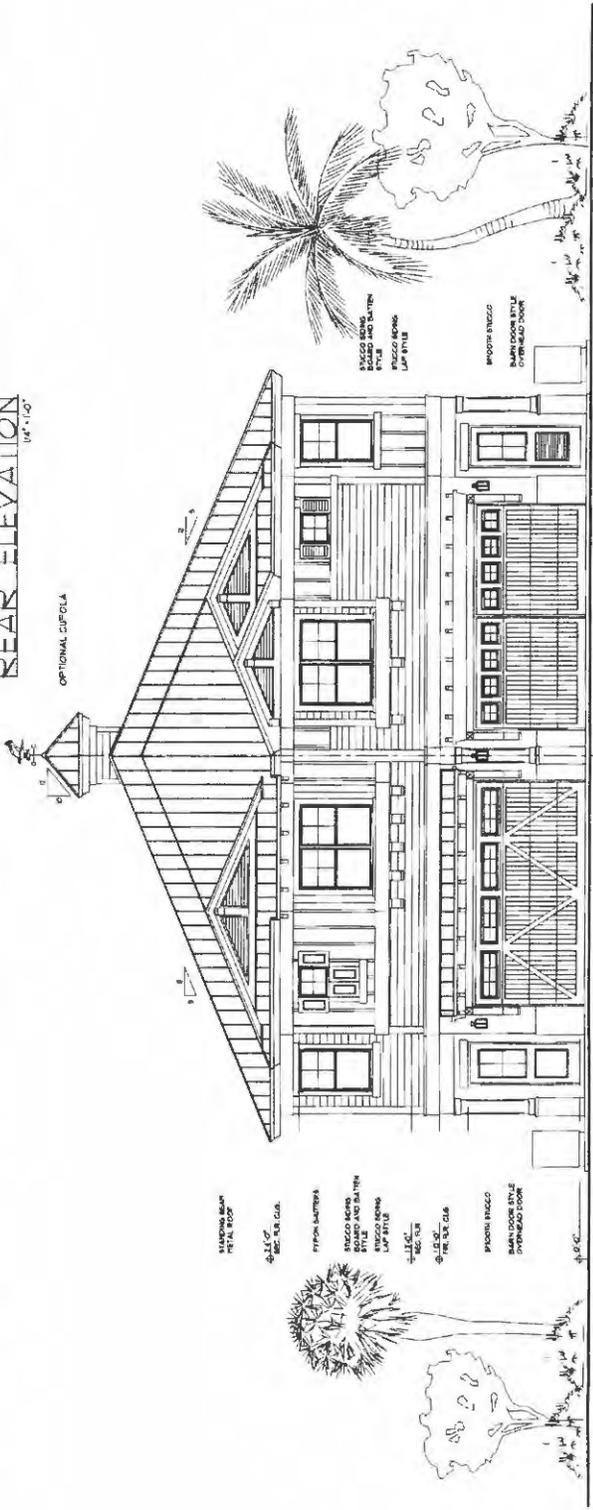
OSPREY PRESERVE
 MARTIN COUNTY, FLORIDA
 GREENRIVER PARKWAY

PROPOSED DESIGN FOR

DATE: 11/11
 PER: 11/11
 BY: 11/11

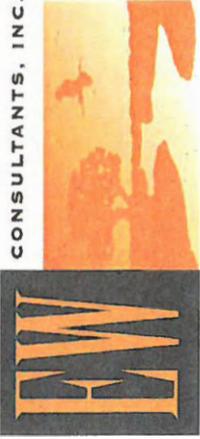


REAR ELEVATION
 1/4" = 1'-0"



FRONT ELEVATION #SIX
 1/4" = 1'-0"

EW Consultants, Inc.
Natural Resource Management, Wetland, and Environmental Permitting Services
CONSULTANTS, INC.



OSPREY PRESERVE RPUD

PRESERVE AREA MANAGEMENT PLAN

Prepared for:

LUCIDO & ASSOCIATES, INC.

Prepared by:

EW CONSULTANTS, INC.

February 2018

© 2018 EW Consultants, Inc.

INTRODUCTION -

This Wetland Monitoring Plan is designed for a 15.2+/- acre parcel located at the southwest corner of the Jensen Beach Boulevard/Green River Parkway intersection within the City of Stuart, in Martin County (please see Figure 1). The project site consists of residential units, associated roads, stormwater ponds, open space, and wetland and upland preserve areas. Two wetlands occur on-site: W-1 and W-2, the majority of which will be preserved and maintained in accordance with this plan, the details of which are described below.

WETLAND AND UPLAND PRESERVE AREAS -

Eradication of Nuisance and Exotic Vegetation -

All nuisance and exotic vegetation as listed by the Florida Exotic Pest Plant Council will be eradicated from the wetland and upland buffer preserve areas in perpetuity by the applicant or successors.

- All eradication will be through herbicide application, hand clearing, and removal of cut material off-site.
- The criterion for acceptance of eradication of exotic vegetation will be 100 percent kill. If initial eradication efforts do not achieve this criterion, follow up treatments will be conducted.
- Cutting/treatment of the trunk and/or stump with an appropriately labeled herbicide will eradicate all Brazilian pepper, melaleuca and other woody exotics.
- The criterion for completion of the woody exotic eradication will be 100 percent kill. If initial eradication efforts do not achieve this criterion, follow-up treatment will be conducted.
- All eradication of non-woody exotic vegetation will be through application of appropriately labeled herbicide. Any debris removed will be handled in accordance with the disposal specifications.
- The criterion for acceptance of eradication for all non-woody exotic vegetation will be 100 percent kill. If initial eradication efforts do not achieve this criterion, follow up treatment will be conducted.

The exotic vegetation eradication in the wetland and upland buffer preserve may generate vegetative debris that requires disposal. There will be a staging and storage area provided outside the limits of the preserve areas.

- Transport of vegetative debris from the wetland and upland buffer preserve area to the staging area will be conducted in a fashion that minimizes the distribution and dispersal of seeds.
- No living exotic or nuisance vegetative material will be left in the wetland and upland buffer preserve area. This plan allows for killing in place by herbicide application for non-woody plant material only.

All vegetative debris, either whole or chipped/mulched will be hauled off site and disposed of at a landfill or other such appropriately licensed facility.

Herbicides are required for the treatment of all stumps/trunks of woody vegetation to prevent re-growth, and for eradication of non-woody exotic and nuisance vegetation.

- All herbicide application activity will be conducted under the supervision of a Florida Department of Agriculture licensed applicator.
- All herbicide applied must include a visible tracer dye in the mix to facilitate observation of treated vegetation.

Replanting with Native Vegetation -

In preserves where exotic and nuisance plant eradication efforts leave un-vegetated areas, supplemental planting may be necessary. As such, the typical wetland planting plan (Figure 2) and the typical upland planting plan (Figure 3) shall be followed. Determining the number and type of plants will be done in consultation with SFWMD ERP Compliance staff after reviewing the site conditions within the preserve areas.

The vegetative success criteria for the wetland and upland buffer preserve area includes the requirement for 80 percent coverage of desirable vegetation and areal coverage of exotic vegetation at five percent and nuisance vegetation limited to 5 percent or less. After five years, the wetland and upland buffer preserve area will meet the vegetative success criteria of 80 percent coverage of desirable vegetation and areal coverage of exotic vegetation at five percent and nuisance vegetation limited to 5 percent or less.

WETLAND AND UPLAND PRESERVE MONITORING PLAN -

This monitoring plan includes one transect through the center of Wetland 1 with three photo/data collection stations, and one transect through Wetland 2 with three photo/data collection stations (see Figure 4).

