TOWN OF LANTANA

Town Hall
500 Greynolds Circle
Lantana FL 33462

Regular Meeting
August 14, 2023 - 6:00 p.m.

For information regarding the procedures for public participation during a Town Council meeting, please refer to the end of this agenda.

***THIS TOWN COUNCIL MEETING CAN BE ACCESSED ONLINE FOR LISTENING PURPOSES ONLY. PLEASE SEE THE LAST PAGE FOR DETAILS.**

1. **ROLL CALL, MOMENT OF SILENT PRAYER, PLEDGE OF ALLEGIANCE.**
   Karen Lythgoe, Mayor ____
   Lynn J Moorhouse, D.D.S., Vice Mayor ____
   Mark Zeitler, Vice Mayor Pro Tem ____
   Christopher Castle, Councilmember ____
   Kem Mason, Councilmember ____

   LANTANA STAFF: Brian K. Raducci, Town Manager; R. Max Lohman, Town Attorney; and Kathleen Dominguez, CMC, Town Clerk

2. **AGENDA APPROVAL:**
   - **a.** Additions, substitutions, deletions.
   - **b.** Agenda Approval.

3. **STAFF AND COMMITTEE REPORTS:**
   - **a.** Town Council
   - **b.** Town Manager

4. **SPECIAL PRESENTATIONS:**
   - **a.** None.

5. **APPROVAL OF THE CONSENT AGENDA:**
   - **a.** Minutes of the Regular Town Council Meeting of July 24, 2023.

6. **ORDINANCES AND RESOLUTIONS:**
   - **a.** Consideration of Ordinance O-03-2023 Amending Chapter 7.5. Finance of the Town Code of Ordinances in order to revise certain purchasing thresholds, and other miscellaneous purchasing requirements. **REMARKS: SECOND READING**

b. Consideration of Ordinance O-07-2023, adding language to Chapter 17, Streets, Sidewalks and Other Public Places, clarifying when the Town will impose conditions of approvals related to right of way dedications by Palm Beach County. **REMARKS: SECOND READING**

c. Consideration of Ordinance No. O-08-2023, by amending section 23-103-MW waterfront mixed use development district, to modify the allowable density and certain general building requirements.

d. Consideration of Resolution No. R-04-2023, adopting a non-ad valorem assessment roll for Solid Waste and Recyclables Collection.

7. QUASI-JUDICIAL HEARINGS:

a. Consideration of a request to amend a previously approved Special Exception in accordance with Section 23-75 and Section 23-101(d)(12) of the Town of Lantana Code of Ordinances for the commercial portion of the Water Tower Commons Planned Mixed Use Development (PMXD), to accommodate modifications to the commercial site plan at 1001 W Lantana Rd (Case #: SE23-0001). Remarks: Companion Items 7b & 7c

b. Consideration of a request to amend a previously approved Site Plan in accordance with Section 23-47 of the Town of Lantana Code of Ordinances for the commercial portion of the Water Tower Commons Planned Mixed Use Development (PMXD), to accommodate modifications to the commercial site plan at 1001 W. Lantana Rd (Case # SP23-0001). Remarks: Companion items 7a and 7c

c. Consideration of a request to amend a previously approved Landscape Plan in accordance with Section 10.5-22 of the Town of Lantana Code of Ordinances for the commercial portion of the Water Town Commons Planned Mixed Use Development (PMXD), to accommodate modifications to the commercial site plan at 1001 W Lantana Rd (Case # LP23-0006). Remarks: Companion items 7a and 7b

d. Consideration of four (4) variances from Sec. 23-134 of the Town Code of Ordinances for the property located at 230 Sunrise Avenue in the R15 - Residential Zoning District. (Case #'s: VAR23-0018, VAR23-0019, VAR23-0020, and VAR23-0021).

8. MISCELLANEOUS:

a. Consideration of CSA No. 2023-05 with Baxter & Woodman, Inc. authorizing engineering services in the amount of $109,592.00 to perform a Sea Level Rise Assessment and Ocean Avenue Vulnerability Assessment.

b. Consideration of an Interlocal Agreement with the City of Lake Worth Beach for an emergency use watermain interconnection at a cost not to exceed $60,000.00.

9. PUBLIC COMMENTS:

10. FUTURE EVENTS/IMPORTANT DATES (subject to change):

- August 17, 2023 – Special Magistrate Hearing, Town Hall Council Chambers, 5:30 p.m.
- August 24, 2023 - Special Town Council Meeting, Town Hall Council Chambers, 5:30 p.m.
- September 04, 2023 – Town Offices are Closed in Observance of Labor Day
- September 11, 2023 – First Public Budget Hearing, Town Hall Council Chambers, 5:30 p.m.
- September 11, 2023 – Town Council Meeting, Town Hall Council Chambers, 6:00 p.m.
- September 20, 2023 – Second Public Budget Hearing, Town Hall Council Chambers, 5:30 p.m.
- September 21, 2023 – Special Magistrate Hearing, Town Hall Council Chambers, 5:30

p.m.

- October 9, 2023 – Town Council Meeting, Town Hall Council Chambers, 6:00 p.m.
- October 19, 2023 – Special Magistrate Hearing, Town Hall Council Chambers, 5:30 p.m.
- October 23, 2023 – Town Council Meeting, Town Hall Council Chambers, 6:00 p.m.
- October 27, 2023 – Haunted Nature Preserve, 440 E Ocean Ave, 6:30 p.m. – 9:00 p.m.

11. COUNCIL COMMENTS:

12. ADJOURNMENT.

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Any citizen is entitled to be heard on an official agenda item when the Town Council calls for public comment **OR** any matter not on the agenda under the "Public Comments" section. Citizens desiring to address the Town Council shall step up to the microphone at the podium, state their name and address in an audible voice for the record, and, unless the Chair grants additional time, shall limit their address to three (3) minutes. Citizens who wish to address the Council **MUST** complete a blue public comment card and present it to the Town Clerk before the item is discussed and wait for the Mayor to announce when it is their turn to speak. Likewise, if the public wishes to speak on a matter on the consent agenda, they must complete a blue card and present it to the Town Clerk before the start of the meeting.

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TOWN OF LANTANA

Town Council Meeting Minutes
July 24, 2023

1. ROLL CALL, MOMENT OF SILENT PRAYER, PLEDGE OF ALLEGIANCE.

Mayor Lythgoe called the regular Town Council meeting to order at 6:00 p.m. in the Council Chambers. All elected officials were in attendance on roll call, and a quorum was present.

Mayor Lythgoe led a moment of silent prayer followed by the pledge of allegiance.

2. AGENDA APPROVAL:

a. Additions, substitutions, deletions.
b. Agenda Approval.

Motion: Councilmember Mason made a motion to approve the agenda, as submitted. Councilmember Castle seconded the motion. Motion passed 5-0.

3. STAFF AND COMMITTEE REPORTS:

a. Town Council

Mayor Lythgoe asked the staff to share the notification she received from Palm Beach County Commissioner Maria Sachs about the County's Department of Housing and Economic Development (HED) Owner-Occupied Housing Rehabilitation Program assistance for residents 62 and older, veterans, and special needs applicants starting August 21st and ending on September 25th.

Development Services Director, Nicole Dritz, thanked Mayor Lythgoe for notifying her of this program and agreed to circulate the information. She also said that the Town unfortunately, has no way to track the eligible residents and notify them of the program, in response to questions.

b. Town Manager

Town Manager Raducci announced the Town was awarded funding for the seawall replacement at the Lantana Municipal Beach Park for $900,000 and the Beach Curve project on Hypoluxo Island for $711,000, which the Town will match. He also reported that the Town of Palm Beach wants to hold off on the dune restoration project for the south end until November 2024 due to the number of capital improvement projects around the island of Palm Beach.

Town Manager Raducci stated that the funding from the grant award will also go towards the overall drainage improvement project for Hypoluxo Island in response to questions.

Finally, he brought up the request from the City of Atlantis of the Town of Lantana to write a letter of support of the City's efforts to seek a legislative resolution on safety issues at the Lantana Airport since the Federal Aviation Administration's decision to prohibit jet traffic no longer. He asked the Town Council if they would consider approving the Town to write a letter in support and have the Mayor sign it.

It was the consensus of the Town Council to approve the City of Atlantis's request to write a letter of support as referenced above.

Town Attorney Lohman opined on the Interlocal Agreements for the dune restoration project and how it impacts FEMA reimbursement and the Town's planned beach projects in response to a question from Councilmember Mason.

Town Manager Raducci stated that the Town must complete specific projects before and after the dune restoration project, and the Town can move some of those projects up on the list in response to a question from Mayor Lythgoe.

Councilmember Mason requested the staff to look into whether the Town would be eligible for FEMA reimbursements at the beach without the Dune Restoration agreements.

Vice Mayor Moorhouse spoke about the need for an elevator lift for individuals who use wheelchairs to access the beach instead of a ramp, so we aren't relying on the sand placement.

4. SPECIAL PRESENTATIONS:

a. None

5. APPROVAL OF THE CONSENT AGENDA:

a. Minutes of the Budget Workshop Meeting of July 10, 2023.
b. Minutes of the Town Council Meeting of July 10, 2023.

Motion: Vice Mayor Moorhouse made a motion to approve the consent agenda, as submitted. Councilmember Mason seconded the motion. Motion passed 5-0.

6. ORDINANCES AND RESOLUTIONS:

a. Consideration of Ordinance O-05-2023, a text amendment to Chapter 23 – Zoning., to revise the definition of "Solar Energy System, Large Scale" and to allow "Solar Energy System, Large Scale" as an accessory use in certain zoning districts. **REMARKS: SECOND READING**

Mayor Lythgoe introduced the agenda item.

Town Attorney Lohman read the ordinance title into the record.

ORDINANCE NO. O-05-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 23 ZONING, BY AMENDING SECTION 23-1 – DEFINITION OF TERMS. TO MODIFY THE DEFINITION FOR "SOLAR

ENERGY SYSTEM, LARGE SCALE"; BY AMENDING SECTION 23-95 – R15 RESIDENTIAL DISTRICT. TO ALLOW "SOLAR ENERGY SYSTEM, LARGE SCALE" AS AN ACCESSORY USE; BY AMENDING SECTION 23-96 – C1 COMMERCIAL DISTRICT. TO ALLOW "SOLAR ENERGY SYSTEM, LARGE SCALE" AS AN ACCESSORY USE; BY AMENDING SECTION 23-97 – C2 COMMERCIAL DISTRICT. TO ALLOW "SOLAR ENERGY SYSTEM, LARGE SCALE" AS AN ACCESSORY USE; BY AMENDING SECTION 23-98 – I INDUSTIAL DISTRICT. TO ALLOW "SOLAR ENERGY SYSTEM, LARGE SCALE" AS AN ACCESSORY USE; BY AMENDING SECTION 23-98.5 – I/F FLEXIBLE INDUSTIAL DISTRICT. TO ALLOW "SOLAR ENERGY SYSTEM, LARGE SCALE" AS AN ACCESSORY USE; BY AMENDING SECTION 23-100 – PUBLIC OWNERSHIP DISTRICT. TO ALLOW "SOLAR ENERGY SYSTEM, LARGE SCALE" AS AN ACCESSORY USE; BY AMENDING SECTION 23-101 – MXD MIXED USE DEVELOPMENT DISTRICT. TO ALLOW "SOLAR ENERGY SYSTEM, LARGE SCALE" AS AN ACCESSORY USE; BY AMENDING SECTION 23-102 – MI MIXED USE INDUSTRIAL DISTRICT. TO ALLOW "SOLAR ENERGY SYSTEM, LARGE SCALE" AS AN ACCESSORY USE; BY AMENDING SECTION 23-103 – MW WATERFRONT MIXED USE DISTRICT. TO ALLOW "SOLAR ENERGY SYSTEM, LARGE SCALE" AS AN ACCESSORY USE; PROVIDING THAT THE REMAINDER OF CHAPTER 23 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Nicole Dritz, Development Services Director, summarized the applicant's request and the recommendation from the Planning Commission. She stated that the proposed language is an industry-standard, and the applicant requested the kilowatt size limitation in response to a question from Councilmember Mason.

There was no public comment.

There was no discussion from the Councilmembers.

Motion: Councilmember Mason made a motion to adopt Ordinance No. O-05-2023 on second reading. Vice Mayor Pro Tem Zeitler seconded the motion. Motion passed 5-0.

b. Consideration of Ordinance O-03-2023 Amending Chapter 7.5. Finance of the Town Code of Ordinances in order to revise certain purchasing thresholds, and other miscellaneous purchasing requirements. **REMARKS: FIRST READING**

Mayor Lythgoe introduced the agenda item.

Town Attorney Lohman read the ordinance title into the record.

ORDINANCE NO. O-03-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 7.5. FINANCE. AT ARTICLE II. PURCHASING GUIDELINES. BY REPEALING SECTIONS 7.5-25 – 7.5-28, 7.5-30, 7.5-33, and 7.5-43 AND READOPTING SAME, AS REVISED AND WITH REVISED TITLES IN ORDER TO REVISE CERTAIN PURCHASING THRESHOLDS AND PROCUREMENT

REQUIREMENTS; PROVIDING THAT THE REMAINDER OF CHAPTER 7.5 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Stephen Kaplan, Finance Director, summarized the proposed ordinance and answered questions from the Councilmembers.

There was no public comment.

There was no discussion from the Councilmembers.

Motion: Councilmember Castle made a motion to adopt Ordinance No. O-03-2023 on first reading. Vice Mayor Moorhouse seconded the motion. Motion passed 5-0.

c. Consideration of Ordinance O-07-2023, adding language to Chapter 17, Streets, Sidewalks and Other Public Places, clarifying when the Town will impose conditions of approvals related to right of way dedications by Palm Beach County. **REMARKS: FIRST READING**

Mayor Lythgoe introduced the agenda item.

Town Attorney Lohman read the ordinance title into the record.

ORDINANCE NO. O-07-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 17. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES. BY ADOPTING NEW SECTION 17-5. TO BE ENTITLED "PROHIBITED CONDITION OF APPROVAL RELATED TO RIGHT OF WAY DEDICATION" IN ORDER TO PROHIBIT THE INCLUSION OF CERTAIN CONDITIONS OF APPROVAL IN TOWN ISSUED DEVELOPMENT ORDERS; PROVIDING THAT THE REMAINDER OF CHAPTER 17 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Town Attorney Lohman provided a historical background, summarized the proposed ordinance, clarified the dual-rational nexus process, and answered questions from the Councilmembers.

There was no public comment.

A discussion ensued among the Councilmembers.

Motion: Vice Mayor Moorhouse made a motion to adopt Ordinance No. O-07-2023 on first reading. Vice Mayor Pro Tem Zeitler seconded the motion. Motion passed 5-0.

7. QUASI-JUDICIAL HEARINGS:

a. Consideration of a variance request from Sec. 23-92(e) of the Town Code of Ordinances for the property located at 434 South Atlantic Drive in the R1A – Residential Zoning District. (Case #: VAR23-0016).

Mayor Lythgoe introduced the agenda item, explained quasi-judicial procedures, and asked for disclosures.

Town Attorney Lohman swore in nine (9) individuals.

Each Councilmember disclosed they spoke with Town Manager Raducci.

Nicole Dritz, Development Services Director, summarized the variance request and the Planning Commission's recommendation.

Laurence Kenyon, Property Owner and Applicant, 961 South Atlantic Dr., Lantana, FL 33462, presented the variance request to allow a minimum 5.5-foot side setback to place ground-mounted mechanical equipment (HVAC) in the Southern side setback area, where the Town Code requires a minimum of 10 feet. He reviewed the site and answered questions from the Councilmembers.

There were no public comments.

There was no discussion among the Councilmembers.

Motion: Vice Mayor Moorhouse made a motion to approve VAR23-0016 for the property located at 434 South Atlantic Drive. Councilmember Castle seconded the motion. Motion passed 5-0.

b. Consideration of a variance request from Sec. 23-134(a)(2) of the Town Code of Ordinances for the property located at 1177 Lands End Road in the R1A – Residential Zoning District. (Case #: VAR23-0013).

Mayor Lythgoe introduced the agenda item and asked for disclosures.

Vice Mayor Moorhouse and Mayor Lythgoe disclosed he spoke with Town Manager Raducci and neighbor Dan Hiatt. Councilmembers Castle and Mason spoke with Town Manager Raducci. Vice Mayor Pro Tem Zeitler disclosed he spoke with Lyn Tate and Dan Hiatt and attended the Planning Commission meeting when this item was presented and discussed by the members.

Nicole Dritz, Development Services Director, summarized the variance and the Planning Commission's recommendation and answered questions from the Councilmembers.

Fernando Mondal, Marine Contractor for Boatlifts and Docks of South 7073 NW 31st Ave., Pompano Beach, FL., 33064, presented the variance request to allow an existing 122.3-foot-long dock length, where a maximum 100-foot length is permitted so that the Property Owner can install a boat lift on their property. He answered questions from the Councilmembers about the project.

Dylan Brandenburg, Attorney, Davis and Associates P.A., 701 Northpoint Parkway, Suite 205 West Palm Beach, Florida 33407, spoke on behalf of the applicant. He provided historical background of the property and provided the justification for the variance. Finally, he answered questions from the Councilmembers.

The following individuals from the public spoke in opposition to the project:
Laurence Kenyon, 961 S. Atlantic Dr., Lantana, FL 33462
Ira Cohen, 961 Lands End Rd., Lantana, FL 33462
Daniel Hiatt, 1099 Lands End Rd., Lantana, FL 33462
Michelle Donahue, 306 S. Atlantic Dr., Lantana, FL 33462
Joan Appel, 321 S. Atlantic Dr., Lantana, FL 33462
Media Beverly, 1424 S. Atlantic Dr., Lantana FL 33462

A discussion ensued among the Councilmembers.

Motion: Vice Mayor Moorhouse made a motion to disapprove VAR23-0013 for the property located at 1177 Lands End Road on the condition that it is illegal and has been permitted illegally, and also, there was likely some altering in the first permit as far as the length of the dock and such, and there is no hardship. Vice Mayor Pro Tem Zeitler seconded the motion. Motion passed 5-0.

8. MISCELLANEOUS:

a. Consideration of approval of the Townwide Master Plan.

Mayor Lythgoe introduced the agenda item.

Nicole Dritz, Director of Development Services, summarized the steps taken to create the Townwide Master Plan.

The following individual provided public comment:
Media Beverly, 1424 S. Atlantic Dr., Lantana, FL 33462

A discussion ensued among the Councilmembers.

Motion: Vice Mayor Pro Tem Zeitler made a motion to approve the Townwide Master Plan. Councilmember Mason seconded the motion. Motion passed 5-0.

b. Consideration of CSA No. 2023-04 with Baxter & Woodman, Inc. authorizing engineering services in the amount of $174,103.29 for the Water Treatment Plant Resin Replacement & Improvements General Construction Services.

Mayor Lythgoe introduced the agenda item.

Eddie Crockett, Director of Public Services, provided an overview and answered questions from the Councilmembers.

Richard M. Chipman, Baxter and Woodman, provided the project timeline and answered questions from the Councilmembers.

There was no public comment.

There was no discussion among the Councilmembers.

Motion: Vice Mayor Pro Tem Zeitler made a motion to approve CSA No. 2023-04 with Baxter & Woodman, Inc. authorizing engineering services in the amount of $174,103.29 for the general construction services during the construction of the proposed improvements and to authorize the Town Manager to

execute the CSA and any amendments thereto. Councilmember Mason seconded the motion. Motion passed 5-0.

c. Consideration of CSA No. 2023-04 and CSA No. 2023-05 with Kimley-Horn and Associates, Inc. authorizing engineering services in the amount of $156,300.00 for assistance with the conversion of the current sanitary and stormwater infrastructure record data into standardized electronic geodatabase formats.

Mayor Lythgoe introduced the agenda item.

Eddie Crockett, Director of Public Services, provided an overview of the services and the need for an asset management program and answered questions from the Councilmembers.

Kaitlin Townsend, Kimley-Horn and Associates, provided more details on the project and the construction of the map, and answered questions from the Councilmembers.

There was no public comment.

A discussion ensued among the Councilmembers.

Motion: Councilmember Mason made a motion to approve CSA No. 2023-04 and CSA No. 2023-05 with Kimley – Horn Associates Inc. for engineering services related to converting the Town's sanitary and stormwater infrastructure record data into a standardized electronic geodatabase format in the amount of $156,300.00 and to authorize the Town Manager to execute the CSA(s) and any amendments thereto. Vice Mayor Moorhouse seconded the motion. Motion passed 5-0.

d. Consideration of authorizing the purchase of a Fairbanks Nijhuis 30hp 880rpm 3ph 230v pump motor assembly with impeller from Barney's Pumps Inc. for the Town's master lift station #1 in an amount not to exceed $48,150.00.

Mayor Lythgoe introduced the agenda item.

Eddie Crockett, Director of Public Services, provided an overview of the project and answered questions from the Councilmembers.

Director Crockett stated that the pumps could alternate, provided the history and age of the pumps, the lead time, and that staff can purchase another replacement pump if the funding is available, in response to questions from the Councilmembers.
There was no public comment.

A discussion ensued among the Councilmembers.

Motion: Vice Mayor Moorhouse made a motion to approve the purchase of one (1) Fairbanks Nijhuis 30hp 880rpm 3ph 230v pump motor assembly with impeller from Barney's Pumps Inc. for the Town's master lift station #1 in an amount not to exceed $48,150.00 and to authorize the Town Manager to execute the agreement and any amendments thereto. Councilmember Castle seconded the motion. Motion passed 5-0.

9. PUBLIC COMMENTS:

Rachel St. Louis, 1435 W. Perry St., Lantana, FL 33462, commented on the library renovation and how much she loves it and wishes it was open on the weekends or Saturdays at the least.

Renata Bee, 816 Ridge Rd., Lantana, FL, 33462, complained about lewd and lascivious conduct taking place in front of her property, and that she wants the police to do more about it.

Sean Scheller, Chief of Police, stated that he and his officers had been there many times to scope the activity in unmarked cars, and the actions Ms. Bee referenced above isn't happening anywhere near her property or street as far as they could see. He said they would continue looking into it and asked Ms. Bee to call the next time she sees it happening.

10. FUTURE EVENTS/IMPORTANT DATES (subject to change):

Mayor Lythgoe announced future agenda items, important dates and upcoming events.

11. COUNCIL COMMENTS:

There were no council comments.

12. ADJOURNMENT.

The motion was made and carried unanimously. There being no further discussion, the meeting adjourned at 8:06 p.m.

_____
Mayor Karen Lythgoe

ATTEST:

_____
Kathleen Dominguez, CMC, Town Clerk

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 6a

PREPARED BY: Stephen Kaplan, Finance Director

REVIEWED BY: Brian K. Raducci, Town Manager

MEETING DATE: August 14, 2023

AGENDA ITEM: Consideration of Ordinance O-03-2023 Amending Chapter 7.5. Finance of the Town Code of Ordinances in order to revise certain purchasing thresholds, and other miscellaneous purchasing requirements. **REMARKS: SECOND READING**

ISSUE/BACKGROUND:

The Town staff periodically reviews the Town Code of Ordinances based on issues that arise through the course of implementing the Code. After a recent review, staff is recommending to modify the Code to reflect certain increases in purchasing authority. Additionally, at the public "Visioning Session" that was held on 04/21/2023, staff discussed the challenges of being able to obtain quotes and increased pricing due to the current inflationary environment. The Code was originally established in 2006 with updates in 2007 and 2021. The Ordinance includes the following changes:

- Increase Department Head purchasing authority to from $1,500.00 to $5,000.00
- Increase Town Manager's *and* Finance Director's individual purchasing authority from $10,000.00 to $15,000.00
- Increase the requirement to obtain the Town Council's approval of emergency purchases from $15,000.00 to $25,000.00
- Increase the requirement of a second signature by the mayor or a member of the council on checks from $15,000.00 to $25,000.00.

The Town Council reviewed this ordinance at their July 24, 2023, meeting and approved it on first reading with a 5-0 vote.

ATTACHMENT(S):

1. 6a Ord-O-03-2023 Chapter 7.5 - Finance - Purchasing Policies - R.docx

SAMPLE MOTION:

I move to (approve) (disapprove) Ordinance No. O-03-2023 on second reading.

ORDINANCE NO. O-03-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 7.5. FINANCE. AT ARTICLE II. PURCHASING GUIDELINES. BY REPEALING SECTIONS 7.5-25 – 7.5-28, 7.5-30, 7.5-33, and 7.5-43 AND READOPTING SAME, AS REVISED AND WITH REVISED TITLES IN ORDER TO REVISE CERTAIN PURCHASING THRESHOLDS AND PROCUREMENT REQUIREMENTS; PROVIDING THAT THE REMAINDER OF CHAPTER 7.5 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Council of the Town of Lantana has determined pursuant that due to the effects of inflation and other economic considerations, it is appropriate to adjust certain purchasing thresholds; and

WHEREAS, the Town Council deems approval of this Ordinance to be in the best interest of the health, safety, and welfare of the residents and citizens of the Town of Lantana and the public at large.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA:

SECTION 1: Chapter 7.5. Finance. of the Code of Ordinances of the Town of Lantana is hereby amended at Article II. – Purchasing Guidelines. by repealing Sections 7.5-25 – 7.5-28, 7.5-30, 7.5-33, and 7.5-43 and readopting same, as revised; providing that Article II shall hereafter read as follows:

ARTICLE II. – PURCHASING GUIDELINES

Sec. 7.5-25. - Purchases over ~~from five~~ ten thousand dollars (~~$5,000.00~~ $10,000.00) and up to twenty-five thousand dollars ($25,000.00); purchases over twenty-five thousand dollars ($25,000.00).

Purchases over ~~from five~~ ten thousand dollars (~~$5,000.00~~ $10,000.00) up to ~~ten~~ fifteen thousand dollars (~~$10,000.00~~ $15,000.00) require the approval of the town manager or the finance director or their designee. Purchases over ~~from ten~~ fifteen thousand dollars (~~$10,000.00~~ $15,000.00) and up to twenty-five thousand dollars ($25,000.00) require the approval of the town manager and the finance director or ~~the finance director's~~ their designees. Purchases over twenty-five thousand dollars ($25,000.00) require the approval of the town council either by inclusion in the adopted fiscal year budget, by resolution and budget transfer/amendment to appropriate the funds, or by specific approval at a regular or special town council meeting, with the exception of those items listed in section 7.5-30(a),(b), ~~and~~(d)-(h), and (k). Items listed at section 7.5-30(c) "piggy-back bids", (i) "sole source" (j) "services involving special skill", (k) "legal services", and (l) "emergency purchases" are exempt from bidding but, must still be approved by the town council if over twenty-five thousand dollars ($25,000.00), except subsection (k). The requesting department director or designee must have obtained three (3) written price quotations before proceeding with the approval process. However, if Town staff are unable to obtain at least three (3) written price quotations due to vendor disinterest or

non-responsiveness, documentation of contact shall be provided to the Finance Department and the lowest of the remaining written quotations shall be acceptable. After receiving town council approval, if required, the requesting department director or designee shall be responsible to follow the purchase order procedures contained in this chapter.

Sec. 7.5-26. - Purchases over ~~from two thousand, five hundred dollars ($2,500.00) and up to five thousand dollars ($5,000.00)~~ five thousand dollars ($5,000.00) and up to ten thousand ($10,000.00).

In addition to the requirements in section 7.5-28, below, purchases ~~of two thousand, five hundred dollars ($2,500.00) and up to five thousand dollars ($5,000.00)~~ over five thousand dollars ($5,000.00) and up to ten thousand ($10,000.00) must have three (3) written price quotations and written authorization of the finance director, or designee in the form of a purchase order. The quotations must be forwarded to the finance department prior to approval of the purchase order. However, if Town staff are unable to obtain at least three (3) written price quotations due vendor disinterest or non-responsiveness, documentation of contact shall be provided to the Finance Department and the lowest of the remaining written quotations shall be acceptable.

Sec. 7.5-27. – Reserved. ~~Purchases from one thousand five hundred dollars ($1,500.00) and up to two thousand five hundred ($2,500.00).~~

~~In addition to the requirements in section 7.5-28, below, purchases of one thousand five hundred dollars ($1,500.00) and up to two thousand five hundred dollars ($2,500.00) must have three (3) quotes, which may be verbal, and written authorization of the finance director in the form of a purchase order. Documentation of the phone number and the name of the person who provided the quote must be provided on the purchase requisition.~~ Reserved.

Sec. 7.5-28. - Purchases ~~less than~~ up to ~~one thousand five hundred dollars ($1,500.00)~~ five thousand dollars ($5,000.00).

Department directors have authorization to purchase goods and services which are ~~less than~~ up to ~~one thousand five hundred dollars ($1,500.00)~~ five thousand dollars ($5,000.00), for a single purchase, subject to a valid, current appropriation for the item(s) to be purchased. Payment for the goods and services shall be made using a purchase order when applicable, check request form or purchasing card, up to authorized limits, for purchases ~~less than~~ up to ~~one thousand dollars ($1,000.00); between one thousand dollars ($1,000.00) and one thousand five hundred dollars ($1,500.00), a purchase order will be utilized in order to procure goods and/or services~~ five thousand dollars ($5,000.00), unless the item is a capital asset. All purchases of capital assets require a purchase order with the exception of ancillary purchases that make up the capital asset and cost less than one thousand dollars ($1,000.00). The procurement requirements shall not be artificially divided so as to constitute a small purchase.

Sec. 7.5-29. (This section shall remain in full force and effect as previously enacted.)

Sec. 7.5-30. - Exempt purchases.

The following purchases do not require sealed bidding, or requests for proposals, due to the nature of the goods or service, but may require approval by the town council depending on the amount of the expenditure. These include, but are not limited to the following:

(a) Payment of utility bills for normal monthly service such as Florida Power & Light (electric), BellSouth/AT&T, Mitel, phone service/lines, Lake Worth Utilities (wastewater treatment), Solid Waste Authority (solid waste disposal fees), and any other utility service.

(b) Payment of payroll related deductions or liabilities, such as FICA/Medicare, federal withholding taxes, pension contributions, banks (direct deposit), U.S. Savings Bonds, IRS and child support and court ordered garnishments.

(c) Piggy-back bids. If the goods or services to be purchased have been approved by the town manager and the funds necessary to purchase the goods or services are available in the annual budget, the user department may "piggyback" any currently authorized public agency bid of any federal, state or municipal government entity or agency. Piggy-back contracts may also be used when such bid has been obtained by a government agency cooperative, whether national, regional, or local. The purchase order for these goods must refer to the current public agency bid number and the goods must have the same specifications as those in the bid documents. A copy of the contract must be provided to the finance department before the purchase order can be approved.

(d) Payment to service providers needed to maintain the town operations such as plumbers, electricians, temporary employment services, computer consultants, or air conditioning service. (This should only pertain to emergencies, not routine maintenance and does not include the replacement of major capital equipment or components).

(e) Payment of subscriptions, memberships, dues, and education, travel expenses.

(f) Payment of insurance billings, postage, and postage meter permits.

(g) Payment of authorized debt service.

(h) Payment of authorized donations, or scholarships.

(i) Sole source. Goods or services when determined in writing that there is only one (1) source or one (1) reasonable source for the required supply, service, or construction.

(j) Services involving special skill, ability, training or expertise which are in their nature unique, original or creative.

(k) Legal services including paralegals, expert witnesses, appraisal services, investigative services, court reporters, etc.

(l) Repairs to vehicles, heavy equipment, and trucks, where the cost of such repairs is less than ten thousand dollars ($10,000.00) and where the repair estimate is difficult to obtain due to the complexity of the circumstance. Therefore, by October 31 of each year, the vehicle maintenance division shall provide to the finance director three (3) quotes for labor rates for each of the following categories:

(1) Vehicle repairs;

(2) Body repairs;

(3) Heavy equipment/trucks.

Appropriate contact information such as name, address, phone number and point of contact, shall accompany each quote.

(m) Emergency purchases. It is recognized that not all situations or occurrences can be anticipated. Emergency situations may include, but are not limited to, imminent danger to

life, safety, health and/or property or breakdowns of equipment that may cause serious curtailment of services to residents. Examples of these purchases are repairs such as for vehicles, broken water and sewer lines, water treatment plant equipment and hurricane or other disaster purchase during a declared disaster. Note that any department head who authorizes such an emergency purchase must seek oral or written approval from the town manager (only required during normal business hours), and must provide a written explanation of the emergency to the town manager as early as possible but not later than twenty-four (24) hours after the purchase together with a copy to the finance department. Town council approval or confirmation shall be required when the amount of the emergency purchase exceeds ~~fifteen~~ twenty-five thousand dollars (~~$15,000.00~~$25,000.00).

Emergency purchasing procedures may not be implemented to procure goods and/or services needed to carry on what should be considered normal operations. Failure to anticipate normal operating needs shall not be confused with an emergency situation. Although other factors may result in the need for expedited purchasing, such are not considered bona fide emergencies.

Secs. 7.5-31 – 7.5-32. (These sections shall remain in full force and effect as previously enacted.)

Sec. 7.5-33. - Purchase order distribution.

Purchase orders ~~of~~ up to ~~ten~~ fifteen thousand dollars (~~$10,000.00~~$15,000.00) ~~or less~~ may be approved by the finance director or the town manager or their designees. Purchase orders over ~~ten~~ fifteen thousand dollars (~~$10,000.00~~$15,000.00) require the approval of the finance director or his/her designee and informing the town manager. After obtaining the necessary authorizations, the purchase order is sent to the requesting department. Upon receipt of the purchase order, the requesting department is authorized to place the order for goods or services. Goods or services shall never be ordered prior to receipt of a purchase order authorizing the purchase. Once the purchase order is approved, the funds are encumbered until the purchase order is paid, liquidated, or voided.

A copy of the purchase order may be sent to the vendor as confirmation of the order including the quantity, description and agreed upon price.

Secs. 7.5-34 – 7.5-42. (These sections shall remain in full force and effect as previously enacted.)

Sec. 7.5-43. - Check signing and distribution.

All checks ~~of fifteen~~ over twenty-five thousand dollars (~~$15,000.00~~$25,000.00) ~~or greater~~ will require a second signature by the mayor or a member of the council. All vendor checks will be mailed out by the finance department. Vendors may also pick-up their checks from the finance department during regular operating hours. Checks will not be returned to the requesting department for distribution without sufficient written justification and approved by the finance director, or designee and the department director, or designee.

Secs. 7.5-44 – 7.5-45. (These sections shall remain in full force and effect as previously enacted.)

Secs. 7.5-46—7.5-54. - Reserved.

SECTION 2: Each and every other Section and Subsection of Chapter 7.5. Finance. shall remain in full force and effect as previously enacted.

SECTION 3: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

SECTION 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

SECTION 5: Specific authority is hereby granted to codify this Ordinance.

SECTION 6: This Ordinance shall take effect immediately upon adoption.

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FIRST READING this 24th day of July, 2023.

SECOND AND FINAL READING 14th day of August, 2023.

TOWN OF LANTANA

_____	_____	_____
Aye	Nay	Mayor – Karen Lythgoe
_____	_____	_____
Aye	Nay	Vice Mayor Lynn J. Moorhouse
_____	_____	_____
Aye	Nay	Vice Mayor Pro Tem Mark Zeitler
_____	_____	_____
Aye	Nay	Councilmember Christopher Castle
_____	_____	_____
Aye	Nay	Councilmember Kem Mason

ATTEST:

(SEAL)

_____

Kathleen Dominguez, CMC, Town Clerk

Approved as to form and legal sufficiency.

_____

R. Max Lohman, Town Attorney

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 6b

PREPARED BY: Nicole Dritz, Development Services Director

MEETING DATE: August 14, 2023

AGENDA ITEM: Consideration of Ordinance O-07-2023, adding language to Chapter 17, Streets, Sidewalks and Other Public Places, clarifying when the Town will impose conditions of approvals related to right of way dedications by Palm Beach County. **REMARKS: SECOND READING**

ISSUE/BACKGROUND:

Town Council recently directed staff to draft an ordinance clarifying details on when property owners along a County road must dedicate their property to the County. The Town Attorney has drafted Ordinance O-07-2023 which outlines that the dual-rational nexus must be proven in order for any conditions of approvals be added to a Town Development Order that would require a property owner to dedicate or deed any portion of their property to Palm Beach County for right-of-way purposes.

The Town Council reviewed this ordinance at their July 24, 2023, meeting and approved it on first reading with a 5-0 vote.

ATTACHMENT(S):

1. 6b Ord O-07-2023 Chapter 17. Streets and Sidewalks Revised - 15 foot dedication.docx

SAMPLE MOTION:

I move to (approve)(disapprove) Ordinance O-07-2023 on second reading.

ORDINANCE NO. O-07-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 17. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES. BY ADOPTING NEW SECTION 17-5. TO BE ENTITLED "PROHIBITED CONDITION OF APPROVAL RELATED TO RIGHT OF WAY DEDICATION" IN ORDER TO PROHIBIT THE INCLUSION OF CERTAIN CONDITIONS OF APPROVAL IN TOWN ISSUED DEVELOPMENT ORDERS; PROVIDING THAT THE REMAINDER OF CHAPTER 17 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Council of the Town of Lantana has determined that a need exists to amend Chapter 17. Street, Sidewalks, and other Public Places. of the Town's Code of Ordinances in order to prohibit the inclusion of certain conditions of approval, imposing right of way dedications/exactions by Palm Beach County, in Town issued development orders; and

WHEREAS, the Town Council believes this revision to the Code of Ordinances to be in the best interests of the health, safety, and welfare of the citizens of the Town of Lantana.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA:

SECTION 1: Chapter 17. Streets, sidewalks and other public places. of the Code of Ordinances of the Town of Lantana is hereby amended by adopting new Section 17-5. To be entitled "Prohibited condition of approval related to right of way dedication"; providing that Section 17-5 shall hereafter read as follows:

Sec. 17-5. Prohibited condition of approval related to right of way dedication.

It shall be strictly prohibited to include any condition of approval in Town issued development orders that require a property owner to dedicate or deed any portion of their property to Palm Beach County for right-of-way purposes unless it has been clearly established by competent substantial evidence that the dedication/exaction is rationally related to the impacts created by the development (a dual-rational nexus). The dual-rational nexus must be established to the satisfaction of both the Town Attorney and the Development Services Director for this prohibition to be overcome. This is the express intent of the Town Council of the Town of Lantana

and the Courts of this State shall strictly enforce and construe this provision.

SECTION 2: The remainder of Chapter 17. Streets, sidewalks and other public places. shall remain in full force and effect as previously enacted.

SECTION 3: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

SECTION 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

SECTION 5: Specific authority is hereby granted to codify this Ordinance.

SECTION6: This Ordinance shall take effect immediately upon adoption.

(The remainder of this page intentionally left blank.)

FIRST READING this ___ day of _____, 2023.
SECOND AND FINAL READING ____ day of _____, 2023.

TOWN OF LANTANA

_____	_____	_____
Aye	Nay	Mayor – Karen Lythgoe
_____	_____	_____
Aye	Nay	Vice Mayor Lynn J. Moorhouse
_____	_____	_____
Aye	Nay	Vice Mayor Pro Tem Mark Zeitler
_____	_____	_____
Aye	Nay	Councilmember Kem Mason
_____	_____	_____
Aye	Nay	Councilmember Christopher Castle

ATTEST:

(SEAL)

_____
Kathleen Dominguez, CMC, Town Clerk

Approved as to form and legal sufficiency.

_____
R. Max Lohman, Town Attorney

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 6c

PREPARED BY: Kathleen Dominguez

MEETING DATE: August 14, 2023

AGENDA ITEM: Consideration of Ordinance No. O-08-2023, by amending section 23-103-MW waterfront mixed use development district, to modify the allowable density and certain general building requirements.

ISSUE/BACKGROUND:

Currently the Mixed-Use Waterfront District has an allowable density of 35 dwelling units per acre as well as a building height of 55 feet. The proposed ordinance will amend those regulations to 15 dwelling units per acre and a building height of 35 feet.

The Planning Commission will review this ordinance at the regularly scheduled meeting of August 23, 2023, and a recommendation will be provided during the second reading of this ordinance.

ATTACHMENT(S):

1. Ord-O-08-2023 Chapter 23 Final.docx

SAMPLE MOTION:

I move to (approve)(disapprove) Ordinance No. O-08-2023 on first reading.

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 6d

PREPARED BY: Stephen Kaplan, Finance Director

REVIEWED BY: Brian K. Raducci, Town Manager

MEETING DATE: August 14, 2023

AGENDA ITEM: Consideration of Resolution No. R-04-2023, adopting a non-ad valorem assessment roll for Solid Waste and Recyclables Collection.

ISSUE/BACKGROUND:

On November 26, 2012, the Town Council approved Resolution No. R-14-2012 in order to use the uniform method for collecting a non-ad valorem assessment for garbage, trash and recyclables collection and related services. Section 197.3632, *Florida Statutes*, requires a local government to adopt a non-ad valorem assessment roll at a public hearing if the non-ad valorem assessment is increased. With the Town Council's approval at their June 12th regular meeting, a new residential solid waste collection hauler, Coastal Waste & Recycling of Florida, Inc., was selected whose rates were less than the previous hauler. As such, the savings to the Town are passed along to the property owners.

Town Council approval is sought for Resolution No. R-04-2023 which sets the amount of the annual Residential Solid Waste Collection Assessment on residents' property tax bills. These fees are for the collection portion of garbage, tree trimmings/vegetation (single-family only) and recyclables. Palm Beach County imposes a separate fee for landfills and transfer stations. Since the proposed assessment decreased from FY 2022/23, no first-class notice or legal advertisement is required. The annual Residential Solid Waste Collection Assessment is as follows:

- Solid Waste Authority's categories 1, 2, and 3 which are typically single-family parcels, mobile homes, and parcels with buildings of less than five (5) units: $329.40 per residential equivalent unit – a decrease of $43.80 per unit per year ($3.65/month).
- Solid Waste Authority's category 4 which are typically parcels with greater than four (4) units per building: $178.20 per residential equivalent unit – a decrease of $57.96 per unit per year ($4.83/month).

Based on an estimated 5,732 units, the total revenue levied by the Town will be $1,514,506 (this does not include discounts for early payment of taxes).

ATTACHMENT(S):

1. 6d R-04-2023 Non-Ad Valorem Assessment Solid Waste.docx

SAMPLE MOTION:

I move to (adopt) (deny adoption of) Resolution No. R-04-2023, adopting a non-ad valorem assessment roll for Solid Waste and Recyclables Collection.

RESOLUTION NO. R-04-2023

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LANTANA FLORIDA, ADOPTING A NON-AD VALOREM ASSESSMENT ROLL FOR SOLID WASTE AND RECYCLABLES COLLECTION AND RELATED SERVICES IN ACCORDANCE WITH SECTION 197.3632, *FLORIDA STATUTES*; STATING THE UNIT OF MEASUREMENT FOR THE ASSESSMENT AND THE AMOUNT OF THE ASSESSMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town of Lantana desires to use the uniform method for collecting a non-ad valorem assessment for garbage, trash and recyclables collection and related services, as provided in Section 197.3632, *Florida Statutes*; and

WHEREAS, said assessment is necessary to offset costs to the Town for these services; and

WHEREAS, the preferred method of collection of special or non-ad valorem assessments is placement of assessments on the tax bill as a non-ad valorem assessment; and

WHEREAS, the Notice of Hearing and legal advertisement to consider adoption of a non-ad valorem assessment roll, in accordance with the requirements of Section 197.3632(4), *Florida Statutes*, was not required due to a decrease in the non-ad valorem assessment.

WHEREAS, the Town Council of the Town of Lantana has determined that the adoption of this Resolution is in the best interests of the health, safety and welfare of the residents and citizens at large.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, that:

SECTION 1: The foregoing recitals are hereby affirmed and ratified.

SECTION 2: The Town Council of the Town of Lantana, Florida has determined that non-ad valorem assessments are necessary and proper and hereby approves and adopts the following assessment roll for assessing and collecting a non-ad valorem assessment for garbage, trash, and recyclables collection and related services on all residential property within the corporate limits of the Town of Lantana, pursuant to Section 197.3632, *Florida Statutes*:

- Solid Waste Authority's categories 1, 2, and 3 which are typically single-family parcels,

mobile homes, and parcels with buildings of less than five units: $329.40 per residential equivalent unit

- Solid Waste Authority's category 4 which are typically parcels with greater than four units per building: $178.20 per residential equivalent unit

SECTION 3: The real property subject to this non-ad valorem assessment shall include only all residential property lying within the corporate limits of the Town of Lantana, Florida and shall be assessed for each residential equivalent unit.

SECTION 4: It is the express intent of the Town Council that this non-ad valorem assessment shall commence with tax year 2023 and shall continue until such time as the Town Council provides notice of its intent to cease such collection method.

SECTION 5: This resolution shall become effective immediately upon its adoption.

(The remainder of this page intentionally left blank.)

PASSED AND ADOPTED THIS 14th day of August, 2023.

TOWN OF LANTANA

_____
Mayor Karen Lythgoe

ATTEST: (SEAL)

_____
Kathleen Dominguez, CMC, TOWN CLERK

Approved as to form and legal sufficiency.

