



Cover Memorandum/Staff Report

File #: 25-327

Agenda Date: 4/8/2025

Item #: 6.G.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence Moore, ICMA-CM
DATE: April 8, 2025

ACCEPTANCE OF A LANDSCAPE MAINTENANCE AGREEMENT FOR THE PROPERTY LOCATED AT 142 AND 152 SE 5TH AVENUE, ALSO KNOWN AS FIFTH AVENUE TOWNHOMES.

Recommended Action:

Acceptance of a Landscape Maintenance Agreement (LMA) for the property located at 142 and 152 SE 5th Avenue, known as Fifth Avenue Townhomes.

Background:

On October 23, 2024, the Site Plan Review and Appearance Board (SPRAB) voted to approve the Level 2 Site Plan application for the construction of a five-unit townhouse development with detached garages, with a landscape waiver and an internal adjustment to the side interior setbacks for swimming pools for the property located at 142 and 152 SE 5th Avenue, known as Fifth Avenue Townhomes. The project proposes landscaping within the public right-of-way along SE 5th Avenue. Pursuant to requirements of the Land Development Regulations, the property owner is responsible for perpetual maintenance of landscaping located in the right-of-way, which is stipulated in the LMA.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

Timing of Request:

Recordation of the LMA is required prior to issuance of a building permit for the approved project.