



Legislation Details (With Text)

File #: 18-449 **Version:** 1 **Name:**

Type: Request **Status:** Passed

File created: 7/3/2018 **In control:** City Commission

On agenda: 8/21/2018 **Final action:** 8/21/2018

Title: ACCEPTANCE OF LANDSCAPE MAINTENANCE AND HOLD HARMLESS AGREEMENTS WITH EDWARDS ATLANTIC AVENUE, LLC, FOR ATLANTIC CROSSING CLASS V SITE PLAN APPROVAL.

Sponsors: Planning & Zoning Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. Mid-Block Access Plan copy (2), 3. Revised Site Plan (February 9, 2016), 4. AC Landscape 5-10-17, 5. Federal Highway Hold Harmless Agreement, 6. federal highway landscape maintenance agreement, 7. north side of Atlantic Avenue hold harmless agreement, 8. north side of Atlantic Avenue landscape maintenance agreement, 9. south side of Atlantic Avenue hold harmless agreement, 10. south side of Atlantic Avenue landscape maintenance agreement

Date	Ver.	Action By	Action	Result
8/21/2018	1	City Commission	approved	

TO: Mayor and Commissioners
FROM: Timothy Stillings, Planning, Zoning and Building Director
THROUGH: Mark R. Lauzier, City Manager
DATE: August 21, 2018

ACCEPTANCE OF LANDSCAPE MAINTENANCE AND HOLD HARMLESS AGREEMENTS WITH EDWARDS ATLANTIC AVENUE, LLC ASSOCIATED WITH THE ATLANTIC CROSSING CLASS V SITE PLAN APPROVAL.

Recommended Action:

Motion to Accept the Landscape Maintenance and Hold Harmless Agreements with Edwards Atlantic Avenue, LLC, to install landscaping materials, construct landscape areas, and perform work in the FDOT right-of-way of East Atlantic Avenue and SE 6th Avenue.

Background:

Atlantic Crossing is located between NE 6th Avenue and Veterans Park and between East Atlantic Avenue and NE 1st Street. The approved landscape plan and site plan included the following work and improvements within the FDOT right-of-way of East Atlantic Avenue and SE 6th Avenue:

South Side of East Atlantic Avenue:

- Acceptance of a Landscape Maintenance Agreement and a Hold Harmless Agreement for the construction of landscape islands and the installation of landscaping and irrigation system within the right-of-way as shown on the plans.

North Side of East Atlantic Avenue:

- Acceptance of a Landscape Maintenance Agreement for the construction of a landscape strip between the curb and sidewalk, and installation of landscaping and irrigation system within the right-of-way as shown on the plans.
- Acceptance of a Hold Harmless Agreement for the relocation of two sewer lines and the landscape improvements associated with the Landscape Maintenance Agreement within the right-of-way as shown on the plans.

East Side of NE 6th Avenue:

- Acceptance of a Landscape Maintenance Agreement and a Hold Harmless Agreement for the construction of landscape islands and the installation of landscaping and irrigation system within the right-of-way as shown on the plans.

The proposed work and improvements within the right-of-way of East Atlantic Avenue and SE 6th Avenue are associated with the site plan approval for Atlantic Crossing. The required agreements must be accepted by the City Commission and recorded with the Palm Beach County Clerk's Office prior to issuance of associated vertical construction permits.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

Timing of Request:

Approval of associated vertical construction permits is dependent on the acceptance of this item.