



**A G E N D A**  
**LOCAL PLANNING AGENCY / PLANNING ADVISORY BOARD**  
**TO BE HELD APRIL 20, 2017**  
**AT 5:30 PM**  
**COMMISSION CHAMBERS**  
**121 S.W. FLAGLER AVE.**  
**STUART, FLORIDA 34994**

**LOCAL PLANNING AGENCY**

**Chair - Bill Mathers**  
**Vice Chair - Li Roberts**  
**Board Member - Larry Massing**  
**Board Member - Michael Herbach**  
**Board Member - Susan O'Rourke**  
**Board Member - Ryan Strom**  
**Board Member - John Leighton**  
**Ex Officio - Garret Grabowski**

**ADMINISTRATIVE**

**Development Director, Terry O'Neil**  
**Board Secretary, Michelle Vicat**

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

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

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF MINUTES**

**COMMENTS FROM THE PUBLIC (5 min. max)**

**COMMENTS FROM THE BOARD MEMBERS**

**OTHER MATTERS BEFORE THE BOARD**

1. ORDINANCE No. 2353-2017; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A REZONING FROM “URBAN GENERAL” IN THE CITY’S URBAN DISTRICT TO “CPUD” - COMMERCIAL PLANNED UNIT DEVELOPMENT ON THE CITY’S OFFICIAL ZONING MAP FOR A 10.4 ACRE PARCEL LOCATED AT 20 NE DIXIE HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED, ESTABLISHING THE TREASURE COAST COMMUNITY CHURCH COMMERCIAL PLANNED UNIT DEVELOPMENT CONSISTING OF A NEW 32,572 SQUARE FOOT WORSHIP CENTER BUILDING AND A 17,000 SQUARE FOOT TWO STORY OFFICE BUILDING DESIGNATED FOR NON-PROFIT ORGANIZATIONS; APPROVING A MASTER DEVELOPMENT PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS; PROVIDING A TIMETABLE FOR DEVELOPMENT; PROVIDING FOR ACCEPTANCE BY THE APPLICANT; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY’S COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.
2. ORDINANCE No. 2352-2017 AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ANNEXING THREE PARCELS OF LAND WEST OF SE FEDERAL HIGHWAY, CONSISTING OF 13.57 ACRES, SAID PARCELS BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**STAFF UPDATE**

**ADJOURNMENT**

**UPCOMING MEETINGS and EVENTS**

**CITY OF STUART, FLORIDA  
AGENDA ITEM REQUEST  
Local Planning Agency**

**Meeting Date:** 4/20/2017

**Prepared by:** Michelle Vicat

**Title of Item:**

Approval of LPA Minutes

**Summary Explanation/Background Information on Agenda Request:**

Approval of March 16, 2017 LPA Minutes

**Funding Source:**

N/A

**Recommended Action:**

Approve

**ATTACHMENTS:**

Description	Upload Date	Type
☐ LPA Minutes	4/10/2017	Cover Memo

## **MINUTES**

**LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD MEETING  
MARCH 16, 2017 AT 5:30 PM  
CITY COMMISSION CHAMBERS  
121 S.W. FLAGLER AVE.  
STUART, FLORIDA 34994**

### **LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD MEMBERS**

**Chair – Bill Mathers  
Vice Chair – Li Roberts  
Board Member - Larry Massing  
Board Member – Michael Herbach  
Board Member – Susan O’Rourke  
Board Member – Ryan Strom  
Board Member - John Leighton  
Ex Officio - Garret Grabowski**

**ADMINISTRATIVE  
Development Director, Terry O'Neil  
Board Secretary, Michelle Vicat**

**CALL TO ORDER**  **5:31 PM**

**ROLL CALL**  **5:31 PM Roll Call.**

**Present:** Li Roberts, Susan O'Rourke, William Mathers, John Leighton, Mike Herbach.

**Absent:** Ryan Strom, Larry Massing.

### **APPROVAL OF MINUTES**

 **5:32 PM Motion: Action:** Approve, **Moved by** Li Roberts, **Seconded by** John Leighton.  
Motion passed unanimously.

**COMMENTS FROM THE PUBLIC (5 min. max):** None

### **COMMENTS FROM THE BOARD MEMBERS**

Susan O'Rourke said that SPAM won the Orlando Regional last weekend at internationals.

### **OTHER MATTERS BEFORE THE BOARD**



1. Ordinance No. 2348-2017: An ordinance of the City of Stuart, Florida, annexing a parcel of land north of the intersection of NE Savannah Road and NE Baker Road, consisting of 14.85 acres, said parcel being more fully described in Exhibit "A" attached hereto; providing directions to the City Clerk; providing for repeal of all ordinances in conflict; providing for severability; and providing for an effective date, and for other purposes.

**PRESENTATION:** Terry O'Neil, Development Director  
Brian Bols, Property Owner

**PUBLIC COMMENT:** None


**BOARD COMMENT:**

Chair Mathers said he has worked with Brian and his dad a number of years ago on projects but isn't currently doing anything with them and has no vested interest in the vote.

 **5:38 PM Motion: Action: Approve, Moved by Susan O'Rourke, Seconded by John Leighton. Motion passed unanimously.**

**STAFF UPDATE**

Terry O'Neil said that the Baker Road PUD sign notification was not the right size despite his instructions to the contrary so it will be brought back to the board in April.

**ADJOURNMENT**  **5:40 PM Motion: Action: Adjourn, Moved by John Leighton, Seconded by Li Roberts. Motion passed unanimously.**

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**Bill Mathers, Chair**

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**Michelle Vicat, Board Secretary**

# CITY OF STUART, FLORIDA

## AGENDA ITEM REQUEST

### Local Planning Agency

**Meeting Date:** 4/20/2017

**Prepared by:** Tom Reetz

**Title of Item:**

**ORDINANCE No. 2353-2017; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A REZONING FROM “URBAN GENERAL” IN THE CITY’S URBAN DISTRICT TO “CPUD” - COMMERCIAL PLANNED UNIT DEVELOPMENT ON THE CITY’S OFFICIAL ZONING MAP FOR A 10.4 ACRE PARCEL LOCATED AT 20 NE DIXIE HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED, ESTABLISHING THE TREASURE COAST COMMUNITY CHURCH COMMERCIAL PLANNED UNIT DEVELOPMENT CONSISTING OF A NEW 32,572 SQUARE FOOT WORSHIP CENTER BUILDING AND A 17,000 SQUARE FOOT TWO STORY OFFICE BUILDING DESIGNATED FOR NON-PROFIT ORGANIZATIONS; APPROVING A MASTER DEVELOPMENT PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS; PROVIDING A TIMETABLE FOR DEVELOPMENT; PROVIDING FOR ACCEPTANCE BY THE APPLICANT; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY’S COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

**Summary Explanation/Background Information on Agenda Request:**

In 1998 the Community Redevelopment Area incorporated the subject property assigning a land use designation of Downtown Redevelopment and Urban General zoning classification into what is now the 'Urban Code District'. Later, in 2006 a major site plan was applied for by the HAI Group and was approved for a 61-unit multifamily residential subdivision, however, the project was never developed.

In 2007, Treasures Coast Community Church (TC3) purchased the racquetball club at 20 NE Dixie Highway and applied for and were approved via a Major Urban Code Exception for substantial improvements and allowing the existing building to function as a church in the urban district. Later, the church purchased the adjacent 8.36 acres (previously approved for the 61-unit multifamily project) and combined the two parcels by unity of title.

Currently, the church has made application to rezone the 10.4 acre property to CPUD - Commercial Planned Unit Development to allow for development of a new 32,572 sq. ft. worship center building and a 17,000 square foot two story professional office building designated for use by nonprofit organizations. The Planned Unit Development master site plan depicts a courtyard/plaza connecting the existing 2 story building which will continue to be used for classrooms and offices by the church with the new worship center. The project proposes a new driveway connection to NW Dixie Highway to the west with 6 dedicated parking spaces and a pedestrian connection to the new Haney Creek boardwalk preserve area just west of the project. The site plan includes amenities such as stabilized grass parking, native landscaping and four foot wide mulch trails that meander through the sites upland preserve as well as improving the quality of the sites two existing wetlands. These amenities will vastly improve the quality and sustainability of the site and compliment the City's Haney Creek improvement project.

**Funding Source:**

N/A

**Recommended Action:**

Recommend approval of Ordinance No. 2352-2017

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
▣ Ordinance No. 2353-2017	4/12/2017	Ordinance add to Y drive
▣ Wetland Maintenance and Monitoring Plan/Preserve Area Management Plan	4/13/2017	Exhibit
▣ Staff Report	4/13/2017	Staff Report



Return to:  
City Attorney's Office  
City of Stuart  
121 SW Flagler Street  
Stuart, FL 34994

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

**ORDINANCE NUMBER 2353-17**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A REZONING FROM “URBAN GENERAL” IN THE CITY’S URBAN DISTRICT TO “CPUD” - COMMERCIAL PLANNED UNIT DEVELOPMENT ON THE CITY’S OFFICIAL ZONING MAP FOR A 10.4 ACRE PARCEL LOCATED AT 20 NE DIXIE HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED, ESTABLISHING THE TREASURE COAST COMMUNITY CHURCH COMMERCIAL PLANNED UNIT DEVELOPMENT CONSISTING OF A NEW 32,572 SQUARE FOOT WORSHIP CENTER BUILDING AND A 17,000 SQUARE FOOT TWO STORY OFFICE BUILDING DESIGNATED FOR NON-PROFIT ORGANIZATIONS; APPROVING A MASTER DEVELOPMENT PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS; PROVIDING A TIMETABLE FOR DEVELOPMENT; PROVIDING FOR ACCEPTANCE BY THE APPLICANT; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY’S COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

\* \* \* \* \*

**Ordinance 2353-2017 - TC3 Rezoning to CPUD and Final Site Plan Approval**

**WHEREAS**, the City Commission held a properly noticed hearing at a regularly scheduled City Commission meeting to consider the application by Pastor Gordon Mularski, for 10.4 acres of land located at 20 NE Dixie Highway; and

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

**WHEREAS**, the City Commission, has considered the Petitioner's voluntary request for a zoning designation, 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 CPUD; 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 CPUD 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 is attached hereto as **Exhibit “C”**; and

**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

## **Ordinance 2353-2017 - TC3 Rezoning to CPUD and Final Site Plan Approval**

“Development Documents”, shall be deemed a part of the development conditions, and shall supplement any earlier approvals:

- 1. The Planned Unit Development Site Plan, Sheet SP-1, prepared by HJA Design Studio, dated 11.30.16, last revised on 3.28.17.**
- 2. The Existing Tree/Removal Plan, Sheet L-1, prepared by HJA Design Studio, dated 11.30.16, last revised on 3.28.17.**
- 3. The Landscape Plan and Landscape Specifications, Sheets L-2 & L-3, prepared by HJA Design Studio, dated 11.30.16, last revised on 3.28.17.**
- 4. The Boundary/Topographic Survey, Sheet 1 of 2, prepared by the Velcon Group, dated 12.14.16.**
- 5. The Tree Survey, Sheet 4 of 4, prepared by the Velcon Group, dated 12.14.16.**
- 6. The Concept Plan (Phase1), Drawing No. A.201A, prepared by Specialized Planning and Architecture for Church Environments, LLC, dated March 13, 2017.**
- 7. The Concept Elevations (Phase1), Drawing No. A.301A, prepared by Specialized Planning and Architecture for Church Environments, LLC, dated March 13, 2017.**
- 8. The Wetland Maintenance and Monitoring Plan/Preserve Area Management Plan, prepared by EW Consultants, dated March, 2017.**

SECTION 2: The Land Development (Zoning) District designation on the City of Stuart Official Zoning Map shall be established as "CPUD" Commercial Planned Unit Development.

SECTION 3: Except as otherwise provided herein, no development permits, site permits, or building permits shall be issued by the City except in compliance with the City's Land Development Code.

SECTION 4: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof is hereby repealed to the extent of such conflict. If any provision of this ordinance

## **Ordinance 2353-2017 - TC3 Rezoning to CPUD and Final Site Plan Approval**

conflicts with any contractual provision between the City and the developer of the site, this ordinance shall prevail.

SECTION 5: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 7: In addition to any other action for failure to comply with any section of this ordinance, the City Development Director may obtain a hearing before the City Commission, and shall thereupon give at least five (5) days written notice of the time, date and location of the hearing, along with specific notice of the alleged breach. At the hearing before the City Commission the developer may appear, and may contest the allegation of breach or explain the reason or reasons for the breach.

In the event a material breach is found to have occurred, the City Commission may initiate the process to amend or repeal this ordinance. In the event a material breach is found to have occurred, the City Commission may also direct the City Development Director to initiate the process to rezone the property or any portion of the property. Any breach of any provision or condition of this ordinance by the owner shall be considered a zoning violation subject to any remedies provided therefore in this ordinance, as well as any other remedies provided by law.

In the event a material breach of this ordinance, and acceptance and agreement, by the developer is found to have occurred, the City Commission may impose an administrative penalty. Upon a finding by the City Commission that any material condition of PUD approval Ordinance 2353-17 has been breached; the City Commission may impose a penalty of up to \$1,000.00 for each violation, and each repeat violation that occurs, along with all reasonable costs,

**Ordinance 2353-2017 - TC3 Rezoning to CPUD and Final Site Plan Approval**

including attorney's fees incurred by the City. In the event the violation found is a continuing violation from day to day, each day the violation is found to continue may be deemed a separate violation.

SECTION 8: This ordinance and agreement shall be effective upon the last of the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owner.

SECTION 9: The complete execution and recording of this ordinance by the City Clerk shall occur no later than 45 days from the date of adoption, failing which this ordinance shall be void.

PASSED on First Reading this 8th day of May, 2017.

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

THOMAS F. CAMPENNI, MAYOR  
EULA R. CLARK, VICE MAYOR  
TROY MCDONALD, COMMISSIONER  
KELLI GLASS LEIGHTON, COMMISSIONER  
JEFFREY A. KRAUSKOPF, COMMISSIONER

YES	NO	ABSENT

ADOPTED on second and final reading this 22nd day of May, 2017.

ATTEST: \_\_\_\_\_

CHERYL WHITE  
CITY CLERK

THOMAS F. CAMPENNI  
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 COMMERCIAL 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 COMMERCIAL 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:

Gordon Mularski, Pastor

\_\_\_\_\_

By:\_\_\_\_\_

Print Name: \_\_\_\_\_

\_\_\_\_\_

Print Name: \_\_\_\_\_

OWNERS ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this \_\_\_\_\_day of \_\_\_\_\_, 2017, by Gordon Mularski, pastor of Treasure Coast Community church, Inc.

\_\_\_\_\_

Notary Public, State of Florida  
My Commission Expires:

Notary Seal

**Ordinance 2353-2017 - TC3 Rezoning to CPUD and Final Site Plan Approval**

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

**CITY'S ACKNOWLEDGMENT**

The above Ordinance, Acceptance and Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by THOMAS F. CAMPENNI, MAYOR, and Cheryl White, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

\_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires:

Notary Seal

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

**EXHIBIT A – LEGAL DESCRIPTION**

**LEGAL DESCRIPTION:**

THE EAST HALF OF THE NORTH HALF OF GOVERNMENT LOT 1, IN SECTION 32, TOWNSHIP 37 SOUTH, RANGE 41 EAST, LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF STATE ROAD A1A (NOW STATE ROAD 707), AND LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY. LESS THE EAST 73.99 FEET THEREOF, SAID PROPERTY LYING AND BEING IN MARTIN COUNTY, FLORIDA.

LESS AND EXCEPT A CERTAIN PARCEL PURSUANT TO AN ORDER OF MARTIN COUNTY CIRCUIT COURT IN CASE NO. 09-858CA, DATED OCTOBER 15, 2009, SAID PARCEL BEING DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE SOUTH 00°21'34" EAST, ALONG THE EAST LINE OF SAID SECTION 32, A DISTANCE OF 15.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF N.E. DIXIE HIGHWAY; THENCE NORTH 89°53'21" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 230.58 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE BY THE FOLLOWING COURSES AND DISTANCES: NORTH 89°53'21" WEST, A DISTANCE OF 92.35 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 271.82 FEET; THENCE WESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°23'36", A DISTANCE OF 182.14 FEET; THENCE SOUTH 38°16'57" EAST AND NON TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 15.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST THE CHORD OF WHICH BEARS SOUTH 42°35'23" WEST, HAVING A RADIUS OF 256.84 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°15'20", A DISTANCE OF 81.83 FEET; THENCE SOUTH 33°27'41" WEST, A DISTANCE OF 72.11 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 53°53'25" EAST, A DISTANCE OF 6.07 FEET; THENCE NORTH 36°06'35" EAST, A DISTANCE OF 82.38 FEET; THENCE NORTH 40°19'15" EAST, A DISTANCE OF 53.85 FEET; THENCE NORTH 52°43'41" EAST, A DISTANCE OF 44.23 FEET; THENCE NORTH 69°31'30" EAST, A DISTANCE OF 121.72 FEET; THENCE SOUTH 89°49'25" EAST, A DISTANCE OF 109.36 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 17.13 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THE ADDITIONAL PARCEL OF LAND CONVEYED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION BY DEED RECORDED IN OFFICIAL RECORDS BOOK 2258, PAGE 997, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND FOR RIGHT OF WAY PURPOSES BEING A PORTION OF THE FOLLOWING DESCRIBED PARCEL:

THE EAST HALF OF THE NORTH HALF OF GOVERNMENT LOT 1, IN SECTION 32, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH RIGHT OF WAY OF STATE ROAD A1A (NOW STATE ROAD 707), AND LYING NORTH OF THE RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY, LESS THE EAST 73.99 FEET THEREOF. SAID RIGHT OF WAY PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 32, THENCE RUN NORTH  $89^{\circ}53'15''$  WEST ALONG THE NORTH LINE OF SECTION 32, A DISTANCE OF 74.01 FEET; THENCE DEPARTING SAID NORTH LINE RUN SOUTH  $01^{\circ}02'21''$  EAST, A DISTANCE OF 15.75 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 707 AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH  $01^{\circ}02'21''$  EAST, A DISTANCE OF 21.96 FEET; THENCE SOUTH  $89^{\circ}13'39''$  WEST, A DISTANCE OF 173.25 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 26.00 FEET, THENCE RUN NORTHWESTERLY 16.07 FEET ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $35^{\circ}25'15''$  TO THE END OF SAID CURVE; THENCE NORTH  $89^{\circ}26'24''$  EAST, A DISTANCE OF 32.45 FEET; THENCE NORTH  $00^{\circ}44'11''$  WEST, A DISTANCE OF 17.13 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 707; THENCE NORTH  $89^{\circ}12'46''$  EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 155.65 FEET TO THE POINT OF BEGINNING.

ALSO INCLUDING:

THE WEST 101.01 FEET OF GOVERNMENT LOT 4, SECTION 33, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, LYING NORTH OF THE NORTH LINE OF THE FLORIDA EAST COAST RAILROAD RIGHT OF WAY AND SOUTH OF THE NORTH LINE OF SAID SECTION 33,

TOGETHER WITH:

THE EAST 73.99 FEET OF GOVERNMENT LOT 1, SECTION 32, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, AS MEASURED ALONG THE NORTH LINE OF SAID SECTION 32, AND LYING NORTH OF THE NORTH LINE OF THE FLORIDA EAST COAST RAILROAD RIGHT OF WAY.

**EXHIBIT B – LOCATION MAP**



**EXHIBIT C – DEVELOPMENT CONDITIONS**

**ORDINANCE No. 2353-17 “Treasure Coast Community Church”**

**Approved Plans and Documents**

1. The Treasure Coast Community Church project and use thereof shall comply with the following drawings:
  - a. **The Planned Unit Development Site Plan, Sheet SP-1, prepared by HJA Design Studio, dated 11.30.16, last revised on 3.28.17.**
  - b. **The Existing Tree/Removal Plan, Sheet L-1, prepared by HJA Design Studio, dated 11.30.16, last revised on 3.28.17.**
  - c. **The Landscape Plan and Landscape Specifications, Sheets L-2 & L-3, prepared by HJA Design Studio, dated 11.30.16, last revised on 3.28.17.**
  - d. **The Boundary/Topographic Survey, Sheet 1 of 2, prepared by the Velcon Group, dated 12.14.16.**
  - e. **The Tree Survey, Sheet 2 of 2, prepared by the Velcon Group, dated 12.14.16.**
  - f. **The Concept Plan (Phase1), Drawing No. A.201A, prepared by Specialized Planning and Architecture for Church Environments, LLC, dated March 13, 2017.**
  - g. **The Concept Elevations (Phase1), Drawing No. A.301A, prepared by Specialized Planning and Architecture for Church Environments, LLC, dated March 13, 2017.**
  - h. **The Wetland Maintenance and Monitoring Plan/Preserve Area Management Plan, prepared by EW Consultants, dated March 2017.**
2. Any modifications to the Master CPUD 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

## **Ordinance 2353-2017 - TC3 Rezoning to CPUD and Final Site Plan Approval**

City's Development Director, provided however, the Development Director may refer the matter to the City Commission for approval via a public hearing.

3. Development of the Subject Property as a CPUD shall include an impervious area of not more than forty-seven percent (47%) for the CPUD. The maximum building height within the CPUD shall be 35 feet. Height shall be measured from the lowest permissible finished first floor elevation to the surface of a flat roof and to the eave of a pitched roof. The peak of a pitched roof may not exceed 15 feet above the maximum building height.

### **Landscaping**

4. All landscape areas shall be provided with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition.
5. 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.
6. A Preserve Area Management Plan, (P.A.M.P.) attached as part of Exhibit D, shall be used to maintain, monitor and manage two wetlands, upland buffer and eradication of all exotic and nuisance vegetation in perpetuity.

### **Required Open Space and Native Preserve Area**

7. Open Space. Not less than 30% of the CPUD shall be open space as defined in the City Land Development Regulations. 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.
8. 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

## **Ordinance 2353-2017 - TC3 Rezoning to CPUD and Final Site Plan Approval**

landscaping shall not count towards the native vegetation requirement. The location of the native vegetation shall comply with the project's landscape plans, Sht. L-2 by HJA Design Studio and The Wetland Maintenance and Monitoring Plan prepared for TC3 by EW consultants, dated March, 2017, attached as Exhibit D to this document. The owner and developer shall adhere to the provisions of the Wetland Maintenance and Monitoring Plan and permanent maintenance will be the responsibility of Treasure Coast Community Church.

### **Tree Mitigation**

9. 148 inches of Hardwood (non-slash pine) and 763 inches of softwoods (Sabal Palms & Bald Cypress) shall be provided on site per Landscape Plan by HJA Studio attached as part of Exhibit D.
10. A detailed relocation and protection plan for trees is required as part of Site construction permit submittal.

### **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 development activities shall comply with the City's Concurrency Management System prior to the issuance of building permits.
14. An updated Environmental assessment determining the limits of the wetlands is required to be submitted at Site construction permitting.
15. A wetland mitigation plan will be required prior to site plan approval.
16. The finished floor elevations designated on the construction plans shall be submitted for site and building permits.



**Development and Construction**

17. The developer shall install trees at the city's ROW along the arc of State Road 707 per Sheet L-2 of the landscape drawings by HJA studios attached as part of Exhibit D. the developer (church) shall provide maintenance for the landscaping in the R.O.W. including adequate irrigation to support the landscaping in times of drought.
18. All final site plan construction drawings shall be reviewed and approved by all applicable City departments.
19. Prior to issuance of development permit being issued, applicant is to meet all design criteria as set forth in Kimley Horn's review letter dated January 27, 2017 pertaining to site and environmental comments.
20. The applicant shall adhere to the Wetland, Maintenance and Monitoring Plan/Preserve Area management Plan prepared by EW consultants including provisions of which shall be implemented prior to construction to prevent encroachment and negative effects upon required preserve areas.
21. Construction activity shall be limited from 7:00 am to 6:00 pm Monday – Saturday.  
Hours and days may be extended by written permission from the City Manager upon good cause shown by the developer.
22. In the event of any conflict in the provisions of Exhibit 'C' Development Conditions and attached exhibits, Exhibit 'C' shall prevail.
23. Prior to certificate of occupancy being issued for phase one of the worship center, the applicant shall provide an engineer's written confirmation attesting that the CPUD's storm water system is in place and functioning in compliance with all approved plans and specifications.

## **Ordinance 2353-2017 - TC3 Rezoning to CPUD and Final Site Plan Approval**

24. 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.
25. Sidewalk connection with the proposed sidewalk by others on the west side of Dixie Highway shall be part of the proposed site plan.
26. All new pole lighting, bollards, fencing and similar structures shall be of a decorative character. Poles for lighting in the parking areas shall not exceed 25 ft. in height and shall not exceed 15 ft. in height in pedestrian areas. All new lighting shall have a consistent theme throughout the development.
27. Construction of all permanent buildings shall be of concrete and/or masonry.
28. Building addresses and/or numbers shall be in plain view and shown on each building plan submitted at the time of building permit application in accordance with the City Code and shall be consistent with the sign plan.
29. Any sidewalk damaged during construction shall be repaired or replaced prior to the issuance of a Certificate of Occupancy for the first building.
30. Temporary or freestanding storage units are prohibited on the property once construction is complete.

### **Signage**

31. The development's monument sign shall comply with the location 'Proposed Monument Sign' as shown on SP-1 drawing as attached in Exhibit "D" and shall comply with the City's sign code in the Stuart land Development Code.

