Development Services Department



BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: Delray Square (Hobby Lobby)

Project Location: 14620 S. Military Trail

PCN: 12-42-46-13-41-002-0000

Request: Consideration of a Master Development Plan (MDP) Modification (2022-009) for the Delray Square Shopping Center to construct a truck well, a 231 square foot addition, and dumpster enclosure with associated waiver requests to the perimeter buffer and open space percentage requirements.

Board: Planning and Zoning Board (PZB)

Meeting Date: July 18, 2022

Board Action: Approved on a 5-2 vote (Allen Zeller and Christina Morrison dissenting)

Project Description:

The request is related to a Hobby Lobby retail store proposed at 14620 South Military Trail within the Delray Square Shopping Center. The shopping center, which was constructed in 1987 and annexed into the City of Delray Beach in 1989, is spread across 33.31 acres and is subject to the adopted MDP. The property has a Land Use Map (LUM) designation of General Commercial (GC), and a zoning designation of Planned Commercial (PC) within the Four Corners Overlay District. The proposed MDP modification includes the following details:

- A truck well and 231 SF receiving vestibule structure on the southeastern building façade;
- A dumpster enclosure area along the northeastern façade;
- Landscaping improvements along the eastern perimeter buffer; and
- Modifications to architectural elevations.

The proposal included a waiver request from LDR Section 4.4.9(G)(3)(E)1.a., Lot Coverage and Open Space, to reduce the existing non-confirming open space percentage from 16.67 percent to 16.63 percent of the minimum 25 percent open space requirement. Additionally, a waiver from LDR Section 4.4.9(F)(3)(d)1.d., Perimeter Buffer, was requested to reduce the perimeter buffer from the 25 foot requirement to 17 feet 9 inches on the east side of the subject property related to the truck well and receiving vestibule.

Board Comments:

Several members of the Board expressed concern with the reduction of open space, and absence of mixed use development in the shopping center.

Public Comments: No comments.

Associated Actions:

A Class III site plan will be heard by the Site Plan Review and Appearance Board (SPRAB).

Next Action:

The PZB action is final unless appealed by the City Commission.

CITY OF DELRAY BEACH PLANNING AND ZONING BOARD BOARD ORDER

Project Name: Hobby Lobby at Delray Square Location: 14620 S. Military Trail File No: 2022-009—MDP-SPR

ORDER

Following consideration of all the evidence and testimony presented at the July 18, 2022 meeting before the Planning and Zoning Board (PZB) for the City of Delray Beach and pursuant to Section(s) of the Land Development Regulations (LDR) of the City of Delray Beach, the PZB finds that there is ample and competent substantial evidence to support the findings for the respective requests.

	Request & LDR Section	Approved	Approved with Conditions*	Denied**
MAS	STER DEVELOPMENT PLAN MODIF	ICATION, W	ITH WAIVE	RS
x x x	Master Development Plan, with Waivers LDR Section 2.4.5(F)(5) Perimeter Buffer Requirement LDR Section 2.4.7(B)(5) LDR Section 4.4.9(F)(3)(d)1.d.	5-2		
x x	Lot Coverage and Open Space LDR Section 2.4.7(B)(5) LDR Section 4.4.9(G)(3)(E)(1)(a)			

*Conditions of Approval are attached as Exhibit A, as applicable.

**For a denial, the list of findings not supported by the Board are attached as Exhibit B, as applicable.

len Chair

Planning and Zoning Board

Signed Original To: Jason Webber, P.E. Kimley-Horn 1615 S. Congress Avenue, Suite 101 Delray Beach, FL 33445

DEVELOPMENT SERVICES BUILDING HISTORIC PRESERVATION | PLANNING & ZONING

PLANNING AND ZONING BOARD STAFF REPORT

Hobby Lobby at Delray Square Shopping Center

Master Development Plan Modification
Authorized Agent
Jason Webber, P.E.

Request

Consideration of a Master Development Plan Modification for the Delray Square Shopping Center to construct a truck well, a 231 square foot addition, and dumpster enclosure with associated waiver requests to the perimeter buffer and open space percentage requirements.

Background Information

Hobby Lobby ("Applicant") is proposing a new retail store (area outlined in red. at right) at 14620 South Military Trail within the Delray Square Shopping Center. The shopping center, which was constructed in 1987 and annexed into the City of Delray Beach in 1989, is spread across 33.31 acres. The subject property has a Land Use Map (LUM) designation of General Commercial (GC), and a zoning designation of Planned Commercial (PC) within the Four Corners Overlay District.

There is an extensive review and approval history associated with the Delray Square Shopping Center. In 2015, the Shopping Center, which is made up of multiple parcels, were combined through the approval of a Development Plan Master (MDP). Subsequently. minor modifications or improvements to the elevations have been approved throughout the center as it continues to update from the original 1987 construction. The most recent modifications to the Shopping Center MDP accommodated a restaurant (Chili's) adjacent to South Military Trail and a restaurant (Chick-fil-A) adjacent to West Atlantic Avenue.



Project Planner: Rachel Falcone, Planner falconer@mydelraybeach.com; 561-243-7000 ext. 6052

Attachments:

- · Narrative; waiver justification Survey
- Master Development Plan
- Landscape Plans Architectural Plans
 - Elevations

Project Description

The proposed Master Development Plan Modification for Hobby Lobby at Delray Square Shopping Center is associated with the following details:

- Construction of a truck well along the southeastern portion of the façade;
- Construction of a 231 square foot receiving vestibule structure along the southeastern façade;
- Provision of a dumpster enclosure area along the northeastern façade;
- Landscaping improvements along the perimeter buffer and the eastern façade of the structure; and
- Modifications to architectural elevations, such as an updated storefront, brick veneer columns, and a parapet for the entrance of the structure.

The proposal includes a waiver request from LDR Section 4.4.9(G)(3)(E)1.a., Lot Coverage and Open Space, to further reduce the existing non-confirming open space percentage from 16.67 percent to 16.63 percent of the required minimum 25 percent open space percentage. Additionally, a waiver has been requested from LDR Section 4.4.9(F)(3)(d)1.d., Perimeter Buffer, to reduce the perimeter buffer from the 25 foot requirement to 17 feet 9 inches on the east side of the subject property.

Review and Analysis

The subject property is located within the PC zoning district and the Four Corners Overlay District. Pursuant to LDR Section 4.4.12(E), Planned Commercial District, Review and approval process, all development within the Four Corners Overlay District shall comply with the provisions of Section 4.4.9(E)(4). Additionally, pursuant to Section 4.4.9(E)(4), General Commercial District, Review and Approval Process, all Development within the Four Corners District shall be governed by a Master Development Plan (MDP). A MDP shall be processed pursuant to Section 2.4.5(F) with approval granted by the Planning and Zoning Board. Waivers and internal adjustments to these standards may be approved by the Planning and Zoning Board concurrent and as a part of the approval of a MDP. When considering a Master Development Plan (MDP) in the Four Corners Overlay, the Planning and Zoning Board may attach suitable conditions, safeguards, and stipulations to address the specific characteristics of the site and potential impacts of the proposed development.

As the subject request is modifying an existing development, an MDP Modification is required to meet the development review process required for the Four Corners Overlay District. The waiver to the minimum perimeter buffer required by LDR Section 4.4.9(F)(3)(d)1.d. and the waiver to the minimum open space percentage required by LDR Section 4.4.9(G)(3)(E)(1)(a), Lot Coverage and Open Space, is part of the MDP consideration.

Pursuant to LDR Section 2.4.5(F)(5), Master Development Plans, Findings, in addition to provisions of Chapter 3, the approving body must make a finding that development of the property as represented by the MDP will be compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values.

Mixed use developments including retail, office and restaurant uses are encouraged within the Four Corners Overlay District. Each of the four corners along West Atlantic Avenue and Military Trail contain long-established shopping plazas with a variety of retail and restaurant uses. The proposed retail use is consistent with the existing development-style of the area, and the use is compatible with the existing uses in the plaza. The existing tenant space where Hobby Lobby is proposed was planned for a retail use according to the site plan for the Delray Square Shopping Center. The proposed modification is enhancing the structure to allow for a larger retail tenant to have functional business operations.

The following table indicates the zoning and established uses of the properties surrounding the development:

	Zoning Designation	Use
North	GC - General Commercial and R-1-ASingle Family Residential	Commercial/Single-Family Dwelling
South	PC – Planned Commercial	Bed Bath and Beyond Plaza
East	POC – Planned Office Center	Multi-Building Professional Office Center
West	PC - Planned Commercial	Delray West Shopping Plaza

Pursuant to **LDR Section 3.1.1, Required Findings,** prior to the approval of development applications, certain findings must be made in a form which is a part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. The findings relate to the following four areas:

(A) Land Use Map: The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Land Use Map.

The subject property has a Land Use Map designation of General Commercial (GC) and is zoned Planned Commercial (PC). The PC zoning district is consistent with the GC Land Use Map (LUM) designation.

(B) Concurrency: Concurrency as defined by Objective NDC 3.1 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in Table CIE-2, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach.

Water and Sewer: An existing 8-inch water main which connects to Atlantic Avenue is located within the subject property and currently serves the retail tenant space. Sanitary sewer connections are made into an existing 8-inch main located on site that connects to Military Trail. Pursuant to the Always Delray Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South-Central County Wastewater Treatment Plant for the City at build-out.

Traffic: Due to the minimal increase in square footage for the retail tenant space, a traffic study and/or traffic statement is not required for the MDP or the Class III Site Plan Modification. The use area for the proposed addition to the structure is for loading purposes, therefore, the traffic counts for the overall development will remain the same.

Solid Waste: The increase in solid waste is minimal.

- Existing Retail Tenant 52,150 square feet x 7.3 lbs. / 2,000 = 190.34 tons per year.
- Proposed Retail Tenant 52,381 square feet x 7.3 lbs. / 2,000 = 191.19 tons per year.

The minor increase in square footage for the retail tenant space produces an additional 0.84 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2054.

Drainage: A drainage system exists on-site and will be analyzed by the City Engineer for compliance during the site plan review process.

(C) Consistency: A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards contained within Article 3.2, provided that the approving body specifically finds that the beneficial aspects of the proposed project outweigh the negative impacts of identified points of conflict.

LDR Section 3.2.3, Standards for site plan actions, specifies the standards required for site plans. The following standards are applicable to this proposal, and a more in-depth review will be included with the associated Class III Site Plan Modification to be reviewed by the Site Plan Review and Appearance Board (SPRAB).

- A. Building design, landscaping and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.
- B. All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly-accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).

- F. Property shall be developed or redeveloped in a manner so that the use, intensity, and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services: are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.
- H. Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding neighborhoods and residential areas. Factors such as but not limited to, noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of the-surrounding areas, the project shall be modified accordingly or denied.
- I. Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.
- K. Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e. workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program; development in all other areas shall not exceed the Standard density.

Relative to the applicable standards, the proposed building design, lighting, and landscaping are not anticipated to impact visibility or create distractions the proposal is in compliance with the sight visibility requirements and minimum and maximum photometric levels. The proposed retail tenant space is not anticipated to have a negative impact on the safety and stability of nearby neighborhoods; it is a permitted use within the Four Corners Overlay District, and similar to other recent development within the area. The maximum Floor Area Ratio (FAR) for the General Commercial land use designation is 3.0 and the overall resulting FAR for the plaza is 0.22 (326,317 square feet of building/1,450,923.6 square feet of lot area).

Considerations of and compliance with applicable goals, objective, and policies of the Comprehensive Plan may be considered for determining consistency. The following Comprehensive Plan policies are related to the proposal.

Neighborhoods Districts and Corridors Objective NDC 1.1 Land use Designation

Establish compatible land use arrangements using land use categories appropriate for the diverse and different neighborhoods, districts, and corridors throughout Delray.

Policy NDC 1.1.14

Continue to require that property be developed or redeveloped or accommodated, in a manner so that the use intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.

Objective 2.3, Western Neighborhoods (West of Interstate-95)

Protect and enhance the residential neighborhoods located west of I-95, improve connectivity, and provide a mix of uses that meet daily needs of residents.

Policy NDC 2.3.9

Continue to offer incentives to encourage strip commercial development to redevelop into mixed-use, high quality, multi-modal environments.

Objective NDC 2.7 Planning of Neighborhoods, Districts, and Corridors

Continue to respond to unique needs and conditions of the varied neighborhoods, districts, and corridors of Delray Beach using Neighborhood and Redevelopment Plans that determine specialized planning strategies and improvement projects to implement the vision of plans.

Policy NDC 2.7.25

Evaluate the Land Development Regulations to the Four Corners Overlay District, which were adopted in 2007, to assess the vision for the area and create and adopt a redevelopment plan that implements the identified vision through the provision of guidelines and recommendations; new improvements and development shall comply with the provisions of the applicable Land Development Regulations until a Plan and associated Land Development Regulations are adopted.

The land use designation and corresponding zoning regulations within the Four Corners Overlay District support the continued redevelopment of the area by encouraging the provision of appropriate and complementary commercial activities to serve the surrounding neighborhoods. The mix of restaurants and retailers, most of which are part of a larger chain or franchise business, serves the needs of both the surrounding residential development, as well as consumers from outside of the immediate area who access the plaza from both West Atlantic Avenue and South Military Trail.

It is important to understand that the development standards for the Four Corners Overlay District, which were adopted in 2007 (Ordinance No. 08-07), anticipate the redevelopment of the four commercial nodes at the intersection of Military Trail and West Atlantic Avenue. The development standards provide for mixed-use development on properties containing a minimum of four acres and encourages the inclusion of residential uses by allowing a higher density and including workforce housing. The 2007 Planning and Zoning Board Staff Report indicates that the Four Corners Overlay District was based on a 2004 report that included *recommendations that the development mass be increased at the corners and that incentives be implemented to provide mixed-use development including workforce housing, while highlighting opportunities for a transit-oriented development and utilizing new urbanism design elements to distinguish the intersection from others along the Military Trail corridor. The overlay district was also intended to implement policies in the Comprehensive Plan that called for innovative development practices (see Policy NDC 2.3.9) and provide a variety of housing types including workforce housing.*

Other than the partial redevelopment of Delray Plaza at the northeast corner of the intersections, there has not been significant development requests at any of the four corners since the overlay district was established. While the proposal does not take advantage of the residential redevelopment incentives offered in the Four Corners Overlay District, the proposed modifications to the existing retail space supports the continued service of the daily needs of residents.

(D) Compliance with the Land Development Regulations: Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.

The Board must make a determination regarding compliance with the Findings, which require that development of the property as represented by the MDP will be compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values. A determination of compliance with the LDRs includes review and consideration of the requested waiver to reduce the minimum structure size.

The following chart provides the applicable Development Standards as provided in LDR Section 4.4.9, General Commercial (GC) District (as applicable to the Four Corners Overlay District), LDR Section 4.4.12, Planned Commercial (PC) District; and LDR Section 4.3.4(K), Development standards matrix.

Standard	Required	Existing	Proposed						
Minimum site area	4 Acres	33.31 Acres	33.31 Acres						
Minimum floor area per structure	6,000 SF	52,150 SF	52,381 SF						
Minimum open space	25%	16.67%*	16.63%**						
Perimeter buffer, Interior side (west):	25 feet	25 feet	17 feet 9 inches**						
*Existing legal nonconformities. The subject property was annexed into the City of Delray Beach with legal non-conformities. *Waiver Requested.									

In addition to the sections specified above, the layout of the building, parking, and loading area have been analyzed and approved for compliance with the City's Land Development Regulations, with the exception of the requests for waivers to the open space percentage and perimeter buffer requirements (discussed below).

Minimum Parking Requirements

Pursuant to LDR Section 4.6.9(C)(3)(e), Number of Parking Spaces Required: Requirements for Commercial Uses, shopping centers ranging from 25,000 to 400,000 square feet require 4 parking spaces per 1,000 square feet of gross leasable floor area, irrespective of uses. The entire development will have a total of 321,982 square feet of leasable floor area, including the proposed 231 square-foot addition to the retail tenant space. Therefore, the development requires 1,304 parking spaces and has provided a total of 1,433 parking spaces resulting in a total of 129 surplus parking spaces. The proposed 231 square-foot addition does not require additional parking allocation.

Waiver Analysis: Perimeter Buffer and Lot Coverage & Open Space

Pursuant to LDR Section 2.4.7(B)(5), Waivers: Findings, prior to granting a waiver, the approving body shall make a finding that the granting of the waiver:

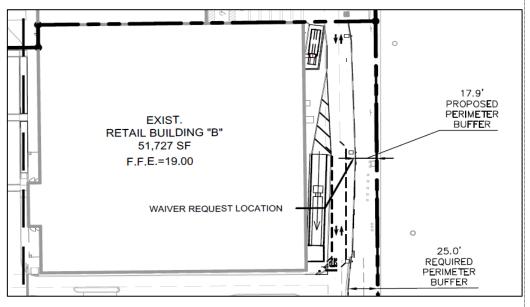
- a. Shall not adversely affect the neighboring area.
- b. Shall not significantly diminish the provision of public facilities;
- c. Shall not create an unsafe situation; and
- d. Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.