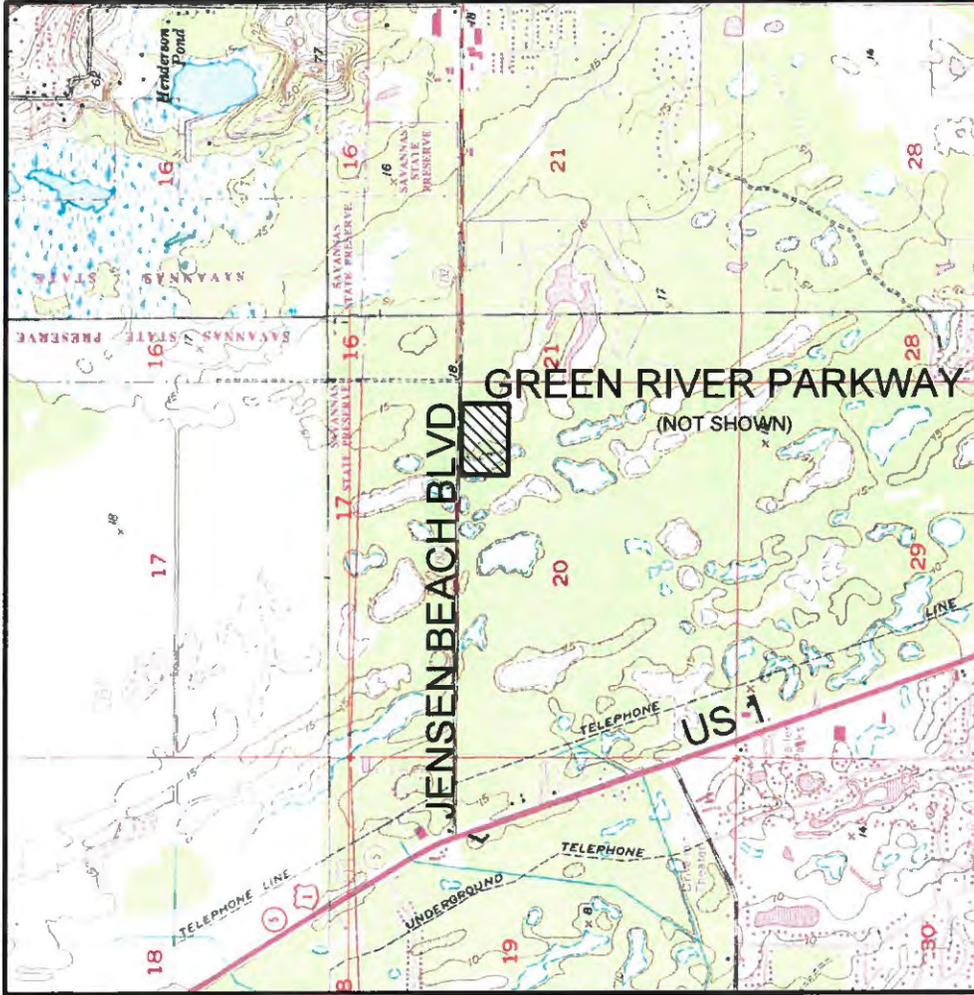
The vegetative coverage will be measured as absolute coverage within an area of approximately 2,500 square feet at each monitoring station. The vegetation will be measured in percent coverage of the canopy/understory layer and ground cover. The total percent cover will not exceed 100 percent, and each species documented will be reported in both common and Latin names. The coverage will be measured by visual observation and will extend approximately 25 feet from the observer in each direction thus covering approximately 2,500 square feet at each station. Photos will be collected from each of the established monitoring stations to provide documentation of vegetative coverage. In addition to vegetative coverage documentation, any observed wildlife utilization or indicators of wildlife (i.e. tracks, scat, etc.) will be reported.

The monitoring will be conducted on an annual basis and reports will be provided to SFWMD and City during the first five years so that maintenance activity can be closely tracked. The reports provided at the end of two years and five years will include a discussion and conclusion regarding achievement of the success criteria as per the permit.

Each monitoring report will include recommendations for maintenance, if necessary. The threshold for maintenance requirements will be any monitored area that has 5 percent or more total vegetative coverage by nuisance or exotic vegetation at any time during the monitoring period. Additionally, if the upland buffer or wetland areas have not achieved the success criteria it will be recommended for supplemental planting in order to meet the criterion. Maintenance of the upland buffer will be provided in perpetuity by the permittee in accordance with permit requirements and this plan.

In order to further protect the wetland and upland buffer preserve areas, preserve area signage will be installed as shown on Figure 4.

Activity	Months after Construction Permit Issuance
Record Conservation Easement	One Month
Initiate Exotic Eradication	Two Months
Complete Exotic Eradication	Four Months
Conduct/Submit Time Zero Monitoring	Six Months
Submit First Annual Monitoring Report	12 Months
Submit Second Annual Monitoring Report	24 Months
Submit Third Annual Monitoring Report	36 Months
Submit Fourth Annual Monitoring Report	48 Months
Submit Fifth Annual Monitoring Report	60 Months



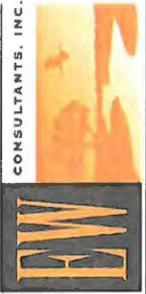
USGS QUAD MAP "PALM CITY", SECTION 20, TOWNSHIP 37 SOUTH, RANGE 41 EAST, JENSEN BEACH, MARTIN COUNTY, FLORIDA LATITUDE 27°4'39.21" LONGITUDE -80°15'18.33"



LEGEND

 - SITE (15.2± AC)

**OSPREY PRESERVE RPUD
QUAD**



EW CONSULTANTS, INC.
 1000 SE MONTEREY COMMONS BLVD., SUITE 208
 STUART, FL 34996
 772-287-8771 FAX 772-287-2988
 WWW.EWCONSULTANTS.COM

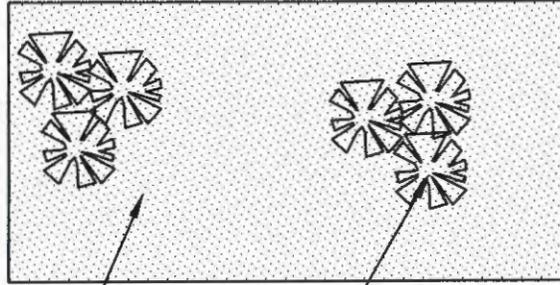
JAN 2016

FIGURE

1

TYPICAL WETLAND
PRESERVE AREA PLANTING PLAN

NTS



- GROUND COVER (bate root)
 Pickereel Weed (*Pontederia Cordata*)
 Beakrush (*Rhynchospora tracyi*)
 Blue Flag Iris (*Iris virginica*)
 Chaintfern (*Woodwardia virginica*)
 Sand Cordgrass (*Spartina bakeri*)
 Maidencane (*Panicum hemitomon*)

- CANOPY (Tgal)
 Cypress (*Taxodium spp.*)
 Red Maple (*Acer rubrum*)

NOTE:
 - Native vegetation to be installed to mimic typical of freshwater wetland habitat plant composition
 - Plant material may be substituted with other similar native species.
 - Planting quantities to be determine at time of planting as per existing field conditions.