**Development Timetable**

32. Timetable for development shall be as follows:

**Phase 1: 21,324 Sq. Ft. Worship Center Building and all Site Amenities.**

Site and building plans, deemed sufficient for permit review under city codes and standards, submitted by:	January 1, 2018
* Certificate of Occupancy by:	January 1, 2021

**Phase 2: 11,248 Sq. Ft. Worship Center (Addition to Phase 1)**

Site and building plans, deemed sufficient for permit review under city codes and standards, submitted by:	January 1, 2019
* Certificate of Occupancy by:	January 1, 2021

**Phase 3: 17,000 Sq. Ft. 2 Story Office Building**

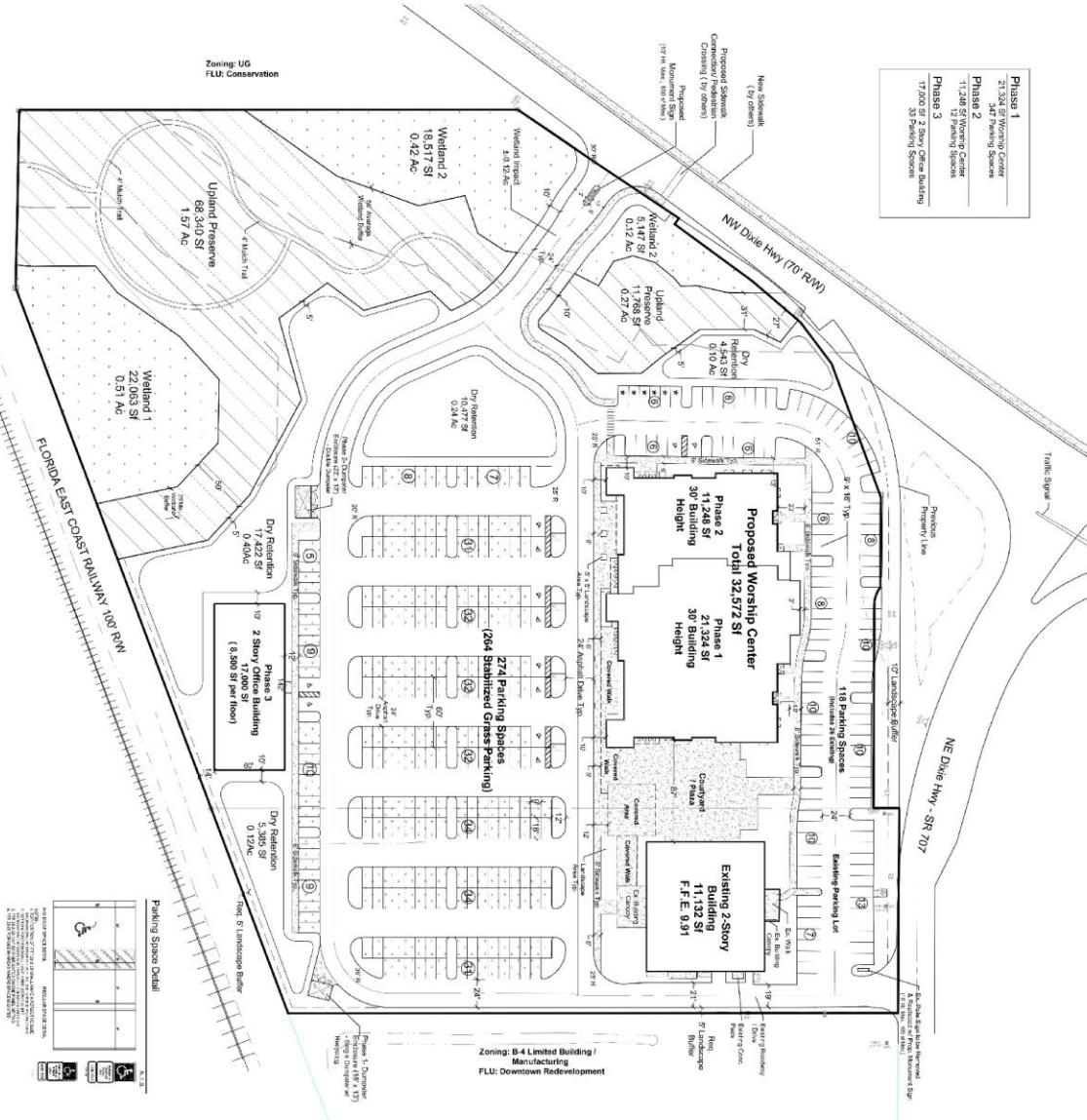
Site and building plans, deemed sufficient for permit review under city codes and standards, submitted by:	June 1, 2021
*Certificate of Occupancy by:	June 1, 2023

\* For the purpose of this agreement, Certificate of Occupancy shall mean minimum physical improvements necessary to allow for occupancy under the Florida Building Code.

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 F 772.678.7201  
 www.hjadesignstudio.com  
 LA 0000905

Treasure Coast Community Church  
City of Stuart Florida  
Planned Unit Development Site Plan

SP-1



### Location Map

Site Data	Total S
1	1
2	1
3	1
4	1
5	1
6	1
7	1
8	1
9	1
10	1
11	1
12	1
13	1
14	1
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100	1

Existing Church Site	2.22 Ac.
Undeveloped Site	8.35 Ac.
Future Land Use	Downtown Redevelopment
Existing Zoning	Urban General
Proposed Zoning	CRD
Existing Use	House of Worship

## Total Gross Floor area

Proposed Office Building	17,000 SF
<b>Total:</b>	<b>67,704 SF</b>
<b>Total Building Coverage</b>	
Existing Building	11,132 SF
Proposed Western Center	32,572 SF
Proposed Office Building	8,500 SF

## Maximum Bursting He...

Building Subtask	Repaired
Fram	25
Sidn	25
Roar	10

Open Space Required  
Open Space Provided

Perimeter Landscape Buffers	12,989 sf	0.30 Ac.	3%
Wetlands	45,727 sf	1.05 Ac.	10%
Upland Preserve / Wetland Buffer	80,105 sf	1.84 Ac.	17%

1 year (excluding covering  
vehicular use areas)  
Sudwaflex / Paved Area

Periods Paying: Gross Paying 50%	21,760 sf	0.50 Ac.	9%
Total	218,906 sf	5.05 Ac.	47%

*Uglandi* + *maestri* = Two  
Pondwater Landscapes  
*Dino Patacchini* / ms. n. 6

Petroleum Paving / Grass Paving 50%	21,755 sf	0.50 Ac.	5%
Innovative Landscaping Areas	42,823 sf	0.98 Ac.	10%
<b>Total</b>	<b>240,050 sf</b>	<b>0.53 Ac.</b>	<b>53%</b>

Total Ex. On-site Me  
Method 1

Method 2	20,000 g
Total Wetland Impacts	0.10 AC
Proposed Wetland Preservation	40,727 g
Required Wetland Preservation (7.51 x 20%)	70,716 g
	1.03 AC

## Proposed Upland Pre

Parking Data	
Total Parking Spaces Requested:	310 Spaces
Total Parking Spaces Provided:	302 Spaces
(Provision 12 Minimum Spaces = 6 "New" Spaces + 144 "New" Spaces)	

Required Sizes  
Proposed 2 Story Office

Required Spaces (17,000 sf / 2009)	57 Spaces
Existing Building (Offices / Classrooms) (1 per 300 sf)	
Required Spaces (11,132 sf / 2009)	28 Spaces

**Notes**

1. Available well surface for transport from off road vehicle access.

---

**Legend**

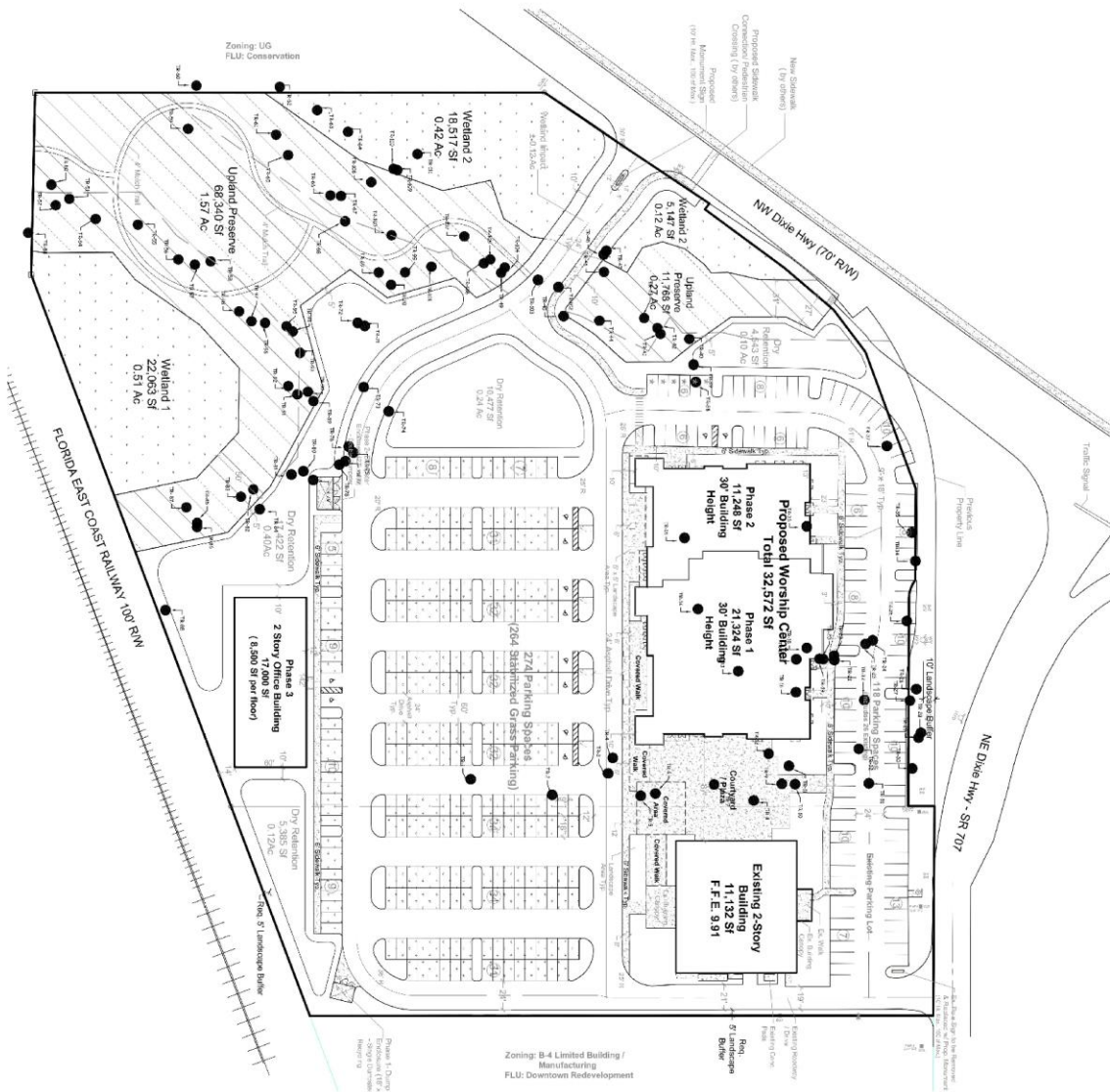
Subtotal / Previous Gross Parking Space

\* Heavy Freeway Trail Head Parking

Scale: 1" = 40'



Ordinance 2353-2017 - TC3 Rezoning to CPUD and Final Site Plan Approval



Existing Tree Chart

TREE CHART # 03-719			
TREE #	SIZE	COMMON NAME	PROTECTED STATUS
1	12"	SLY	PROTECTED
2	12"	SLY	PROTECTED
3	12"	SLY	PROTECTED
4	12"	SLY	PROTECTED
5	12"	SLY	PROTECTED
6	12"	SLY	PROTECTED
7	12"	SLY	PROTECTED
8	12"	SLY	PROTECTED
9	12"	SLY	PROTECTED
10	12"	SLY	PROTECTED
11	12"	SLY	PROTECTED
12	12"	SLY	PROTECTED
13	12"	SLY	PROTECTED
14	12"	SLY	PROTECTED
15	12"	SLY	PROTECTED
16	12"	SLY	PROTECTED
17	12"	SLY	PROTECTED
18	12"	SLY	PROTECTED
19	12"	SLY	PROTECTED
20	12"	SLY	PROTECTED
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23	12"	SLY	PROTECTED
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50	12"	SLY	PROTECTED
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52	12"	SLY	PROTECTED
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93	12"	SLY	PROTECTED
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96	12"	SLY	PROTECTED
97	12"	SLY	PROTECTED
98	12"	SLY	PROTECTED
99	12"	SLY	PROTECTED
100	12"	SLY	PROTECTED

Protected Tree Removal Summary

Total inches to be removed: 68 inches  
Protected Specimen Slush Piles: 507 inches  
Total inches to be removed: 575 inches

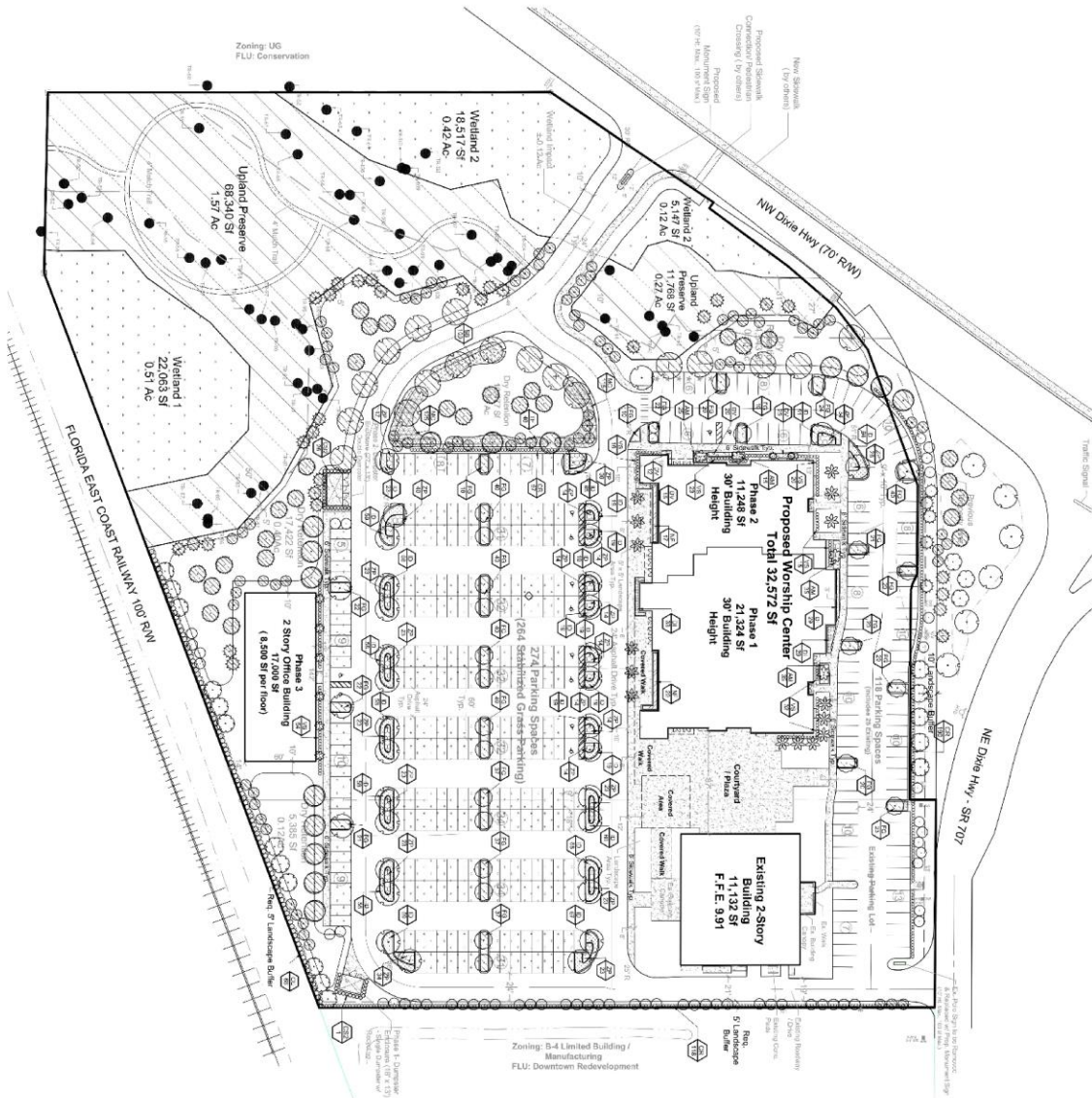


Treasure Coast Community Church  
City of Stuart  
Existing Tree / Removal Plan  
Florida

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www.hipdesignstudio.com  
LA 0000905

Job No.: 16023  
Drawn By: ES  
Checked By: 1-30-16  
Reviewed By: 3-30-17  
Approved: 3-30-17  
L-1





## Landscape Data

Total Site Area: 10.4 Ac.  
 Total Area Required: 10.4 Ac.  
 Landscape Area Provided: 48%  
 5 Ac.

**Perimeter Landscaping Adjacent to Streets**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**NE Dixie Hwy:**  
 Trees Required: (486 LF / 30')  
 Trees Provided: 17 Trees  
 (1 x 10" DBH, 16 x 4" DBH)

**Perimeter Landscaping Adjacent to Private Property**  
 5' Min. Landscape Buffer - 1 Tree per 30 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**Along East Property Line:**  
 Trees Required: (455 LF / 30')  
 Trees Provided: 17 Trees  
 (1 x 10" DBH, 16 x 4" DBH)

**Along South Property Line:**  
 Trees Required: (410 LF / 30')  
 Trees Provided: 14 Trees  
 (1 x 10" DBH, 13 x 4" DBH)

**Interior Landscaping around Perimeter of Building:**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**Proposed Phase 1 (21,324 SF):**  
 Trees Required: (637 LF / 30')  
 Trees Provided: 21 Trees  
 (1 x 10" DBH, 18 x 4" DBH)

**Proposed Phase 2 (11,248 SF):**  
 Trees Required: (169 LF / 30')  
 Trees Provided: 6 Trees  
 (1 x 10" DBH, 5 x 4" DBH)

**Interior Landscaping around Phase 1:**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**Interior Landscaping around Phase 2:**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**Interior Landscaping around Existing Building:**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**Interior Landscaping around Parking Areas:**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**Interior Landscaping around Courtyards:**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**Interior Landscaping around Entrances:**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**Interior Landscaping around Staircases:**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**Interior Landscaping around Elevators:**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

**Interior Landscaping around Core:**  
 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.

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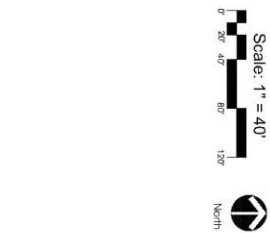
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 10' Min. Landscape Buffer - 1 Tree per 50 LF and perimeter hedge required. Not less than 25% of ratio shall be groundcover.



## Treasure Coast Community Church

City of Stuart  
 Landscape Plan

Florida

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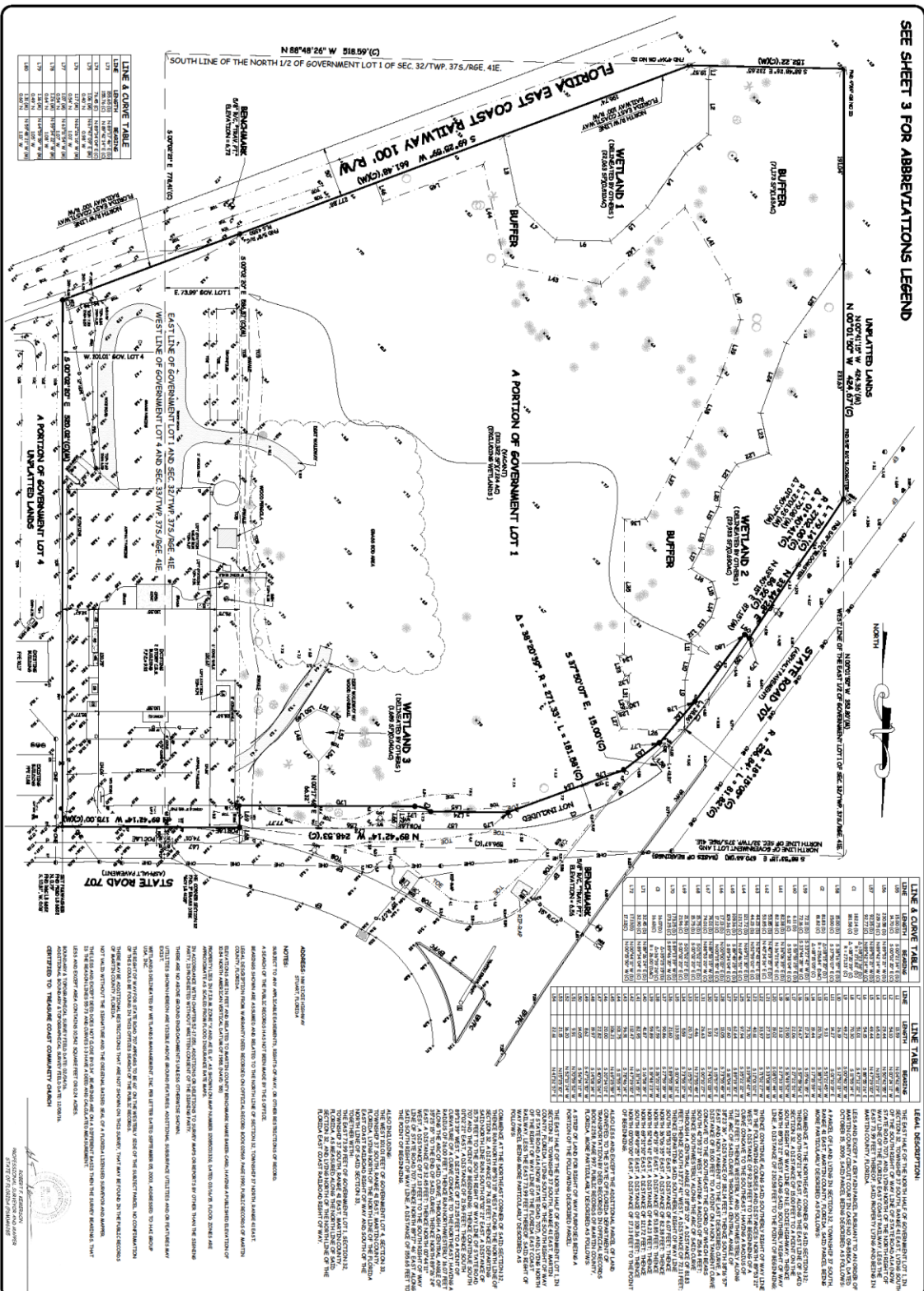
L-2

Job No.	18-022
Project Name	TC3
Client	City of Stuart
Approved By	4-23-17
Submitted Date	5-8-17
Revision Number	3-23-17

Notes:  
 1. All trees to be planted shall be of the species and size indicated on the plan.  
 2. All trees to be planted shall be of the species and size indicated on the plan.  
 3. All trees to be planted shall be of the species and size indicated on the plan.

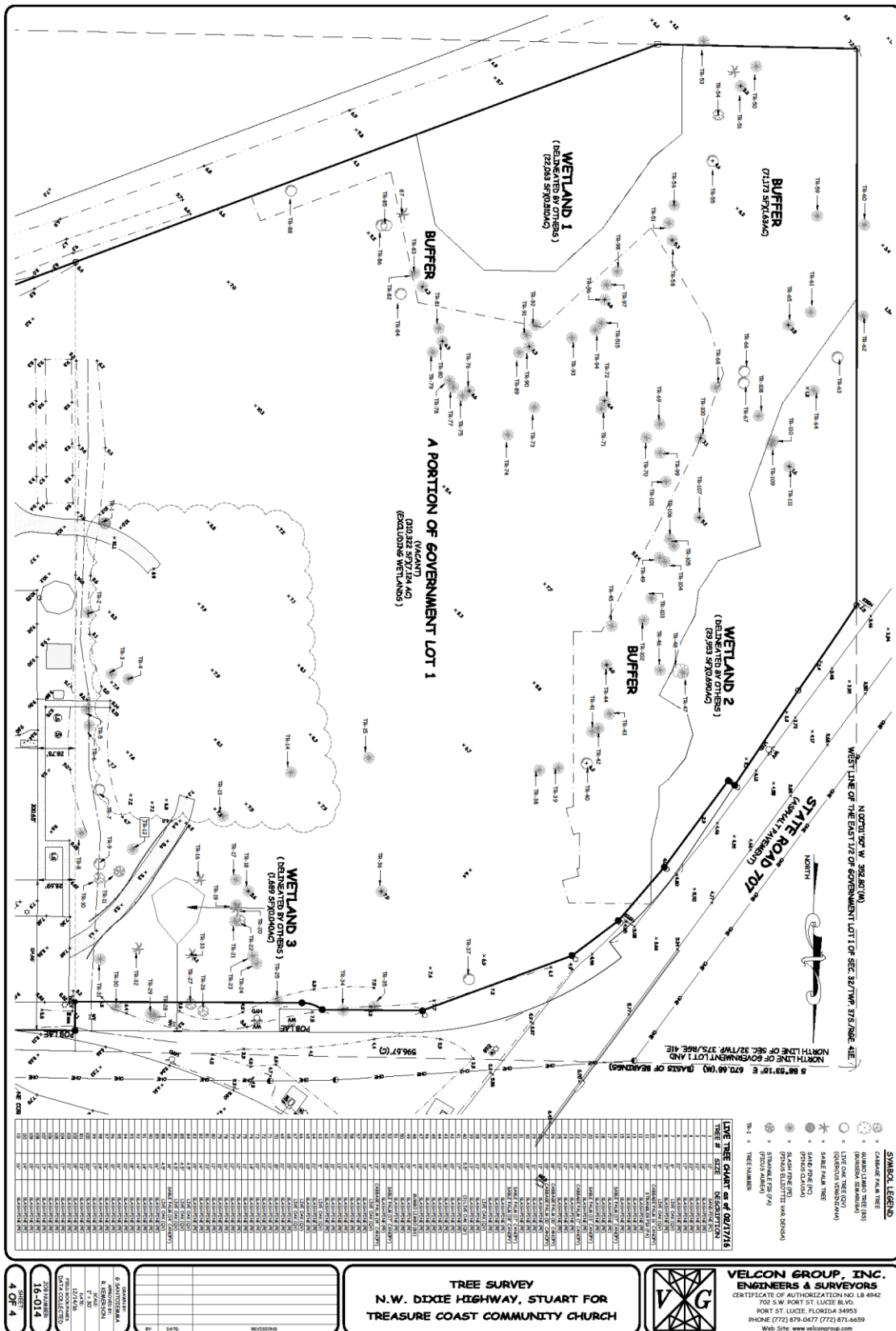
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# Ordinance 2353-2017 - TC3 Rezoning to CPUD and Final Site Plan Approval





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**CONCEPT PLAN (PHASE 1)**  
TTCU, 3000 30th Ave.  
PLAN NORTH