Pursuant to LDR Section 4.4.9(F)(3)(d)1.d., Four Corners Overlay District: Perimeter Buffers, a 25 feet perimeter buffer is required when abutting non residentially zoned property. The perimeter buffers within the Four Corners Overlay District are intended to allow the proper separation between more intense mixed and lower intensity residential neighborhoods. The perimeter buffer requirements vary in size based on the proximity to collector or arterial streets and residential or commercial zoning districts. The existing perimeter buffer within the scope of work area is in conformance with the 25 feet requirement. The applicant has requested a waiver to reduce the size requirement of the perimeter buffer from 25 feet to 17 feet 9 inches along the eastern property line adjacent to a developed commercial property. The purpose for the reduction in perimeter buffer is to accommodate the proposed loading dock for the retail tenant space. Due to the configuration of the structure on the site, the rear is the only suitable location for a loading dock.

The proposed waiver request abuts a commercial parcel which is not a part of the Delray Square Shopping Center. However, the proposed reduction in the perimeter buffer is not anticipated to have an adverse effect on the neighboring area or create safety concerns. The utilities in the proposed work area will not be altered, therefore, the provision of public facilities will not be affected.

Similar waivers have been previously considered and waived for the internal parcels within the development, but none have been approved in Delray Square for a parcel abutting the perimeter of the property. Although the waiver request is less likely to negatively impact the neighboring property to the east in its current state, it could impact the property if it was rezoned and redeveloped as a residential use in the future.

While the proposal does not meet the minimum perimeter buffer desired for the overlay district, the reduction is necessary to create a



usable retail tenant space for the existing development. The applicant's waiver request and justification are provided as an attachment.

Pursuant to LDR Section 4.4.9(G)(3)(e)1.a., Four Corners Overlay District: Lot Coverage and Open Space, Land area equal to at least 25 percent of the individual Four Corners Overlay District Master Development Plan (MDP) including the perimeter landscaped boundary, shall be in open space. Water bodies and paved areas shall not be included in the meeting of this 25 percent open space requirement.

The Four Corners Overlay District requires properties to include 25 percent open space area. The open space area allows for a development to provide the green space necessary to provide visual appeal and reduce the heat island effect throughout the property. Throughout the years, the percentage of open space within the Delray Square Shopping Plaza has fluctuated as a result of improvements to the site. Due to the age of the shopping plaza and the subsequent adoption of the regulations for the Four Corner Overlay District, the plaza is an existing legal non-conformity in regard to open space. Prior to the MDP amendment in 2015, the open space percentage for the subject property was 14.0 percent and each additional modification to the MDP modified the legal non-conformity for the open space percentage. The most recent MDP, approved on September 27, 2017, provided an open space percentage of 16.67% which reduced the non-conformity for the subject property. The proposed modification minimally increases the existing non-conformity for open space from 16.67 percent to 16.63 percent, resulting in a 0.04 percent (746 square foot) decrease.

Per the waiver criteria, the reduction in open space may not significantly impact the development and the granting of the waiver may not result in special privilege to the property owner. The proposed reduction in the open space area is not anticipated to have an adverse effect of the neighboring area, would not create public safety concerns, and will not diminish the provision of public facilities. Although the requested reduction in the overall percentage of open space is minimal, the increase of the existing non-conformity for open space on the subject site should be taken into consideration. The applicant's waiver request and justification are provided as an attachment.

Architecture

Pursuant to LDR Section 2.4.5(F)(6), Master Development Plans, Special Provisions, a Master Development Plan (MDP) for property not located within a designated historic district and not located on an individually listed property shall be approved by the Planning and Zoning Board. A MDP shall be the guide for any subsequent site plan or subdivision action. A site plan shall be required for any phase or the entire area encompassed by a MDP. Individual site plans shall be processed pursuant to Section 2.4.5(G), (H), and (I) with approval authority of the Site Plan Review and Appearance Board.

The proposed MDP modification requires approval by the Planning and Zoning Board, prior to consideration of the associated site plan modification by the SPRAB. While the elevations are ultimately approved by the SPRAB through a Class III site plan, architectural consistency is part of the MDP consideration. The Board must also consider whether the proposal is architecturally consistent with the balance of the Delray Square Shopping Center MDP. The proposed elevations are provided below.



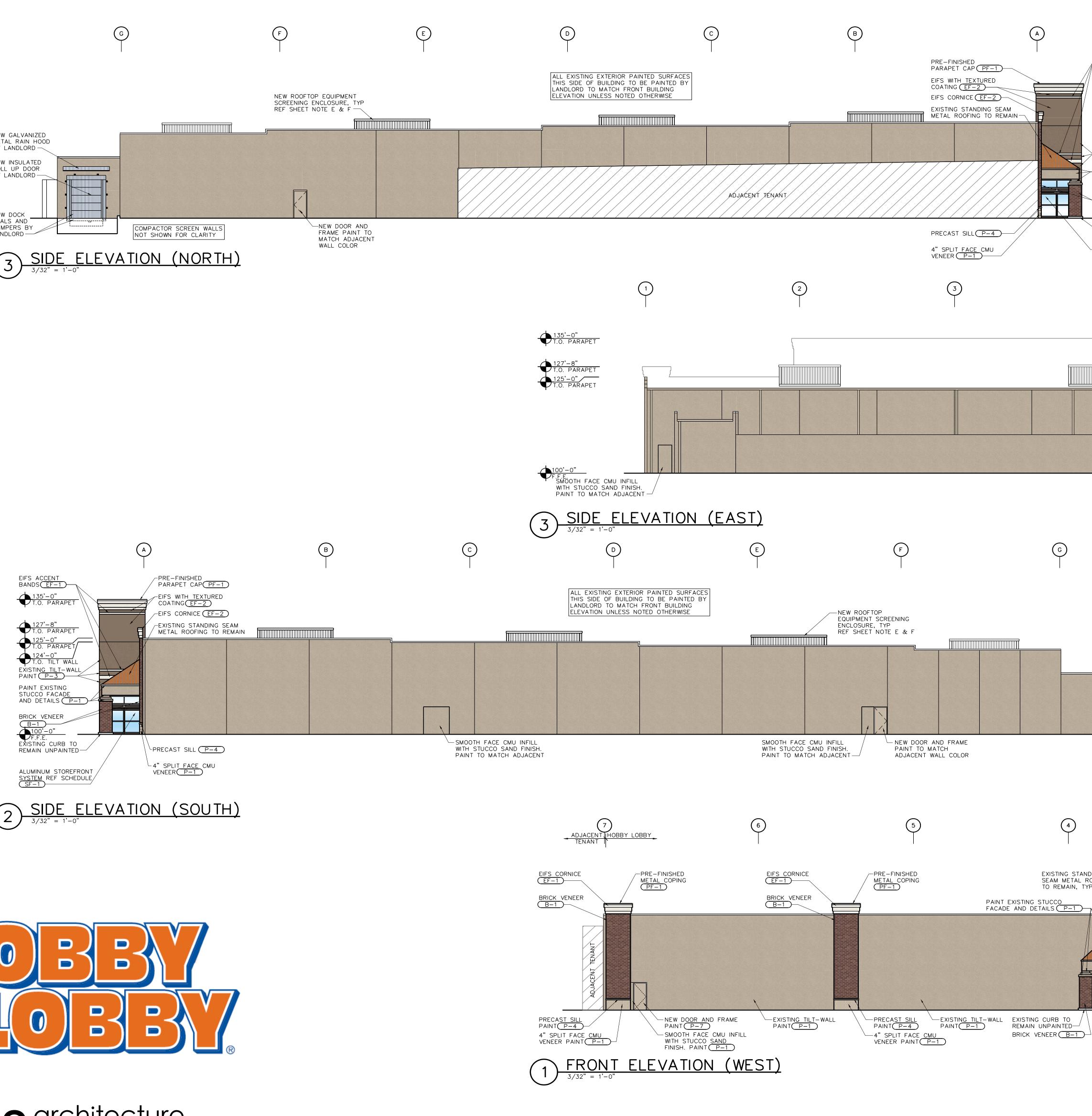
Options for Board Action

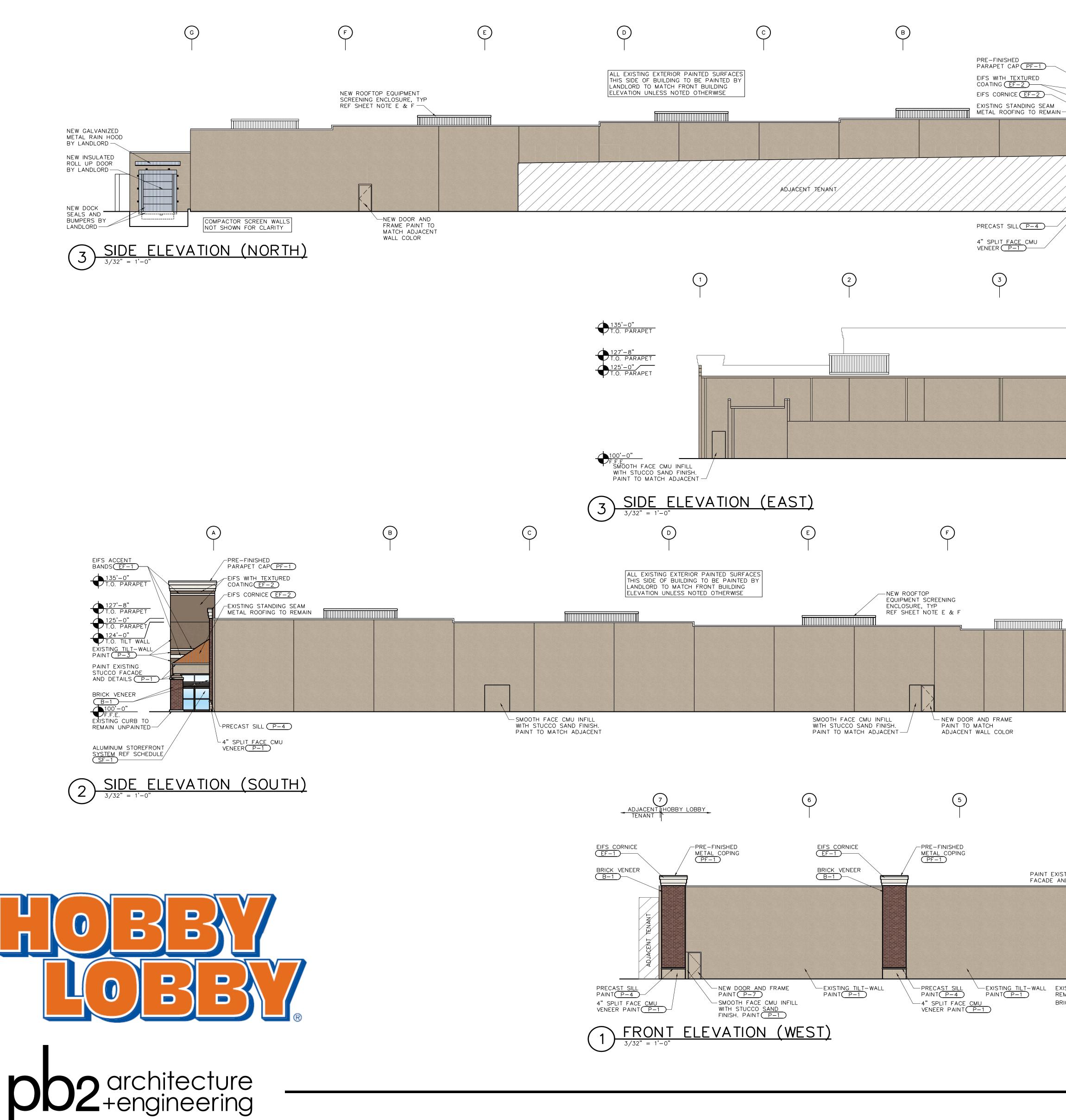
- A. Move to **continue with direction.**
- B. Approve the amendment to the Hobby Lobby at Delray Square Shopping Center Master Development Plan Modification; with a waiver from LDR 4.4.9(F)(3)(d)1.d. to allow a reduction from the required 25 foot perimeter buffer to 17 feet 9 inches, and a waiver from LDR 4.4.9(G)(3)(e)1.a. to allow a reduction of the existing open space percentage from 16.67 percent to 16.63 percent; finding that the approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- C. Approve the amendment to the Hobby Lobby at Delray Square Shopping Center Master Development Plan Modification as amended; with a waiver from LDR 4.4.9(F)(3)(d)1.d. to allow a reduction from the required 25 foot perimeter buffer to 17 feet 9 inches, and a waiver from LDR 4.4.9(G)(3)(e)1.a. to allow a reduction of the existing open space percentage from 16.67 percent to 16.63 percent; finding that the approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- D. Deny the amendment to the Hobby Lobby at Delray Square Shopping Center Master Development Plan Modification; with a waiver from LDR 4.4.9(F)(3)(d)1.d. to allow a reduction from the required 25 foot perimeter buffer to 17 feet 9 inches, and a waiver from LDR 4.4.9(G)(3)(e)1.a. to allow a reduction of the existing open space percentage from 16.67 percent to 16.63 percent; finding that the approval thereof is not consistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

Public and Courtesy Notices	
x Courtesy Notices were provided to the following on July 8, 2022:	N/A Public Notices are not required for this
Chamber of Commerce	request.
Lee's Crossing	
Sunset Pines	
Highland Trailer Park	
Sherwood Forest	
Country Club Acres	

January 25, 2022







	MARKMATERIAL(EF-1)EIFS(EF-2)EIFS(PF-1)PREFINISHED METAL(SF-1)STOREFRONT SYSTEM(P-1)PAINT(P-2)PAINT(P-3)PAINT	EXTERIOR MANUFACTURER DRYVIT DRYVIT OMG EDGE SYSTEMS KAWNEER SHERWIN-WILLIAMS SHERWIN-WILLIAMS	MODEL/STYLE MODEL/STYLE PB SYSTEM PB SYSTEM PERMASNAP 1600 IR 1600 IR ULTRA-CRETE A89-100 SERIES ULTRA-CRETE	COLOR SW 7551 "GREEK VILLA" SW 7509 "TIKI HUT" "BONE WHITE" "DARK BRONZE" SW 7506 "LOGGIA" SW 4084 "SAFETY YELLOW" SW 7509 "TIKI HUT"	REMARKS SAND FINISH SAND FINISH .050 ALUMINUM ANODIZED ALUMINUM MEDIUM TEXTURE BOLLARDS
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8" CONCRETE CURB UNPAINTED

