



## Legislation Details (With Text)

**File #:** 19-580      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Passed  
**File created:** 5/15/2019      **In control:** City Commission  
**On agenda:** 6/4/2019      **Final action:** 6/4/2019  
**Title:** LANDSCAPE MAINTENANCE AGREEMENT FOR THE PROJECT "TOWNHOMES AT 214 4TH" LOCATED AT 214 NE 4TH STREET  
**Sponsors:** Development Services Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Agenda Cover Report, 2. Townhomes at 214 4th Location Map, 3. Townhomes at 214 4th Landscape Maintenance Agreement, 4. Townhomes at 214 4th Simple Legal Review -LMA, 5. Townhomes at 214 4th Landscape Plan, 6. Townhomes at 214 4th Site Plan

Date	Ver.	Action By	Action	Result
6/4/2019	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Development Services Department  
**THROUGH:** Neal de Jesus, Interim City Manager  
**DATE:** June 4, 2019

LANDSCAPE MAINTENANCE AGREEMENT FOR THE PROJECT "TOWNHOMES AT 214 4TH" LOCATED AT 214 NE 4TH STREET

### **Recommended Action:**

Accept the Landscape Maintenance Agreement for the project "Townhomes at 214 4th" located at 214 NE 4th Street.

### **Background:**

The 0.33 acre property is located at 214 NE 4th Street which is the southwest corner of the intersection of NE 4th Street and NE 3rd Avenue, also known as lots 27 and 28 of Subdivision of Block 81 according to the plat thereof, as recorded in Plat Book 11, Page 32 of the Public Records of Palm Beach County Florida. The site is in the Central Business District (CBD) Zoning District in the Railroad Corridor Sub-district and has a Future Land Use Map (FLUM) designation of Central Core (CC).

On March 13, 2019, the Site Plan Review and Appearance Board (SPRAB) approved a Class V Site Plan, Landscape Plan, and Architectural Elevations associated with a development to construct five townhouses. Per LDR Section 4.4.13(E)(2)(b), street trees are required to be planted in the public right-of-way directly in front of the property line uniformly spaced no greater than 30 feet on center. The applicant has proposed street trees within the rights-of-way of NE 4th Street and NE 3rd Avenue to meet the CBD street tree requirements, therefore, a Landscape Maintenance Agreement is required.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

The agreement must be recorded prior to the issuance of a building permit.