OSPREY PRESERVE RPUD
PRESERVE AREA PLANTING PLAN

JUNE 2016

FIGURE

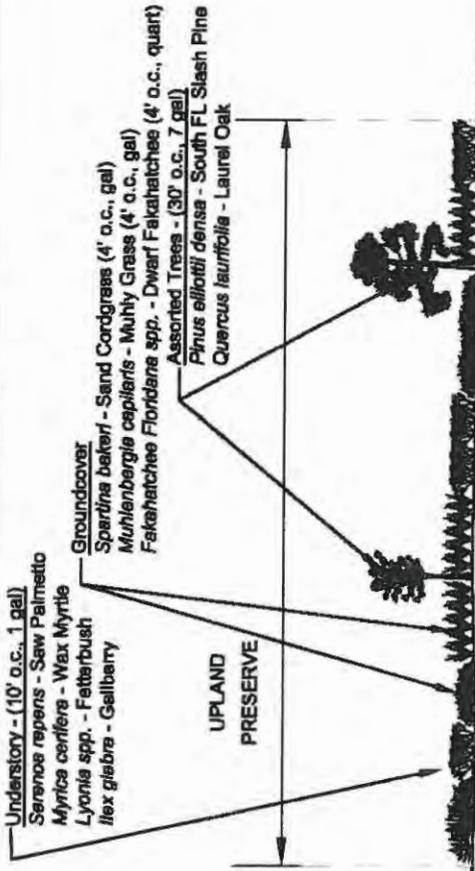
2



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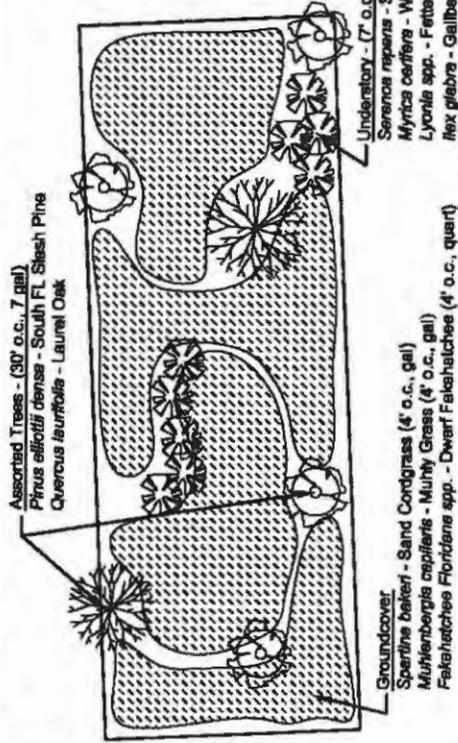
PINE FLATWOODS REPLANTING SECTION

N.T.S



PINE FLATWOODS REPLANTING PLAN VIEW

N.T.S



QUANTITY OF PLANTS WILL BE DETERMINED BY SIZE OF RESTORATION AREA AND SPACING (O.C.) OF SELECTED PLANTS.

REFERENCED SPECIES MAY BE SUBSTITUTED WITH OTHER APPROPRIATE NATIVE SPECIES BASED ON AVAILABILITY.

NOTE: PLANTS TO BE INSTALLED AS TO MIMIC NATURAL OCCURRENCE.

OSPREY PRESERVE RPUD

PINE FLATWOODS REPLANTING PLAN

FEB 2018

FIGURE

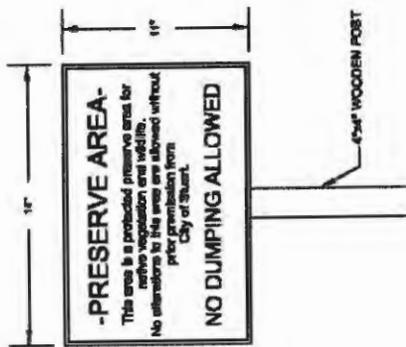
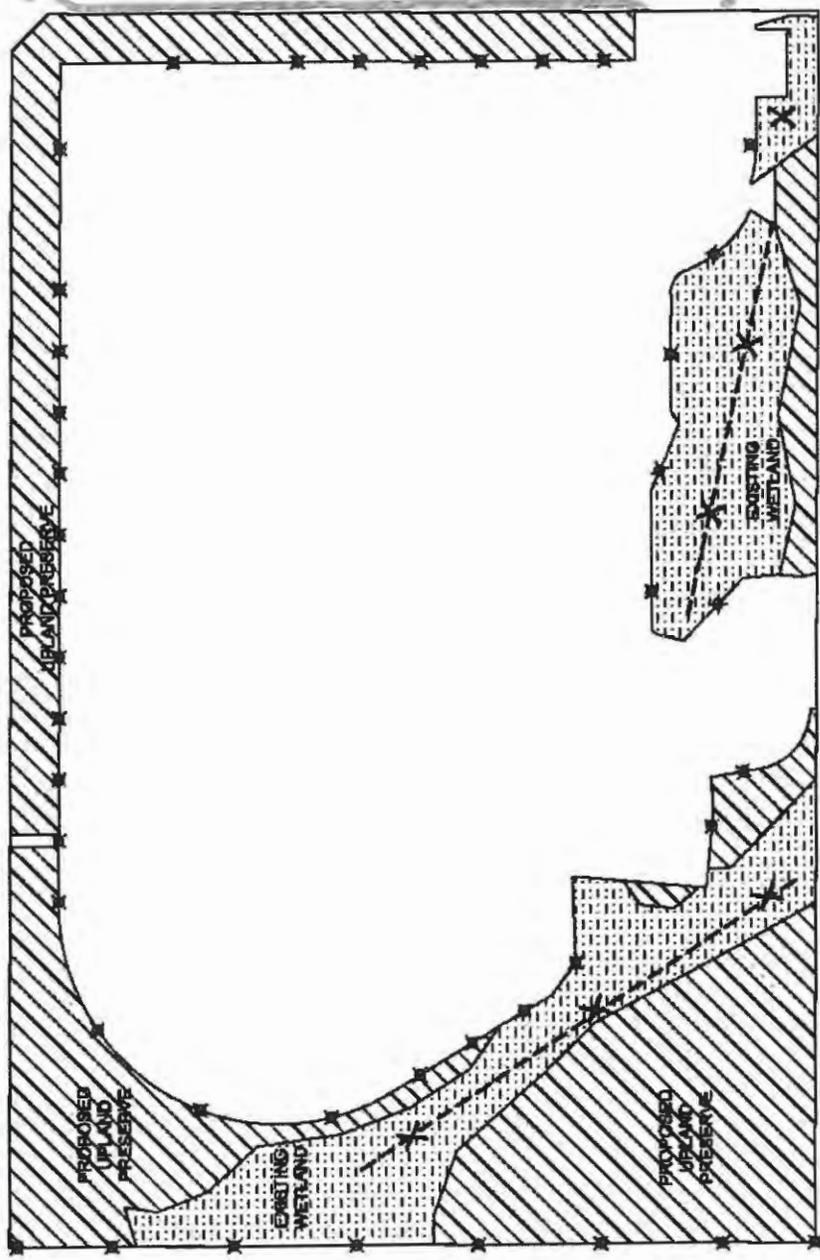
3

EW CONSULTANTS, INC.
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 772-267-6771 FAX 772-267-2988
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JENSEN BEACH BLVD

GREEN RIVER PARKWAY



- LEGEND**
- WETLAND PRESERVE AREA
 - UPLAND PRESERVE
 - MONITORING TRANSECT WITH STATIONS
 - PRESERVE SIGN LOCATION (42)



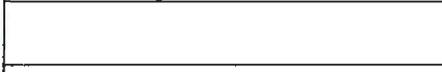
OSPREY PRESERVE RPUD MONITORING MAP

FEB 2018
FIGURE 4

EW CONSULTANTS, INC.
1000 W. UNIVERSITY BLVD., SUITE 200
PALM BEACH, FL 33411
TEL: 561-840-1100
WWW.EWCONSULTANTS.COM



-PRESERVE AREA-
 NO DUMPING-
 NO TRIMMING - NO MOWING
 BY ORDER OF
 THE CITY OF STUART



4"x4" WOODEN POST

**OSPREY PRESERVE RPUD
 PRESERVE AREA SIGN**



EW CONSULTANTS, INC.
 1000 SE MONTEREY COMMONS BLVD., SUITE 208
 STUART, FL 34996
 772-287-8771 FAX 772-287-2988
 WWW.EWCONSULTANTS.COM

FIGURE



City of Stuart

121 SW Flagler Avenue • Stuart • Florida 34994
Telephone (772) 288-5306
Fax (772) 288-5305

City Clerk Department
Mary R. Kindel
City Clerk

mkindel@ci.stuart.fl.us

October 30, 2018

Clerk of the Circuit Court
Attn: Recording
P.O. Box 9016
Stuart, FL 34995

RE: PLEASE RECORD:

Ordinance 2371-2018; Osprey Preserve – Large Scale FLUM and Rezoning

Please record the above named documents into the public records of Martin County. Upon completion, please return the original document back to my attention via inter-office mail.