ALUMINUM STOREFRONT SYSTEM REF SCHEDULE

BRICK VENEER

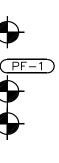
SMOOTH FACE CMU INFILL WITH STUCCO SAND FINISH. PAINT P-1 BRICK

BRICK VENEER

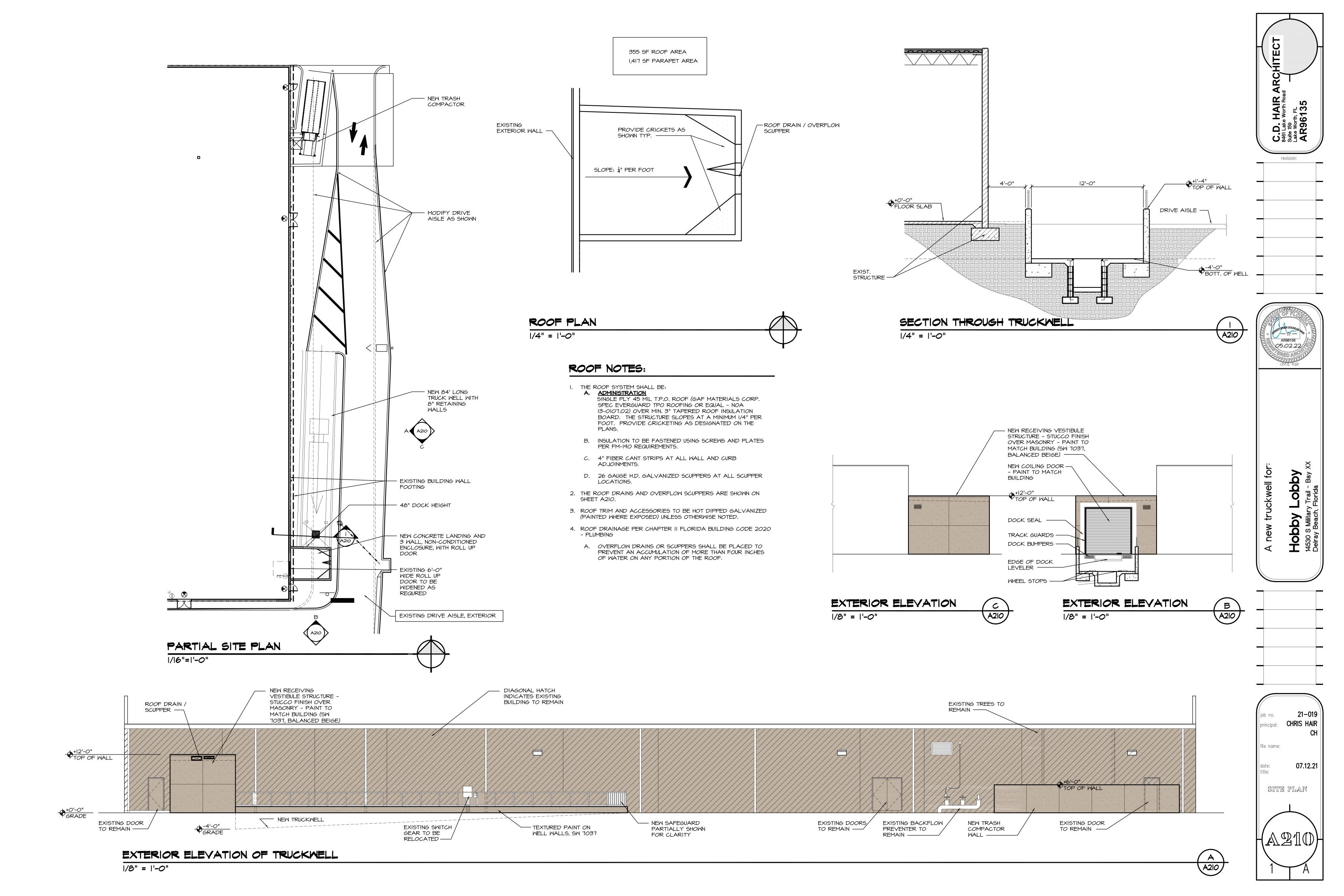
EIFS ACCENT BANDS EF-1 PAINT EXISTING STUCCO FACADE AND DETAILS P-1

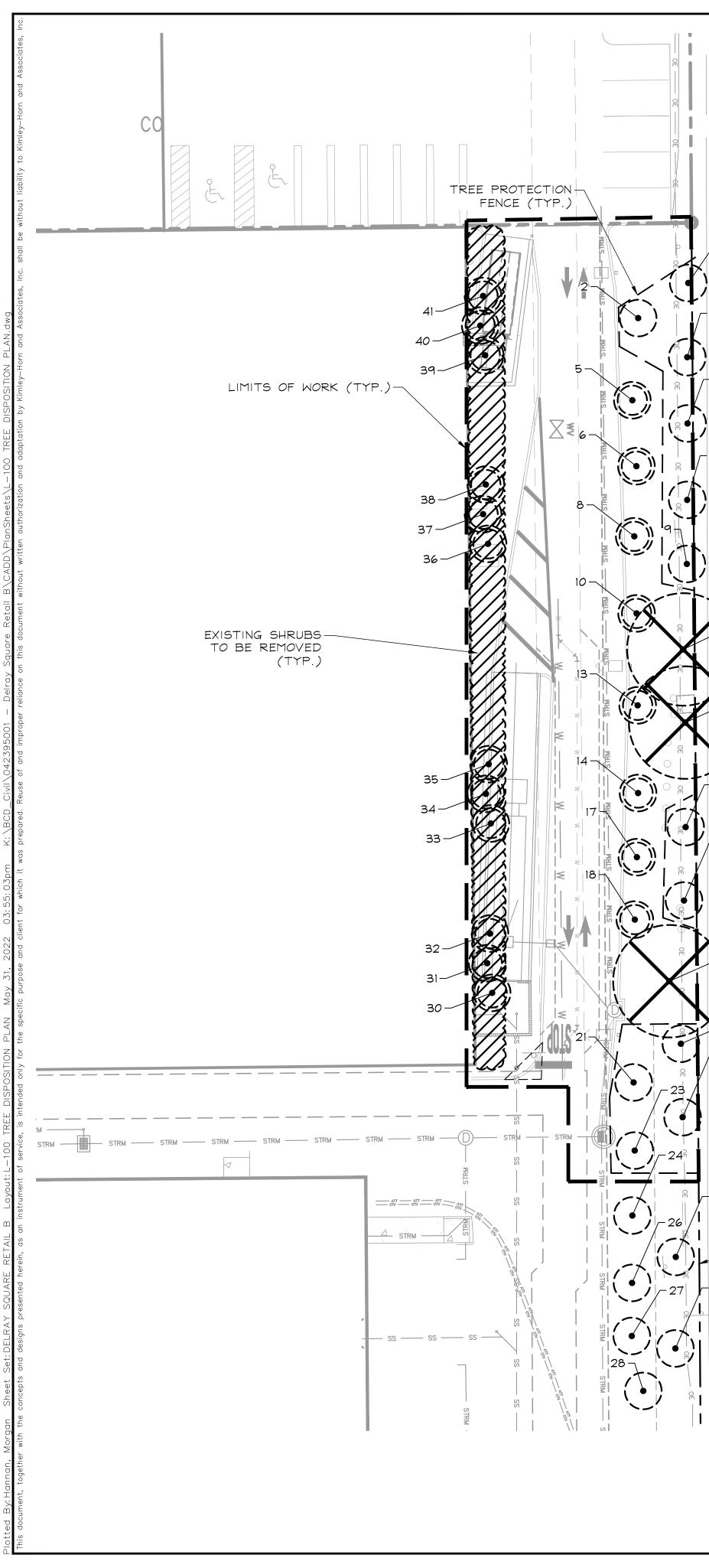
EXISTING TILT-WALL PAINT P-1 EXISTING CURB TO REMAIN UNPAINTED

BRICK VENEER B-1





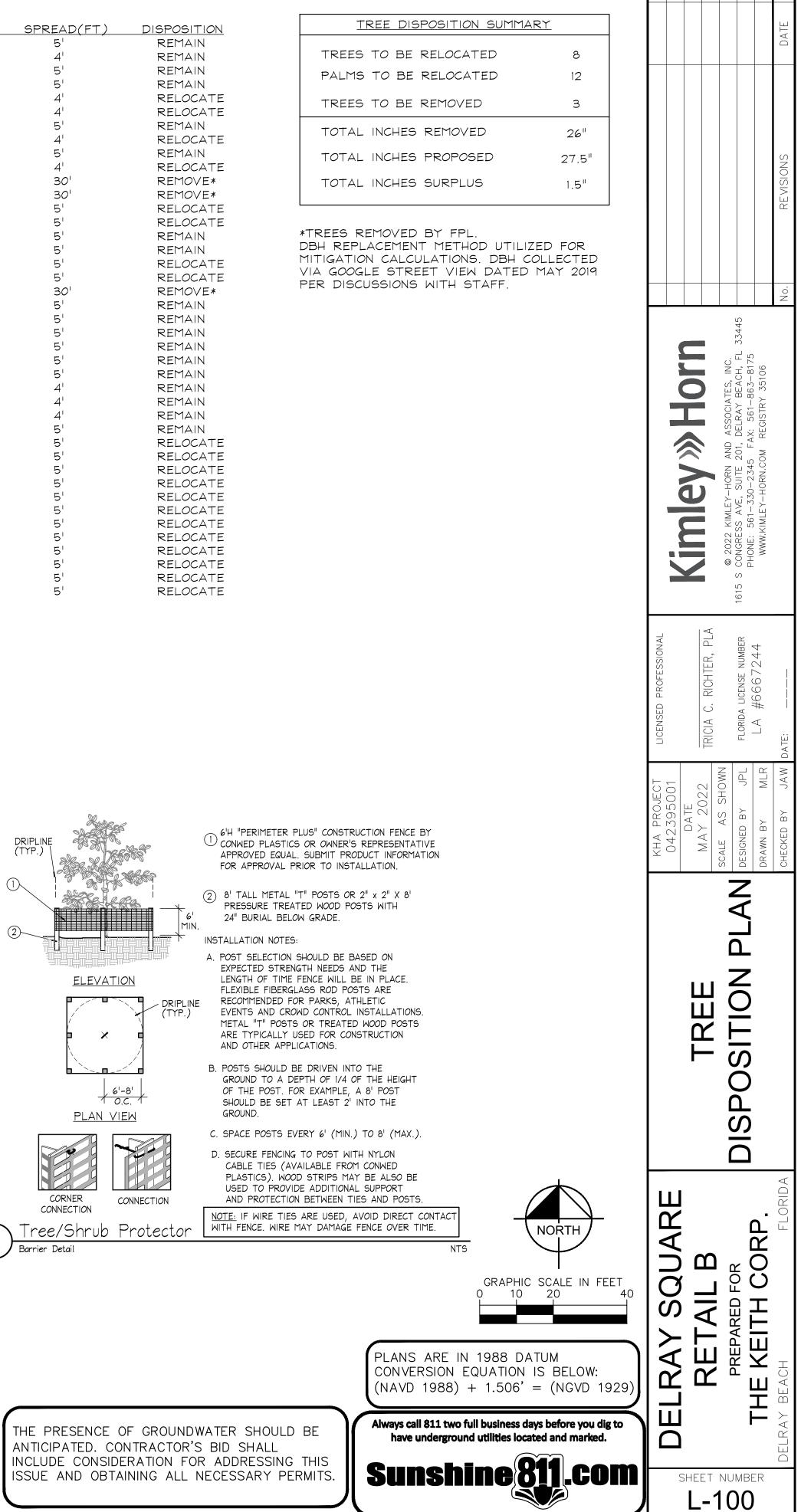


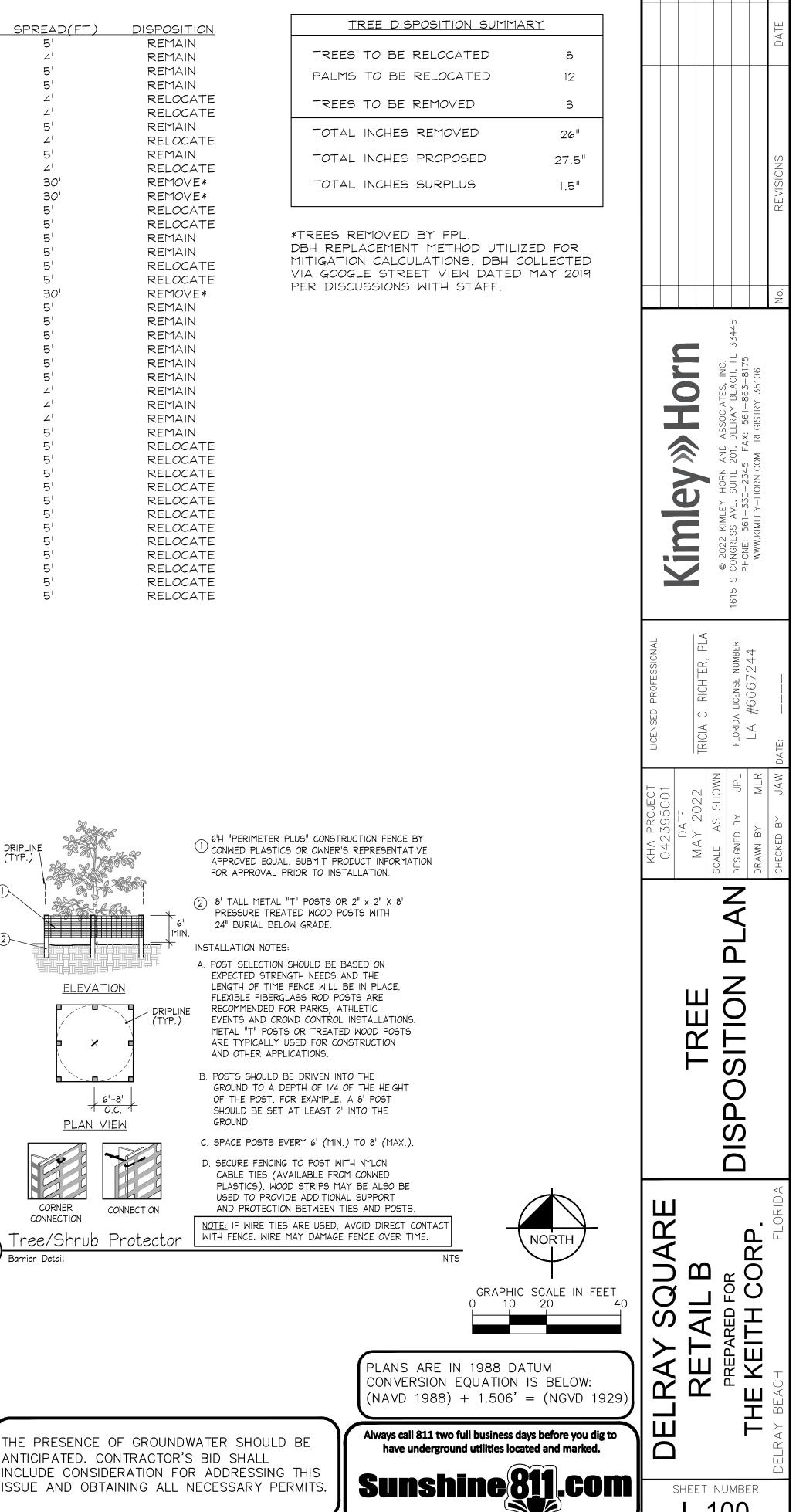


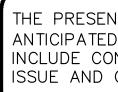
#	COMMON NAME	BOTANICAL NAME	DBH(IN)	<u>HEIGHT(FT)</u>	<u>SPREAD(FT</u>
	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
2.	ORANGE GEIGER TREE	CORDIA SEBESTENA	3"	12'	4'
3.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
1.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
•	ORANGE GEIGER TREE	CORDIA SEBESTENA	3"	12'	4'
	ORANGE GEIGER TREE	CORDIA SEBESTENA	3"	12'	4'
	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
	ORANGE GEIGER TREE	CORDIA SEBESTENA	3"	12'	4'
	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
).	ORANGE GEIGER TREE	CORDIA SEBESTENA	3"	12'	4'
•	BLACK <i>o</i> live tree	BUCIDA BUCERAS	8"	20'	30'
2.	BLACK OLIVE TREE	BUCIDA BUCERAS	8"	20'	30'
3.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
4.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
5.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS		12'	5'
	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
7.	BLACK OLIVE TREE	BUCIDA BUCERAS	10"	15'	30'
0.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
۱.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
2.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
3.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
4.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
5.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
6.	ORANGE GEIGER TREE	CORDIA SEBESTENA	3"	12'	4'
7.	ORANGE GEIGER TREE	CORDIA SEBESTENA	3"	12'	4'
8.	ORANGE GEIGER TREE	CORDIA SEBESTENA	3"	12'	4'
29.	SILVER BUTTONWOOD	CONOCARPUS ERECTUS SERICEUS	3"	12'	5'
30.	CABBAGE PALM	SABAL PALMETTO		15'	5'
31.	CABBAGE PALM	SABAL PALMETTO		15'	5'
32.	CABBAGE PALM	SABAL PALMETTO		15'	5'
33.	CABBAGE PALM	SABAL PALMETTO		15'	5'
34.	CABBAGE PALM	SABAL PALMETTO		15'	5'
35.	CABBAGE PALM	SABAL PALMETTO		15'	5'
6.	CABBAGE PALM	SABAL PALMETTO		15'	5'
37.	CABBAGE PALM	SABAL PALMETTO		15'	5'
38.	CABBAGE PALM	SABAL PALMETTO		15'	5'
39.	CABBAGE PALM	SABAL PALMETTO		15'	5'
40.	CABBAGE PALM	SABAL PALMETTO		15'	5'
41.	CABBAGE PALM	SABAL PALMETTO		15'	5'