_____
R. Max Lohman, TOWN ATTORNEY

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 7a

PREPARED BY: Nicole Dritz, Development Services Director

REVIEWED BY: Brian K. Raducci, Town Manager

MEETING DATE: August 14, 2023

AGENDA ITEM: Consideration of a request to amend a previously approved Special Exception in accordance with Section 23-75 and Section 23-101(d)(12) of the Town of Lantana Code of Ordinances for the commercial portion of the Water Tower Commons Planned Mixed Use Development (PMXD), to accommodate modifications to the commercial site plan at 1001 W Lantana Rd (Case #: SE23-0001). Remarks: Companion Items 7b & 7c

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ISSUE/BACKGROUND:

The applicant's agent, Urban Design Studio, is requesting to modify the commercial portion of Water Tower Commons for the reconfiguration of the commercial space along W Lantana Rd. This Special Exception application includes requests to modify both the previously approved Site Plan and Landscape Plan for the commercial portion of the property.

The proposed modifications include the following:

1. Amend the Master Plan to include Financial Institution as a permitted use for the site.
2. Amend the Master Sign Program to reflect a commercial Announcing Sign provision.

ATTACHMENT(S):

1. 7a SE Application and Backup.pdf

SAMPLE MOTION:

I move to (approve) (disapprove) Special Exception SE23-0001 for the property located at 1001 W Lantana Rd, known as Water Tower Commons.

CASE #: SE 23-0001

SUBMITTAL DATE: ~~April 13, 2022~~
Original Submittal 3/15/23
Revised 4/13/23

TOWN OF LANTANA

504 Greynolds
Circle Lantana, FL
33462 561-540-5034

SPECIAL EXCEPTION APPLICATION

A complete submittal must include all the necessary copies and documentation required. Please contact the Community Planner at (561) 540-5034 regarding the total number of copies of the application form and backup documents, plans, proposed text change, support letters, survey etc.
All information must be printed or typed.

PROPERTY OWNER(S)

Name: Wexford Capital, for Lantana Development LLC

Address: 777 South Flagler Drive, #602E
WPB, FL 33401

Phone: (561) 273-8600

Fax: (____) _____

Email: hmonsour@wexfordrei.com

~~APPLICANT~~ / AGENT

Name: Urban Design Studio

Address: 610 Clematis Street, STE CU02
West Palm Beach, FL 33401

Phone: (561) 366-1100

Fax: (561) 366-1111

Email: smegrue@udsflorida.com

TOWN OF LANTANA USE ONLY

ACCEPTED FOR REVIEW

Town Official: _____ Date: 3/17/23 Fee Paid: ✓

Confirmation letter for water and sewer service included? (YES) NO

Traffic concurrency letter included? (YES) NO

Town Action

Town Council: _____ Date: __/__/__

Conditions of Approval:

General Information about the Property

Property Name: Water Tower Commons

Property Address: 1001 W Lantana Road, Lantana

Property Control Number: 40-43-44-33-50-001-0010 thru 40-43-44-33-50-001-0050

Existing Zoning: Mixed Use Development with SE for PMXD

Proposed Zoning: No Change

Existing Comprehensive Plan Designation: Mixed Use Development with SE for PMXD

Proposed Comprehensive Plan Designation: No Change

Existing Use of Property: mixed use development of residential and non-residential uses

Proposed Use of Property: No Change

Total Site Area: 3,193,819.2 sq. ft. OR 73.32 Acres

Total Building Square Footage: 343,187 (Commercial)

Front Footage of Property (feet): 1,997.49'

Is the site currently served by public water? (YES) NO

Is the site currently served by public sewer? (YES) NO

RESIDENTIAL

Total Number of Dwelling Units: ~~Existing~~ Site Plan Approved: 708 ~~Proposed~~ Approved Entitlement: 1091

Density (Units per acre): ~~Existing~~ Site Plan Approved: 9.7 ~~Proposed~~ Approved Entitlement: 14.88

COMMERCIAL

Total square footage: 343,187 Number of Buildings: 11

A Special Exception is requested relative to Section # 23-101 of the Town of Lantana Zoning Code to allow:

This is a request to amend the plans of record to reconfigure the site area for Building M/Phase 9, within the commercial development parcel (Parcel A), to replace the previously approved fast food restaurant with the previously permitted financial institution and to amend the Master Sign Program to add an Announcing sign for use by the Onwer/Developer and commercial tenants.

Justification Statement

Each standard noted below must be addressed by applicant or the application will be deemed incomplete and will not be advertised for hearing.

1. **Appropriate Screening and Separation-** Please describe how all structures will be separated from adjacent and nearby uses by appropriate screening devices.

See attached Justification Statement.

2. **No Excessive Traffic.** Explain how excessive vehicular traffic will not be generated on residential streets.

See attached Justification Statement.

3. **No parking or Traffic Problems.** Explain how this will not create a vehicular parking or traffic problem.

See attached Justification Statement.

4. **Appropriate Drives, Walks, and Buffers.** Explain how appropriate drives, walks and buffers are installed and utilized.

See attached Justification Statement.

5. **Substantial Contribution.** Explain how the proposed use will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity of the

See attached Justification Statement.

6. **Public Safety.** Explain how the proposed use will not endanger, restrict, or impair public safety.

See attached Justification Statement.

EXACT LEGAL DESCRIPTION OF PROPERTY

(Attach if insufficient space)

See attached legals.

WATER TOWER COMMONS

COMMERCIAL POD

LEGAL DESCRIPTION

DESCRIPTION (03/08/21)

A PORTION OF PARCEL A, WATER TOWER COMMONS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124, PAGE 199, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL A; THE FOLLOWING TWENTY COURSES AND DISTANCES ARE ALONG THE SOUTH LINE OF SAID PARCEL A; THENCE S.45°27'43"W., A DISTANCE OF 34.72 FEET; THENCE N.88°28'24"W., A DISTANCE OF 83.76 FEET; THENCE N.74°01'04"W., A DISTANCE OF 52.08 FEET; THENCE N.88°28'24"W., A DISTANCE OF 386.52 FEET; THENCE S.01°31'36"W., A DISTANCE OF 13.00 FEET; THENCE N.88°28'24"W., A DISTANCE OF 105.93 FEET; THENCE N.73°53'56"W., A DISTANCE OF 51.66 FEET; THENCE N.88°28'24"W., A DISTANCE OF 297.56 FEET; THENCE N.43°28'24"W., A DISTANCE OF 35.36 FEET; THENCE N.88°28'24"W., A DISTANCE OF 85.88 FEET; THENCE S.46°31'36"W., A DISTANCE OF 35.36 FEET; THENCE S.01°31'36"W., A DISTANCE OF 13.00 FEET; THENCE N.88°28'24"W., A DISTANCE OF 127.50 FEET; THENCE N.73°53'56"W., A DISTANCE OF 51.66 FEET; THENCE N.88°28'24"W., A DISTANCE OF 362.99 FEET; THENCE S.01°31'36"W., A DISTANCE OF 13.00 FEET; THENCE N.88°28'24"W., A DISTANCE OF 47.04 FEET; THENCE N.73°53'56"W., A DISTANCE OF 51.66 FEET; THENCE N.88°28'24"W., A DISTANCE OF 232.78 FEET; THENCE N.45°06'48"W., A DISTANCE OF 36.41 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S.87°57'57"W., A RADIAL DISTANCE OF 741.20 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 04°45'41", A DISTANCE OF 61.59 FEET; THENCE N.83°12'17"E., A DISTANCE OF 15.00 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S.83°12'17"W., A RADIAL DISTANCE OF 756.20 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 22°11'54", A DISTANCE OF 292.98 FEET; THENCE S.61°00'23"W., A DISTANCE OF 15.00 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S.61°01'21"W., A RADIAL DISTANCE OF 741.20 FEET; THENCE NORTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 11°22'29", A DISTANCE OF 147.15 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 30230, PAGE 1388 OF SAID PUBLIC RECORDS, THE PREVIOUS SIX COURSES AND DISTANCES ARE ALONG THE WEST LINE OF SAID PARCEL A; THENCE N.50°37'42"E., A DISTANCE OF 295.49 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 205.15 FEET AND A CENTRAL ANGLE OF 40°53'36"; THENCE EASTERLY ALONG THE ARC A DISTANCE OF 146.42 FEET; THENCE S.88°28'46"E., A DISTANCE OF 646.26 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.44°31'54"W., A RADIAL DISTANCE OF 21.12 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 60°47'25", A DISTANCE OF 22.40 FEET; THENCE N.18°47'47"W., A DISTANCE OF 14.28 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 63°43'17"; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 33.36 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N.07°56'23"E., A RADIAL DISTANCE OF 67.67 FEET; THENCE NORTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 69°50'23", A DISTANCE OF 82.49 FEET; THENCE N.18°47'37"W., A DISTANCE OF 162.50 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF

WHICH THE RADIUS POINT LIES N.72°23'35"E., A RADIAL DISTANCE OF 15,185.35 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 00°04'39", A DISTANCE OF 20.53 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N.83°49'22"E., A RADIAL DISTANCE OF 67.60 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 167°39'21", A DISTANCE OF 197.81 FEET; THENCE S.18°47'09"E., A DISTANCE OF 176.08 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES S.70°27'20"W., A RADIAL DISTANCE OF 68.07 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 64°28'44", A DISTANCE OF 76.60 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 27.93 FEET AND A CENTRAL ANGLE OF 63°43'30"; THENCE SOUTHERLY ALONG THE ARC, A DISTANCE OF 31.07 FEET; THENCE S.18°47'26"E., A DISTANCE OF 37.81 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.71°12'30"E., A RADIAL DISTANCE OF 22.93 FEET; THENCE SOUTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 28°08'32", A DISTANCE OF 11.26 FEET; THENCE S.88°28'24"E., A DISTANCE OF 615.18 FEET; THEE PREVIOUS 15 COURSES AND DISTANCES ARE ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 30230, PAGE 1388 AND OFFICIAL RECORD BOOK 31150, PAGE 1163 OF SAID PUBLIC RECORDS; THENCE S.01°32'20"W., A DISTANCE OF 324.80 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 49.27 FEET; A CENTRAL ANGLE OF 63°07'12", AN ARC DISTANCE OF 54.28 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 76.69 FEET, A CENTRAL ANGLE OF 63°06'29", AN ARC DISTANCE OF 84.47 FEET TO A POINT OF TANGENCY;

THENCE S.03°58'51"E., A DISTANCE OF 18.08 FEET; THENCE S.88°28'24"E., A DISTANCE OF 76.13 FEET; THENCE N.72°47'55"E., A DISTANCE OF 318.24 FEET; THENCE N.90°00'00"E., A DISTANCE OF 72.65 FEET; THENCE N59°38'02"E, A DISTANCE OF 24.35 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID PARCEL A; THENCE S.00°36'10"E. ALONG SAID EAST LINE, A DISTANCE OF 366.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,311,160 SQUARE FEET OR 30.1001 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

SAID LANDS LYING AND BEING IN THE TOWN OF LANTANA, PALM BEACH COUNTY, FLORIDA

As applicable, please provide the name, address, email and telephone number for the following persons or firms who are involved in the development:

Agent	Developer
Name: Ken Tuma and Sandra Megrue	Name: Hunter Monsour / Phil Braunstein
Company Name: Urban Design Studio	Company Name: Wexford Capital, for Lantana Development LLC
Address: 610 Clematis Street, WPB, FL 33401	Address: 777 South Flagler Drive, #602E, WPB, FL 33401
Phone: 561-366-1100	Phone: 561-273-8600
Email: ktuma@udsflorida.com and smegrue@udsflorida.com	Email: hmonsour@wexfordrei.com

Planner	Architect
Name: Same as Agent	Name: Anthony Ponting, RA, LEED AP
Company Name:	Company Name: BHDP
Address:	Address: 302 West Third St., Suite 500, Cincinnati, OH 45202
Phone:	Phone: Email: 513-527-0242 APonting@bhdp.com
Email:	Florida Registration Number: N/A
Engineer	**Landscape Architect**
Name: Doug Woeste	Name: Helen Cohen
Company Name: The Kleingers Group	Company Name: Urban Design Studio
Address: 6219 Centre Park Dr, West Chester Township, OH 45069	Address: 610 Clematis Street, #CU-02, WPB, FL 33401
Phone: Email: 513-779-7851 doug.woeste@kleingers.com	Phone: Email: 561-366-1100 hcohen@udsflorida.com
Florida Registration Number: N/A	Florida Registration Number: FL LA0000734
Surveyor	**Attorney**
Name: David P. Lindley, P.L.S.	Name: Harvey Oyer
Company Name: Caulfield & Wheeler, Inc.	Company Name: Shutts & Bowen
Address: 7900 Glades Road, Suite 100, Boca Raton, FL 33434	Address: 525 Okeechobee Blvd, Ste 1100, WPB, FL 33401
Phone: 561-392-1991	Phone: Email: 561-650-8517 Hoyer@shutts.com
Email: Dave Lindley <dave@cwiassoc.com>	Florida Registration Number:

Current Occupant of Building or Property	Other
Name: Address: Aldi - Tenant	Name: Address:
Phone: Email:	Phone: Email:

Applicant's Certification

(I) (We) affirm and certify that (I) (we) understand and will comply with all provisions and regulations of the Town of Lantana, Florida. (I) (We) understand that if this application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be part of the Town of Lantana, (if not already) and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive and Zoning Ordinance. (I) (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of (my) (our) knowledge and belief. Further, (I) (we) understand that this application and attachments become part of the Official Records of the Town of Lantana, Florida, and are not returnable.

Witness

Witness

2/24/23
Date

Signature of Applicant

Hunter Monsour
Printed Name of Applicant

Applicant is:

X Owner
____ Optionee
____ Lessee
____ Agent
____ Contract Purchaser

Address:
Wexford Capital LP, for Lantana Development, LLC
777 South Flagler Drive, #602E
WPB, FL 33401
Phone: (561) 273-8600 Fax (___) ____
Email: hmonsour@wexfordrei.com

OWNERS AUTHORIZATION

(I) (We) affirm and certify that Hunter Monsour, the applicant, is hereby authorized to represent me in all dealings regarding this petition with the Town of Lantana.

Witness

Witness

2/24/23
Date

Signature of Owner

Phil Braunstein
Printed Name of Owner
Wexford Capital LP, for Lantana Development, LLC
777 South Flagler Drive, #602E
WPB, FL 33401

Applicant's Certification

(I) (We) affirm and certify that (I) (we) understand and will comply with all provisions and regulations of the Town of Lantana, Florida. (I) (We) understand that if this application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be part of the Town of Lantana, (if not already) and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive and Zoning Ordinance. (I) (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of (my) (our) knowledge and belief. Further, (I) (we) understand that this application and attachments become part of the Official Records of the Town of Lantana, Florida, and are not returnable.

Witness

Witness

2/2/123

Date

Signature of Applicant

Tammala Brooks, Fifth Third Bank

Printed Name of Applicant

Applicant is:

____ Owner

____ Optionee

X Lessee

____ Agent

____ Contract Purchaser

Address:

Fifth Third Bank

38 Fountain Square Plaza/MD 10903k

Cincinnati, OH 45202

Phone: (513) 534-0706 Fax (___) ____

Email: Tammala.Brooks@53.com

OWNERS AUTHORIZATION

(I) (We) affirm and certify that Tammala Brooks, Fifth Third Bank, the applicant, is hereby authorized to represent me in all dealings regarding this petition with the Town of Lantana.

Witness

Witness

2/24/23

Date

Signature of Owner

Phil Braunstein

Printed Name of Owner

Wexford Capital LP, for Lantana Development, LLC
777 South Flagler Drive, #602E
WPB, FL 33401

Water Tower Commons PMXD
Special Exception, Site Plan Review & Landscape Review Amendments
Project Narrative
March 15, 2023
Rev June 13, 2023

urban design studio

Urban Design
Land Planning
Landscape Architecture

LOCATION / REQUEST

On behalf of the commercial development Owner/Applicant, Lantana Development LLC, and co-Applicant Fifth Third Bank, Urban Design Studio, as Agent, has prepared and hereby respectfully submits these requests for 1) an amendment to the Water Tower Commons Planned Mixed Use Development (PMXD) Special Exception, 2) an amendment to the approved commercial phase of development's site plan, and 3) an amendment to the approved commercial phase of development's landscape plan, for the Water Tower Commons PMXD (Project).

Location

The Project is located on West Lantana Road, east of Interstate 95 and Andrew Redding Road and west of North 8th Street, in the Town of Lantana (Town). The PMXD Project is 73.32 acres in size overall, and was purchased from the State of Florida by Lantana Development LLC, in August of 2014. The Project's Property Control Numbers are 40-43-44-33-50-001-0010 through 40-43-44-33-50-001-0050, which have been more recently issued by Palm Beach County's (County) Property Appraiser's office to reflect the sale of the residential portions of the overall development and continued ownership of the commercial portion by Lantana Development LLC via lease areas. The PMXD is currently accessed from the west via Andrew Redding Road and from the east via North 8th Street and the south from West Lantana Road. There is no access from the north.

Request

The Applicants are seeking approval of the following requests as part of this application:

- Special Exception
- Amend the Special Exception to:
  - Amend the Master Sign Program to reflect a commercial Announcing Sign provision.
  - Amend the Master Plan to include Financial Institution as a permitted use for the site.

Commercial Pod – Site Plan

- A request to amend the Site Plan of record to modify the use approved for Building M from an 1,800 SF Restaurant with Drive Through Business to a 1,900 SF Financial Institution (Bank) with Drive Through Business and reduce provided parking.
- Add Phase 9 to the Building M site.

- Update the site plan to reflect minor modifications to the Wawa site (Phase 2B) as a result of changes made in the field prior to CO.

Commercial Pod – Landscape Plan

- A request to amend the Landscape Plan approval for the commercial phase of development to adjust for the requested site plan changes in Phase 9.

APPROVAL HISTORY

On April 25, 2016, the Town executed an Order of the Town Council for Case No. SE15-0002 approving a Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a Planned Mixed Use Development including waivers for Drive-Thru Facilities and Restaurants over 2,500 SF and waivers for signage. Also on April 25, 2016, Town executed an Order of the Town Council for Case No. SP15-0001 approving a Site Plan for the southern 36.50 acres of the Water Tower Commons MPUD for commercial, office, and retail space uses, including a landscape plan and master signage plan within the Mixed-Use District, established by Case No. SE15-0002.

On September 13, 2016, the Town executed an Order of the Town Council for Case No. SE16-0004, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a revision to Condition of Approval number 33 and to revise the Master Signage Program for the Commercial Pod Master Signage Program. On September 13, 2016, the Town also executed an Order of the Town Council for Case No. SP16-0001, approving modifications to commercial development site plan of record, including amendments to the landscape plan.

On October 3, 2016, the Town executed an Order of the Town Council for Case No. SE16-0004, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a revision to Condition of Approval number 33 and to revise the Master Signage Program for the Commercial Pod Master Signage Program. On October 3, 2016, the Town also executed an Order of the Town Council for Case No. SP16-0002, approving modifications to commercial development site plan of record, including amendments to the landscape plan.

On April 19, 2017, the Town executed an Order of the Town Council for Case No. SE17-0002, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing for one (1) additional restaurant over 2,500 SF a modification to the Master Plan to reflect revisions in the commercial phase and residential development area, and to amend the Master Signage Program. On April 19, 2017, the Town also executed an Order of the Town Council for Case No. SP17-0004, approving modifications to commercial development site plan of record, including amendments to the landscape plan.

On January 29, 2018, the Town executed an Order of the Town Council for Case No. SE17-0012 approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a reduction in the required parking

(Section 23-131), amend the Master Signage Program to add three (3) additional monument signs for the west residential pod, and to amend the Master Plan. On November 26, 2018, the Town also executed an Order of the Town Council for Case No. SP17-0007, approving the site plan for the residential development within the westernmost 16+/- acres within the Water Commons Tower development, including approval of the associated landscape plan.

On November 26, 2018, the Town executed an Order of the Town Council for Case No. SE18-0003, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a reduction in the required parking (Section 23-131), amend the Master Signage Program to add three (3) additional monument signs for the east residential pod, and to amend the Master Plan. On November 26, 2018, the Town also executed an Order of the Town Council for Case No. SP18-0003, approving the site plan for the residential development within the easternmost 18+/- acres within the Water Commons Tower development, including approval of the associated landscape plan.

On December 5, 2019, the Town executed an Order of the Town Council for Case No. SE19-0004, approving an amendment to the Special Exception, allowing 1) the addition of the use of Service Station within the PMXD, 2) adding a use of Restaurant over 2,500 SF, and 3) amend the Master Signage Program to add three custom signage for the Service Station Use. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP19-0003 and LP19-0002, approving the Site Plan and Landscape Plan to reflect the approvals granted above. Which was subsequently amended by Case No. SE20-0001, SP20-0001, and LP20-001, to modify the Service Station use canopy and minor site reconfiguration.

On March 1, 2021, the Town executed an Order of the Town Council for Case No. SE20-0008, approving an amendment to the Special Exception, allowing 1) the additional of construction phase lines to the commercial development, amend lighting locations, and modify landscaping locations as required. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP20-0007 and LP20-0008, approving the Site Plan and Landscape Plan to reflect the approvals granted above.

On May 10, 2021, the Town executed an Order of the Town Council for Case No. SE21-0003, approving an amendment to the Special Exception, allowing 1) the realignment of the eastern portion of the spine road and an increase in the overall SF of the Commercial Pod. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP21-0003 and LP21-0009, approving the Site Plan and Landscape Plan to reflect the approvals granted above.

On November 21, 2022, the Town Planning Director executed Order MSP21-0001, approving a minor amendment to the plans of record, allowing a parking island to be redesigned to add a diamond configuration to allow for a light pole to be shifted to accommodate a drainage line.

On May 6, 2022, the Town executed an Order of the Town Council for Case No. SE21-0005, approving an amendment to the Special Exception, allowing for site modifications to add a 4,986 SF Chick-Fil-A restaurant and modifications to the Water Tower Commons Master Sign Program. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP21-0004 and LP21-0021, approving the Site Plan and Landscape Plan to reflect the approvals granted above.

On September 27, 2022, the Town executed an Order of the Town Council for Case No. SE22-0006, approving an amendment to the Special Exception, allowing for one additional drive through business use, the addition of a car was use, and modifications to the Water Tower Commons Master Sign Program. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP22-0004 and LP22-0010, approving the Site Plan and Landscape Plan to reflect the approvals granted above and the redesign/reconfiguration of the four (4) outparcels located east of the projects main street.

More recently on May 9, 2023, the Town executed an Order for Cases SP22-004 and LP23-0006, allowing for modifications to the site and landscape plans to address changes to Building N/Phase 5 site (Dunkin Donut), addition of Tesla Charging Stations in Phase 2B (Wawa), shifted/modified the approved wall and planting locations for Building Q/Phase 6 (El Car Wash), add EV charging station locations at Buildings O/Phase 7 and Building P/Phase 8, and Modify the plantings around the installed Art in Public Places.

EXISTING AND FUTURE LAND USE AND ZONING DESIGNATIONS

The PMXD will maintain its existing Zoning and Future Land Use Plan designations. There is no change proposed as a result of the requests made part of this application to amend the Special Exception Use, Commercial Site Plan and Landscape Plan. Existing Zoning and Future Land Use Plan designations for the site are Mixed Use Development (MXD).

DEVELOPMENT / PHASING OVERVIEW

It is the continued goal of the Owner/Applicant to create a well-designed and integrated community offering a residential component within walking distance to both commercial and restaurant uses, via horizontal integration between the uses. Additionally, the Owner/Applicant was granted approval to develop the 0.89-acre Water Tower Commons Park (‘Park’) and rotary to the north of the non-residential uses that is accessible to the public for passive uses. The Park has been constructed simultaneously with the Main Street and Rotary elements and the first phase of residential development. The Owner/Applicant continues to propose phasing for the construction of those portions of the non-residential inline and outparcel buildings. It has been previously established that the phasing will be determined as end users enter into leases, or the developer is scheduling construction for multi-tenant buildings. The residential developments have been previously completed.

The Owner/Applicant reserves the design and development flexibility to allow for future development opportunities, which may include combined non-residential uses as well. These future development phases will be brought before the Town Council at a future date and are not part of this request.

MASTER PLAN

The Master Plan has been amended to include Financial Institution to the permitted uses for the PXMD as part of this request. The proposed modifications to the development plans remain consistent with the approved uses, intensities, and densities reflected in prior approvals. This program will continue to be refined over time during the site planning processes; however, the proposed development program remains equivalent with the traffic study approved by the Town Council as part of the initial Land Use Amendment and Rezoning approvals. As the development program is refined in the future, the Master Plan for the development will continue to be amended with traffic equivalency statements, as necessary, based on the proposed future uses. This flexibility is critical as the developer will continue to assess the market in regard to potential permitted uses for the site.

The current approved master development approval includes the following:

USE	APPROVED	PROPOSED	CHANGE
Residential DUs	1,091	1,091	0
Commercial *(including Office)*	343,187 SF	343,187 SF	0

Based on the Traffic Report prepared by The Kleingers Group and dated March 3, 2023, the development program is proposed to be modified to reflect the change in uses within Phase 9, which results in a lower trip generation rate. Both the Restaurant use and Bank use are accounted for in the commercial square footage approved at 343,187 square feet.

Note: Unutilized commercial square footage is proposed to be reallocated to the undeveloped portion of the PMXD for future development opportunities.

COMMERCIAL POD – SITE PLAN /LANDSCAPE PLAN AMENDMENT

As part of this petition, the Applicants are requesting to amend the prior Site Plan and Landscape Plan approvals for the commercial phase of the PMXD development as a concurrent component. The commercial development continues to front Lantana Road, with a ‘Future Development’ portion of the PMXD being situated in the northeast corner, adjacent the commercial site. The commercial phase of development was previously amended to include the Water Tower Commons Park site as a functioning roundabout for residential development access as well as for non-residents. The commercial phase of development will be phased over time in multiple phases of construction. Below is a summary of the past/current activity on the commercial site:

Phase/Building	Current Use/User	Status
Phase 1	main street and rotary	Constructed
Phase 2A / Building A	Aldi and portion of the south spine road and access points	Constructed
Phase 2B / Building K	Wawa	Constructed
Phase 3 / Roadways	remaining portion of the south spine road and access points	Constructed
Phase 4 / Building L	Chick-Fil-A	Constructed
Phase 5 / Building N	Dunkin Donut	In permit
Phase 6 / Building Q	El Car Wash	In permit
Phase 7 / Building O	Mixed Non-Res Uses	In design
Phase 8 / Building P	Mixed Non-Res Uses	In design
Phase 9 / Building M	Fifth Third Bank	Requesting entitlements
Remaining commercial site not yet developed		

RESIDENTIAL POD – SITE PLAN /LANDSCAPE PLAN

There are no changes proposed to the approved residential developments.

CONCURRENCY

The Owner/Applicant has previously secured concurrency for the entire PMXD development as part of the Rezoning approval. The traffic report has also been previously approved by Palm Beach County and the Town of Lantana.

A Traffic Equivalency Statement has been provided as part of this amendment request providing for the additional uses requested.

There are no other changes to the approved concurrency as a result of this request.

Remainder of page left intentionally blank.

REQUEST – OVERALL DEVELOPMENT
SPECIAL EXCEPTION USE

The Applicants are requesting to amend the Special Exception for the Water Tower Commons PMXD to allow for the following modifications:

1. Master Sign Program: Amend the Master Sign Program to add a non-residential Announcing Sign provision for the non-residential uses within the commercial pod.
2. Amend the Master Plan to include Financial Institution as a permitted use for the site.

COMMERCIAL DEVELOPMENT

MASTER PLAN USES
The Owner/Applicants are requesting to add the use of Financial Institution to the Master Plan as a house keeping measure. This use of a Financial Institution was previously determined to be a use that was permitted within the PMXD district by the prior Development Services Director and has been shown as a permitted use on the Site Plan of record since its original approval(s) in 2015. However, it has been recently noted by Town Staff and the succeeding Director that the use is not a permitted or conditional use within the PMXD district. To remedy this conflict, the Town's Development Services staff processed an amendment to the land development regulations to add the use as a permitted use within the PMXD district. The Town Council approved the request on second reading at their June 12, 2023 meeting.

SIGNAGE
The developer has been working with the proposed Bank user which has resulted in the compilation of specific sign needs for that user. As an outparcel development, the proposed Bank use is permitted to have two (2) Primary Wall Signs. The first is required to be located on the same elevation as the main entrance and the second is permitted to face Lantana Road. The outparcel use is additionally permitted two (2) Ancillary Wall Signs that may be placed on any elevation per the Master Sign Plan. The Town's Land Development Regulations additionally require that the layout of an outparcel site include a public access facing Lantana Road. With the proposed Bank use, public access is being provided on the south elevation as well as the east elevation, where pedestrian connectivity is proposed to the main street. This allows the use to provide for the two permitted Primary Signs, one on both of the noted elevations. There are no Ancillary signs proposed. The Bank tenant has provided a signage package that has been included with this request. The proposed signs comply with the Master Sign Program and the Town's LDRs.

The owner/developer is however requesting approval of a general 'Announcing' sign to be added to the Master Sign Program. This sign is proposed to allow each new building constructed a sign announcing the coming use and other relative information. Staff has previously determined that the only permitted signage is that which is included in the

Master Sign Program, which our understanding is that this determination includes temporary signage permitted by the LDRs for announcing signs, etc.

The proposed Master Sign Program 'Announcing' sign complies with the Town's current LDRs which allow up to a 20' maximum width, 8' maximum height, a maximum of 120 square feet of sign area, and one (1) sign face. The Town's LDRs currently allow for Announcing signs to be installed at time of site plan approval and removed at time of Final Certificate of Occupancy. Owner/developer is proposing no changes to what the code currently permits for any business developing in the Town of Lantana.

SPECIAL EXCEPTION STANDARDS

Applicants have reviewed the standards set forth in the Town's development regulations for the granting of Special Exception Uses and has responded accordingly below.

As permitted per Section 23-101(d)(12), MXD mixed use development district, in the Town's land development regulations, the Applicants are requesting to amend the Special Exception for the PMXD to allow for the proposed modifications to the commercial site plan and the Master Sign Program.

Section 23-75 (b) - Standards for granting special exceptions. Prior to recommending approval of a special exception, the Town Council shall insure that:

(1) All structures shall be separated from adjacent and nearby uses by appropriate screening devices.

This is an amendment to a previous approved Special Exception for the Water Tower Commons PMXD*. No changes to the prior approval are proposed that would negatively impact the prior approval. The PMXD was previously granted approval for a 10' perimeter buffer and adjacent 10' utility easement, which encompass the entire 73+ acres. All adjacent perimeter buffers continue to meet or exceed the 6' width with 10' of landscape buffer planting area and an additional 10' of green area for the established utility easement, which Applicants are also utilizing in part for smaller shrub and ground cover plantings.*

(2) Excessive vehicular traffic is not generated on residential streets.

Owner/Applicant *has previously addressed the matter of excessive vehicular traffic for the site. In accordance with the current approval, the* Owner/Applicant *has committed to and/or constructed numerous improvements to Lantana Road, including additional signalization and turn lanes that will alleviate negative impacts of additional traffic proposed to be generated by the PMXD project. It is the intent of the constructed design to allow for multiple ingress and egress points for the uses within the site, thus diffusing the flow of traffic around the site and away from local residential streets. Additionally, the overall project is required to comply with the country-wide Traffic Performance Standards*

and those set forth by the Town of Lantana. This request to amend the Water Tower Commons PMXD Special Exception complies with this standard.

(3) A vehicular parking or traffic problem is not created. A traffic analysis of the proposed special exception use shall be submitted in accordance with section 23-47(6).

Owner/Applicant *has committed to and/or constructed numerous improvements to the surrounding roadways, including additional signalization and turn lanes that will alleviate negative impacts of additional traffic proposed to be generated for the project. It is the intent of the design to allow for multiple ingress and egress points for the site, thus diffusing the flow of traffic around the site. Parking for the commercial phase of development is in excess of that required by the Town's Off-street Parking regulations. A traffic report prepared by Kimley-Horn and Associates was previously approved in this respect. A Traffic Equivalency Statement prepared by The Kleingers Group has also been provided as part of this request.*

No parking or traffic problems are anticipated as a result of the change of use for Building M or the modifications proposed to the Master Sign Program for the commercial phase of development.

(4) Appropriate drives, walks, and buffers are installed.

The Special Exception amendment allows the Applicants the continued flexibility to develop the proposed commercial and residential developments, providing for buffers, green areas, community amenities, and other improvements for pedestrian access throughout the site and connecting to adjacent roadways. The request to modify a use within the commercial development does not negatively impact the previously approved development program or site design. All drives and sidewalks are proposed to meet the current standards of the Town of Lantana. This request to amend the Water Tower Commons PMXD Special Exception complies with this standard.

(5) The proposed use will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity of the excepted use.

The proposed amendments to the Special Exception to modify a use that was previously approved, along with the request to modify the Master Sign Program continues to allow the Applicants the flexibility to provide for a well-designed integrated community minded development offering commercial and residential components that are within walking distance of each other and other existing residential, commercial, and public uses. All proposed drives and sidewalks meet the current standards of the Town of Lantana. The existing residential and proposed commercial uses allow for the provision of services and goods to the Town's residents as well as providing additional housing choices, making a

substantial contribution to the area. This request to amend the Water Tower Commons PMXD Special Exception continues to comply with this standard.

(6) The proposed use does not endanger, restrict, or impair public safety.

The proposed amendments to the Special Exception to modify a use that was previously approved, along with the request to modify the Master Sign Program, do not endanger, restrict, or impair the public's welfare or safety. The development of this site, as proposed or amended, continues to provide the Town with modern commercial and residential uses that enhance the community as a whole and do not affect the public's safety. This request to amend the Water Tower Commons PMXD Special Exception complies with this standard.

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REQUEST – COMMERCIAL
AMENDMENT TO THE SITE PLAN REVIEW

Applicants are requesting to amend the prior approval for Site Plan Review and Landscape Plan review to allow for:

1. A reconfiguration of the Building M site (located west of the main street and fronting Lantana Road.) The reconfiguration of the site from a restaurant with drive through facility use to a bank with drive through facility use, include the following site design modifications:
    a. Increase in square footage from 1,800 SF to 1,900 SF (+1,000 SF)
    b. Decrease in parking from 34 spaces to 13, a reduction of 21 parking spaces for the bank site and PMXD.
    c. Addition of two (2) EV charging stations, one (1) standard space and one (1) handicap space.
    d. Added one (1) additional drive through lane and one (1) bypass lane, for three (3) lanes total.
    e. Added pedestrian connectivity east of the proposed Bank use to the main street.
    f. Relocated the dumpster to the spine road, consistent with the other uses proposed in the development.
    g. Increased the amount of landscape 'green' area by 18,203 square feet for the bank site and overall commercial development.

2. Added 1,900 SF of 'Financial Institution' use to the Gross Floor Area data. Applicants note the use was previously approved for the site as part of the original programming for the site.

3. Reduce the overall Restaurant SF from 26,294 SF to 24,362, a reduction of 1,800 SF.

4. Update the site plan to reflect minor modifications to the Wawa site (Phase 2B), as a condition of issuing a CO, to include the following:

    a. Update footprint to remove door on east elevation at south and show landscaping as constructed. No adjustment to plantings required as number of plant materials noted on plan were installed.
    b. Updated outside table layout to replace two sit down tables with standup tables.
    c. Removed landscaping overlay of sidewalk connection to Lantana Road. No adjustment to plantings required as number of plant materials noted on plan were installed.

SITE RECONFIGURATION

All proposed modifications are internal to the commercial pod and do not adversely affect the surrounding communities or adjacent businesses. There are no modifications to the internal roadways or driveway connections to the adjacent roadways. Aside from the proposed redesign of the subject bank site, there are no other proposed changes to the previously approved site design or other approved access points.

Based on the updated Commercial Site Plan, the amended development program for the commercial site includes the following square footage breakdown:

USE	SQUARE FOOTAGE
Financial Institution/Bank	1,900 SF
Restaurant	24,362 SF
Retail (includes Car Wash)	168,731 SF
Service Station	16 Fuel Pumps
TOTAL SF	194,993 SF / 16 Fuel Pumps

The proposed modifications to the commercial development remain in keeping with the intent of the Town's development regulations and will provide for an enhanced overall design and development and service to the surrounding communities and businesses.

PROPOSED USES

The approved site plan currently permits the uses of restaurant, general retail, fitness center, pharmacy, bank, and residential. Approved Special Exception uses include seven (7) Restaurants over 2,500 SF, four (4) Businesses with drive-thru, one (1) Service Station and (1) car wash. Applicants are not proposing to add any additional uses or Special Exception uses as a result of this request. Please refer to the Special Exception section herein for details on the recent approval of Financial Institution as a permitted use within the PMXD zoning district.

Per the Master Plan, the current development program includes 343,187 SF of commercial/retail uses and 1,091 multi-family units. This is consistent with the approved Traffic Report and Traffic Equivalency Statement prepared by Kimley Horn and Associates, submitted as part of this request. The proposed Bank site has been previously accounted for in the traffic approvals.

PEDESTRIAN AND TRANSPORTATION LINKAGES

The commercial phase of development continues to reflect continuous and enhanced pedestrian and vehicular circulation throughout the site. Enhancements continue to include landscape and trellis lined major pedestrian avenues that provide connectivity from the residential component to the commercial component, and out to the adjacent roadways. Vehicular connectivity is also proposed between the residential and

commercial components via Water Tower Way, the Project's main street, and multiple alternative secondary connections to the surrounding roadways. This provides convenience to not only the residents within the Project, but also for patrons of the commercial uses who may utilize both pedestrian and vehicular connections.

ACCESS

Owner/Applicant has competed all connecting driveways for the development, and continues to work with the Town and Palm Beach County Traffic Division to provide for future improvements for signalization along Lantana Road at the Main Street. All improvements resulting from this PMXD development benefit not only those associated with the PMXD but the neighboring uses and community as a whole.

Access to the commercial portion of the site continues to include one (1) primary point of two-way entry (signalization TBD) and four (5) secondary points of two-way entry. Owner/Applicant has previously gained approval to eliminate the previously approved right-out-only exit onto North 8th Street as a result of the redesign of the southeast corner outparcel site.

EXISTING UTILITIES AND EASEMENTS

Owner/Applicant has previously secured determination from the Town's providers that water and sewer capacity exist for this development. The Owner/Applicant continues to work with the Town and other entities to determine final design requirements and structural needs. The intensity proposed as a result of the site development for the commercial phase of development and residential phases of development are less than that proposed as part of the Land Use Modification and Rezoning.

ARCHITECTURAL STANDARDS

There are no modifications to the approved architectural theme and design of the commercial development as a result of this request. Architectural elevations for the proposed bank building/Phases 9 has been included and complies with the approved architectural theme and character as provided in the PMXD Design Guidelines, which is in keeping with the 'Florida Vernacular' feel with a slight contemporary direction.

More specifically, the architectural design style of the proposed buildings provides for a variety of textures and materials, including manufactured stone, stucco, canopy, aluminum composite materials reflecting national branding, and flat roof features with custom lighting based on the national branding. The colors and materials are continued on all four sides of the building. The colors proposed are in close harmony with the colors suggested in the design guidelines with the addition of colors associated with national branding, as appropriate.

PARKING AND LOADING AREAS

Applicants are proposing to reduce the overall provided parking from 991 to 970 parking spaces, a reduction of 21 parking spaces. The project is required 780 parking spaces based on a 1/250 parking ratio for a Large-Scale Shopping Center. Applicants continue

to meet the requirements for parking on this site and is compliant with the Town's Off-Street Parking regulations. There is no shared parking proposed for the site or between the commercial and residential phases of development. All parking spaces are compliant with the Town's Code and are proposed at 9' x 18.5', 9.5' x 18.5', including any parking spaces designed with overhangs. Applicants are required to provide 16 handicap spaces based on the square footage proposed and is providing for 48 handicap spaces distributed at the front of the proposed buildings, as required by Florida Building Code, or within EV Charging areas.

Applicants are also in compliance with Order SE17-0007, allowing for up to 819 parking space to be constructed without wheel stops. The Applicants are proposing, as part of this request, for 257 parking spaces to be provided without wheel stops, and the remaining 713 parking spaces with wheel stops.

The Bank use do not require a traditional loading space and will utilize the standard parking provided, accommodating smaller truck and van deliveries, such as overnight delivery services and smaller product delivery services. Owner/Applicant is current required to provide for thirteen (13) 15'x35' loading spaces, and is providing fourteen across the commercial development.

OUTDOOR SEATING

There is no additional outdoor seating proposed with this request to amend the plans.

COMPATIBLE AMENITIES AND FURNITURE

It remains the intent of the Applicants to provide street furniture, street lighting, pedestrian lighting, traffic signage, trash receptacles, and pedestrian benches that are consistent in style, color, or material throughout the PMXD. The applicants request that final selections be permitted to be approved at a Staff level as part of the permitting process.

MECHANICAL EQUIPMENT / DUMPSTERS

There are no changes to the proposed screening of mechanical equipment and dumpsters proposed within the commercial development. All will be completely screened by walls and/or opaque landscaping from adjacent properties and the view from the adjacent public streets.

DRAINAGE

The proposed commercial site will create 21.3-acres of impervious area and 8.8-acres of pervious area. Water Quality Treatment (WQT) required by SFWMD for this site is 2.5" over the impervious area. The Required WQT for the proposed site is 4.44 AC-FT. This treatment will come from the proposed exfiltration trench on-site. This overall site has very good percolation rates and a deep-water table and is a good candidate for the use of exfiltration trench rather than ponds. The plan for the overall commercial site is to continue retaining all runoff for a 25-year – 72-hour storm onsite, since the site has no outfall. The 4,000 LF plus of proposed exfiltration trench will provide more than the required 25.87 AC-FT of runoff storage.

Specific to the Phase 9 site, the provided volume within the exfiltration trenches (.813 ac-ft as shown in Appendix C) meets Lantana drainage requirements since it exceeds the required volume runoff volume for the proposed condition under the 25-year 72 hour storm (.50 ac-ft as shown in Appendix B). Beyond this, the exfiltration trench also provides more volume than what is tributary to the site in the 100 year 72 hour storm (.66 ac-ft as shown in Appendix B), so the Lantana drainage requirement of the building finished floor being 1’ above the 100 year 72 hour storm WSE will also be met, since the finished floor (elevation 20) is more than 1’ higher than the top of the trench section (17.50’).

Please see the drainage statement prepared by The Kleingers Group and dated March 3, 2023.

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REQUEST – COMMERCIAL
LANDSCAPE PLAN

Overall Commercial Center

The 30.1-acre commercial pod fronts on Lantana Road, and has been designed to provide for the required 20% of overall and 20% of vehicular landscape area at a total of 6.02 acres. The calculation of 6.02 acres is based on the revised site configuration development as it relates to the vehicular use areas. The overall landscape area includes the landscape around the proposed buildings, perimeter buffers, and landscape islands at a total of 3.03 acres. The proposed parking and vehicular areas within the commercial parcel total 14.95 acres. This area includes landscape areas within and directly adjacent to these parking areas that are or exceed the 6' minimum width requirement, which have been utilized to meet the required planting areas. These landscape areas total 2.99 acres in size or 20% of the parking area. The mixed-use district overall landscape requirement of 1 tree per 2,500 SF and outdoor parking/vehicle use area requirement of 1 tree per 250 SF of landscape, as well as other landscape requirements, will be met on the site. The proposed amended landscape plan is Complaint with Chapter 10.5 of the Town's Code.

Owner/Applicant is proposing to provide more than the required 50% native plant material in the form of required trees and shrubs across the site, with approximately 56.2% native trees and 72.1% native shrubs. The trees and palms proposed for the PMXD include Silver Button Wood Orange Geiger Tree, White Crape Myrtle Multi-Trunk, Sweet Bay, Slash Pine, Southern Live Oak, Desert Cassia and a number of previously mitigated 'Legacy Oaks' from the site, as well Silver Palms, Areca Palms, Bottle Palms, Spindle Palms, Wild Date Palms, Alexander Palms, Cabbage Palmetto, and Montgomery Palms. Along with this large palette of materials, several diverse shrub and ground covers are also proposed across the site. Owner/Applicant is additionally providing for more than 110% of the required trees on the commercial site with 574 trees required at 100%, 631 trees required at 110%, and 649 trees being provided, thus continuing to meet the requirements of the prior approved waivers for the east outparcels.

The intent of the overall blended landscape design is to display a tropical coastal image utilizing materials such as the stately Silver Date Palms that flank the project and major retail entries. For the subject site specific, applicants are proposing Montgomery and Alexander Palms, East Palatka Holly, Red Tip Coco Plum, Red Sister Ti Plants, Jatropha, Wax Jasmine, Green Island Ficus internal to the project site. The buffer areas have been designed to utilize materials previously approved along Lantana Road and the main street buffer sections for uniformity.

CONCLUSION

On behalf of Lantana Development LLC and Fifth Third Bank, Urban Design Studio respectfully requests favorable review and consideration of these requests for Special Exception Amendment, Site Plan Review amendment, and Landscape Plan amendment for Phase 9 of the commercial development for the Building M site, and other minor amendments to Phase 2B to reflect the as-built conditions of the Wawa site (Building K). The project managers at Urban Design Studio are Ken Tuma and Sandra Megrue. Please feel free to contact either of these project representatives with any questions or for additional information in support of these applications at 561-366-1100 or via email at ktuma@udsflorida.com or smegrue@udsflorida.com.