Enclosed is check #1044 in the amount \$341.50 for recording fees.

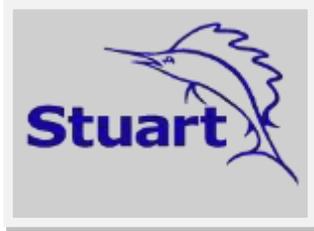
Should you have any questions or comments, please do not hesitate to contact me at 772-288-5306 or mkindel@ci.stuart.fl.us.

Thank you,

Mary R. Kindel
City Clerk

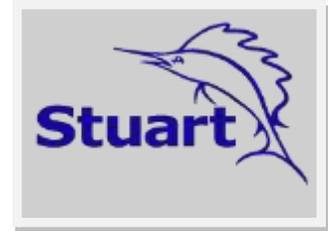
Enc.

Tom Reetz



**CITY OF STUART
CITY COMMISSION**

October 22, 2018
(Second Reading)



Project Name: Osprey Preserve - FLUM & Zoning Change	Property Owner: E. Clark Gibson
Project No.: Z18020007	Applicant/Petitioner: E. Clark Gibson
Ordinance No: 2371-2018	Agent/Representative: Doug Fitzwater – Lucido & Associates
	Case Planner: Tom Reetz
Location: South west corner of Jensen Beach Blvd and Green River Pkwy, PCN 20-37-41-004-001-00131-0	



PROJECT SUMMARY		
Property Size (area)	15.2 Acres	
Present Use	Undeveloped	
Subject Property Land Use	Commercial	
<i>Adjacent FLU</i>	<i>North</i>	Martin County Commercial Limited divided by JB Blvd.
	<i>South</i>	Multi-family Residential
	<i>East</i>	Commercial divided by GR Pkwy.
	<i>West</i>	Low Density Residential/Conservation
Subject Property Zoning	CPUD (Commercial Planned Unit Development)	
<i>Adjacent Zoning</i>	<i>North</i>	Martin County Limited Commercial divided by JB Blvd.
	<i>South</i>	RPUD (Residential Planned Unit Development)
	<i>East</i>	RPUD (Residential Planned Unit Development) divided by GR Pkwy.
	<i>West</i>	RPUD (Residential Planned Unit Development)
Proposed Land Use Designation & Zoning District	Low Density Residential	
Proposed Use	Detached homes (Duplexes) – See Ordinance 2271-2018	
City Approvals	Building Department – No comments at this time. Fire Department – See attached comments Public Works – See attached comments Police Department – See attached comments	
Brief Explanation	The intent of this application is to request a Large scale future land use map (FLUM) amendment to the City’s Comprehensive Plan Residential Planned Unit Development assigning a “Low Density Residential” land use, and a Zoning designation of (RPUD) on the City of Stuart Zoning Map. The subject property is 15.2 acres. The property is currently undeveloped. The intent of this project is to allow 86 attached homes (duplexes) and one single family residences to be developed on the site while upgrading the drainage and enhancing the upland and wetland preserve.	
Staff Recommendation: Staff recommends approval for the Future Land Use designation to Low Density Residential and zoning district designation to RPUD (Residential Planned Unit Development).		

STAFF REPORT AND RECOMMENDATION

I. LEGAL NOTICE REQUIREMENTS

A. Requirements for Application – The applications for the Future Land Use amendment to Low Density Residential, and zoning district designation to RPUD have been noticed in accordance with the requirements set forth in Sections 11.01.02, 11.01.09, and 11.02.00 of the Land Development Regulations.

B. Site Posting Date: 10-04-2018

C. Mail Notice Postmark: 10-04-2018 to property owners within 300 feet

D. Publication Date: 10 days prior to Second Reading

II. LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND ZONING MAP AMENDMENT ORDINANCE NO. 2371-2018

III. APPLICATION: Dated February 19, 2018

IV. HISTORY OF THE SITE

The 15.2 acre parcel is located on the at the corner of Green River Parkway and Jensen Beach Boulevard. The site was annexed into the city in 1997 with a Commercial land use and CPUD Commercial Planned Unit Development zoning designation. In 2007 a proposal called the Gables at Stuart was proposed to develop the parcel as a mixed use project with commercial development in the front (currently where Osprey Preserve is being proposed) with multi-family and Single Family units on the parcel to the south. The Gables at Stuart proposal was not approved. Since then, Martin County has purchased the parcels to the South and no development has occurred. Recent demand for housing has motivated the owner to apply for land use and zoning changes to allow for residential development thus fully maximizing the property’s potential and meeting the current need for residential units in the city’s limits.

V. STAFF ANALYSIS

A. Site and Area Characteristics (Attachment C)

The subject property consists of one parcel totaling 15.2 acres in size, located on the south west corner of Jensen Beach Boulevard and Green River Parkway.

Direction	Current Use	Zoning	Future Land Use
North	Grand Oaks of Jensen Beach- Visiting Nurses	Martin County Limited Commercial	Martin County Commercial Limited
South	Undeveloped	RPUD	Multi-family Residential
East	The Pines	RPUD	Low Density Residential/Conservation
West	Undeveloped	CPUD	Commercial

B. Project Description

The site is located at the City's northern boundary. The parcels to the east and west have been developed with residential neighborhoods in a similar fashion to the current proposal.

A Master Site Plan has been laid out with 86 attached units and one single family residence strategically placed to avoid wetland taking while enhancing the existing upland preserve. The site includes a gated entry with generous landscaping including sabal palms and shrubs including Wax Myrtle, Green Button Wood and Cocoplum, a decorative fence surrounding the rear of the properties against the preserve. A pool and cabana overlooking a lake with littoral plantings. The developer has submitted attractive one and two story design models for this community. Site elements such as a streetscape scheme including a 10 foot wide easement which allows the private road to be lined with shade trees and sidewalk. Other amenities include wetland and upland preserve creating a natural buffer between existing communities and roadways.

C. Future Land Use Amendment and Comprehensive Plan Consistency Review

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

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

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

1. *The existing land use pattern;*

The existing land use pattern on Jensen Beach Blvd and Green River Pkwy consists of City, County and privately owned property that has been improved as residential neighborhoods that include The Pines, originally developed in the County and annexed into the city, Pinecrest Lakes to the east of the site off from Jensen Beach Blvd. and the The Visiting Nurses Assisted Living facility on the north side of Jensen Beach Blvd

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

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

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

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

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

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

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

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

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

There are no issues in this regard.

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

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

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

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

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

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

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

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

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

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

The change in land use designation from multifamily to lower density residential would not impact adjacent properties to improve or develop in accordance with existing regulations.

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

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

D. Rezoning and Land Development Code Consistency Review

The application has been reviewed for consistency with the City's LDC. Approval of the rezoning to RPUD would allow for attached housing to be constructed at the site.