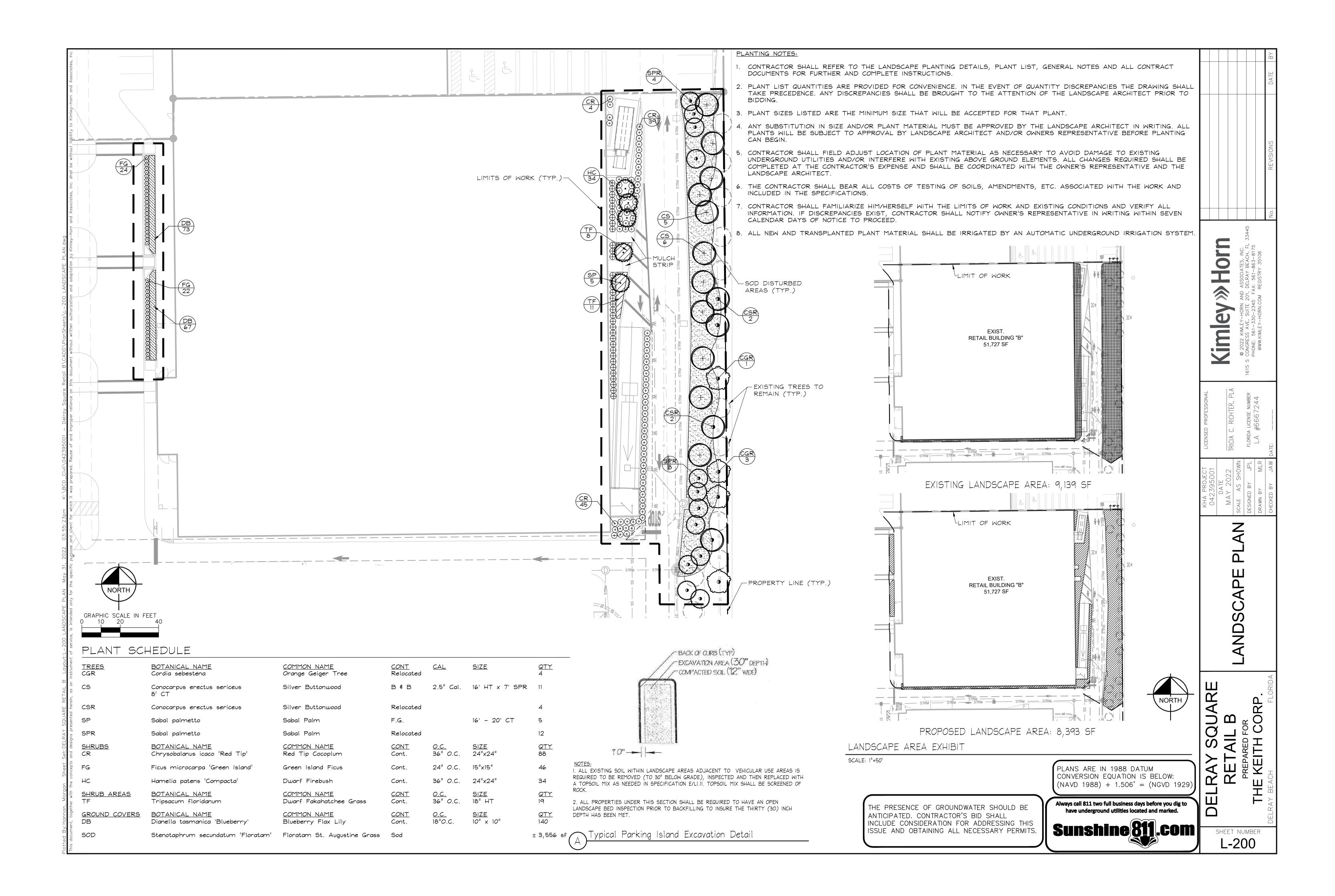
-PROPERTY LINE (TYP.)

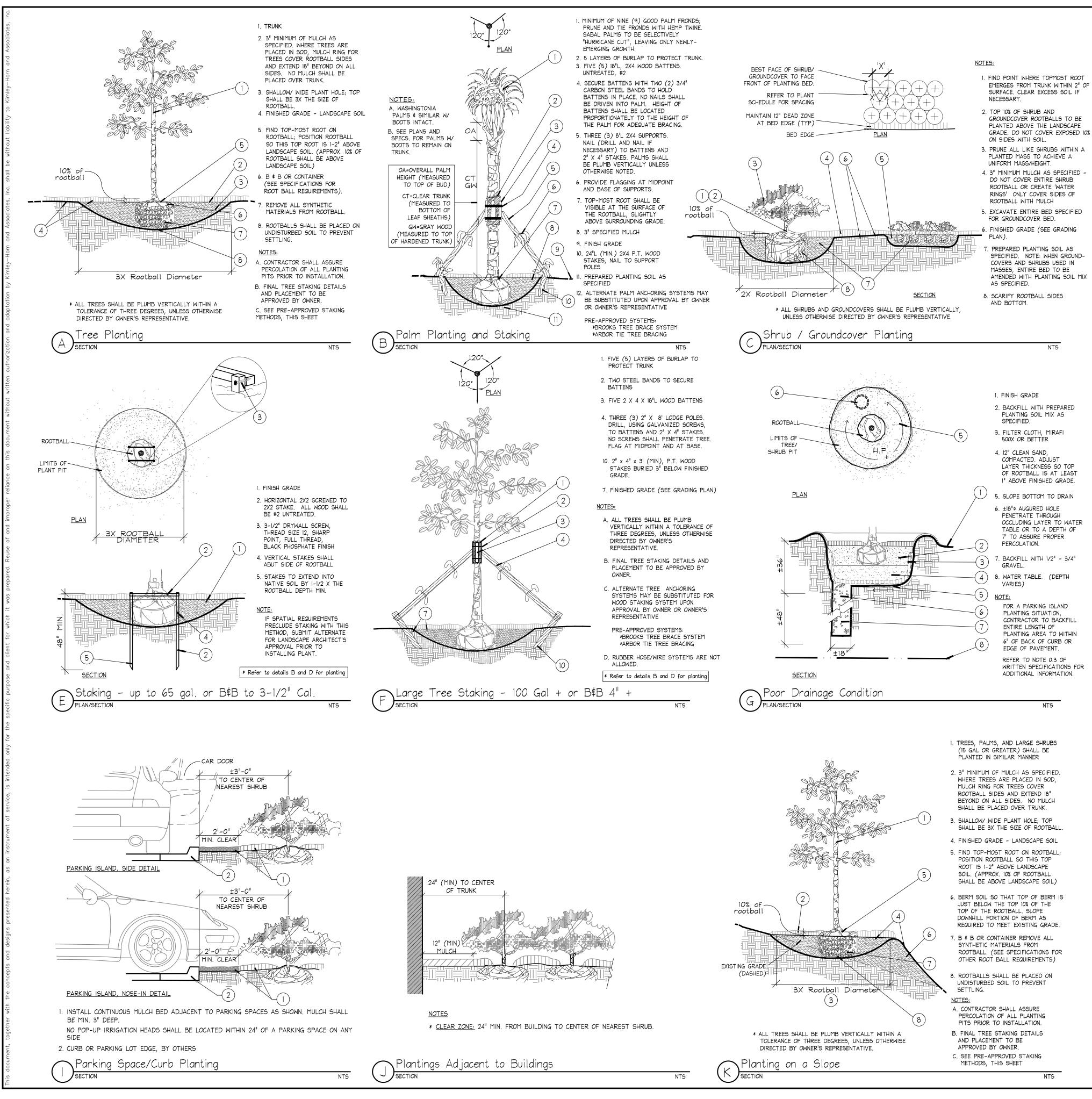
- TREE/PALM RELOCATION
- TREE/PALM RELOCATION GENERAL NOTES
- 1. Trees and/or Palms shall be relocated once from their present location to a designated per the direction of the Project Engineer who shall determine the exact location for each relocated palm. Relocation activities will include planting on slopes and/or level grade.
- 2. An ISA Certified Arborist or a Certified Landscape Contractor certified by the Florida Nurserymen and Growers Association shall
- perform and monitor all tree and/or palm root pruning and relocation activities.
- 3. Landscape Specifications provided in this construction set shall apply to all relocated trees and/or paims.
- 4. Contractor shall stake and guy all trees and/or palms at the time of relocation as per details provided in this construction set. Contractor shall be responsible for the maintenance and/or repair of staking and guying during the warranty period. All trees and/or palms shall be braced at least one (1) year or as directed by the Owner's Representative.
- 5. Soil backfill for the installation of trees, palms, shrubs, and ground covers shall be uniform mix of 25% well-rotted compost, 25% topsoil, and 50% clean, weed-free loosened native soil backfill.
- 6. Contractor shall submit manufacturers certified analysis for soil amendments to the Owner's Representative.
- 7. Contractor shall pay to have the backfill lab tested if requested by the Owner's Representative. Non-soluble wetting agent shall be added to the backfill per the manufacturer's specifications.
- 8. Refer to staking detail B sheet L-450.
- <u>root pruning</u> The Landscape Architect has observed trees that could be impacted by construction of the proposed improvements.
- 2. If construction activities occur within the dripline (or the horizontal extent of the canopy) of a tree, then that tree is a candidate for root pruning.
- 3. Root pruning <u>must</u> occur prior to trenching operations to insure that the roots are cut clean and at proper angles and not mechanically ripped from the earth during construction.
- 4. For trees requiring root pruning, a tree assessment shall be conducted and a root-pruning plan shall be developed by a Certified Arborist or Consulting Arborist. This plan should identify: • Maximum allowable size of roots to be cut
- Allowable proximity to the trunk for cuts
- Time of year when root cutting is allowable
- (Note: In Florida, it is best to avoid root pruning during times of the May through September, when the potential for damaging wind loads on trees are greatest.)
- Method for making cuts Mitigating canopy pruning
- Type and extent of necessary structural support
- Schedule for watering/fertilization after pruning
- 5. Implement the root pruning plan per the Arborist's recommendation.