**SPACE**

**CONCEPT PLAN (PHASE 1)**  
Specialized Planning & Architecture  
for Church Environments, LLC  
10000 100th Avenue, Suite 100  
Edmonton, Alberta T6E 1A1  
403.461.1111

**TCO CHURCH**  
Scale: 1/8" = 1'-0"  
Drawing No. 1000  
Date: 10/10/2018  
Project: TCO Church  
Client: TCO Church  
Architect: Specialized Planning & Architecture for Church Environments, LLC  
Drawing No. 1000  
Date: 10/10/2018  
Project: TCO Church  
Client: TCO Church  
Architect: Specialized Planning & Architecture for Church Environments, LLC

**2A) CONCEPT ELEVATION**  
30'-0" 24'-0" 18'-0" 12'-0" 6'-0" 0'-0"

**2B) CONCEPT ELEVATION**  
30'-0" 24'-0" 18'-0" 12'-0" 6'-0" 0'-0"

**2C) CONCEPT ELEVATION**  
30'-0" 24'-0" 18'-0" 12'-0" 6'-0" 0'-0"

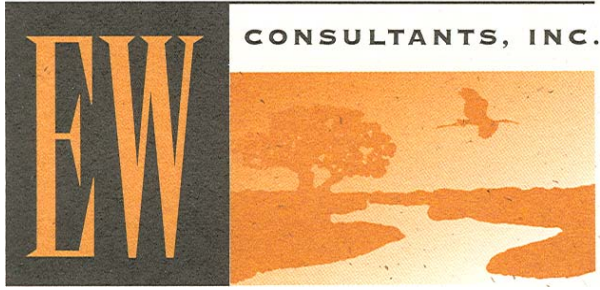
**2D) CONCEPT ELEVATION**  
30'-0" 24'-0" 18'-0" 12'-0" 6'-0" 0'-0"

**LEGEND:**

- EXISTING CONCRETE
- EXISTING BRICK
- EXISTING STUCCO
- EXISTING METAL
- EXISTING GLASS
- EXISTING WOOD
- EXISTING PAINT
- EXISTING ROOF
- EXISTING FLOOR
- EXISTING WALL
- EXISTING CEILING
- EXISTING DOOR
- EXISTING WINDOW
- EXISTING PORCH
- EXISTING PATIO
- EXISTING DRIVEWAY
- EXISTING PARKING
- EXISTING LANDSCAPE
- EXISTING UTILITIES
- EXISTING STRUCTURE
- EXISTING SITEWORK
- EXISTING SITE FURNISHINGS
- EXISTING SITE LIGHTING
- EXISTING SITE SECURITY
- EXISTING SITE ACCESS
- EXISTING SITE EROSION
- EXISTING SITE DRAINAGE
- EXISTING SITE IRRIGATION
- EXISTING SITE FENCING
- EXISTING SITE SIGNAGE
- EXISTING SITE ART
- EXISTING SITE MONUMENTS
- EXISTING SITE BENCHES
- EXISTING SITE TABLES
- EXISTING SITE SEATING
- EXISTING SITE STAIRS
- EXISTING SITE RAMP
- EXISTING SITE ELEVATION
- EXISTING SITE TYPING
- EXISTING SITE SCALES
- EXISTING SITE DIMENSIONS
- EXISTING SITE AREA
- EXISTING SITE PERIMETER
- EXISTING SITE BOUNDARY
- EXISTING SITE ZONING
- EXISTING SITE REGULATIONS
- EXISTING SITE DEEDS
- EXISTING SITE RECORDS
- EXISTING SITE SURVEY
- EXISTING SITE MAP
- EXISTING SITE PLAN
- EXISTING SITE DESIGN
- EXISTING SITE CONSTRUCTION
- EXISTING SITE MAINTENANCE
- EXISTING SITE OPERATION
- EXISTING SITE MANAGEMENT
- EXISTING SITE ADMINISTRATION
- EXISTING SITE FINANCIAL
- EXISTING SITE LEGAL
- EXISTING SITE POLITICAL
- EXISTING SITE SOCIAL
- EXISTING SITE CULTURAL
- EXISTING SITE ENVIRONMENTAL
- EXISTING SITE HISTORICAL
- EXISTING SITE ARCHITECTURAL
- EXISTING SITE ENGINEERING
- EXISTING SITE SCIENCE
- EXISTING SITE TECHNOLOGY
- EXISTING SITE ARTS
- EXISTING SITE RECREATION
- EXISTING SITE EDUCATION
- EXISTING SITE HEALTH
- EXISTING SITE WELFARE
- EXISTING SITE SAFETY
- EXISTING SITE SECURITY
- EXISTING SITE DEFENSE
- EXISTING SITE OFFENSE
- EXISTING SITE WAR
- EXISTING SITE PEACE
- EXISTING SITE JUSTICE
- EXISTING SITE INJUSTICE
- EXISTING SITE FREEDOM
- EXISTING SITE SLAVERY
- EXISTING SITE EQUALITY
- EXISTING SITE INEQUALITY
- EXISTING SITE RIGHTS
- EXISTING SITE WRONGS
- EXISTING SITE GOOD
- EXISTING SITE EVIL
- EXISTING SITE LIGHT
- EXISTING SITE DARK
- EXISTING SITE LIFE
- EXISTING SITE DEATH
- EXISTING SITE HOPE
- EXISTING SITE DESPAIR
- EXISTING SITE FAITH
- EXISTING SITE UNFAITH
- EXISTING SITE LOVE
- EXISTING SITE HATE
- EXISTING SITE KINDNESS
- EXISTING SITE CRUELTY
- EXISTING SITE GENTLENESS
- EXISTING SITE RAGE
- EXISTING SITE MILDNESS
- EXISTING SITE PRIDE
- EXISTING SITE HUMILITY
- EXISTING SITE PATIENCE
- EXISTING SITE IMPATIENCE
- EXISTING SITE SELF-CONTROL
- EXISTING SITE LACK OF SELF-CONTROL
- EXISTING SITE WISDOM
- EXISTING SITE FOLLY
- EXISTING SITE KNOWLEDGE
- EXISTING SITE IGNORANCE
- EXISTING SITE TRUTH
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- EXISTING SITE MERCY
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- EXISTING SITE FAVOR
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- EXISTING SITE BLESSING
- EXISTING SITE CURSE
- EXISTING SITE GLORY
- EXISTING SITE DISGRACE
- EXISTING SITE HONOR
- EXISTING SITE DISHONOR
- EXISTING SITE REPUTATION
- EXISTING SITE DISREPUTATION
- EXISTING SITE RESPECT
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- EXISTING SITE BEAUTY
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- EXISTING SITE JOY
- EXISTING SITE SADNESS
- EXISTING SITE HAPPINESS
- EXISTING SITE UNHAPPINESS
- EXISTING SITE LOVE
- EXISTING SITE HATE
- EXISTING SITE KINDNESS
- EXISTING SITE CRUELTY
- EXISTING SITE GENTLENESS
- EXISTING SITE RAGE
- EXISTING SITE MILDNESS
- EXISTING SITE PRIDE
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- EXISTING SITE PAIN
- EXISTING SITE JOY
- EXISTING SITE SADNESS
- EXISTING SITE HAPPINESS
- EXISTING SITE UNHAPPINESS

EW Consultants, Inc.

Natural Resource Management, Wetland, and Environmental Permitting Services



# **TREASURE COAST COMMUNITY CHURCH (TC3)**

## **WETLAND MAINTENANCE AND MONITORING PLAN/ PRESERVE AREA MANAGEMENT PLAN**

Prepared for:

**TC3**

Prepared by:

**EW CONSULTANTS, INC.**

March 2017

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## **INTRODUCTION -**

This Wetland Maintenance and Monitoring Plan/Preserve Area Management Plan (PAMP) has been developed for an 8.4+/- acre parcel of land referred to as the TC3 Addition located within the City of Stuart, Martin County, Florida. It is immediately south of the intersection of NW Dixie Highway and Green River Parkway (see Figure 1, Location Map). Two wetlands occur on-site: W-1 (0.51 acres, 100% preserved) on the south property line, and W-2 (0.66 acres, 0.54 acres preserved or 80%) which runs parallel to Dixie Highway. All preserved wetland and upland habitats as shown on the approved site plan will be maintained, monitored, and managed in accordance with this plan, the details of which are described below.

## **WETLAND AND UPLAND HABITAT PRESERVE -**

### **Eradication of Nuisance and Exotic Vegetation -**

Within all areas designated as preserve on the approved site plan, all nuisance and exotic vegetation as listed by the Florida Exotic Pest Plant Council will be eradicated from the wetland and upland preserve areas in perpetuity by the applicant or successors. Such activities will meet the following criteria:

- All exotic and nuisance vegetation eradication will be through herbicide application, hand clearing, and removal of cut material off-site.
- The criterion for acceptance of exotic and nuisance vegetation eradication will be 100 percent kill. If initial vegetation 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 exotic vegetation.
- The criterion for completion of the woody exotic vegetation eradication will be 100 percent kill. If initial exotic and nuisance vegetation eradication efforts do not achieve this criterion, follow-up treatment events will be conducted at a minimum on a quarterly basis for five years.
- All eradication of non-woody exotic vegetation will be through application of appropriately labeled herbicide. Any vegetative debris removed from the preserve areas 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 preserve areas may generate vegetative debris that requires disposal. There will be a staging and storage area provided outside the limits of the preserve areas within the development footprint. Such vegetative debris removed from the preserves will then be disposed of as part of the site development process.

- Transport of vegetative debris from the wetland and upland preserve areas 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 or upland preserve areas. 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. Such herbicide application events within the preserves areas are expected to occur at a minimum on a quarterly basis for a minimum of five years after the initial exotic vegetation eradication effort is complete.

- 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 native planting may be necessary. As such, the typical wetland planting plan (Figure 2) and the typical upland scrub 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 affected preserve areas.

The vegetative success criteria for the wetland and upland preserve areas 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 preserve areas 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. However, patches of open sand within scrub upland habitats are considered appropriate.

### **WETLAND AND UPLAND PRESERVE MONITORING PLAN -**

This monitoring plan includes one transect through the center of Wetland 1 with two photo/data collection stations, one transect through Wetland 2 on the north side of the main entrance to the site with three photo/data collection stations, and another within the south portion of Wetland 2 also 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. Also, each report will include wetland water level observations as well as data from the closest available public rain gauge station.

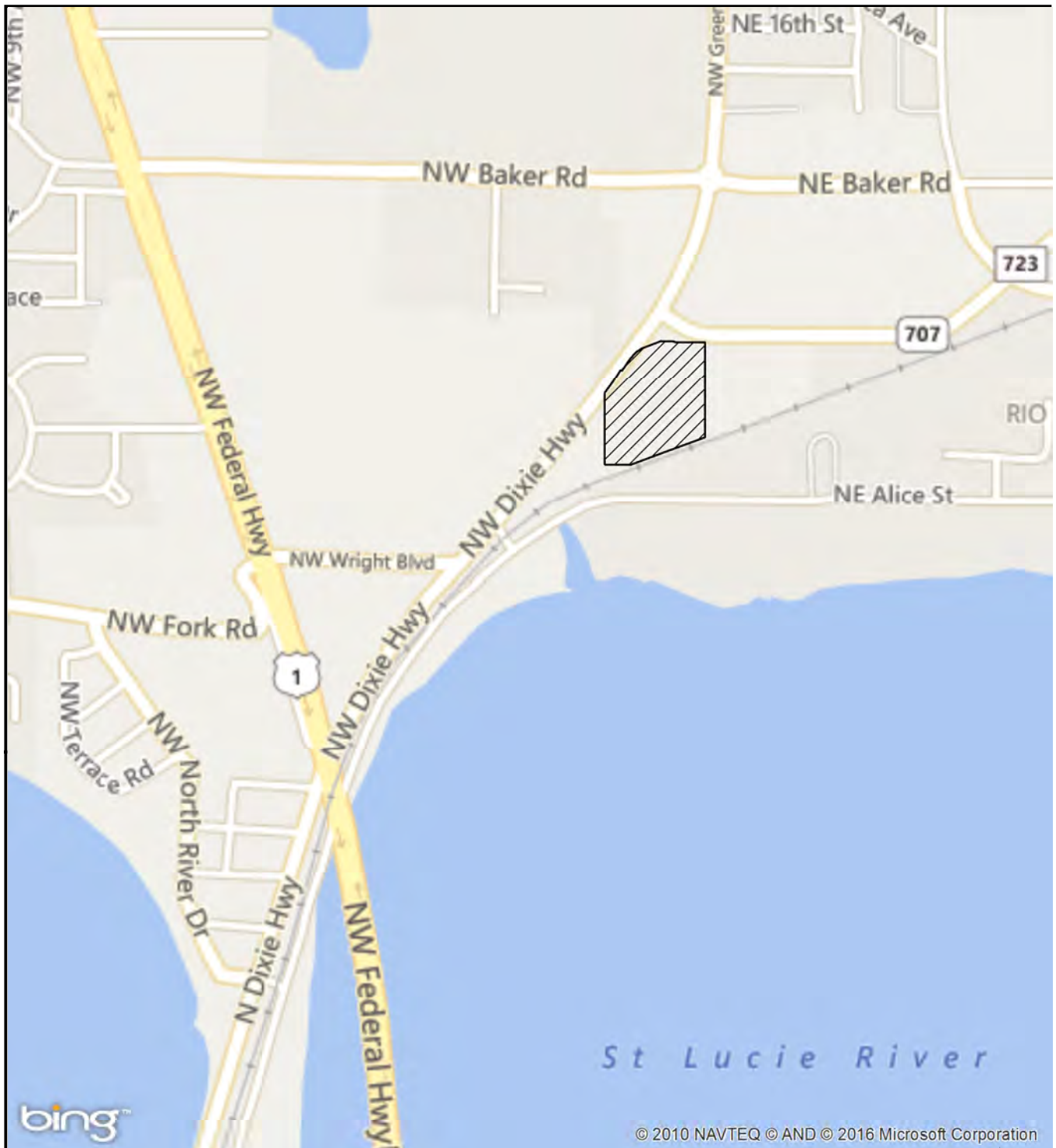
The monitoring will be conducted on an annual basis and reports will be provided to SFWMD and the City of Stuart during the first five years so that vegetative maintenance activity can be closely tracked. The reports provided at the end of two years and five years will include a discussion and conclusion 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 or wetland preserve areas have not achieved the success criteria it will be recommended for supplemental planting in order to meet the criterion. Vegetative maintenance of the all preserve areas on-site will be provided in perpetuity by the permittee or successors in accordance with permit requirements and this plan.

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

Below are the relevant preserve area management activities and due dates:

<u>Activity</u>	<u>Months after SFWMD Construction Permit Issuance</u>
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



#### LEGEND

 - SITE (8.4+/- AC)

0 1,000 Feet



## TC3 PARCEL LOCATION MAP

**EW CONSULTANTS, INC.**

**APRIL 2016**



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

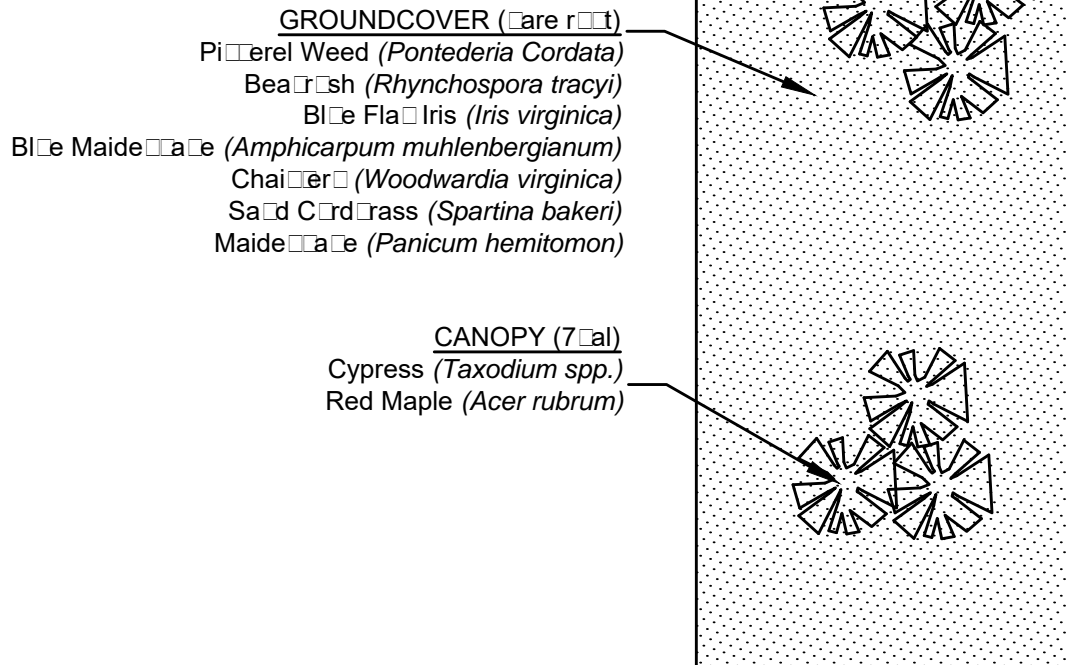
FIGURE

**1**



# TYPICAL WETLAND PRESERVE AREA PLANTING PLAN

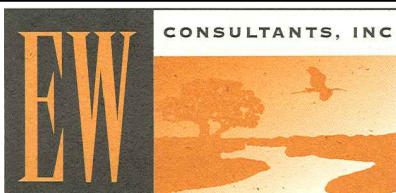
NTS



## NOTE

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

# TREASURE COAST COMMUNITY CHURCH PRESERVE AREA PLANTING PLAN



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STUART, FL 34996

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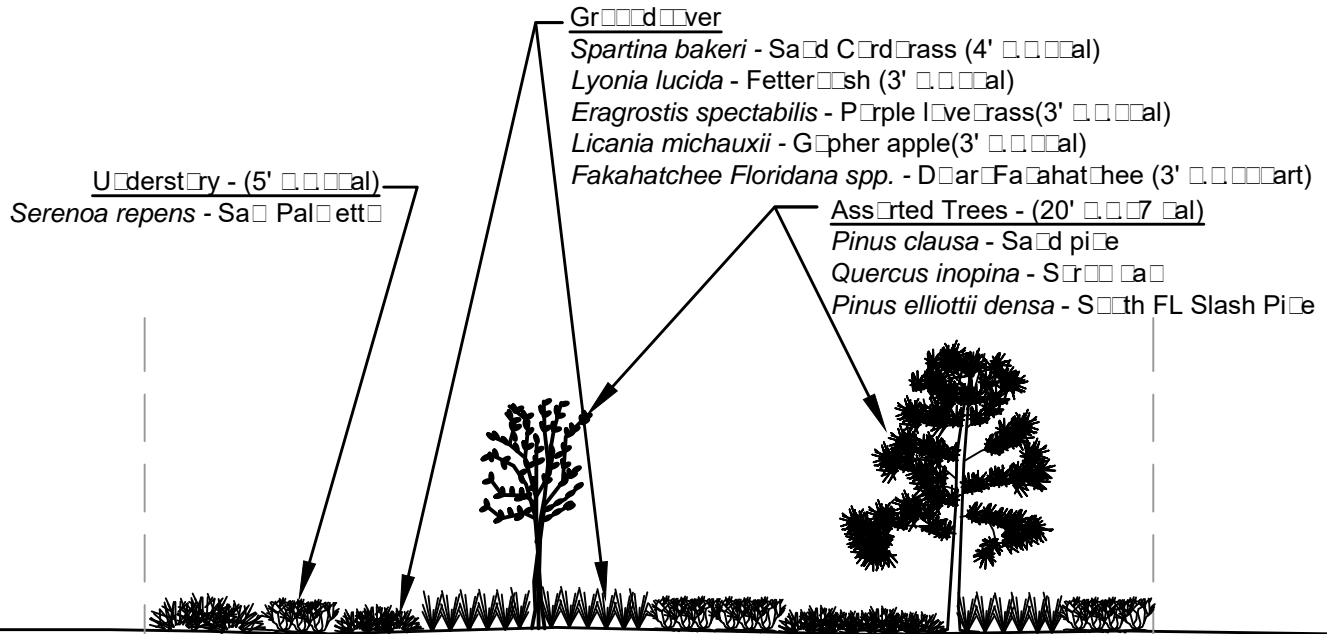
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FIGURE

**2**

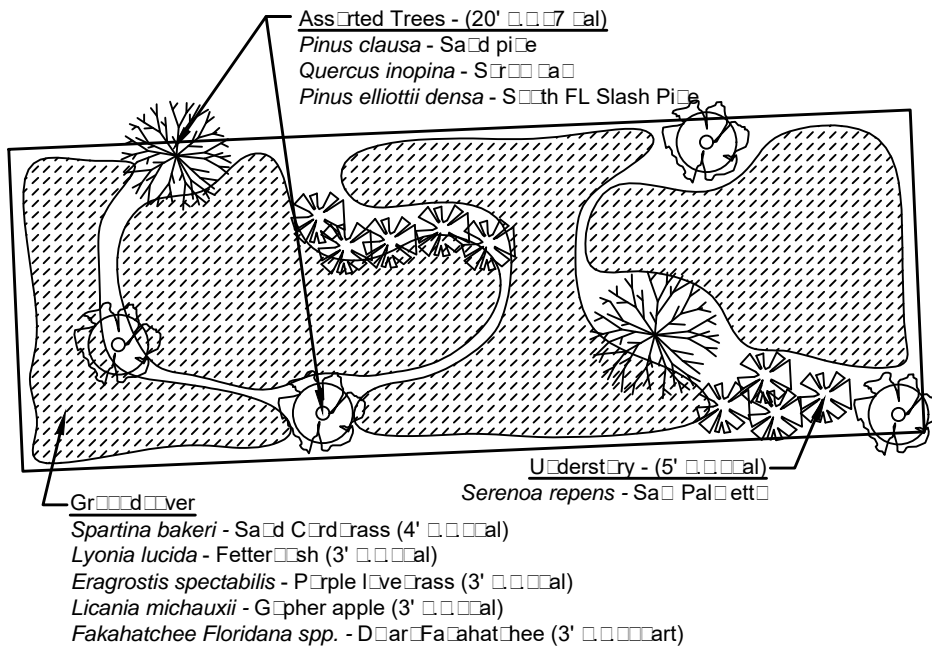
# SCRUBBY FLATWOODS REPLANTING SECTION

N.T.S.



# SCRUBBY FLATWOODS REPLANTING PLAN VIEW

N.T.S.

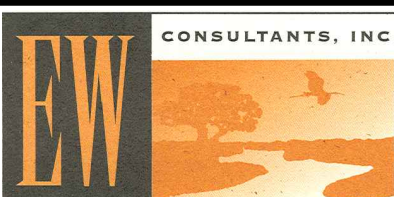


QUANTITY OF PLANTS WILL BE DETERMINED BY SIZE OF RESTORATION AREA AND SPACING (O.C.) OF SELECTED PLANTS.