E. Technical Review by Other Agencies

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

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

VI. LOCAL PLANNING AGENCY BOARD RECOMMENDATION

The Local Planning Agency shall make an advisory recommendation to the City Commission as to the need and justification for the change and as to the relationship of the proposed change to the goals, objectives and policies of the Comprehensive Plan and of the Land Development Code. The Local Planning Agency shall include in its recommendation to the City Commission any information which it deems is relevant to issues relating to the proposed amendment.

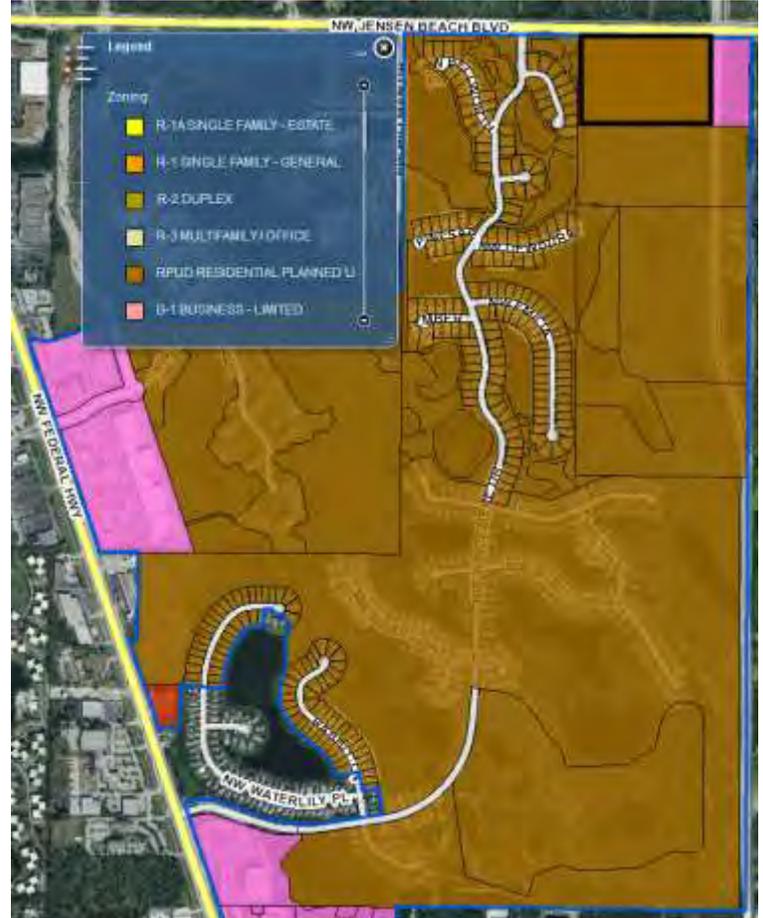
VII. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)

Staff has determined that the proposed future land use amendment to Low Density Residential and rezoning to RPUD is consistent with the goals, objectives and policies of the Comprehensive Plan and the regulations in the Land Development Code. Staff offers no objection to the requests.