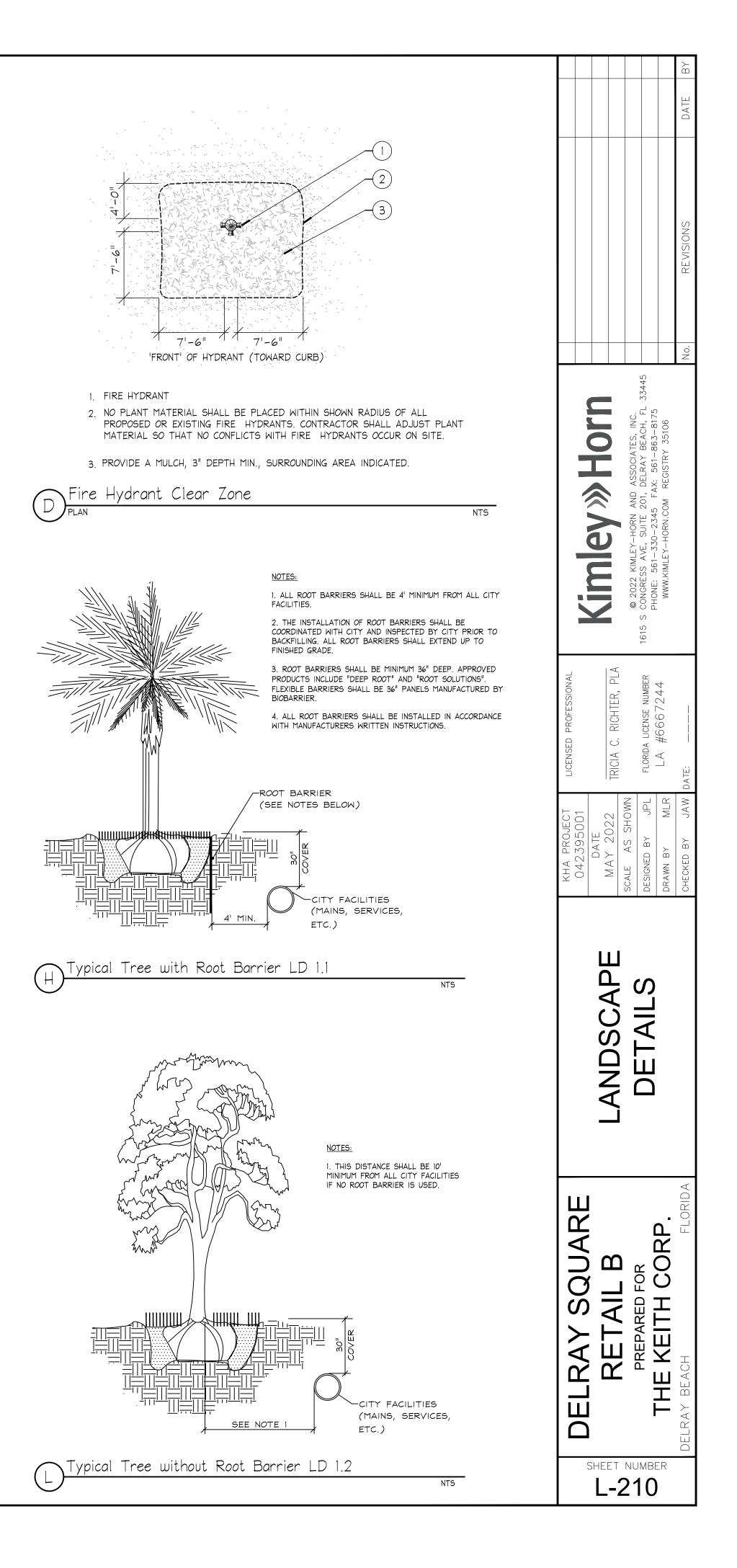












g <u>GENERAL LANDSCAPE SPECIFICATIONS AND NOTES</u>	
A. SCOPE OF WORK	G. FERTILIZER
 1. THE WORK CONSISTS OF: FURNISHING ALL LABOR, MATERIALS, EQUIPMENT, TOOLS, TRANSPORTATION, AND ANY OTHER APPURTENANCES NECESSARY FOR THE COMPLETION OF THIS PROJECT AS SHOWN ON THE DRAWINGS, AS INCLUDED IN THE PLANT LIST, AND AS HEREIN SPECIFIED. 	CONTRACTOR SHAL SOIL TYPE, PLAN TYPES SHALL BE
$\frac{1}{2}$ 2. Work shall include maintenance and watering of all contract planting areas until	*FERTILIZER RESTR
CERTIFICATION OF ACCEPTABILITY BY THE OWNER.	H. MULCH
B. PROTECTION OF EXISTING STRUCTURES ALL EXISTING BUILDINGS, WALKS, WALLS, PAVING, PIPING, OTHER SITE CONSTRUCTION ITEMS, AND PLANTING ALREADY COMPLETED OR ESTABLISHED SHALL BE PROTECTED FROM DAMAGE BY THE CONTRACTOR UNLESS OTHERWISE SPECIFIED. ALL DAMAGE RESULTING FROM NEGLIGENCE SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE OWNER, AT NO COST TO THE OWNER.	MULCH MATERIAL S DISPLACEMENT, A PLANT'S CROWN (MULCH
C. PROTECTION OF EXISTING PLANT MATERIALS OUTSIDE LIMIT OF WORK	I. DIGGING AND HAN
THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UNAUTHORIZED CUTTING OR DAMAGE TO TREES AND SHRUBS EXISTING OR OTHERWISE, CAUSED BY CARELESS EQUIPMENT OPERATION, MATERIAL STOCKPILING, ETC. THIS SHALL INCLUDE COMPACTION BY DRIVING OR PARKING INSIDE THE DRIP-LINE AND SPILLING OIL, GASOLINE, OR OTHER DELETERIOUS MATERIALS WITHIN THE DRIP-LINE. NO MATERIALS SHALL BE BURNED WHERE HEAT WILL DAMAGE ANY PLANT. EXISTING TREES KILLED OR DAMAGED SO THAT THEY ARE MISSHAPEN AND/ OR UNSIGHTLY SHALL BE REPLACED AT THE COST TO THE CONTRACTOR OF ONE HUNDRED DOLLARS (\$100) PER CALIPER INCH ON AN ESCALATING SCALE WHICH ADDS AN ADDITIONAL TWENTY (20) PERCENT PER INCH OVER FOUR (4) INCHES CALIPER AS FIXED AND AGREED LIQUIDATED DAMAGES. CALIPER SHALL BE MEASURED SIX (6) INCHES ABOVE GROUND LEVEL FOR TREES UP TO AND INCLUDING FOUR (4) INCHES IN CALIPER AND TWELVE (12) INCHES ABOVE GROUND LEVEL FOR TREES OVER FOUR (4) INCHES IN CALIPER.	 PROTECT ROOTS AND FREEZING, A PACKED TO PRE MILES OR WHICH SPRAYED WITH A TRANSPIRATIONA BALLED AND BL OF SUFFICIENT S PLANTS MOVED PLANTS BALLED PLANTS MARKEI
D. MATERIALS	FLORIDA GRADES EXERCISED THAT
MATERIALS LISTED BELOW SHALL BE SUBMITTED FOR APPROVAL. UPON SUBMITTALS' APPROVAL,	PLANTING. 4. PROTECTION OF FROM THE CROW TRUNK (CT) SHA ALL PALMS SHAI
PLANTS AMENDMENT MIX PRODUCT DATA/TEST RESULTS PLANTS PHOTOGRAPHS OF ONE (1) OF EACH SPECIES (OR TAGGED IN NURSERY) CLIENT-REQUESTED TAGGING MAY SUBSTITUTE PHOTOS. INDICATE SIZES (HEIGHT/WIDTH) AND QUALITY PER SPEC.	5. EXCAVATION OF TO SURFACE AN FOOTERS AND PI
FERTILIZER PRODUCT DATA	J. CONTAINER GROM
HERBICIDE PRODUCT DATA STAKING/GUYING FOR ALTERNATE TO DETAILS: SEND PRODUCT DATA, DETAIL 2. PLANT MATERIALS	1. ALL CONTAINER ESTABLISHED IN WHICH ARE OF G BETTER.
 A. PLANT SPECIES AND SIZE SHALL CONFORM TO THOSE INDICATED ON THE DRAWINGS. NOMENCLATURE SHALL CONFORM TO STANDARDIZED PLANT NAMES, 1942 EDITION. ALL NURSERY STOCK SHALL BE IN ACCORDANCE WITH GRADES AND STANDARDS FOR NURSERY PLANTS, LATEST EDITION, PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. ALL PLANTS SHALL BE FLORIDA GRADE NO. 1 OR BETTER AS DETERMINED BY THE FLORIDA DIVISION OF PLANT INDUSTRY. ALL PLANTS SHALL BE HEALTHY, VIGOROUS, SOUND, WELL-BRANCHED, AND FREE OF DISEASE AND INSECTS, INSECT EGGS AND LARVAE AND SHALL HAVE ADEQUATE ROOT SYSTEMS. TREES FOR PLANTING IN ROWS SHALL BE UNIFORM IN SIZE AND SHAPE. ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE OWNER. WHERE ANY REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, THE PLANTS FURNISHED SHALL BE NORMAL FOR THE VARIETY. PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY WITH APPROVAL FROM OWNER OR OWNER'S REPRESENTATIVE. NO SUBSTITUTIONS SHALL BE MADE WITHOUT WRITTEN PERMISSION FROM THE OWNER'S REPRESENTATIVE B. MEASUREMENTS: THE HEIGHT AND/OR WIDTH OF TREES SHALL BE MEASURED FROM THE GROUND OR ACROSS THE NORMAL SPREAD OF BRANCHES WITH THE PLANTS IN THEIR NORMAL POSITION. THIS MEASUREMENT SHALL NOT INCLUDE THE IMMEDIATE TERMINAL GROWTH. PLANTS LARGER IN SIZE THAN THOSE SPECIFIED IN THE PLANT LIST MAY BE USED IF APPROVED BY THE OWNER. IF THE USE OF LARGER PLANTS IS APPROVED, THE BALL OF EARTH OR SPREAD OF ROOTS SHALL BE INCREASED IN PROPORTION TO THE SIZE OF THE PLANT. C. INSPECTION: PLANTS SHALL BE SUBJECT TO INSPECTION AND APPROVAL AT THE PLACE OF 	 AN ESTABLISHEI AND GROWN IN 1 DEVELOPED SO REMOVED FROM THEIR STEMS. PLANT ROOTS E
AND SHAPE. ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE OWNER. WHERE ANY REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, THE PLANTS FURNISHED SHALL BE NORMAL FOR THE VARIETY. PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY WITH APPROVAL FROM OWNER OR OWNER'S REPRESENTATIVE. NO SUBSTITUTIONS SHALL BE MADE WITHOUT WRITTEN PERMISSION FROM THE OWNER'S REPRESENTATIVE	 SUBSTITUTION C TO BE CONTAINE OBTAINED FROM COLLECTED STOC
B. MEASUREMENTS: THE HEIGHT AND/OR WIDTH OF TREES SHALL BE MEASURED FROM THE GROUND OR ACROSS THE NORMAL SPREAD OF BRANCHES WITH THE PLANTS IN THEIR NORMAL POSITION. THIS MEASUREMENT SHALL NOT INCLUDE THE IMMEDIATE TERMINAL GROWTH. PLANTS LARGER IN SIZE THAN THOSE SPECIFIED IN THE PLANT LIST MAY BE USED IF APPROVED BY THE OWNER. IF THE USE OF LARGER PLANTS IS APPROVED, THE BALL OF EARTH OR SPREAD OF ROOTS SHALL BE INCREASED IN PROPORTION TO THE SIZE OF THE PLANT.	WHEN THE USE OF REPRESENTATIVE, FOR THE NEXT LA L. NATIVE STOCK
GROWTH, OR UPON DELIVERY TO THE SITE, AS DETERMINED BY THE OWNER, FOR QUALITY, SIZE, AND VARIETY; SUCH APPROVAL SHALL NOT IMPAIR THE RIGHT OF INSPECTION AND REJECTION AT THE SITE DURING PROGRESS OF THE WORK OR AFTER COMPLETION FOR SIZE AND CONDITION OF ROOT BALLS OR ROOTS, LATENT DEFECTS OR INJURIES. REJECTED PLANTS SHALL BE	PLANTS COLLECTEI WHEN THEY HAVE UNDER REGULAR SEASONS AND HA RECOVERY FROM
REMOVED IMMEDIATELY FROM THE SITE. NOTICE REQUESTING INSPECTION SHALL BE SUBMITTED IN WRITING BY THE CONTRACTOR AT LEAST ONE (1) WEEK PRIOR TO ANTICIPATED DATE.	M. MATERIALS LIST
 E. SOIL MIXTURE (PLANTING MEDIUM, PLANTING MIX, TOPSOIL MIX) 1. SOIL MIXTURE (PLANTING MEDIUM FOR PLANT PITS) SHALL CONSIST OF 20% CLEAN FLORIDA MUCK AND 80% PARTS CLEAN SAND. IT SHALL CONTAIN THREE (3) TO FIVE (5) PERCENT DECOMPOSED ORGANIC MATTER AND A PH BETWEEN 5.5 AND 7.0 - SUBMIT SAMPLE AND PH TESTING RESULTS FOR APPROVAL. 	THE CONTRACTOR ARCHITECT OR ON DISCREPANCY OCC ARCHITECT SHALL DIMENSIONS AND/
2. <u>MUCK</u> (OR MUCKY PEAT) FOR USE IN PREPARING SOIL MIXTURE FOR BACKFILLING PLANT PITS SHALL BE FERTILE, AND OF A VERY HIGH ORGANIC CONTENT DERIVED FROM FLORIDA SOURCES; REASONABLY FREE OF SUBSOIL, CLAY LUMPS, BRUSH WEEDS AND OTHER LITTER; FREE OF ROOTS, STUMPS, STONES LARGER THAN 2" IN ANY DIRECTION, AND OTHER EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH.	N. FINE GRADING 1. FINE GRADING UN AND PLANTING A THE DRAWINGS S NOTED.
 3. <u>SAND</u> FOR USE IN PREPARING SOIL MIXTURE SHALL BE COARSE, CLEAN, WELL-DRAINING, NATIVE SAND. CONTRACTOR SHALL SUBMIT RESULTS OF SOIL TESTS FOR TOPSOIL AND SAND PROPOSED FOR USE UNDER THIS CONTRACT FOR APPROVAL BY THE OWNER. 4. TREES SHALL BE PLANTED IN THE EXISTING NATIVE SOIL ON SITE, UNLESS DETERMINED TO BE 	2. THE CONTRACTO GRADE UP TO FI DEPTH. THIS CO NECESSARY INCL
UNSUITABLE - AT WHICH POINT THE CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT TO DISCUSS ALTERNATE RECOMMENDATION <u>PRIOR TO PLANTING.</u>	SOIL WITHIN THE 3. ALL PLANTING A SURFACE/SUBSUI
5. CONTRACTOR TO SUBMIT SAMPLES OF SOIL MIXTURE FOR OWNER'S REPRESENTATIVE APPROVAL PRIOR TO PLANT INSTALLATION OPERATIONS COMMENCE.	SLOPE AWAY FRO
WATER NECESSARY FOR PLANTING AND MAINTENANCE SHALL BE OF SATISFACTORY QUALITY TO SUSTAIN AN ADEQUATE PLANT GROWTH AND SHALL NOT CONTAIN HARMFUL, NATURAL OR MAN-MADE ELEMENTS DETRIMENTAL TO PLANTS. WATER MEETING THE ABOVE STANDARD SHALL BE OBTAINED ON THE SITE FROM THE OWNER, IF AVAILABLE, AND THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE ARRANGEMENTS FOR ITS USE BY HIS TANKS, HOSES, SPRINKLERS, ETC IF SUCH WATER IS NOT AVAILABLE AT THE SITE, THE CONTRACTOR SHALL PROVIDE SATISFACTORY WATER FROM SOURCES OFF THE SITE AT NO ADDITIONAL COST TO THE OWNER. *WATERING/IRRIGATION RESTRICTIONS MAY APPLY - REFER TO PROPERTY'S JURISDICTIONAL AUTHORITY.	1. CLEANING UP BE SURROUNDING AF AND TOXIC MATE MATERIALS SHAL CONDITIONS BEN GROWTH, HE SHA REPRESENTATIVE MEASURES THE 1

HALL PROVIDE FERTILIZER APPLICATION SCHEDULE TO OWNER, AS APPLICABLE TO LANT INSTALLATION TYPE, AND SITE'S PROPOSED USE. SUGGESTED FERTILIZER BE ORGANIC OR OTHERWISE NATURALLY-DERIVED.

ESTRICTIONS MAY APPLY - REFER TO PROPERTY'S JURISDICTIONAL AUTHORITY.

AL SHALL BE MOISTENED AT THE TIME OF APPLICATION TO PREVENT WIND AND APPLIED AT A MINIMUM DEPTH OF 3 INCHES. CLEAR MULCH FROM EACH WN (BASE). TYPE OF MATERIAL: "FLORIMULCH" OR SHREDDED, STERILE EUCALYPTUS

HANDLING

DOTS OR ROOT BALLS OF PLANTS AT ALL TIMES FROM SUN, DRYING WINDS, WATER IG, AS NECESSARY UNTIL PLANTING. PLANT MATERIALS SHALL BE ADEQUATELY PREVENT DAMAGE DURING TRANSIT. TREES TRANSPORTED MORE THAN TEN (10) HICH ARE NOT PLANTED WITHIN THREE (3) DAYS OF DELIVERY TO SITE SHALL BE TH AN ANTITRANSPIRANT PRODUCT ("WILTPRUF" OR EQUAL) TO MINIMIZE IONAL WATER LOSS.

BURLAPPED PLANTS (B&B) SHALL BE DUG WITH FIRM, NATURAL BALLS OF SOIL NT SIZE TO ENCOMPASS THE FIBROUS AND FEEDING ROOTS OF THE PLANTS. NO ED WITH A ROOT BALL SHALL BE PLANTED IF THE BALL IS CRACKED OR BROKEN. LED AND BURLAPPED OR CONTAINER GROWN SHALL NOT BE HANDLED BY STEMS.

RED "BR" IN THE PLANT LIST SHALL BE DUG WITH BARE ROOTS, COMPLYING WITH DES AND STANDARDS FOR NURSERY PLANTS, CURRENT EDITION. CARE SHALL BE HAT THE ROOTS DO NOT DRY OUT DURING TRANSPORTATION AND PRIOR TO

OF PALMS (IF APPLICABLE): ONLY A MINIMUM OF FRONDS SHALL BE REMOVED ROWN OF THE PALM TREES TO FACILITATE MOVING AND HANDLING. CLEAR SHALL BE AS SPECIFIED AFTER THE MINIMUM OF FRONDS HAVE BEEN REMOVED. SHALL BE BRACED PER PALM PLANTING DETAIL.

OF TREE PITS SHALL BE PERFORMED USING EXTREME CARE TO AVOID DAMAGE AND SUBSURFACE ELEMENTS SUCH AS UTILITIES OR HARDSCAPE ELEMENTS, D PREPARED SUB- BASES.

ROWN STOCK

IER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL-ROOTED PLANTS IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS F GOOD QUALITY AND ARE IN A HEALTHY GROWING CONDITION, FLORIDA #1 OR

SHED CONTAINER GROWN PLANT SHALL BE TRANSPLANTED INTO A CONTAINER IN THAT CONTAINER SUFFICIENTLY LONG FOR THE NEW FIBROUS ROOTS TO HAVE SO THAT THE ROOT MASS WILL RETAIN ITS SHAPE AND HOLD TOGETHER WHEN ROM THE CONTAINER. CONTAINER GROWN STOCK SHALL NOT BE HANDLED BY

TS BOUND IN CONTAINERS ARE NOT ACCEPTABLE.

ON OF NON-CONTAINER GROWN MATERIAL FOR MATERIAL EXPLICITLY SPECIFIED AINER GROWN WILL NOT BE PERMITTED WITHOUT WRITTEN APPROVAL IS ROM THE OWNER OR OWNER'S REPRESENTATIVE.

STOCK

OF COLLECTED STOCK IS PERMITTED AS INDICATED BY THE OWNER OR OWNER'S IVE, THE MINIMUM SIZES OF ROOTBALLS SHALL BE EQUAL TO THAT SPECIFIED LARGER SIZE OF NURSERY GROWN STOCK OF THE SAME VARIETY.

CTED FROM WILD OR NATIVE STANDS SHALL BE CONSIDERED NURSERY GROWN AVE BEEN SUCCESSFULLY RE-ESTABLISHED IN A NURSERY ROW AND GROWN AR NURSERY CULTURAL PRACTICES FOR A MINIMUM OF TWO (2) GROWING HAVE ATTAINED ADEQUATE ROOT AND TOP GROWTH TO INDICATE FULL ROM TRANSPLANTING INTO THE NURSERY ROW.

CESSARY TO COMPLETE THE WORK ON THE DRAWINGS SHALL BE FURNISHED BY TOR. QUANTITY ESTIMATES HAVE BEEN MADE CAREFULLY, BUT THE LANDSCAPE. OWNER ASSUMES NO LIABILITY FOR OMISSIONS OR ERRORS. SHOULD A OCCUR BETWEEN THE PLANS AND THE PLANT LIST QUANTITY, THE LANDSCAPE ALL BE NOTIFIED FOR CLARIFICATION PRIOR TO BIDDING OR INSTALLATION. ALL ND/OR SIZES SPECIFIED SHALL BE THE MINIMUM ACCEPTABLE SIZE

UNDER THIS CONTRACT SHALL CONSIST OF FINAL FINISHED GRADING OF LAWN NG AREAS THAT HAVE BEEN ROUGH GRADED BY OTHERS. BERMING AS SHOWN ON GS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, UNLESS OTHERWISE

ACTOR SHALL FINE GRADE THE LAWN AND PLANTING AREAS TO BRING THE ROUGH O FINAL FINISHED GRADE ALLOWING FOR THICKNESS OF SOD AND/OR MULCH CONTRACTOR SHALL FINE GRADE BY HAND AND/OR WITH ALL EQUIPMENT NCLUDING A GRADING TRACTOR WITH FRONT-END LOADER FOR TRANSPORTING THE SITE.

NG AREAS SHALL BE GRADED AND MAINTAINED FOR POSITIVE DRAINAGE TO 3SURFACE STORM DRAIN SYSTEMS. AREAS ADJACENT TO BUILDINGS SHALL FROM THE BUILDINGS. REFER TO CIVIL ENGINEER'S PLANS FOR FINAL GRADES.

ROCEDURES

BEFORE COMMENCING WORK: THE CONTRACTOR SHALL CLEAN WORK AND AREAS OF ALL RUBBISH OR OBJECTIONABLE MATTER. ALL MORTAR, CEMENT, 1ATERIAL SHALL BE REMOVED FROM THE SURFACE OF ALL PLANT BEDS. THESE SHALL NOT BE MIXED WITH THE SOIL. SHOULD THE CONTRACTOR FIND SUCH SOIL BENEATH THE SOIL WHICH WILL IN ANY WAY ADVERSELY AFFECT THE PLANT SHALL IMMEDIATELY CALL IT TO THE ATTENTION OF THE OWNER'S TIVE. FAILURE TO DO SO BEFORE PLANTING SHALL MAKE THE CORRECTIVE HE RESPONSIBILITY OF THE CONTRACTOR.