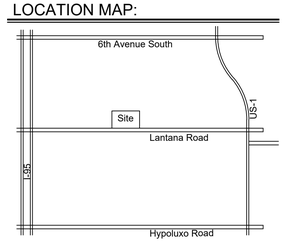
RESIDENTIAL SUMMARY	UNITS
PARCEL 'B'	1,091 Units
TOTAL UNITS	1,091 Units
Max. building height within 100' setback from residential zoned parcels and public ROW's	55'
Max. building height inside 100' setback *with approval of Town Council	75'
Max. height for water tower	127.5'
Gross maximum density permitted	15 DU/Ac.
Gross density proposed (1,091 UNITS / 73.32 Ac.)	14.88 DU/Ac.

NON-RESIDENTIAL SUMMARY	
Commercial (includes office)	343,187 SF
Gross Maximum FAR permitted	1.0
Gross FAR proposed	.09
Max. building height	35'
Max. building height for decorative appurtenances	45'

SITE DATA:

NAME OF DEVELOPMENT/PROJECT	WATER TOWER COMMONS
USE(S) - PRINCIPAL	Mixed uses, Restaurant, Retail, Pharmacy, Office & Residential, Financial Institution
APPROVED SPECIAL EXCEPTION USES	Planned Mixed Use Development, Drive Through Services, Restaurants over 2,500 SF, Service Station & Car Wash
LAND USE DESIGNATION	MIXED USE DEVELOPMENT
ZONING	MIXED USE DEVELOPMENT with a special exception for PMXD
SECTION, TOWNSHIP, RANGE	Sec 44, Twp 43, Range 40
PROPERTY CONTROL #'S	40-43-44-33-50-001-0010 thru 0050
TRAFFIC ANALYSIS ZONE (TAZ)	931
TOTAL LOT AREA	73.32 AC (3,193,819 S.F.)
PARCEL A - COMMERCIAL	30.10 AC (1,311,156 S. F.)
PARCEL B - RESIDENTIAL	34.11 AC (1,485,832 S. F.)
FUTURE DEV. AREA	1.33 AC (57,934 S.F.)
ROW DEDICATION	7.78 AC (338,897 S.F.)

LOCATION MAP:



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Urban Design
Land Planning
Landscape Architecure
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Zoning - MI
Land Use - MI
Public Uses

Zoning - MI
Land Use - MI
Gov. Service

Zoning - I
Land Use - I
Industrial

MXD
73.32 Acres

Parcel B Residential
Parcel
34.11 Acres
1,091 Dwelling Units

Zoning - R15
Land Use - R15
Residential

Zoning - R15
Land Use - R15
Residential

Parcel A
Future Development Area
7.78 Acres

Parcel A
Commercial
Parcel
30.1 Acres
1,311,155 SF

Zoning - MI
Land Use - MI
Gov. Service

Zoning - R15
Land Use - R15
Residential

Zoning - C1
Land Use - C1
Commercial

Zoning - C1
Land Use - C1
Commercial

Zoning - C1
Land Use - C1
Commercial

Zoning - P
Land Use - P
Public

Water Tower Commons
fks - A. G. Holley
Lantana, Florida
Master Plan

H:\JOBS\NO Holley Property - Lantana_12-069\BHDP Architecture_PL_026\Drawings\Master Plan\2023-06-09-MP Resubmit.dwg

NORTH
0 50' 100' 200'
Scale: 1" = 100'-0"

Date:	June 9, 2023
Project No.:	12-069.027
Designed By:	SCM/HLC
Drawn By:	SCM/HLC
Checked By:	SM

Revision Dates:

06-09-23 Resubmittal	HLC

PRIOR REVISION HISTORY

01.14.15	Submit to Lantana	SCM
06.24.15	Resubmittal to Lantana	SCM
07.02.15	Resubmittal to Lantana	SCM
10.05.15	Resubmittal	JWB
02.22.17	Resubmittal to Lantana	JEB
07.17.19	Resubmittal	JWB
12.12.19	Resubmittal	JWB
03.12.21	Resubmittal	JWB
04.13.22	Submittal	NTD
07.06.22	Resubmittal	NTD

MP-1
of 1

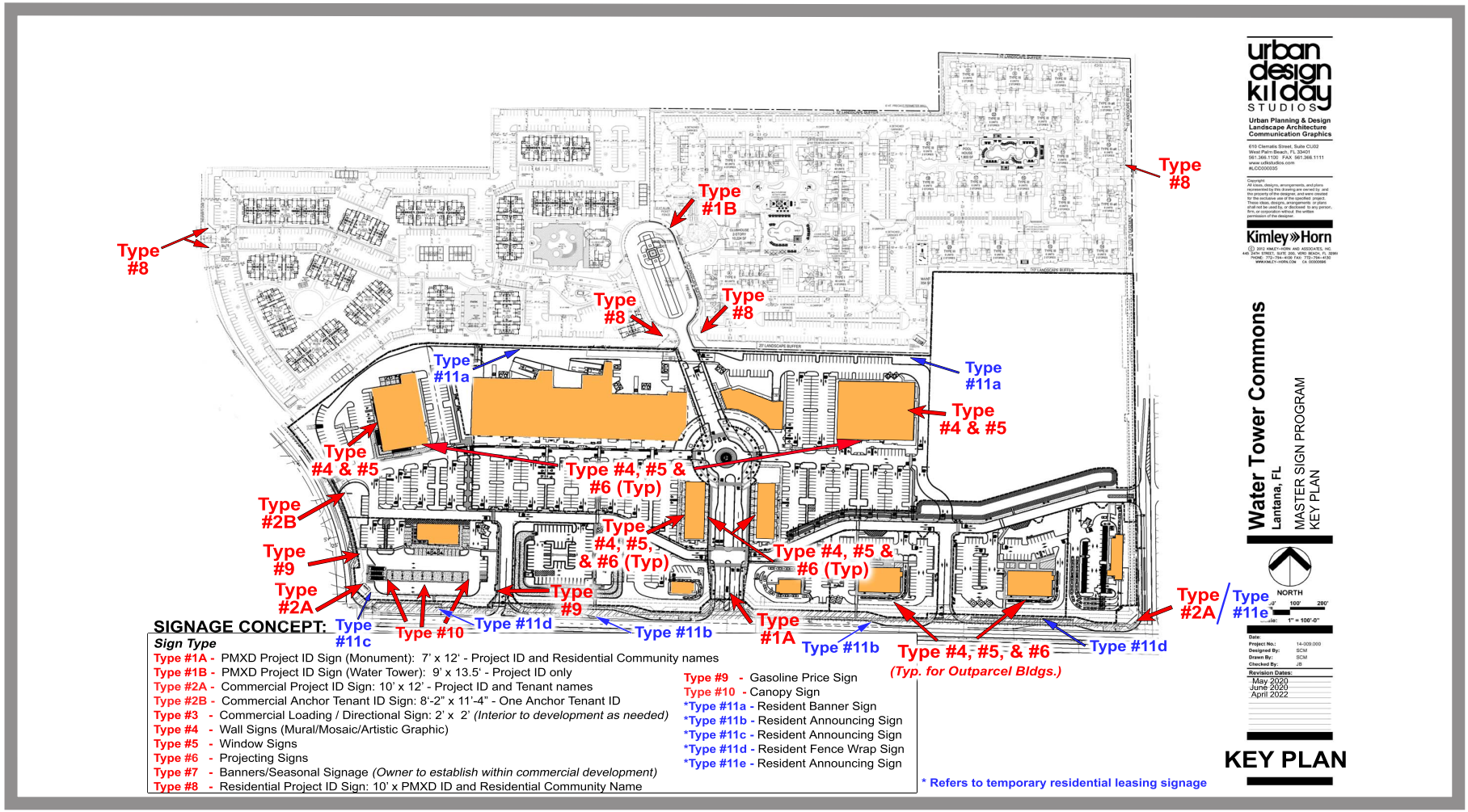
Water Tower Commons

MASTER SIGN PROGRAM

MARCH 2023

REVISIONS

JUNE 2015
OCTOBER 2015
JANUARY 2016
JULY 2016
AUGUST 2016
OCTOBER 2016
FEBRUARY 2017
DECEMBER 2017
AUGUST 2018
SEPTEMBER 2018
JULY 2019
MAY 2020
JUNE 2020
MARCH 2021
DECEMBER 2021
APRIL 2022
MARCH 2023



SIGN TYPE	
Type 1 A/B	Project Identification Signs
Type 2A	Commercial Development Project ID Signs
Type 2B	Commercial Anchor Tenant ID Signs
Type 3	Commercial Loading / Directional Signs (Optional)
Type 4	Wall Signs
Type 5	Window Signs

SIGN TYPE	
Type 6	Projecting Signs
Type 7	Banners/Seasonal Signs
Type 8	Residential Project ID Sign
Type 9	Gaseoline Price Sign
Type 10	Canopy Sign
Type 11	Residential Leasing Signs
Type 12	Announcing Signs

COMMERCIAL:

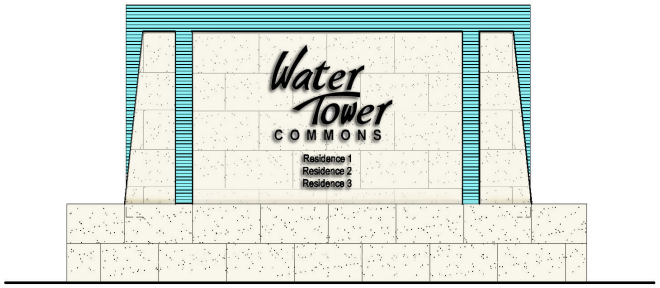
PROJECT IDENTIFICATION SIGN

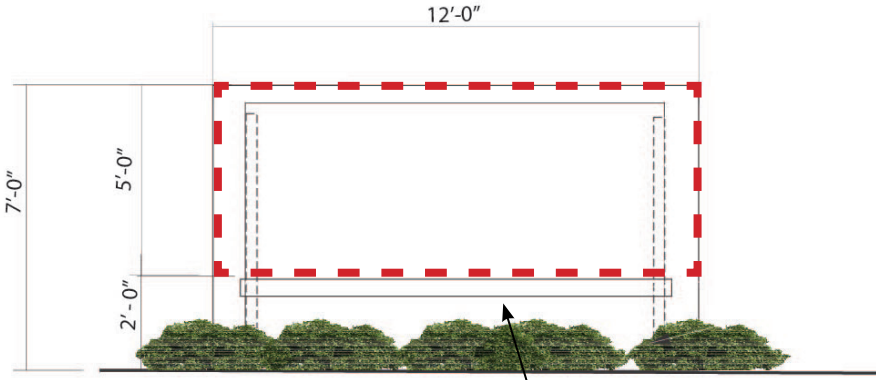
MONUMENT SIGN WITH PROJECT IDENTIFICATION & UP TO THREE (3) RESIDENTIAL COMMUNITY NAMES (TYPE 1A)

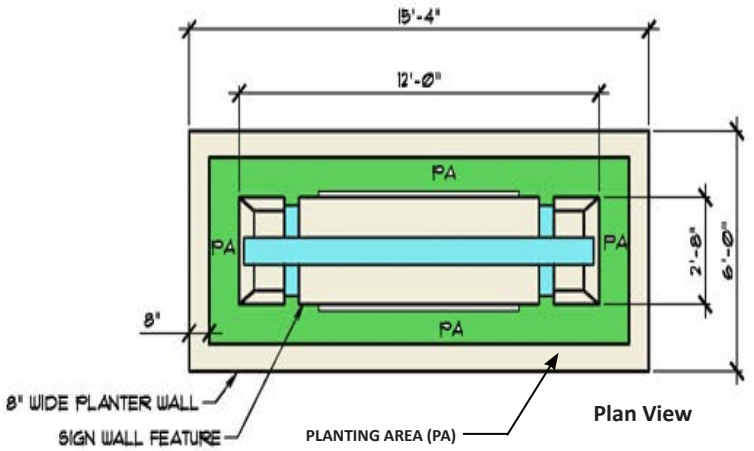
Note:

1. Refer to attached Key Plan for Sign Location.
2. Maximum number of residential communities permitted shall be three (3).
3. Name(s) to be uniform in color and font with the development.
4. Sign may be internally lit (LED) or illuminated from ground mounted lighting.
5. Sign may be dual faced.

Main Entry Signage and Planter Feature







Plan View

* SIGN CONCEPT, SUBJECT TO CHANGE

2' HT. SIGN BASE FOR REQUIRED FOUNDATION PLANTING
NO SIGNAGE PERMITTED ON BASE

Sign Area Proposed: 60 SF per sign face

TYPE 1

COMMERCIAL:
PROJECT IDENTIFICATION SIGN
(TYPE 1B)

Water Tower Signs:

1. Maximum number of signs permitted shall be two (2).
2. Maximum of nine feet (9') permitted for logo height.
3. Maximum of thirteen feet and five inches (13'-5") permitted for logo width.
4. Letter color to be consistent with other Project Identification Signage within the commercial development.



CONCEPT PROJECT LOGO, SUBJECT TO CHANGE



*Proposed view from Interstate 95

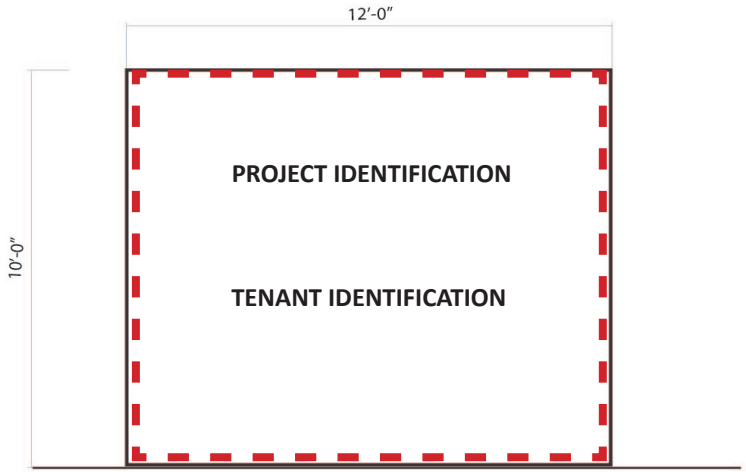
COMMERCIAL:

COMMERCIAL DEVELOPMENT PROJECT IDENTIFICATION

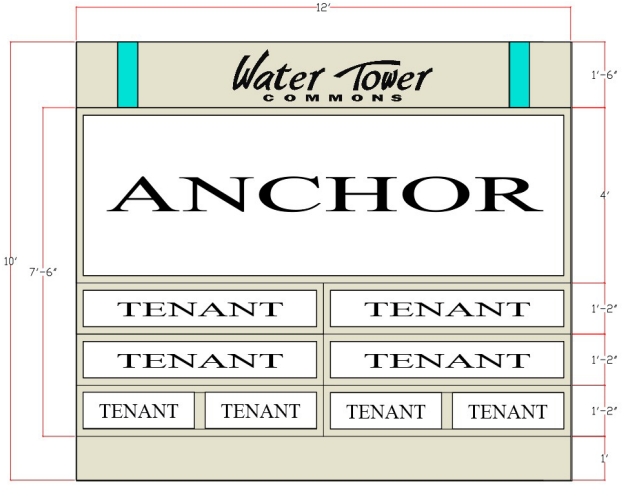
MONUMENT SIGN WITH PROJECT IDENTIFICATION AND UP TO NINE (9) TENANT PANELS (TYPE 2A)

Note:

1. Refer to attached Key Plan for Sign Location.
2. Number, Size and Shape of Project ID/Tenant Panels may vary within the limit shown.
3. Tenant names to be uniform in color and font with the exception of the allowance of federally registered logos, fonts, colors, and/or trademark.
4. Sign to be internally lit (LED) or illuminated from ground mounted lighting.
5. Sign shall be single faced.



*Monument sign concept, interior dimensions of Project and Tenant Identification are subject to change based on final concept development and Tenant sign criteria.



* MONUMENT SIGN CONCEPT, SUBJECT TO CHANGE

Sign Area Proposed: 120 SF per sign face

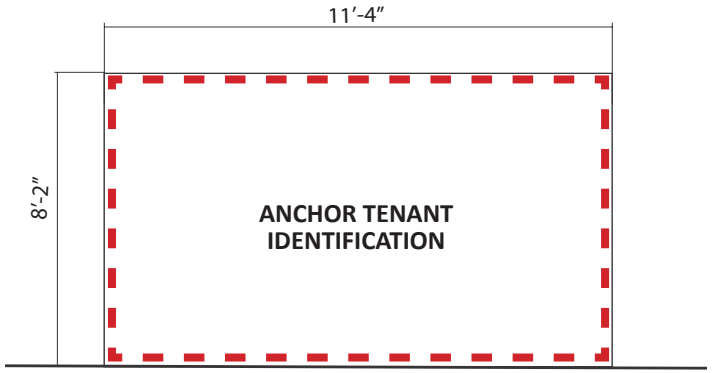
COMMERCIAL:

COMMERCIAL ANCHOR TENANT IDENTIFICATION

MONUMENT SIGN WITH IDENTIFICATION FOR ONE (1) ANCHOR TENANT (TYPE 2B)

Note:

1. Refer to attached Key Plan for Sign Location.
2. Number, Size and Shape of Project ID/Tenant Panels may vary within the limit shown.
3. Anchor Tenant monument sign to allow national/regional branding, which shall include but not be limited to: logos, fonts, colors.
4. Sign to be internally lit (LED) or illuminated from ground mounted lighting.
5. Sign may be single or dual faced.



*Monument sign concept, interior dimensions of Project and Tenant Identification are subject to change based on final concept development and Tenant sign criteria.

Sign Area Proposed: 93 SF per sign face

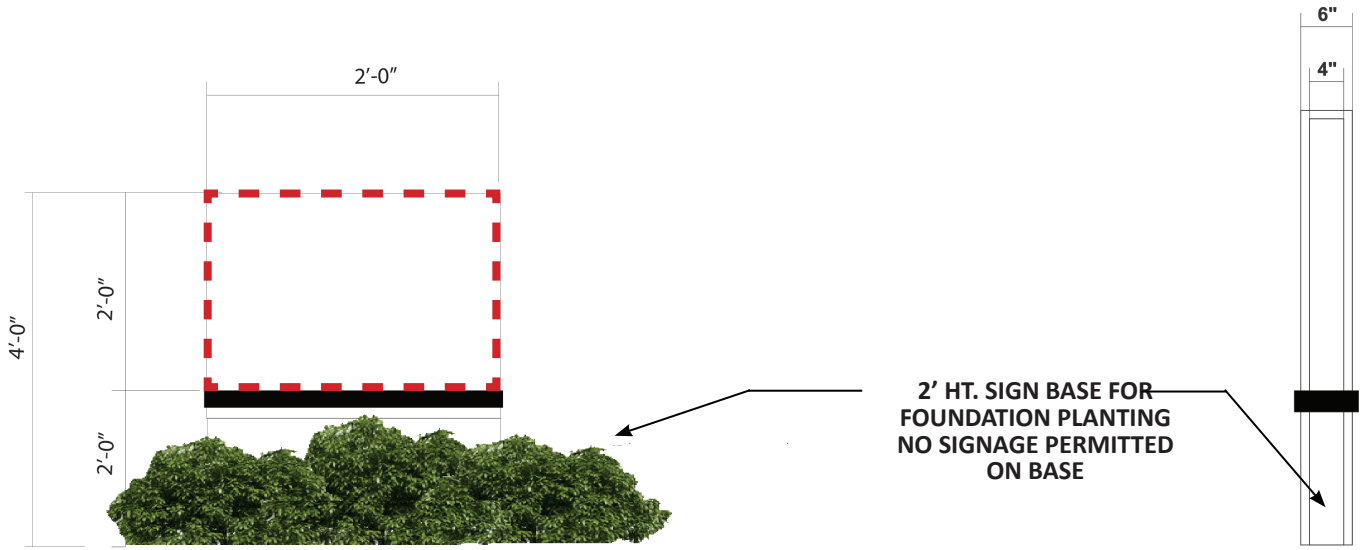
COMMERCIAL:

COMMERCIAL LOADING / DIRECTIONAL SIGN (OPTIONAL)

(Type 3)

Note:

1. Sign locations restricted tointerior areas of the commercial development and may or may not be shown on the Key Plan for Sign Locations
2. Text to be uniform in color and font with the approved commercial development signage.
3. Sign to be internally lit (LED) or illuminated from ground mounted lighting.



Front View

Side View

Sign Area Proposed: 4 SF per sign face

COMMERCIAL:
WALL SIGNS
(TYPE 4)

GENERAL

1. All sign permits submitted to Town's construction services department shall include an affidavit from the Owner that includes the sign area being utilized and the sign area permitted pursuant to this Master Sign Program and Owners discretion.

2. All tenant spaces shall display unit/address identification for emergency services & deliveries. Identification shall be uniform in color & size throughout the development, as determined by the Owner, or their successors.

3. Tenant signs to be uniform in color and font, with the exception of the allowance of national/regional branding, which shall include but not be limited to: logos, fonts, colors.

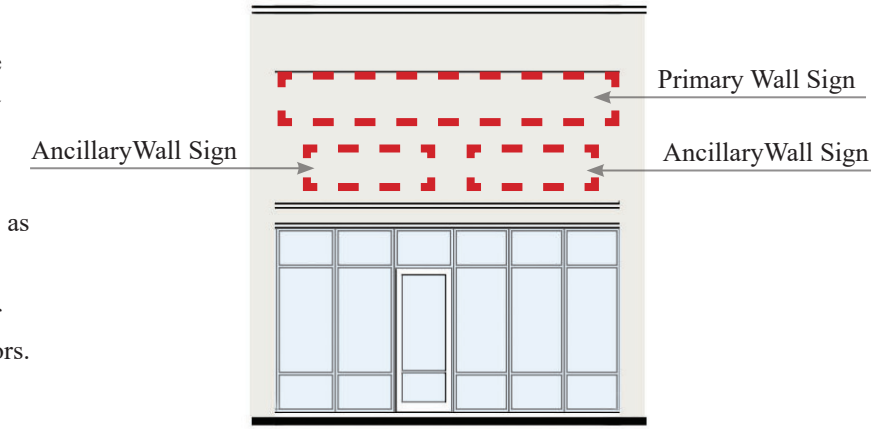
4. No signs are permitted above the parapet.

5. No individual outparcel monument signs permitted, other than those provided for in this Master Sign Program.

6. No raceway signs permitted.

7. Wall signs to be mounted to the face of the building and within the boudaries of the tenant space.

8. Mural, Mosaic & Artistic Graphic: One (1) mural/mosaic shall be permitted within the commercial development, subject to preliminary written approval of the property owner and final approval by the Town of Lantana Town Council. Mural and Mosaic shall not exceed 100' in width and 20' in height, and no more than 1,000 square feet total. Also, conform with the Town of Lantana development regulations for description, function, and any other mandated criteria.



INLINE RETAIL SIGNS

A. PRIMARY WALL SIGN

1. One (1) Primary wall sign permitted per tenant space: one (1) additional Primary wall sign permitted for tenant spaces located on building endcaps.

2. Inline retail Primary wall signs to be calculated utilizing the below formula.

PRIMARY INLINE RETAIL WALL SIGNS			
Total Wall Width (N)	**Max OA Sign Area**	**Max Letter Height**	**Max Width *(% x N)***
200'+	350 SF	6'	20%
100'+	300 SF	6'	30%
75'+	250 SF	5'	45%
50'+	200 SF	5'	55%
15'+	150 SF	5'	70%

COMMERCIAL:
WALL SIGNS
(TYPE 4)

B. ANCILLARY WALL SIGN

1. Two (2) Ancillary wall signs per tenant space; one (1) additional Ancillary wall sign, for a total of three (3), is permitted for tenant spaces over 200' in width and located on building endcaps.
2. One (1) line of text/logo.
3. Inline Retail Ancillary wall signs to be calculated utilizing the below formula:

ANCILLARY INLINE RETAIL WALL SIGNS			
Total Wall Width (N)	**Sign Width (W)** ***(10% of N = W)***	**Max Letter Height (H)** ***(H=2')***	**Max OA Sign Area** ***(W x H)***
200'+	20'	2'	40'
100'+	10'	2'	20'
75'+	8'	2'	15'
50'+	5'	2'	10'
15'+	2'	2'	3'

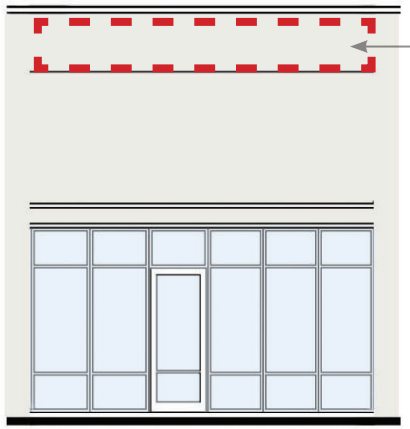
MAIN STREET WALL SIGNS (Main Street buildings are designed to provide storefront access on the east and west elevations and require appropriate signage for each.)

A. PRIMARY WALL SIGN

1. Two (1) Primary wall signs permitted per tenant space. Primary wall signs to be located on the east and west elevations. One (1) additional Primary wall sign permitted for tenant spaces located on building endcaps that face Lantana Road.
2. No Ancillary signage permitted.
3. One (1) line of text/logo.
4. Main Street wall signs to be calculated utilizing the below formula:

PRIMARY MAIN STREET WALL SIGNS			
Total Demised Width (N)	**Sign Width (W)** ***(75% of N = W)***	**Max Letter Height (H)** ***(H=2')***	**Max OA Sign Area** ***(W x H)***
100'+	75'	2'	150'
75'+	56'	2'	112.5'
50'+	38'	2'	75'
15'+	11'	2'	22.5'

COMMERCIAL:
WALL SIGNS
(TYPE 4)



OUTPARCEL SIGNS

A. PRIMARY WALL SIGN

1. One (1) Primary wall sign permitted per tenant space and to be located on same elevation as tenant main entrance. One (1) additional Primary wall sign permitted facing Lantana Road.
2. One (1) line of text/logo.
3. Outparcel Primary wall signs to be calculated utilizing the below formula:

PRIMARY OUTPARCEL WALL SIGNS			
Total Wall Width (N)	**Max OA Sign Area**	**Max Letter Height**	**Max Width *(% x N)***
100'+	200'	4'	30%
75'+	150'	4'	45%
50'+	125'	4'	55%
15'+	75'	4'	70%

B. ANCILLARY WALL SIGN

1. Two (2) Ancillary wall signs per tenant space with one (1) additional Ancillary wall sign, for a total of three (3), permitted for tenant spaces located on building endcaps.
2. One (1) line of text/logo.
3. Outparcel Ancillary wall signs to be calculated utilizing the below formula:

ANCILLARY OUTPARCEL WALL SIGNS			
Total Wall Width (N)	**Sign Width (W) *(10% of N = W)***	**Max Letter Height**	**Max OA Sign Area *(W x 2)***
100'+	10'	1'	20'
75'+	8'	1'	15'
50'+	5'	1'	10'
15'+	2'	1'	3'

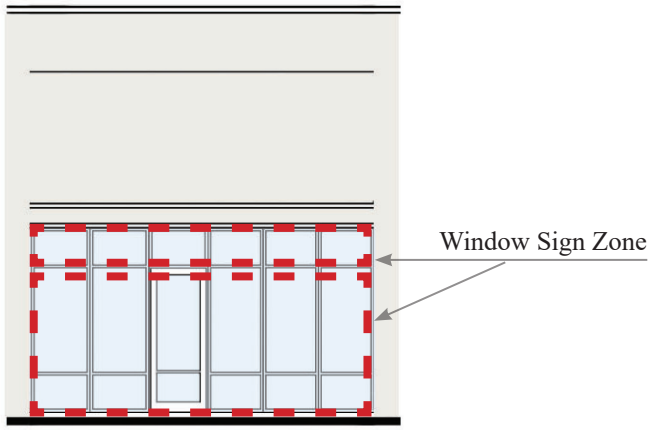
WINDOW SIGNS:

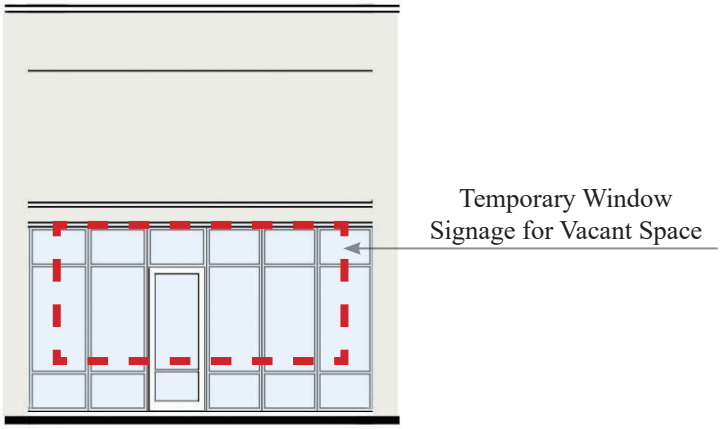
Permanent Window Signs:
Total area must not exceed thirty percent (30%) of the window area for each business and sign placement shall allow for clear and unobstructeal view from outside the building to the interior along a normal line of sight when viewing the cash register and sales transaction area. Interior signage placed or displayed within two (2) feet of the window shall be subject to this provision.

Temporary Window Signs for Advertising for Limited Timeframes:
Temporary window signage advertising special sales, events or services shall be permitted for up to twenty-five percent (25%) of the glazed area of the storefront for not more than thirty (30) days provided such signage shall not unreasonably obstruct views from the street into storefront spaces. Temporary window signage shall be in combination with any permanent window signage and together shall not exceed thirty percent (30%) of window area for each business.

Temporary Window Signs for Vacant Spaces:
Vacant ground floor spaces shall provide a temporary window treatment applied as a film on the interior of the glazing. Window treatment shall consist of graphic imagery and shall comply with the following design guidelines:

- Up to one hundard percent (100%) of the glazing area may be comprised of urban lifestyle imagery which does not advertise any specific good, service, or business, with the exception of a two (2) foot unincumbered border on either side of the space and a four (4) unincumbered border at the bottom of the space. Unincumbered areas must be kept open and clear to view.
- Signage advertising a new business or development opportunity for the vacant storefront shall be limited to fifty percent (50%) of the glazing area, and provided for a two (2) foot unincumbered border on either side of the space and a four (4) unincumbered border at the bottom of the space. Unincumbered areas must be kept open and clear to view.





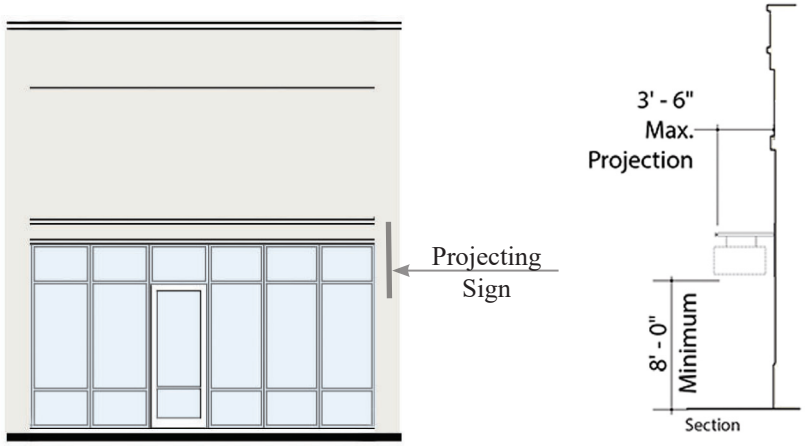
COMMERCIAL:
PROJECTING SIGNS

MAIN STREET AND OUTPARCEL RETAIL PROJECTING SIGNS:

1. Projecting signs shall have a maximum three foot-six inch (3’-6”) projection from wall and eight (8) foot seperation from ground or floor.

2. Tenant projecting signs to allow national/regional branding, which shall include but not be limited to: logos, fonts, colors.

3. Maximum of nine (9) square feet copy area; subject to approval of property owner for consistency with other tenant projecting signs within the development.



COMMERCIAL:
BANNERS/SEASONAL SIGNS
(Type 7)

Banners shall be permitted on the external building facades as well as on decorative light poles within the PMXD.

Banners on the external façade of buildings shall meet the following parameters:

The sign area for banners is inclusive of any wall, canopy, or awning signs on the façade of the buildings at the prescribed three square feet of sign area for every one linear foot of exterior façade (3:1).

The maximum area of any banner shall not exceed twelve and a half (12.5) square feet.

Banners shall be located within twenty (20) feet of the edges of public entrances to the buildings.

The minimum clearance of banners above the finished grade shall be eight (8) feet.

Banners shall be located on the building façade and mounted perpendicular to the building façade.

Banners shall not advertise individual tenants.

Banners shall be located with respect to the building's architecture and shall not obscure windows.

Banners must present a professional appearance and shall be maintained in good condition.

Banners on decorative light poles shall meet the following parameters:

Banners may be located on decorative light poles lining the seven (7) entry roads into the commercial portion of the site, but no closer than twenty (20) feet to Lantana Road, Andrew Redding Road or North 8th Street ROW's.

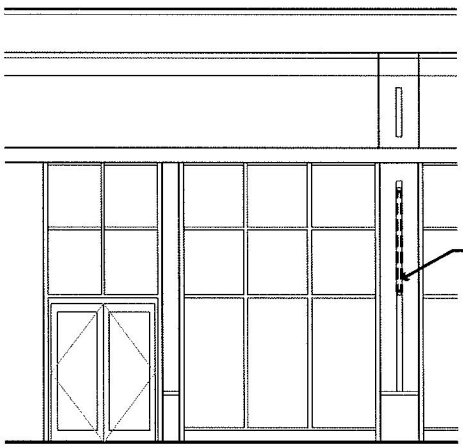
Banners may display seasonal decorations or advertise the development as a whole, and not individual tenants.

The maximum size of an individual banner mounted on a light pole shall not exceed twelve and a half (12.5) square feet of copy area per side.

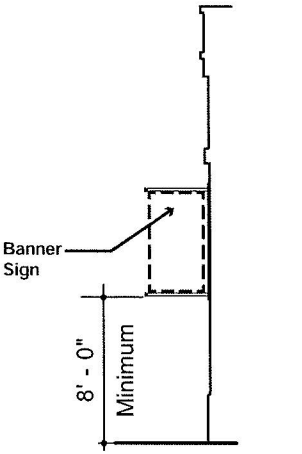
A banner's highest point shall not exceed the highest point of building or pole upon which it is mounted.

The minimum clearance of banners above the finished grade shall be eight (8) feet.

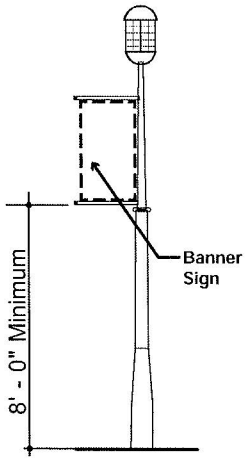
Banners must present a professional appearance and shall be maintained in good condition.



Elevation - Banner
Scale: 3/32" = 1' - 0"



Section - Banner
Scale: 3/32" = 1' - 0"

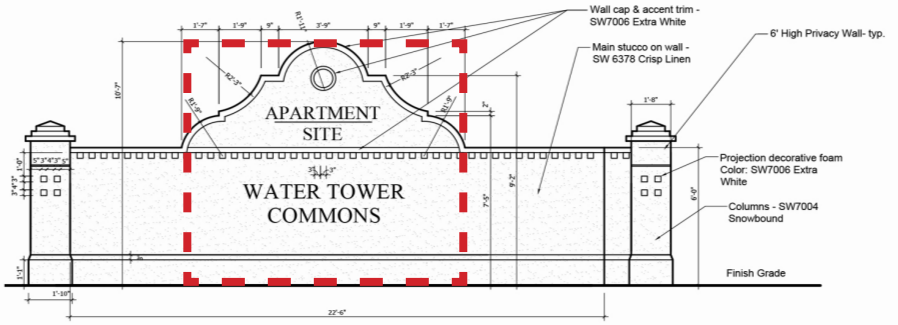


Light Pole Banner
Scale: 3/32" = 1' - 0"

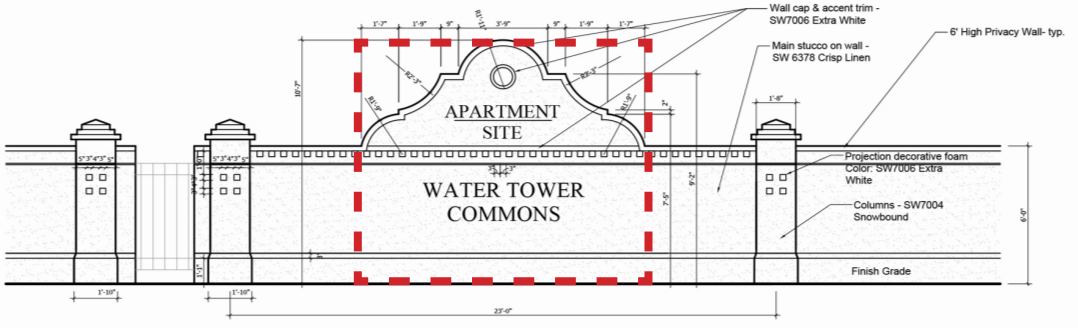
NON-COMMERCIAL:
RESIDENTIAL PROJECT ID SIGN
(TYPE 8)

Note:
1. Refer to attached Key Plan for Sign Location.
2. Signs may identify the ID of the PMXD and/or community name.
3. Signs to be uniform in shape, size and copy; per proposed individual development/community not associated with the main commercial development.
4. ID signs to be incorporated in proposed wall system.
5. Signs to be illuminated from ground mounted lighting.
6. Lettering not to exceed 12".

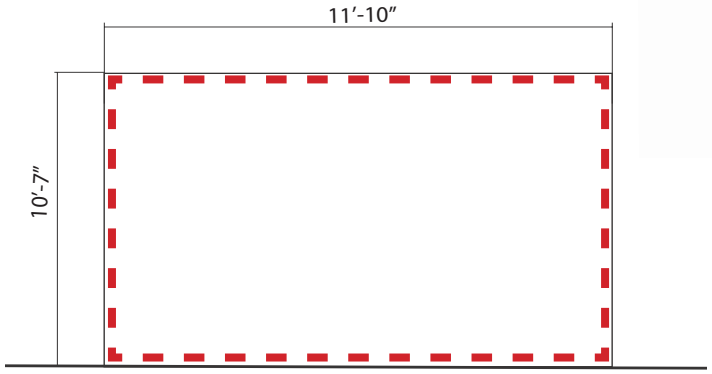
MAIN ENTRANCE/EXIT



MAIN ENTRANCE / EXIT



RESIDENT EXIT



* MONUMENT SIGN CONCEPT, SUBJECT TO CHANGE

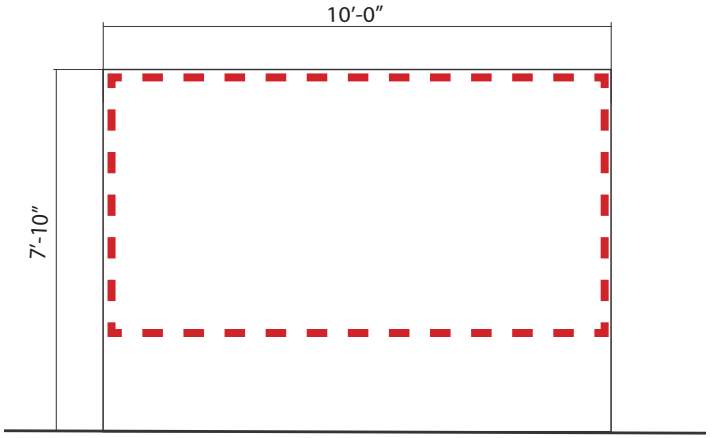
Sign Area Proposed: 30 SF per sign face

COMMERCIAL:
SERVICE STATION SIGNAGE
(TYPE 9 & 10)

GAS PRICING SIGNAGE - TYPE 9

Note:

1. Refer to attached Key Plan for Sign Location.
2. Number, Size and Shape of Pricing Panels may vary within the limit shown.
3. Gas pricing sign to allow national/regional branding, which shall include but not be limited to: logos, fonts, colors.
4. Gas pricing sign to be internally lit (LED) or illuminated from ground mounted lighting.
5. Gas pricing sign may be single or dual faced.



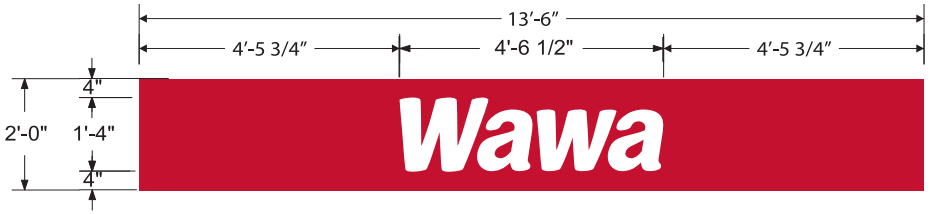
*Gas pricing monument sign concept, interior dimensions of Project and Tenant Identification are subject to change based on final concept development and Tenant sign criteria.

Sign Area Proposed: 50 SF per sign face

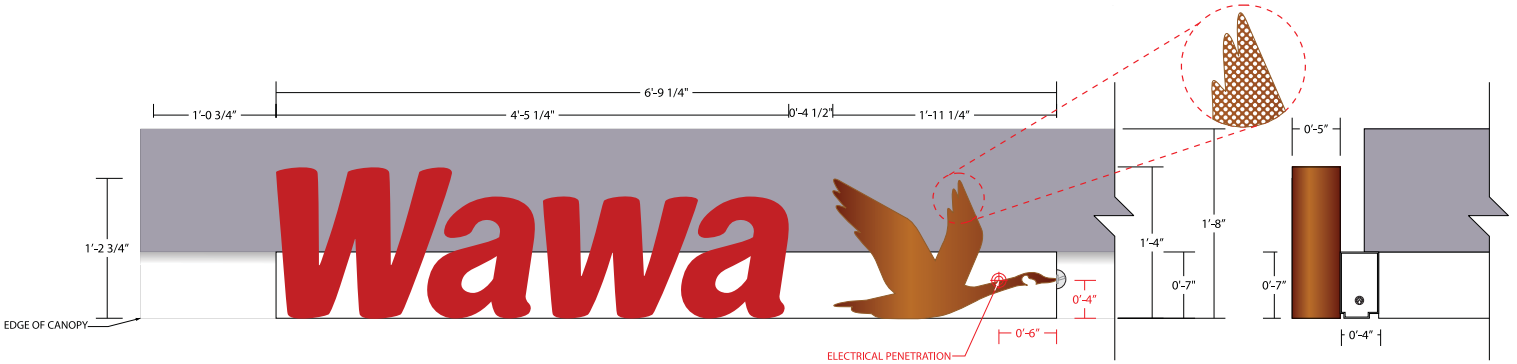
CANOPY SIGNAGE - TYPE 10

Note:

1. Refer to attached Key Plan for Sign Location.
2. Canopy signs to allow national/regional branding, which shall include but not be limited to: logos, fonts, colors.
3. Canopy signs to be internally lit (LED) or illuminated lit by external surrounding lighting.
4. Canopy signs may be single or dual faced.



G S/F Brakeformed Alum. Gas Pump Canopy Spanner Panel - QTY: 2
COPY AREA = 6.04 SF



*Canopy sign concepts are subject to change based on final concept development program.