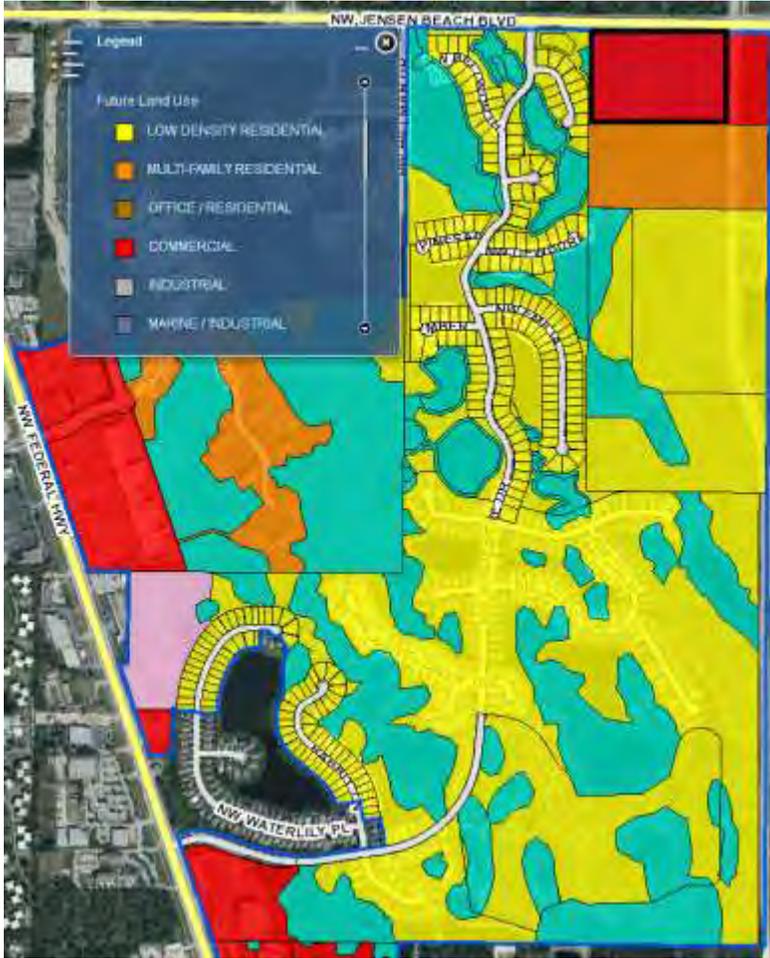
Existing Zoning - CPUD



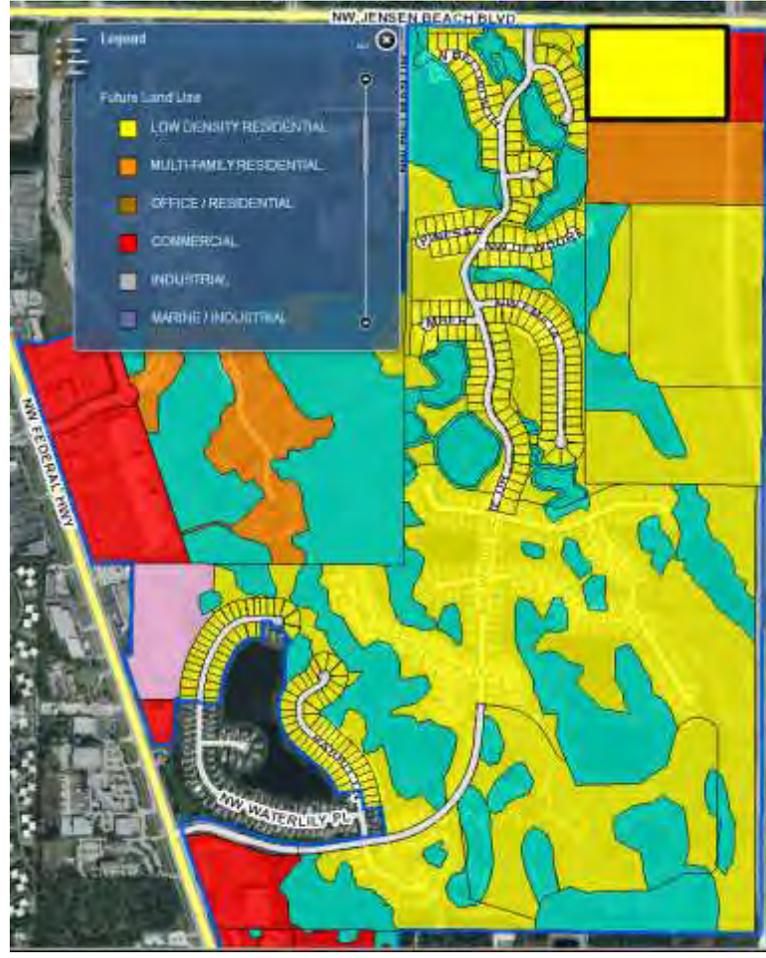
Proposed Zoning- RPUD



Existing Land Use - Commercial



Proposed Land Use - Low Density Residential



PROCLAMATIONS

1. Florida City Government Week - October 22-28, 2018
2. 18th Annual Bible Reading Marathon - November 11-15, 2018

PRESENTATIONS

3. Employee of the Month - October 2018 – **Marc Rogolino**, Public works
4. October Service Awards – **David Ford**, Public Works 20 years
Derek Ortado, Police 15 years
Mike Mortell, City Attorney 5 years
5. Wellness Ambassadors Recognition - FY18. In the spring of 2012 the City launched a comprehensive employee wellness program to address the physical, nutritional and overall wellness goals that contribute to a healthy workforce. Employees were invited to submit a name for the program, and “Working on Wellness” or “WOW” became the new “moniker”. In FY2018 the Wellness ambassadors did a spectacular job of delivering wellness programs in every single department citywide. Human Resources Director Roz Johnson recognized 9 – 2018 Wellness Ambassadors with Certificates of Appreciation. Note – All WOW programming, including awards and prizes, are funded by the City’s insurance Company, CIGNA.
6. Palm City Road Traffic History and Alternatives – **Background** - At the 9/24/18 SCC meeting Commissioner Matheson requested staff give this presentation. Assistant Public Works Director/City Engineer Tim Voelker handled the PowerPoint presentation that noted Palm City Road is a County owned and maintained roadway located within the City limits. Voelker went on to explain the Interlocal Agreement between the City and County regarding the road noting the City is required to maintain any improvements made to the road. There have been many discussions, workshops, consultant reports, etc. all of which have been addressed at previous SCC meetings going as far back as 2004. Staff’s report did not include a recommendation for action.

Discussion – Matheson wanted to know how we can move forward with this issue and asked why the speed bumps had been removed. Staff noted residents had asked that the speed bumps be removed. Matheson said in the 2 years since the speed bumps were removed there have been “more calls for police action on accidents” and he is looking for “a passive way to get speed limits down. Matheson moved to have City Attorney explore “blocking off hot right” [off of US 1] and making it standard and possibility of putting speed tables back. Mayor Glass-Leighton said this is the fourth time this has “come around” and asked Matheson to speak to staff about the issues. Matheson said he had spoken with staff but he has also talked to a lot of residents and the major concern is speeding. City Attorney Mortell said originally the speed bumps were put there to accommodate the residents of Circle By and Windjammer condos and it was thought the opening of Veterans Memorial Bridge would divert some traffic off of Palm City Road. Then the Palm City Road residents wanted the speed bumps removed. Mortell went on to note a study was done and there was no evidence of really high speed with the average speed being 35 MPH. The problem was the volume of cars using the road. Clarke stated she is a member of the MPO and noted this is a constrained roadway and the problem is “a behavior issue”. When Mortell questioned Matheson’s motion, Matheson asked if anyone ever looked into “setting off the hot right”. Meier was concerned that we are ignoring the concern of the citizens. As a bike rider and walker he has noticed the condition of the sidewalks in that area. Matheson said it has been three years since the speed limits were lowered, and the cross walks are not being used and speed limit signs are being ignored. Meier moved to have staff look into connecting sidewalks. Clarke questioned funding. Glass-Leighton asked if sidewalks were included in the CAPTEC presentation and said we have already gone through all of this. Mortell said we have to remember it is a county road and the county sees it as an arterial road to move cars to the Palm City Bridge.

Public Comment was invited and two residents of Manor Road addressed the Board noting that the study was done in the middle of July when the temperature was high and there were no pedestrians out then. It was also noted that the crosswalks were needed and residents were led to believe they would be

THE GOVERNMENT REPORTER
Stuart City Commission October 22, 2018

raised crosswalks, but that is not what they got. There has been discussion about raising the crosswalks and it was suggested replacing the yellow blinking lights on the signs with red blinking lights to get the attention of drivers to slow down.

After more discussion a vote was called and regrettably this reporter missed which motion carried 5-0 but I believe it was Matheson's motion.

COMMENTS BY CITY COMMISSIONERS

Meier said he had attended the "great" River Rally but had hoped to see more "folks" there. This week he will be attending a Climate Change meeting in Miami and will report back what he learns. Meier then asked the City Manager about the status of the streaming video software and if a video archive will be available. City Manager Dyess noted a test run of the streaming video was being run right now and yes a video archive will be available.

Matheson also attended the River Rally and he learned something from Ann Ellis about recycling, namely no plastic bags should be put into the recycling bin. Matheson also noted there will be a replay of the movie *Toxic Puzzle* at the Blake Library on November 1st at 6:30 PM and on November 2nd at 2:30 PM.

Clarke also attended the River Rally and noted it was great to have so many experts willing to share their knowledge. She also attended the dedication of a historic home in East Stuart that has been restored and lived in instead of being torn down. Clarke went on to announce that on November 3rd the CRA and Development Director will have a workshop on redevelopment of East Stuart.

Bruner also attended the dedication of the historic home in East Stuart and waxed poetic about her love for the City of Stuart and its history.

Mayor Glass-Leighton reminded everyone that early voting starts this week.

Comments by City Manager

Dyess noted November 12th is Veterans Day and the next City Commission meeting will be on Tuesday the 13th. NOTE - November 13 is also a BCC meeting so that creates a problem as this reporter cannot be in two places at once.

APPROVAL OF AGENDA – Clarke's motion to approve agenda carried 5-0.

COMMENTS FROM THE PUBLIC (5 min. max)

Paul Laura said he is coordinating with Julie Bjornson to curtail the use of Glyphosate and narrated a PowerPoint presentation on ARGOSY RF, a polymer encapsulate that provides release of herbicides (and pesticides) over a length of time and will not run off due to rain events. There is also a new process using steam to clean areas where children and pets can come into contact with herbicides.

Julie Bjornson continued Laura's discussion and said it is going to be a challenge but Boca has been using the steam process and likes the results.

Next at the podium was lady who addressed Brightline and said the trains are coming whether we like it or not, and we should negotiate for a station.

Betty Burton of East Stuart addressed the issue of water bill payment, code enforcement and police harassment of black drivers.

CONSENT CALENDAR – Clarke moved to approve Consent Items 7 through 13. Matheson seconded and the motion carried 5-0.

7. Approval of 10/8/2018 CCM Minutes
8. 2018 Succession List Update for City Manager, Attorney, and Department Directors. City Code 2-140 requires the City Manager to submit to the SCC a succession list naming two subordinates who will be authorized to act in the absence of the City Manager. It further requires each department Director to name two subordinates to act in the absence of the Department Director. Note – City Manager Dyess named Louis "Jolly" Boglioli as #1 Choice and Dave Peters as #2 Choice to act in the event of his absence.

THE GOVERNMENT REPORTER
Stuart City Commission October 22, 2018

9. **RESOLUTION No. 87-2018**; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING THE PURCHASING CARD POLICY FOR THE CITY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

10. **RESOLUTION No. R103-2018**; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "CERTUS STU OWNER PLAT", LOTS 1 AND 2", PREPARED BY RICHARD E. BARNES, A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER NO. 5173 PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
This consent item regards the Kanner Highway Assisted Living and Memory Loss Facility referenced in Second Reading Item #18.

11. **RESOLUTION 104-2018**; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING THE PROCUREMENT POLICY FOR THE CITY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. The Procurement Policy has been updated to enhance efficiency within the City.