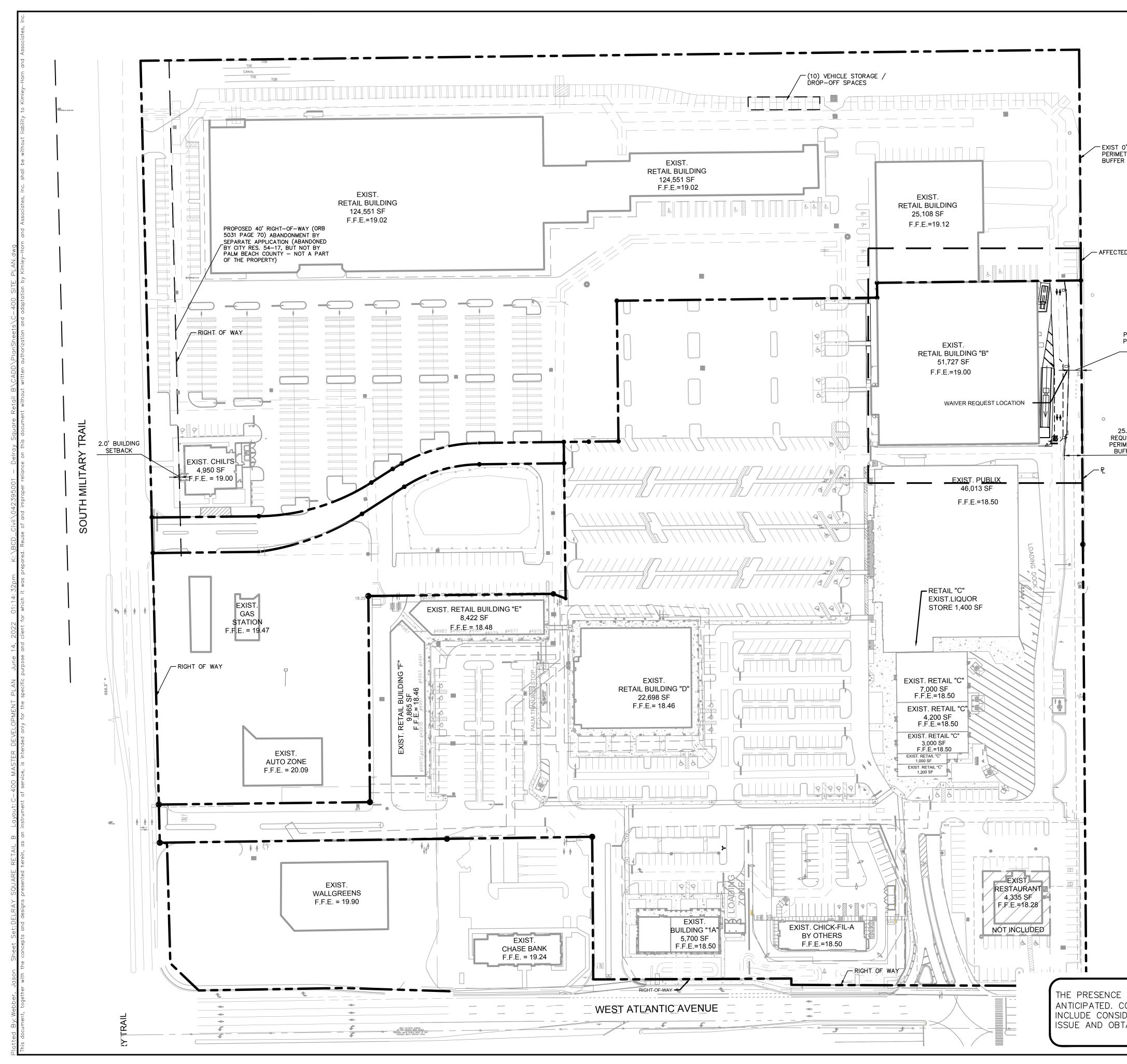
- 2. VERIFY LOCATIONS OF ALL UTILITIES, CONDUITS, SUPPLY LINES AND CABLES, INCLUDING NOT LIMITED TO: ELECTRIC, GAS (LINES AND TANKS), WATER, SANITARY SEWER, STORMWATER SYSTEMS, CABLE, AND TELEPHONE. PROPERLY MAINTAIN AND PROTECT EXISTING UTILITIES. CALL NATIONAL ONE CALL - 811 - TO LOCATE UTILITIES.
- 3. SUBGRADE EXCAVATION: CONTRACTOR IS RESPONSIBLE TO REMOVE ALL EXISTING AND IMPORTED LIMEROCK AND LIMEROCK SUB-BASE FROM ALL LANDSCAPE PLANTING AREAS MINIMUM DEPTH OF 36". CONTRACTOR IS RESPONSIBLE TO BACKFILL THESE PLANTING A TO ROUGH FINISHED GRADE WITH CLEAN TOPSOIL FROM AN ON-SITE SOURCE OR AN IMPO SOURCE. IF LIMEROCK OR OTHER ADVERSE CONDITIONS OCCUR IN PLANTED AREAS AFTE DEEP EXCAVATION BY THE CONTRACTOR, AND ADEQUATE PERCOLATION CAN NOT BE ACH CONTRACTOR SHALL UTILIZE PLANTING DETAIL THAT ADDRESSES POOR DRAINAGE.
- 4. FURNISH NURSERY'S CERTIFICATE OF COMPLIANCE WITH ALL REQUIREMENTS AS HEREIN SPECIFIED AND REQUIRED. INSPECT AND SELECT PLANT MATERIALS BEFORE PLANTS ARE AT NURSERY OR GROWING SITE.
- 5. GENERAL: COMPLY WITH APPLICABLE FEDERAL, STATE, COUNTY, AND LOCAL REGULATI GOVERNING LANDSCAPE MATERIALS AND WORK. CONFORM TO ACCEPTED HORTICULTURAL PRACTICES AS USED IN THE TRADE. UPON ARRIVAL AT THE SITE , PLANTS SHALL BE THOROUGHLY WATERED AND PROPERLY MAINTAINED UNTIL PLANTED. PLANTS STORED ON-SITE SHALL NOT REMAIN UNPLANTED FOR A PERIOD EXCEEDING TWENTY-FOUR (24) HOURS. AT ALL TIMES, METHODS CUSTOMARY IN GOOD HORTICULTURAL PRACTICES SHA BE EXERCISED.
- 6. THE WORK SHALL BE COORDINATED WITH OTHER TRADES TO PREVENT CONFLICTS. COORDINATE PLANTING WITH IRRIGATION WORK TO ASSURE AVAILABILITY OF WATER AND PROPER LOCATION OF IRRIGATION APPURTENANCES AND PLANTS.
- ". ALL PLANTING PITS SHALL BE EXCAVATED TO SIZE AND DEPTH IN ACCORDANCE WITH " STANDARD FOR NURSERY STOCK 260.1, UNLESS SHOWN OTHERWISE ON THE DRAWINGS, BACKFILLED WITH THE PREPARED PLANTING SOIL MIXTURE AS SPECIFIED IN SECTION E ALL TREE PITS WITH WATER BEFORE PLANTING TO ASSURE PROPER DRAINAGE PERCOLA AVAILABLE. NO ALLOWANCE WILL BE MADE FOR LOST PLANTS DUE TO IMPROPER PERCO IF POOR PERCOLATION EXISTS, UTILIZE "POOR DRAINAGE CONDITION" PLANTING DETAIL. SHALL BE SET PLUMB AND HELD IN POSITION UNTIL THE PLANTING MIXTURE HAS BEEN INTO PLACE WITH A SLOW, FULL HOSE STREAM. ALL PLANTING SHALL BE PERFORMED PERSONNEL FAMILIAR WITH PLANTING PROCEDURES AND UNDER THE SUPERVISION OF A QUALIFIED LANDSCAPE FOREMAN. PROPER "JETTING IN" SHALL BE ASSURED TO ELIMINA POCKETS AROUND THE ROOTS. "JET STICK" OR EQUAL IS RECOMMENDED.
- 8. TAKE ALL NECESSARY PRECAUTIONS TO AVOID DAMAGE TO BUILDINGS AND BUILDING STRU WHILE INSTALLING TREES.
- 9. SOIL MIXTURE SHALL BE AS SPECIFIED IN SECTION E OF THESE SPECIFICATIONS.
- 10. TREES AND SHRUBS SHALL BE SET STRAIGHT AT AN ELEVATION THAT, AFTER SETTLE THE PLANT CROWN WILL STAND ONE (1) TO TWO (2) INCHES ABOVE GRADE. EACH PLAN SHALL BE SET IN THE CENTER OF THE PIT. PLANTING SOIL MIXTURE SHALL BE BACKFIL THOROUGHLY TAMPED AROUND THE BALL, AND SETTLED BY WATER (AFTER TAMPING).
- 11. AMEND PINE AND OAK PLANT PITS WITH ECTOMYCORRHIZAL SOIL APPLICATION PER MANUFACTURER'S RECOMMENDATION. ALL OTHER PLANT PITS SHALL BE AMENDED WITH ENDOMYCORRHIZAL SOIL APPLICATION PER MANUFACTURER'S RECOMMENDATION. PROVIDE PRODUCT INFORMATION SUBMITTAL PRIOR TO INOCULATION.
- 12. FILL HOLE WITH SOIL MIXTURE, MAKING CERTAIN ALL SOIL IS SATURATED. TO DO THIS HOLE WITH WATER AND ALLOW TO SOAK MINIMUM TWENTY (20) MINUTES, STIRRING IF NECESSARY TO GET SOIL THOROUGHLY WET. PACK LIGHTLY WITH FEET. ADD MORE WE MIXTURE. DO NOT COVER TOP OF BALL WITH SOIL MIXTURE, ONLY WITH MULCH. ALL E ROPE, WIRES, BASKETS, ETC ..., SHALL BE REMOVED FROM THE SIDES AND TOPS OF BAL NO BURLAP SHALL BE PULLED FROM UNDERNEATH.
- 13. PRUNING: TREES SHALL BE PRUNED, AT THE DIRECTION OF THE OWNER OR OWNER'S REPRESENTATIVE, TO PRESERVE THE NATURAL CHARACTER OF THE PLANT. ALL SOFT WOOD OR SUCKER GROWTH AND ALL BROKEN OR BADLY DAMAGED BRANCHES SHALL BE REMOVED WITH A CLEAN CUT. ALL PRUNING TO BE PERFORMED BY LICENSED ARBORIST, IN ACCORDANCE WITH ANSI A-300.
- 14. SHRUBS AND GROUND COVER PLANTS SHALL BE EVENLY SPACED IN ACCORDANCE WITH THE DRAWINGS AND AS INDICATED ON THE PLANT LIST. CULTIVATE ALL PLANTING AREAS TO A MINIMUM DEPTH OF 6", REMOVE AND DISPOSE ALL DEBRIS. MIX TOP 4" TO ACHEIVE SOIL MIXTURE AS SPECIFIED IN SECTION E. THOROUGHLY WATER ALL PLANTS AFTER INSTALLATION.
- 15. TREE GUYING AND BRACING SHALL BE INSTALLED BY THE CONTRACTOR IN ACCORDANCE WITH THE PLANS TO INSURE STABILITY AND MAINTAIN TREES IN AN UPRIGHT POSITION. IF THE CONTRACTOR AND OWNER DECIDE TO WAIVE THE TREE GUYING AND BRACING, TH OWNER SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING AND AGREE TO INDEMNIF' AND HOLD HARMLESS THE LANDSCAPE ARCHITECT IN THE EVENT UNSUPPORTED TREES PLANTED UNDER THIS CONTRACT FALL AND DAMAGE PERSON OR PROPERTY.
- 16. MULCHING: PROVIDE A THREE INCH (MINIMUM) LAYER OF SPECIFIED MULCH OVER THE ENTIRE AREA OF EACH SHRUB BED, GROUND COVER, VINE BED, AND TREE PIT PLANTED UNDER THIS CONTRACT.
- 17. HERBICIDE WEED CONTROL: ALL PLANT BEDS SHALL BE KEPT FREE OF NOXIOUS WEEDS FINAL ACCEPTANCE OF WORK. IF DIRECTED BY THE OWNER, "ROUND-UP" SHALL BE APP WEED CONTROL BY QUALIFIED PERSONNEL TO ALL PLANTING AREAS IN SPOT APPLICATIC MANUFACTURER'S PRECAUTIONS AND SPECIFICATIONS. PRIOR TO FINAL INSPECTION, TRE PLANTING BEDS WITH AN APPROVED PRE-EMERGENT HERBICIDE AT AN APPLICATION RAT RECOMMENDED BY THE MANUFACTURER. (AS ALLOWED BY JURISDICTIONAL AUTHORITY)

P. LAWN SODDING

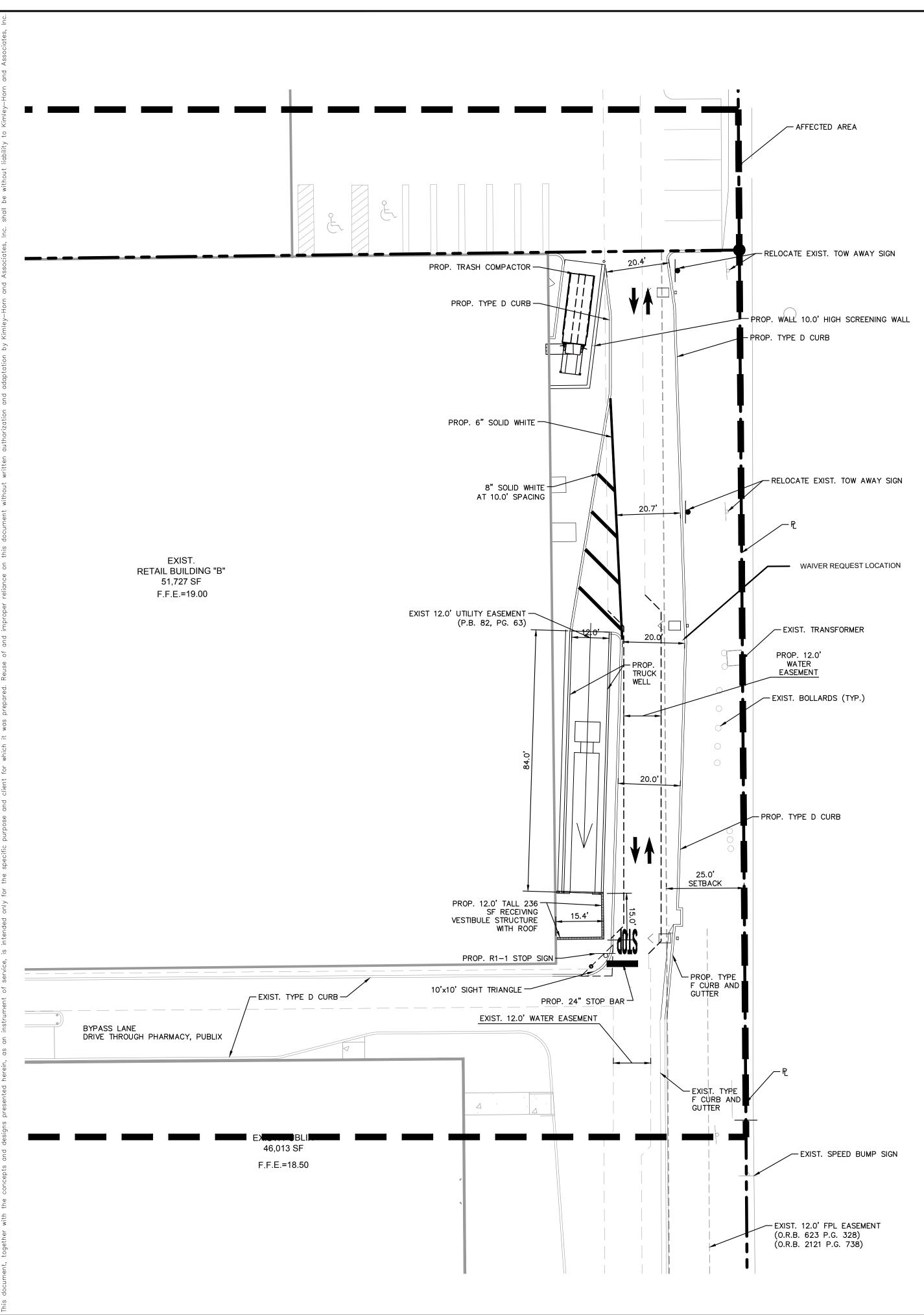
- 1. THE WORK CONSISTS OF LAWN BED PREPARATION, SOIL PREPARATION, AND SODDING COMPLETE, IN STRICT ACCORDANCE WITH THE SPECIFICATIONS AND THE APPLICABLE DRAWINGS TO PRODUCE A TURF GRASS LAWN ACCEPTABLE TO THE OWNER.
- 2. LAWN BED PREPARATION: ALL AREAS THAT ARE TO BE SODDED SHALL BE CLEARED (ANY ROUGH GRASS, WEEDS, AND DEBRIS, AND THE GROUND BROUGHT TO AN EVEN GRA THE ENTIRE SURFACE SHALL BE ROLLED WITH A ROLLER WEIGHING NOT MORE THAN ONE-HUNDRED (100) POUNDS PER FOOT OF WIDTH. DURING THE ROLLING, ALL DEPRESS CAUSED BY SETTLEMENT SHALL BE FILLED WITH ADDITIONAL SOIL, AND THE SURFACE BE REGRADED AND ROLLED UNTIL PRESENTING A SMOOTH AND EVEN FINISH TO THE REQUIRED GRADE.
- 3. SOIL PREPARATION: PREPARE LOOSE BED FOUR (4) INCHES DEEP. HAND RAKE UNTIL BUMPS AND DEPRESSIONS ARE REMOVED. WET PREPARED AREA THOROUGHLY.