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

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

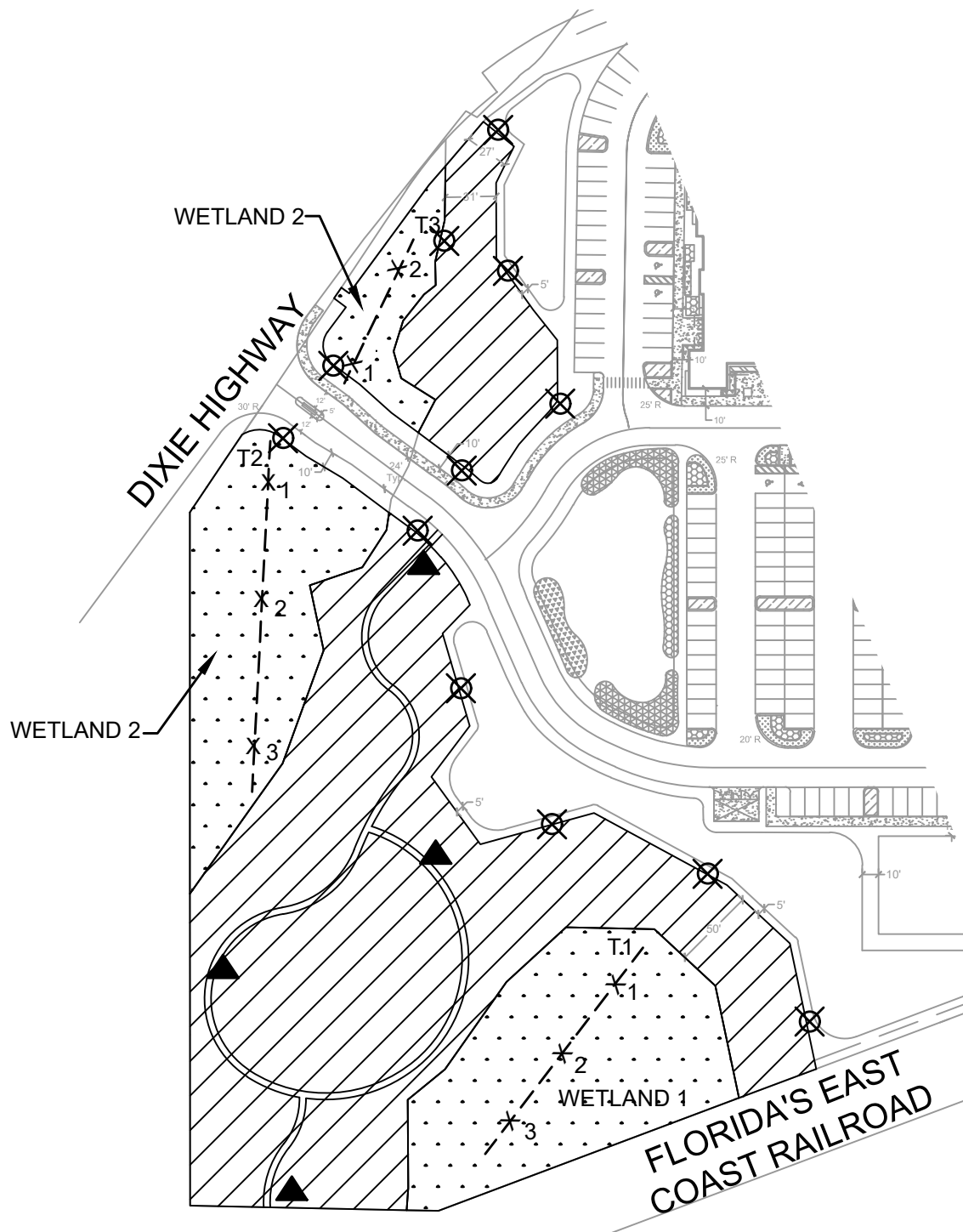
# TREASURE COAST COMMUNITY CHURCH SCRUBBY FLATWOODS REPLANTING PLAN



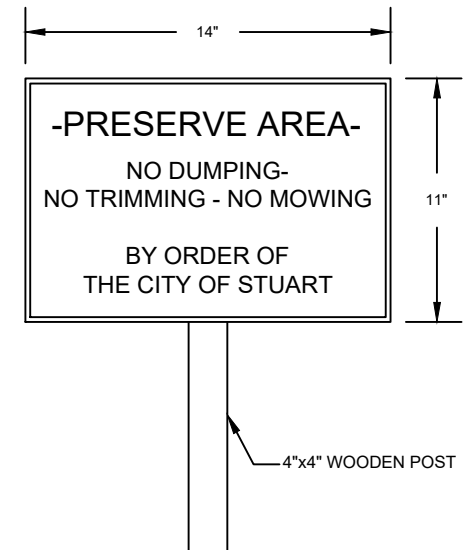
**EW CONSULTANTS, INC.**  
1000 SE MONTEREY COMMONS BLVD., SUITE 208  
STUART, FL 34996  
772-287-8771 FAX 772-287-2988  
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FIGURE

3



## TYPICAL PRESERVE SIGN



## LEGEND

- WETLAND PRESERVE
- PRESERVE AREA SIGN (11)
- INTERPRETIVE SIGN (4)
- MONITORING TRANSECT WITH STATION & PHOTO STATION

0 100  
SCALE IN FEET

## TREASURE COAST COMMUNITY CHURCH MONITORING MAP

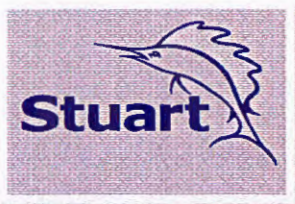


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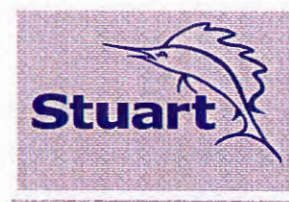
FIGURE

4





**CITY OF STUART  
LOCAL PLANNING AGENCY  
APRIL 20, 2017**



<b>Project Name:</b> Treasure Coast Community Church	<b>Property Owner:</b> Gordon Mularski
<b>Project No.:</b> Z16120001	<b>Agent:</b> Michael Houston
<b>Location:</b> 20 NE Dixie Hwy 34994	



Application Summary			
Parcel Size (area)	10.4 Acres	Report Date	April 20, 2017
Existing Land Use	Downtown Redevelopment	Proposed Land Use	NA
Existing Zoning	Urban General	Proposed Zoning	CPUD
Existing Use	Church	Proposed Use	Church
Case Planner	Tom Reetz	Last Submittal	April 3, 2017
City & Consultant Approvals	Traffic; Fire; Planning & zoning; KH Engineering/Environmental - See Exhibits 2-7		
Brief Explanation	The applicant is requesting a rezoning from the current Urban General zoning designation to a Commercial Planned Unit Development (CPUD). This amendment also encompasses a Master Site Plan, Architectural Plans, Elevations, and Landscape Plans approval.		
Staff Recommendation:			
Recommend approval for zoning change to CPUD; Site Plan; Architectural Plans, Elevations and Landscape Plans.			

# STAFF REPORT & RECOMMENDATION

## I. DRAFT ORDINANCE

- A. Legal Description
- B. Location Map
- C. Development Conditions
- D. Development Documents

## II. LEGAL NOTICE REQUIREMENTS

- A. **Requirements for Application** – As a request for rezoning to a CPUD Commercial Planned Unit Development, this application has been noticed in accordance with the requirements set forth in *Section 11.01.08* of the City's Land Development Code
- B. **Site Posting Date:** April 5, 2017
- C. **Mail Notice Postmark:** April 5, 2017 to surrounding property owners (300 lineal feet)

## III. APPLICATION

Treasure Coast Community Church is a church facility that currently operates in the Urban General in the City's Urban zoning district which is an allowable use for this zoning district. The church's agent and pastor have approached the city with plans to expand its existing facilities. Staff has recommended a zoning change to CPUD commercial planned unit development to allow for more flexibility and possibilities in the design and for staff to condition a timetable for development that would allow the church time for fundraising for the project. The church wishes to continue its current activities in the new worship building and have room for future growth. The proposed rezoning requires strict adherence to the development conditions and development documents such as, the proposed master site plan, the proposed architectural plans, elevations and landscaping.

In summary, the proposal consists of the construction of a 23,550 sq. ft. church building that will become part of an existing church campus.

- **Total Site Area** 453,024 SF or 10.4 acres
- **Proposed Building:** 32,572 Sq. Ft.
- **Existing Building** 11,132 Sq. Ft.
- **Proposed Buildings** Worship Center (2 phases), 2 Story Office building.
- **Impervious area** 219,906 SF 47 %
- **Pervious Area** 240,959 SF 53%
- **Parking Spaces** 392 spaces includes 12 HC spaces and 6 spaces reserved for Haney Creek Preserve Trail Head use.



## **IV. HISTORY OF THE SITE**

The property is now owned by Treasure Coast Community Church who purchased the property in 2007. Prior to the church's purchase of the property, it had been used as a Gym/Racquetball club. The church obtained an Urban Code Special Exception to allow for a change of use and approve aspects of the site and exterior Architectural elevations which did not necessarily meet the minimum Urban Code requirements.

## **V. STAFF ANALYSIS**

### **A. Site and Area Characteristics**

The subject property is situated on the SE corner of NW & NE Dixie Hwy. There is currently one main entrance from NE Dixie Highway at the eastern end of the site that services the existing church building. The property consist of 10.4 acres with a zoning designation of Urban General and a future land use plan of Downtown Redevelopment. The surrounding properties are a combination of Professional office, warehouse, retail and an existing church to the north.

As currently requested, the site will be developed in three phases. The first phase consists of a 32,572 sq. ft. worship center which will subsequently have a second phase 32,572 square foot addition. Phase three of the project is a 2 story Professional Office building which will house mainly non-profit organizations.

#### **Parking**

The parking is as follows:

Proposed Worship Center = 1space/4 seats @907 seats = 227 spaces

Proposed 2 Story Office Building = 1 space/300 Sq. Ft. 17,000 Sq. Ft. = 57 spaces

Existing Building Office and Classrooms = 1 space/300 Sq. Ft. = 26 spaces

Total Spaces required = 257 spaces

Total spaces provided = 392 spaces

274 of the parking spaces consist of stabilized grass parking which are counted as being 50% pervious.

#### **Landscaping/Wetlands**

A dry retention area has been created to capture on site drainage and its perimeter is planted with native grasses and trees. The entire upland preserve area encourages wildlife and is called a pine flat wood forest forest. The native plants, trees and shrubs exceeds to code requirement of 50% native. See Landscape

Plan L-2 by HJA Design that includes a 4' mulch trail that meanders through the otherwise untouched Pine flatwood forest.

## **B. Land Development Code Consistency Review**

The application has been reviewed for consistency with the City's LDC. The proposed development has been found in compliance with the applicable regulations set forth in Section 2.07.00 pertaining to PUD's.

- A. Purpose. The purpose of this section 2.07.00 is to provide an alternative means of residential, commercial, public service and industrial land development and an alternative zoning procedure that may be used to establish residential, commercial, public service and industrial planned unit development zoning districts at appropriate locations and in accordance with the planning and development objectives of the city.

A planned unit development (PUD) established according to the provisions of this section may depart from the strict application of use, setback, minimum lot requirements, parking requirements, and other requirements of standard zoning districts. A PUD shall be consistent with the overall planning and development goals and objectives of the city as reflected by the City of Stuart Comprehensive Plan. A primary purpose of this section is to provide standards by which such flexibility may be accomplished while maintaining and protecting the public health, safety and welfare of the citizens.

- B. Commercial planned unit development (CPUD) districts.

1. Location. A CPUD may be located anywhere in the city in any area defined and described "office/residential, "commercial", "**downtown redevelopment**" or "neighborhood/special district" by the Future Land Use Element of the City of Stuart's comprehensive plan and which is of suitable character and compatible with surrounding uses as determined by the City Commission.
2. Uses permitted in a CPUD district. The buildings, structures, land or water within a CPUD district may be used only for the following purposes:
  - a. Any and all uses set forth in the present zoning classifications of R-1, R-2, R-3, B-1, B-2 and B-4 inclusive, providing such uses are compatible with uses on adjacent property as determined by the City Commission.

## **VI. ATTACHMENTS**

### **Attachment A: Site and Area Characteristics**

*Exhibit 1: Future Land Use Map*

*Exhibit 2: Existing Zoning Map*

*Exhibit 3: Aerial Photograph*

### **Attachment B: Technical Review Memorandums**

*Exhibit 2: Traffic Statement – Velcon Group; Dated 3.27.17*

*Exhibit 3: City of Stuart Fire Department; Dated 12.09.16*

*Exhibit 4: City of Stuart Planning & Zoning; Dated 1.27.17*

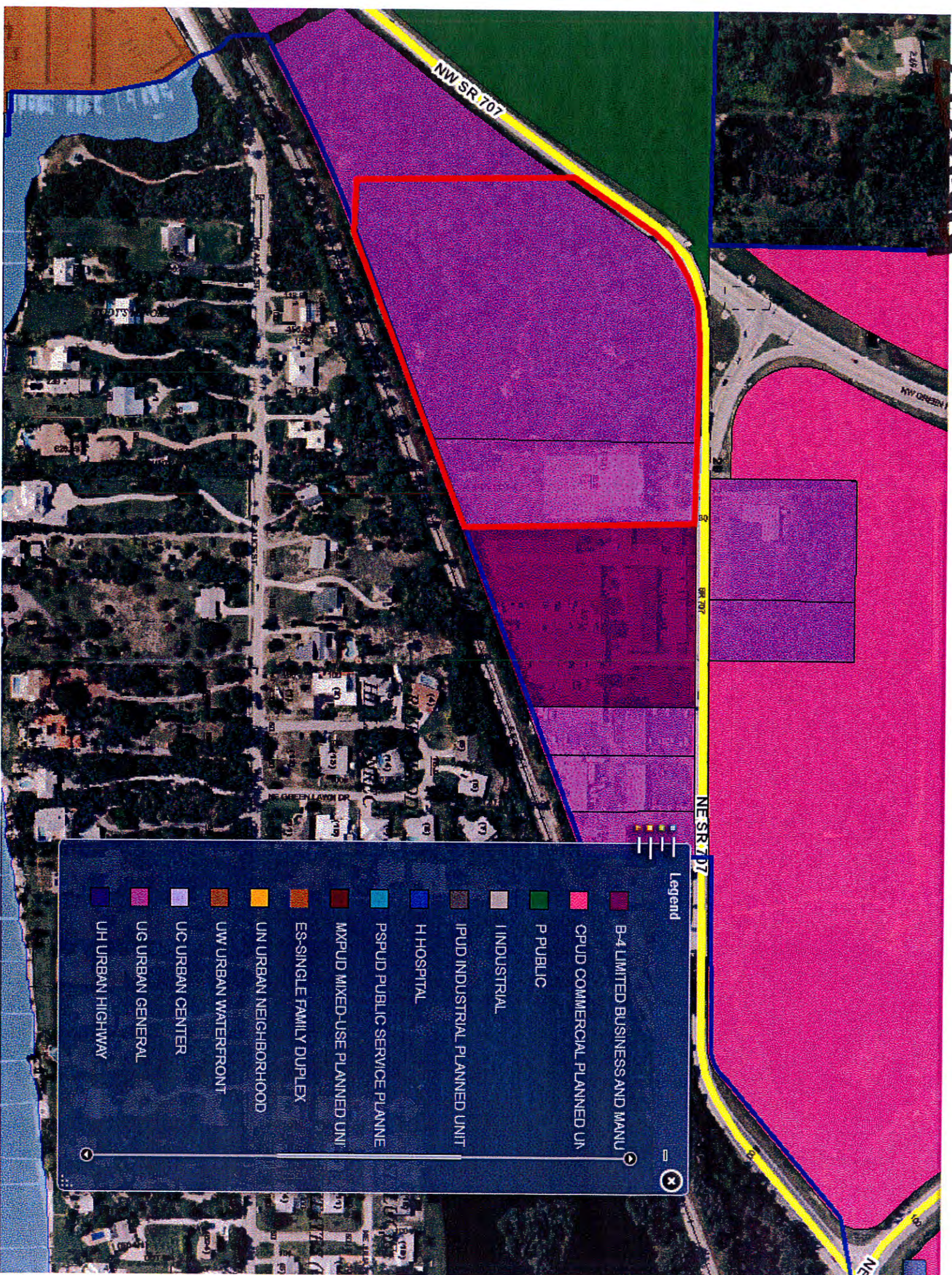
*Exhibit 5: Kimley Horn Engineering/Environmental; Dated 1.27.17*



# LAND USE







Legend

- B-4 LIMITED BUSINESS AND MANU
- CPUD COMMERCIAL PLANNED UN
- P PUBLIC
- I INDUSTRIAL
- IPUD INDUSTRIAL PLANNED UNIT
- H HOSPITAL
- PSPUD PUBLIC SERVICE PLANNED
- MPUD MIXED-USE PLANNED UN
- ES-SINGLE FAMILY DUPLEX
- UN URBAN NEIGHBORHOOD
- UW URBAN WATERFRONT
- UC URBAN CENTER
- UG URBAN GENERAL
- UH URBAN HIGHWAY



An aerial photograph of a residential area. A red boundary line is drawn across the map, starting from the top left, following a road, then turning right to follow a road labeled 'NW SR 707'. The road is highlighted in yellow. The boundary continues along the road, then turns left to follow a road labeled 'NE SR 707', which is also highlighted in yellow. The area contains several houses, some with swimming pools, and a large body of water on the left. The map is oriented with North at the top.





VELCON GROUP, INC.  
ENGINEERS & SURVEYORS

March 27, 2017

Terry O'Neil - Director of Planning  
Development Department, City of Stuart  
121 SW Flagler Avenue  
Stuart, FL 34994

Re: Treasure Coast Community Church  
SE Corner of NE Dixie Highway and NW Dixie Highway  
Traffic Statement

Dear Mr. O'Neil:

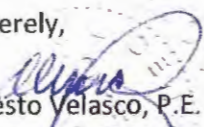
The proposed project consists of the construction of several buildings, which areas are broken down as follows: Worship Center-32,572 SF, Office Building-8,500 SF and an existing building with 11,132 SF.

The new trips associated with the proposed buildings were estimated utilizing Category 560, Church, from the ITE Trip Generation Manual, 7<sup>th</sup> Edition. On weekdays, the project is estimated to generate 297 Average Daily Trips, 42 trips in the AM Peak Hour, and 46 trips in the PM Peak Hour. On a Sunday, the project is estimated to generate 1193 Average Daily Trips and 383 Peak hour Trips.

The project proposes to have a new driveway connection to NW Dixie Highway to the west and continue to utilize the existing driveway on NE Dixie Highway to the north. The Martin County 2015 Roadway Level of Service Inventory Report does not provide information for the section of NW Dixie Highway from Wright Boulevard to NE Dixie Highway, where the west driveway will be located, or information for the section of NE Dixie Highway from Green River Parkway to Savanna Road (CR-723), which is where the existing north driveway is currently located. During days of worship and special events, the church will have police details directing traffic before and after services in order to ensure adequate traffic control is provided.

If you have any questions regarding the above analysis, please contact our office at your earliest convenience.

Sincerely,

  
Ernesto Velasco, P.E.  
FL Lic. No. 35649  
The Velcon Group, Inc.

Attachments:

Martin County 2015 Roadway Level of Service Inventory Report  
ITE Trip Generation Manual Category 560

LOCATIONS & ENTITIES V9.0

DATE: 04/12/2017

TIME: 16:48:04

Client Name

Zoning And Development Notes

PAGE NUMBER: 1

MODULE : libNotes

SELECTION CRITERIA: Permit No = Z16120001 and Review Stop = F and Revision =

Note Date/Time	Date of Record	Operator	Note Code	Reminder Date
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2016-12-09 13:30:49	12/09/2016	flasaga		
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Frank Lasaga

This review represents approval of the conceptual information presented in the attached documentation, including but not limited to site layout. Determination of fire code requirements and compliance will be made upon submittal of site and construction documents.

## 1.27.17

### TC3 - Planning and Zoning Comments.

1. Add necessary sidewalk(s) to connect with existing sidewalk on the west side of Dixie Highway.
2. 6.01.14B All parking lots shall be paved. Convert the 80 stabilized grass parking spaces at the front of the site to 80 paved parking spaces contiguous and with the existing paved parking lot. Transitory stabilized grass parking spaces in the rear of the Phase1 & Phase 2 buildings may remain as proposed provided the following code requirements are met.
  - a. Provide a transit stop with benches and other seating facility with a trash receptacle, lighting and covered structure.
  - b. 6.01.10.H Excess parking is discouraged, and in no case shall the number of extra spaces exceed (10) spaces or 10%, whichever is greater. Currently 227 parking spaces are required and 391 spaces are provided. Reduce the number of parking spaces to meet the above criteria.
  - c. Provided 100 square feet for each additional parking space. (up to 10 spaces or 10%) The additional landscaping shall consist of shrubs, ground cover, grass and mulch.
  - d. 67 additional spaces for the proposed 20,000 square foot building may be added to the 227 spaces for a total of 294 required spaces.
  - e. 6.04.03 Provide 20% of the total gross area of the development shall be landscaped. The landscaped areas shall be located on the site in such a manner as to maximize preservation of existing trees with priority given to specimen and or historic trees as described in Chapter V, Resource Protection Related Development Standards of the City's Land Development Code. Show percentages and number of plantings in legend.
  - f. 6.04.07C1 Provide not less than 50% of the required landscaping shall be interior landscaping exclusive of the required buffer. Interior landscaping shall be located around the periphery of structures and interspersed throughout parking areas. Show percentages and number of plantings in legend.
  - g. 6.04.07C3 Provide not less than one tree for every 500 square feet of interior landscaped area.
  - h. 6.04.07C2 Show interior landscaping around perimeter of buildings.
  - i. Provide landscaping in the city's right of way with the appropriate species for wet/dry conditions, i.e. magnolia, cypress, etc.
  - j. 6.04.07C8 not less than 50 percent of trees used in parking area interior landscaping shall be shade trees. Show percentages and number of plantings in legend.
  - k. Provide a landscape berm of not less than 20 feet in the buffer between State Road 707 and the Phase one and phase 2 buildings. All trees within this strip shall be not less than 16 feet high at installation with a spread of six feet. Shrubs may be clustered.

#### **6.05.02. Building design and location.**

- l. A. All commercial buildings shall be designed to maintain and enhance the attractiveness of the streetscape and the existing architectural design of the community. Facades shall be designed to reduce the mass or scale and uniform monolithic appearance of large unadorned walls, while providing visual interest. The buildings mass shall be varied in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the

scale of the pedestrian. Corner lots at an intersection of two or more arterial or collector roads shall be designed with additional architectural embellishments, such as corner towers or other design features, to emphasize their location as gateways and transportation points within the community. Revise plans and elevations as necessary.

- m. *6.05.02.C. Building orientation.* Building facades adjacent to arterial or Collector Street shall either have windows along 50 percent of their horizontal length or a primary entrance. Revise elevations as necessary.
- n. *6.05.02.E. Massing,* 1. No horizontal length or uninterrupted curve of a primary façade shall exceed 100 linear feet. Varied lengths are desirable. Projections and recesses shall have a minimum depth of three feet with 25 percent of these having varied length with a minimum differential of one foot. 2. A single wall plane shall not constitute more than 60 percent of each affected ground floor primary facade. Revise elevations as necessary.
- o. Other design features. Provide a minimum of five (5) of the following building treatments:
  - a. Overhangs;
  - b. Arcades, minimum of eight feet clear in width;
  - c. Sculptured artwork;
  - d. Raised cornice parapets over doors;
  - e. Peaked roof forms;
  - f. Display windows;
  - g. Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design;
  - h. Clock or bell towers;
  - i. Decorative light fixtures;
  - j. Decorative landscape planters or planting areas, a minimum of five feet wide, and areas for shaded seating consisting of a minimum of 100 square feet;
  - k. Water elements, a minimum of 50 square feet in area.
  - l. Courtyards along the front building façade.

Revise Elevations as necessary.

- p. Roofs and gutters. The roofs and gutters of the principal building shall be constructed of any of the following materials and in the following specified manner.

Materials:

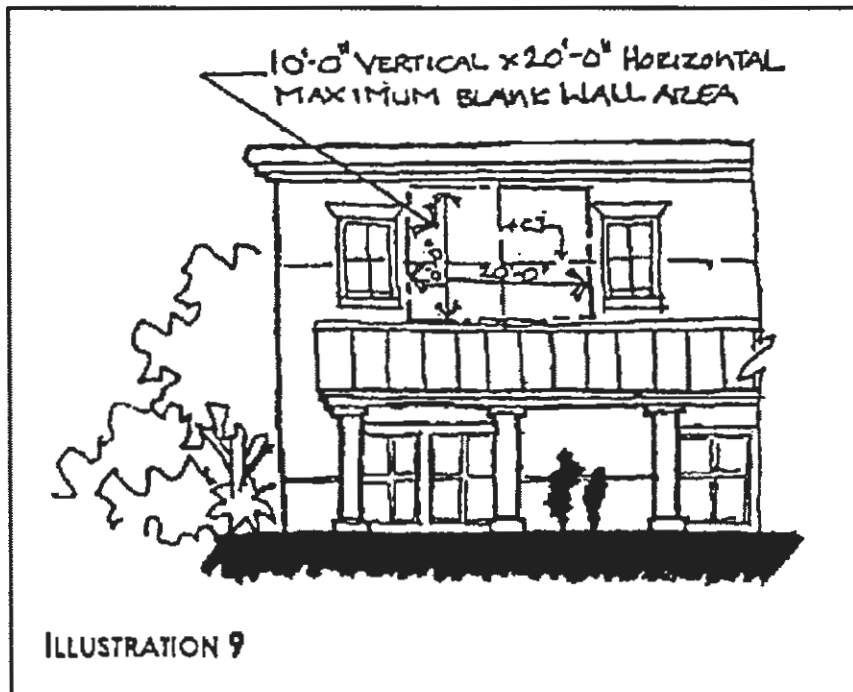
- a. Cedar shingles with factory treated class B finish.
- b. Steel, copper and factory painted aluminum standing seam, batten seam, or Bermuda roofing.
- c. Galvanized steel "5-V crimp" roofing panels.
- d. Galvanized metal or copper shingles of Victorian or diamond shape or pattern or of another dimension, which is approved by the city development department.
- e. Asphalt dimensional shingles for residential buildings only.
- f. Built-up roof behind parapets.

- g. Exposed half-round gutters of copper or galvanized steel.
- h. Clay or cement barrel, s-shaped, flat cement, or mission tiles which are a shade of "red," "ochre," "cream" and "white" color shades provided that such coloring is integral to the clay or cement. No glazed or painted clay or cement tiles shall be allowed. No other shape of clay or cement tiles shall be permitted.
- i. Manner.
- j. Gable and simple hip roofs.
- k. Flat with railings or parapets.
- l. Shed roof attached to a wall higher than the ridge.
- m. Rafters at overhangs shall be exposed.
- n. Pitch:
  - i. On principal building from 5-12 up to 12-12.
  - ii. On sheds, porches and balconies not less than 3-12.
  - iii. Tower roofs may be any pitch.
- o. Aluminum fascia and soffits shall not be allowed. (Ord. 1453-96, 6-1-96)
- p. For buildings which are located not more than five feet from the front property line, gutters must be shielded and may not drain onto the surface of public sidewalks. Gutters may be enclosed within a column or other architectural feature.

Revise roof design for proposal as necessary

- q. 6.05.03 Blank walls areas. shall not exceed ten feet in vertical direction and 20 feet in horizontal direction of any facade. Control and expansion joints within this area shall constitute blank walls shall constitute blank wall area unless used a decorative pattern and spaced at intervals of six feet or less.

A. Relief and reveal work depth must be a minimum of one-half inch (see illustration 9).



Revise Elevations as necessary.

Repeating facade treatments. Primary facades shall include a repeating pattern and shall include no less than three of the design elements listed below. At least one of these design elements shall repeat horizontally. All design elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.

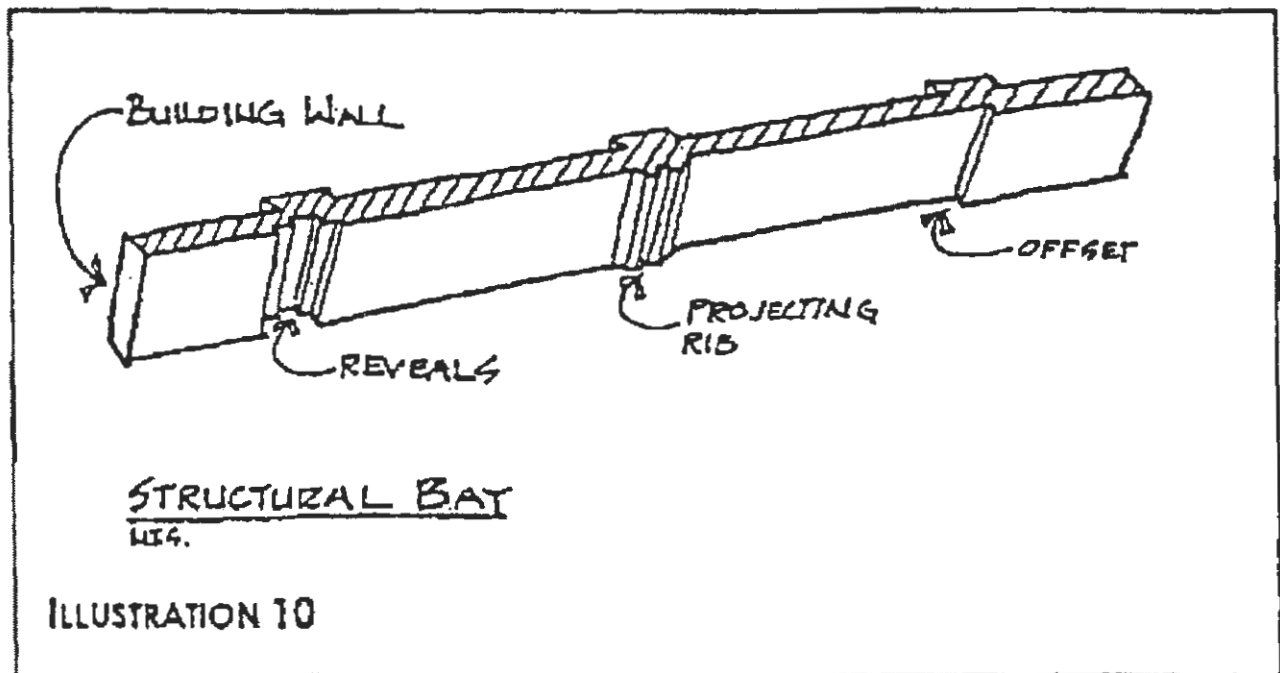
Color change;

Texture change;

Material module change;

Expression of architectural or structural bays, through a change in plane of no less than 12 inches in width, such as a reveal, an offset, or a projecting rib (see illustration 10);

1. Architectural banding;
2. Building setbacks or projections, a minimum of three feet in width on upper levels; or
3. Pattern change.