12. **RESOLUTION No. 106-2018**; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT #1 TO THE 2018-2019 WATER SEWER FUND, APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR PER_FLUORINATED PRE-TREATMENT SYSTEM IN THE AMOUNT OF \$828,385.00, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

13. **RESOLUTION No. 107-2018**; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT #2 TO THE 2018-2019 STORMWATER FUND AUTHORIZING AN \$8,000.00 TRANSFER FROM STORMWATER, FUND BALANCE TO PARKS AND GROUNDS MAINTENANCE, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

14. BRIGHTLINE SURVEY RESULTS AND PROPOSED RESPONSE LETTER FOR STATION DEMOGRAPHICS. **Background** - Brightline requested demographics of the cities along their route for possible station location. The City had a workshop to better understand the purpose and demographics of the request and receive public comment. The SCC then directed a survey to be conducted to obtain additional public input. The final 20-page report on demographic information was attached to staff agenda item. The results of the on-going survey will be reported at this SCC meeting to allow for additional data collection. **Discussion** - City Manager Dyess presented a slide show displaying maps and pie charts noting the survey results from locations all over the county as well as the City resident responses. Of the 1,132 responses only 378 were from City residents. 62% were in favor of responding to Brightline's letter with 39% voted no. According to Dyess those numbers were essentially the same as with the workshop responses. Dyess also noted that Community Development Director Kev Freeman had written a draft letter in response to Brightline. Bruner moved to respond to Brightline and include the demographic information.

Matheson said we don't have the power to "push out" Brightline and the biggest issue is the train grades. They have not been "friendly to our City" but staff will fight hard in negotiating with Brightline. He would like to see staff negotiating for as much as we can get. Bruner agreed. Meier said this is a complicated issue and he has personal issue with Brightline. But a train can take cars off of the road so we need to come to the negotiating table and "go along for the ride".

Glass-Leighton said she had requested the survey to see what City residents wanted and the results showed overwhelmingly what people want. Clarke seconded Bruner's motion and complement the City Manager and City Attorney for putting together this survey so fast. Mortell recommended not to include the demographics in the response letter and to send it under separate cover. Meier noted the response letter is part of the agenda packet and encouraged everyone to pull it up on the City website and read it. Matheson

complimented the Mayor and staff for putting together the survey in record time. The vote was called and Bruner's motion to respond to Brightline carried 5-0.

ORDINANCE FIRST READING

15. ORDINANCE No. 2383-2018; (QUASI-JUDICIAL) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF CPUD "COMMERCIAL PLANNED UNIT DEVELOPMENT" TO A PARCEL OF LAND TOTALING 1.85 +/- ACRES, OWNED BY DELICETO, LLC., LOCATED AT 700 SW FEDERAL HIGHWAY, BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "SAFE AND SECURE SELF-STORAGE AT STUART" COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) CONSISTING OF 115,332 SQUARE FOOT WAREHOUSE FOR MINI STORAGE; PROVIDING FOR APPROVAL OF A FINAL SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMETABLE OF DEVELOPMENT, DECLARING THE PROJECT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES. (QJ)

Background – The subject 1.85 acres of vacant land previously developed as a boat dry storage lot, located on the west side of the off ramp at SW Federal Hwy to Palm City Road and SE of SW Bryant Avenue, NW of SW Pine Avenue. The applicant is proposing to rezone to CPUD with Final Site Plan approval for an 115,332 sq. ft. self-storage facility with 1009 storage units. Of the total site, approximately 41% will remain pervious, which includes open space and landscape buffers. The proposed landscape buffer area is more than 37 of the total site area. Interior landscape represents another 4% of the total site area. Tree replacement will not be required due to previous clearing of the site and existing landscaped trees are not proposed to be removed. The property will have three points of vehicular access and circulation has met EMS vehicle turning requirements. The applicant is requesting two PUD waivers to the code: 1] a 30 foot buffer with wall and fence along residential property to the west and north respectively, instead of a 45 foot buffer; and 2] a 6-foot sidewalk instead of 8 feet. This item was continued from first reading on 10/6

Recommended Action- Staff has determined that the rezoning to CPUD is consistent with the Comp Plan and regulations in the Land Development Code. Further, staff has determined that the PUD to allow 115,332 sq. ft. self-storage facility with 1,009 units to be developed on the site is consistent with LDC and recommends approval of Ordinance No. 2383-2018 with conditions of approval and waivers to the code as described in staff report. Recommended Motion – Move approval of Ordinance 2383-2018 subject to conditions described in staff report.

Discussion – After ex-parte' disclosure and swearing in of those giving testimony, Planner Stephen Mayer Reviewed the application noting that it had been continued. Matheson questioned the 6-foot sidewalks. Meier questioned the number of changes and commended staff and the applicant for working together to come to a compromise. Clarke questioned the decorative wall. Speaking on behalf of the applicant, Michael Houston explained the Bryant Street fence would be aluminum fencing and the residential wall would be concrete panels. He also noted the project engineer worded hard on internal traffic plans. Clarke questioned signage. Matheson explained his concerns on sidewalks on exterior of the property. Bruner was impressed with the architectural rendering of the building and Houston called it "creative building design". Meier moved approval. Clarke seconded, and the motion carried 5-0.

16. ORDINANCE No. 2389-2018; AN ORDINANCE OF THE CITY OF STUART, FLORIDA; AMENDING THE CODE OF ORDINANCES AT ARTICLE III, SEC. 36, 61-74 SPECIAL EVENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background – Amendments and clarifications are being added to the special events section of the Code. A section has been proposed to authorize limited peaceful assembly without the need for all requirements for a special event. Quotes from the Supreme Court ruling on First Amendment rights were included in staff report. Government officials cannot simply prohibit public assembly in their own discretion, but the

government can impose restrictions on time, place and manner of peaceful assembly provided the constitutional safeguards are not “without reference to content of the regulated speech”.

Recommended Action – Motion to approve Ordinance 2389-2018 on First Reading.

Discussion – City Attorney Mortell refreshed the Board on the idea behind this matter regarding “peaceful assembly”. He noted the added clause for peaceful assembly and if it gets “elevated more it becomes a special event. Mortell said he wanted to “keep it simple”. Matheson thanked Mortell for rewriting it. Clarke moved approval. Meier seconded for discussion and brought up the issue of “open air” events. Mortell clarified if a private open air event is held that takes up all neighborhood parking it becomes a special event subject to more regulation. When the vote was finally called, Clarke’s motion for approval carried 5-0.

ORDINANCE SECOND READING

17. ORDINANCE No. 2371-2018; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY’S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM “COMMERCIAL” TO “LOW DENSITY RESIDENTIAL” FOR A 15.2 ACRE PORTION OF A 19.3 ACRE PARCEL ANNEXED BY ORDINANCE NO. 1560-97, OWNED BY E. CLARK GIBSON, LOCATED ON THE SOUTH WEST CORNER OF NW JENSEN BEACH BLVD AND NW GREEN RIVER PARKWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY BE REZONED FROM “CPUD” TO “RPUD” ON THE CITY’S OFFICIAL ZONING MAP; ESTABLISHING THE OSPREY PRESERVE RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF EIGHTY SIX (86) ATTACHED HOMES AND ONE (1) SINGLE FAMILY HOME; APPROVING A MASTER DEVELOPMENT PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTANT WITH THE CITY’S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Background – On May 14, 2018 the SCC unanimously approved Osprey Preserve RPPUD project. Since then the applicant has revised their site plan with a slightly different configuration of the lake with a continuous buffer between the lake and wetland. The reconfigured lake includes a 10-foot wide swath of littoral plantings and transitional plantings from the western edge to the top of the bank. The HOA documents will limit use of high phosphorous fertilizer application by way of best management practices. The upland preserve area will be restored and enhanced with additional native plantings. In addition to the plantings, the owner of the property Mr. Clark Gibson has agreed to contribute 1.79 acres of unencumbered land just south of the corner of Jensen Beach Blvd. and Green River Parkway to the City of Stuart for the potential use as a fire station. The developer’s architect has submitted three attractive variations of elevations for this new community. Site elements such as a cabana and pool area with connecting sidewalks make for a pedestrian friendly neighborhood. Other amenities include wetland and upland preserve creating a natural buffer between existing community to the west and existing road ways. If approved, the developer stands ready to obtain the necessary permitting with state agencies. The developer’s engineer has coordinated final site plans with Martin County for access/egress improvements that include turning lanes into and out of the proposed project. City staff and professional consultants have reviewed and approved the project. Recommended Action – Approve Ordinance No. 2371-2018 on second reading. Move to adopt a FLUM change and zoning change for the Osprey Preserve RPUD.