		B
G BUT	4. SODDING A. THE CONTRACTOR SHALL SOD ALL AREAS THAT ARE NOT PAVED OR PLANTED AS DESIGNATED ON THE DRAWINGS WITHIN THE CONTRACT LIMITS, UNLESS SPECIFICALLY NOTED OTHERWISE.	DATE
TO A AREAS ORTED	B. THE SOD SHALL BE CERTIFIED TO MEET FLORIDA STATE PLANT BOARD SPECIFICATIONS, ABSOLUTELY TRUE TO VARIETAL TYPE, AND FREE FROM WEEDS, FUNGUS, INSECTS AND DISEASE OF ANY KIND.	
ER 36" HIEVED,	C. SOD PANELS SHALL BE LAID TIGHTLY TOGETHER SO AS TO MAKE A SOLID SODDED LAWN AREA. SOD SHALL BE LAID UNIFORMLY AGAINST THE EDGES OF ALL CURBS AND OTHER HARDSCAPE ELEMENTS, PAVED	EVISIONS
E DUG IONS L	AND PLANTED AREAS. ADJACENT TO BUILDINGS, A 24 INCH STONE MULCH STRIP SHALL BE PROVIDED - REFER TO DETAILS. IMMEDIATELY FOLLOWING SOD LAYING, THE LAWN AREAS SHALL BE ROLLED WITH A LAWN ROLLER CUSTOMARILY USED FOR SUCH PURPOSES, AND THEN THOROUGHLY IRRIGATED. IF, IN THE OPINION OF THE OWNER, TOP-DRESSING IS NECESSARY AFTER ROLLING TO FILL THE VOIDS BETWEEN THE SOD PANELS AND TO EVEN OUT INCONSISTENCIES IN THE	
ALL	SOD, CLEAN SAND, AS APPROVED BY THE OWNER'S REPRESENTATIVE, SHALL BE UNIFORMLY SPREAD OVER THE ENTIRE SURFACE OF THE SOD AND THOROUGHLY WATERED IN. FERTILIZE INSTALLED SOD AS ALLOWED BY PROPERTY'S JURISDICTIONAL AUTHORITY.	33445 No.
) The USA AND	5. DURING DELIVERY, PRIOR TO, AND DURING THE PLANTING OF THE LAWN AREAS, THE SOD PANELS SHALL AT ALL TIMES BE PROTECTED FROM EXCESSIVE DRYING AND UNNECESSARY EXPOSURE OF THE ROOTS TO THE SUN. ALL SOD SHALL BE STACKED SO AS NOT TO BE DAMAGED BY SWEATING OR EXCESSIVE HEAT AND MOISTURE.	ASSOCIATES, INC. ASSOCIATES, INC. DELRAY BEACH, FL 3 AX: 561-863-8175 REGISTRY 35106
TEST ATION IS OLATION. TREES FLUSHED BY ATE AIR	6. LAWN MAINTENANCE: A. WITHIN THE CONTRACT LIMITS, THE CONTRACTOR SHALL PRODUCE A DENSE, WELL ESTABLISHED LAWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR AND RE-SODDING OF ALL ERODED, SUNKEN OR BARE SPOTS (LARGER THAN 12"X12") UNTIL CERTIFICATION OF ACCEPTABILITY BY THE OWNER'S REPRESENTATIVE. REPAIRED SODDING SHALL BE ACCOMPLISHED AS IN THE ORIGINAL WORK (INCLUDING REGRADING IF NECESSARY).	© 2022 KIMLEY-HORN AND ASS © 2022 KIMLEY-HORN AND ASS CONGRESS AVE, SUITE 201, DELF PHONE: 561-330-2345 FAX: 5 PHONE: 561-330-2345 FAX: 5 WWW.KIMLEY-HORN.COM REGI
UCTURES	B. CONTRACTOR RESPONSIBLE FOR ESTABLISHING AND MAINTAINING SOD/LAWN UNTIL ACCEPTANCE BY THE OWNER'S REPRESENTATIVE. PRIOR TO AND UPON ACCEPTANCE, CONTRACTOR TO PROVIDE WATERING/IRRIGATION SCHEDULE TO OWNER. OBSERVE ALL APPLICABLE WATERING RESTRICTIONS AS SET FORTH BY THE PROPERTY'S JURISDICTIONAL AUTHORITY.	1615 S CONGRES PHONE: WWW.K
EMENT,	Q. CLEANUP	
NT LLED,	UPON COMPLETION OF ALL PLANTING WORK AND BEFORE FINAL ACCEPTANCE, THE CONTRACTOR SHALL REMOVE ALL MATERIAL, EQUIPMENT, AND DEBRIS RESULTING FROM HIS WORK. ALL PAVED AREAS SHALL BE BROOM-CLEANED AND THE SITE LEFT IN A NEAT AND ACCEPTABLE CONDITION AS APPROVED BY THE OWNER'S	PROFESSIONAL RICHTER, PLA cense number 3667244
E	AUTHORIZED REPRESENTATIVE.	ED H€C C.
S, FILL	R. PLANT MATERIAL MAINTENANCE ALL PLANTS AND PLANTING INCLUDED UNDER THIS CONTRACT SHALL BE MAINTAINED	LICENS TRICIA FLORIE LA DATE:
ET SOIL BURLAP, LLS, BUT	BY WATERING, CULTIVATING, SPRAYING, AND ALL OTHER OPERATIONS (SUCH AS RE-STAKING OR REPAIRING GUY SUPPORTS) NECESSARY TO INSURE A HEALTHY PLANT CONDITION BY THE CONTRACTOR UNTIL CERTIFICATION OF ACCEPTABILITY BY THE OWNER'S REPRESENTATIVE. MAINTENANCE AFTER THE CERTIFICATION OF ACCEPTABILITY SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS IN THIS SECTION. CONTRACTORS ARE REQUESTED TO PROVIDE A BID ESTIMATE TO COVER LANDSCAPE AND IRRIGATION MAINTENANCE FOR A PERIOD OF 90 CALENDAR DAYS COMMENCING AFTER ACCEPTANCE.	KHA PROJECT 042395001 DATE MAY 2022 scale AS SHOWN DESIGNED BY JPL DRAWN BY MLR CHECKED BY JAW D
	S. MAINTENANCE (ALTERNATE BID ITEM)	
	CONTRACTORS ARE REQUESTED TO PROVIDE A BID ESTIMATE FOR MAINTENANCE FOLLOWING THE INITIAL 90-DAY MAINTENANCE PERIOD ON A COST-PER-MONTH BASIS.	
E HE Y	T. FINAL INSPECTION AND ACCEPTANCE OF WORK FINAL INSPECTION AT THE END OF THE WARRANTY PERIOD SHALL BE ON PLANTING, CONSTRUCTION AND ALL OTHER INCIDENTAL WORK PERTAINING TO THIS CONTRACT. ANY REPLACEMENT AT THIS TIME SHALL BE SUBJECT TO THE SAME ONE (1) YEAR WARRANTY (OR AS SPECIFIED BY THE LANDSCAPE ARCHITECT OR OWNER IN WRITING) BEGINNING WITH THE TIME OF REPLACEMENT AND ENDING WITH THE SAME INSPECTION AND ACCEPTANCE HEREIN DESCRIBED.	SCAPE
	U. WARRANTY	
) IS UNTIL	1. THE LIFE AND SATISFACTORY CONDITION OF ALL 7 GALLON AND LARGER PLANT MATERIAL INSTALLED BY THE LANDSCAPE CONTRACTOR SHALL BE WARRANTED BY THE CONTRACTOR FOR A MINIMUM OF ONE (1) CALENDAR YEAR COMMENCING AT THE TIME OF CERTIFICATION OF ACCEPTABILITY BY THE OWNER'S REPRESENTATIVE.	LAND NO
PLIED FOR ONS PER EAT ALL TE)	2. THE LIFE AND SATISFACTORY CONDITION OF ALL OTHER PLANT MATERIAL (INCLUDING SOD) INSTALLED BY THE LANDSCAPE CONTRACTOR SHALL BE WARRANTED BY THE CONTRACTOR FOR A MINIMUM OF ONE (1) CALENDAR YEAR COMMENCING AT THE TIME OF CERTIFICATION OF ACCEPTABILITY BY THE OWNER'S REPRESENTATIVE.	RIDA
)F	3. REPLACEMENT: ANY PLANT NOT FOUND IN A HEALTHY GROWING CONDITION AT THE END OF THE WARRANTY PERIOD SHALL BE REMOVED FROM THE SITE AND REPLACED AS SOON AS WEATHER CONDITIONS PERMIT. ALL REPLACEMENTS SHALL BE PLANTS OF THE SAME KIND AND SIZE AS SPECIFIED IN THE PLANT LIST. THEY SHALL BE FURNISHED PLANTED AND MULCHED AS SPECIFIED UNDER "PLANTING", AT NO ADDITIONAL COST TO THE OWNER.	AR RP.
ADE. BIONS SHALL	4. IN THE EVENT THE OWNER DOES NOT CONTRACT WITH THE CONTRACTOR FOR LANDSCAPE (AND IRRIGATION) MAINTENANCE, THE CONTRACTOR IS ENCOURAGED TO VISIT THE PROJECT SITE PERIODICALLY DURING THE ONE YEAR WARRANTY PERIOD TO EVALUATE MAINTENANCE PROCEDURES BEING PERFORMED BY THE OWNER, AND SHALL NOTIFY THE OWNER IN WRITING OF MAINTENANCE PROCEDURES OR CONDITIONS	YY S Etal Epared (Eith
ALL	SHALL NOTIFT THE OWNER IN WRITING OF MAINTENANCE PROCEDURES OR CONDITIONS WHICH THREATEN VIGOROUS AND HEALTHY PLANT GROWTH. IT IS SUGGESTED SUCH SITE VISITS SHALL BE CONDUCTED A MINIMUM OF ONCE PER MONTH FOR A PERIOD OF TWELVE (12) MONTHS FROM THE DATE OF ACCEPTANCE.	DELRA RE RE Pr THE K
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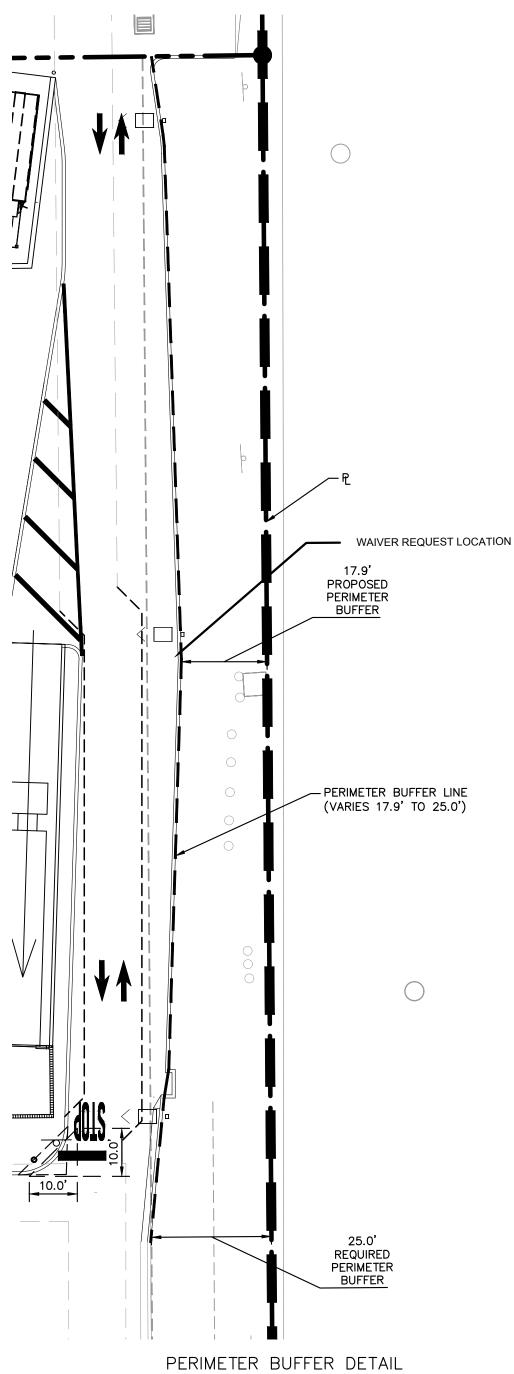
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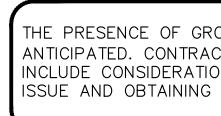


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The Master Development Plan with associated waivers that was approved at the April 20, 2015 Planning and Zoning board and separately at the Site Plan Review and Appearance Board on June 24, 2015 included $\begin{bmatrix} 1 & 0 & 0 & 0 \\ 0 & 0 & 0 & 0 \\ 0 & 0 & 0$	MLR JAW DATE:
calculations for open space and landscape areas used for the approval of Waiver #3 (open space). VEHICLE PARKING USE PARKING RATIO REQUIRED PARKING SHOPPING CENTER 4 SPACES/ 1,000 SF	B ×
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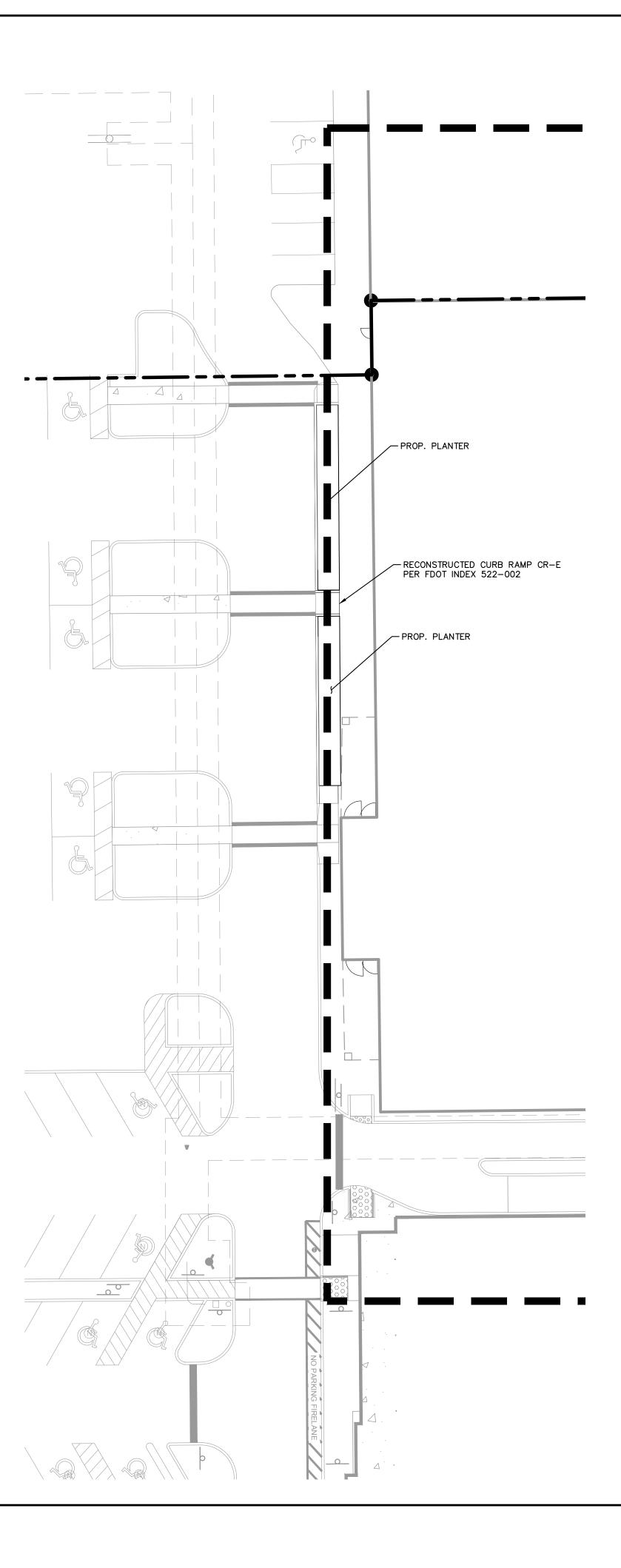








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Kimley *Whorn*

June 29, 2022

Ms. Rachel Falcone City of Delray Beach Planning and Zoning Division Development Services Department 100 NW First Avenue Delray Beach, Florida 33444

RE: Delray Square Hobby Lobby Application No.: 21-00201159; K-H Project No.: 042395001 Justification Statement – Perimeter Buffer Waiver Request

On behalf of the Applicant, Kimley-Horn, is making formal application to the Development Services Department requesting the following:

• Waiver for perimeter buffer [LDR Section 4.4.9(F)(3)(d)(1)(d)]

PROPERTY HISTORY AND SITE CHARACTERISTICS

The subject property, the Delray Square shopping center, consists of approximately 33.65 acres at the northeast corner of the intersection of Atlantic Avenue (SR 806) and Military Trail. The subject property has a Future Land Use (FLU) designation of GC – General Commercial, a Zoning Designation of PC – Planned Commercial, and is located within the Four Corners Overlay District. The overall shopping center has undergone several site plan and Master Development Plan modifications since 2015. This statement has been provided to address the requested waiver of perimeter landscape buffer on the east side of the shopping center at the rear of the existing vacant Retail B building and to provide further background and justification for the request.