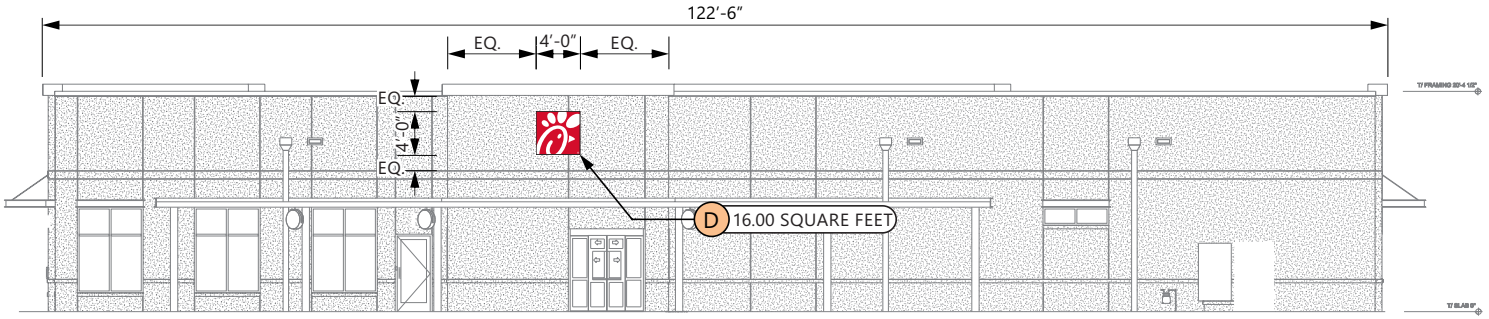
F 5" Deep Front Lit LED Illuminated Letters & Logo (on 4" x 7" Extruded Raceway)
SQ FT: 9.02'

COMMERCIAL:
CHIC-FIL-A SIGNAGE
(TYPE 4a, 4b, 4c & 4d Modified)

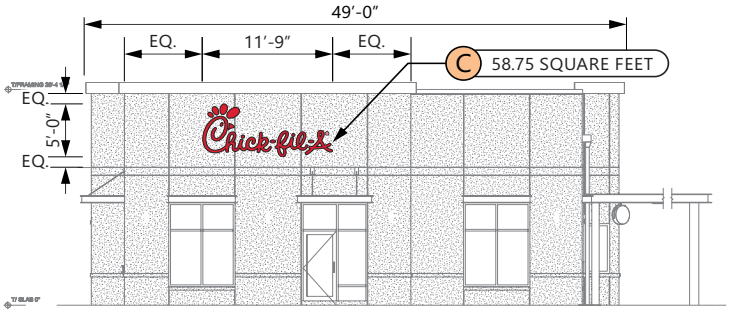
ANCILLARY WALL SIGNAGE - TYPE 4a, 4b, 4c, 4d Modified

Note:

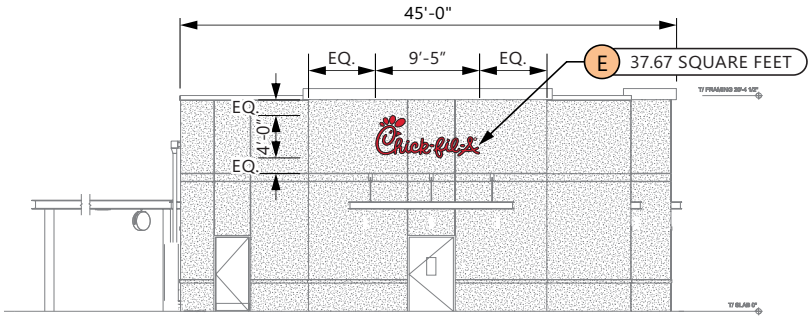
1. Refer to attached Key Plan for Type 4 Sign Locations.
2. Wall signs to allow national regional branding, which shall include but not be limited to: logos, fonts, colors.
3. Wall signs to be internall lit (LED).
4. All other general wall sign regulations apply as provided for in this Master Sign Program.



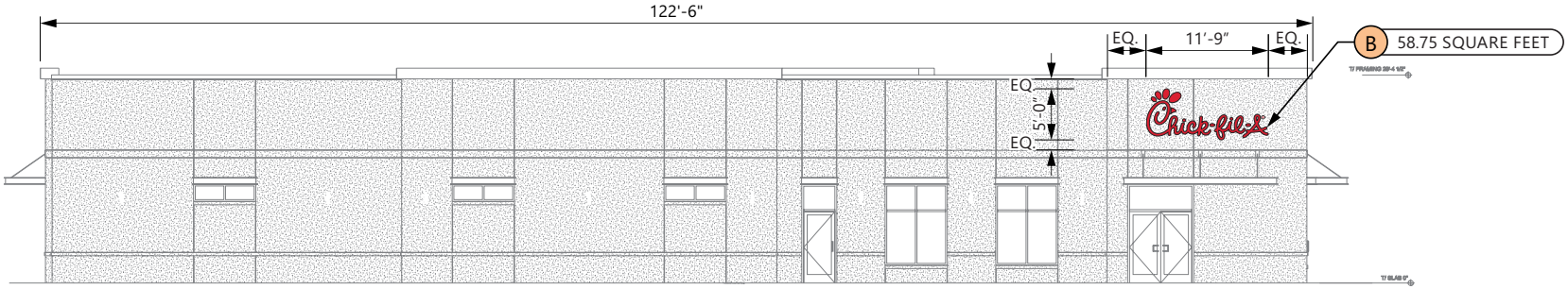
Sign Elevation D (4a)
N.T.S.



Sign Elevation F (4c)
N.T.S.



Sign Elevation E (4b)
N.T.S.



Sign Elevation G (4d)
N.T.S.

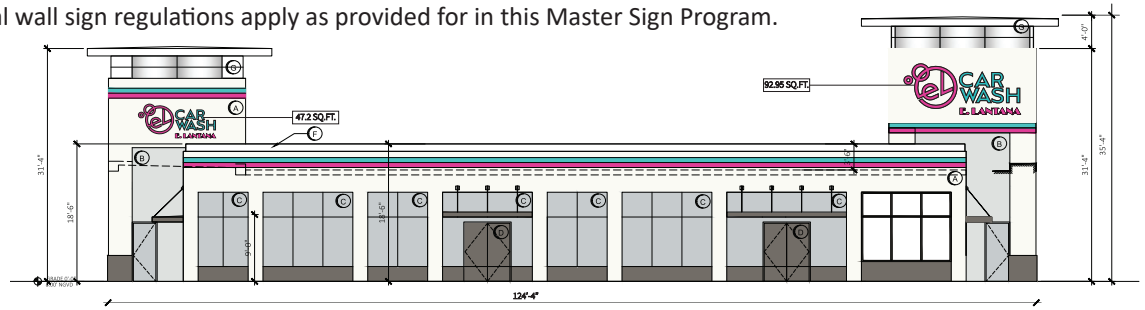
TYPE 4a, 4b, 4c & 4d Modified

COMMERCIAL:
CAR WASH SIGNAGE
(TYPE 4e, 4f, 4g, 4h & 4i Modified)

ANCILLARY WALL SIGNAGE - TYPE 4e, 4f, 4g, 4h, 4i Modified

Note:

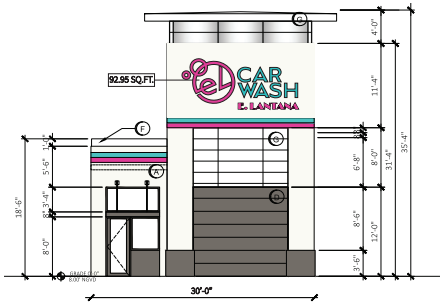
1. Refer to attached Key Plan for Type 4 Sign Locations.
2. Wall signs to allow national regional branding, which shall include but not be limited to: logos, fonts, colors.
3. Wall signs to be internall lit (LED).
4. All other general wall sign regulations apply as provided for in this Master Sign Program.



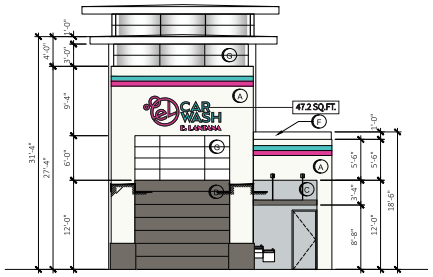
West Elevation (4e, 4f)
N.T.S.

Color Reference Chart

V1	3M - 3630-246 Teal Green
V1	3M - 3630-38 Fuchsia
M1	1" Black Trim cap
M2	5" Deep Black Returns



South Elevation (4g)
N.T.S.



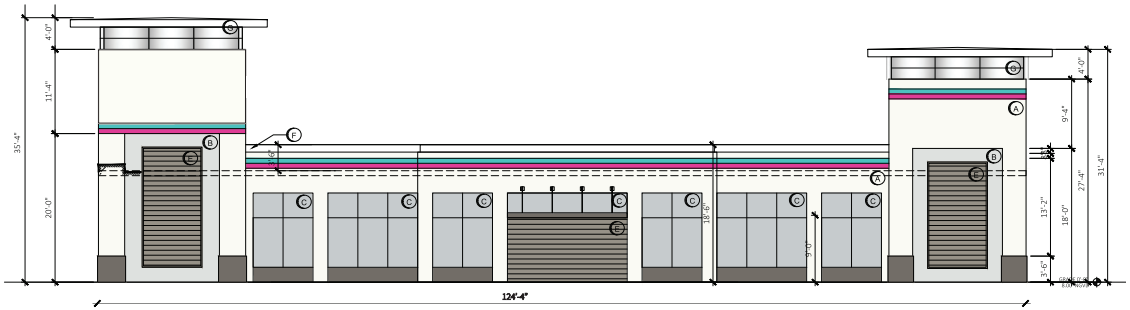
North Elevation (4h)
N.T.S.



Primary Sign
N.T.S.



Ancillary Sign
N.T.S.



East Elevation (4i) - No signage proposed for East elevation
N.T.S.

TYPE 4e, 4f, 4g, 4h & 4i Modified

RESIDENTIAL:

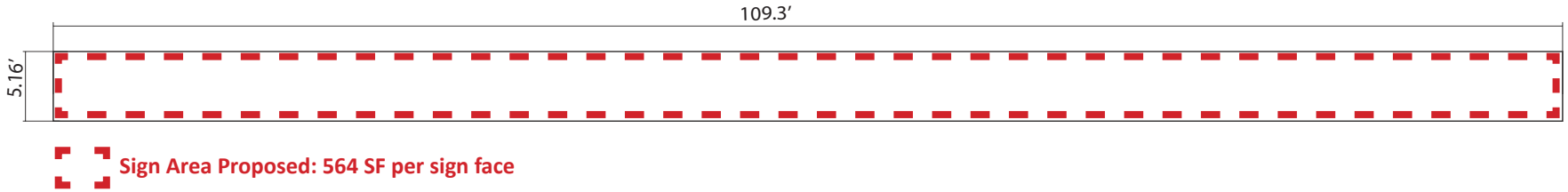
LEASING SIGNAGE

(TYPE 11a, 11b, 11c, 11d and 11e)

BANNER SIGN - TYPE 11a

Note:

1. Refer to attached Key Plan for Sign Location.
2. Maximum number of Banner Signs permitted for Phase 1 and Phase 2 residential shall be two (2) signs for each phase.
3. Banner Sign(s) shall be single faced.
4. Lettering heights shall be determined by Owner as needed for final design.
5. Banner Sign(s) may identify the ID of the Developer and/or community name as well as other leasing related information.
6. Banner Sign(s) to allow national/regional branding, which shall include but not be limited to: Logos, fonts, colors, etc.
7. Banner Sign(s) to be uniform in shape, size, and copy; per proposed individual development/community not associated with the main commercial development.
8. Banner Sign(s) shall be permitted to be installed for up to twelve (12) months (365 days) from the time of permit issuance, facing Lantana Road only. No more than two (2) Banner Signs shall be displayed at one time. Banner signs may be installed either simultaneously or in succession of each, however no sign shall be installed for more than the noted twelve (12) month period.
9. Banner Sign(s) shall be professionally installed on existing wall system in locations shown on the Key Plan.





Sign Concept:

Sign Concept is subject to change based on final sign design.

TYPE 11a, 11b, 11c, 11d and 11e

RESIDENTIAL:

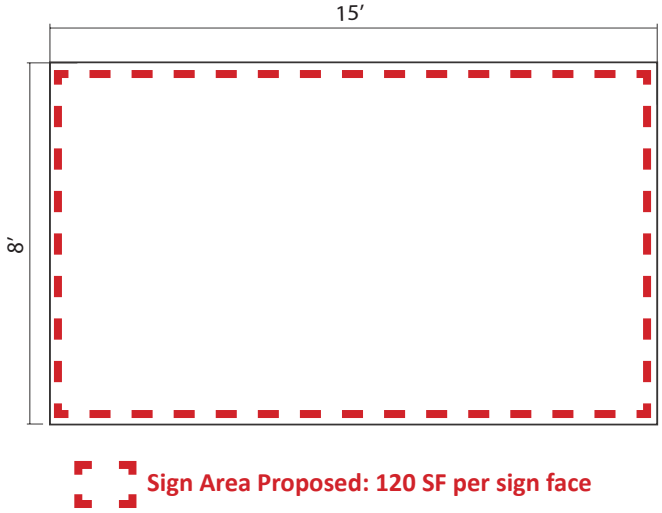
LEASING SIGNAGE

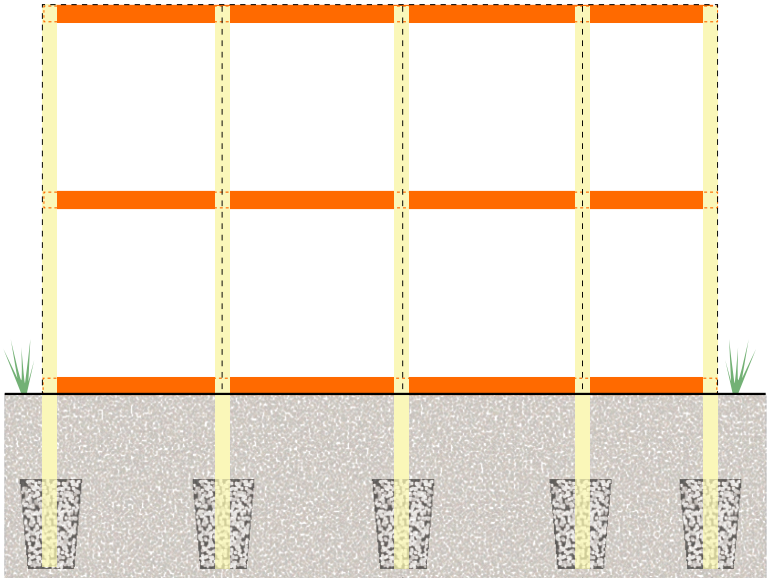
(TYPE 11a, 11b, 11c, 11d and 11e)

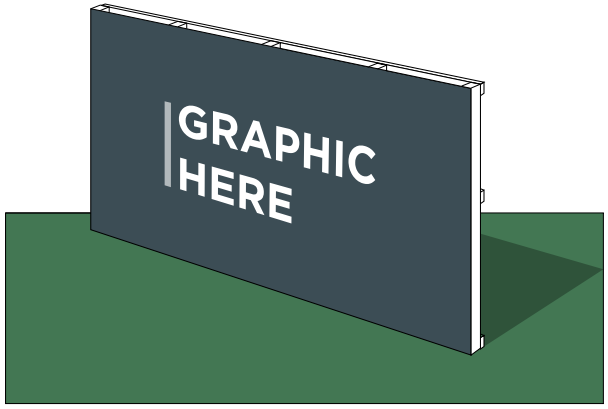
ANNOUNCING SIGN - TYPE 11b

Note:

1. Refer to attached Key Plan for sign locations.
2. Maximum number of Announcing Signs permitted for Phase 1 and Phase 2 shall be two (2) signs for each phase, however only in the locations as shown on the Key Plan.
3. Announcing Sign(s) shall be single faced.
4. Lettering heights shall be determined by Owner as needed for final design.
5. Announcing Sign(s) may identify the ID of the Developer and/or community name as well as other leasing related information.
6. Announcing Sign(s) to be uniform in shape, size, and copy; per proposed individual development/community not associated with the main commercial development.
7. Announcing Sign(s) shall be removed upon issuance of final Certification of Occupancy for each Phase.
8. Announcing Sign(s) shall be professionally installed and subject to all other code regulations for the sign type.







Sign Concept:

Sign Concept is subject to change based on final sign design.

TYPE 11a, 11b, 11c, 11d and 11e

RESIDENTIAL:

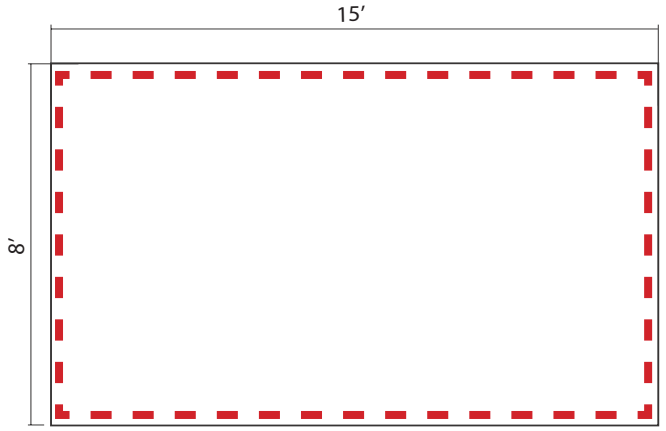
LEASING SIGNAGE

(TYPE 11a, 11b, 11c, 11d and 11e)

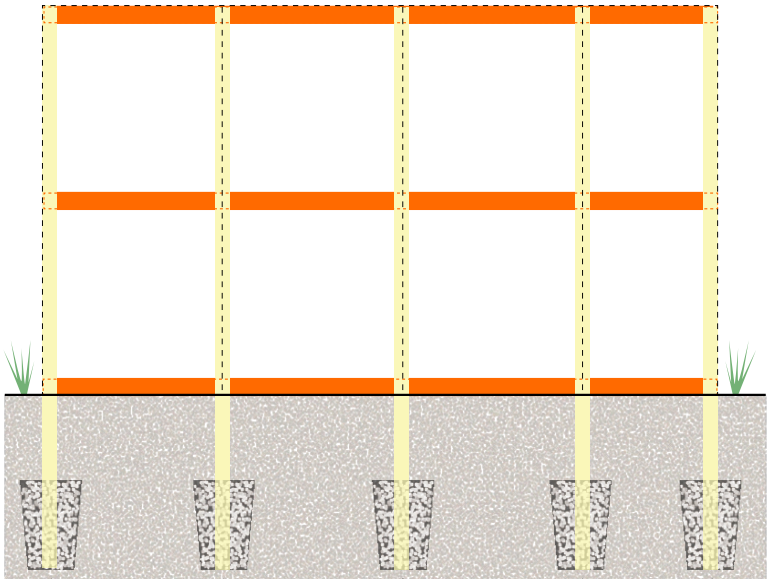
ADDITIONAL ANNOUNCING SIGN - TYPE 11c

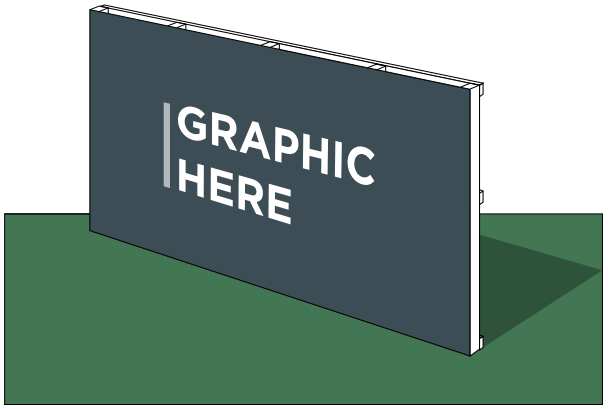
Note:

1. One (1) additional Phase 1 Announcing Sign shall be permitted; however, only in the location shown on the Key Plan.
2. Announcing Sign shall be single faced.
3. Lettering heights shall be determined by Owner as needed for final design.
4. Announcing Sign may identify the ID of the Developer and/or community name as well as other leasing related information.
5. Announcing Sign to be uniform in shape, size, and copy; per proposed individual development/community not associated with the main commercial development.
6. Announcing Sign shall be removed four (4) months after issuance of the Final Certification of Occupancy.
7. Announcing Sign shall be professionally installed and subject to all other code regulations for the sign type.



Sign Area Proposed: 120 SF per sign face





Sign Concept:

Sign Concept is subject to change based on final sign design.

RESIDENTIAL:

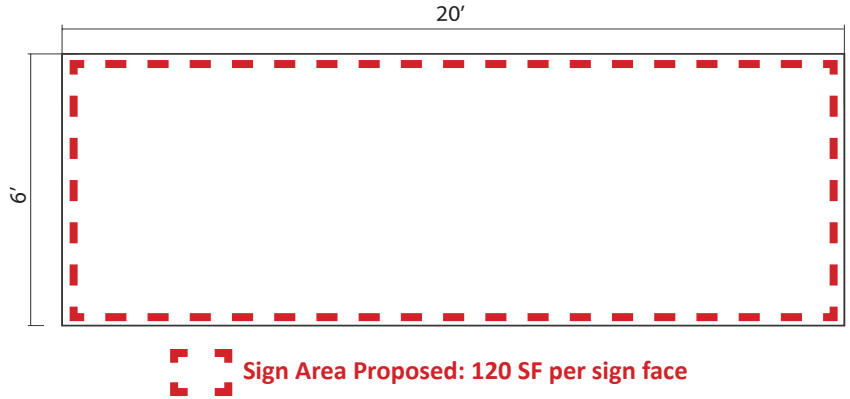
LEASING SIGNAGE

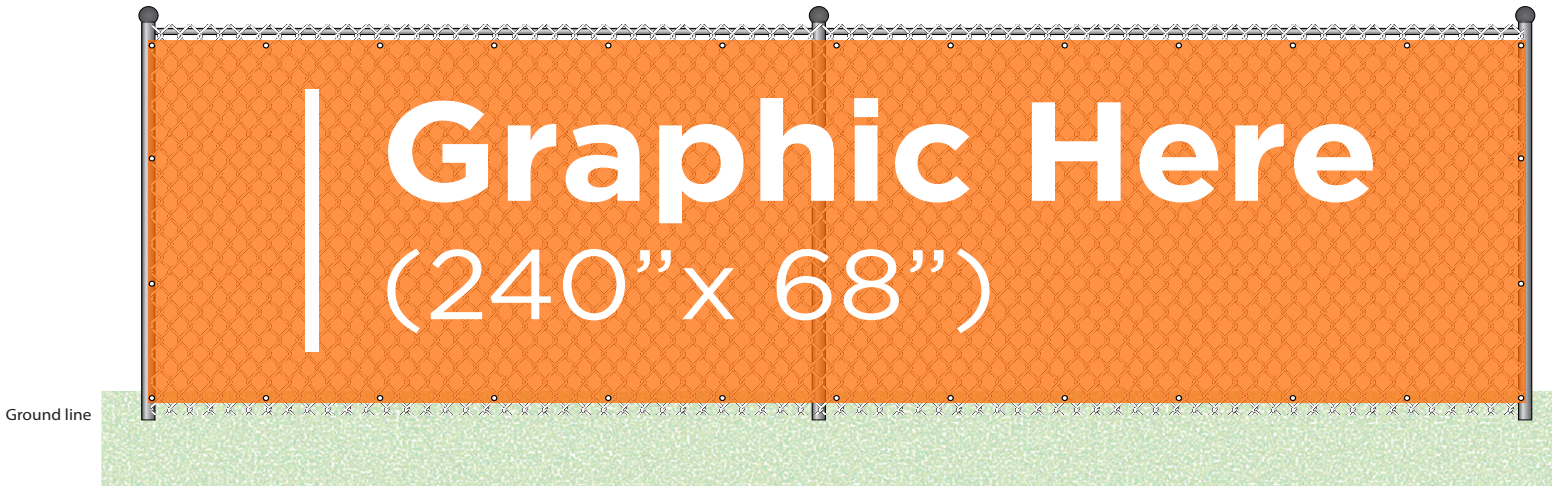
(TYPE 11a, 11b, 11c, 11d and 11e)

LEASING FENCE SIGN - TYPE 11d

Note:

1. Refer to attached Key Plan for sign locations.
2. Maximum number of community Leasing Fence Signs permitted for Phase 1 and Phase 2 shall be two (2) signs for each phase, however only in the locations as shown on the Key Plan.
3. Leasing Fence Sign(s) shall be single faced.
4. Lettering heights shall be determined by Owner as needed for final design.
5. Leasing Fence Sign(s) may identify the ID of the Developer and/or community name as well as other leasing related information.
6. Leasing Fence Sign(s) to allow national/regional branding, which shall include but not be limited to: logos, fonts, colors, etc.
7. Leasing Fence Sign(s) to be uniform in shape, size, and copy; per proposed individual development/community not associated with the main commercial development.
8. Leasing Fence Sign(s) shall be permitted to be installed for up to twelve (12) months (365 days) from the time of permit issuance and may be installed either simultaneously or in succession of each, however no sign shall be installed for more than the noted twelve (12) month period.
9. Leasing Fence Sign(s) shall be professionally installed on existing fence system in locations shown on the Key Plan.





Sign Concept:

Sign Concept is subject to change based on final sign design.

COMMERICAL:
ANNOUNCING SIGNAGE
(TYPE 12)



ANNOUNCING SIGN

Note:

1. One (1) Announcing Sign shall be permitted, per constructed building within the commerical development.
2. Announcing Sign shall be single faced and installed along the PMXD project’s frontage, in close proximity to the building or use being identified.
3. Lettering heights shall be determined by Owner/Tenant as needed for final design.
4. Announcing Sign may identify the ID of the Developer and/or business name as well as other announcement related information.
5. Permits for Announcing Signs may be issued once site plan approval for the requesting building or use has been approved by Town.
6. Announcing Sign shall be removed at the issuance of the Final Certificate of Occupancy for the requesting building or use.
7. Announcing Sign shall be professionally installed and subject to all other code regulations for the sign type.



Sign Concept:

Sign Concept and Dimensions are subject to change based on final sign design.

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 7b

PREPARED BY: Kathleen Dominguez

MEETING DATE: August 14, 2023

AGENDA ITEM: Consideration of a request to amend a previously approved Site Plan in accordance with Section 23-47 of the Town of Lantana Code of Ordinances for the commercial portion of the Water Tower Commons Planned Mixed Use Development (PMXD), to accommodate modifications to the commercial site plan at 1001 W. Lantana Rd (Case # SP23-0001). Remarks: Companion items 7a and 7c

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ISSUE/BACKGROUND:

The applicant's agent, Urban Design Studio, is requesting to modify the previously approved commercial portion of the Water Tower Commons Site Plan.

The proposed site plan modifications include the following:

Reconfiguration/redesign of the commercial portion of the site west of Main Street, including site plan and landscape plan modifications related to the following:

- A request to amend the Site Plan of record to modify the use approved for Building M from an 1,800 SF Restaurant with Drive Through Business to a 1,900 SF Financial Institution (Bank) with Drive Through Business and reduce provided parking.
- Update the site plan to reflect minor modifications to the Wawa site (Phase 2B) as a result of changes made in the field prior to CO.

ATTACHMENT(S):

1. 7b SP Application and Backup.pdf

SAMPLE MOTION:

I move to (approve) (disapprove) Case SP23-0001 for the property located at 1001 W Lantana Rd, known as Water Tower Commons.

TOWN OF LANTANA

Preserving Lantana's small town atmosphere through responsible government and quality service.

SITE PLAN / CONCURRENCY REVIEW APPLICATION

PROJECT NAME: Water Tower Commons PMXD

APPLICANT NAME: Lantana Development LLC

PARCEL CONTROL NUMBER: 40-43-44-33-50-001-0010 thru 0050

ADDRESS / LEGAL DESCRIPTION: 1001 W Lantana Road, Lantana

PROPOSED USE: Mixed Use Development

ZONING: Mixed Use Development with SE for PMXD

DESCRIBE THE EXSISTING SITE (include number of units, number of sq. ft.):

Site is approved for 1,091 DU (360 final construction / 348 under construction) and 343,187 SF of commercial uses, including SE for Rests. over 2,500 SF, businesses w/DT and a service station.

DESCRIBE THE PROPOSED SITE:

This is a request to amend the site plan of record to reconfigure the site area for Building M/Phase 9, within the commercial development parcel (Parcel A), to replace the previously approved fast food restaurant with the previously permitted financial institution.

Site will continue to provide for a Business with Drive-Through facility, as previously approved.

PROPERTY OWNER(S)

Name: Hunter Monsour

Address: Wexford Capital, for Lantana Development LLC
777 South Flagler Drive, #602E
WPB, FL 33401

Phone: (561) 273-8600

Fax: ( )

Email: hmonsour@wexfordrei.com

~~**APPLICANT /** **AGENT**~~

Name: Sandra J. Megrue

Address: Urban Design Studio
610 Clematis Street, #CU02
West Palm Beach, FL 33401

Phone: (561) 366-1100

Fax: (561) 366-1111

Email: smegrue@udsflorida.com

TOWN OF LANTANA USE ONLY

ACCEPTED FOR REVIEW

Town Official: EJA Date: 3/17/23 Fee Paid: ✓

Confirmation for water and sewer service included: Yes X No ___

Traffic concurrency letter included: Yes X No ___

APPROVAL

Plan Review Committee: _____ Date: ___/___/____

Conditions of Approval: _____

As applicable, please provide the name, address, email and telephone number for the following persons or firms who are involved in the development:

Agent	**Developer**
Name: Ken Tuma / Sandra Megrue	Name: Hunter Monsour / Phil Braunstein
Company Name: Urban Design Studio	Company Name: Wexford Capital, for Lantana Development LLC
Address: 610 Clematis Street, WPB, FL 33401	Address: 777 South Flagler Drive, #602E, WPB, FL 33401
Phone: 561-366-1100	Phone: 561-273-8600
Email: ktuma@udsflorida.com and smegrue@udsflorida.com	Email: hmonsour@wexfordrei.com

Planner	**Architect**
Name: Same as Agent	Name: Anthony Ponting, RA, LEED AP
Company Name:	Company Name: BHDP
Address:	Address: 302 West Third St., Suite 500, Cincinnati, OH 45202
Phone:	Phone: 513-527-0242 Email: APonting@bhdp.com
Email:	Florida Registration Number: N/A
Engineer	**Landscape Architect**
Name: Doug Woeste	Name: Helen Cohen
Company Name: The Kleingers Group	Company Name: Urban Design Studio
Address: 6219 Centre Park Dr, West Chester Township, OH 45069	Address: 610 Clematis Street, WPB, FL 33401
Phone: 513-779-7851 Email: doug.woeste@kleingers.com	Phone: 561-366-1100 Email: hcohen@udsflorida.com
Florida Registration Number: N/A	Florida Registration Number: FL LA0000734
Surveyor	**Attorney**
Name: David P. Lindley, P.L.S.	Name: Harvey Oyer
Company Name: Caulfield & Wheeler, Inc.	Company Name: Shutts & Bowen
Address: 7900 Glades Road, Suite 100, Boca Raton, FL 33434	Address: 525 Okeechobee Blvd, Ste 1100, WPB, FL 33401
Phone: 561-392-1991	Phone: 561-650-8517 Email: Hoyer@shutts.com
Email: dave@cwiassoc.com	Florida Registration Number: 154024

Current Occupant of Building or Property Not Applicable for Commercial Component	**Other**
Name: Address:	Name: Address:
Phone: Email:	Phone: Email:

Applicant's Certification

(I) (We) affirm and certify that (I) (we) understand and will comply with all provisions and regulations of the Town of Lantana, Florida. (I) (We) understand that if this application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be part of the Town of Lantana, (if not already) and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive and Zoning Ordinance. (I) (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of (my) (our) knowledge and belief. Further, (I) (we) understand that this application and attachments become part of the Official Records of the Town of Lantana, Florida, and are not returnable.

Witness

Signature of Applicant

Witness

Hunter Monsour

Printed Name of Applicant/Owner

2/24/23

Date

Applicant is:

- [x] Owner
- [ ] Optionee
- [ ] Lessee
- [ ] Agent
- [ ] Contract Purchaser

Address:

Wexford Capital LP, for Lantana Development, LLC
777 South Flagler Drive, #602E
WPB, FL 33401
Phone: (561) 273-8600 Fax (____) _____
Email: hmonsour@wexfordrei.com

OWNERS AUTHORIZATION

(I) (We) affirm and certify that Hunter Monsour, the applicant, is hereby authorized to represent me in all dealings regarding this petition with the Town of Lantana.

Witness

Signature of Owner

Witness

Phil Braunstein

Printed Name of Owner

Wexford Capital LP, for Lantana Development, LLC
777 South Flagler Drive, #602E
WPB, FL 33401

2/24/23

Date

Applicant's Certification

(I) (We) affirm and certify that (I) (we) understand and will comply with all provisions and regulations of the Town of Lantana, Florida. (I) (We) understand that if this application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be part of the Town of Lantana, (if not already) and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive and Zoning Ordinance. (I) (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of (my) (our) knowledge and belief. Further, (I) (we) understand that this application and attachments become part of the Official Records of the Town of Lantana, Florida, and are not returnable.

Witness

Witness

2/21/23
Date

Signature of Applicant

Tammala Brooks, Fifth Third Bank
Printed Name of Applicant

Applicant is:

- ☐ Owner
- ☐ Optionee
- ☑ Lessee
- ☐ Agent
- ☐ Contract Purchaser

Address:
Fifth Third Bank
38 Fountain Square Plaza/MD 10903k
Cincinnati, OH 45202
Phone: (513) 534-0706 Fax (___) _____
Email: Tammala.Brooks@53.com

OWNERS AUTHORIZATION

(I) (We) affirm and certify that Tammala Brooks, Fifth Third Bank, the applicant, is hereby authorized to represent me in all dealings regarding this petition with the Town of Lantana.

Witness

Witness

2/24/23
Date

Signature of Owner

Phil Braunstein
Printed Name of Owner
Wexford Capital LP, for Lantana Development, LLC
777 South Flagler Drive, #602E
WPB, FL 33401

Water Tower Commons PMXD
Special Exception, Site Plan Review & Landscape Review Amendments
Project Narrative
March 15, 2023
Rev June 13, 2023

urban design studio

Urban Design
Land Planning
Landscape Architecture

LOCATION / REQUEST

On behalf of the commercial development Owner/Applicant, Lantana Development LLC, and co-Applicant Fifth Third Bank, Urban Design Studio, as Agent, has prepared and hereby respectfully submits these requests for 1) an amendment to the Water Tower Commons Planned Mixed Use Development (PMXD) Special Exception, 2) an amendment to the approved commercial phase of development's site plan, and 3) an amendment to the approved commercial phase of development's landscape plan, for the Water Tower Commons PMXD (Project).

Location

The Project is located on West Lantana Road, east of Interstate 95 and Andrew Redding Road and west of North 8th Street, in the Town of Lantana (Town). The PMXD Project is 73.32 acres in size overall, and was purchased from the State of Florida by Lantana Development LLC, in August of 2014. The Project's Property Control Numbers are 40-43-44-33-50-001-0010 through 40-43-44-33-50-001-0050, which have been more recently issued by Palm Beach County's (County) Property Appraiser's office to reflect the sale of the residential portions of the overall development and continued ownership of the commercial portion by Lantana Development LLC via lease areas. The PMXD is currently accessed from the west via Andrew Redding Road and from the east via North 8th Street and the south from West Lantana Road. There is no access from the north.

Request

The Applicants are seeking approval of the following requests as part of this application:

- Special Exception
- Amend the Special Exception to:
  - Amend the Master Sign Program to reflect a commercial Announcing Sign provision.
  - Amend the Master Plan to include Financial Institution as a permitted use for the site.

Commercial Pod – Site Plan

- A request to amend the Site Plan of record to modify the use approved for Building M from an 1,800 SF Restaurant with Drive Through Business to a 1,900 SF Financial Institution (Bank) with Drive Through Business and reduce provided parking.
- Add Phase 9 to the Building M site.

- Update the site plan to reflect minor modifications to the Wawa site (Phase 2B) as a result of changes made in the field prior to CO.

Commercial Pod – Landscape Plan

- A request to amend the Landscape Plan approval for the commercial phase of development to adjust for the requested site plan changes in Phase 9.

APPROVAL HISTORY

On April 25, 2016, the Town executed an Order of the Town Council for Case No. SE15-0002 approving a Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a Planned Mixed Use Development including waivers for Drive-Thru Facilities and Restaurants over 2,500 SF and waivers for signage. Also on April 25, 2016, Town executed an Order of the Town Council for Case No. SP15-0001 approving a Site Plan for the southern 36.50 acres of the Water Tower Commons MPUD for commercial, office, and retail space uses, including a landscape plan and master signage plan within the Mixed-Use District, established by Case No. SE15-0002.

On September 13, 2016, the Town executed an Order of the Town Council for Case No. SE16-0004, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a revision to Condition of Approval number 33 and to revise the Master Signage Program for the Commercial Pod Master Signage Program. On September 13, 2016, the Town also executed an Order of the Town Council for Case No. SP16-0001, approving modifications to commercial development site plan of record, including amendments to the landscape plan.

On October 3, 2016, the Town executed an Order of the Town Council for Case No. SE16-0004, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a revision to Condition of Approval number 33 and to revise the Master Signage Program for the Commercial Pod Master Signage Program. On October 3, 2016, the Town also executed an Order of the Town Council for Case No. SP16-0002, approving modifications to commercial development site plan of record, including amendments to the landscape plan.

On April 19, 2017, the Town executed an Order of the Town Council for Case No. SE17-0002, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing for one (1) additional restaurant over 2,500 SF a modification to the Master Plan to reflect revisions in the commercial phase and residential development area, and to amend the Master Signage Program. On April 19, 2017, the Town also executed an Order of the Town Council for Case No. SP17-0004, approving modifications to commercial development site plan of record, including amendments to the landscape plan.

On January 29, 2018, the Town executed an Order of the Town Council for Case No. SE17-0012 approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a reduction in the required parking

(Section 23-131), amend the Master Signage Program to add three (3) additional monument signs for the west residential pod, and to amend the Master Plan. On November 26, 2018, the Town also executed an Order of the Town Council for Case No. SP17-0007, approving the site plan for the residential development within the westernmost 16+/- acres within the Water Commons Tower development, including approval of the associated landscape plan.

On November 26, 2018, the Town executed an Order of the Town Council for Case No. SE18-0003, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a reduction in the required parking (Section 23-131), amend the Master Signage Program to add three (3) additional monument signs for the east residential pod, and to amend the Master Plan. On November 26, 2018, the Town also executed an Order of the Town Council for Case No. SP18-0003, approving the site plan for the residential development within the easternmost 18+/- acres within the Water Commons Tower development, including approval of the associated landscape plan.

On December 5, 2019, the Town executed an Order of the Town Council for Case No. SE19-0004, approving an amendment to the Special Exception, allowing 1) the addition of the use of Service Station within the PMXD, 2) adding a use of Restaurant over 2,500 SF, and 3) amend the Master Signage Program to add three custom signage for the Service Station Use. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP19-0003 and LP19-0002, approving the Site Plan and Landscape Plan to reflect the approvals granted above. Which was subsequently amended by Case No. SE20-0001, SP20-0001, and LP20-001, to modify the Service Station use canopy and minor site reconfiguration.

On March 1, 2021, the Town executed an Order of the Town Council for Case No. SE20-0008, approving an amendment to the Special Exception, allowing 1) the additional of construction phase lines to the commercial development, amend lighting locations, and modify landscaping locations as required. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP20-0007 and LP20-0008, approving the Site Plan and Landscape Plan to reflect the approvals granted above.

On May 10, 2021, the Town executed an Order of the Town Council for Case No. SE21-0003, approving an amendment to the Special Exception, allowing 1) the realignment of the eastern portion of the spine road and an increase in the overall SF of the Commercial Pod. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP21-0003 and LP21-0009, approving the Site Plan and Landscape Plan to reflect the approvals granted above.

On November 21, 2022, the Town Planning Director executed Order MSP21-0001, approving a minor amendment to the plans of record, allowing a parking island to be redesigned to add a diamond configuration to allow for a light pole to be shifted to accommodate a drainage line.

On May 6, 2022, the Town executed an Order of the Town Council for Case No. SE21-0005, approving an amendment to the Special Exception, allowing for site modifications to add a 4,986 SF Chick-Fil-A restaurant and modifications to the Water Tower Commons Master Sign Program. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP21-0004 and LP21-0021, approving the Site Plan and Landscape Plan to reflect the approvals granted above.

On September 27, 2022, the Town executed an Order of the Town Council for Case No. SE22-0006, approving an amendment to the Special Exception, allowing for one additional drive through business use, the addition of a car was use, and modifications to the Water Tower Commons Master Sign Program. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP22-0004 and LP22-0010, approving the Site Plan and Landscape Plan to reflect the approvals granted above and the redesign/reconfiguration of the four (4) outparcels located east of the projects main street.

More recently on May 9, 2023, the Town executed an Order for Cases SP22-004 and LP23-0006, allowing for modifications to the site and landscape plans to address changes to Building N/Phase 5 site (Dunkin Donut), addition of Tesla Charging Stations in Phase 2B (Wawa), shifted/modified the approved wall and planting locations for Building Q/Phase 6 (El Car Wash), add EV charging station locations at Buildings O/Phase 7 and Building P/Phase 8, and Modify the plantings around the installed Art in Public Places.

EXISTING AND FUTURE LAND USE AND ZONING DESIGNATIONS

The PMXD will maintain its existing Zoning and Future Land Use Plan designations. There is no change proposed as a result of the requests made part of this application to amend the Special Exception Use, Commercial Site Plan and Landscape Plan. Existing Zoning and Future Land Use Plan designations for the site are Mixed Use Development (MXD).

DEVELOPMENT / PHASING OVERVIEW

It is the continued goal of the Owner/Applicant to create a well-designed and integrated community offering a residential component within walking distance to both commercial and restaurant uses, via horizontal integration between the uses. Additionally, the Owner/Applicant was granted approval to develop the 0.89-acre Water Tower Commons Park (‘Park’) and rotary to the north of the non-residential uses that is accessible to the public for passive uses. The Park has been constructed simultaneously with the Main Street and Rotary elements and the first phase of residential development. The Owner/Applicant continues to propose phasing for the construction of those portions of the non-residential inline and outparcel buildings. It has been previously established that the phasing will be determined as end users enter into leases, or the developer is scheduling construction for multi-tenant buildings. The residential developments have been previously completed.

The Owner/Applicant reserves the design and development flexibility to allow for future development opportunities, which may include combined non-residential uses as well. These future development phases will be brought before the Town Council at a future date and are not part of this request.

MASTER PLAN

The Master Plan has been amended to include Financial Institution to the permitted uses for the PXMD as part of this request. The proposed modifications to the development plans remain consistent with the approved uses, intensities, and densities reflected in prior approvals. This program will continue to be refined over time during the site planning processes; however, the proposed development program remains equivalent with the traffic study approved by the Town Council as part of the initial Land Use Amendment and Rezoning approvals. As the development program is refined in the future, the Master Plan for the development will continue to be amended with traffic equivalency statements, as necessary, based on the proposed future uses. This flexibility is critical as the developer will continue to assess the market in regard to potential permitted uses for the site.

The current approved master development approval includes the following:

USE	APPROVED	PROPOSED	CHANGE
Residential DUs	1,091	1,091	0
Commercial *(including Office)*	343,187 SF	343,187 SF	0

Based on the Traffic Report prepared by The Kleingers Group and dated March 3, 2023, the development program is proposed to be modified to reflect the change in uses within Phase 9, which results in a lower trip generation rate. Both the Restaurant use and Bank use are accounted for in the commercial square footage approved at 343,187 square feet.

Note: Unutilized commercial square footage is proposed to be reallocated to the undeveloped portion of the PMXD for future development opportunities.

COMMERCIAL POD – SITE PLAN /LANDSCAPE PLAN AMENDMENT

As part of this petition, the Applicants are requesting to amend the prior Site Plan and Landscape Plan approvals for the commercial phase of the PMXD development as a concurrent component. The commercial development continues to front Lantana Road, with a ‘Future Development’ portion of the PMXD being situated in the northeast corner, adjacent the commercial site. The commercial phase of development was previously amended to include the Water Tower Commons Park site as a functioning roundabout for residential development access as well as for non-residents. The commercial phase of development will be phased over time in multiple phases of construction. Below is a summary of the past/current activity on the commercial site:

Phase/Building	Current Use/User	Status
Phase 1	main street and rotary	Constructed
Phase 2A / Building A	Aldi and portion of the south spine road and access points	Constructed
Phase 2B / Building K	Wawa	Constructed
Phase 3 / Roadways	remaining portion of the south spine road and access points	Constructed
Phase 4 / Building L	Chick-Fil-A	Constructed
Phase 5 / Building N	Dunkin Donut	In permit
Phase 6 / Building Q	El Car Wash	In permit
Phase 7 / Building O	Mixed Non-Res Uses	In design
Phase 8 / Building P	Mixed Non-Res Uses	In design
Phase 9 / Building M	Fifth Third Bank	Requesting entitlements
Remaining commercial site not yet developed		

RESIDENTIAL POD – SITE PLAN /LANDSCAPE PLAN

There are no changes proposed to the approved residential developments.

CONCURRENCY

The Owner/Applicant has previously secured concurrency for the entire PMXD development as part of the Rezoning approval. The traffic report has also been previously approved by Palm Beach County and the Town of Lantana.

A Traffic Equivalency Statement has been provided as part of this amendment request providing for the additional uses requested.

There are no other changes to the approved concurrency as a result of this request.

Remainder of page left intentionally blank.

REQUEST – OVERALL DEVELOPMENT
SPECIAL EXCEPTION USE

The Applicants are requesting to amend the Special Exception for the Water Tower Commons PMXD to allow for the following modifications:

1. Master Sign Program: Amend the Master Sign Program to add a non-residential Announcing Sign provision for the non-residential uses within the commercial pod.
2. Amend the Master Plan to include Financial Institution as a permitted use for the site.

COMMERCIAL DEVELOPMENT

MASTER PLAN USES
The Owner/Applicants are requesting to add the use of Financial Institution to the Master Plan as a house keeping measure. This use of a Financial Institution was previously determined to be a use that was permitted within the PMXD district by the prior Development Services Director and has been shown as a permitted use on the Site Plan of record since its original approval(s) in 2015. However, it has been recently noted by Town Staff and the succeeding Director that the use is not a permitted or conditional use within the PMXD district. To remedy this conflict, the Town's Development Services staff processed an amendment to the land development regulations to add the use as a permitted use within the PMXD district. The Town Council approved the request on second reading at their June 12, 2023 meeting.