Discussion - After ex-parte’ disclosure and swearing in of those giving testimony, Senior Planer Tom Reetz said the first reading of this ordinance was in May and noted the changes to the FLUM and rezoning. He also noted the applicant had paid \$18,000 to the City’s tree fund. Speaking on behalf of the applicant, attorney Bob Raynes introduced members of the project team including David Earle, personal attorney to Clark Gibson. Raynes said he would not normally make a presentation on second reading, but since he was not involved at the time of the first reading and there are now two new members on the Board, he had a short presentation. First he addressed the issues brought up at the first meeting regarding access to the project and introduced as an exhibit a letter from FDOT denying the request for access on

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Jensen Beach Blvd. He also introduced as an exhibit a letter from Martin County stating there was no reason to change the development order. The third exhibit Raynes introduced was a real estate broker's appraisal of the donated 1.79 acres at over \$500,000. Raynes then introduced project land planner Doug Fitzwater from Lucido & Associates who described the additional littoral plantings. Project Engineer Melissa Corbett of the Melcor Group explained the ingress/egress and other engineering aspects of the project and the project's Environmental Consultant from EW Consultants addressed environmental issues. Raynes then distributed to the Board a copy of "minor clarifications to the development conditions" that have already been discussed with staff.

Public Comment – Paul Laura said a number of e-mails have been sent regarding the driveway on Green River Parkway noting concern it is an area with high level of accidents. He also was not sure we should have a driveway that close to a wetland as well as concern about use of herbicides. He asked why use any phosphorous at all. Next at the podium was a gentleman who said he lives 400 feet from this project and was concerned about the project's impact on the wetlands. He was followed by a lady who questioned the donation of 1.79 acres and said land has already been donated for a fire station that has not been developed and the land has a reverted clause of 10 years. County Attorney Mortell explained there are no anticipated deed restrictions on 1.79 acre donation. Raynes clarified there is only a utility easement and the property is being conveyed with no reverters or restrictions. When Clarke questioned upland buffers and crossover of wetlands, Raynes explained this wetland had already been mitigated with the state.

Glass-Leighton said her original concerns were to have entrance on Jensen Beach Blvd. But she now feels this is a "good give and take" and this is a good project. Meier thanked the applicant for "over shooting the burden of proof here". But he questioned the letter from FDOT and asked about the wetland mitigation and possible elimination of some residences. Raynes explained the expectation of a reasonable return of investment. When Meier asked about the median sale price, the response was \$325,000. Matheson said his biggest issue is the wetland. Project Engineer Corbett explained the improvements to water flow through the wetland and noted the faulty design of a culvert the county had originally constructed that blocked the flow of water across Green River Parkway and has now been corrected. Bruner moved approval. Clarke seconded the motion. Raynes asked that the motion include incorporated changes on the applicant's Exhibit 4. Bruner and seconder agreed, and the motion for approval carried 5-0.

- 18. ORDINANCE No. 2373-2018; (QUASI-JUDICIAL) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "INSTITUTIONAL" FOR A 5.01 ACRE PORTION OF A 10.33 ACRE PARCEL, OWNED BY STUART COMMONS 76, LLC FORMERLY KNOWN AS CENTER POINTE, LLC, LOCATED ON THE EAST SIDE OF KANNER HIGHWAY (SR 76), NORTH OF INDIAN STREET; BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY BE REZONED FROM "CPUD" TO "RPUD" ON THE CITY'S OFFICIAL ZONING MAP; ESTABLISHING THE "KANNER HIGHWAY ASSISTED LIVING FACILITY" RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF A 64 UNIT/BED ASSISTED LIVING FACILITY WITH MEMORY CARE; PROVIDING FOR APPROVAL OF A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMETABLE OF DEVELOPMENT, DECLARING THE PROJECT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES. (QJ)**

Background – On October 8, 2018 the SCC unanimously approved the project at first reading. A plat agenda item was prepared to this project and is on this agenda as Consent Item #10 Resolution No. R103-2018. Recommended Action – Move to approve Ordinance No. 2373 with attached conditions establishing the Kanner Highway Assisted Living Facility residential planned unit living facility on second reading.

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Discussion - After ex-parte' disclosure and swearing in of those giving testimony, Senior Planner Tom Reetz noted no changes since the first reading. Clarke moved approval. Meier seconded, and the motion carried 5-0.

19. ORDINANCE No. 2385-2018; (QUASI-JUDICIAL) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MAJOR AMENDMENT TO THE WINDEMERE POINT COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF NW FEDERAL HIGHWAY AND NW WINDEMERE DRIVE THEREBY AMENDING THE PROJECT'S SITE PLAN TO INCLUDE MEDICAL AND OTHER SERVICE RELATED USES; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY THE APPLICANT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING DIRECTIONS TO THE CITY CLERK AND FOR OTHER PURPOSES.

Background – On October 8, 2018 unanimously approved Ordinance 2385-2018 on first reading.
Recommended Action – Move approval granting a major amendment to the Windemere Point CPUD on second reading.

Discussion – After ex-parte' disclosure and swearing in of those giving testimony, Senior Planner Tom Reetz said no changes had been made since first reading. Clarke moved staff recommendation. Bruner seconded and the motion carried 5-0.

20. ORDINANCE No. 2390-2018; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING CHAPTER 2, ARTICLE 5, FINANCIAL MATTERS OF THE STUART CODE OF ORDINANCE, DIVISION 4, PROCUREMENT PROCEDURES FOR THE CITY OF STUART; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Background – The City of Stuart Procurement Procedures were last revised in 2012. Chapter 2, Article V, Division 4 references a specific position within the City to manage the procurement function. In order to allow for a reorganization of this function and flexibility into the future, staff is recommending changes. The City Manager would establish procurement policies and procedures through Commission approval of a resolution. Recommended Action – Move approval of Ordinance No. 2390-2018 amending Chapter 2, Article 5, Procurement Procedures on second reading.

Discussion – Staff made a brief presentation. Clarke moved approval, and the motion carried 5-0.

End of SCC22October.18 Report



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Transaction # 820002	Agent #	Source: Inter-Office
Receipt # 739070	Attention:	Returned: Inter-Office
Cashier Date: 11/02/2018	Name: CALUSA LAKES	Will Call #
Cashier: bwright	Address: PO BOX 237 STUART, FL 34996	

GOVERNMENT-RELATED CFN: 2723830 Book: 3025 Page: 447

From: CITY OF STUART To: 2371 2018 ORDINANCE NUMBER
RECORDING FEE \$341.50

PAYMENT: CHECK	1044	AMOUNT:	\$341.50
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<u>Total Payments:</u>	<u>Total Fees:</u>	<u>Total Refund:</u>	<u>Shortage:</u>	<u>Check Overage:</u>
\$ 341.50	\$ 341.50	\$ 0.00	\$ 0.00	\$ 0.00