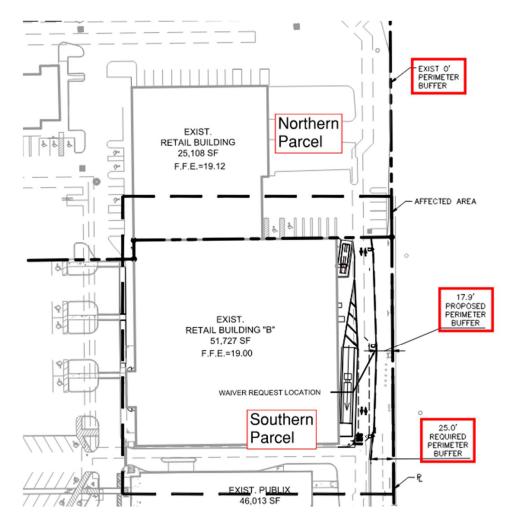
ZONING HISTORY

As noted above, the property has undergone several site plan modifications in the years since the first major site plan modification approval in 2015. The perimeter buffers have been adjusted to meet the code in the past within the redevelopment area and there is a special extenuating circumstance for this small area of the perimeter buffer that requires less than the code-required minimum setback.

Perimeter Buffer Required per LDR Section 4.4.9(F)(3)(d)(1)(d): 25 feet

Prior to the 2015 major redevelopment, there were existing areas of minimal landscape area that were less than the 25-foot buffer required along the east property line within the southern parcel of the Delray Square shopping center (the 2015 redevelopment area). As a part of the 2015 major redevelopment, the redevelopment area was brought to the code-required 25-foot buffer, including the area to the east/rear of the Retail B building. There still exist areas north of the Retail B building, within the northern parcel of the Delray Square shopping center, that still have a 0' landscape buffer for the existing non-conforming parking and drive aisle areas, as shown on the Master Development Plan (Sheet C-400).

Kimley *Whorn*



This request provides for the minimum decrease in perimeter buffer for the area behind the Retail B building that is needed to construct the proposed loading dock. The requested decrease of perimeter buffer is still greater than the existing non-conforming perimeter buffer to the north within the Delray Square shopping center, and greater than the original non-conforming parking areas that were redeveloped in 2015.

NEED FOR THE REQUEST

As part of the 2015 approval, the loading dock needed to be removed for the Retail B building on the eastern side of the property. This was necessary to make the Publix pharmacy drive through functional on the north side of the Publix space, between the Publix and Retail B. At the time of the 2015 approval, a tenant was not identified for the Retail B building (51,727 SF) and the Retail B building has remained vacant since before the 2015 approval. In 2021, a potential tenant, Hobby Lobby was identified for the Retail B building with specific requirements for their loading dock location and configuration on the building, which must be at the rear of the building due to the Publix

pharmacy drive through lane on the south side of Retail B, and the separate ownership of the land immediately on the north side of Retail B. In order to make the truck dock fit on the east side of the building, a waiver for the landscape buffer width is required (this request) and for the further reduction of open space (separate waiver request).

This waiver of the perimeter buffer would have been requested with the original 2015 Master Development Plan modification; however, a tenant had not been identified until 2021 for the Retail B building.

STANDARDS FOR WAIVERS

Requested is a waiver from LDR Section 4.4.9(F)(3)(d)(1)(d) which states:

"A landscape buffer shall be provided around the perimeter of each parcel within the development pursuant to the applicable buffers as listed below in this section. Parking, structures, perimeter roadways, and other paving is not permitted within this buffer except for bicycle paths, sidewalks, jogging trails, and driveways or access streets which provide ingress and egress for traffic and which are generally perpendicular to the buffer. The width of the buffer shall be the smaller distance of either the dimensions below or ten percent of the average depth of the property; however, in no case shall the landscape area be a width of less than ten feet: **When abutting non residentially zoned property: 25 feet**."

The findings required for the granting of partial relief from this section include agreement that granting the proposed waiver:

(A) Shall not adversely affect the neighboring area.

The minimal reduction of the perimeter buffer (17.9 feet minimum provided vs. 25 feet required), for a short distance (approximately 245' of the eastern property line that is less than the required 25-foot buffer) will not create adverse impacts to the neighboring properties or areas. The adjacent property directly to the east at the rear of the Retail B building is an existing office development. More specifically, the area of perimeter buffer reduction is immediately adjacent to a drive aisle and the parking area between two of the office buildings. In addition, the landscaping within the reduced buffer area has been increased above the code-required minimum to provide additional screening of the office development. There are no adverse impacts created by the granting of this waiver. See aerial image with notes below.

(B) Shall not significantly diminish the provision of public facilities.

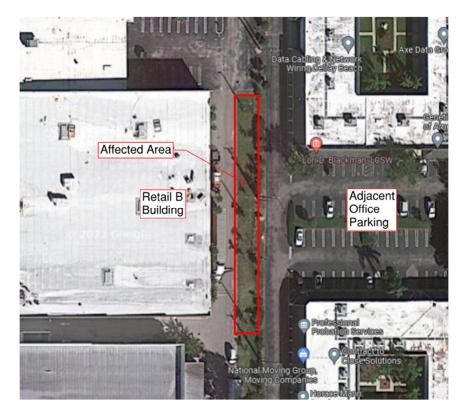
As described above, there are no issues with public facilities. The requested reduction of the perimeter buffer in this rear area does not affect the ability to provide public facilities and the water main relocation has been approved by City Engineering through the site plan review process.

(C) Shall not create an unsafe situation.

The requested reduction of the perimeter buffer does not create an unsafe situation.

(D) Does not result in the granting of a special privilege.

The requested reduction of the perimeter buffer does not grant a special privilege, as any applicant with similar extenuating circumstances can request a waiver of perimeter buffer width.



In closing, we appreciate your review and consideration of this request, please feel free to contact me at (561) 404-7250 or <u>jason.webber@kimley-horn.com</u> should you have any questions.

Sincerely,

r Ull

Jason Webber, P.E. Vice President, Project Manager

June 14, 2022

Ms. Rachel Falcone City of Delray Beach Planning and Zoning Division Development Services Department 100 NW First Avenue Delray Beach, Florida 33444

RE: Delray Square Hobby Lobby Application No.: 21-00201159; K-H Project No.: 042395001 Justification Statement – Open Space Waiver Request

On behalf of the Applicant, Kimley-Horn, is making formal application to the Development Services Department requesting the following:

• Waiver for open space (LDR Section 4.6.2)

PROPERTY HISTORY AND SITE CHARACTERISTICS

The subject property, the Delray Square shopping center, consists of approximately 33.65 acres at the northeast corner of the intersection of Atlantic Avenue (SR 806) and Military Trail. The subject property has a Future Land Use (FLU) designation of GC – General Commercial, a Zoning Designation of PC – Planned Commercial, and is located within the Four Corners Overlay District. The overall shopping center has undergone several site plan and Master Development Plan modifications since 2015. This statement has been provided to address the requested waiver of open space area and to provide further background and justification for the request.

ZONING HISTORY

As noted above, the property has undergone several site plan modifications in the years since the first major site plan modification approval in 2015. In particular, the minimum open space requirement and actual percentages have been updated over those modifications and corrected/changed due to other corrections. A summary of the modifications to the open space is below:

Approvals Pertinent to Open Space Modifications	Approval Date	Open Space Percentage
Existing Conditions Prior to Redevelopment	N/A	14.0%
Delray Square Redevelopment	May 1, 2015	17.0%
Chili's Outparcel (and ROW removal area correction)	February 16, 2018	16.67%
This Request	TBD	16.63%

Open Space Percentage Required per LDR Section 4.4.9(G)(3)(e)(1)(a): 25%

There have been several modifications of the open space over the years, to increase the open space percentage above the original existing conditions to reduce the nonconformity, to correct the total site area (increasing the nonconformity but correcting the total project area and associated percentages). This request provides for a negligible decrease in open space and increase of the nonconformity. With the decrease in open space of this request, the open space provided is still greater than the original existing conditions prior to the 2015 major redevelopment approval, which would have included the same change for the loading dock had a tenant been in play at that time.

NEED FOR THE REQUEST

As part of the 2015 approval, the loading dock needed to be removed for the Retail B building on the eastern side of the property. This was necessary to make the Publix pharmacy drive through functional on the north side of the Publix space, between the Publix and Retail B. At the time of the 2015 approval, a tenant was not identified for the Retail B space (51,727 SF) and the Retail B space has remained vacant since before the 2015 approval. In 2021, a potential tenant, Hobby Lobby was identified for the Retail B space with specific requirements for their loading dock location and configuration on the building, which must be at the rear of the building due to the Publix pharmacy drive through lane on the south side of Retail B, and the separate ownership of the land immediately on the north side of Retail B. In order to make the truck dock fit on the east side of the building, a waiver for the landscape buffer width (separately requested) is required and this waiver request for the further reduction of open space is now required and requested.

This waiver would have been requested with the original 2015 Master Development Plan modification and previous waiver request for the same open space reduction (summarized previously), however, a tenant had not been identified until 2021 for the Retail B space.

STANDARDS FOR WAIVERS

Requested is a waiver from LDR Section 4.4.9(G)(3)(e)(1)(a) which states:

"Land area equal to at least 25 percent of the individual Four Corners Overlay District Master Development Plan (MDP) including the perimeter landscaped boundary, shall be in open space. Water bodies and paved areas shall not be included in the meeting of this 25 percent open space requirement."

The findings required for the granting of partial relief from this section include agreement that granting the proposed waiver:

(A) Shall not adversely affect the neighboring area.

The minimal reduction in open space (746 SF - 0.04% of the overall shopping center area) will not create adverse impacts to the neighboring properties or areas. As noted above, the reduction is necessary due to the addition of a loading dock, which is required to make a large single tenant retail space viable. There are no adverse impacts created by the granting of this waiver.

(B) Shall not significantly diminish the provision of public facilities.

As described above, there are no issues with public facilities. The minor reduction of 746 SF of open space for the approximately 1.45 million SF shopping center is negligible and the open space in the rear of the center is not functional/usable open space for the general public.

(C) Shall not create an unsafe situation.

The requested reduction of the open space does not create an unsafe situation.

(D) Does not result in the granting of a special privilege.

The further reduction of open space does not grant a special privilege, as any applicant with similar extenuating circumstances can request a waiver of open space area.

In closing, we appreciate your review and consideration of this request, please feel free to contact me at (561) 404-7250 or jason.webber@kimley-horn.com should you have any questions.

Sincerely,

par Ull.

Jason Webber, P.E. Vice President, Project Manager

Kimley *Whorn*

June 29, 2022

Ms. Rachel Falcone City of Delray Beach Planning and Zoning Division Development Services Department 100 NW First Avenue Delray Beach, Florida 33444

RE: Delray Square Hobby Lobby Application No.: 21-00201159; K-H Project No.: 042395001 Justification Statement – Perimeter Buffer Waiver Request

On behalf of the Applicant, Kimley-Horn, is making formal application to the Development Services Department requesting the following:

• Waiver for perimeter buffer [LDR Section 4.4.9(F)(3)(d)(1)(d)]

PROPERTY HISTORY AND SITE CHARACTERISTICS

The subject property, the Delray Square shopping center, consists of approximately 33.65 acres at the northeast corner of the intersection of Atlantic Avenue (SR 806) and Military Trail. The subject property has a Future Land Use (FLU) designation of GC – General Commercial, a Zoning Designation of PC – Planned Commercial, and is located within the Four Corners Overlay District. The overall shopping center has undergone several site plan and Master Development Plan modifications since 2015. This statement has been provided to address the requested waiver of perimeter landscape buffer on the east side of the shopping center at the rear of the existing vacant Retail B building and to provide further background and justification for the request.

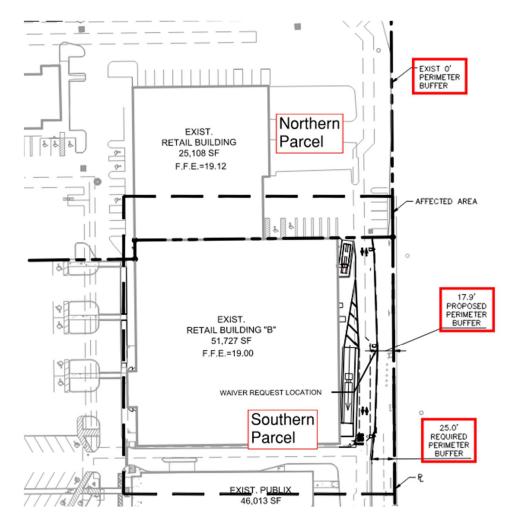
ZONING HISTORY

As noted above, the property has undergone several site plan modifications in the years since the first major site plan modification approval in 2015. The perimeter buffers have been adjusted to meet the code in the past within the redevelopment area and there is a special extenuating circumstance for this small area of the perimeter buffer that requires less than the code-required minimum setback.

Perimeter Buffer Required per LDR Section 4.4.9(F)(3)(d)(1)(d): 25 feet

Prior to the 2015 major redevelopment, there were existing areas of minimal landscape area that were less than the 25-foot buffer required along the east property line within the southern parcel of the Delray Square shopping center (the 2015 redevelopment area). As a part of the 2015 major redevelopment, the redevelopment area was brought to the code-required 25-foot buffer, including the area to the east/rear of the Retail B building. There still exist areas north of the Retail B building, within the northern parcel of the Delray Square shopping center, that still have a 0' landscape buffer for the existing non-conforming parking and drive aisle areas, as shown on the Master Development Plan (Sheet C-400).

Kimley *Whorn*



This request provides for the minimum decrease in perimeter buffer for the area behind the Retail B building that is needed to construct the proposed loading dock. The requested decrease of perimeter buffer is still greater than the existing non-conforming perimeter buffer to the north within the Delray Square shopping center, and greater than the original non-conforming parking areas that were redeveloped in 2015.

NEED FOR THE REQUEST

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This waiver of the perimeter buffer would have been requested with the original 2015 Master Development Plan modification; however, a tenant had not been identified until 2021 for the Retail B building.

STANDARDS FOR WAIVERS

Requested is a waiver from LDR Section 4.4.9(F)(3)(d)(1)(d) which states:

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The findings required for the granting of partial relief from this section include agreement that granting the proposed waiver:

(A) Shall not adversely affect the neighboring area.

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(B) Shall not significantly diminish the provision of public facilities.

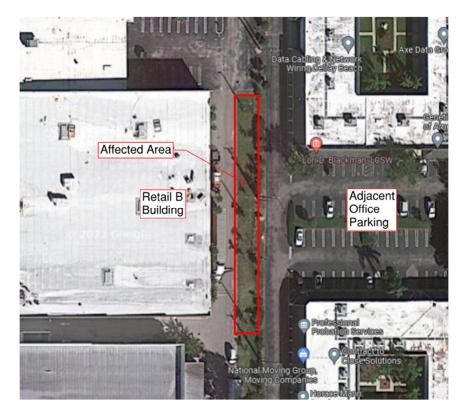
As described above, there are no issues with public facilities. The requested reduction of the perimeter buffer in this rear area does not affect the ability to provide public facilities and the water main relocation has been approved by City Engineering through the site plan review process.

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The requested reduction of the perimeter buffer does not create an unsafe situation.

(D) Does not result in the granting of a special privilege.

The requested reduction of the perimeter buffer does not grant a special privilege, as any applicant with similar extenuating circumstances can request a waiver of perimeter buffer width.



In closing, we appreciate your review and consideration of this request, please feel free to contact me at (561) 404-7250 or <u>jason.webber@kimley-horn.com</u> should you have any questions.

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r Ull

Jason Webber, P.E. Vice President, Project Manager