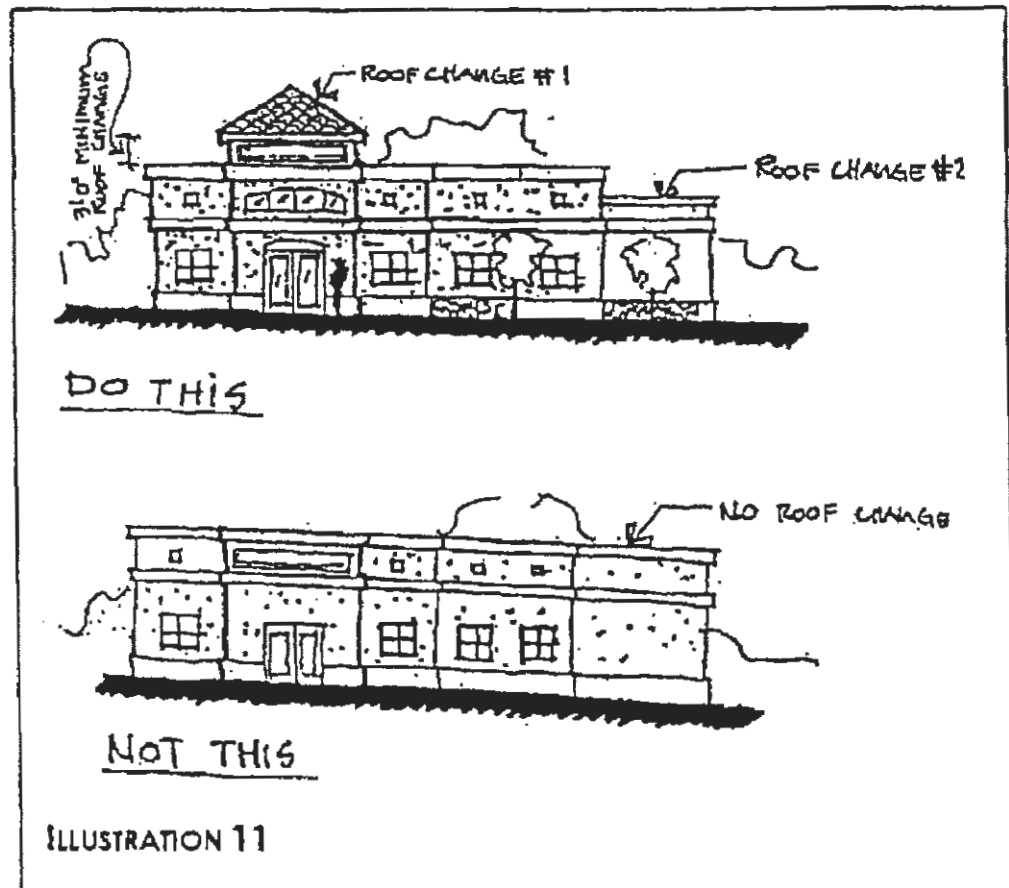


r. Sec. 6.05.05. Roof treatments for all commercial development.

- a. Purpose and intent. Variations in roof lines shall be used to add interest to and reduce the massing of buildings. Roof features shall be in scale with building mass and shall complement the character of adjoining or adjacent buildings and neighborhoods. Roofing material shall be constructed of durable high quality materials in order to enhance the appearance and attractiveness of the community.



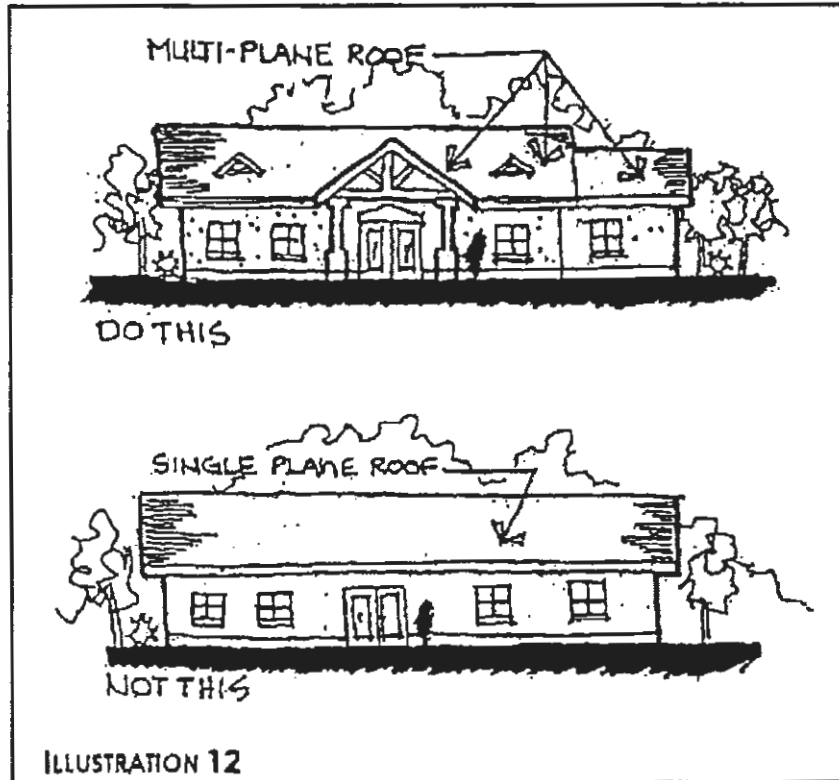
- b. Roof edge and parapet treatment. At a minimum of two locations, the roof edge or parapet shall have a vertical change from the dominant roof design which is a minimum of three feet. At least one such change shall be located on a primary facade adjacent to a collector or arterial right-of-way (see illustration 11).
- c.



Roofs shall meet at least two of the following requirements:

1. Parapets shall be used to conceal roof top equipment and flat roofs;
2. Where overhanging eaves are used, overhangs shall be no less than three feet beyond the supporting walls with a minimum fascia of eight inches;
3. Three or more roof slope planes per primary facade (see illustration 12);
4. Sloping roofs, which do not exceed the average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every

- d. three feet of horizontal run and less than or an average slope equal to one foot of
- e. vertical rise for every one foot of horizontal run;
- f. Three-dimensional cornice treatment which shall be a minimum of 12 inches in height with a minimum of three reliefs; or
- g. Additional vertical roof changes with a minimum change in elevation of two feet.



Revise elevations as necessar



To: Tom Reetz  
Senior Planner  
City of Stuart Development Department

From: Brian Good, P.E.  
Kimley-Horn and Associates, Inc.

Date: January 27, 2017

Re: **Treasure Coast Community Church rezoning CPUD – Stuart, Florida  
(1<sup>st</sup> Round) – Engineering & Traffic Review**

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Dear Mr. Reetz,

Kimley-Horn has reviewed the Rezoning/ CPUD Amendment Application and associated documents, application dated November 30, 2016 prepared by HJA Design Studio for the proposed expansion of the Treasure Coast Community Church in Stuart, Florida. Please find below our review comments pertaining to the following items listed within the application:

Rezoning application review

1. Please provide an updated traffic statement based on the building areas provided on the current site plan. The traffic statement should address the Phase 1 and 2 building areas totaling 31,426 SF as well as the future 20,000 SF "out building"

Concept site plan review


1. It appears that there is a new property line on the north side of the project as shown in Bold in the site plan and survey. There are parking stalls and perimeter landscaping that are shown outside of this property line. There is also a line the says "previous property line" that appears to have been used as the current property line.
2. Total wetlands in the data table is listed as 1.2 acres, but appears that it should be 1.05 ac.
3. Provide an updated dumpster enclosure detail. None of the notes are legible.
4. State the minimum building setback on the plan.
5. Demonstrate that Fire truck and garbage truck turning radius is sufficient.
6. What is the building height of the 20,000 SF building.
7. Several of the detention ponds have trees proposed in them. Provide further information about anticipated pond depth, and duration of standing water.

8. There are several trees proposed to be saved that are located near proposed sidewalks and curbing. Provide detail on grade difference and how these trees will be protected.

Thank you for the opportunity to assist the City of Stuart in reviewing the noted project. Please contact us if you have any questions or need additional information.

Sincerely,

Kimley-Horn and Associates, Inc.



Brian A. Good, P.E.  
Sr. Vice President



## Memorandum

To: Tom Reetz  
From: Lynn Kiefer, Sr. Environmental Scientist  
Date: January 27, 2017  
Subject: Treasure Coast Community Church (20 NE Dixie Hwy)  
Rezoning/C-PUD (ref # 16003)

We have reviewed the rezoning submittal for the referenced site and evaluated the information provided based on the City's Land Development Code and Comprehensive Plan requirements. The following is a summary of our findings.

### Section 5.01.00 Avoidance or Minimization of Wetland and other Environmental Impacts.

The applicant is persevering both on-site wetlands. Wetland Impact is limited to 0.06 acres for a driveway access only. This meets the code requirements for avoidance and minimization of wetlands.

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

The Environmental Assessment included with the application is complete and meets the requirements of 5.02.00. The assessment did, however, identify the potential for gopher tortoise, eastern indigo snake, and Florida scrub-jay to occur on the site though none were observed during the site reconnaissance. Additional survey and permitting may be required prior to site plan approval. The code allows for the City development director to request correspondence from US Fish and Wildlife Service and Florida Fish and Wildlife Conservation Commission (FWC). The report recommended a gopher tortoise survey prior to site clearing. It is anticipated that if gopher tortoises are found during the survey a permit would be required from FWC and should serve as sufficient documentation from FWC. There were no recommendations for survey of FL scrub-jay. Correspondence from USFWS could be requested during site plan approval. No further action is anticipated regarding the eastern indigo snake.

### Section 5.03.00 Wetlands

The approximate wetland limits have been provided. The site was previously permitted by the State. As indicated in the Environmental Assessment the wetland limits may need to be recertified due to the age of the approval. This would occur during future permitting efforts.

The site plan provides the required average 50 feet; minimum 25 feet upland buffer and the minimum 5 feet construction setback.

Impacts to wetlands have been avoided and minimized and the single impact is for road access which is one of the allowable conditions to approve the impact.

The upland buffers provide a greenway between the wetlands as required.

A mitigation plan will be required prior to site plan approval.

The information provided meets the requirements of 5.03.00 for a rezoning application.

#### Section 5.04.00 Environmentally Sensitive Lands

The required preservation areas have been provided. A monitoring and maintenance plan will be required for the future site plan submittal. The information submitted meets the intent of the code.

#### Section 5.05.00 Trees

Tree survey has been provided. Additional details regarding the relocation or protection of trees will be required during future site planning efforts.

#### Section 5.06.00 Mangrove and Shoreline

Not applicable

#### Section 5.07.00 Floodplain and Flood Damage Prevention

Information regarding floodplains was not provided in the Environmental Assessment or on the site plan. The boundary survey indicates that the site lies within Zone X and AE 6 but the limits were not shown on the map though it was referenced in the notes.

#### Summary:

The information submitted in the Environmental Assessment and meets the intent of Sections 5.01.00 – 5.05.00. As discussed above, additional information will be required during site plan approval and additional information regarding floodplain impacts, if any, should be provided.

## CITY OF STUART, FLORIDA AGENDA ITEM REQUEST Local Planning Agency

**Meeting Date:** 4/20/2017

**Prepared by:** Pinal Gandhi-Savdas

**Title of Item:**

**ORDINANCE No. 2352-2017 AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ANNEXING THREE PARCELS OF LAND WEST OF SE FEDERAL HIGHWAY, CONSISTING OF 13.57 ACRES, SAID PARCELS BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

**Summary Explanation/Background Information on Agenda Request:**

Staff has received an application to annex three parcels on the west side of SE Federal Highway. The 7.25-acre parcel owned by Stuart 13 Acres LLC, 5.74-acre parcel owned by Tierra Del Lago, Inc., and .57-acre parcel owned by Stuart Harbor Marina and Yacht Club are undeveloped. All three properties are considered contiguous to the City, are compact in form and will not create an enclave if annexed.

The City Attorney finds the attached application to be in order and in compliance with Florida Statute Section 171.044. The property owners are not proposing a development plan or schedule of development at this time. The property owners understand that a City Comprehensive Plan land use category and a PUD zoning designations will have to be applied for at a later date. In the meantime, Martin County's land use and zoning regulations remain in effect. As called for by Florida Statute, the Martin County BOCC was notified of the proposed annexation by certified mail on March 29, 2017. A complete copy of tonight's agenda item was provided to the County's Growth Management Department on Friday, April 14, 2017.

In addition to the Development Department's review, the City Manager, City Attorney, Public Works and Financial Services Department have reviewed the application without objection.

With regard to cost, annexing the subject properties will have a de minimus impact on City Services. When land use, zoning and specific development plans are proposed at a later date, a comprehensive fiscal impact analysis will occur. In the meantime, based on the as-is assessed value of the three parcels (\$758,680, \$800,530 and \$170,000 respectively), the City's ad valorem revenues, at a current millage rate of 4.552, will be approximately \$7,871.

**ATTACHMENTS:**

- Ordinance No. 2352-2017
- City Attorney Memorandum
- Staff Report and Maps
- Annexation Application
- Martin County Notification
- Affidavit for sign posting on site/Photos

**Funding Source:**

N/A

**Recommended Action:**

Recommend approval of Ordinance 2352-2017.

**ATTACHMENTS:**

Description

Upload Date

Type

▣	Ordinance No. 2352-2017	4/13/2017	Ordinance add to Y drive
▣	Staff Report and Maps	4/13/2017	Staff Report
▣	Annexation Application	4/7/2017	Backup Material
▣	Martin County Notification	4/7/2017	Backup Material
▣	Affidavit to Notification and Photos	4/7/2017	Backup Material
▣	Opinion Letter	4/13/2017	Attachment



**Return to:**

**City Attorney's Office  
City of Stuart  
121 SW Flagler Street  
Stuart, FL 34994**

**ORDINANCE No. 2352-2017**

**AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ANNEXING THREE PARCELS OF LAND WEST OF SE FEDERAL HIGHWAY, CONSISTING OF 13.57 ACRES, SAID PARCELS BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

\*\*\*\*\*

**WHEREAS**, Petitioners, Stuart 13 Acres LLC, a Florida limited liability company, and Tierra Del Lago, Inc., and Stuart Harbor Marina and Yacht Club, constituting the fee simple title holders of lands west of SE Federal Highway, consisting of 7.257 acres, 5.743 acres and .5739 acres respectively, more particularly described in **Exhibit "A"**, attached hereto and made a part thereof, has voluntarily requested the City of Stuart annex said lands into the corporate limits of the City; and

**WHEREAS**, the City Commission, has considered the Petitioner's voluntary request for annexation, and has also considered the recommendation of the Stuart Local Planning Agency and City staff.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF STUART:**

**Section 1. Findings.** The City Commission finds the above statements are true and correct, and serve as a basis for consideration of this ordinance; that said lands are contiguous with the corporate limits of the City of Stuart, creates no enclaves, is reasonably compact, and that the City can effectively provide police, fire, and sanitary services to said land, all in compliance with the terms and requirements of Sec. 171.44, Florida Statutes, and the City of Stuart Code.

**Section 2. Annexation.** The City Commission has determined that development of said lands upon annexation shall be in accordance with the regulatory requirements of Martin County until such time as amendments to the City's Comprehensive Land Use Plan and Official Zoning Map become effective; and that the parcels of land more particularly described in **Exhibit "A"**, is hereby annexed into and shall be within the corporate limits of the City of Stuart, Florida, and that same shall henceforth be a part of said City as if said lands were originally a part of the City of Stuart.

**Section 3. Directions to the City Clerk.** The City Clerk shall cause the boundaries as set forth in the City's Charter to be amended and codified. The City Clerk shall submit such documentation as required by law to give effect to this ordinance to the Clerk of the Circuit Court, Board of County Commissioners Florida Statute 171.044(6) within 10 days prior to second reading adoption, the Chief Administrative Officer of Martin County, and the Florida Department of State within seven (7) days following adoption, in accordance with Section 171.044, Florida Statutes. Upon complete execution of this Ordinance, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

**Section 4. Repeal of Conflicting Ordinances.** All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

**Section 5. Severability.** If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance. The corporate boundary of the City shall be re-codified to include lands annexed.

**Section 6. Effective Date:** This ordinance shall be effective upon its adoption.

Passed on first reading the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

THOMAS CAMPENNI, MAYOR  
TROY MCDONALD, VICE MAYOR  
JEFFERY KRAUSKOPF, COMMISSIONER  
KELLI GLASS-LEIGHTON, COMMISSIONER  
EULA CLARKE, COMMISSIONER

YES	NO	ABSENT

ADOPTED on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
CHERYL WHITE  
CITY CLERK

\_\_\_\_\_  
THOMAS CAMPENNI  
MAYOR

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_  
MIKE MORTELL, CITY ATTORNEY

**Exhibit "A"**  
**Legal Description, Boundary Survey, Parcel Map**

**PARCEL A - Stuart Harbor Marina and Yacht Club Parcel (.5739 Ac.)**

LOTS 51, 52, 53, 54, AND 55, CORAL GARDENS PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 21, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

**PARCEL B - Tierra Del Lago Inc Parcel (5.7430 Ac.)**

THE NORTHERLY 344.44 FEET, (MEASURING 345.77 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1) OF THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF THE FOLLOWING DESCRIBED LANDS LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 THAT LIE WITHIN THE SOUTH 3/15 OF THE NORTH 9/15 OF THE SUBDIVISION OF LOTS 18, 19, AND 20 OF THE HANSON GRANT ACCORDING TO THE PLAT THEREOF FILED IN DADE COUNTY, FLORIDA, DECEMBER 30, 1901 IN BOOK "B", PAGE 59, IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND REFILED IN PALM BEACH COUNTY FLORIDA, ON MARCH 25, 1910, IN BOOK 1, PAGE 11, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS BEING NOW, HOWEVER, IN MARTIN COUNTY, FLORIDA, BY REDIVISION OF COUNTIES. CONTAINS 40.53 ACRES, MORE OR LESS.

LESS THEREFROM THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 1, AND THE SOUTH LINE OF SAID NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20; THENCE SOUTH 66°17'10" WEST 727.96 FEET MEASURED (727.78 DESCRIPTION) ALONG SOUTH LINE OF SAID NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20 TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 66°17'10" WEST 1575.25 FEET ALONG SAID SOUTH LINE OF NORTH 9/15THS OF SUBDIVISION OF LOTS 18, 19, AND 20; THENCE NORTH 23°47'05" WEST 781.02 FEET TO THE NORTH LINE OF SAID SOUTH 3/15THS OF THE NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20; THENCE NORTH 66°21'10" EAST 1498.84 FEET ALONG SAID NORTH LINE OF SOUTH 3/15THS OF THE NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20; THENCE SOUTH 29°23'47" EAST 783.19 FEET MEASURED (782.47 DESCRIPTION) TO THE POINT OF BEGINNING. CONTAINS 27.53 ACRES, MORE OR LESS.

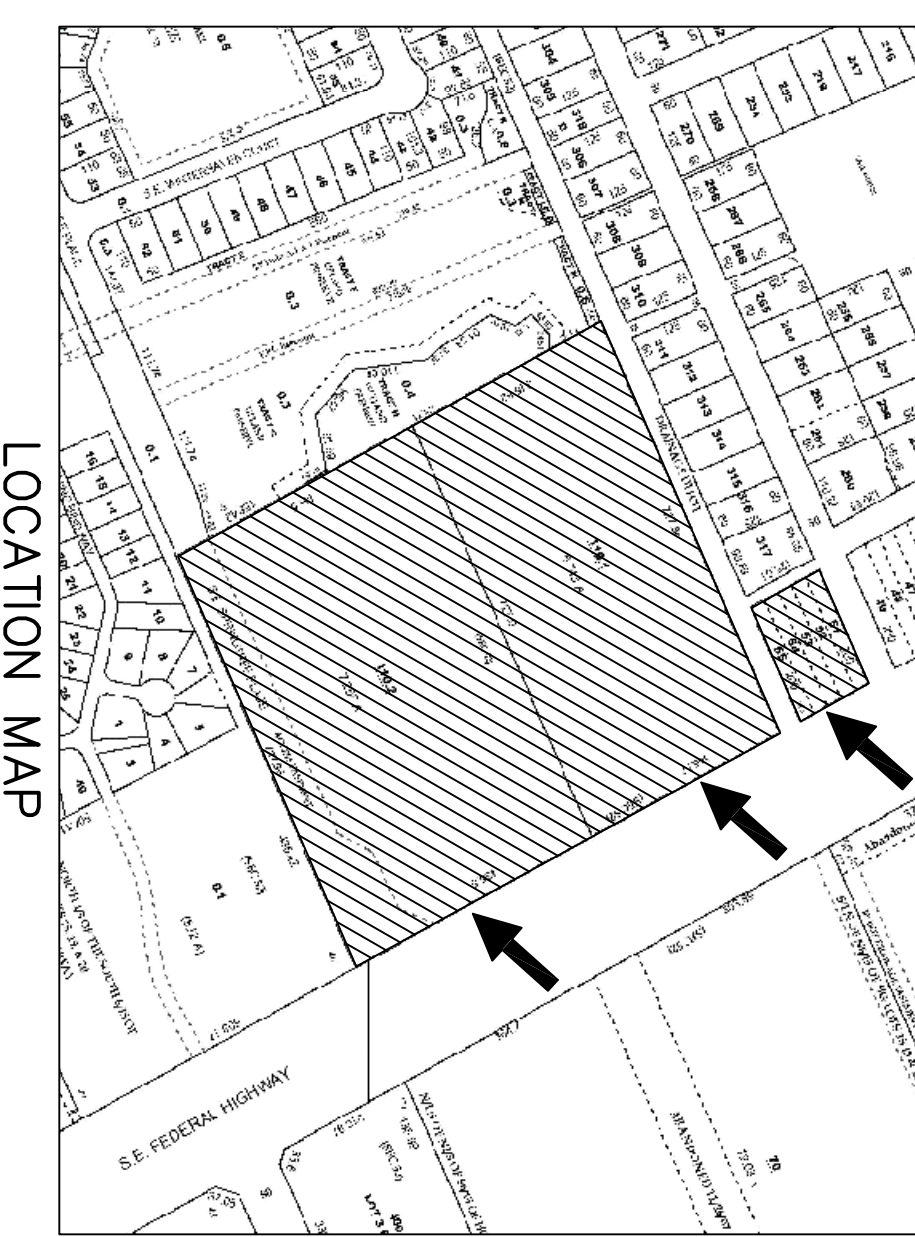
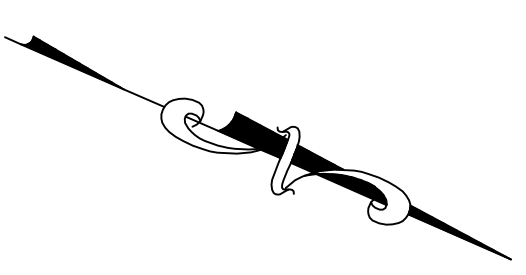
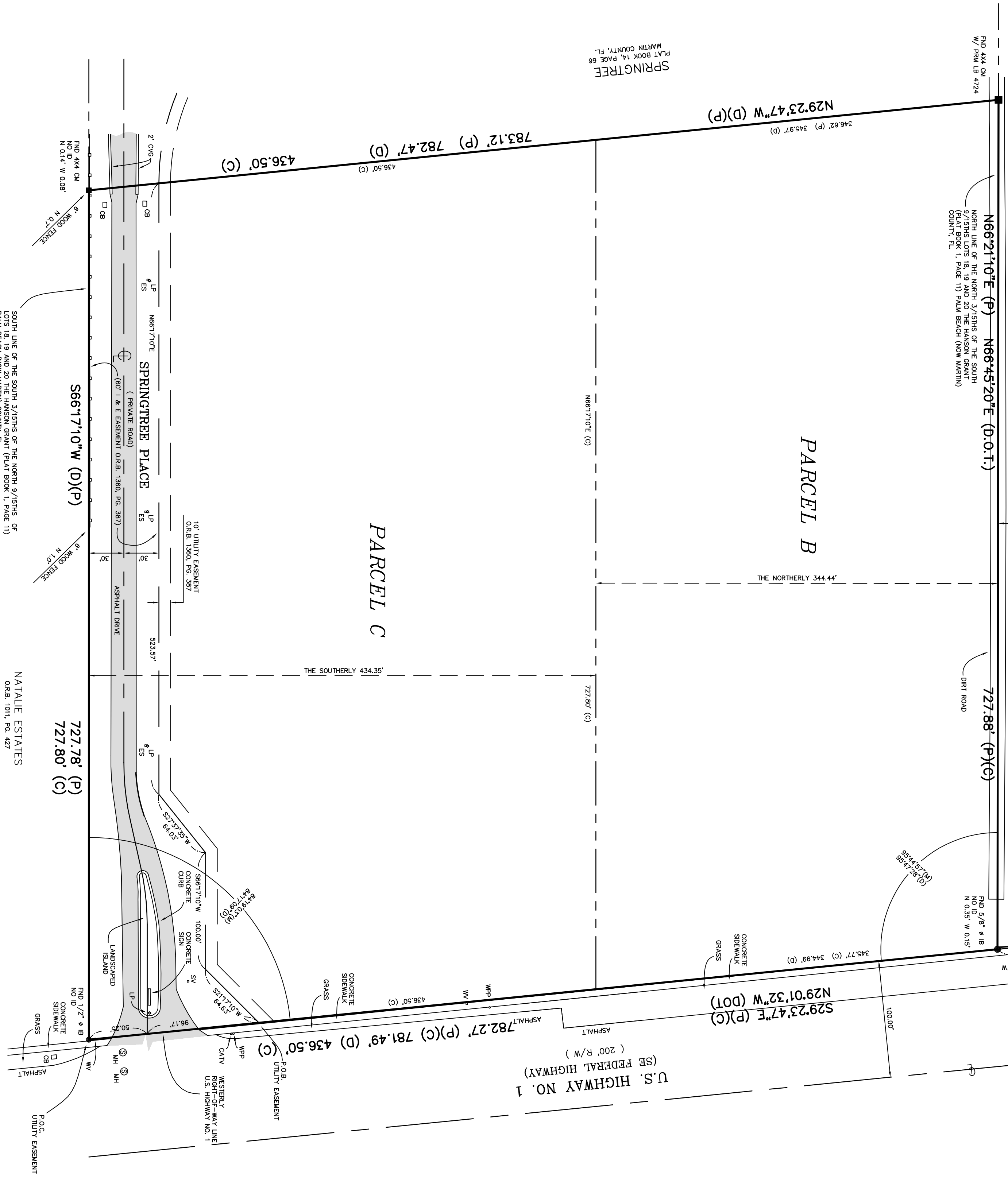
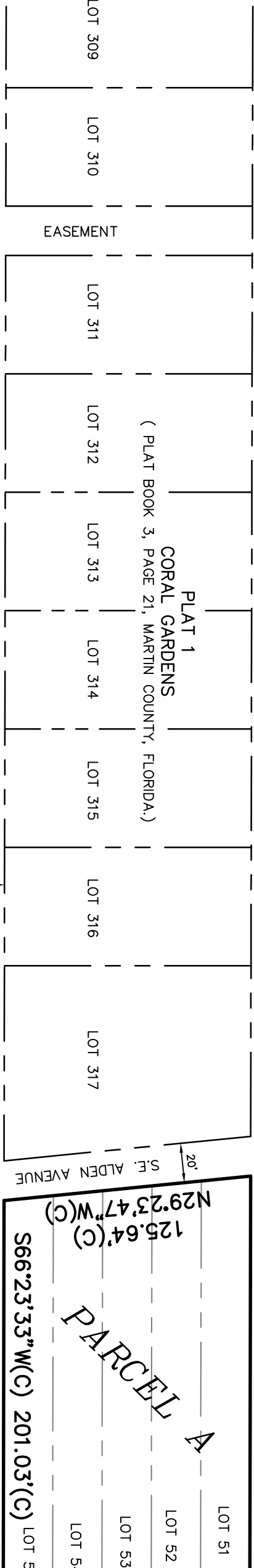
**PARCEL C - Stuart 13 Acres LLC Parcel (7.257 Ac.)**

