



City of Port St. Lucie Public Art Requirements Information Package, Application, and Checklist

Applicability

The public art assessment applies to all private non-residential development projects and all residential development projects with more than 10 units, including new construction, or the renovation or improvement of an existing building where 50% or more of a building is being modified, renovated, expanded, rebuilt or improved by construction. The public art assessment for any single project cannot exceed \$100,000.

All applicable private development must elect one of the following assessment methods and submit a completed art assessment application and provide a copy of the total construction costs as indicated on the construction contract(s) within 90 days of the issuance of the first building permit or site work permit for a subdivision plat for any portion of the project:

Option 1 ✓	On-site Artwork. A. Submit documentation evidencing the escrow of funds for a work of art valued in an amount not less than 1% of the total construction costs. B. Submit an application for approval of the work of art to the Public Art Advisory Board. C. If a local artist is commissioned, the art work shall be valued at no less than 90% of 1% of the total construction costs. D. Local artist means an artist who resides in St. Lucie, Martin, Indian River, or Okeechobee counties.
Option 2	Contribute to the Art in Public Places Fund. A. Contribute an amount equal to 80% of the 1% of the total construction costs for deposit to the Art in Public Places fund
Option 3	On-site Artwork and Contribute to Fund A. Submit documentation evidencing the escrow of funds for a work of art valued in an amount not less than one percent (1%) of the total construction costs. B. Contribute 80% of the balance of the 1% of the total construction costs for deposit in the art in public places fund.
Total Construction Costs	Total Construction Costs means the total cost of the improvements, excluding land costs, approved for a development project, as indicated on the construction contract(s) for the subject improvements.

Location of Public Art

Artwork must be located in an exterior place defined as any place, public or private, outdoor and exterior to buildings or structures and exposed to public view, including, but not limited to, buildings, parks, right-of way medians and open spaces.

Definition of Public Art

Art, artwork or work of art means an original physical work created or produced by an Artist including, but not limited to:

- | | | | |
|-------------|---------------|-------------------------------|------------|
| ♦ paintings | ♦ sculptures | ♦ site specific installations | ♦ carvings |
| ♦ statues | ♦ mosaics | ♦ mobiles | ♦ murals |
| ♦ engraving | ♦ bas reliefs | ♦ frescos | ♦ collages |

Artwork may be free-standing or integrated with the work of other design professionals into a building or site. Artwork may be new or may be an existing work of art.

The following **shall not be** considered public art or public works of art:

- Art objects which are mass produced or are of standard manufacture such as playground equipment, fountains, statuary elements, signage, maps, corporate logos or other functional elements, unless incorporated into an artwork by an artist commissioned for that purpose
- Reproductions, by mechanical or other means, of original artwork, except in the case of limited editions controlled by the artist, cast sculpture, film, video, photography, printmaking, or other media arts
- Works that are decorative, ornamental, or functional elements of the architecture or landscape design; except where designed by a visual artist and/or are an integral part of the artwork by the artist
- Services or utilities necessary to operate and maintain an artwork over time

Application and Approval Process

All applicants must fill out the Art in Public Places Assessment Application indicating the public art contribution option chosen, affidavit, and provide a copy of the total construction costs as indicated on the construction contract(s) within ninety (90) days of the issuance of the building permit or site work permit for subdivision plats.

For Option 1. On-site Artwork - The developer must submit ten copies of the application for onsite artwork and required attachments to the Planning and Zoning Department for distribution to the Public Art Advisory Board for review and recommendation to City Council. The item will be scheduled for the next available Public Art Advisory Board meeting. Following review by the Public Art Advisory Board, the item will be scheduled for City Council approval.

Applicants will be expected to provide a short presentation before the Public Art Advisory Board and/or City Council explaining project, public art proposal, and location. Applicants should be prepared to answer any questions about the proposed art, artist, and/or project. It is strongly recommended that the project team and/or individuals knowledgeable about all aspects of the project and the art work attend these meetings to avoid the item being tabled if additional information is required.

For Option 2. Contribute to Fund - A contribution in the amount of 80% of 1% of the total construction costs for deposit to the art in public places fund must be paid in full prior to the issuance of a certificate of occupancy. For subdivision plats, the fee is due in full at the time of recording of the final plat.

For Option 3. On-site Artwork and Contribute to Fund - Follow the procedures outlined in Options 1 and 2.



Public Art Assessment Application

DATE: 09-13-2022

BUILDING PERMIT NO.: _____

APPLICANT: Warren Newell - Director of Development for Cheney Brothers Inc.