SIGNAGE
The developer has been working with the proposed Bank user which has resulted in the compilation of specific sign needs for that user. As an outparcel development, the proposed Bank use is permitted to have two (2) Primary Wall Signs. The first is required to be located on the same elevation as the main entrance and the second is permitted to face Lantana Road. The outparcel use is additionally permitted two (2) Ancillary Wall Signs that may be placed on any elevation per the Master Sign Plan. The Town's Land Development Regulations additionally require that the layout of an outparcel site include a public access facing Lantana Road. With the proposed Bank use, public access is being provided on the south elevation as well as the east elevation, where pedestrian connectivity is proposed to the main street. This allows the use to provide for the two permitted Primary Signs, one on both of the noted elevations. There are no Ancillary signs proposed. The Bank tenant has provided a signage package that has been included with this request. The proposed signs comply with the Master Sign Program and the Town's LDRs.

The owner/developer is however requesting approval of a general 'Announcing' sign to be added to the Master Sign Program. This sign is proposed to allow each new building constructed a sign announcing the coming use and other relative information. Staff has previously determined that the only permitted signage is that which is included in the

Master Sign Program, which our understanding is that this determination includes temporary signage permitted by the LDRs for announcing signs, etc.

The proposed Master Sign Program 'Announcing' sign complies with the Town's current LDRs which allow up to a 20' maximum width, 8' maximum height, a maximum of 120 square feet of sign area, and one (1) sign face. The Town's LDRs currently allow for Announcing signs to be installed at time of site plan approval and removed at time of Final Certificate of Occupancy. Owner/developer is proposing no changes to what the code currently permits for any business developing in the Town of Lantana.

SPECIAL EXCEPTION STANDARDS

Applicants have reviewed the standards set forth in the Town's development regulations for the granting of Special Exception Uses and has responded accordingly below.

As permitted per Section 23-101(d)(12), MXD mixed use development district, in the Town's land development regulations, the Applicants are requesting to amend the Special Exception for the PMXD to allow for the proposed modifications to the commercial site plan and the Master Sign Program.

Section 23-75 (b) - Standards for granting special exceptions. Prior to recommending approval of a special exception, the Town Council shall insure that:

(1) All structures shall be separated from adjacent and nearby uses by appropriate screening devices.

This is an amendment to a previous approved Special Exception for the Water Tower Commons PMXD*. No changes to the prior approval are proposed that would negatively impact the prior approval. The PMXD was previously granted approval for a 10' perimeter buffer and adjacent 10' utility easement, which encompass the entire 73+ acres. All adjacent perimeter buffers continue to meet or exceed the 6' width with 10' of landscape buffer planting area and an additional 10' of green area for the established utility easement, which Applicants are also utilizing in part for smaller shrub and ground cover plantings.*

(2) Excessive vehicular traffic is not generated on residential streets.

Owner/Applicant *has previously addressed the matter of excessive vehicular traffic for the site. In accordance with the current approval, the* Owner/Applicant *has committed to and/or constructed numerous improvements to Lantana Road, including additional signalization and turn lanes that will alleviate negative impacts of additional traffic proposed to be generated by the PMXD project. It is the intent of the constructed design to allow for multiple ingress and egress points for the uses within the site, thus diffusing the flow of traffic around the site and away from local residential streets. Additionally, the overall project is required to comply with the country-wide Traffic Performance Standards*

and those set forth by the Town of Lantana. This request to amend the Water Tower Commons PMXD Special Exception complies with this standard.

(3) A vehicular parking or traffic problem is not created. A traffic analysis of the proposed special exception use shall be submitted in accordance with section 23-47(6).

Owner/Applicant *has committed to and/or constructed numerous improvements to the surrounding roadways, including additional signalization and turn lanes that will alleviate negative impacts of additional traffic proposed to be generated for the project. It is the intent of the design to allow for multiple ingress and egress points for the site, thus diffusing the flow of traffic around the site. Parking for the commercial phase of development is in excess of that required by the Town's Off-street Parking regulations. A traffic report prepared by Kimley-Horn and Associates was previously approved in this respect. A Traffic Equivalency Statement prepared by The Kleingers Group has also been provided as part of this request.*

No parking or traffic problems are anticipated as a result of the change of use for Building M or the modifications proposed to the Master Sign Program for the commercial phase of development.

(4) Appropriate drives, walks, and buffers are installed.

The Special Exception amendment allows the Applicants the continued flexibility to develop the proposed commercial and residential developments, providing for buffers, green areas, community amenities, and other improvements for pedestrian access throughout the site and connecting to adjacent roadways. The request to modify a use within the commercial development does not negatively impact the previously approved development program or site design. All drives and sidewalks are proposed to meet the current standards of the Town of Lantana. This request to amend the Water Tower Commons PMXD Special Exception complies with this standard.

(5) The proposed use will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity of the excepted use.

The proposed amendments to the Special Exception to modify a use that was previously approved, along with the request to modify the Master Sign Program continues to allow the Applicants the flexibility to provide for a well-designed integrated community minded development offering commercial and residential components that are within walking distance of each other and other existing residential, commercial, and public uses. All proposed drives and sidewalks meet the current standards of the Town of Lantana. The existing residential and proposed commercial uses allow for the provision of services and goods to the Town's residents as well as providing additional housing choices, making a

substantial contribution to the area. This request to amend the Water Tower Commons PMXD Special Exception continues to comply with this standard.

(6) The proposed use does not endanger, restrict, or impair public safety.

The proposed amendments to the Special Exception to modify a use that was previously approved, along with the request to modify the Master Sign Program, do not endanger, restrict, or impair the public's welfare or safety. The development of this site, as proposed or amended, continues to provide the Town with modern commercial and residential uses that enhance the community as a whole and do not affect the public's safety. This request to amend the Water Tower Commons PMXD Special Exception complies with this standard.

Remainder of page left intentionally blank.

REQUEST – COMMERCIAL
AMENDMENT TO THE SITE PLAN REVIEW

Applicants are requesting to amend the prior approval for Site Plan Review and Landscape Plan review to allow for:

1. A reconfiguration of the Building M site (located west of the main street and fronting Lantana Road.) The reconfiguration of the site from a restaurant with drive through facility use to a bank with drive through facility use, include the following site design modifications:
    a. Increase in square footage from 1,800 SF to 1,900 SF (+1,000 SF)
    b. Decrease in parking from 34 spaces to 13, a reduction of 21 parking spaces for the bank site and PMXD.
    c. Addition of two (2) EV charging stations, one (1) standard space and one (1) handicap space.
    d. Added one (1) additional drive through lane and one (1) bypass lane, for three (3) lanes total.
    e. Added pedestrian connectivity east of the proposed Bank use to the main street.
    f. Relocated the dumpster to the spine road, consistent with the other uses proposed in the development.
    g. Increased the amount of landscape 'green' area by 18,203 square feet for the bank site and overall commercial development.

2. Added 1,900 SF of 'Financial Institution' use to the Gross Floor Area data. Applicants note the use was previously approved for the site as part of the original programming for the site.

3. Reduce the overall Restaurant SF from 26,294 SF to 24,362, a reduction of 1,800 SF.

4. Update the site plan to reflect minor modifications to the Wawa site (Phase 2B), as a condition of issuing a CO, to include the following:

    a. Update footprint to remove door on east elevation at south and show landscaping as constructed. No adjustment to plantings required as number of plant materials noted on plan were installed.
    b. Updated outside table layout to replace two sit down tables with standup tables.
    c. Removed landscaping overlay of sidewalk connection to Lantana Road. No adjustment to plantings required as number of plant materials noted on plan were installed.

SITE RECONFIGURATION

All proposed modifications are internal to the commercial pod and do not adversely affect the surrounding communities or adjacent businesses. There are no modifications to the internal roadways or driveway connections to the adjacent roadways. Aside from the proposed redesign of the subject bank site, there are no other proposed changes to the previously approved site design or other approved access points.

Based on the updated Commercial Site Plan, the amended development program for the commercial site includes the following square footage breakdown:

USE	SQUARE FOOTAGE
Financial Institution/Bank	1,900 SF
Restaurant	24,362 SF
Retail (includes Car Wash)	168,731 SF
Service Station	16 Fuel Pumps
TOTAL SF	194,993 SF / 16 Fuel Pumps

The proposed modifications to the commercial development remain in keeping with the intent of the Town's development regulations and will provide for an enhanced overall design and development and service to the surrounding communities and businesses.

PROPOSED USES

The approved site plan currently permits the uses of restaurant, general retail, fitness center, pharmacy, bank, and residential. Approved Special Exception uses include seven (7) Restaurants over 2,500 SF, four (4) Businesses with drive-thru, one (1) Service Station and (1) car wash. Applicants are not proposing to add any additional uses or Special Exception uses as a result of this request. Please refer to the Special Exception section herein for details on the recent approval of Financial Institution as a permitted use within the PMXD zoning district.

Per the Master Plan, the current development program includes 343,187 SF of commercial/retail uses and 1,091 multi-family units. This is consistent with the approved Traffic Report and Traffic Equivalency Statement prepared by Kimley Horn and Associates, submitted as part of this request. The proposed Bank site has been previously accounted for in the traffic approvals.

PEDESTRIAN AND TRANSPORTATION LINKAGES

The commercial phase of development continues to reflect continuous and enhanced pedestrian and vehicular circulation throughout the site. Enhancements continue to include landscape and trellis lined major pedestrian avenues that provide connectivity from the residential component to the commercial component, and out to the adjacent roadways. Vehicular connectivity is also proposed between the residential and

commercial components via Water Tower Way, the Project's main street, and multiple alternative secondary connections to the surrounding roadways. This provides convenience to not only the residents within the Project, but also for patrons of the commercial uses who may utilize both pedestrian and vehicular connections.

ACCESS

Owner/Applicant has competed all connecting driveways for the development, and continues to work with the Town and Palm Beach County Traffic Division to provide for future improvements for signalization along Lantana Road at the Main Street. All improvements resulting from this PMXD development benefit not only those associated with the PMXD but the neighboring uses and community as a whole.

Access to the commercial portion of the site continues to include one (1) primary point of two-way entry (signalization TBD) and four (5) secondary points of two-way entry. Owner/Applicant has previously gained approval to eliminate the previously approved right-out-only exit onto North 8th Street as a result of the redesign of the southeast corner outparcel site.

EXISTING UTILITIES AND EASEMENTS

Owner/Applicant has previously secured determination from the Town's providers that water and sewer capacity exist for this development. The Owner/Applicant continues to work with the Town and other entities to determine final design requirements and structural needs. The intensity proposed as a result of the site development for the commercial phase of development and residential phases of development are less than that proposed as part of the Land Use Modification and Rezoning.

ARCHITECTURAL STANDARDS

There are no modifications to the approved architectural theme and design of the commercial development as a result of this request. Architectural elevations for the proposed bank building/Phases 9 has been included and complies with the approved architectural theme and character as provided in the PMXD Design Guidelines, which is in keeping with the 'Florida Vernacular' feel with a slight contemporary direction.

More specifically, the architectural design style of the proposed buildings provides for a variety of textures and materials, including manufactured stone, stucco, canopy, aluminum composite materials reflecting national branding, and flat roof features with custom lighting based on the national branding. The colors and materials are continued on all four sides of the building. The colors proposed are in close harmony with the colors suggested in the design guidelines with the addition of colors associated with national branding, as appropriate.

PARKING AND LOADING AREAS

Applicants are proposing to reduce the overall provided parking from 991 to 970 parking spaces, a reduction of 21 parking spaces. The project is required 780 parking spaces based on a 1/250 parking ratio for a Large-Scale Shopping Center. Applicants continue

to meet the requirements for parking on this site and is compliant with the Town's Off-Street Parking regulations. There is no shared parking proposed for the site or between the commercial and residential phases of development. All parking spaces are compliant with the Town's Code and are proposed at 9' x 18.5', 9.5' x 18.5', including any parking spaces designed with overhangs. Applicants are required to provide 16 handicap spaces based on the square footage proposed and is providing for 48 handicap spaces distributed at the front of the proposed buildings, as required by Florida Building Code, or within EV Charging areas.

Applicants are also in compliance with Order SE17-0007, allowing for up to 819 parking space to be constructed without wheel stops. The Applicants are proposing, as part of this request, for 257 parking spaces to be provided without wheel stops, and the remaining 713 parking spaces with wheel stops.

The Bank use do not require a traditional loading space and will utilize the standard parking provided, accommodating smaller truck and van deliveries, such as overnight delivery services and smaller product delivery services. Owner/Applicant is current required to provide for thirteen (13) 15'x35' loading spaces, and is providing fourteen across the commercial development.

OUTDOOR SEATING

There is no additional outdoor seating proposed with this request to amend the plans.

COMPATIBLE AMENITIES AND FURNITURE

It remains the intent of the Applicants to provide street furniture, street lighting, pedestrian lighting, traffic signage, trash receptacles, and pedestrian benches that are consistent in style, color, or material throughout the PMXD. The applicants request that final selections be permitted to be approved at a Staff level as part of the permitting process.

MECHANICAL EQUIPMENT / DUMPSTERS

There are no changes to the proposed screening of mechanical equipment and dumpsters proposed within the commercial development. All will be completely screened by walls and/or opaque landscaping from adjacent properties and the view from the adjacent public streets.

DRAINAGE

The proposed commercial site will create 21.3-acres of impervious area and 8.8-acres of pervious area. Water Quality Treatment (WQT) required by SFWMD for this site is 2.5" over the impervious area. The Required WQT for the proposed site is 4.44 AC-FT. This treatment will come from the proposed exfiltration trench on-site. This overall site has very good percolation rates and a deep-water table and is a good candidate for the use of exfiltration trench rather than ponds. The plan for the overall commercial site is to continue retaining all runoff for a 25-year – 72-hour storm onsite, since the site has no outfall. The 4,000 LF plus of proposed exfiltration trench will provide more than the required 25.87 AC-FT of runoff storage.

Specific to the Phase 9 site, the provided volume within the exfiltration trenches (.813 ac-ft as shown in Appendix C) meets Lantana drainage requirements since it exceeds the required volume runoff volume for the proposed condition under the 25-year 72 hour storm (.50 ac-ft as shown in Appendix B). Beyond this, the exfiltration trench also provides more volume than what is tributary to the site in the 100 year 72 hour storm (.66 ac-ft as shown in Appendix B), so the Lantana drainage requirement of the building finished floor being 1’ above the 100 year 72 hour storm WSE will also be met, since the finished floor (elevation 20) is more than 1’ higher than the top of the trench section (17.50’).

Please see the drainage statement prepared by The Kleingers Group and dated March 3, 2023.

Remainder of page left intentionally blank.

REQUEST – COMMERCIAL
LANDSCAPE PLAN

Overall Commercial Center

The 30.1-acre commercial pod fronts on Lantana Road, and has been designed to provide for the required 20% of overall and 20% of vehicular landscape area at a total of 6.02 acres. The calculation of 6.02 acres is based on the revised site configuration development as it relates to the vehicular use areas. The overall landscape area includes the landscape around the proposed buildings, perimeter buffers, and landscape islands at a total of 3.03 acres. The proposed parking and vehicular areas within the commercial parcel total 14.95 acres. This area includes landscape areas within and directly adjacent to these parking areas that are or exceed the 6' minimum width requirement, which have been utilized to meet the required planting areas. These landscape areas total 2.99 acres in size or 20% of the parking area. The mixed-use district overall landscape requirement of 1 tree per 2,500 SF and outdoor parking/vehicle use area requirement of 1 tree per 250 SF of landscape, as well as other landscape requirements, will be met on the site. The proposed amended landscape plan is Complaint with Chapter 10.5 of the Town's Code.

Owner/Applicant is proposing to provide more than the required 50% native plant material in the form of required trees and shrubs across the site, with approximately 56.2% native trees and 72.1% native shrubs. The trees and palms proposed for the PMXD include Silver Button Wood Orange Geiger Tree, White Crape Myrtle Multi-Trunk, Sweet Bay, Slash Pine, Southern Live Oak, Desert Cassia and a number of previously mitigated 'Legacy Oaks' from the site, as well Silver Palms, Areca Palms, Bottle Palms, Spindle Palms, Wild Date Palms, Alexander Palms, Cabbage Palmetto, and Montgomery Palms. Along with this large palette of materials, several diverse shrub and ground covers are also proposed across the site. Owner/Applicant is additionally providing for more than 110% of the required trees on the commercial site with 574 trees required at 100%, 631 trees required at 110%, and 649 trees being provided, thus continuing to meet the requirements of the prior approved waivers for the east outparcels.

The intent of the overall blended landscape design is to display a tropical coastal image utilizing materials such as the stately Silver Date Palms that flank the project and major retail entries. For the subject site specific, applicants are proposing Montgomery and Alexander Palms, East Palatka Holly, Red Tip Coco Plum, Red Sister Ti Plants, Jatropha, Wax Jasmine, Green Island Ficus internal to the project site. The buffer areas have been designed to utilize materials previously approved along Lantana Road and the main street buffer sections for uniformity.

CONCLUSION

On behalf of Lantana Development LLC and Fifth Third Bank, Urban Design Studio respectfully requests favorable review and consideration of these requests for Special Exception Amendment, Site Plan Review amendment, and Landscape Plan amendment for Phase 9 of the commercial development for the Building M site, and other minor amendments to Phase 2B to reflect the as-built conditions of the Wawa site (Building K). The project managers at Urban Design Studio are Ken Tuma and Sandra Megrue. Please feel free to contact either of these project representatives with any questions or for additional information in support of these applications at 561-366-1100 or via email at ktuma@udsflorida.com or smegrue@udsflorida.com.

SITE DATA:

NAME OF DEVELOPMENT/PROJECT	WATER TOWER COMMONS
USE(S) - PRINCIPAL	RESTAURANT, RETAIL, FITNESS CENTER, PHARMACY , FINANCIAL INST. & RESIDENTIAL
SPECIAL EXCEPTION USES	RESTAURANT OVER 2,500 SF (7), BUSINESS w/ DRIVE THROUGH (6), SERVICE STATION (1), CAR WASH (1)
LAND USE DESIGNATION	MIXED USE DEVELOPMENT
ZONING	MIXED USE DEVELOPMENT with a special exception for PMXD
SECTION, TOWNSHIP, RANGE	Sec 44, Twp 43, Range 40
PROPERTY CONTROL #'S	40-43-44-33-50-001-0010 thru 0050
TRAFFIC ANALYSIS ZONE (TAZ)	931

TOTAL LOT AREA		
PARCEL A - COMMERCIAL		73.32 AC (3,193,819 S.F.)
COMMERCIAL SITE	29.2 AC	30.10 AC (1,311,125 S. F.)
LOOP ROAD	.9 AC	
PARCEL B - RESIDENTIAL		41.89 AC (1,824,686 S. F.)
ROW DEDICATION		1.33 AC (57,933 S.F.)

GROSS FLOOR AREA (PARCEL A)
194,993 S.F.

FINANCIAL INSTITUTION	1,900 S.F.
RESTAURANT	24,362 S.F.
RETAIL	168,731 S.F.
SERVICE STATION	16 PUMPS

MAXIMUM FAR		1.0
PROPOSED F.A.R.		.149
BUILDING COVERAGE (40% MAX.)		14.9%
SITE LANDSCAPE AREA REQUIRED (20% MIN. OF 659,927.4 S.F.)	3.03 Ac.	20.0%
VEHICULAR USE AREA LANDSCAPE AREA REQUIRED (20% MIN. OF 651,241.64 S.F.)	2.99 Ac.	20.0%
OVERALL REQUIRED LANDSCAPE AREA (3.03 Ac. + 2.99 Ac. = 6.02 Ac.)	6.02 Ac.	20.0%
LANDSCAPE AREA PROVIDED	6.40 Ac.	21.2%
MAX. BLDG. HT.		35'
PROPOSED BUILDING HEIGHT (35' BLDG/ 45' APPURTENANCES		45'
TOTAL PARKING REQUIRED		780 SPACES
1 SPACE PER 250 SF		
TOTAL PARKING PROVIDED		969 SPACES
H/C PARKING REQUIRED (2% OF REQUIRED)		16 SPACES
H/C PARKING PROVIDED		47 SPACES
PARKING SPACES WITH WHEEL STOPS OR BOLLARDS		704 SPACES
PARKING SPACES WITHOUT WHEEL STOPS OR BOLLARDS		266 SPACES
*ORDER SE17-0007 ALLOWS FOR UP TO 819 PARKING SPACES WITHOUT WHEEL STOPS.		
LOADING REQUIRED (15' X 35' OR 12' x 35' IF ADJACENT TO ANOTHER)		13 SPACES
LOADING PROVIDED (15' X 35')		14 SPACES
EV SPACES PROVIDED		19 SPACES

NOTES:

- BASE INFORMATION FOR THIS PROJECT WAS OBTAINED FROM A SURVEY PREPARED BY CAULFIELD & WHEELER INC. DATED 01-28-2022.
- SIGNS: SEE MASTER SIGN PLAN FOR DETAILS
- OD = OUTDOOR SEATING
- ALL BUILDINGS SHOWN ON THIS PLAN ARE 1 STORY
- BIKE RACKS TO PROVIDE 2 OR MORE STORAGE POSITIONS

Development Team

Owner
Lantana Development, LLC
902 Clint Moore Road, Suite 202
Boca Raton, FL 33487

Surveyor
Caulfield & Wheeler Inc.
7900 Glades Road - Suite 100
Boca Raton, FL 33434

Land Planner & Landscape Architect
Urban Design Studio
610 Clematis Street, CU02
West Palm Beach, FL 33401
(561) 366-1100

Civil & Traffic Engineer
Kimley-Horn & Assoc.
445 24th Street, Suite 200,
Vero Beach, FL 32960

Financial Institution Additional Development Team

Civil Engineer
The Kleingers Group
6219 Centre Park Drive
West Chester Township, OH 45069

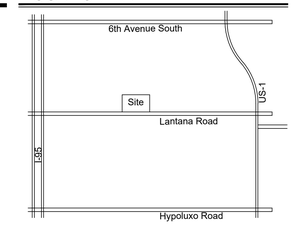
Architect
BHDP
302 West Third Street
Cincinnati, OH 45202

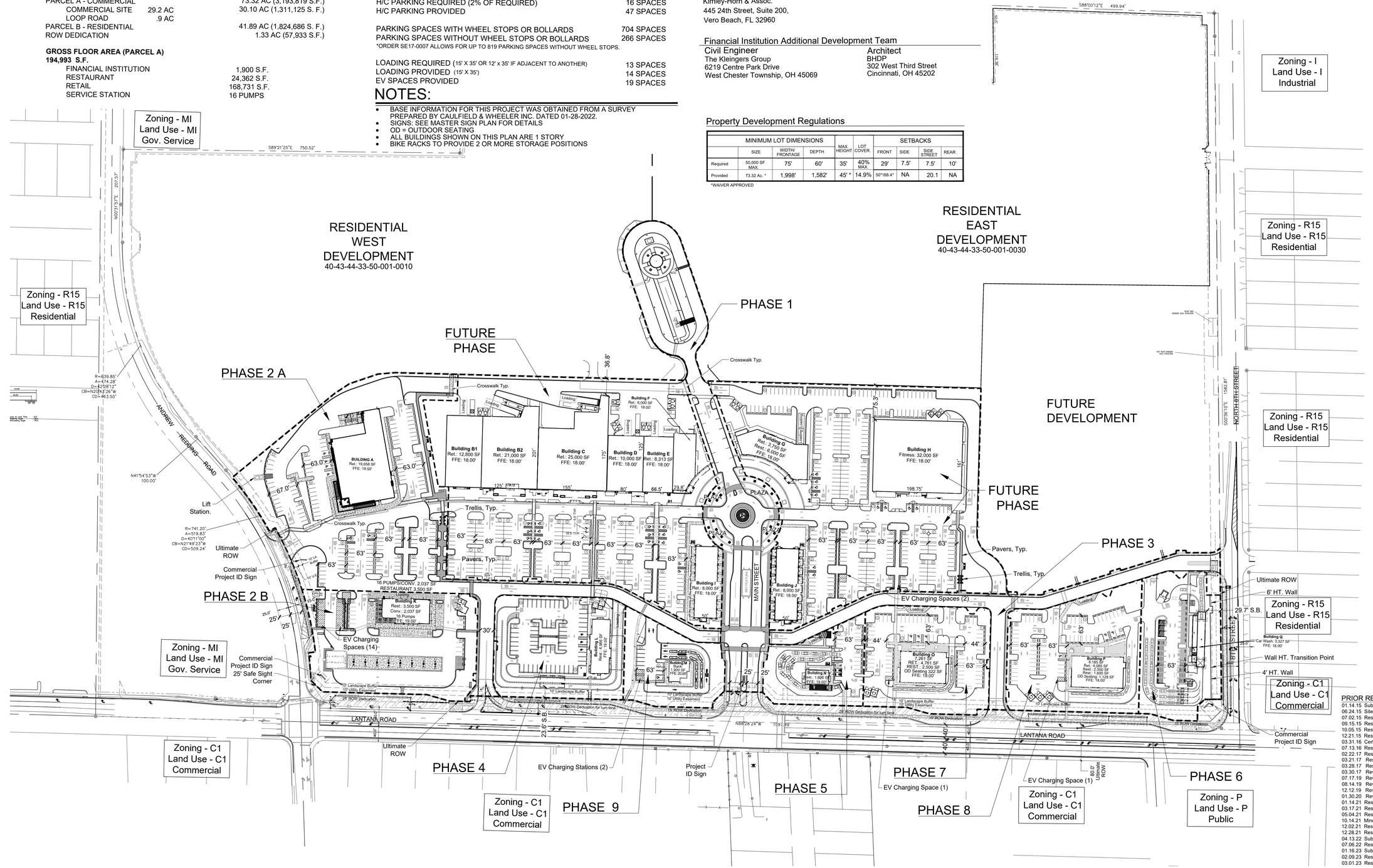
Property Development Regulations

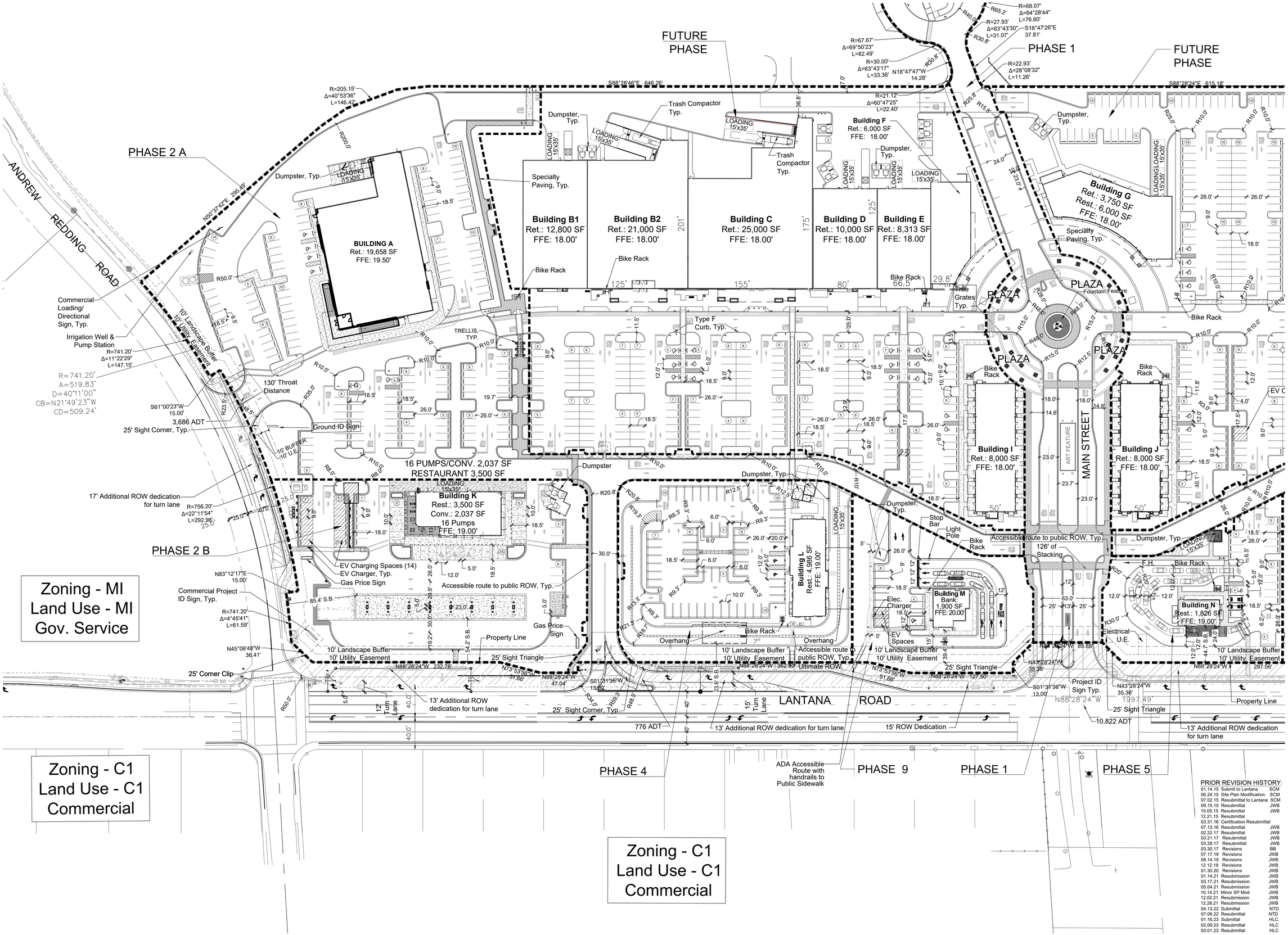
	MINIMUM LOT DIMENSIONS			MAX. HEIGHT	LOT COVER.	SETBACKS			
	SIZE	WIDTH/ FRONTAGE	DEPTH			FRONT	SIDE	SIDE STREET	REAR
Required	50,000 SF MAX.	75'	60'	35'	40% MAX.	29'	7.5'	7.5'	10'
Provided	73.32 Ac. *	1,998'	1,582'	45' *	14.9%	50'/68.4*	NA	20.1	NA

*WAIVER APPROVED

LOCATION MAP:




Zoning - MI
Land Use - MI
Gov. Service/Public Rec
Zoning - MI
Land Use - MI
Gov. Service
Zoning - I
Land Use - I
Industrial
Zoning - R15
Land Use - R15
Residential
Zoning - R15
Land Use - R15
Residential
Zoning - R15
Land Use - R15
Residential
Zoning - C1
Land Use - C1
Commercial
Zoning - C1
Land Use - C1
Commercial
Zoning - C1
Land Use - C1
Commercial
Zoning - P
Land Use - P
Public
RESIDENTIAL WEST DEVELOPMENT
40-43-44-33-50-001-0010
RESIDENTIAL EAST DEVELOPMENT
40-43-44-33-50-001-0030
FUTURE DEVELOPMENT
PHASE 1
PHASE 2 A
PHASE 2 B
PHASE 3
PHASE 4
PHASE 5
PHASE 6
PHASE 7
PHASE 8
PHASE 9
FUTURE PHASE
FUTURE PHASE
LANTANA ROAD
LANTANA ROAD
NORTH 8TH STREET
MAIN STREET
ANDREW REDDING ROAD
PLAZA
PLAZA
Crosswalk Typ.
Pavers, Typ.
Trellis, Typ.
Lift Station.
Ultimate ROW
Commercial Project ID Sign
Commercial Project ID Sign
25' Safe Sight Corner
EV Charging Spaces (14)
EV Charging Spaces (2)
EV Charging Stations (2)
EV Charging Space (1)
EV Charging Space (1)
Project ID Sign
Ultimate ROW
Ultimate ROW
6' HT. Wall
Wall HT. Transition Point
4' HT. Wall
Building A Ret.: 19,658 SF FFE: 19.50'
Building B1 Ret.: 12,800 SF FFE: 18.00'
Building B2 Ret.: 21,000 SF FFE: 18.00'
Building C Ret.: 25,000 SF FFE: 18.00'
Building D Ret.: 10,000 SF FFE: 18.00'
Building E Ret.: 8,313 SF FFE: 18.00'
Building F Ret.: 6,000 SF FFE: 18.00'
Building G Ret.: 3,750 SF OD Seating: 1,000 SF FFE: 18.00'
Building H Fitness: 32,000 SF FFE: 18.00'
Building I Ret.: 8,000 SF FFE: 18.00'
Building J Ret.: 8,000 SF FFE: 18.00'
Building K Rest.: 3,500 SF Conv.: 2,037 SF 16 Pumps FFE: 19.00'
Building L Ret.: 1,824 SF FFE: 19.00'
Building M Bank: 3,500 SF FFE: 20.00'
Building N Ret.: 1,824 SF FFE: 19.00'
Building O 7,261 SF RST.: 4,761 SF REST.: 2,500 SF OD Seating: 322 SF FFE: 18.00'
Building P 8,100 SF Ret.: 6,500 SF Rest.: 1,600 SF OD Seating: 1,126 SF FFE: 18.00'
Building Q Car Wash: 3,327 SF FFE: 18.00'
S88°00'12"E 499.94'
S89°21'25"E 750.52'
N00°31'57"E 207.53'
N41°54'53"W 100.00'
R=639.85'
A=474.28'
D=42°28'12"
CB=N20°43'26"W
CD=463.50'
R=741.20'
A=519.83'
D=40°11'00"
CB=N21°49'23"W
CD=509.24'
N88°28'24"W 1197.49'
S00°36'05"E 1362.81'
S00°36'05"E 1321.26'
29.7' S.B.
23.6' S.B.
40.0' S.B.
36.8'
45.3'
16' ROW Dedication
25' ROW Dedication for turn lane
10' Landscape Buffer
10' Utility Easement
Loading
Trash
Generator
Water Meter
Fire Riser
Backflow Prevent.
Transformer
Lift Station
Ultimate ROW
Ultimate ROW
Ultimate ROW



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Water Tower Commons
Pod A Commercial Site Plan

Lantana, Florida
Site Plan

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
Drawn By:	JWB/HLC
Checked By:	SM

Revision Dates:

03.08.23 Bank Submittal	HLC
06.05.23 Bank Resubmittal	HLC

PRIOR REVISION HISTORY:

01.14.15	Submit to Lantana	SCM
06.24.15	Site Plan Modification	SCM
07.02.15	Resubmittal to Lantana	SCM
09.15.15	Resubmittal	JWB
10.05.15	Resubmittal	JWB
12.21.15	Resubmittal	
03.31.16	Certification Resubmittal	
07.13.16	Resubmittal	JWB
02.22.17	Resubmittal	JWB
03.21.17	Resubmittal	JWB
03.28.17	Resubmittal	JWB
03.30.17	Revisions	BB
07.17.19	Revisions	JWB
08.14.19	Revisions	JWB
12.12.19	Revisions	JWB
01.30.20	Revisions	JWB
01.14.21	Resubmission	JWB
03.17.21	Resubmission	JWB
05.04.21	Resubmission	JWB
10.14.21	Minor SP Mod	JWB
12.02.21	Resubmission	JWB
12.28.21	Resubmission	JWB
04.13.22	Submittal	NTD
07.06.22	Resubmittal	NTD
01.16.23	Submittal	HLC
02.09.23	Resubmittal	HLC
03.01.23	Resubmittal	HLC

SP-2
of 4

PHASE 1 FUTURE PHASE

6' Screen Wall - see detail
Landscape Plan Review for buffer treatments associated with the future residential development are not part of this request and will be provided under separate application

FUTURE DEVELOPMENT

FUTURE PHASE

PHASE 3

PHASE 6

Zoning - R15
Land Use - R15
Residential

Zoning - R15
Land Use - R15
Residential

Zoning - C1
Land Use - C1
Commercial

Zoning - C1
Land Use - C1
Commercial

Zoning - P
Land Use - P
Public

Building G
Ret.: 3,750 SF
Rest.: 6,000 SF
FFE: 18.00'

Building H
Fitness: 32,000 SF
FFE: 18.00'

Building I
Ret.: 8,000 SF
FFE: 18.00'

Building J
Ret.: 8,000 SF
FFE: 18.00'

Building M
Bank:
1,900 SF
FFE: 20.00'

Building N
Rest.: 1,826 SF
FFE: 19.00'

Building O
Rack 7,261 SF
RET.: 4,761 SF
REST.: 2,500 SF
OD Seating 322 SF
FFE: 18.00'
EV Charging Space (1)

Building P
8,185 SF
Ret.: 4,085 SF
Rest.: 2,500 SF
Rest.: 1,600 SF
OD Seating: 1,128 SF
FFE: 18.00'
EV Charging Space (1)

Building Q
Car Wash: 3,327 SF
FFE: 18.00'

PLAZA
Fountain Feature
Specialty Paving, Typ.
Tree Grates Typ.
Bike Rack
Dumpster, Typ.
Commercial Loading/ Directional Sign, Typ.
Type F Curb, Typ.
Accessible route to public ROW, Typ.
EV Charging Spaces (2)
Trellis, Typ.
OUTDOOR SEATING 208 SF
OUTDOOR SEATING 820 SF
OUTDOOR SEATING 322 SF
MAIN STREET
ART FEATURE
Stop Bar
Light Pole
126' of Stacking
Electrical U.E.
Project ID Sign Typ.
10' Landscape Buffer
10' Utility Easement
25' Sight Triangle
10' Sight Corner, Typ.
3,167 ADT
65' ROW
6' HT. WALL
WALL HT. TRANSITION POINT
VACUUM PUMP ENCLOSURE
4' HT. WALL
Commercial Project ID Sign, Typ.
Existing power pole to be relocated, Typ.
25' Corner Clip
10,822 ADT
3,783 ADT
13' Additional ROW dedication for turn lane
Property Line
LANTANA ROAD
Dedication

NORTH
0 25' 50' 100'
Scale: 1" = 50'-0"

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Water Tower Commons
Pod A Commercial Site Plan
Lantana, Florida
Site Plan

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
Drawn By:	JWB/HLC
Checked By:	SM

Revision Dates:

03.08.23 Bank Submittal	HLC
06.05.23 Bank Resubmittal	HLC

PRIOR REVISION HISTORY:

01.14.15	Submit to Lantana	SCM
06.24.15	Site Plan Modification	SCM
07.02.15	Resubmittal to Lantana	SCM
09.15.15	Resubmittal	JWB
10.05.15	Resubmittal	JWB
12.21.15	Resubmittal	
03.31.16	Certification Resubmittal	
07.13.16	Resubmittal	JWB
02.22.17	Resubmittal	JWB
03.21.17	Resubmittal	JWB
03.28.17	Resubmittal	JWB
03.30.17	Revisions	BB
07.17.19	Revisions	JWB
08.14.19	Revisions	JWB
12.12.19	Revisions	JWB
01.30.20	Revisions	JWB
01.14.21	Resubmission	JWB
03.17.21	Resubmission	JWB
05.04.21	Resubmission	JWB
10.14.21	Minor SP Mod	JWB
12.02.21	Resubmission	JWB
12.28.21	Resubmission	JWB
04.13.22	Submittal	NTD
07.06.22	Resubmittal	NTD
01.16.23	Submittal	HLC
02.09.23	Resubmittal	HLC
03.01.23	Resubmittal	HLC

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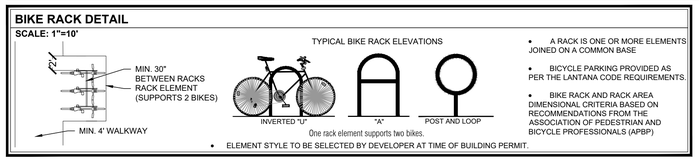
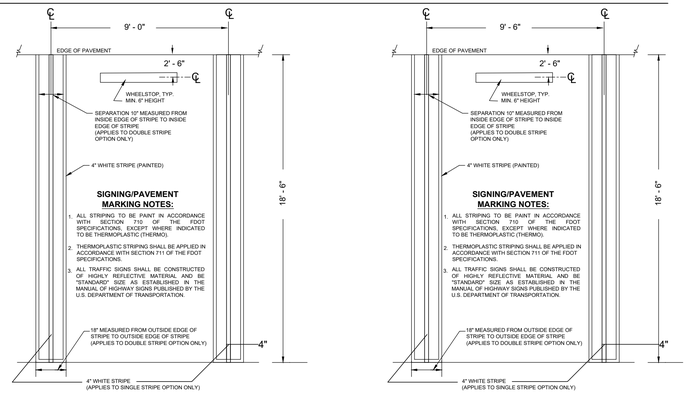
of 4

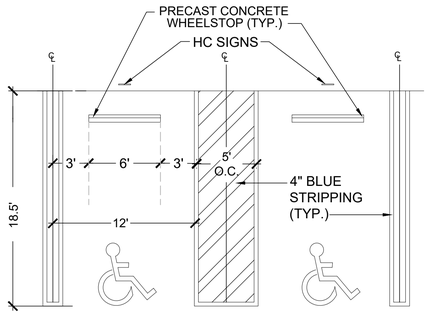
Bike Rack Detail:



Parking Space Detail:



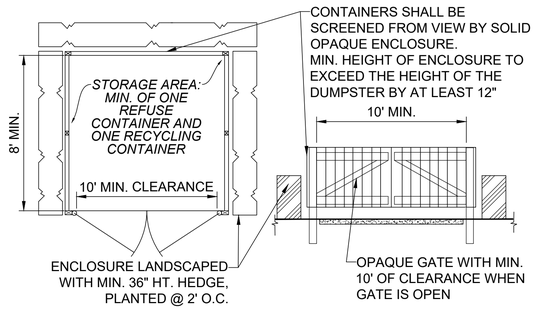
Accessible Parking Space Detail:



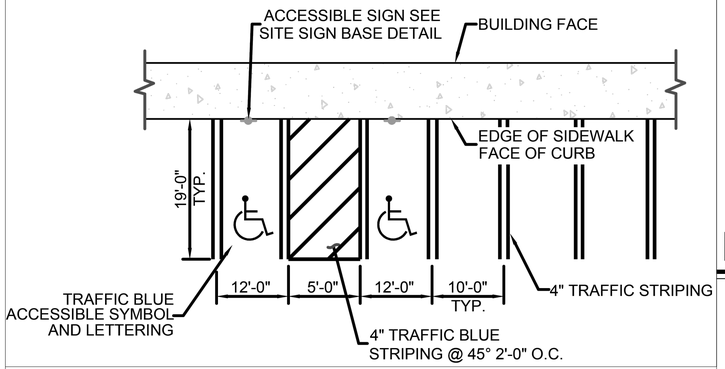
NOTE: ALL HC PARKING STALLS SHALL MEET THE FLORIDA ACCESSIBILITY CODE FOR BLDG.

Typical Dumpster Detail:

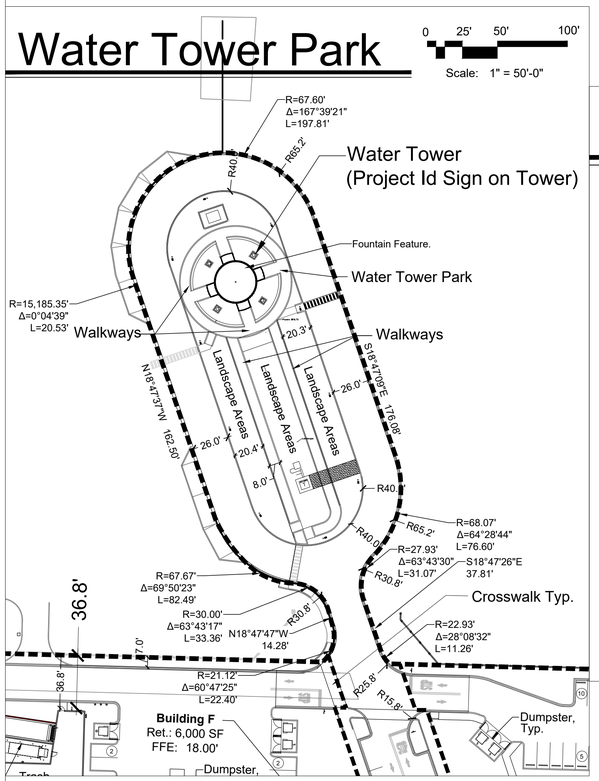
NOTE: THIS DETAIL REPRESENTS THE MINIMUM STANDARDS OUTLINED IN THE LANTANA CODE IN EFFECT AT THE TIME OF SITE PLAN SUBMITTAL. FINAL DETAILS SHALL BE PROVIDED AT TIME OF PERMIT.