ALL THAT CERTAIN PORTION OF THE SOUTH 3/15THS OF THE NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19 AND 20 OF THE HANSON GRANT, ACCORDING TO THE PLAT THEREOF FILED IN DADE COUNTY, FLORIDA, DECEMBER 30, 1901, IN BOOK "B", PAGE 59, IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND REFILED IN PALM BEACH COUNTY, FLORIDA ON MARCH 25, 1910, IN BOOK 1, PAGE 11, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS BEING NOW, HOWEVER, IN MARTIN COUNTY, FLORIDA, BY REDIVISION OF COUNTIES, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, SAID RIGHT-OF-WAY BEING 200 FEET IN WIDTH, AND THE SOUTH LINE OF THE NORTH 9/15THS OF SAID LOTS 18, 19 AND 20; THENCE NORTHERLY TURNING 84°17'09" FROM WEST TO NORTH, FROM SAID SOUTH LINE OF THE NORTH 9/15THS OF LOTS 18, 19 AND 20, A DISTANCE OF 781.49 FEET TO THE NORTH LINE OF THE SOUTH 3/15THS OF THE SOUTH 9/15THS OF SAID LOTS 18, 19 AND 20; THENCE WESTERLY TURNING 95°47'28", FROM SOUTH TO WEST, FROM SAID WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, ALONG SAID NORTH LINE OF THE SOUTH 3/15THS OF THE SOUTH 9/15THS OF SAID LOTS 18, 19 AND 20, A DISTANCE OF 727.88 FEET; THENCE SOUTHERLY AND PARALLEL WITH SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 A DISTANCE OF 782.47 FEET, TO SAID SOUTH LINE OF THE NORTH 9/15THS OF SAID LOTS 18, 19 AND 20; THENCE EASTERLY ALONG SAID SOUTH LINE OF THE NORTH 9/15THS OF SAID LOTS 18, 19 AND 20 A DISTANCE OF 727.78 FEET TO THE POINT OF BEGINNING.

LESS THEREFROM LANDS DESCRIBED IN PARCEL B.





LEGAL DESCRIPTION

PARCEL A:  
LOTS 51, 52, 53, 54, AND 55, CORAL GARDENS PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 21, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

PARCEL B:  
THE NORTHERLY 344.44 FEET, (MEASURING 345.77 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1) OF THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF THE FOLLOWING DESCRIBED LANDS LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 THAT LIE WITHIN THE SOUTH 3/15 OF THE NORTH 9/15 OF THE SUBDIVISION OF LOTS 18, 19, AND 20 OF THE HANSON GRANT (PLAT BOOK 3, PAGE 21, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA), AND REFLECTED IN PLAT BOOK 3, PAGE 21, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, BY REDIVISION OF COUNTIES, CONTAINS 40.53 ACRES, MORE OR LESS.

LESS THEREFROM THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 1, AND THE SOUTH LINE OF SAID NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20; THENCE SOUTH 68°17'00" WEST 727.96 FEET MEASURED (727.78 FEET ALONG SAID SOUTH LINE OF SAID NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20); THENCE SOUTH 9°15'15" WEST 781.02 FEET TO THE NORTH LINE OF SAID SOUTH 3/15THS OF THE NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20; THENCE NORTH 69°21'00" EAST 149.88 FEET ALONG SAID NORTH LINE OF SAID SOUTH 3/15THS OF THE NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20; THENCE NORTH 78°31'39" WEST 782.47 FEET (782.47 FEET MEASURED) TO THE POINT OF BEGINNING. CONTAINS 27.53 ACRES, MORE OR LESS.

PARCEL C:  
ALL THAT CERTAIN PORTION OF THE SOUTH 3/15THS OF THE NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20 OF THE HANSON GRANT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 21, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, AND REFLECTED IN PLAT BOOK 3, PAGE 21, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, BY REDIVISION OF COUNTIES, CONTAINS 40.53 ACRES, MORE OR LESS.

LESS THEREFROM LANDS DESCRIBED IN PARCEL B.

BE BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, SAID RIGHT-OF-WAY BEING 200 FEET IN WIDTH, AND THE SOUTH LINE OF THE NORTH 9/15THS OF SAID LOTS 18, 19, AND 20; THENCE NORTHERLY TURNING 84°17'09" FROM WEST TO NORTH, FROM SAID SOUTH LINE OF THE NORTH 9/15THS OF LOTS 18, 19, AND 20, 9/15THS OF SAID LOTS 18, 19, AND 20; THENCE WESTERLY TURNING 84°17'09" FROM SOUTH TO WEST, FROM SAID WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, ALONG SAID NORTH LINE OF THE SOUTH 3/15THS OF THE SOUTH 9/15THS OF SAID LOTS 18, 19, AND 20, A DISTANCE OF 782.47 FEET TO THE POINT OF BEGINNING. CONTAINS 27.53 ACRES, MORE OR LESS.



NOTES:

- Survey of description as furnished by Client.
- Land shown hereon were not abstracted for easements and/or rights-of-way of record.
- All bearings are referenced to the South line of subject property, plotted as S66°17'10"W, all others relative thereto.
- Elevations shown hereon are relative to North American Vertical Datum of 1988, and are based on bench mark "N.A."
- There are no above ground encroachments, unless otherwise shown.
- The National Flood Insurance Program designation as indicated on the FEMA Map No. 12085C01646 & 12085C01635, dated 03/16/2015, locates the parcel in Zone X, those flood elevation (N.A.), feet, subject to the accuracy of the data is on interpretation by the surveyor and is provided as a courtesy. The flood zone(s) should be verified by a determination agency.
- Underground foundations & utilities not located unless shown.

REVISIONS		BY

STEPHEN J. BROWN, INC

LICENSED BUSINESS NUMBER:6484

SURVEYORS • DESIGNERS • LANDPLANNERS • CONSULTANTS

619 EAST 5TH STREET, STUART, FLORIDA 34994 EMAIL: sjbinc@bellsouth.net PHONE: (772)-288-7176

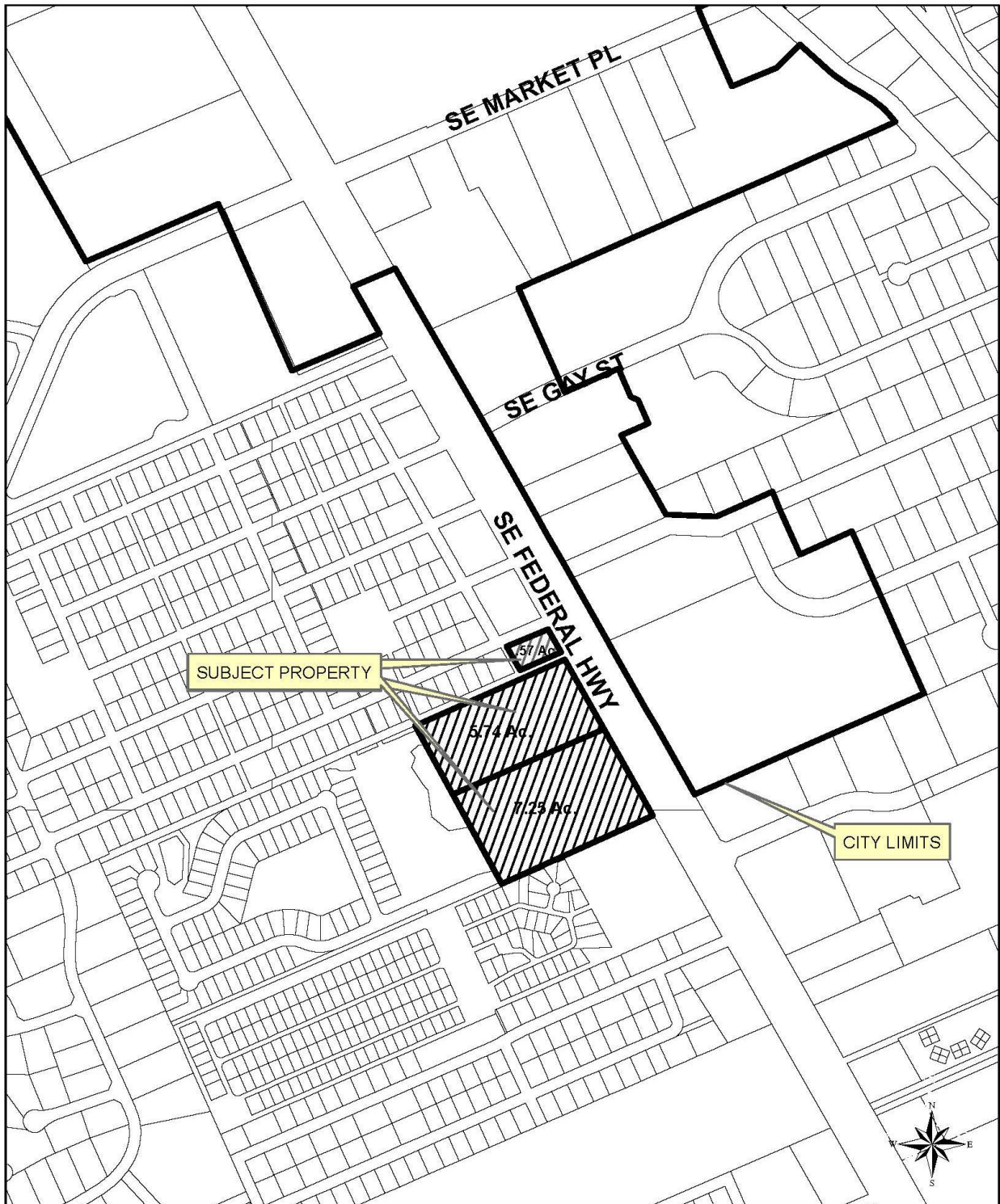
BOUNDARY SURVEY

BROWN R.F.C. S.J.B. 04/10/2017 1" SCALE 60' 1054-33-03 SHEET ONE

OF ONE SHEETS



## PARCEL MAP

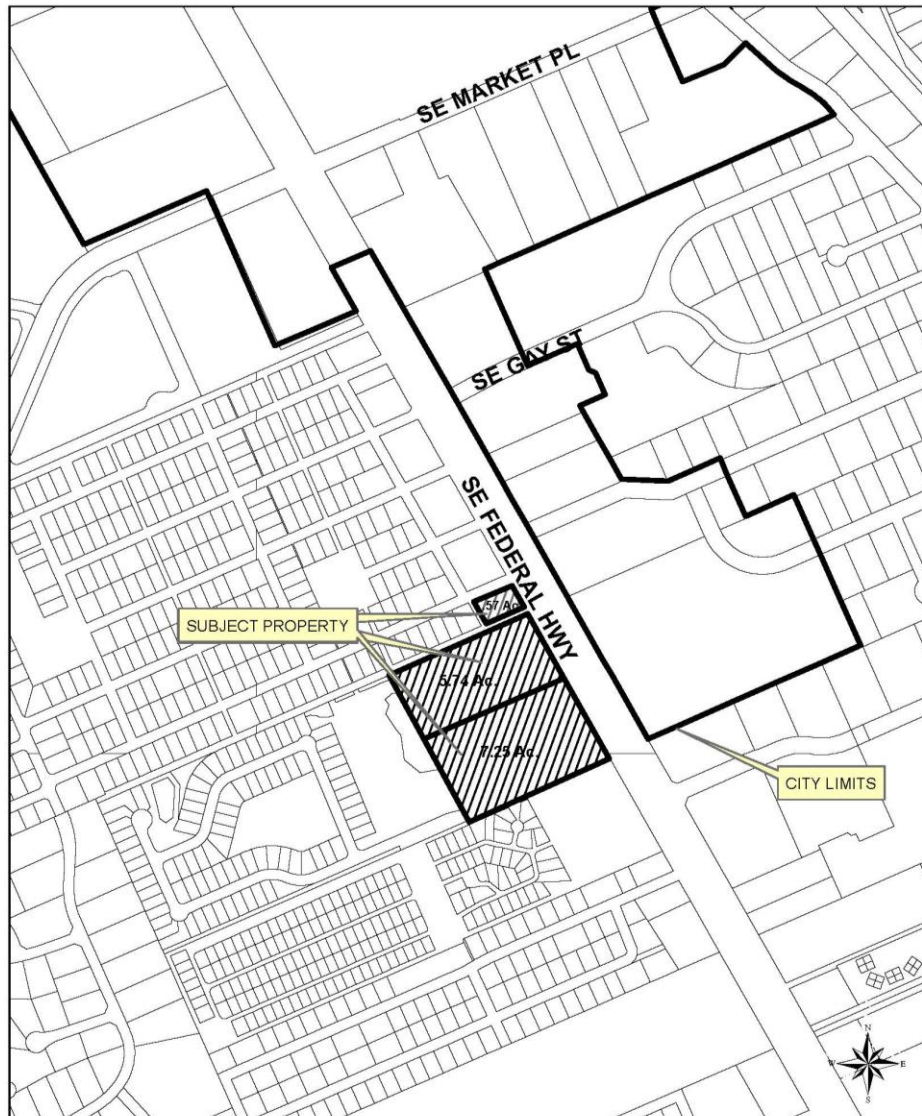


## STAFF REPORT & MAPS

### Background:

The City has received application to annex three parcels on the west side of SE Federal Highway. The 7.25-acre parcel owned by Stuart 13 Acres LLC, 5.74-acre parcel owned by Tierra Del Lago, Inc., and .57-acre parcel owned by Stuart Harbor Marina and Yacht Club are undeveloped. All three properties are considered contiguous to the City, are compact in form and will not create an enclave if annexed.

The City Attorney finds the attached application to be in order and in compliance with Florida Statute Section 171.044. The property owners are not proposing a development plan or schedule of development at this time. The property owners understand that a City Comprehensive Plan land use category and a PUD zoning designations will have to be applied for at a later date. In the meantime, Martin County's land use and zoning regulations remain in effect. As called for by Florida Statute, the Martin County BOCC was notified of the proposed annexation by certified mail on March 29, 2017. A complete copy of tonight's agenda item was provided to the County's Growth Management Department on Friday, April 14, 2017.



### Parcel Information

	Size (Ac)	Status	County Land Use	County Zoning	City Land Use	City Zoning	Utilities
Stuart 13 Acres, LLC	7.257	Vacant, undeveloped	Commercial Limited	R-2 (Single- Family Residential District) and R-3A (Liberal Multi-Family)	TBD (Likely commercial)	TBD (Likely CPUD)	County to provide water & sewer service and City of Stuart to provide sanitation service
Tierra Del Lago, Inc.	5.743	Vacant, undeveloped	Commercial Limited	R-2 (Single- Family Residential District) and R-3A (Liberal Multi-Family)	TBD (Likely commercial)	TBD (Likely CPUD)	County to provide water & sewer service and City of Stuart to provide sanitation service
Stuart Harbor Marina & Yacht Club	.5739	Vacant, undeveloped	Commercial General	R-3A (Liberal Multi-Family)	TBD (Likely commercial)	TBD (Likely CPUD)	County to provide water & sewer service and City of Stuart to provide sanitation service

### County Land Use

**Limited Commercial development.** Limited Commercial development is allocated to commercial sites accessible to major thoroughfares near residential neighborhoods. The scale and intensity of commercial uses in Limited Commercial areas shall be compatible with adjacent residential neighborhoods. Sites in this designation are intended for shops with limited inventory of goods as well as transient lodging facilities consistent with the CGMP and the Land Development Regulations. This designation is not generally intended to accommodate residential development. Duly approved residential uses existing at the effective date of the CGMP shall be considered permitted uses.

Areas designated for Limited Commercial development are not intended to accommodate large-scale retail sales, service or trade activities that generally serve a larger market area. Such stores would usually require a larger floor area, carry a relatively larger inventory and require a substantially greater parking area.

Land Development Regulations implementing the Limited Commercial future land use designation shall be consistent with these development standards. Minimum net lot sizes shall be 10,000 square feet. FAR shall be governed by the parking standards of the Land Development Regulations. Maximum



densities for hotel/motel units shall be 20 units per gross acre. Maximum building coverage shall be 50 percent. Minimum open space shall be 30 percent. Maximum building height shall be 30 feet. Residential use shall be allowed in the Limited Commercial future land use designation as part of a mixed-use project in any of the seven CRAs designated in Policy 4.2B.4. Residential densities shall be as provided for in Policy 4.3A.3.

***General Commercial development.*** The General Commercial areas are designated on the Future Land Use Map to accommodate general retail sales and services; highway-oriented sales and services; commercial amusement; and trade and warehousing facilities. These areas are principally located in highly accessible parts of the urban service district that are compatible with the unique location and market requirements of these uses. The sites are located on major or minor arterials and require a minimum net lot size of 10,000 square feet. The FAR shall be governed by the parking standards of the Land Development Regulations. Maximum densities for hotel/motel units located in a General Commercial future land use designation shall be 20 units per gross acre. Maximum building coverage shall be 60 percent. Minimum open space shall be 20 percent. Maximum building height shall be 40 feet.

The Land Development Regulations implementing the General Commercial future land use designation shall be consistent with the development standards described above. This area is not intended to accommodate businesses, trades or services that generate significant nuisance impacts, including glare, smoke or other air pollutants; noise; vibration; major fire hazards; need for extensive outside storage and display; or other impacts associated with more intensive industrial uses. Automotive sales and services shall be located in the General Commercial land use classification on sites appropriately designated for highway-oriented commercial uses in the Land Development Regulations.

The areas designated for General Commercial development are specifically not adapted to permanent residential housing, and such uses shall be located in other areas designated for residential development. On the other hand, transient residential facilities including hotels and motels, timesharing or fractional fee residential complexes, or other transient quarters should be located in areas designated for commercial use. Areas planned for mixed-use developments as allowed under Goal 4.3 are considered compatible for mixed use.

The General Commercial site should generally be removed from single-family residential development and able to be buffered and screened consistent with the Land Development Regulations requiring appropriate landscaping and screening. Screening shall include vegetative berms (where feasible), plant material and/or aesthetic decorative fences or walls to assure compatibility with less intensive uses existing or anticipated on adjacent sites.

Residential use shall be allowed in the General Commercial future land use designation as part of a mixed-use project as allowed under Goal 4.3 in any of the seven CRAs designated in Policy 4.2B.4. Residential densities shall be provided for under Goal 4.3.

Prior to approval of a development plan, all applicants for development in the area designated General Commercial shall provide assurances that regional water distribution and wastewater collection utilities shall be provided by a regional public utility system.

## **County Zoning**

### ***R-2 Single-Family Residential District (Category “B” District)***

#### **PERMITTED USES**

Modular homes; Single-family detached dwellings; Community centers; Educational institutions; Neighborhood assisted residences with six or fewer residents; Places of worship; Protective and emergency services; Public libraries, Public parks and recreation area, active; Public parks and recreation areas, passive; Utilities; Bed and breakfast inns; Commercial day care; Family day care; Golf courses.

### ***R-3A Liberal Multi-Family District (Category “C” District)***

*Uses Permitted.* In this district, a building or structure or land shall be used for only the following purposes, subject to any additional limitations pursuant to [section 3.402](#):

1. Any uses permitted in the R-3 Multiple-Family Residential District.
2. Restaurants and/or lunchrooms, not the drive-in type, with an enclosed seating capacity of ten persons or more.
3. Beauty parlors and barbershops.
4. Dry cleaning and laundry pickup stations.
5. Fire stations.
6. Boat docks and dry and wet storage facilities under cover, and facilities for maintenance and repairs of boats or yachts, upon submission of plans for review and approval of the planning and zoning board.
7. Mobile home and travel trailer sales.
8. Gasoline or other motor fuel stations, provided all structures and buildings, except principal use signs, and including storage tanks shall be placed not less than 25 feet from any side or rear property lines.
9. Professional and business offices.
10. Retail stores.

*Required lot area and width.* Lots or building sites shall have an area of not less than 7,500 square feet, with a minimum width of 60 feet measured at the building line:

1. *Single-family structures:* The minimum lot size shall be the same as above. A minimum of 600 square feet of living area shall be required, exclusive of carports, breezeways or utility rooms.
2. *Two-family structures:* The minimum lot size shall be 7,500 square feet, with a minimum width of 75 feet a minimum of 800 square feet of living area per two-family structure shall be required, exclusive of carports, breezeways or utility rooms.
3. *Apartment buildings:* There shall be a minimum building site of 15,000 square feet with a minimum width of 100 feet measured at the building line for the first four apartment units. For each additional apartment unit, 2,600 square feet shall be added to the required minimum building site and an additional five feet shall be added to the required minimum width at the building line. A maximum density of 15 apartment units may be permitted per acre depending on available community services and capital improvements. There shall be a minimum of 325 square feet of living area in each apartment unit.

4. *Triplex structures:* The minimum lot size shall be 11,250 square feet, with a minimum width of 88 feet; a minimum of 1,200 square feet of living area per three-family structure shall be required, exclusive of carports, breezeways or utility rooms.

*Minimum yards required.*

1. *Front:*  
1 story: 20 feet.  
2 stories: 25 feet.
2. *Sides and rear:*  
1 story: 6 feet.  
2 stories: 10 feet.
3. For structures in excess of two stories, five feet shall be added to the required yards per story.
4. No structure shall be built within 50 feet of the center line of any public platted right-of-way not a designated through-traffic highway.
5. No structure shall be built within 65 feet of the center line of a designated through-traffic highway.
6. No setback or yard shall be required adjacent to water frontage.