OWNER (IF DIFFERENT FROM APPLICANT): : _____

ADDRESS: _____

[STREET]

[CITY / STATE / ZIP]

TEL NO.: (561) 845-4700 x7610 CELL NO.: (561) 827-4280

EMAIL: warrenn@cheneybrothers.com

PROJECT NAME: Southern Grove - Cheney Brothers PROJECT NUMBER: p 21-279

PROJECT ADDRESS: 1 Cheney Express Way

[STREET]

Port Saint Lucie, Florida 34987

[CITY / STATE / ZIP]

DOLLAR AMOUNT OF PUBLIC ART REQUIRED: \$ 100,000⁰⁰ CONSTRUCTION VALUE: \$ 57,824,259.00

IF ESCROW: TOTAL ESCROW: _____

PLEASE INDICATE WHICH PUBLIC ART CONTRIBUTION OPTION YOU HAVE CHOSEN.

1. On-site Artwork



2. Contribute to Fund.



3. On-site Artwork and Contribute to Fund



IF OPTIONS #2 OR #3 ARE CHOSEN, THEN TEN (10) COPIES OF THIS APPLICATION AND ATTACHMENTS, AS INDICATED ON THE ATTACHMENTS CHECKLIST, NEED TO BE SUBMITTED TO THE PLANNING AND ZONING DEPARTMENT IN ORDER TO BE PLACED ON THE AGENDA FOR THE PUBLIC ART ADVISORY BOARD.

W. Newell
Applicant's Signature

9/24/2022
Date



APPLICATION FOR ON-SITE ARTWORK AND CHECKLIST

PROJECT NAME : Southern Grove - Cheney Brothers PROJECT NUMBER: P 21-279

PROJECT ADDRESS: 1 Cheney Express Way Port Saint Lucie, Florida 34987

For **PROPOSED** and **EXISTING** art work, all of the items noted below (10 copies of this application and attachments) must be submitted for review and approval by the Public Art Advisory Board (PAAB) 90 days after the issuance of a building permit.

PROPOSED ART WORK, THE FOLLOWING ITEMS ARE REQUIRED:	CHECKLIST
1. Artist's qualifications, including resume and portfolio establishing the artist's credentials .	✓
2. Detailed written description and graphic depiction of the work of art and its location on the site	✓
3. Drawings and renderings of the proposed work of art in terms of size, scale, color, shape, and materials in sufficient detail to provide a clear understanding of the art	✓
4. A copy of the site plan showing proposed location for public art and a detail or rendering of the proposed location with building and grade elevation showing the placement of the proposed art work	✓
5. A proposed schedule for the creation, completion and/or installation of the approved art work at the development site and any maintenance requirements	✓
5. Appraisal of the value of the art, such as an artist's price quote or a bill of sale	✓
6. Documentation showing that a deposit for public art was made into an escrow account	N/A
7 Proposed restrictive covenant running with the land that binds the property owner's successors and assigns to retain and maintain the artwork	✓
8. Compliance with public accessibility (ADA) requirements	✓
9. A copy of the total construction costs as indicated on the construction contract(s)	✓


Applicant/Owner


Date



AFFIDAVIT

Warren Newell - Director of Development for Cheney Brothers Inc. (the Developer) hereby submits to the City of Port St. Lucie, Florida, its election of options with respect to the Art in Public Places Art Assessment application. Developer affirms and certifies that the ordinances, rules, policies and regulations of the City of Port St. Lucie Code of Ordinances will be observed, including but not limited to, Chapter 162 Art in Public Places.

It is further certified that the statements, exhibits or plans, and project cost data and affidavits submitted with respect to the Project and the art assessment are true and accurate to the best of the knowledge and belief of the Developer and the required public art, fee in lieu, or combination will be provided before issuance of Certificate of Occupancy for the Project.

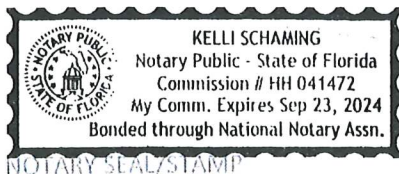
The undersigned hereby swears or affirms that the matters contained herein are true and correct to the best knowledge of the Developer. The undersigned hereby swears or affirms that he/she is duly authorized by Developer to make this Affidavit, and understands that s/he may be subject to penalty for perjury.

Signature: [Handwritten Signature]
Print Name: W. NEWELL
Title: DEV. DIRECTOR

NOTARIZATION AS TO EXECUTION

STATE OF FLORIDA)
COUNTY OF Palm Beach) ss

The foregoing instrument was acknowledged before me this 26 day of September 2022, by Warren Newell who is [X] personally known to me or who has [] produced the following identification:



Signature of Notary Public: [Handwritten Signature]
Print Name of Notary Public: Kelli Schaming

Notary Public, State of Florida
My Commission expires 9/23/24