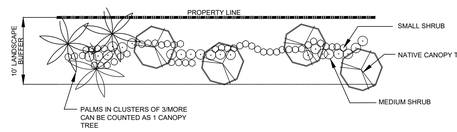
Building L Parking Space Details

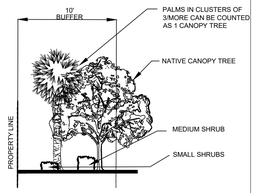


Water Tower Park

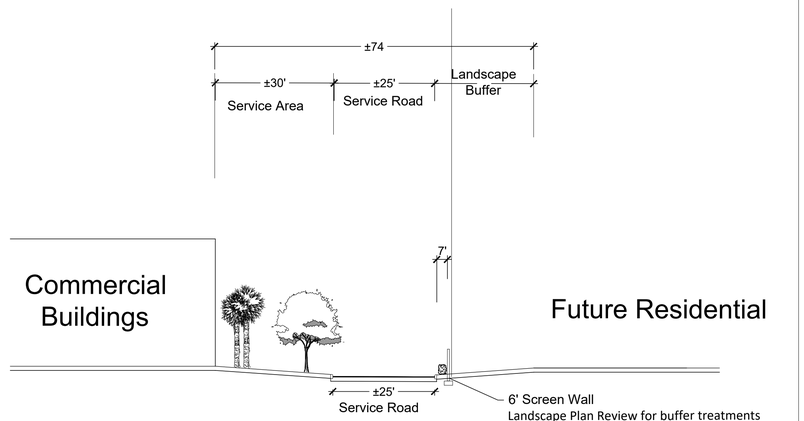


South, East & West Perimeter Landscape Buffer Detail:

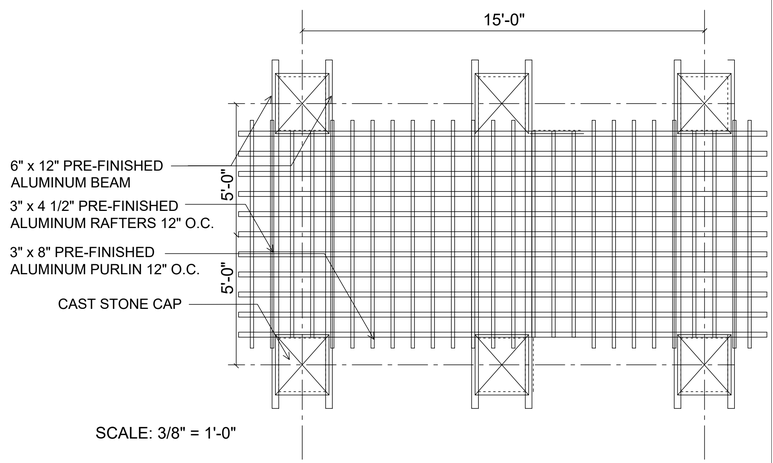




North Perimeter Landscape Buffer Detail:



Plaza Trellis Framing Detail:



SCALE: 3/8" = 1'-0"

PRIOR REVISION HISTORY:

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06.24.15	Site Plan Modification	SCM
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07.06.22	Resubmittal	NTD
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02.09.23	Resubmittal	HLC
03.01.23	Resubmittal	HLC

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561.366.1100 FAX 561.366.1111
www.udsflorida.com
#LA0001739

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Water Tower Commons
Pod A Commercial Site Plan
Lantana, Florida
Site Plan Details

NORTH

0 50' 100' 200'
Scale: 1" = 100'-0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
Drawn By:	JWB/HLC
Checked By:	SM

Revision Dates:

03.08.23 Bank Submittal	HLC
06.05.23 Bank Resubmittal	HLC

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of 4

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 7c

PREPARED BY: Kathleen Dominguez

REVIEWED BY: Brian K. Raducci, Town Manager

MEETING DATE: August 14, 2023

AGENDA ITEM: Consideration of a request to amend a previously approved Landscape Plan in accordance with Section 10.5-22 of the Town of Lantana Code of Ordinances for the commercial portion of the Water Town Commons Planned Mixed Use Development (PMXD), to accommodate modifications to the commercial site plan at 1001 W Lantana Rd (Case # LP23-0006). Remarks: Companion items 7a and 7b

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ISSUE/BACKGROUND:

The applicant's agent, Urban Design Studio, is requesting to modify the previously approved commercial portion of the Water Tower Commons Site Plan.

The proposed landscape plan modifications include the following:

Reconfiguration/redesign of the commercial portion of the site west of Main Street, including site plan and landscape plan modifications related to the following:

- A request to amend the Landscape Plan approval for the commercial phase of development to adjust for the requested site plan changes in Phase 9.

ATTACHMENT(S):

1. 7c LP Application and Backup.pdf

SAMPLE MOTION:

I move to (approve) (disapprove) Case LP23-0006 for the property located at 1001 W Lantana Rd, known as Water Tower Commons.

TOWN OF LANTANA
LANDSCAPE APPLICATION

STAFF USE ONLY
3/15/23
DATE RECEIVED

Instructions: Fully complete all items below, and include all applicable companion items (see pg. 2). Note submittal of this application does not constitute approval. You will be contacted regarding application status.

Select Type: ☑ **Landscape Plan ($375)** ☐ **Tree Removal (Protected) ($50)** ☐ **Landscape Variance ($375)**
☐ **Site Clearing ($50)** ☐ **Tree Removal (Non-Protected) ($0)**

Project Address: 1001 West Lantana Road, Lantana

Describe Your Request: Amend the Landscape Plan of record to reflect changes to the site plan to re-configure Building M/Phase 9 to allow for a financial institution use.

Does the proposed project include permitted materials in the Town swale? (if so, indicate on plans) ☐ **Yes** ☑ **No**

Was a Notice of Violation issued on the property regarding landscaping? (if so, attach the NOV) ☐ **Yes** ☑ **No**

Property Owner

Name: Wexford Capital LP, for Lantana Development, LLC
Address: 777 South Flagler Drive, #602E
West Palm Beach, FL 33401
Phone: 561-273-8600
Email: hmonsour@wexfordrei.com

~~Applicant~~/Agent

☐ **Check here if same as owner**
Name: Urban Design Studio
Address: 610 Clematis Street, STE CU02
West Palm Beach, FL 33401
Phone: 561-366-1100
Email: smegrue@udsflorida.com

Applicant's Certification: I/we affirm and certify that I/we understand and will comply with all provisions and regulations of the Town of Lantana. I/we understand that if this application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be part of the Town of Lantana (if not already) and will be subject to all applicable laws, regulations, taxes, and police powers of the Town, including the Comprehensive Plan and Zoning Ordinance. I/we further certify that all statements and diagrams submitted herewith are true and accurate to the best of my/our knowledge and belief. Further, I/we understand that this application and attachments become part of the official record of the Town of Lantana, Florida, and are not returnable.

Signature of Applicant | Witness | 3/7/23 Date

Owner's Certification: I affirm that either I am the applicant, or that the applicant listed above is hereby authorized to represent me in all dealings regarding this petition with the Town of Lantana.

Signature of Owner | Witness | 3/7/23 Date

Water Tower Commons PMXD
Special Exception, Site Plan Review & Landscape Review Amendments
Project Narrative
March 15, 2023
Rev June 13, 2023

urban design studio

Urban Design
Land Planning
Landscape Architecture

LOCATION / REQUEST

On behalf of the commercial development Owner/Applicant, Lantana Development LLC, and co-Applicant Fifth Third Bank, Urban Design Studio, as Agent, has prepared and hereby respectfully submits these requests for 1) an amendment to the Water Tower Commons Planned Mixed Use Development (PMXD) Special Exception, 2) an amendment to the approved commercial phase of development's site plan, and 3) an amendment to the approved commercial phase of development's landscape plan, for the Water Tower Commons PMXD (Project).

Location

The Project is located on West Lantana Road, east of Interstate 95 and Andrew Redding Road and west of North 8th Street, in the Town of Lantana (Town). The PMXD Project is 73.32 acres in size overall, and was purchased from the State of Florida by Lantana Development LLC, in August of 2014. The Project's Property Control Numbers are 40-43-44-33-50-001-0010 through 40-43-44-33-50-001-0050, which have been more recently issued by Palm Beach County's (County) Property Appraiser's office to reflect the sale of the residential portions of the overall development and continued ownership of the commercial portion by Lantana Development LLC via lease areas. The PMXD is currently accessed from the west via Andrew Redding Road and from the east via North 8th Street and the south from West Lantana Road. There is no access from the north.

Request

The Applicants are seeking approval of the following requests as part of this application:

- Special Exception
- Amend the Special Exception to:
  - Amend the Master Sign Program to reflect a commercial Announcing Sign provision.
  - Amend the Master Plan to include Financial Institution as a permitted use for the site.

Commercial Pod – Site Plan

- A request to amend the Site Plan of record to modify the use approved for Building M from an 1,800 SF Restaurant with Drive Through Business to a 1,900 SF Financial Institution (Bank) with Drive Through Business and reduce provided parking.
- Add Phase 9 to the Building M site.

- Update the site plan to reflect minor modifications to the Wawa site (Phase 2B) as a result of changes made in the field prior to CO.

Commercial Pod – Landscape Plan

- A request to amend the Landscape Plan approval for the commercial phase of development to adjust for the requested site plan changes in Phase 9.

APPROVAL HISTORY

On April 25, 2016, the Town executed an Order of the Town Council for Case No. SE15-0002 approving a Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a Planned Mixed Use Development including waivers for Drive-Thru Facilities and Restaurants over 2,500 SF and waivers for signage. Also on April 25, 2016, Town executed an Order of the Town Council for Case No. SP15-0001 approving a Site Plan for the southern 36.50 acres of the Water Tower Commons MPUD for commercial, office, and retail space uses, including a landscape plan and master signage plan within the Mixed-Use District, established by Case No. SE15-0002.

On September 13, 2016, the Town executed an Order of the Town Council for Case No. SE16-0004, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a revision to Condition of Approval number 33 and to revise the Master Signage Program for the Commercial Pod Master Signage Program. On September 13, 2016, the Town also executed an Order of the Town Council for Case No. SP16-0001, approving modifications to commercial development site plan of record, including amendments to the landscape plan.

On October 3, 2016, the Town executed an Order of the Town Council for Case No. SE16-0004, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a revision to Condition of Approval number 33 and to revise the Master Signage Program for the Commercial Pod Master Signage Program. On October 3, 2016, the Town also executed an Order of the Town Council for Case No. SP16-0002, approving modifications to commercial development site plan of record, including amendments to the landscape plan.

On April 19, 2017, the Town executed an Order of the Town Council for Case No. SE17-0002, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing for one (1) additional restaurant over 2,500 SF a modification to the Master Plan to reflect revisions in the commercial phase and residential development area, and to amend the Master Signage Program. On April 19, 2017, the Town also executed an Order of the Town Council for Case No. SP17-0004, approving modifications to commercial development site plan of record, including amendments to the landscape plan.

On January 29, 2018, the Town executed an Order of the Town Council for Case No. SE17-0012 approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a reduction in the required parking

(Section 23-131), amend the Master Signage Program to add three (3) additional monument signs for the west residential pod, and to amend the Master Plan. On November 26, 2018, the Town also executed an Order of the Town Council for Case No. SP17-0007, approving the site plan for the residential development within the westernmost 16+/- acres within the Water Commons Tower development, including approval of the associated landscape plan.

On November 26, 2018, the Town executed an Order of the Town Council for Case No. SE18-0003, approving an amendment to the Special Exception, pursuant to Section 23-101(d)(12) of the Lantana Code of Ordinances, allowing a reduction in the required parking (Section 23-131), amend the Master Signage Program to add three (3) additional monument signs for the east residential pod, and to amend the Master Plan. On November 26, 2018, the Town also executed an Order of the Town Council for Case No. SP18-0003, approving the site plan for the residential development within the easternmost 18+/- acres within the Water Commons Tower development, including approval of the associated landscape plan.

On December 5, 2019, the Town executed an Order of the Town Council for Case No. SE19-0004, approving an amendment to the Special Exception, allowing 1) the addition of the use of Service Station within the PMXD, 2) adding a use of Restaurant over 2,500 SF, and 3) amend the Master Signage Program to add three custom signage for the Service Station Use. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP19-0003 and LP19-0002, approving the Site Plan and Landscape Plan to reflect the approvals granted above. Which was subsequently amended by Case No. SE20-0001, SP20-0001, and LP20-001, to modify the Service Station use canopy and minor site reconfiguration.

On March 1, 2021, the Town executed an Order of the Town Council for Case No. SE20-0008, approving an amendment to the Special Exception, allowing 1) the additional of construction phase lines to the commercial development, amend lighting locations, and modify landscaping locations as required. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP20-0007 and LP20-0008, approving the Site Plan and Landscape Plan to reflect the approvals granted above.

On May 10, 2021, the Town executed an Order of the Town Council for Case No. SE21-0003, approving an amendment to the Special Exception, allowing 1) the realignment of the eastern portion of the spine road and an increase in the overall SF of the Commercial Pod. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP21-0003 and LP21-0009, approving the Site Plan and Landscape Plan to reflect the approvals granted above.

On November 21, 2022, the Town Planning Director executed Order MSP21-0001, approving a minor amendment to the plans of record, allowing a parking island to be redesigned to add a diamond configuration to allow for a light pole to be shifted to accommodate a drainage line.

On May 6, 2022, the Town executed an Order of the Town Council for Case No. SE21-0005, approving an amendment to the Special Exception, allowing for site modifications to add a 4,986 SF Chick-Fil-A restaurant and modifications to the Water Tower Commons Master Sign Program. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP21-0004 and LP21-0021, approving the Site Plan and Landscape Plan to reflect the approvals granted above.

On September 27, 2022, the Town executed an Order of the Town Council for Case No. SE22-0006, approving an amendment to the Special Exception, allowing for one additional drive through business use, the addition of a car was use, and modifications to the Water Tower Commons Master Sign Program. Additionally on this date, the Town executed an Order of the Town Council for Case No. SP22-0004 and LP22-0010, approving the Site Plan and Landscape Plan to reflect the approvals granted above and the redesign/reconfiguration of the four (4) outparcels located east of the projects main street.

More recently on May 9, 2023, the Town executed an Order for Cases SP22-004 and LP23-0006, allowing for modifications to the site and landscape plans to address changes to Building N/Phase 5 site (Dunkin Donut), addition of Tesla Charging Stations in Phase 2B (Wawa), shifted/modified the approved wall and planting locations for Building Q/Phase 6 (El Car Wash), add EV charging station locations at Buildings O/Phase 7 and Building P/Phase 8, and Modify the plantings around the installed Art in Public Places.

EXISTING AND FUTURE LAND USE AND ZONING DESIGNATIONS

The PMXD will maintain its existing Zoning and Future Land Use Plan designations. There is no change proposed as a result of the requests made part of this application to amend the Special Exception Use, Commercial Site Plan and Landscape Plan. Existing Zoning and Future Land Use Plan designations for the site are Mixed Use Development (MXD).

DEVELOPMENT / PHASING OVERVIEW

It is the continued goal of the Owner/Applicant to create a well-designed and integrated community offering a residential component within walking distance to both commercial and restaurant uses, via horizontal integration between the uses. Additionally, the Owner/Applicant was granted approval to develop the 0.89-acre Water Tower Commons Park (‘Park’) and rotary to the north of the non-residential uses that is accessible to the public for passive uses. The Park has been constructed simultaneously with the Main Street and Rotary elements and the first phase of residential development. The Owner/Applicant continues to propose phasing for the construction of those portions of the non-residential inline and outparcel buildings. It has been previously established that the phasing will be determined as end users enter into leases, or the developer is scheduling construction for multi-tenant buildings. The residential developments have been previously completed.

The Owner/Applicant reserves the design and development flexibility to allow for future development opportunities, which may include combined non-residential uses as well. These future development phases will be brought before the Town Council at a future date and are not part of this request.

MASTER PLAN

The Master Plan has been amended to include Financial Institution to the permitted uses for the PXMD as part of this request. The proposed modifications to the development plans remain consistent with the approved uses, intensities, and densities reflected in prior approvals. This program will continue to be refined over time during the site planning processes; however, the proposed development program remains equivalent with the traffic study approved by the Town Council as part of the initial Land Use Amendment and Rezoning approvals. As the development program is refined in the future, the Master Plan for the development will continue to be amended with traffic equivalency statements, as necessary, based on the proposed future uses. This flexibility is critical as the developer will continue to assess the market in regard to potential permitted uses for the site.

The current approved master development approval includes the following:

USE	APPROVED	PROPOSED	CHANGE
Residential DUs	1,091	1,091	0
Commercial *(including Office)*	343,187 SF	343,187 SF	0

Based on the Traffic Report prepared by The Kleingers Group and dated March 3, 2023, the development program is proposed to be modified to reflect the change in uses within Phase 9, which results in a lower trip generation rate. Both the Restaurant use and Bank use are accounted for in the commercial square footage approved at 343,187 square feet.

Note: Unutilized commercial square footage is proposed to be reallocated to the undeveloped portion of the PMXD for future development opportunities.

COMMERCIAL POD – SITE PLAN /LANDSCAPE PLAN AMENDMENT

As part of this petition, the Applicants are requesting to amend the prior Site Plan and Landscape Plan approvals for the commercial phase of the PMXD development as a concurrent component. The commercial development continues to front Lantana Road, with a ‘Future Development’ portion of the PMXD being situated in the northeast corner, adjacent the commercial site. The commercial phase of development was previously amended to include the Water Tower Commons Park site as a functioning roundabout for residential development access as well as for non-residents. The commercial phase of development will be phased over time in multiple phases of construction. Below is a summary of the past/current activity on the commercial site:

Phase/Building	Current Use/User	Status
Phase 1	main street and rotary	Constructed
Phase 2A / Building A	Aldi and portion of the south spine road and access points	Constructed
Phase 2B / Building K	Wawa	Constructed
Phase 3 / Roadways	remaining portion of the south spine road and access points	Constructed
Phase 4 / Building L	Chick-Fil-A	Constructed
Phase 5 / Building N	Dunkin Donut	In permit
Phase 6 / Building Q	El Car Wash	In permit
Phase 7 / Building O	Mixed Non-Res Uses	In design
Phase 8 / Building P	Mixed Non-Res Uses	In design
Phase 9 / Building M	Fifth Third Bank	Requesting entitlements
Remaining commercial site not yet developed		

RESIDENTIAL POD – SITE PLAN /LANDSCAPE PLAN

There are no changes proposed to the approved residential developments.

CONCURRENCY

The Owner/Applicant has previously secured concurrency for the entire PMXD development as part of the Rezoning approval. The traffic report has also been previously approved by Palm Beach County and the Town of Lantana.

A Traffic Equivalency Statement has been provided as part of this amendment request providing for the additional uses requested.

There are no other changes to the approved concurrency as a result of this request.

Remainder of page left intentionally blank.

REQUEST – OVERALL DEVELOPMENT
SPECIAL EXCEPTION USE

The Applicants are requesting to amend the Special Exception for the Water Tower Commons PMXD to allow for the following modifications:

1. Master Sign Program: Amend the Master Sign Program to add a non-residential Announcing Sign provision for the non-residential uses within the commercial pod.
2. Amend the Master Plan to include Financial Institution as a permitted use for the site.

COMMERCIAL DEVELOPMENT

MASTER PLAN USES
The Owner/Applicants are requesting to add the use of Financial Institution to the Master Plan as a house keeping measure. This use of a Financial Institution was previously determined to be a use that was permitted within the PMXD district by the prior Development Services Director and has been shown as a permitted use on the Site Plan of record since its original approval(s) in 2015. However, it has been recently noted by Town Staff and the succeeding Director that the use is not a permitted or conditional use within the PMXD district. To remedy this conflict, the Town's Development Services staff processed an amendment to the land development regulations to add the use as a permitted use within the PMXD district. The Town Council approved the request on second reading at their June 12, 2023 meeting.

SIGNAGE
The developer has been working with the proposed Bank user which has resulted in the compilation of specific sign needs for that user. As an outparcel development, the proposed Bank use is permitted to have two (2) Primary Wall Signs. The first is required to be located on the same elevation as the main entrance and the second is permitted to face Lantana Road. The outparcel use is additionally permitted two (2) Ancillary Wall Signs that may be placed on any elevation per the Master Sign Plan. The Town's Land Development Regulations additionally require that the layout of an outparcel site include a public access facing Lantana Road. With the proposed Bank use, public access is being provided on the south elevation as well as the east elevation, where pedestrian connectivity is proposed to the main street. This allows the use to provide for the two permitted Primary Signs, one on both of the noted elevations. There are no Ancillary signs proposed. The Bank tenant has provided a signage package that has been included with this request. The proposed signs comply with the Master Sign Program and the Town's LDRs.

The owner/developer is however requesting approval of a general 'Announcing' sign to be added to the Master Sign Program. This sign is proposed to allow each new building constructed a sign announcing the coming use and other relative information. Staff has previously determined that the only permitted signage is that which is included in the

Master Sign Program, which our understanding is that this determination includes temporary signage permitted by the LDRs for announcing signs, etc.

The proposed Master Sign Program 'Announcing' sign complies with the Town's current LDRs which allow up to a 20' maximum width, 8' maximum height, a maximum of 120 square feet of sign area, and one (1) sign face. The Town's LDRs currently allow for Announcing signs to be installed at time of site plan approval and removed at time of Final Certificate of Occupancy. Owner/developer is proposing no changes to what the code currently permits for any business developing in the Town of Lantana.

SPECIAL EXCEPTION STANDARDS

Applicants have reviewed the standards set forth in the Town's development regulations for the granting of Special Exception Uses and has responded accordingly below.

As permitted per Section 23-101(d)(12), MXD mixed use development district, in the Town's land development regulations, the Applicants are requesting to amend the Special Exception for the PMXD to allow for the proposed modifications to the commercial site plan and the Master Sign Program.

Section 23-75 (b) - Standards for granting special exceptions. Prior to recommending approval of a special exception, the Town Council shall insure that:

(1) All structures shall be separated from adjacent and nearby uses by appropriate screening devices.

This is an amendment to a previous approved Special Exception for the Water Tower Commons PMXD*. No changes to the prior approval are proposed that would negatively impact the prior approval. The PMXD was previously granted approval for a 10' perimeter buffer and adjacent 10' utility easement, which encompass the entire 73+ acres. All adjacent perimeter buffers continue to meet or exceed the 6' width with 10' of landscape buffer planting area and an additional 10' of green area for the established utility easement, which Applicants are also utilizing in part for smaller shrub and ground cover plantings.*

(2) Excessive vehicular traffic is not generated on residential streets.

Owner/Applicant *has previously addressed the matter of excessive vehicular traffic for the site. In accordance with the current approval, the* Owner/Applicant *has committed to and/or constructed numerous improvements to Lantana Road, including additional signalization and turn lanes that will alleviate negative impacts of additional traffic proposed to be generated by the PMXD project. It is the intent of the constructed design to allow for multiple ingress and egress points for the uses within the site, thus diffusing the flow of traffic around the site and away from local residential streets. Additionally, the overall project is required to comply with the country-wide Traffic Performance Standards*

and those set forth by the Town of Lantana. This request to amend the Water Tower Commons PMXD Special Exception complies with this standard.

(3) A vehicular parking or traffic problem is not created. A traffic analysis of the proposed special exception use shall be submitted in accordance with section 23-47(6).

Owner/Applicant *has committed to and/or constructed numerous improvements to the surrounding roadways, including additional signalization and turn lanes that will alleviate negative impacts of additional traffic proposed to be generated for the project. It is the intent of the design to allow for multiple ingress and egress points for the site, thus diffusing the flow of traffic around the site. Parking for the commercial phase of development is in excess of that required by the Town's Off-street Parking regulations. A traffic report prepared by Kimley-Horn and Associates was previously approved in this respect. A Traffic Equivalency Statement prepared by The Kleingers Group has also been provided as part of this request.*

No parking or traffic problems are anticipated as a result of the change of use for Building M or the modifications proposed to the Master Sign Program for the commercial phase of development.

(4) Appropriate drives, walks, and buffers are installed.

The Special Exception amendment allows the Applicants the continued flexibility to develop the proposed commercial and residential developments, providing for buffers, green areas, community amenities, and other improvements for pedestrian access throughout the site and connecting to adjacent roadways. The request to modify a use within the commercial development does not negatively impact the previously approved development program or site design. All drives and sidewalks are proposed to meet the current standards of the Town of Lantana. This request to amend the Water Tower Commons PMXD Special Exception complies with this standard.

(5) The proposed use will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity of the excepted use.

The proposed amendments to the Special Exception to modify a use that was previously approved, along with the request to modify the Master Sign Program continues to allow the Applicants the flexibility to provide for a well-designed integrated community minded development offering commercial and residential components that are within walking distance of each other and other existing residential, commercial, and public uses. All proposed drives and sidewalks meet the current standards of the Town of Lantana. The existing residential and proposed commercial uses allow for the provision of services and goods to the Town's residents as well as providing additional housing choices, making a

substantial contribution to the area. This request to amend the Water Tower Commons PMXD Special Exception continues to comply with this standard.

(6) The proposed use does not endanger, restrict, or impair public safety.

The proposed amendments to the Special Exception to modify a use that was previously approved, along with the request to modify the Master Sign Program, do not endanger, restrict, or impair the public's welfare or safety. The development of this site, as proposed or amended, continues to provide the Town with modern commercial and residential uses that enhance the community as a whole and do not affect the public's safety. This request to amend the Water Tower Commons PMXD Special Exception complies with this standard.

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REQUEST – COMMERCIAL
AMENDMENT TO THE SITE PLAN REVIEW

Applicants are requesting to amend the prior approval for Site Plan Review and Landscape Plan review to allow for:

1. A reconfiguration of the Building M site (located west of the main street and fronting Lantana Road.) The reconfiguration of the site from a restaurant with drive through facility use to a bank with drive through facility use, include the following site design modifications:
    a. Increase in square footage from 1,800 SF to 1,900 SF (+1,000 SF)
    b. Decrease in parking from 34 spaces to 13, a reduction of 21 parking spaces for the bank site and PMXD.
    c. Addition of two (2) EV charging stations, one (1) standard space and one (1) handicap space.
    d. Added one (1) additional drive through lane and one (1) bypass lane, for three (3) lanes total.
    e. Added pedestrian connectivity east of the proposed Bank use to the main street.
    f. Relocated the dumpster to the spine road, consistent with the other uses proposed in the development.
    g. Increased the amount of landscape 'green' area by 18,203 square feet for the bank site and overall commercial development.

2. Added 1,900 SF of 'Financial Institution' use to the Gross Floor Area data. Applicants note the use was previously approved for the site as part of the original programming for the site.

3. Reduce the overall Restaurant SF from 26,294 SF to 24,362, a reduction of 1,800 SF.

4. Update the site plan to reflect minor modifications to the Wawa site (Phase 2B), as a condition of issuing a CO, to include the following:

    a. Update footprint to remove door on east elevation at south and show landscaping as constructed. No adjustment to plantings required as number of plant materials noted on plan were installed.
    b. Updated outside table layout to replace two sit down tables with standup tables.
    c. Removed landscaping overlay of sidewalk connection to Lantana Road. No adjustment to plantings required as number of plant materials noted on plan were installed.

SITE RECONFIGURATION

All proposed modifications are internal to the commercial pod and do not adversely affect the surrounding communities or adjacent businesses. There are no modifications to the internal roadways or driveway connections to the adjacent roadways. Aside from the proposed redesign of the subject bank site, there are no other proposed changes to the previously approved site design or other approved access points.

Based on the updated Commercial Site Plan, the amended development program for the commercial site includes the following square footage breakdown:

USE	SQUARE FOOTAGE
Financial Institution/Bank	1,900 SF
Restaurant	24,362 SF
Retail (includes Car Wash)	168,731 SF
Service Station	16 Fuel Pumps
TOTAL SF	194,993 SF / 16 Fuel Pumps

The proposed modifications to the commercial development remain in keeping with the intent of the Town's development regulations and will provide for an enhanced overall design and development and service to the surrounding communities and businesses.

PROPOSED USES

The approved site plan currently permits the uses of restaurant, general retail, fitness center, pharmacy, bank, and residential. Approved Special Exception uses include seven (7) Restaurants over 2,500 SF, four (4) Businesses with drive-thru, one (1) Service Station and (1) car wash. Applicants are not proposing to add any additional uses or Special Exception uses as a result of this request. Please refer to the Special Exception section herein for details on the recent approval of Financial Institution as a permitted use within the PMXD zoning district.

Per the Master Plan, the current development program includes 343,187 SF of commercial/retail uses and 1,091 multi-family units. This is consistent with the approved Traffic Report and Traffic Equivalency Statement prepared by Kimley Horn and Associates, submitted as part of this request. The proposed Bank site has been previously accounted for in the traffic approvals.

PEDESTRIAN AND TRANSPORTATION LINKAGES

The commercial phase of development continues to reflect continuous and enhanced pedestrian and vehicular circulation throughout the site. Enhancements continue to include landscape and trellis lined major pedestrian avenues that provide connectivity from the residential component to the commercial component, and out to the adjacent roadways. Vehicular connectivity is also proposed between the residential and

commercial components via Water Tower Way, the Project's main street, and multiple alternative secondary connections to the surrounding roadways. This provides convenience to not only the residents within the Project, but also for patrons of the commercial uses who may utilize both pedestrian and vehicular connections.

ACCESS

Owner/Applicant has competed all connecting driveways for the development, and continues to work with the Town and Palm Beach County Traffic Division to provide for future improvements for signalization along Lantana Road at the Main Street. All improvements resulting from this PMXD development benefit not only those associated with the PMXD but the neighboring uses and community as a whole.

Access to the commercial portion of the site continues to include one (1) primary point of two-way entry (signalization TBD) and four (5) secondary points of two-way entry. Owner/Applicant has previously gained approval to eliminate the previously approved right-out-only exit onto North 8th Street as a result of the redesign of the southeast corner outparcel site.

EXISTING UTILITIES AND EASEMENTS

Owner/Applicant has previously secured determination from the Town's providers that water and sewer capacity exist for this development. The Owner/Applicant continues to work with the Town and other entities to determine final design requirements and structural needs. The intensity proposed as a result of the site development for the commercial phase of development and residential phases of development are less than that proposed as part of the Land Use Modification and Rezoning.

ARCHITECTURAL STANDARDS

There are no modifications to the approved architectural theme and design of the commercial development as a result of this request. Architectural elevations for the proposed bank building/Phases 9 has been included and complies with the approved architectural theme and character as provided in the PMXD Design Guidelines, which is in keeping with the 'Florida Vernacular' feel with a slight contemporary direction.

More specifically, the architectural design style of the proposed buildings provides for a variety of textures and materials, including manufactured stone, stucco, canopy, aluminum composite materials reflecting national branding, and flat roof features with custom lighting based on the national branding. The colors and materials are continued on all four sides of the building. The colors proposed are in close harmony with the colors suggested in the design guidelines with the addition of colors associated with national branding, as appropriate.

PARKING AND LOADING AREAS

Applicants are proposing to reduce the overall provided parking from 991 to 970 parking spaces, a reduction of 21 parking spaces. The project is required 780 parking spaces based on a 1/250 parking ratio for a Large-Scale Shopping Center. Applicants continue

to meet the requirements for parking on this site and is compliant with the Town's Off-Street Parking regulations. There is no shared parking proposed for the site or between the commercial and residential phases of development. All parking spaces are compliant with the Town's Code and are proposed at 9' x 18.5', 9.5' x 18.5', including any parking spaces designed with overhangs. Applicants are required to provide 16 handicap spaces based on the square footage proposed and is providing for 48 handicap spaces distributed at the front of the proposed buildings, as required by Florida Building Code, or within EV Charging areas.

Applicants are also in compliance with Order SE17-0007, allowing for up to 819 parking space to be constructed without wheel stops. The Applicants are proposing, as part of this request, for 257 parking spaces to be provided without wheel stops, and the remaining 713 parking spaces with wheel stops.

The Bank use do not require a traditional loading space and will utilize the standard parking provided, accommodating smaller truck and van deliveries, such as overnight delivery services and smaller product delivery services. Owner/Applicant is current required to provide for thirteen (13) 15'x35' loading spaces, and is providing fourteen across the commercial development.

OUTDOOR SEATING

There is no additional outdoor seating proposed with this request to amend the plans.

COMPATIBLE AMENITIES AND FURNITURE

It remains the intent of the Applicants to provide street furniture, street lighting, pedestrian lighting, traffic signage, trash receptacles, and pedestrian benches that are consistent in style, color, or material throughout the PMXD. The applicants request that final selections be permitted to be approved at a Staff level as part of the permitting process.

MECHANICAL EQUIPMENT / DUMPSTERS

There are no changes to the proposed screening of mechanical equipment and dumpsters proposed within the commercial development. All will be completely screened by walls and/or opaque landscaping from adjacent properties and the view from the adjacent public streets.

DRAINAGE

The proposed commercial site will create 21.3-acres of impervious area and 8.8-acres of pervious area. Water Quality Treatment (WQT) required by SFWMD for this site is 2.5" over the impervious area. The Required WQT for the proposed site is 4.44 AC-FT. This treatment will come from the proposed exfiltration trench on-site. This overall site has very good percolation rates and a deep-water table and is a good candidate for the use of exfiltration trench rather than ponds. The plan for the overall commercial site is to continue retaining all runoff for a 25-year – 72-hour storm onsite, since the site has no outfall. The 4,000 LF plus of proposed exfiltration trench will provide more than the required 25.87 AC-FT of runoff storage.

Specific to the Phase 9 site, the provided volume within the exfiltration trenches (.813 ac-ft as shown in Appendix C) meets Lantana drainage requirements since it exceeds the required volume runoff volume for the proposed condition under the 25-year 72 hour storm (.50 ac-ft as shown in Appendix B). Beyond this, the exfiltration trench also provides more volume than what is tributary to the site in the 100 year 72 hour storm (.66 ac-ft as shown in Appendix B), so the Lantana drainage requirement of the building finished floor being 1’ above the 100 year 72 hour storm WSE will also be met, since the finished floor (elevation 20) is more than 1’ higher than the top of the trench section (17.50’).

Please see the drainage statement prepared by The Kleingers Group and dated March 3, 2023.

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REQUEST – COMMERCIAL
LANDSCAPE PLAN

Overall Commercial Center

The 30.1-acre commercial pod fronts on Lantana Road, and has been designed to provide for the required 20% of overall and 20% of vehicular landscape area at a total of 6.02 acres. The calculation of 6.02 acres is based on the revised site configuration development as it relates to the vehicular use areas. The overall landscape area includes the landscape around the proposed buildings, perimeter buffers, and landscape islands at a total of 3.03 acres. The proposed parking and vehicular areas within the commercial parcel total 14.95 acres. This area includes landscape areas within and directly adjacent to these parking areas that are or exceed the 6' minimum width requirement, which have been utilized to meet the required planting areas. These landscape areas total 2.99 acres in size or 20% of the parking area. The mixed-use district overall landscape requirement of 1 tree per 2,500 SF and outdoor parking/vehicle use area requirement of 1 tree per 250 SF of landscape, as well as other landscape requirements, will be met on the site. The proposed amended landscape plan is Complaint with Chapter 10.5 of the Town's Code.

Owner/Applicant is proposing to provide more than the required 50% native plant material in the form of required trees and shrubs across the site, with approximately 56.2% native trees and 72.1% native shrubs. The trees and palms proposed for the PMXD include Silver Button Wood Orange Geiger Tree, White Crape Myrtle Multi-Trunk, Sweet Bay, Slash Pine, Southern Live Oak, Desert Cassia and a number of previously mitigated 'Legacy Oaks' from the site, as well Silver Palms, Areca Palms, Bottle Palms, Spindle Palms, Wild Date Palms, Alexander Palms, Cabbage Palmetto, and Montgomery Palms. Along with this large palette of materials, several diverse shrub and ground covers are also proposed across the site. Owner/Applicant is additionally providing for more than 110% of the required trees on the commercial site with 574 trees required at 100%, 631 trees required at 110%, and 649 trees being provided, thus continuing to meet the requirements of the prior approved waivers for the east outparcels.

The intent of the overall blended landscape design is to display a tropical coastal image utilizing materials such as the stately Silver Date Palms that flank the project and major retail entries. For the subject site specific, applicants are proposing Montgomery and Alexander Palms, East Palatka Holly, Red Tip Coco Plum, Red Sister Ti Plants, Jatropha, Wax Jasmine, Green Island Ficus internal to the project site. The buffer areas have been designed to utilize materials previously approved along Lantana Road and the main street buffer sections for uniformity.

CONCLUSION

On behalf of Lantana Development LLC and Fifth Third Bank, Urban Design Studio respectfully requests favorable review and consideration of these requests for Special Exception Amendment, Site Plan Review amendment, and Landscape Plan amendment for Phase 9 of the commercial development for the Building M site, and other minor amendments to Phase 2B to reflect the as-built conditions of the Wawa site (Building K). The project managers at Urban Design Studio are Ken Tuma and Sandra Megrue. Please feel free to contact either of these project representatives with any questions or for additional information in support of these applications at 561-366-1100 or via email at ktuma@udsflorida.com or smegrue@udsflorida.com.

Water Tower Commons

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DEVELOPMENT TEAM

OWNER
LANTANA DEVELOPMENT, LLC
902 CLINT MOORE ROAD, SUITE 202
BOCA RATON, FL 33487

LAND PLANNER & LANDSCAPE ARCHITECT
URBAN DESIGN STUDIO
610 CLEMATIS STREET, SUITE CU02
WEST PALM BEACH, FL 33401
(561) 366-1100

CIVIL & TRAFFIC ENGINEER
KIMLEY-HORN & ASSOC.
1920 WEKIVA WAY, SUITE 200
WEST PALM BEACH, FL 33411

SURVEYOR
CAULFIELD & WHEELER INC.
7900 GLADES ROAD, SUITE 100
BOCA RATON, FL 33434

FINANCIAL INSTITUTION ADDITIONAL DEVELOPMENT TEAM

CIVIL ENGINEER
THE KLEINGERS GROUP
6219 CENTRE PARK DRIVE
WEST CHESTER TOWNSHIP, OH 45069

ARCHITECT
BHDP
302 WEST THIRD STREET
CINCINNATI, OH 45202

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LANDSCAPE TABULAR INFORMATION

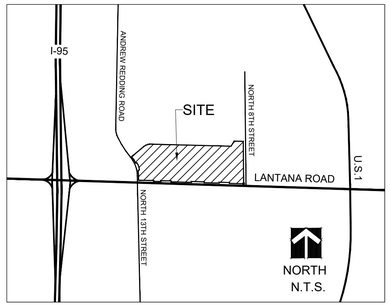
OVERALL REQUIRED LANDSCAPE MATERIALS
(1 TREE AND 10 SHRUBS FOR EACH 2,500 S.F. OF LANDSCAPE AREA - 20% OF TOTAL PARCEL SQUARE FOOTAGE 1,311,169 S.F.)
- EXCLUDING PARKING/VEHICULAR USE AREA (651,241.64 S.F.) = 659,927.4 S.F. x .20 = 131,985.48 S.F./2,500 = 52.8
REQUIRED TREES = 53 TREES
REQUIRED SHRUBS = 528 SHRUBS
PROVIDED SHRUBS = 8,219 SHRUBS

PARKING/VEHICLE USE AREA REQUIRED TREES = 509
(1 TREE FOR EVERY 250 S.F. OF REQUIRED LANDSCAPE AREA WITHIN THE PARKING/VEHICLE USE AREA (651,241.64 S.F.) 651,647.64 S.F. X .20 = 130,248.32 S.F. / 250 = 521 TREES
TOTAL REQUIRED TREES = 53 TREES + 521 TREES = 574 TREES
TOTAL TREES PROVIDED = 649 TREES
PERCENTAGE OF TREES PROVIDED (444 TREES) = 68.4%
PERCENTAGE OF PALMS PROVIDED (205 PALMS) = 31.6%

PERCENTAGE OF REQUIRED NATIVE PLANTS
(AT LEAST FIFTY (50) PERCENT OF THE LANDSCAPE MATERIALS PLANTED PURSUANT TO THE REQUIREMENTS OF THIS CHAPTER SHALL BE NATIVE FLORIDA PLANT SPECIES)
TOTAL NATIVE TREES PROVIDED = 365 NATIVE TREES
PERCENTAGE OF REQUIRED NATIVE TREES PROVIDED = 56.2% NATIVE TREES
TOTAL NATIVE SHRUBS PROVIDED = 5,931 SHRUBS
PERCENTAGE OF REQUIRED NATIVE SHRUBS PROVIDED = 72.1% NATIVE SHRUBS

TREE REPLACEMENT TABLE
TOTAL DBH OF PROTECTED TREES TO BE REMOVED = 1,296" DBH
TOTAL REQUIRED MITIGATION DBH = 1,944" DBH
(A TOTAL OF 1-1/2 TIMES THE DBH OF REMOVED TREE DBH)
TOTAL COMMERCIAL PARCEL REQUIRED MITIGATION DBH = 966 DBH
TOTAL RESIDENTIAL PARCEL REQUIRED MITIGATION DBH = 978 DBH
TOTAL REQUIRED MITIGATION DBH = 1,944 DBH
TOTAL COMMERCIAL PARCEL MITIGATION PROVIDED = 4,369 DBH

LOCATION MAP



NOTES:

1. ALL LANDSCAPE MATERIAL SHALL BE FLORIDA GRADE #1 OR BETTER.
2. TREES ARE TO BE INSTALLED WITH A TEN FOOT (10') SEPARATION FROM ANY WATER OR SEWER MAIN AND/OR SERVICE, HYDRANTS, AND LIFT STATIONS. IF A TEN FOOT (10') SEPARATION CANNOT BE ACHIEVED, THE TREE CAN BE INSTALLED WITH A ROOT BARRIER SYSTEM. REFER TO THE "ROOT BARRIER" DETAIL FOR INSTALLATION REQUIREMENTS. HOWEVER IN NO CASE SHALL A TREE ENCROACH INTO A PBCUE WITHOUT PRIOR PBCWUD APPROVAL AND ONLY SOD CAN BE INSTALLED WITHIN 7.5' OF A FIRE HYDRANT UNLESS OTHERWISE APPROVED BY THE FIRE MARSHAL.
3. ALL TREES LOCATED WITHIN A SIGHT TRIANGLE MUST BE SPACED A MINIMUM OF FORTY (40) LINEAR FEET ON CENTER AND HAVE AN EIGHT (8) FOOT CLEAR TRUNK.
4. ALL LANDSCAPED AREAS REQUIRING IRRIGATION SHALL BE PROVIDED WITH AN AUTOMATIC IRRIGATION SYSTEM THAT PROVIDES 100% COVERAGE.
5. CONTRACTOR TO VERIFY QUANTITIES AND NOTIFY OWNER OR OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES IN QUANTITIES PRIOR TO SUBMITTING BIDS.
6. ST. AUGUSTINE FLORITAM SOD TO BE PROVIDED IN ALL LANDSCAPE AREAS PROVIDED WITH SHRUB MASSES AND / OR TREES OR PALMS
7. ALL GROUND MOUNTED MECHANICAL EQUIPMENT TO BE SCREENED WITH LANDSCAPING TO THE HEIGHT OF THE EQUIPMENT..