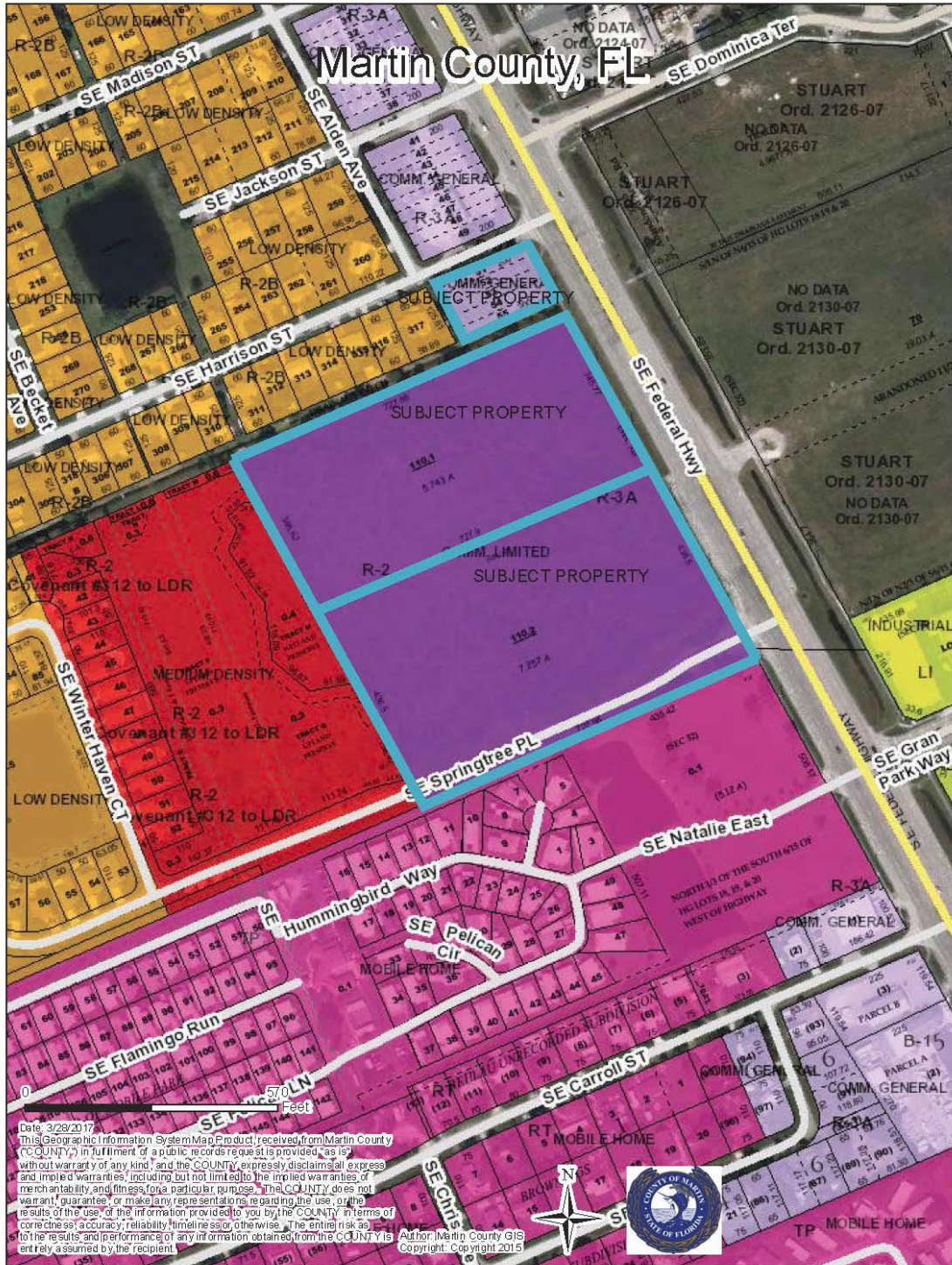
*Building height regulations.*

1. The maximum building height in this district shall be four stories or 40 feet.

*Percentage of land coverage.*

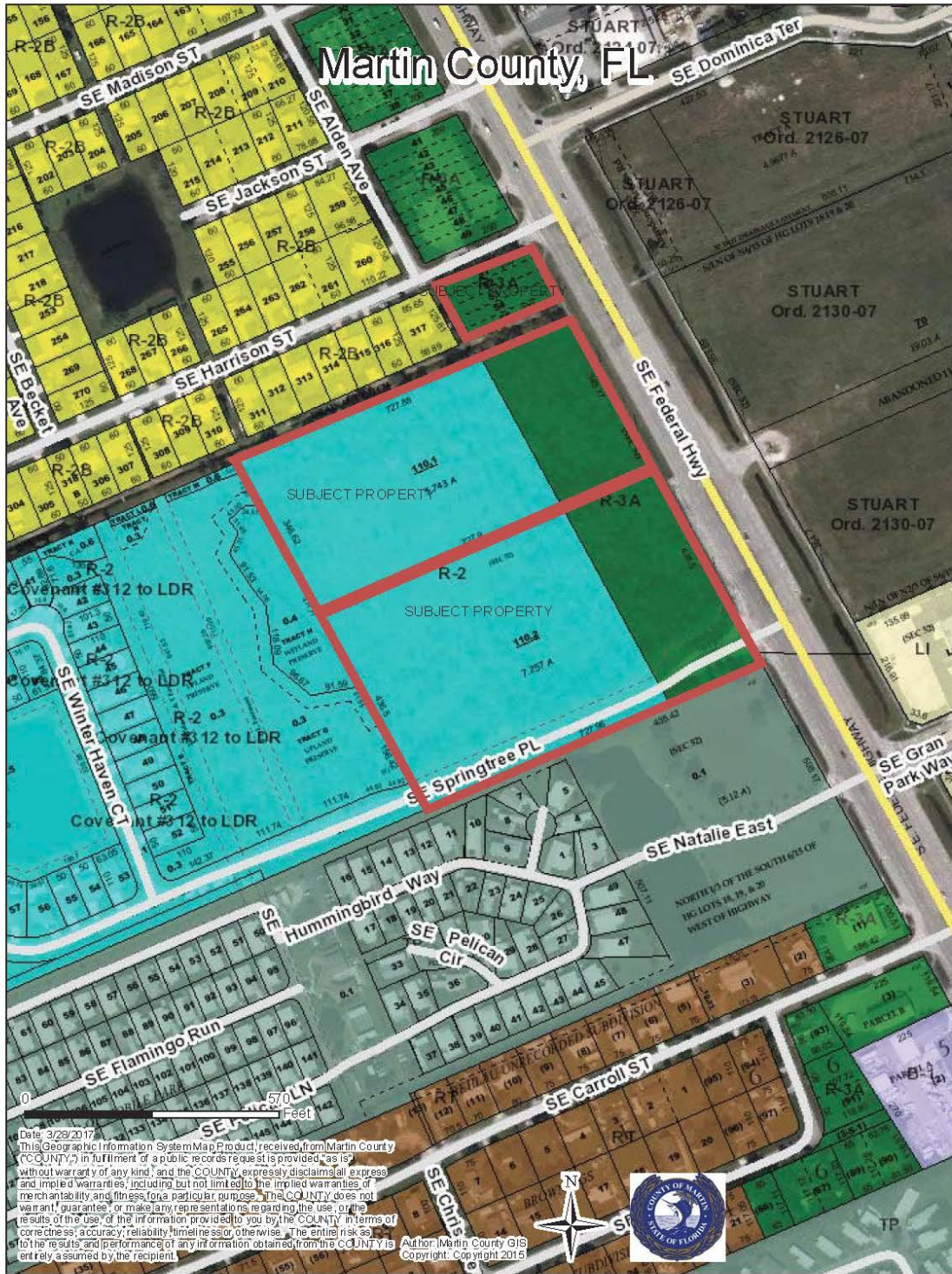
1. One- to four-story dwelling structures and accessory structures shall not occupy more than 30 percent of the building site required.

# MARTIN COUNTY FUTURE LAND USE MAP



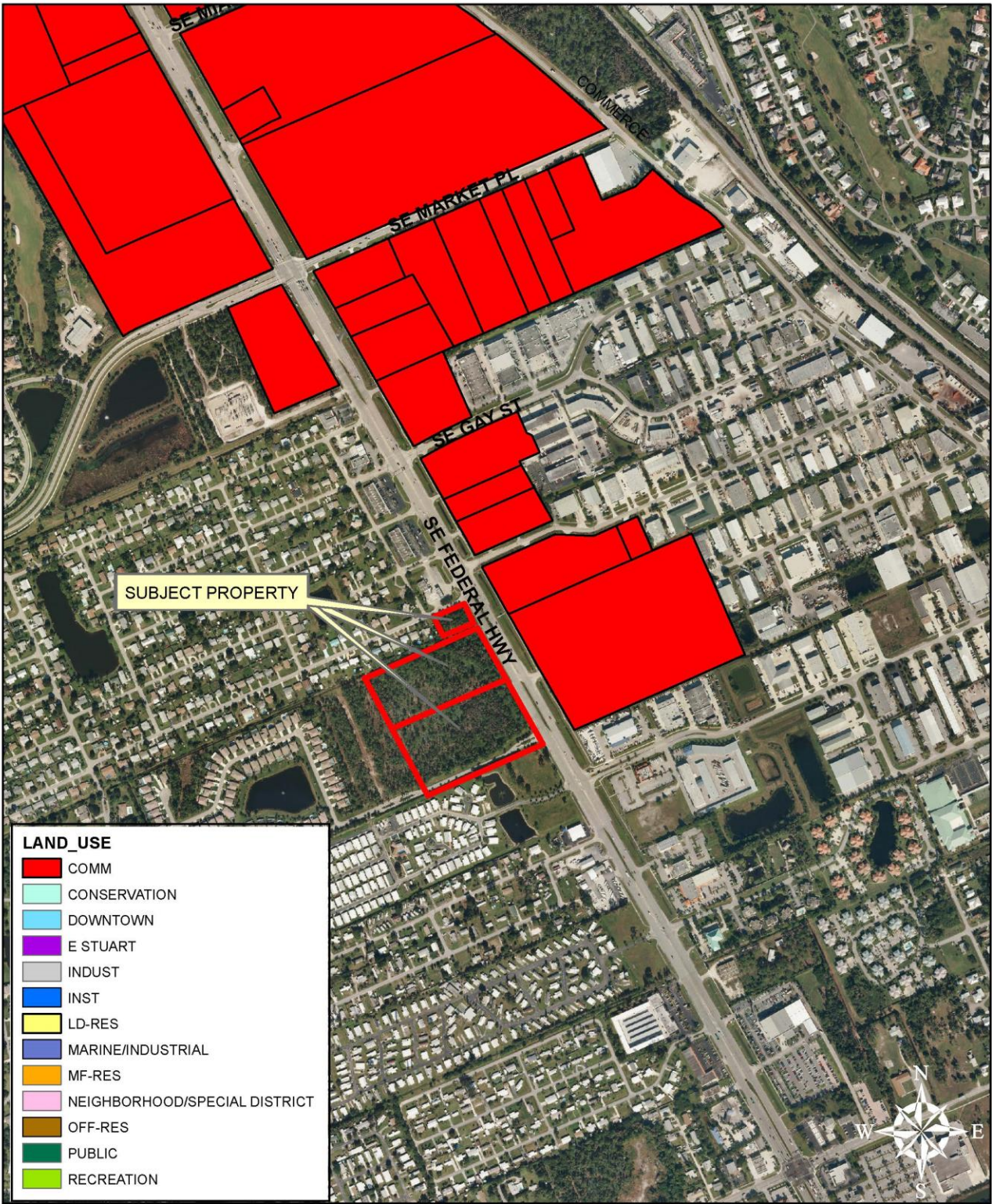


# MARTIN COUNTY ZONING MAP



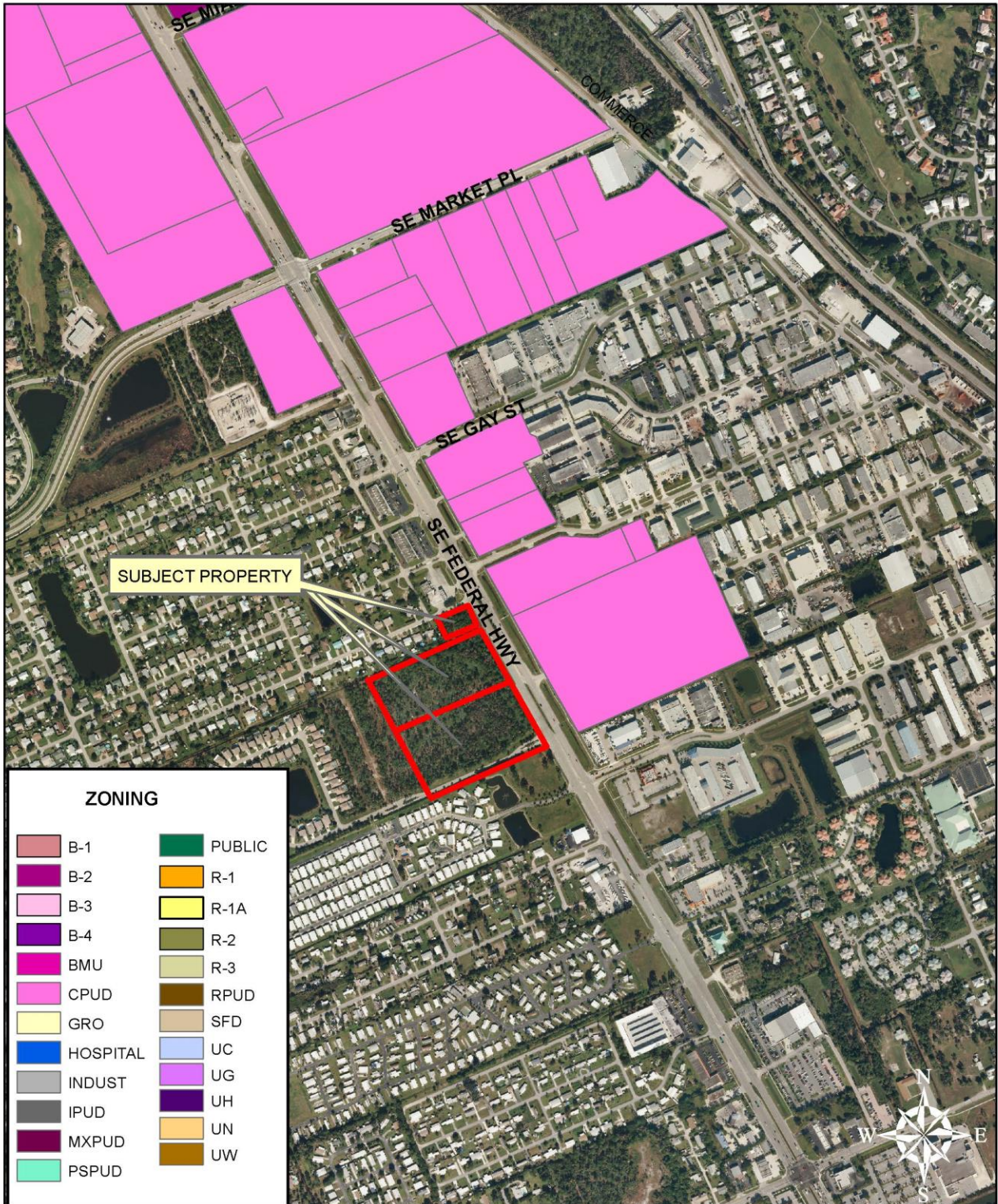


# CITY OF STUART FUTURE LAND USE MAP





# CITY OF STUART ZONING MAP





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

Received by: \_\_\_\_\_  
Reviewed by: PA  
Approved by: \_\_\_\_\_

## Annexation Application

Project ID# 217030004  
(Staff Entry)

MAR 15 2017

Pre-App Conference Date:	Application Date: March 20, 2017
Project Name: Stuart 13 acres	
Parcel ID# 52-38-41-000-000-01102-0	Project Address: SE FEDERAL HIGHWAY, STUART
Zoning/CRA Sub-district:	
Subdivision: HANSON GRANT S/D	Lot(s): LOTS 18 19 20 S 1/3 OF N 9/15 W OF US 1
Fee: \$1,792.00 (this does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees)	
<b>Submittal Requirements:</b> <ul style="list-style-type: none"><li>A. Completed application form;</li><li>B. Payment of fees;</li><li>C. A concept plan;</li><li>D. An estimate of the direct public costs to provide capital facilities for City utilities and other municipal services required by the development;</li><li>E. An estimate of the ad valorem tax revenues to be generated by the subject property at the current millage rate both prior to and after development;</li><li>F. An estimate of the residential population increase of the City after development; and</li><li>G. Any other information as may be required by the City Development Director in order to do a thorough review of the request.</li><li>H. One (1) copy of all documents on a PDF formatted disc electronically signed and sealed.</li></ul> <p>(The data requirements for a concept plan are available at the Development Department)</p>	
<b>Approving Authority:</b> The Development Director is required to prepare a staff report and recommendation concerning this application. For a Major PUD amendment, the Local Planning Agency (LPA) is required to hold an advertised public hearing and formulate a recommendation to the City Commission. For both types of applications, the City Commission is required to hold an advertised public hearing after which it may approve, approve with conditions, or deny the application.	
<b>Justification:</b> Please explain how the proposed annexation would further the relevant goals, objectives, and policies of the City's comprehensive plan (include additional pages if needed).	

(over)



# General Information

(Please Print or Type)

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

Name: Boyd G. Bradfield, Jr.	City/State/Zip Code: Stuart, FL 34994
Title: Manager	Telephone Number: 772-215-2538
Company: STUART 13 ACRES LLC	Facsimile Number: 772-286-7535
Company Address: 2055 S. Kanner Hwy.	Email Address (optional): boyd@naisouthcoast.com

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

Name: Boyd G. Bradfield, Jr.	City/State/Zip Code: Stuart, FL 34994
Title: President	Telephone Number: 772-215-2538
Company: NAI Southcoast	Facsimile Number: 772-286-7535
Company Address: 2055 S. Kanner Hwy.	Email Address (optional): boyd@naisouthcoast.com

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

Name: Boyd G. Bradfield, Jr.	City/State/Zip Code: Stuart, FL 34994
Title: Manager	Telephone Number: 772-215-2538
Company: STUART 13 ACRES LLC	Facsimile Number: 772-286-7535
Company Address: 2055 S KANNER HWY	Email Address (optional): boyd@naisouthcoast.com

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

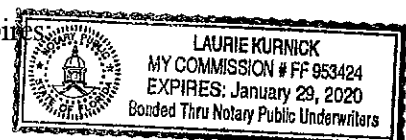
4. Signed this 15 day of MARCH, 20 17.  
MGR

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

State of Florida, Martin County The foregoing instrument was acknowledged before me on this 15<sup>th</sup> day of MARCH 2017 by Boyd BRADFIELD who is personally known to me, or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

[Signature]  
Notary Signature

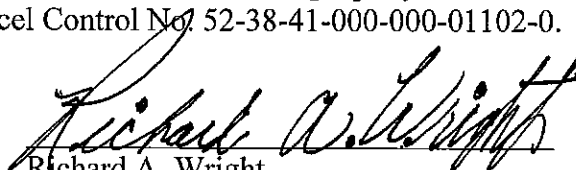
Commission Expires



**PETITION FOR ANNEXATION**

I, Richard A. Wright President for Tierra Del Lago, Inc., being the sole title owner of the 5.743 acres of land described in the deed attached hereto as Exhibit "A," and located at SE Federal Hwy, Stuart, Florida, bearing Parcel Control No. 52-38-41-000-000-01101-0, hereby petition the City of Stuart to have said land annexed into the City.


In addition, I wish to join in the annexation application for the real property to the west of mine by STUART 13 ACRES LLC, bearing Parcel Control No. 52-38-41-000-000-01102-0.

  
Richard A. Wright  
President  
Tierra Del Lago, Inc.

STATE OF FLORIDA       §  
COUNTY OF MARTIN   §

This PETITION FOR ANNEXATION was acknowledged before me on March 15<sup>th</sup>, 2017 by Richard A. Wright, the owner of the said property. ~~She~~ <sup>HE</sup> is personally known to me or has produced DRIVER LICENSE as identification.

[SEAL]

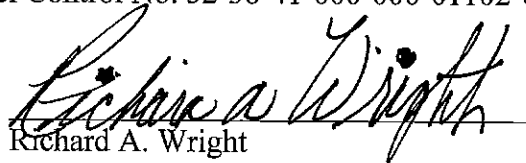
  
\_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires:



**PETITION FOR ANNEXATION**

I, Richard A. Wright President for STUART HARBOR MARINA AND YACHT CLUB, being the sole title owner of the .5739 acres of land described in the deed attached hereto as Exhibit "A," and located at Federal Hwy & Harrison, Stuart, FL, bearing Parcel Control No. 52-38-41-005-000-00510-3, hereby petition the City of Stuart to have said land annexed into the City.

In addition, I wish to join in the annexation application for the real property to the west of mine by STUART 13 ACRES LLC, bearing Parcel Control No. 52-38-41-000-000-01102-0.



Richard A. Wright


President

STUART HARBOR MARINA AND YACHT  
CLUB

STATE OF FLORIDA       §  
COUNTY OF MARTIN   §

This PETITION FOR ANNEXATION was acknowledged before me on March 15<sup>th</sup>, 2017 by Richard A. Wright, the owner of the said property. He is personally known to me or has produced DRIVERS LICENSE as identification.

[SEAL]

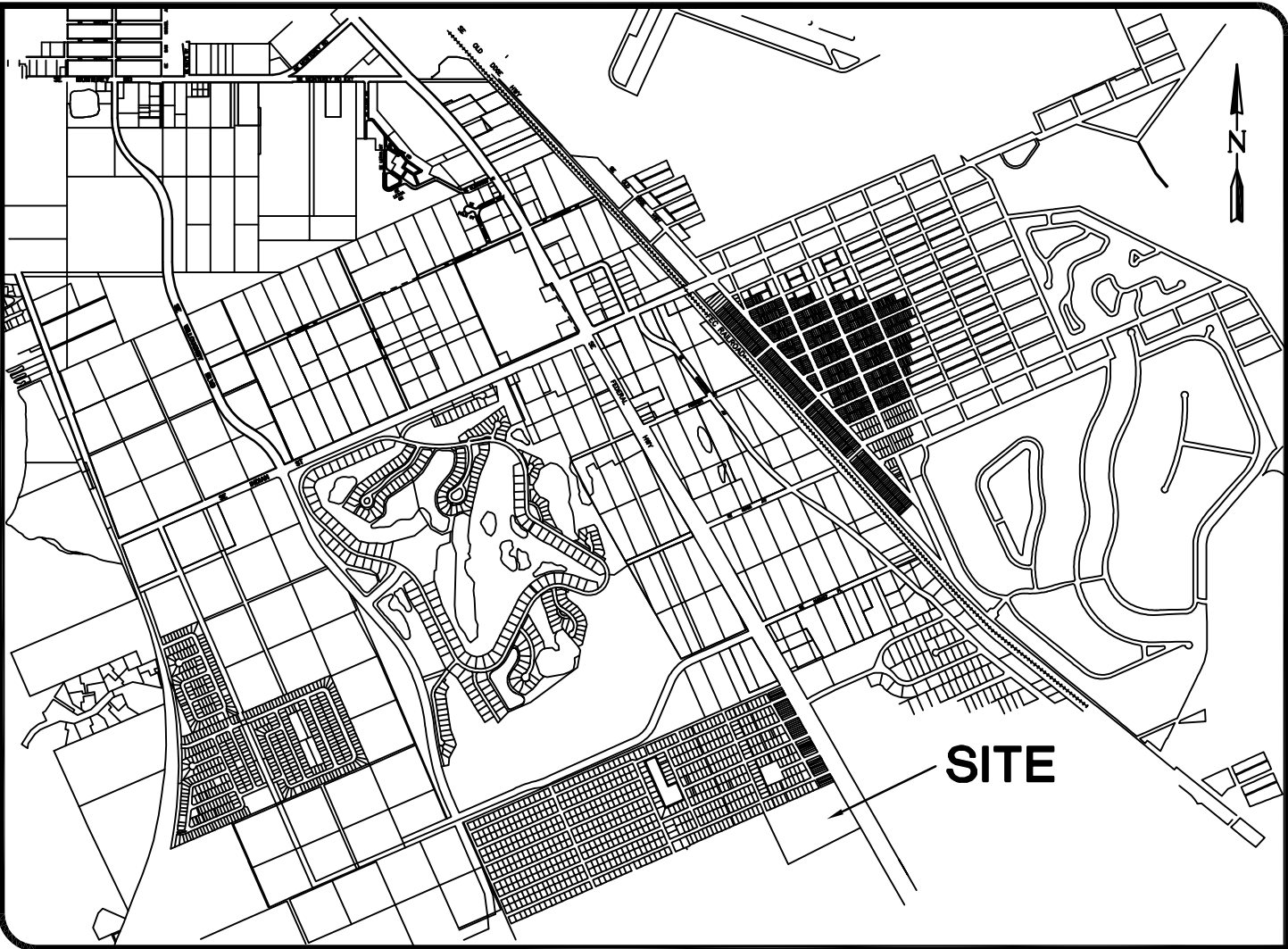


Notary Public, State of Florida

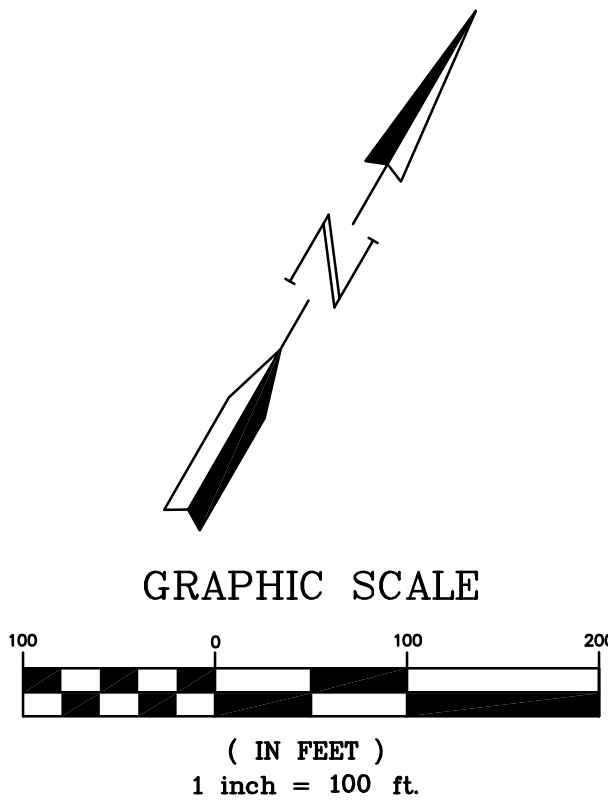
My Commission Expires:



Boundary Survey for:  
TIERRA DEL LAGO



LOCATION MAP  
NOT-TO-SCALE



LEGAL DESCRIPTION

PARCEL A:

ALL THAT PORTION OF THE SOUTH 3/15THS OF THE NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19 AND 20 OF THE HANSON GRANT, ACCORDING TO THE PLAT THEREOF FILED IN DADE COUNTY, FLORIDA, DECEMBER 30, 1901, IN BOOK "B", PAGE 59, IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND REFILED IN PALM BEACH COUNTY, FLORIDA ON MARCH 25, 1910, IN BOOK 1, PAGE 11, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS BEING NOW, HOWEVER, IN MARTIN COUNTY, FLORIDA, BY REDIVISION OF COUNTIES, BEING MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, SAID RIGHT-OF-WAY BEING 200 FEET IN WIDTH, AND THE SOUTH LINE OF THE NORTH 9/15THS OF SAID LOTS 18, 19 AND 20; THENCE NORTHERLY TURNING 84°17'09" FROM WEST TO NORTH, FROM SAID SOUTH LINE OF THE NORTH 9/15THS OF LOTS 18, 19 AND 20, A DISTANCE OF 781.49 FEET TO THE NORTH LINE OF THE SOUTH 3/15THS OF THE SOUTH 9/15THS OF SAID LOTS 18, 19 AND 20; THENCE WESTERLY TURNING 95°47'28", FROM SOUTH TO WEST, FROM SAID WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, ALONG SAID NORTH LINE OF THE SOUTH 3/15THS OF THE SOUTH 9/15THS OF SAID LOTS 18, 19 AND 20, A DISTANCE OF 727.88 FEET; THENCE SOUTHERLY AND PARALLEL WITH SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 A DISTANCE OF 782.47 FEET, TO SAID SOUTH LINE OF THE NORTH 9/15THS OF SAID LOTS 18, 19 AND 20; THENCE EASTERLY ALONG SAID SOUTH LINE OF THE NORTH 9/15THS OF SAID LOTS 18, 19 AND 20 A DISTANCE OF 727.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 13.01 ACRES MORE OR LESS.  
PARCEL ID: 52-58-41-000-00-01100-1

PARCEL A  
13.01 ACRES±

SURVEYOR'S NOTES:

- BEARINGS SHOWN HEREON ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 1999 AND ARE FURTHER REFERENCED TO THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO.1, HAVING A BEARING OF NORTH 29°28'06" WEST AND ALL OTHERS ARE RELATIVE THERETO.
- ALL VISIBLE ABOVE GROUND IMPROVEMENTS HAVE BEEN LOCATED.
- THERE HAS BEEN NO ATTEMPT TO LOCATE ANY UNDERGROUND UTILITIES OR IMPROVEMENTS.
- THIS PROPERTY IS LOCATED IN FLOOD ZONE "X" ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO.'S 12085C0164F & 12085C0163F, DATED OCTOBER 4, 2002.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY AND THERE MAY BE ENCUMBRANCES THAT AFFECT THIS PROPERTY RECORDED IN THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

CERTIFICATION

(NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER)

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

I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR SURVEYS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATE STATUTES. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE. THE SURVEY IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE.

8/06/07  
DATE OF SURVEY  
DATE OF SIGNATURE

PETER ANDERSEN  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5199

LEGEND	
ORB	= OFFICIAL RECORDS BOOK
C.M.	= CONCRETE MONUMENT
I.R.	= IRON ROD
-A-	= AERIAL UTILITY LINES
-X-	= FENCE LINE
⊠	= ELECTRIC BOX
⊙	= SANITARY MANHOLE
⊗	= WATER VALVE
⊞	= CATCH BASIN
+	= SIGN
⊕	= LIGHT POST
⊖	= CABLE BOX
⊗	= WOOD POWER POLE

2	CHANGED CLIENT NAME	9/25/07	SAS
1	REMOVED PARCEL "B"	9/25/07	SAS
No.	Revisions	Date	By

**G C Y**  
INCORPORATED  
PROFESSIONAL SURVEYORS AND MAPPERS  
CERTIFICATE OF AUTHORIZATION LB 4109  
CORPORATE OFFICE  
PO BOX 1469 • 1505 SW MARTIN HWY.  
PALM CITY, FL 32991  
(800) 386-1066  
TALLAHASSEE OFFICE  
1990 COMMONWEALTH LANE  
TALLAHASSEE, FL 32303  
(850) 536-8455

BOUNDARY SURVEY FOR: <b>TIERRA DEL LAGO</b> MARTIN COUNTY, FLORIDA	
Scale: <b>1"=100'</b>	Date: <b>AUG. 2007</b>
Drawn By: <b>SAS</b>	Checked By: <b>PA</b>
File & Drawing No: <b>07-1071-01-01</b>	
Sheet <b>1</b> of <b>1</b>	



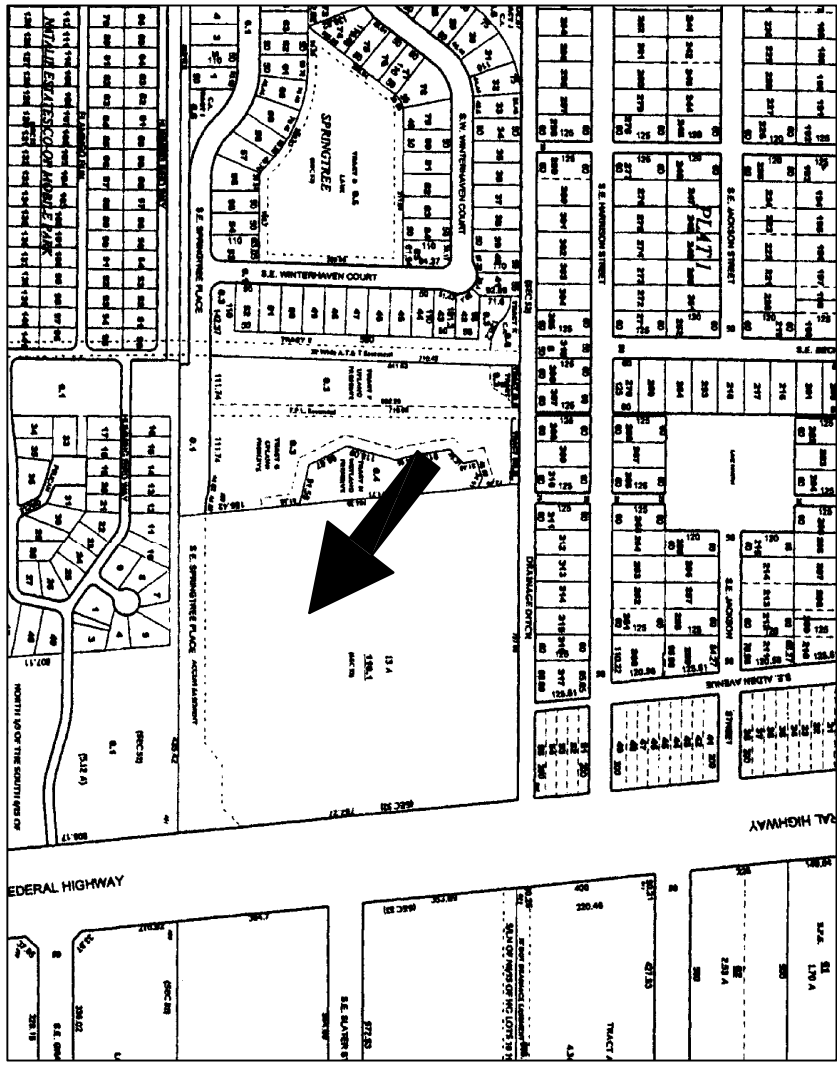
[illegible]

BOUNDARY SURVEY      PREPARED FOR: STUART 13 ACRE, LLC

---

STEPHEN J. BROWN, INC.      LICENSED BUSINESS NUMBER: 6484  
 SURVEYORS • DESIGNERS • LANDPLANNERS • CONSULTANTS  
 619 EAST 5TH STREET; STUART, FLORIDA 34994      (772) 288-7176

DRAWN
S.J.B.
CHECKED
S.J.B.
DATE
09/10/2010
SCALE
1" = 60'
JOB NO.
1054-33-01
SHEET
ONE
OF ONE SHEETS



## LOCATION MAP

## LEGAL DESCRIPTION

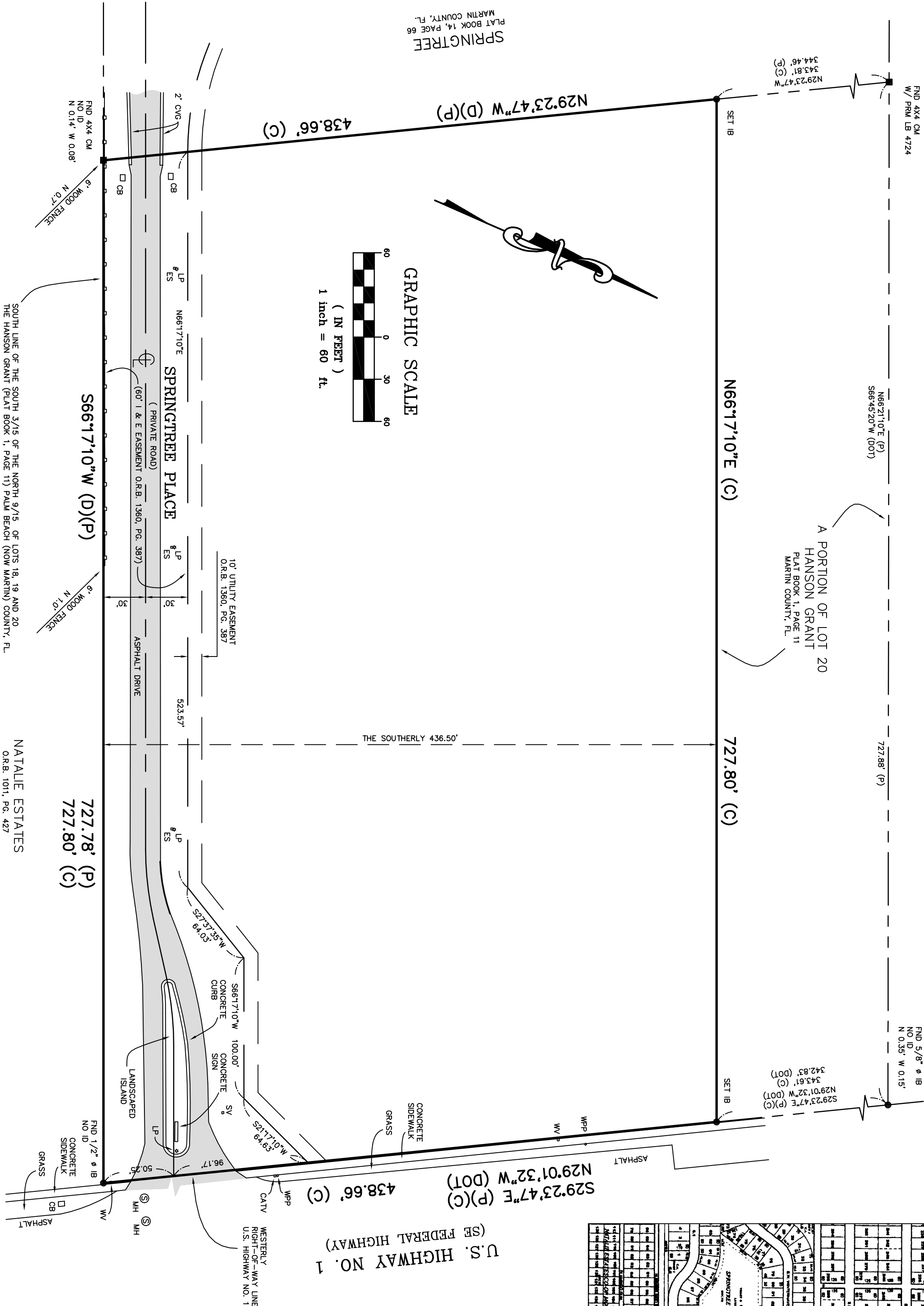
THE SOUTH 436.50 FEET OF THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF THE FOLLOWING DESCRIBED LANDS LING-  
WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY  
NO. 1 THAT LIE WITHIN THE SOUTH 3/15 OF THE NORTH 9/15  
OF THE SUBDIVISION OF LOTS 18, 19, AND 20 OF THE HANSON  
ACQUANT, ACCORDING TO THE PLAT THEREOF FILED IN DADE  
COUNTY, FLORIDA, DECEMBER 30, 1901 IN BOOK "B", PAGE 59,  
AND IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND  
REFLECTED IN PALM BEACH COUNTY FLORIDA, ON MARCH 25,  
1910, IN BOOK 1, PAGE 11, OF THE PUBLIC RECORDS OF PALM  
BEACH COUNTY, FLORIDA, SAID LANDS BEING NOW, HOWEVER,  
IN MARTIN COUNTY, FLORIDA, BY REDIVISION OF COUNTIES,  
CONTAINING 40.53 ACRES, MORE OR LESS.

LESS THEREFROM THE FOLLOWING DESCRIBED PARCEL:

COMMENCED AT THE INTERSECTION OF THE WESTELY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 1, AND THE SOUTH LINE OF SAID NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20, THENCE SOUTH 66°17'10" WEST 727.96 FEET MEASURED (727.78 DESCRIPTION) ALONG SOUTH LINE OF SAID NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20 TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 66°17'10" WEST 1575.25 FEET ALONG SAID SOUTH LINE OF NORTH 9/15THS OF SUBDIVISION OF LOTS 18, 19, AND 20, THENCE NORTH 23°47'05" WEST 781.02 FEET TO THE NORTH LINE OF SAID SOUTH 9/15THS OF THE NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20, THENCE NORTH 66°21'10" EAST 1498.84 FEET ALONG SAID NORTH LINE OF SOUTH 9/15THS OF THE NORTH 9/15THS OF THE SUBDIVISION OF LOTS 18, 19, AND 20, THENCE SOUTH 29°23'47" EAST 783.19 FEET MEASURED (782.47 DESCRIPTION) TO THE POINT OF BEGINNING, CONTAINS 27.53 ACRES, MORE OR LESS.

SUBJECT PARCEL DESCRIBED HEREON THEREFORE CONTAINS  
317,682.62 SQUARE FEET, 7.293 ACRES, MORE OR LESS.



NOTES:

1. Survey or description as furnished by Client.
2. Lands shown hereon were not abstracted for easements and/or rights-of-way of record.

3. All bearings are referenced to the south line of subject property plotted as S66°17'10"W, all others relative thereto.

4. Elevations shown hereon are relative to National Datum of 1929, and are based on bench mark.

5. The National Flood Insurance Program designation as indicated on FEMA Form 100-20-1 (Rev. 10/04) (www.fema.gov).

the I.L.W.A. map no. 120000 01071, date 10/07/2002,  
locates the parcel in Zone X, base flood elevation N/A feet; subject  
to any existing and anticipated future encroachments of this

This data is an interpretation by the surveyor and is provided as a courtesy. The flood zones should be verified by a determination agency.

7. Underground foundations & utilities not located unless shown.

1. PROPERTY ADDRESS: U.S. HIGHWAY NO. 1
2. CERTIFIED TO:
- STUART 13 ACRE, LLC
  - JOHN EDGAR SHERARD, P.A.
  - CHICAGO TITLE INSURANCE COMPANY

STEPHEN J. BROWN, INC.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

STEPHEN J. BROWN, PROFESSIONAL SURVEYOR AND MAPPER

REGISTRATION NO. 4049, STATE OF FLORIDA



Development Department

# City of Stuart

121 SW Flagler Avenue ~ Stuart, FL 34994

Phone: (772) 288-5326

Fax: 288-5388

March 29, 2017

Via: Return Receipt  
Mail

Chairperson Doug Smith & Commissioners  
MC Board of County Commissioners  
2401 SE Monterey Road  
Stuart, Florida 34996

Re: Application for voluntary annexation

Dear Chairperson Smith & Commissioners,

Pursuant to Florida Statute Section 171.044 (6), attached please find a notice of proposed annexation which will be published in the Stuart News, once each week for two consecutive weeks, prior to the Stuart City Commission's final consideration of the item on May 22, 2017. A complete copy of the annexation ordinance and Local Planning Agency (LPA) agenda packet will be provided to County Growth Management Director, Nicki VanVonno, by April 14, 2017. If you have any questions regarding this letter, please do not hesitate to contact this office at (772) 288-5368.

Sincerely,

Terry O'Neil  
City Development Director

cc: Taryn Kryzda, County Administrator  
Nicki VanVonno, County Growth Management Director  
Stuart City Commission  
Paul Nicoletti, City Manager

Attached: Stuart News Advertisement

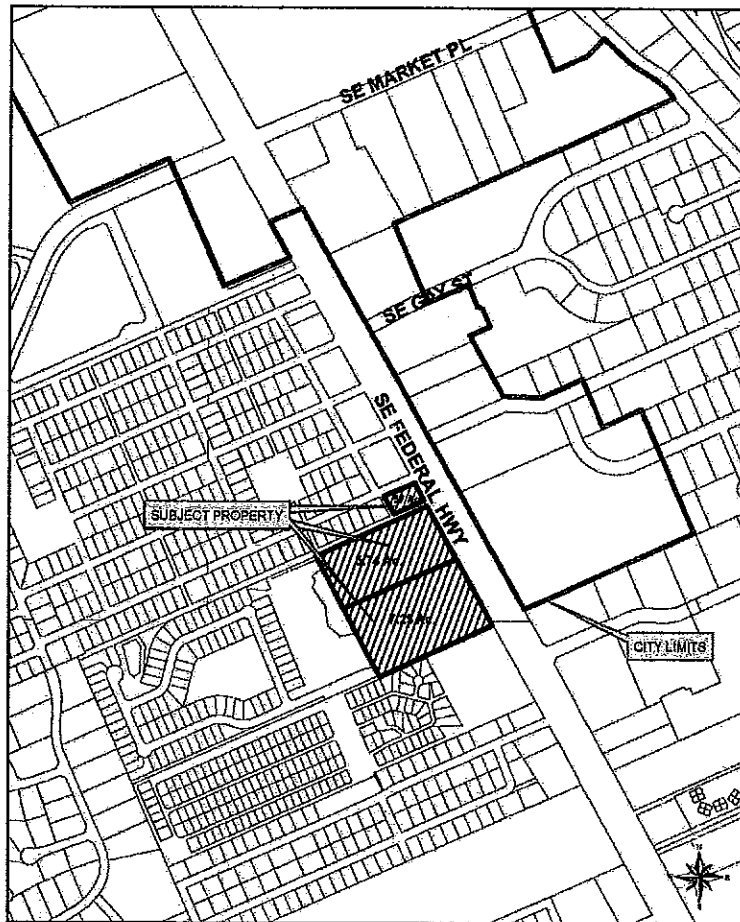
**CITY OF STUART  
NOTICE OF PUBLIC HEARING  
ON THE ANNEXATION OF LAND**

An ordinance (title shown below) to annex a single parcel (map shown below) will be considered by the Stuart Local Planning Agency (LPA) on Thursday, April 20, 2017 at 5:30 PM and by the Stuart City Commission on Monday, May 8, 2017 and Monday, May 22, 2017 at 5:30 PM. All hearings will take place at the Stuart City Hall Commission Chambers, 121 SW Flagler Avenue in Stuart. A complete legal description by metes and bounds and a complete copy of the ordinance may be obtained from the Office of the City Clerk or by calling (772) 288-5368.

**ORDINANCE No. 2352-2017**

**AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ANNEXING THREE PARCELS OF LAND WEST OF SE FEDERAL HIGHWAY, CONSISTING OF 13.57 ACRES, SAID PARCELS BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

**LOCATION MAP**



Publish April 15, 2017 & May 8, 2017 & May 15, 2017

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

## AFFIDAVIT ATTESTING TO NOTIFICATION

Boyd G. Bradfiled, Jr. being first duly sworn, depose(s) and say(s):

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

52-38-41-000-000-01101-0 – Tierra Del Lago, Inc. – 5.7430 Acres  
52-38-41-000-000-01102-0 – Stuart 13 Acres – 7.2570 acres  
5238410050000051030000 – Stuart Harbor Marina and Yacht Club - .5739 Acres

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



SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

SWORN TO AND SUBSCRIBED before me this 3<sup>rd</sup> day of April, 2017.

  
NOTARY PUBLIC, STATE OF FLORIDA:

My Commission Expires:



Crystal Marie Ward  
COMMISSION # FF129126  
EXPIRES: JUN 03, 2018  
BONDED THRU  
1st FLORIDA NOTARY, LLC



# **NOTICE OF PUBLIC HEARING**

**PROPOSED ANNEXATION OF THREE  
PARCELS OF LAND CONSISTING OF 13.57  
ACRES (+/-) INTO THE CITY OF STUART**

**Stuart Local Planning Agency  
April 20, 2017 and May 22, 2017 at 5:30 P.M.**

**STUART CITY HALL 121 SW FLAGLER AVE 772-288-5326 8:30 AM – 4:00 PM  
VISIT [WWW.CITYOFSTUART.US](http://WWW.CITYOFSTUART.US) FOR MORE INFORMATION**



hcoast  
nasaouthcoast.com  
**FOR SALE**  
2 286 629  
**ACRES**

**NOTICE OF PUBLIC HEARING**

PROPOSED ANNEXATION OF THREE  
PARCELS OF LAND CONSISTING OF 13.57  
ACRES (+/-) INTO THE CITY OF STUART

Stuart Local Planning Agency  
April 20, 2017 and May 22, 2017 at 5:30 P.M.

STUART CITY HALL 101 HAMILTON AVE. STUART, FL 34984  
WWW.CITYOFSTUARTFLORIDA.GOV



## NOTICE OF PUBLIC HEARING

PROPOSED ANNEXATION OF THREE  
PARCELS OF LAND CONSISTING OF 13.57  
ACRES (+/-) INTO THE CITY OF STUART

Stuart Local Planning Agency  
April 20, 2017 and May 22, 2017 at 5:30 P.M.

STUART CITY HALL, 131 SW FLAGLER AVE. STUART, FL 34994  
VISIT [WWW.CITYOFSTUART.FL](http://WWW.CITYOFSTUART.FL) FOR MORE INFORMATION



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**CITY OF STUART  
OFFICE OF THE CITY  
ATTORNEY**

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**MEMORANDUM**

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TO: TERRY O'NEIL, DEVELOPMENT DIRECTOR

SUBJECT: ANNEXATION OF THREE (3) LOTS ON SOUTH FEDERAL  
HIGHWAY n/k/a STUART 13 ACRES, LLC

CC: PAUL NICOLETTI, CITY

MANAGER DATE: April 13, 2017

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I have reviewed an annexation request for the annexation of a 5.743 acre parcel of land located on S.E. Federal Highway bearing parcel control no.: 52-38-41-000-000-01101-0; an annexation request for .5739 acres of land bearing parcel control no.: 52-38-41-005-000-00510-3; and an annexation request for 7.25 acre parcel bearing parcel control no.: 52-38-41-000-000-01102-0 as depicted in the location map attached as Exhibit "A."

Voluntary annexations are governed by the standards of Section 171.044 Florida Statutes. The basic requirement is stated as follows:

“(1) The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”

Because these three (3) parcels are being submitted as one annexation the review will be based upon all three parcels being annexed contemporaneously and treated as one contiguous parcel.

The state statute contains four (4) general requirements. First, a petition for voluntary annexation must be unanimously signed by all property owners in the area to be annexed. Second, the property proposed to be annexed must be contiguous and reasonably compact. Third, the



proposed annexation cannot produce an enclave. Finally, county charters which provide for an exclusive method of municipal annexation override the Florida Statute. Martin County is not a Charter county and therefore, the fourth criteria does not apply to an annexation in the City of Stuart, Florida.

1. **Signed by all property owners in the geographic area being annexed.** My review of the application indicates that Richard A. Wright, as President of Tierra DeLago, as well as Richard A. Wright, as President of the Stuart Harbor Marina and Yacht Club have executed the applications for annexation and signed affidavit claiming to be the sole owner of same. Based upon the affidavit signed by the applicants, all owners have executed the application.
2. **Contiguous to the Municipality:** Pursuant to Section 171.044(1), F.S., “the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.” Property is deemed to be “Contiguous” under Section 171.031 (11), F.S., where a substantial part of a boundary of the territory sought to be annexed by a municipality is coterminous (sharing a common boundary) with a part of the boundary of the municipality. “Contiguous” has also been defined as “touching or adjoining in a reasonably substantial ... sense.” See City of Sanford v. Seminole County, 538 So. 2d 113 (Fla. 5<sup>th</sup> DCA 1989); May v. Lee County, 483 So. 2d 481 (Fla. 2d DCA 1986). The Sanford Court found that Section 171.031(11) F.S. only requires “that a substantial part of a boundary” touch municipal property as opposed to the entire perimeter of the property.

Section 171.031(11) provides that:

Separation of the territory sought to be annexed from the annexing municipality by a publicly owned right-of-way for a highway, road, railroad, canal or utility or a body of water, watercourse or other minor geographical division of a similar nature, running parallel with and between the territory sought to be annexed and the annexing municipality, shall not prevent annexation under this act, provided the presence of such division does not, as a practical matter, prevent the territory sought to be annexed and the annexing municipality from becoming a unified whole with respect to municipal services or prevent inhabitants from fully associating and trading with each other socially and economically.

In the current application, a review of the location map indicates that a substantial part of the boundary is coterminous with the City of Stuart. The entire frontage of the property of all three properties abuts and is bordered by the City of Stuart. Therefore, the property meets condition two and deemed is contiguous to the City of Stuart.

### 3. Reasonably Compact

“Compactness is defined under subsection (12) of 171.031, F.S., to mean a concentration of a piece of property in a single area. The requirement for compactness precludes any action which would create enclaves, pockets, or ginger areas in serpentine patterns. The purpose of the compact and contiguous requirement is to assure creation of geographically unified and compact municipalities, City of Sunrise v. Broward County, 473 So. 2d 1387 (Fla. 4<sup>th</sup> DCA 1985).

A review of the map and the application determines that this property is reasonably compact and meets Florida Statute 171.031(12). Given the configuration of the City, as well as the property requesting annexation, the annexation will not create pockets of unincorporated areas or serpentine finger areas.

### No Enclaves

Subsection 5 of 171.044, F.S. Provides that “[l] and shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves”. The term “enclave” is defined under Section 171.031(13), F.S., as “any unincorporated improved or developed area that is bounded on all sides by a single municipality or any unincorporated improved or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the municipality.” A review of the map, Exhibit “A”, clearly shows that annexation of the parcel would not create an area bounded on all sides by a single municipality, and there is no natural or manmade obstacle to vehicular traffic in close proximity to either parcel. Therefore, no enclaves are created.

A review of the map clearly shows that an annexation of this parcel would not create an area bound on all sides by a single municipality, and there is no natural or manmade obstacle to vehicular traffic in close proximity to either parcel. Therefore, no enclaves are created.

### Conclusion

Based upon the foregoing facts and analysis it is my opinion that the voluntary annexation of this parcel into the municipal boundaries of the City of Stuart comply with Florida Statute §171.044. This opinion is prepared solely at the request of and for the use of, the City of Stuart, and no other person or entity may rely on it for any purpose without the express written permission of the City of Stuart.

Exhibit 'A'