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Water Tower Commons
Pod A Commercial Landscape Plan
Lantana, Florida
Landscape Plan Cover Sheet

C:\Users\heloiz\Documents\My Documents\My Work\Work\Water Tower Commons\Bank Parcel - Fifth Third\Bank LP\2023-06-05 LP Overall - Bank Amendment Resubmittal Inc Wawa CO revs.dwg

NORTH
0 10' 20' 40'
Scale: 1" = 20'-0"

PRIOR REVISION HISTORY:

01.14.15	Submit to Lantana	SCM
06.24.15	Site Plan Modification	SCM
07.02.15	Resubmittal to Lantana	SCM
09.15.15	Resubmittal	JWB
10.05.15	Resubmittal	JWB
12.21.15	Resubmittal	
03.31.16	Certification Resubmittal	
07.13.16	Resubmittal	JWB
02.22.17	Resubmittal	JWB
03.21.17	Resubmittal	JWB
03.28.17	Resubmittal	JWB
03.30.17	Revisions	BB
07.17.19	Revisions	JWB
08.14.19	Revisions	JWB
12.12.19	Revisions	JWB
01.30.20	Revisions	JWB
01.14.21	Resubmission	JWB
03.11.21	Resubmission	JWB
10.14.21	Minor SP Mod Sub	
12.01.21	Resubmission	JWB
12.20.21	Resubmission	JWB
04.13.22	Submittal	HLC
07.06.22	Resubmittal	HLC
10.05.22	Apply COAs Permit	HLC
01.16.23	Submittal	HLC
01.27.23	Resubmittal	HLC
02.09.23	Resubmittal	HLC
03.01.23	Resubmittal	HLC

Date: Jan. 30, 2023
Project No.: 12-069.026
Designed By: JWB/HLC
Drawn By: JWB/HLC
Checked By: SM/HLC

Revision Dates:

03.08.23	Submittal	HLC
06.05.23	Resubmittal	HLC

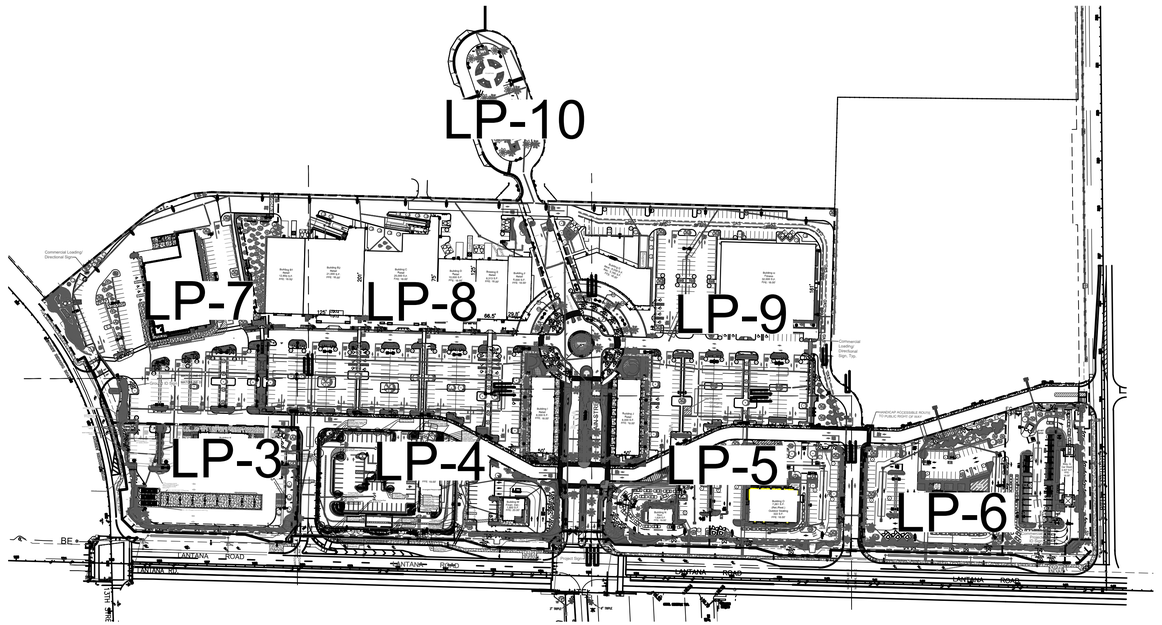
LP-1
of 12

LANDSCAPE KEY PLAN

2023-06-05 10:27

PLANT SCHEDULE *						
TREES	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	CE	27	Conocarpus erectus / Buttonwood	Yes	Very	2.5" d.b.h., 14` ht., 8` ct.,
	CS4	16	Conocarpus erectus `Sericeus` / Silver Buttonwood	Yes	Very	12 ht., 12 spr., 2.5" d.b.h., multi-trunked, full dense symetrical crown
	CS	49	Conocarpus erectus sericeus / Silver Button Wood	Yes	Very	2.5" d.b.h., 14` ht., 8` ct.,
	CS2	36	Conocarpus erectus sericeus / Silver Button Wood	Yes	Very	10` ht., 4`-5` spr., 5` c.t., 2" d.b.h.
	CU	28	Cupressus sempervirens / Italian Cypress	No	Very	B&B, 15` ht. o.a., 2` spr., matching, full dense foliage to base, straight no curves, matched
	IE	7	Ilex x attenuata `East Palatka` / East Palatka Holly	Yes	Moderate	2.0" d.b.h.,10` ht., 4-5` spr., 5` ct.,
	IE2	22	Ilex x attenuata `East Palatka` / East Palatka Holly	Yes	Moderate	2.5" d.b.h., 14` ht., 8` ct.,
	JB	21	Juniperus virginiana 'Brodie' / Brodie Eastern Redcedar	Yes	Very	12' ht. o.a. x 3' spr., Full dense foliage to base,
	LW	12	Lagerstroemia x `Natchez` / White Crape Myrtle Multi-Trunk	No	Very	12` ht., 6` spr., 5-7 trunks, 3" cal.
	LW2	5	Lagerstroemia x `Natchez` / White Crape Myrtle Multi-Trunk	No	Very	14` ht., 8` ct. 3" cal. 5-7 trunk maximum, matched
	LT	33	Lagerstroemia x `Tonto` / Japanese Crape Myrtle Multi-Trunk	No	Very	8` ht., 4-5` spr., multi trunked tree form, 2 " cal., matched
	LL2	46	Ligustrum lucidum / Glossy Privet	No	Very	10` ht., 6` spr., 5 to 7 trunks, tree form, matched
	PD	32	Pinus elliotti `Densa` / Slash Pine	Yes	Very	16-18 ht., 7-8` spr., 4.5" d.b.h., wire basket container, provided by JD Thornton Nursery
	PD2	58	Pinus elliotti `Densa` / Slash Pine	Yes	Very	12-15` ht., 6-7` spr., 4" d.b.h.
	PD3	37	Pinus elliotti `Densa` / Slash Pine	Yes	Very	14-15` ht., 5-7` spr., 3" d.b.h.
	QV2	36	Quercus virginiana / Southern Live Oak	Yes	Very	4" d.b.h., 14` ht., 6` spr. 8` ct.
	QV4	2	Quercus virginiana / Southern Live Oak	Yes	Very	10` ht., 4`-5` spr., 5` c.t., 2" d.b.h.
	QV5	2	Quercus virginiana Highrise / Southern Live Oak	Yes	Very	4" d.b.h., 14` ht., 6` spr. 8` ct., Highrise
	QV3	4	Quercus virginiana Park Side / Park Side Southern Live Oak	Yes	Very	22` ht., 14` spr., 8" cal., Florida Fancy, RPG, as provided by Fish Branch Tree Farm
PALM TREES	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	PHO	2	Phoenix roebelenii / Pigmy Date Palm Multi-Trunk	No	Moderate	Triple heaed palm, 12` o.a. ht., matched specimens
	PHO2	2	Phoenix roebelenii / Pigmy Date Palm Multi-Trunk	No	Moderate	Triple heaed palm, 8` o.a. ht., matched specimens
	PS	10	Phoenix sylvestris / Silver Date Palm	No	Very	18` clear wood, diamond shape cut trunk, 17" cal., matched
	PS2	44	Phoenix sylvestris / Silver/Wild Date Palm	No	Very	Unscarred trunk, full, intact fronds, diamond shape cut trunk, heavy caliper, 16` c.w., B&B, SUBMIT PHOTO TO LANDSCAPE ARCHITECT FOR APPROVAL
	PE	11	Ptychosperma elegans / Alexander Palm	No	Moderate	Triple trunked, 14` clear wood minimum, 5" cal.
	PE2	13	Ptychosperma elegans / Alexander Palm	No	Moderate	Single trunked, 14` clear wood, 5" cal.
	PE3	23	Ptychosperma elegans / Alexander Palm	No	Moderate	Double trunked, 14` clear wood minimum, 5" cal.
	RR	5	Roystonea regia / Royal Palm	Yes	Moderate	12` Greywood, 20" CAI.,
	SP	33	Sabal palmetto / Cabbage Palm	Yes	Very	16-28` clear wood, hts. on plan indicate clear wood, 12-14" d.b.h.
	TR1	10	Thrinax radiata / Florida Thatch Palm	Yes	Very	Signle specimen palm, ht. on plan indicates clear wood.
	VM	184	Veitchia montgomeryana / Montgomery Palm	No	Moderate	Full head, straight, unscarred trunk, intact fronds, single 16`-22` clearwood.
	VM2	4	Veitchia montgomeryana / Montgomery Palm	No	Moderate	Double, Full head, unscarred trunk, intact fronds, single 18-20` clearwood, height indicates clear trunk
	VM3	3	Veitchia montgomeryana / Montgomery Palm	No	Moderate	16` , 18` , 20` clear wood, 11" cal.
	VM4	21	Veitchia montgomeryana / Montgomery Palm	No	Moderate	Full head, straight, unscarred trunk, intact fronds, single 25` clearwood, height
REPLACEMENT TREES	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	CU-R	4	Cupressus sempervirens / Italian Cypress	No	Very	Replacement Plant, B&B, 15` ht. o.a., 2` spr., matching, full dense foliage to base, straight no cunves, matched

CHICK-FIL-A PLANT LIST



SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	CHI	2,101	Chrysobalanus icaco `Red Tip` / Red Tip Cocoplum	Yes	Moderate	Min. 24" ht., 18" spr., full to base shrub, 24" o.c.
	CLU2	75	Clusia guttifera / Small-Leaf Clusia	Yes	Very	Min. 5` Ht. x 36" spr., full to base
	CLU7	104	Clusia guttifera / Small-Leaf Clusia	Yes	Very	Min. 7 gal. cont., 36" ht., 30" spr., 36" oc.
	CON	2,121	Conocarpus erectus sericeus / Silver Button Wood	Yes	Very	Min. 24" ht., 18" spr., full to base shrub, 24" o.c.
	CS15	102	Conocarpus erectus sericeus / Silver Button Wood	Yes	Very	Min. 15 gal. cont., 5` ht., 28" spr., 30" oc.
	EUG	182	Eugenia foetida / Spanish Stopper	Yes	Very	Min. 3 gal. cont., 24" ht., 18" spr., full to base shrub, 24" o.c.
	EUG2	26	Eugenia foetida / Spanish Stopper	Yes	Very	Min. 7 gal. cont., 5` ht., 30" spr., full to base, shrub form., 30" o.c.
	HAM	461	Hamelia patens `Compacta` / Dwarf Scarlet Bush	Yes	Very	Min. 24" ht., 18" spr., full to base shrub, 24" o.c.
	MUH	170	Muhlenbergia capillaris / Pink Muhly Grass	Yes	Very	3 Gal., 18" Ht. x 18" Spr.,18" o.c., Full and Dense Shrub, Full to Edge of Pot, Maintain at 2'-3' height
	PTV	17	Pittosporum tobira `Variegata` / Variegated Mock Orange	No	Moderate	Min. 20" ht., 20" spr., 2` o.c., full to base, dense shrub.
	POD	116	Podocarpus macrophyllus / Southern Yew	No	Moderate	3 Gal. 24" Ht. x 18" Spr. 24" O.C. Full and Dense Shrub, Full to Base
	PD5	39	Podocarpus macrophyllus / Southern Yew	No	Moderate	5' Ht. x 36" Spr. 36" O.C. Full and Dense Shrub, Full to Base, Heights maintained as shown on plan
ACCENT PLANTS	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	BOK	2	Bougainvillea x `Barbara Karst` / Barbara Karst Bougainvillea	No	Very	Min. 25 gal. cont., 6-7` ht., matched braided standards, Florida Fancy
	BVP	4	Bougainvillea x `Palm Beach Purple`	No	Very	25 gal. cont., 8`-10` ht., 4` spr., full, dense foliage to base, min. 5 runners
	COM	9	Codiaeum variegatum `Mammy` / Mammy Croton	No	Very	Min. 7 Gal. Cont., 30" Ht., 18" Spr., Full Dense Plant
	TI3	12	Cordyline fruticosa `Red Pepper` / Red Pepper Ti	No	Moderate	Min. 3 Gal. Cont., 30" ht., 3-5 Plamnts Per Pot, Full Dense Plant
	TI	46	Cordyline terminalis `Red Sister` / Red Sister Ti Plant	No	Moderate	Min. 7 gal. cont., 30" ht., 24" spr., 3 plants per pot,
	CRQ	42	Crinum augustum `Queen Emma` / `Queen Emma` Crinum	No	Very	Min. 7 gal. cont., 1 plant per pot, 30" ht., 30" spr., full dense plant, disease free
	FUC	26	Furcraea foetida variegata / Varigated Gian False Agave	No	Very	Min. 7 gal. cont., 18" ht, 18" spr., sun grown
	FUC2	4	Furcraea foetida variegata / Varigated Gian False Agave	No	Very	15 Gal. Cont., 30" Ht., 3` Spr., Specimen, 1 Plant Per Pot
	JAT	30	Jatropha integerrima `Compacta` / Compact Spicy Jatropha	No	Very	5` ht., 30" spr., multi-trunked tree form.
	SER	8	Serenoa repens / Saw Palmetto	Yes	Very	24" ht., 24" spr., full dense plant, disease and insect free
ACCENTS	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	TOP	8	Syzygium paniculatum / Brush Cherry	No	Moderate	7 gal. cont., 6` ht., matched specimen
REPLACEMENT SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	TO-R	4	Syzygium paniculatum / Brush Cherry	No	Moderate	Replacement Topiary, Cone shape, 7` gal. cont., 6` ht., matched specimen
VINE/ESPALIER	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	BVF	30	Bougainvillea x `Barbara Karst` / Barbara Karst Bougainvillea Trellis	No	Very	25 gal. cont., 8`-10` ht., 4` spr., vine on trellis, min. 4 runners, attach to wall w/ ties.
	TRA	6	Trachelospermum jasminoides `Confederate` / Confederate Jasmine	No	Moderate	Min. 7 gal. cont., 8` trellis, attached to trellis 4 runners minimum
SHRUB AREAS	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	CHR3	93	Chrysobalanus icaco `Red Tip` / Red Tip Cocoplum	Yes	Moderate	Min. 3 gal. cont. 20" ht., 18` spr., 2` o.c., full to base
	CSP	111	Codiaeum variegatum 'Sloppy Painter' / Sloppy Painter Croton	No	Very	3 Gal., 18" Ht. x 18" Spr., 30" O.C., Full and Dense Shrub, Full to Base
	FG	127	Ficus microcarpa `Green Island` / Green Island Ficus	No	Very	Min. 3 gal. cont., 18" ht., 18" spr., 18" o.c., full dense foliage to base
	ID	711	Ilex vomitoria `Schillings Dwarf` / Dwarf Schillings Holly	No	Very	Min. 3 gal cont., 12" ht. x 12" spr., 18" o.c.
	NF	80	Nephrolepis falcata / Macho Fern	No	Moderate	Min. 3 gal. cont., 30" ht. x 30" spr., 30" o.c., full dense pots
	WF	135	Polypodium scolopendria / Wart Fern	Yes	Moderate	1 gal., 12" ht., 12" spr., 18" o.c., Full, Dense Foliage To Base
	ARB	32	Schefflera arboricola / Green Arboricola	No	Very	Min. 3 gal. cont., 16" ht., 24" spr., 24" o.c., Full dense foliage to base
	SCH	796	Schefflera arboricola `Trinette` / Schefflera	No	Very	Min. 3 gal. cont., 16" ht.,18" spr., 24" o.c., Full dense foliage to base

GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	ALO	122	Alocasia Californian nana / Dwarf Elephant Ear	No	No	Min. 3 gal. cont., 16" ht., 16" spr.,full dense plant, 24" o.c.
	AA	249	Annuals / Annuals	Yes	No	4" pots, 1` o.c.
	ASP	36	Asparagus densiflorus `Myers` / Myers Asparagus	No	Moderate	Min. 3 gal. cont., 12" ht., 12" spr, full dense plant, 24" o.c.
	BOU	72	Bougainvillea hybrid `Helen Johnson` / Dwarf Bougainvillea	No	Very	Min. 3 gal. cont., 24" ht., 24" spr.,full to base, 24" o.c.
	BOS	305	Bougainvillea x `Silhouette` / Lilac Thronless Bougainvillea	No	Very	Min. 3 gal. cont., 18" ht., 18" spr. 24" o.c. full dense shrub
	COD	470	Codiaeum variegatum mammey / Mammey Croton	No	Very	Min. 20" ht., 18" spr., full dense plant, 24" o.c.
	CYR	398	Cyrtomium falcatum / Holly Fern	No	Moderate	Min. 3 gal. cont., 18" ht., 18" s[pr., 24" o.c. sun grown
	DIE	26	Dietes iridioides / Fortnight Lily	No	Moderate	Min. 3 gal. cont., 18" ht., 18" spr., full
	FGI	2,701	Ficus microcarpa `Green Island` / Green Island Ficus	No	Very	Min. 3 gal. cont., 18" ht., 18" spr., full dense shrub, 24" o.c.
	HAP	80	Hamelia patens / Fire Bush	Yes	Very	Min. 3 gal. cont., 18" ht., 16" spr., full dense plant, 30" o.c.
	HPD	171	Hamelia patens `compacta` / Dwarf Fire Bush	Yes	Very	Min. 3 gal. cont., 18" ht., 18" spr. 24" o.c. full dense shrub
	HYM	239	Hymenocallis latifolia / Spider Lily	Yes	Very	Min. 3 gal. cont., 18" ht., 20" spr., full dense plant, 24" o.c.
	ILX	262	Ilex vomitoria `Stokes Dwarf` / Dwarf Stokes Holly	Yes	Very	Min. 3 gal. cont., 13" ht., 13" spr., full dense plant, 18" o.c.
	IXO	148	Ixora coccinea `Maui` / Maui Ixora	No	Moderate	Min. 3 gal. cont., 14" ht., 14" spr., orange colored flower, 18" o.c., full to base
	JAS	4,267	Jasmine volubile / Wax Jasmine	No	Very	Min. 3 gal. cont., 16" ht., 16" spr., full to base, 24" o.c.
	JUN	1,731	Juniperus chinensis `Parsonii` / Parsoni Juniper	No	Very	Min. 3 gal. cont., 18" ht., 18" spr., full dense plant, 24" o.c.
	JUN2	286	Juniperus conferta `Blue Pacific` / Blue Pacific Shore Juniper	No	Very	3 Gal. Cont., 14" Ht., 14" Spr. Full dense plant., 24" o.c.
	LIR	127	Liriope muscari `Super Blue` / Super Blue Liriope	No		Min. 3 gal. cont., 16" ht., 16" spr., 20" o.c. full dense clump
	LOR	417	Loropetalum chinense rubrum `Ruby` / Dwarf Ruby Fringe Flower	No	Moderate	Min. 18" ht., 18" spr., full to base, 24" o.c.
	LOR2	30	Loropetalum chinense rubrum `Ruby` / Dwarf Ruby Fringe Flower	No	Moderate	Min. 18" ht., 18" spr., full to base, 24" o.c.
	PM	71	Pilea microphylla / Artillery Fern	No	Very	1 Gal. Cont., 10" Ht., 10" Spr., 10" o.c.
	PIT	949	Pittosporum tobira Variegata / Variegated Pittosporum	No	Moderate	Min. 3 gal. cont., 20" ht., 20" spr., full to base, 24" o.c.
	PMD	217	Podocarpus macrophyllus `Pringles` / Dwarf Shrubby Yew `Pringles`	No	Very	Min. 3 gal. cont., 12" ht., 14" spr., full dense foliage to base, 14" o.c.
	RHA	96	Rhaphiolepis indica `Alba` / White Indian Hawthorn	No	Moderate	Min. 3 gal. cont., 16" ht., 16" spr., full dense shrub, 24" o.c.
	SPA	336	Spartina bakeri / Sand Cord Grass	Yes	Very	Min. 1 gal. cont., 18" ht., 18" spr., 42" o.c.
	STJ	54	Stachytarpheta jamaicensis / Native Porter	Yes	Very	Min. 3 gal. cont., 18" ht., 16" spr., full dense plant, 24" o.c.
	TAB	111	Tabernaemontana divaricata variegata / Variegated Pinwheel Jasmine	No	Moderate	Min. 3 gal. cont., 2` ht., 2` spr., full dense foliage to base. 18" o.c.
	TRJ	1,828	Trachelospermum asiaticum `Minima` / Small Leaf Confederate Jasmine	No	Moderate	Min. 1 gal., 16" ht., 16" spr., 18" o.c.
GRASSES	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	TRF	73	Tripsacum dactyloides / Fakahatchee Grass	Yes	Very	Min. 1 gal. cont., 18" ht., 18" spr., full dense clump, 42" o.c.
MULCH	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	MU	QTY. TO BE VERIFIED	Mulch GREENSMART ECO-MULCH AMERIGROW / Eco-Mulch	No		Provode a 3" layer of mulch as descroibed in the Specifications and Deails for trees, palm=ms shrubs and groundcover beds. Contractor to determineat time of bid. T.B.D. - To Be Determined.
SOD/SEED	CODE	QTY	BOTANICAL / COMMON NAME	NATIVE	DROUGHT TOLERANT	REMARKS
	SOD	QTY. TO BE VERIFIED	Stenotaphrum secundatum `Floritam` / Floritam St. Augustine Sod	No	Moderate	Disease and pest free, sand and rolled as required by Owner, Contractor to provide quantity at time of Bid - To Be Determined - T.B.D.

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Pod A Commercial Landscape Plan
Lantana, Florida
Sheet Key Map & Plant Schedule

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NORTH

0 50' 100' 200'

Scale: 1" = 100' - 0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
Drawn By:	JWB/HLC
Checked By:	SM/HLC

Revision Dates:

03.08.23 Submittal	HLC
06.05.23 Resubmittal	HLC

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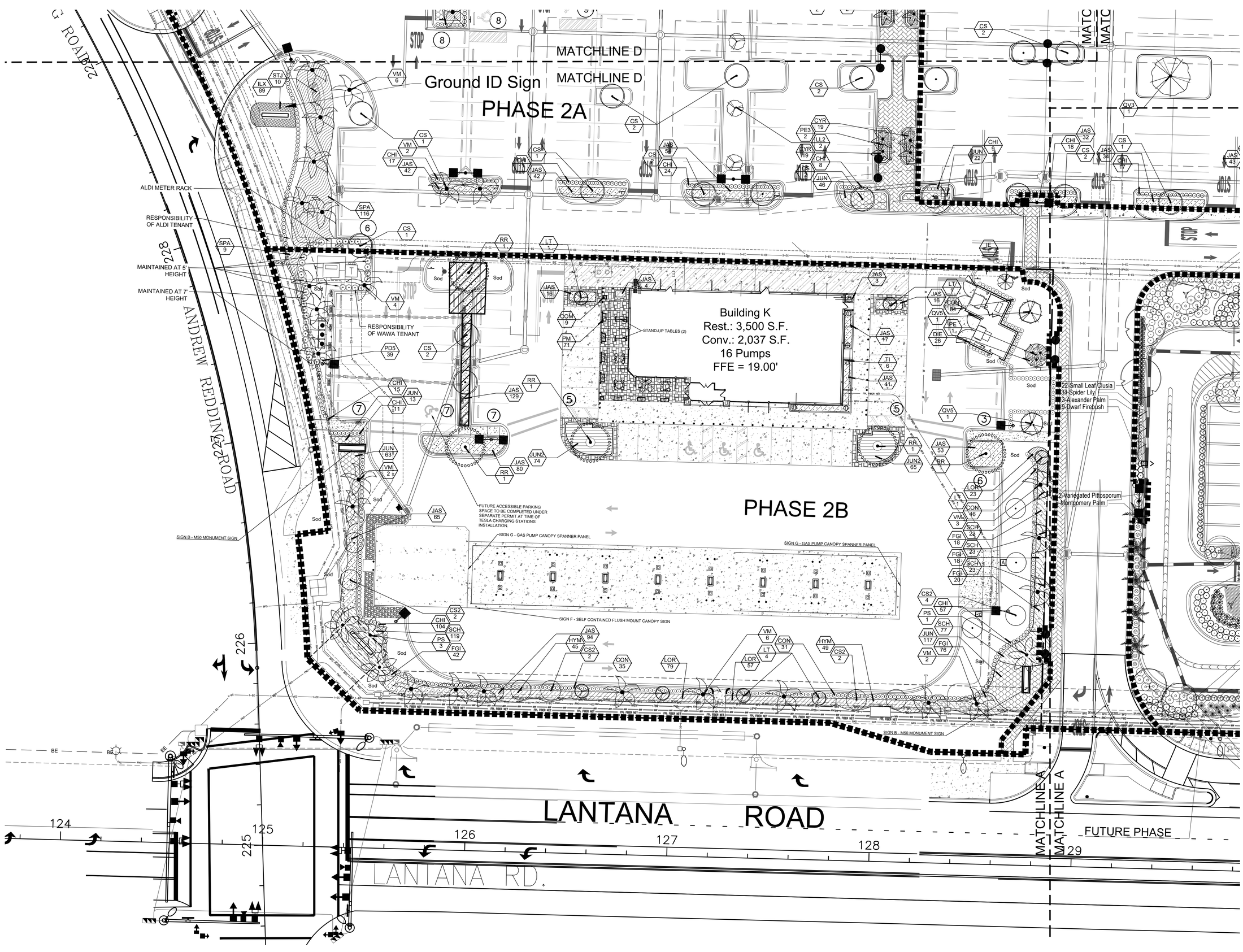
of 12



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Pod A Commercial Landscape Plan

Lantana, Florida
Landscape Plan

NORTH

0 10' 20' 40'

Scale: 1" = 20'-0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
Drawn By:	JWB/HLC
Checked By:	SM/HLC

Revision Dates:

03.08.23	Submittal	HLC
06.05.23	Resubmittal	HLC

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of 12

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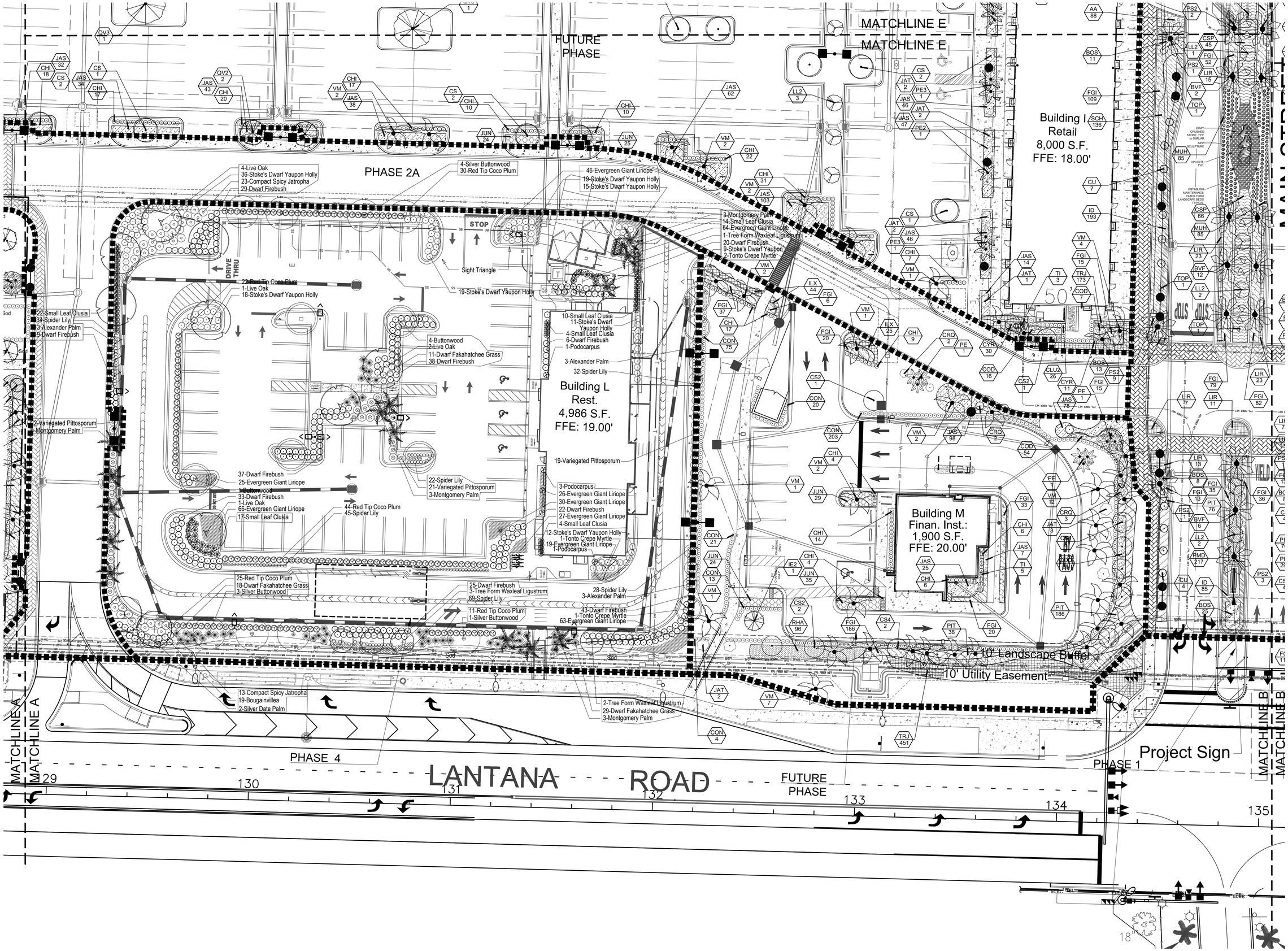

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Pod A Commercial Landscape Plan

Lantana, Florida
Landscape Plan

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NORTH

0 10' 20' 40'

Scale: 1" = 20'-0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
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Revision Dates:

03.08.23 Submittal	HLC
06.05.23 Resubmittal	HLC

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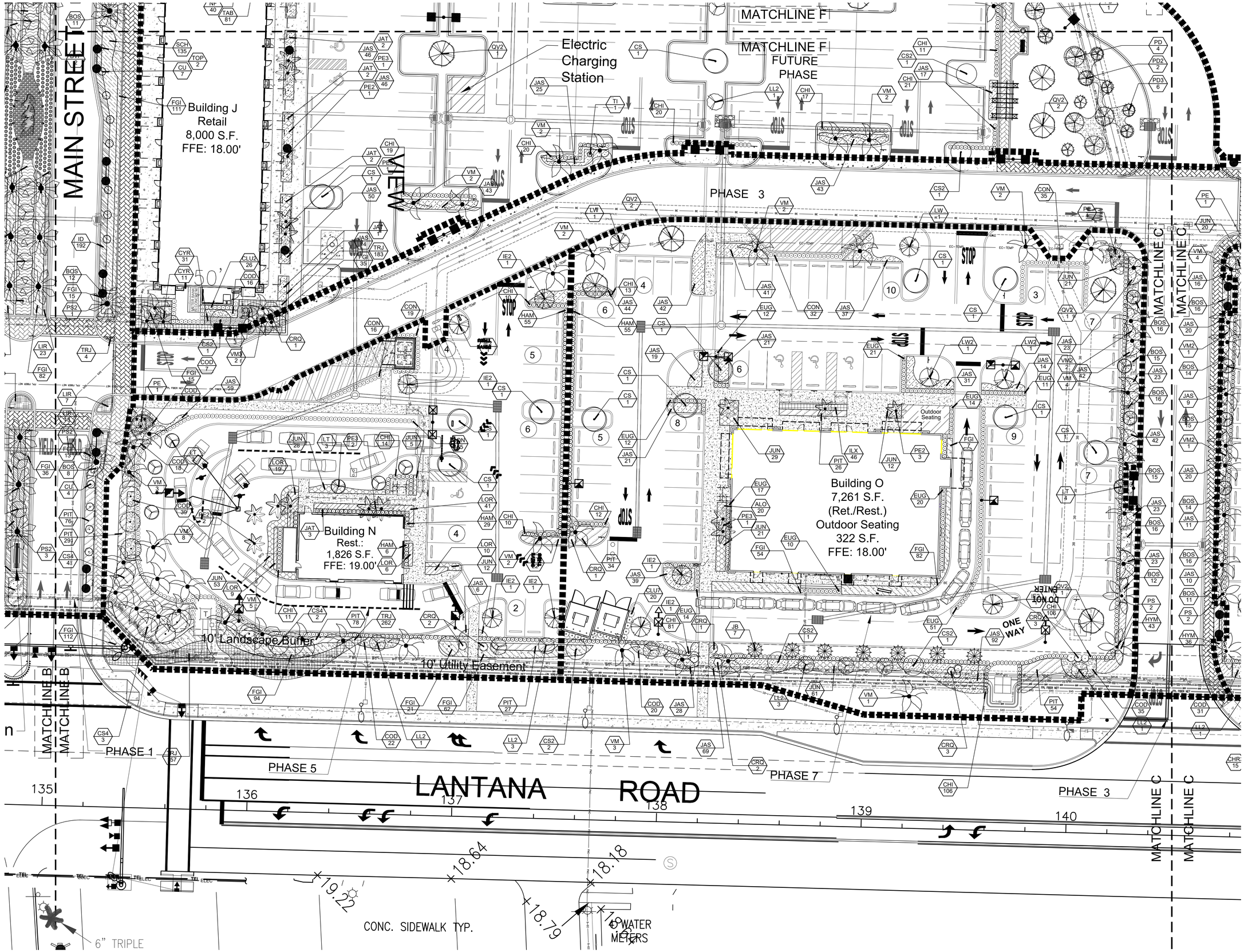
of 12



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Pod A Commercial Landscape Plan

Lantana, Florida
Landscape Plan

Scale: 1" = 20'-0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
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Checked By:	SM/HLC

Revision Dates:

03.08.23 Submittal	HLC
06.05.23 Resubmittal	HLC

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of 12

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FUTURE
DEVELOPMENT
AREA

HANDICAP ACCESSIBLE ROUTE
TO PUBLIC RIGHT OF WAY

PHASE 3

MATCHLINE C

MATCHLINE C

Building P
8,185 S.F.
(Ret./Rest.)
Outdoor Seating
1,128 S.F.
FFE: 18.00'

Outdoor Seating

Outdoor Seating

Bldg. Q
Car Wash
3,327 S.F.
FFE:
18.00'

DO NOT ENTER

DO NOT ENTER

Commercial
Project
ID Sign

10' Utility Easement

PHASE 6

PHASE 3

PHASE 8

LANTANA ROAD

140 141 142 143 144 145 146

320 321 322 323

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Landscape Plan

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NORTH

0 10' 20' 40'

Scale: 1" = 20'-0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
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Checked By:	SM/HLC

Revision Dates:

03.08.23 Submittal	HLC
06.05.23 Resubmittal	HLC

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of 12

FUTURE PHASE

PHASE 2A

Commercial Loading/ Directional Sign

Building A
Retail
19,658 S.F.
FFE: 19.50'

Building B1
Retail
12,800 S.F.
FFE: 18.00'

Ground ID Sign

MATCHLINE D

MATCHLINE H

22ND ANDREW REDDING ROAD

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Pod A Commercial Landscape Plan
Lantana, Florida
Landscape Plan

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NORTH

0 10' 20' 40'

Scale: 1" = 20'-0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
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Drawn By:	JWB/HLC
Checked By:	SM/HLC

Revision Dates:

03.08.23 Submittal	HLC
06.05.23 Resubmittal	HLC

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of 12

FUTURE PHASE

FUTURE PHASE

PHASE 1

FUTURE PHASE

Loading

Loading

Loading

Loading

STOP

Building B2
Retail
21,000 S.F.
FFE: 18.00'

Building C
Retail
25,000 S.F.
FFE: 18.00'

Building D
Retail
10,000 S.F.
FFE: 18.00'

Building E
Retail
8,313 S.F.
FFE: 18.00'

Building F
Retail
6,000 S.F.
FFE: 18.00'

201'

175'

125'

125'

155'

80'

66.5'

29.8'

MATCHLINE H

MATCHLINE H

MATCHLINE I

MATCHLINE I

MATCHLINE E

MATCHLINE E

MAIN STREET

PLAZA

PLAZA

FOUNTAIN

NO PARKING FIRE LANE

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Lantana, Florida
Landscape Plan

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NORTH

0 10' 20' 40'

Scale: 1" = 20'-0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
Drawn By:	JWB/HLC
Checked By:	SM/HLC

Revision Dates:

03.08.23 Submittal	HLC
06.05.23 Resubmittal	HLC

LP-8
of 12

FUTURE PHASE

FUTURE PHASE

FUTURE PHASE

Loading

Building G
Rest.: 6,000 S.F.
Ret.: 3,750 S.F.
FFE: 18.00'

Building H
Fitness
32,000 S.F.
FFE: 18.00'

MATCHLINE I

MATCHLINE I

MATCHLINE F

MATCHLINE F

MAIN STREET

PLAZA

PLAZA

FOUNTAIN

198.75'

161'

Electric Charging

Commercial Loading/ Directional Sign, Typ.

STOP

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Pod A Commercial Landscape Plan

Lantana, Florida
Landscape Plan

NORTH

0 10' 20' 40'

Scale: 1" = 20'-0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
Drawn By:	JWB/HLC
Checked By:	SM/HLC

Revision Dates:

03.08.23 Submittal	HLC
06.05.23 Resubmittal	HLC

LP-9
of 12

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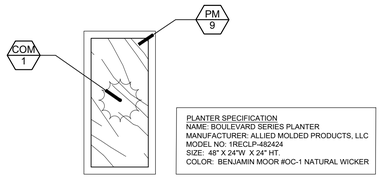
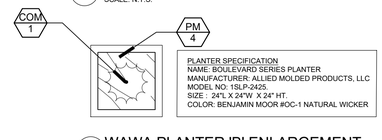


A WAWA PLANTER 'A' ENLARGEMENT

SCALE: N.T.S.



B WAWA PLANTER 'B' ENLARGEMENT

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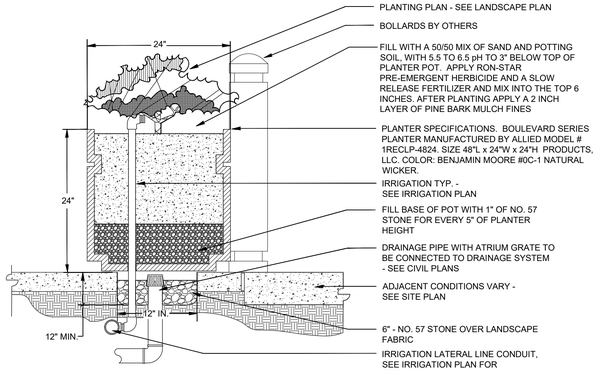
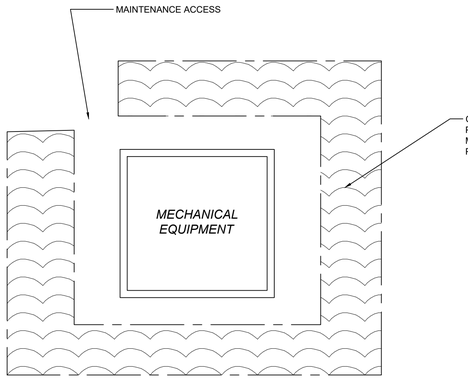


WAWA RAISED PLANTER SECTION

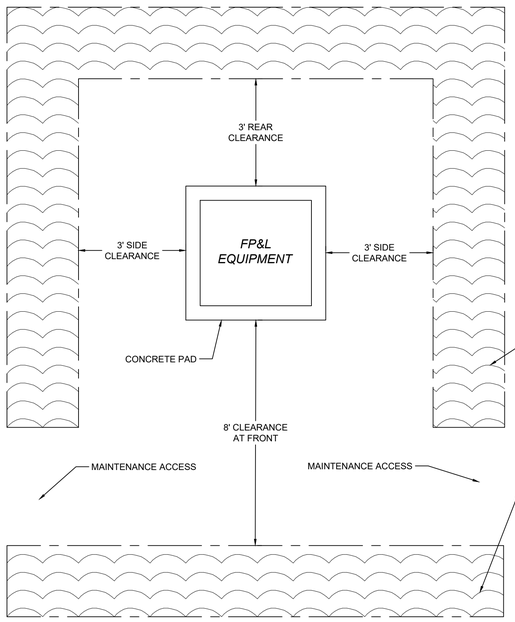
SCALE: 1"=1'-0"

NOTE: PLANTER SPECIFICATIONS FOR 2'x2'x2' PLANTER. PLANTER MANUFACTURED BY ALLIED MOLDED PRODUCTS; MODEL # 1SLP-2425, SIZE 24"L x 24"W x 24"HT. BOULEVARD SERIES. COLOR: BENJAMIN MOORE #0C-1 NATURAL WICKER.



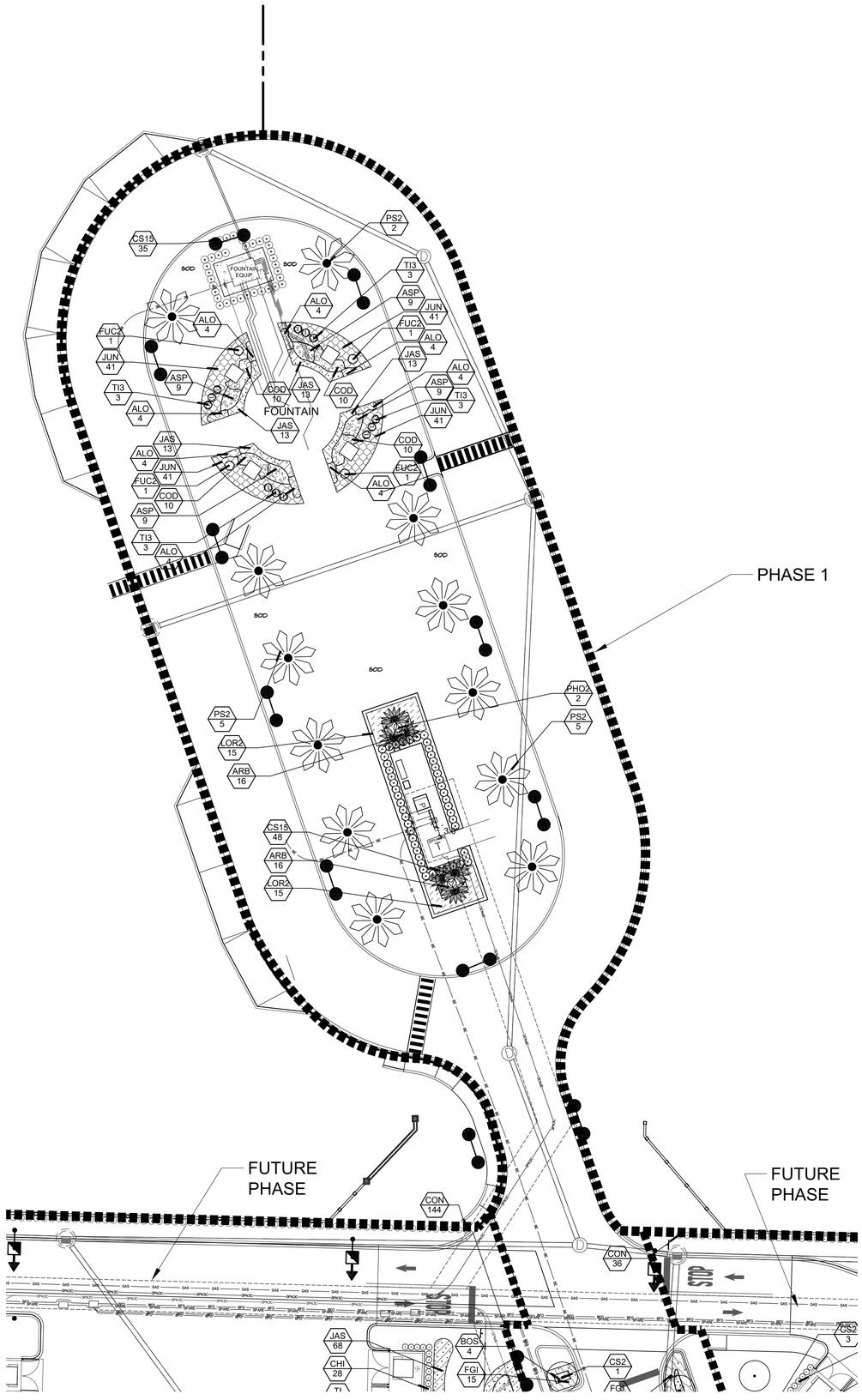
GROUND MOUNTED MECHANICAL EQUIPMENT SCREENING

SCALE: 1"=1'-0"



FP&L GROUND MOUNTED EQUIPMENT SCREENING

SCALE: N.T.S.



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Water Tower Commons
Pod A Commercial Landscape Plan
Lantana, Florida
Landscape Plan & Landscape Details

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NORTH

0 10' 20' 40'

Scale: 1" = 20'-0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
Drawn By:	JWB/HLC
Checked By:	SM/HLC

Revision Dates:

03.08.23 Submittal	HLC
06.05.23 Resubmittal	HLC

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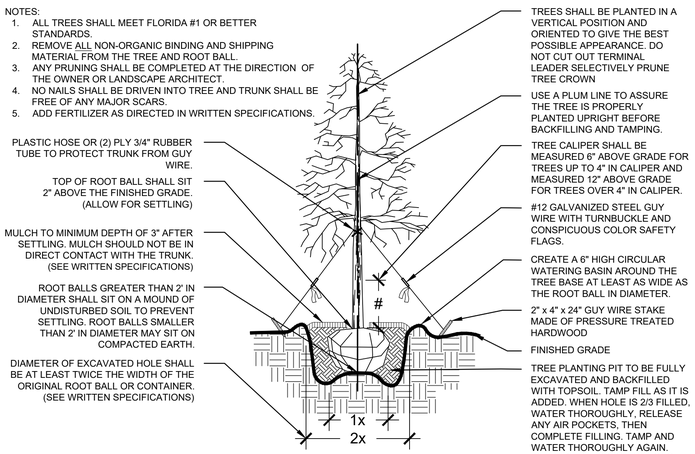
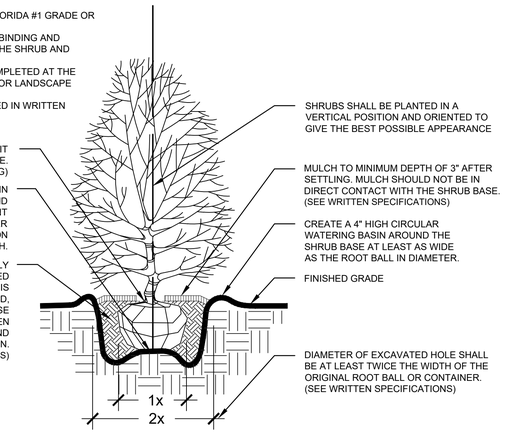
of 12

NOTES:
1. ALL TREES SHALL MEET FLORIDA #1 OR BETTER STANDARDS.
2. REMOVE ALL NON-ORGANIC BINDING AND SHIPPING MATERIAL FROM THE TREE AND ROOT BALL.
3. ANY PRUNING SHALL BE COMPLETED AT THE DIRECTION OF THE OWNER OR LANDSCAPE ARCHITECT.
4. NO NAILS SHALL BE DRIVEN INTO TREE AND TRUNK SHALL BE FREE OF ANY MAJOR SCARS.
5. ADD FERTILIZER AS DIRECTED IN WRITTEN SPECIFICATIONS.

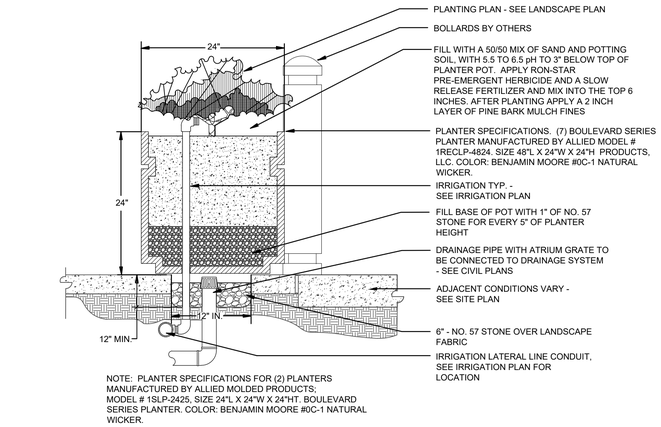


TREE PLANTING DETAIL
NOT TO SCALE

NOTES:
1. ALL SHRUBS SHALL MEET FLORIDA #1 GRADE OR BETTER STANDARDS.
2. REMOVE ALL NON-ORGANIC BINDING AND SHIPPING MATERIAL FROM THE SHRUB AND ROOT BALL.
3. ANY PRUNING SHALL BE COMPLETED AT THE DIRECTION OF THE OWNER OR LANDSCAPE ARCHITECT.
4. ADD FERTILIZER AS DIRECTED IN WRITTEN SPECIFICATIONS.



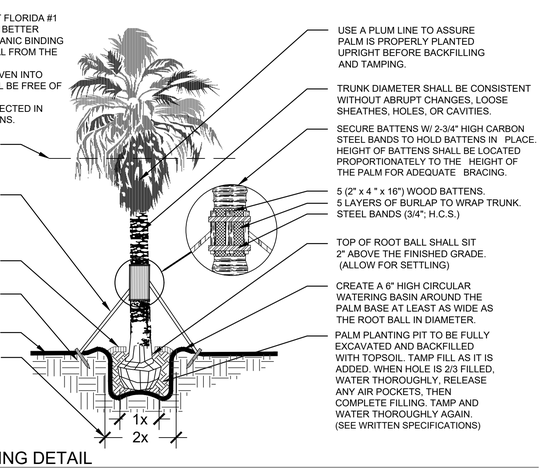
LARGE SHRUB PLANTING DETAIL
NOT TO SCALE



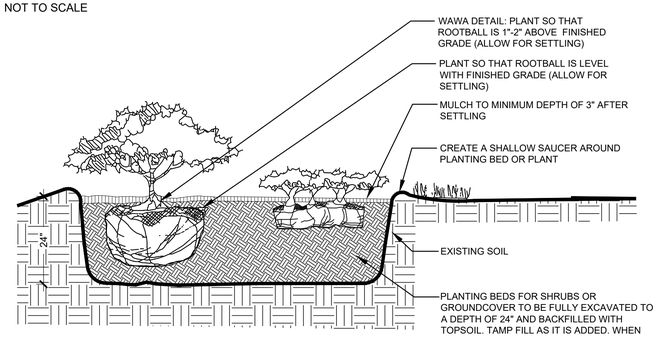
NOTE: PLANTER SPECIFICATIONS FOR (2) PLANTERS MANUFACTURED BY ALLIED MOLDED PRODUCTS; MODEL # 1SLP-2425, SIZE 24"L X 24"W X 24"HT. BOULEVARD SERIES PLANTER. COLOR: BENJAMIN MOORE #0C-1 NATURAL WICKER.

RAISED PLANTER DETAILING
NOT TO SCALE

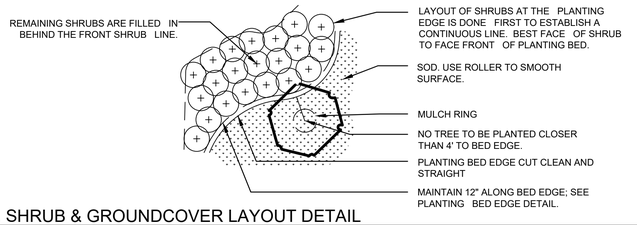
NOTES:
1. ALL TREES SHALL MEET FLORIDA #1 OR BETTER STANDARDS
2. REMOVE ALL NON-ORGANIC BINDING AND SHIPPING MATERIAL FROM THE TREE AND ROOT BALL.
3. ANY PRUNING SHALL BE COMPLETED AT THE DIRECTION OF THE OWNER OR LANDSCAPE ARCHITECT.
4. NO NAILS SHALL BE DRIVEN INTO TREE AND TRUNK SHALL BE FREE OF ANY MAJOR SCARS.
5. ADD FERTILIZER AS DIRECTED IN WRITTEN SPECIFICATIONS.



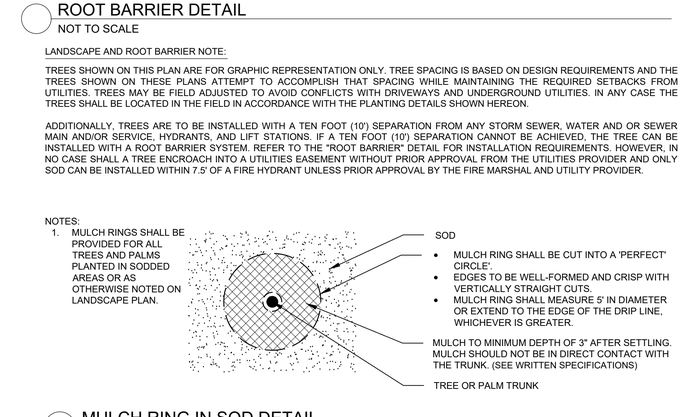
IRREGULAR & MULTI-STEM TREE PLANTING DETAIL
NOT TO SCALE



SHRUB AND GROUND COVER PLANTING DETAIL
NOT TO SCALE



SHRUB & GROUNDCOVER LAYOUT DETAIL
NOT TO SCALE



ROOT BARRIER DETAIL
NOT TO SCALE

LANDSCAPE AND ROOT BARRIER NOTE:

TREES SHOWN ON THIS PLAN ARE FOR GRAPHIC REPRESENTATION ONLY. TREE SPACING IS BASED ON DESIGN REQUIREMENTS AND THE TREES SHOWN ON THESE PLANS ATTEMPT TO ACCOMPLISH THAT SPACING WHILE MAINTAINING THE REQUIRED SETBACKS FROM UTILITIES. TREES MAY BE FIELD ADJUSTED TO AVOID CONFLICTS WITH DRIVEWAYS AND UNDERGROUND UTILITIES. IN ANY CASE THE TREES SHALL BE LOCATED IN THE FIELD IN ACCORDANCE WITH THE PLANTING DETAILS SHOWN HEREON.

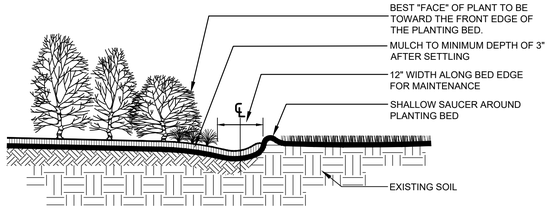
ADDITIONALLY, TREES ARE TO BE INSTALLED WITH A TEN FOOT (10') SEPARATION FROM ANY STORM SEWER, WATER AND OR SEWER MAIN AND/OR SERVICE, HYDRANTS, AND LIFT STATIONS. IF A TEN FOOT (10') SEPARATION CANNOT BE ACHIEVED, THE TREE CAN BE INSTALLED WITH A ROOT BARRIER SYSTEM. REFER TO THE "ROOT BARRIER" DETAIL FOR INSTALLATION REQUIREMENTS. HOWEVER, IN NO CASE SHALL A TREE ENCROACH INTO A UTILITIES EASEMENT WITHOUT PRIOR APPROVAL FROM THE UTILITIES PROVIDER AND ONLY SOD CAN BE INSTALLED WITHIN 7.5' OF A FIRE HYDRANT UNLESS PRIOR APPROVAL BY THE FIRE MARSHAL AND UTILITY PROVIDER.

NOTES:
1. MULCH RINGS SHALL BE PROVIDED FOR ALL TREES AND PALMS PLANTED IN SODDED AREAS OR AS OTHERWISE NOTED ON LANDSCAPE PLAN.

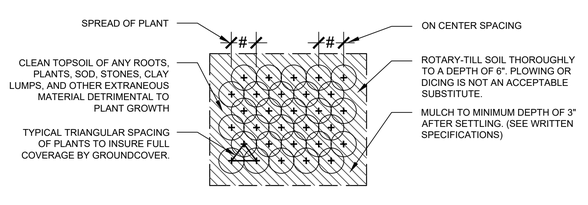
MULCH RING IN SOD DETAIL
NOT TO SCALE

NOTES:
1. ALL PALMS SHALL MEET FLORIDA #1 GRADE STANDARDS OR BETTER
2. REMOVE ALL NON-ORGANIC BINDING AND SHIPPING MATERIAL FROM THE PALM AND ROOT BALL.
3. NO NAILS SHALL BE DRIVEN INTO PALM AND TRUNK SHALL BE FREE OF ANY MAJOR SCARS.
4. ADD FERTILIZER AS DIRECTED IN WRITTEN SPECIFICATIONS.

PALM PLANTING DETAIL
NOT TO SCALE



PLANTING BED EDGE DETAIL
NOT TO SCALE



GROUND COVERS & ROOTED CUTTING PLANTING DETAIL
NOT TO SCALE

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Water Tower Commons
Pod A Commercial Landscape Plan
Lantana, Florida
Landscape Details

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NORTH
0 10' 20' 40'
Scale: 1" = 20'-0"

Date:	Jan. 30, 2023
Project No.:	12-069.026
Designed By:	JWB/HLC
Drawn By:	JWB/HLC
Checked By:	SM/HLC

Revision Dates:

03.08.23 Submittal	HLC
06.05.23 Resubmittal	HLC

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of 12

SECTION 02950
TREES, SHRUBS AND GROUND COVER

PART I - GENERAL

By bidding on this project and/or signing a contract for landscape work, the Contractor acknowledges that he/she has read and understood these specifications in their entirety, that he/she has inspected the site, and that he/she will abide by all plans, specifications, and conditions found herein. Any perceived conflicts or concerns within the specifications or on the plant list, including unavailability of materials, are to be brought to the attention of the Landscape Architect prior to bid submission.

1.01 WORK INCLUDED

A. Contractor shall obtain or ensure that all necessary permits have been granted to the Owner for work on the Owner's properties or in any adjacent easements prior to commencement of work.
B. All planting and construction work shall be executed as shown on the provided drawings, schedules, and specifications.
C. Any additional work or materials required to install landscape elements as called for on the plans, specifications or plant list shall be provided and installed by the Contractor.
D. Finish Grade Elevation: 2 inch below top of pathway edging.
E. The Contractor shall be entirely responsible for all work until final acceptance by the Owner. The Contractor shall protect all materials and work against injury and shall provide and maintain all necessary guards for the protection of the public. He shall be held responsible for any negligence during the execution of the work.

1.02 QUALITY ASSURANCE

A. All work specified herein shall be performed by a single firm specializing in landscape work. The Landscape Architect and the Owner retain the right to approve any proposed subcontractors prior to awarding the contract.
B. Ship landscape materials with certificates of inspection required by governing authorities. Comply with all regulations applicable to landscape materials.
C. Package standard products with manufacturers certified analysis. For other materials, provide analysis by recognized laboratory made in accordance with methods established by the Association of Official Agricultural Chemists, wherever applicable.
D. Provide trees, palms, shrubs and groundcover grown in a recognized nursery in accordance with good horticultural practice. Materials must be healthy and vigorous, free of disease, insects, eggs, larvae, and defects such as decay, rot, knots, sun scald, injuries, abrasions, and poor or unusual form. No collected material will be permitted unless specific written approval is granted.
E. Do not make substitutions. If specified landscape material is not available at time of planting, submit proof of non-availability and provide a list of proposed equivalent material. Once authorized, adjustments to the contract will be made. Owner is not financially responsible for unauthorized substitutions.
F. Plant materials of larger size than specified may be used if acceptable to Landscape Architect and if sizes of root balls are increased proportionately. Installation of larger sizes will not increase contract amount unless specifically authorized by Owner.
G. Owner and Landscape Architect reserve the right to inspect, approve or reject at any time plant materials or work either at the nursery or at the site which does not meet the condition in the plans, plant list or specifications.
H. The Contractor shall be responsible for planting the landscape in complete accordance with all applicable codes, ordinances, and laws. Any modification made to conform with said codes, laws and ordinances, after the bid is awarded, shall be completed at the Contractor's expense at no additional cost to the Owner.

1.03 SUBMITTALS

A. Certification: Submit certificates of inspections as required by governmental authorities, and manufacturers or vendor's certified analysis for soil amendments and fertilizer materials. Submit other data substantiating that materials comply with specified requirements.
B. Submit seed vendor's certified statement for each grass seed mixture required, stating botanical and common name, percentage by weight, and percentage of purity, germination, and weed seed for each grass seed species.
C. Planting Schedule: Submit planting schedule showing schedule dates for each type of planting in each area of site.
D. Maintenance Instructions: Submit typewritten procedures for maintenance of landscape work, through final acceptance.

1.04 DELIVERY, STORAGE AND HANDLING

A. Packaged Materials: Deliver packaged materials in original containers showing manufacturer's guaranteed weight analysis and name of manufacturer. Protect materials from damage and deterioration during delivery and storage.
B. Trees, shrubs, and ground covers: Provide freshly dug trees, palms, and shrubs. Do not prune prior to delivery. All plants shall be handled and stored so that they are adequately protected from drying out, from sun or wind burn, and from any other injury at all times. Any plant determined to be wilted or burned may be rejected at any time, whether in the ground or not. Plants shall be handled only by their containers or root balls, not by stems or trunks. Trees that are scraped or starred during delivery, storage, or planting will be rejected. The on-site storage area shall be approved prior to the delivery of any plant materials. Do not bend or bind plants in such a manner as to damage bark, break branches, or destroy natural shape. Provide protective covering during delivery.
C. Deliver plant materials after preparations for planting are complete, and plant immediately. Roots or balls of all plants shall be adequately protected at all times from sun and/or wind. Balled and burlapped (B&B) plants that cannot be planted immediately upon delivery shall be set on the ground and protected by having soil, wet peat, or other acceptable material covering the roots or balls keeping them moist.
D. Do not remove container grown stock from containers until planting time.
E. Label at least one tree, one palm and one shrub of each variety with a securely attached waterproof tag bearing legible designation of botanical and common name, if requested by Owner.
F. Sod: Time delivery so that sod will be placed within 24 hours after stripping. Protect sod against drying and breaking of rolled strips.

1.05 JOB CONDITIONS

A. Proceed with and complete landscape work as rapidly as portions of site become available.
B. Utilities: Determine location of overhead and underground utilities and perform work in a manner which will avoid possible damage. Hand excavate, as required. Forty eight (48) hours prior to digging, call the appropriate Utility Authority to have all utilities identified and marked in order to avoid conflicts.
C. Protection of Existing Structures: All existing buildings, walks, walls, paving, piping, and other items of construction and planting already completed or established shall be protected from damage. All damage resulting from negligence shall be repaired or replaced, including but not limited to marks on pavers and cracks within existing walkways caused by the Contractor. The Owner may, at his discretion have any damage repaired by others and subsequently costs back-charged to the Contractor.
D. Protection of Existing Plant Material: The Contractor shall be responsible for all unauthorized cutting or damage to existing trees or shrubs caused by careless operation of equipment, stockpiling of materials, etc. This shall include compaction by driving or parking inside the drip-line of any tree, or spilling of oil, gasoline, or other deleterious materials within the drip-line of any tree. No materials shall be burned.
E. Excavation: When conditions detrimental to plant growth are encountered, such as rubble fill, adverse drainage conditions, or obstructions, notify Landscape Architect before planting.

PART II - PRODUCTS

2.01 TOPSOIL

A. The Contractor is required to obtain a soil sample and perform a soil analysis test to determine the existing soil composition and conclude whether it complies with the composition criteria below.
B. Where topsoil does not meet the specified limits within the project site, it shall be furnished. Throughout all parts of site where finish grades and contour lines differ from existing contour lines, bring to finish grade contours shown on "Grading Plan."
C. Topsoil shall be friable, fertile soil with representative characteristics of local soils. It shall be free of heavy clay, marl, stone, extraneous lime, plant roots, refuse and/or solid waste, sticks, brush, construction demolition debris, and any other deleterious materials. There shall be no noxious weeds or weed seeds (i.e., nut grass, Bermuda grass and the like). In no case shall there be more than five percent (5%) by dry weight of clay lumps or stones larger than 1". It shall test in the pH range of 6.0 to 7.2 and shall contain no substance that will impede plant growth. The Contractor shall have topsoil laboratory-tested at his expense and approved by Landscape Architect or Owner prior to material delivery.

Topsoil shall conform to the following specifications:

COMPONENTS	DRY WEIGHT MEASURE	PARTICLE SIZE
Organic Matter	2% - 7%	
Silt/Clay	2% - 10%	< 0.074 mm
Sand	85% - 98%	0.075 - 3.00 mm
Gravel	0% - 5%	4.75 mm - 1 inch

The analysis shall also show the following ranges:

Soluble salt	.2 - 1.0mmmhos/cm
Nitrogen	25-150 PPM
Phosphorus	26 - 39 PPM
Potassium	50 - 250 PPM
Calcium	500 - 2500 PPM
Magnesium	50 - 500 PPM
Iron	2.5 - 25 PPM
Manganese	2.5 - 25 PPM
Zinc	2.5 - 25 PPM
Copper	1.3 - 5 PPM
Boron	0.5 - 1.5 PPM
Sulphur	15 - 200 PPM
Chlorine	less than 100 PPM
Sodium	less than 10
Nematodes	none

2.02 SOIL AMENDMENTS AND FERTILIZERS

A. Peat Moss: Peat moss shall be a commercial, baled sphagnum material, free of woody material, minerals, or foreign matter, with a pH range of 3.0 - 5.5.
B. Sand: Sand shall be clean, sharp, and free of all deleterious material.
C. Lime: Natural limestone (Dolomite) containing not less than 85% of total carbonates, ground so that not less than 90% passes a 10-mesh sieve and not less than 50% passes a 100-mesh sieve.
D. Humus Soil Conditioner: Consisting of yard trimmings and biosolids co-compost.
E. Fertilizer: Fertilizer shall be a commercial grade, granular, slow release "pre-plant" type fertilizer.
   1. Fertilizer shall be delivered to the site in the original unopened container, bearing the manufacturer's guaranteed analysis. Any opened, caked, or damaged fertilizer will be rejected.
   2. Tree, palm, shrub and grass fertilizer shall be "UF (University of Florida) Formulated" product 8-2-12 or 8-2-13 with minor elements as an all-purpose fertilizer, or equal, and applied according to the manufacturer's direction.
   3. Application of fertilizer shall be consistent with the current recommendations of the Green Industries - Best Management Practices.
   4. Fertilizer shall be applied by an individual who has successfully completed the GI-BMP program and holds a current Urban Fertilizer License or as required by the State and Local Ordinances.

2.03 WATER

A. All water necessary for planting and maintenance shall be of satisfactory quality to sustain adequate growth of plants and shall not contain harmful, natural or man-made elements detrimental to plants.

2.04 OTHER LANDSCAPE PRODUCTS

A. Mulch: Mulch shall be shredded Melaleuca, Eucalyptus, Grade "A" Pine Bark Nuggets, or approved equal, free of foreign materials and weed seeds. Minimum depth after settling shall be 3".
B. Guying and Bracing: Tree guying and bracing shall be the responsibility of the Contractor in accordance with the planting details to insure stability and maintain plants in an upright position.
C. Anti-desiccant: Anti-desiccant shall be "Wiltpruf" or equal, if specified on plans.
D. Tree Wound Paint: Tree wound paint shall be an asphaltic base paint containing an antibacterial agent, specially prepared for tree surgery work.
E. Super Absorbent Polymer: "Terra Sorb" or approved equal as packaged in 3 oz. Handy Pac composed of synthetic acriamide copolymer, potassium, acrylate. Particle size of 1.0 mm to 3.0 mm and absorption rate of 300 times its weight in water, if specified on plans.

   Apply dry, using the following amounts:
   1. For trees and palms up to 36" diameter root ball, use one 3 oz. Handy Pac.
   2. For trees and palms over 36" diameter root ball use two 3 oz.
   3. Handy Pacs. Broadcast throughout planting hole and backfill as per manufacturers specifications.

   For container grown plants:

Container Size	Application Rate
1 Gallon	1 Handy Pac / 9 Containers
3 Gallons	1 Handy Pac / 4 Containers
7-10 Gallons	1 Handy Pac / 2 Containers
20 Gallons	1 Handy Pac / 1 Container

2.05 PLANT MATERIAL

A. Plant list is part of this specification section. The Contractor shall be responsible for furnishing and installing all plant materials shown on the drawings and plant list. In case of conflict between the two documents, the drawings shall rule.
B. Quality: Trees, palms, shrubs, and other plants shall be Florida #1 or better as defined in the latest edition of Grades and Standards for Nursery Plants, Florida Department of Agriculture and Consumer Services. Multi-trunked trees will not be accepted unless they are specifically specified in the planting plans. All plants shall have a normal habit of growth and shall be sound, healthy, and vigorous. Trees shall have normal well-developed branching structures and vigorous root systems that are not root or container bound.
   1. Balled and burlapped plants (BB or b&b) shall be dug with firm, natural balls of earth, of sufficient depth and diameter to include the fibrous and feeding roots. Plants with cracked, dry, or broken balls will not be accepted, nor will plants with root balls of insufficient size.
   2. All plants, other than those collected on site, shall be nursery grown in accordance with good horticultural practices and under climatic conditions similar to the site for at least two years. Transplanting or root pruning shall have taken place during growth.
C. Size: Plant sizes shown in the plant list are minimums. When a plant size is given by height and spread or by container size, all specifications are minimums to be met or exceeded. All trees and shrubs shall be measured when their branches are in a normal position. Spread dimensions specified refer to the main body of the plant and not from extreme branch tip to tip. Height is measured from the soil line to the average height of the canopy. Measurement does not include any terminal growth; the container or root ball is also not included.

   Unless otherwise specified, the determining measurement for trees shall be caliper, which shall be measured 6" above the ground for trees up to 4" in caliper, and 12" above the ground for trees over 4" caliper.

2.06 GRASS MATERIALS

A. Types: Sod type shall be as specified on the provided landscape plan and associated plant schedule.
B. Dimensions: The sod shall be taken up in commercial size rectangles, preferably 12-inch x 24-inch.
C. Measurement: Sod shall be measured on the basis of square footage. Contractor shall be responsible for complete coverage based on the square footage shown on plans; therefore, Contractor shall factor in cutting and shrinkage of materials.
D. The sod shall be sufficiently thick to provide a dense stand of live grass. The sod shall be live, fresh and uninjured, at the time of planting. It shall be a soil mat of sufficient thickness, at least 2" thick, adhering firmly to the roots to withstand all necessary handling. It shall be free of weeds and other grasses. It shall be planted as soon as possible after being dug, and shall be shaded and kept moist from the time it is dug until it is planted. After approval, the area from which the sod is to be harvested shall be closely mowed and raked as necessary to remove excessive top growth and debris.

2.07 REJECTION, SUBSTITUTION, AND RELOCATION

A. All plants not conforming to the requirements herein specified shall be considered defective and such plants shall be marked as rejected and removed from the site whether in the ground or not, at the Contractor's expense. Such removal shall take place immediately and new plants shall be brought in as replacements. The plant materials must meet all applicable inspections required by law.
B. The Owner or Landscape Architect also reserves the right to require that plants be relocated after installation if their initial installation does not conform to the plans or the intent of the plans, or if the original location poses an unforeseen threat to other facilities, human life, health, or safety, or to site utilities. Such relocation shall be at the Contractor's expense.

PART III - EXECUTION

3.01 GENERAL

A. Proceed with and complete landscape work as rapidly as portions of the site become available.
B. No planting shall be done until all operations in conjunction with the installation of the sprinkler system have been completed, final grades have been established, planting areas have been properly graded and prepared.
C. Adverse Conditions: When conditions potentially detrimental to plant growth are encountered during work, such as rubble or refuse fill, adverse drainage conditions, or obstructions, notify Owner or Landscape Architect before planting.
D. Work Scheduling: Work is to be scheduled to establish a logical sequence of steps for completion of each type and phase of landscape work, in such a way as to correspond with, and avoid damage and conflict with, other disciplines on site.
E. Coordination with Sod/Lawn: Plant trees, palms, and shrubs only after final grades are established, and prior to sodding or lawn establishment. If such planting must be done after lawn work, protect lawn/sod areas during planting and promptly repair any resulting damage.
F. Timing:
   1. Planting work shall not be started until the final subgrade has been established, berms have been constructed and fine finished grading completed.
   2. Under no conditions shall work be done if weather or soil conditions are not satisfactory.
G. Clean-up:
   1. At all times during the construction and installation, the site shall be maintained in a clean, orderly and safe condition. Streets and pavements shall be kept clean. Materials and equipment for planting work shall be limited to the quantity required for the particular phase of work currently underway on the job site.
   2. Protect landscape work and materials from damage due to landscape installation and maintenance operations, operations by other contractors and trades, and trespassers. Maintain protection during installation, Maintenance and Establishment periods. Treat, repair or replace damaged landscape work as directed.

3.02 SOIL PREPARATION

A. Grading and soil preparation work shall be performed only during periods when best results can be obtained. If the moisture content of the soil is high enough that work would damage soil structure, grading and tilling operations shall be suspended.
B. Before mixing in soil amendments, clean topsoil of roots, plants, sods, stones, clay lumps, and other extraneous materials harmful or toxic to plant growth. Apply Herbicide for weed control as needed.
C. Mix specified soil amendments and fertilizers with topsoil at rates specified. Delay mixing of fertilizer if planting will not follow placing of planting soil within a few days.
D. For planting beds, mix planting soil either prior to planting or apply on surface of topsoil and mix thoroughly before planting.
   1. Mix lime with dry soil prior to mixing of fertilizer.
   2. Prevent lime from contacting roots of acid-loving plants.
E. Unless drawings indicate otherwise, berms shall not exceed a 3:1 slope. Berms near buildings or in potentially troublesome drainage situations shall be checked for correct drainage by the project Engineer or Owner prior to planting.
F. Tree and shrub planting beds which fall within or near parking lot areas shall be completely excavated and back-filled with topsoil. All shell-rock or other base materials, and all subsoil and debris, shall be completely removed from beneath such planting areas, to a minimum depth of 24".
G. All tree and/or shrub planting areas within 36" of building foundations, and any other planting areas where significant buried construction debris is encountered, shall be excavated to a minimum depth of 24" and backfilled with topsoil as specified elsewhere in these specifications.

3.03 TILLING

A. Before mixing, clean soil of roots, plants, clay lumps, stones in excess of 1" in diameter, and other extraneous or potentially harmful materials.
B. After all soil conditioning (and topsoil if called for on plans) has been spread at specified rates, the areas to be planted should be thoroughly rotary-tilled to a depth of six (6) inches. Plowing or dicing is not an acceptable substitute for rotary-tilling.
   1. If the sprinkler system is installed after grading and tilling is completed, the backfill shall be re-tilled in the affected areas.
   2. When the subsoil, grading, topsoil addition, soil conditioning, and tilling have been accomplished, all areas so treated shall be compacted and settled by application of heavy irrigation to a minimum depth of twelve (12) inches. Erosion scars shall be repaired.

3.04 FINE FINISH GRADING

A. When preliminary grading has been completed and the soil has dried sufficiently to be readily worked, all lawn and planting areas shall be graded to the elevations indicated on the Engineering Plans. The top four (4) inches shall be completely free of stones larger than one (1) inch. Grades not otherwise indicated shall be uniform levels or slopes between points where elevations are given. Positive drainage away from buildings shall always be maintained. Surface drainage shall be directed as indicated on the drawings by remodeling surfaces to facilitate the natural run-off of water. All depressions where water will stand, all voids, erosion, settled trenches and excavations, and all ridges and rises shall be amended and/or removed leaving a smooth, even finish grade. If additional amended topsoil is required to accomplish the intent of this specification, it shall be according to the foregoing specifications for topsoil.
   1. All area shall be graded so that the final grades are 2" below adjacent paved areas, sidewalks, valve boxes, mowing strips, clean-outs, drains, etc., with appropriate adjustments for varying sod thicknesses. The intent is for water always to drain away from paving into lawn/sod areas.
   2. Eliminating all erosion scars prior to beginning planting.
   3. The Owner and/or his representative shall approve all final finish grades prior to planting.
B. Prior to fine grading or the installation of plant material the Contractor shall obtain certification that the project area is at the grade levels proposed by the Civil Engineer or Landscape Architect from a licensed Surveyor. The Contractor shall fine grade the lawn and planting areas to bring the rough grade up to final finished grade allowing for thickness of sod and/or mulch depth.

3.05 PLANTING TREES AND PALMS

A. Layout individual tree locations and areas for multiple plantings. Stake all locations and outline areas, then secure Landscape Architect's acceptance before the start of planting work.
B. Prior to preparation of tree pits, ascertain the location of all electrical cables, all conduits, all utility lines, oil tanks and supply lines, so that proper precautions may be taken not to disturb or damage any existing conditions. Properly maintain and protect existing utilities. Should such underground or overhead obstructions be encountered that interfere with planting, the Contractor will inform the Landscape Architect or Owner's representative and shall be consulted as to the adjustment of the location of plants to clear such obstruction or the relocation of the obstruction.
C. Tree pit locations shall be staked by the Contractor and approved by the Owner or Landscape Architect before digging. Pits shall be excavated to the depth and width indicated and all subsoil removed.
D. Protect all areas from excessive compaction by foot traffic or machinery when bringing trees to the planting area.
E. All excavated holes shall have vertical sides with roughened surfaces and shall be of a size that is at least twice the width of the original plant container or ball. In all cases the holes shall be large enough for handling and planting without damage to the roots or root ball.
F. Excess soil shall be removed or utilized as directed by Owner or the Owner's representative. If the excess soil will not be used, it is the responsibility of the Contractor to remove and dispose of the discarded soil off site in an acceptable manner.
G. Tree pits shall be backfilled with a topsoil mixture as specified elsewhere in these specifications Palm tree pits will be backfilled with a mixture of up to 95% sand and 5% organic material.
H. Add fertilizer to tree pits as specified elsewhere in these specifications.
I. Set balled and burlapped stock on a layer of 50% native soil and 50% topsoil compacted to a 6" depth. Loosen burlap from top of sides of the ball but no burlap shall be pulled from underneath. Remove non-organic binding material (if any) from tree ball. Immediately cut any damaged roots with clean shears. Using a plumb to assure that the tree is properly upright, begin filling the hole and tamping the fill material. When the hole is 2/3 filled, water thoroughly and probe with a stick to be sure that no air pockets remain. Re-plumb, complete filling the hole, re-tamp, and water again.
J. Set container-grown stock as above, taking care not to damage roots when removing the container
K. During planting, do not cover the top of the root ball with the soil mixture. All rope, wires, burlap mesh etc., shall be removed from the root ball. No synthetic burlap is allowed on any plant material. Synthetic burlap is unacceptable for rootballs. Trees shall be planted so that the top of the root ball is 2" above final grade. Allow for settling. Any trees resting deeper or higher must be either reset or replaced at the discretion of the Owner or Landscape Architect; such work shall be at the Contractor's expense.
L. Create a watering basin around each tree at least as wide as the root ball in diameter formed by a circular ridge of soil at least 6" high.
M. Each planting basin shall be mulched to a minimum depth of 3" (after settling). Mulch shall not be applied until the tree has been thoroughly watered and two days have elapsed. Mulch should be placed so that it is not in direct contact with trunks.
N. All trees are to be staked or guyed per these specifications. All stakes shall be painted a conspicuous color or shall be flagged for visibility and public safety; guy wires shall be flagged.
O. Palms shall be planted per above specifications.

3.06 PLANTING SHRUBS, VINES, AND GROUND COVERS

A. The locations of all plants, bed outlines and all other areas to be planted shall be clearly marked with agricultural gypsum or landscape marking paint then approved by the Owner or Landscape Architect before any holes are dug.
B. No planting shall be done until the area concerned has been satisfactorily prepared in accordance with these specifications.
C. No more plants shall be distributed in the planting area on any work day than can be planted and watered in that day.
D. Unless otherwise indicated, all plants shall be planted in pits, centered as called for on the plant list, and set in 24" depth of topsoil as specified elsewhere in these specifications to such depth that the soil line of the plants will match the surrounding grade after settling. Plants shall be planted in a vertical position and oriented to give the best possible appearance or relationship to adjacent structures or features. Remove all inorganic containers or binding. All damaged roots shall be cut away cleanly. Planting soil shall be placed and compacted carefully to fill all voids and avoid root injury. When the hole is 2/3 filled, water thoroughly. The hole shall then be filled to finish grade and a shallow saucer shall be formed around each bed. After settling, soil shall be added as needed to bring the hole to grade level.
E. Azaleas and other ericaceous and acid-loving plants shall be backfilled with a mixture of 20% topsoil and 80% acid peat. They shall be set so that the bases of the plants are slightly higher than they grew in the container or nursery after settling. At no time shall lime in any form be brought into contact with the plants or their roots. Mulch with pine straw unless noted otherwise.
F. Add fertilizer to plants as outlined in section 2.02.
G. Vines shall be planted in pits containing at least 2 cubic feet of prepared topsoil. They shall be planted in the same manner as shrubs, and shall be mulched. Vine stems shall be fastened to walls, trellises, etc. as specified in the drawings.
H. Groundcover plants shall be laid out in their proposed planting locations without being removed from their containers after the soil is properly prepared per these specifications. Planting methodology is the same as for other shrubs.
I. Any plants which, after settling, rest significantly higher or even slightly lower than they grew in the nursery or container are subject to resetting or replacement at the discretion of the OWNER or Landscape Architect. Such work shall be at the Contractor's expense.
J. If called for in the plans, landscape edging shall be installed as specified.
K. All planting beds and individual plantings shall be mulched with a minimum of 3" (after settling) of mulch as specified in this document. Mulch shall be free of weed seeds and other foreign matter.

3.07 ANNUAL AND SEASONAL COLOR BEDS

A. Beds shall be mounded to a height 6" on top of the existing grade and composed of 50% topsoil and 50% compost.
B. Soil shall be covered with ½" - 1" deep layer of Pine Fines Mulch or comparable product.

3.08 PRUNING

A. All pruning shall be done in the presence of, and with the approval of, the Owner or Landscape Architect. Only clean, sharp tools designed for the purpose shall be used. The goal of pruning is always to preserve and enhance the natural character of the plant. Pruning shall be done per modern horticultural practice (see National Arborist Standards, latest edition).
B. Pruning shall be limited to the minimum necessary to remove injured twigs, branches, and fronds, to compensate for root loss suffered during digging and transplanting, and to thin and shape shrubs and trees. In no case shall more than 1/3 of the branching structure be removed. Damaged, scarred, frayed, split, or skinned twigs, branches, or limbs shall be pruned back to the next sound outside lateral bud, branch or limb. The terminal bud or leader shall never be removed.
C. Prune trees and shrubs to retain required height and spread. Remove the minimal amount of wood necessary on flowering trees and shrubs. Remove only dead or dying fronds from palms. Cuts over 3/4" in diameter shall be treated with tree wound paint; all exposed living tissue shall be covered.
D. Existing Trees: If indicated on drawings, Contractor shall prune and thin existing trees on site. The use of climbing spurs is prohibited. All diseased, dead branches and those interfering with healthy plant growth shall be removed. Also, remove root suckers, low branches, and any others as directed by the Owner or Landscape Architect. Cuts shall be flush with the trunk or limb and shall be painted with tree paint. Remove any nails, wires, etc. fastened to the tree.

3.09 PLANTERS - DECORATIVE OR STRUCTURAL

A. If specified, landscaping in planters shall be installed using the following method:
   1. Install 4" deep layer of fine crushed stone in bottom of planter.
   2. Install filter fabric over stone layer. Turn up edges of fabric all around.
   3. Install planting soil mix over filter fabric to within 3½" of top for planter. Do not compact planting soil.
   4. Install plant material as specified elsewhere in these specifications.
   5. Install 3" of mulch over planting soil.

3.10 SODDING NEW LAWNS

A. The Contractor shall sod all areas indicated and noted on the drawings. No sodding shall occur until areas to be sodded are cleared of any rough grass, weeds and debris, the ground brought to an even grade and specified amendments have been added. See details for specific amendments as per sod type.
B. Whenever a suitable area has been graded and is ready for sodding the Contractor shall, when directed by the Landscape Architect, proceed at once with the sodding of the available areas. Sodding shall be incorporated into the project at the earliest practical time in the life of the contract. No sod which has been cut for more than seventy two (72) hours shall be used unless specifically authorized by the Landscape Architect or Owner after his careful inspection thereof. Any sod which is not planted within twenty four (24) hours after cutting shall be stacked in an approved manner and maintained properly moistened.
C. The sod shall be placed on the prepared surface, with edges in close contact, and shall be firmly and smoothly embedded by light tamping with appropriate tools. Sod shall be rolled with 1,000 lbs. roller unless waived by the Landscape Architect or Owner.
D. Where sodding is used in drainage ditches, sod panels shall be set in a staggered pattern, such as to avoid a continuous seam along the line of flow. Offsets of individual strips shall not exceed six (6) inches. At the inside of the curbs, sod shall abut squarely and evenly.
E. On areas where the sod may slide, due to height and slope, the Landscape Architect or Owner may direct that the sod be pegged, with pegs driven through the sod blocks into firm earth, at suitable intervals.
F. Any pieces of sod which, after placing, show an appearance of extreme dryness shall be removed from the work.
G. Where placement of new sod abuts existing sodded areas, new sod must be placed in such a manner as to produce an even transition to existing sodded areas.
H. It shall be the responsibility of the Contractor to bring the sod edge in a neat, clean manner to the edge of all paving and shrub areas.

PART IV MAINTENANCE, ESTABLISHMENT AND WARRANTY PERIODS

4.01 MAINTENANCE AND ESTABLISHMENT PERIOD

A. The Maintenance Period shall begin immediately after each plant is planted, and the Contractor shall continuously maintain all areas involved in this contract during the progress of the work.
B. The Establishment Period shall begin on the first day after all planting and installation of all landscape elements is completed and initially accepted. The Contractor shall continuously maintain all areas from initial acceptance until final acceptance by the Owner. The Establishment Period shall continue for not less than ninety (90) continuous calendar days. Hurricane cut Sabal Palms shall have an Establishment Period of not less than one hundred and eighty (180) continuous calendar days. The Establishment Period will end at the time the project is given final acceptance. An inspection shall be made by the Owner or Landscape Architect to accept the completed work and issue a determination of substantial completion. Inspections may be performed on all or partially completed phased work under the Contract, as directed by the Owner.
C. Maintenance of new plantings shall consist of, but not necessarily be limited to, pruning, watering, cultivating, weeding, mulching, tightening or repairing guys and stakes, resetting plants to proper grades or upright positions, furnishing and applying sprays as necessary to combat insects and disease, litter control, rolling, fertilizing and replanting.
D. Planting areas and plants shall be protected at all times against damage of any kind for the duration of the maintenance and establishment periods. If any plants are injured or damaged, they shall be treated or replaced as directed by the Owner or Landscape Architect at no additional cost. The Contractor is responsible for acts of vandalism or theft during the maintenance and establishment period unless this responsibility is assumed in writing by another party.
E. Restrict foot and vehicular traffic from all lawn and planting areas after seeding and planting operations. Erect signs and barriers if required and remove when lawn and plantings are well established and accepted by Owner.
F. The Contractor shall be responsible for maintaining adequate protection of the site. Areas damaged by the Landscape Contractor's men or equipment, or the men or equipment of his Subcontractor's, shall be repaired at the Landscape Contractor's expense.
G. The Contractor is responsible for keeping all plant materials adequately watered after installation even if the irrigation system is not operational. Plants shall receive a thorough watering immediately after planting. Afterwards, plants shall be watered during the maintenance and establishment periods per the requirements set forth in "Water Requirements for Newly Planted Grass, Ground Covers, Shrubs and Trees in Florida", distributed by South Florida Water Management District. In those areas where a permanent irrigation system will not be provided, the Contractor is responsible for implementing the Watering Program identified in the Landscape Plans.
H. The Landscape Contractor is responsible for keeping all plant materials adequately fertilized throughout the Maintenance and Establishment Periods. Fertilizer shall be applied at a rate to keep plant materials healthy. All fertilizer shall be done under the direction of a licensed fertilizer operator.
I. The Landscape Contractor shall control disease and pest infestations in the planting area. Upon approval, the Contractor shall implement the control measures, exercising extreme caution in using hazardous materials and taking all necessary steps to protect others on and near the job site. All disease and pest control shall be done under the direction of a licensed disease and pest control operator.
J. Herbicide Weed Control: All landscape areas shall be free of nut grass, torpedo grass, and other noxious weeds until final acceptance of work.
   1. "Round-up" shall be applied to all planting areas as needed and determined on-site by the Owner for weed control. Apply per manufacturers specifications.
   2. "Ronstar" pre-emergent or OWNER - approved equal, shall be applied 2 weeks before planting. Apply per manufacturers specifications.
   3. Apply "Fusilade" in all areas where torpedo grass has emerged. Apply per manufacturers specifications.
   4. Apply "Basagram" or "Marage" in all areas where nutgrass has emerged. Apply per manufacturers specifications.
K. Mowing of turf will commence ten (10) days after installation. The height of cut will be 3". After the first cut, the Contractor shall adjust the frequency of mowing so that at each operation no more than 1/3 of the grass blade is removed per cutting.
L. Between the 15th and 20th day of the Establishment Period, the Contractor shall re-sod all spots or areas within the lawn where normal turf growth is not evident. Turf must be well established and free of bare spots and weeds to the satisfaction of the OWNER or Landscape Architect prior to final acceptance. All planted areas other than lawn shall be weeded at intervals of not more than ten (10) days.
M. Application of fertilizer to be done between the fortieth (40) and fiftieth (50) day of the establishment period. Landscape Architect or Owner are to be notified a minimum of forty eight (48) hours in advance.
N. Improper maintenance or poor condition of any planting at the time of the termination of the scheduled Establishment Period may cause postponement of the final acceptance of the contract. Any material found to be dead, missing, or in poor condition during the establishment period shall be replaced immediately. Maintenance shall be continued by the Contractor until the work is acceptable.
O. Inspection and Final Acceptance:
   1. In all cases the Landscape Architect will perform an initial and final inspection at the beginning and end of the Establishment Period, respectively. It is the responsibility of the Contractor to notify the Owner or Landscape Architect of the beginning and end of this period and to submit a written request for an inspection ten (10) days in advance.
   2. Following inspection(s), Landscape Architect will prepare a listing of outstanding items to be addressed prior to final acceptance. Final acceptance will be given once the outstanding items are completed, and the work performed to the satisfaction of the Landscape Architect and OWNER.
   3. Any material that is 25% or more dying shall be considered dead and must be replaced at no charge. A tree shall be considered dead when the main leader has died or when 25% of the crown is dead. A tree that has suffered significant leaf drop but shows signs of life may be left for later re-inspection. Such trees shall be subject to removal and replacement at any time up to and including the first re-inspection, as requested by the Owner or Landscape Architect. The Warranty Period for such trees shall not begin until after the second re-inspection.

4.02 WARRANTY PERIOD

A. Unless a different agreement is reached in writing between the Owner and the Contractor, all trees and other plant material, including ground covers, installed under this agreement shall be guaranteed to live and grow, and shall be warranted against defects, death and unsatisfactory growth for a period of one (1) year from the day of final acceptance of contract work.
B. Non-living landscape elements shall also carry a one (1) year guarantee on materials, labor, and workmanship.
C. Material found to be dead or in poor condition within the Warranty Period shall be replaced by the Contractor within fifteen (15) days of written notification by the Owner's representative. The Owner or Landscape Architect shall be the sole judges as to the condition of the material.
D. Materials and labor involved in the replacing of materials shall be supplied by the Contractor at no additional cost to the Owner.
E. Soil Testing: Should plant materials show yellowing or other signs of soil and/or nutritional problems, the Owner or Landscape Architect may request soil testing and analysis. Such testing will be at the expense of the Contractor.
   1. Soil problems (as revealed by testing) shall be corrected by application of corrective chemicals and nutrients, removal and replacement of soil, or other measures as agreed upon by all parties. All such measures shall be at the Contractor's expense unless clear evidence establishes that the soil problem is not pre-existing and is caused by factors beyond the Contractor's control.
F. Replacement and Conditions:
   1. Materials will be replaced as many times as necessary to satisfy the OWNER'S representative and the specifications. All replacement costs will be the responsibility of the Contractor.
   2. Replacements will be of the same size, species, and specifications as the original. No additional soil additives will be required unless significant amounts of soil mix are lost before or during replacement.
   3. Plant losses due to abnormal weather conditions such as floods, excessive wind damage (on properly staked or guyed trees), severe freezing, or hail will not be the responsibility of the Contractor.
   4. Deciduous materials will be guaranteed to break dormancy at the proper season. Materials planted during their normal dormant period will be guaranteed to resume normal growth at the proper time for that species.

LANDSCAPE NOTES
GENERAL:

1. All proposed material shall be Florida No. 1 or better as set forth in "Grades & Standards for Nursery Plants," Part 1&2, Florida Dept. of Agriculture and Consumer Services, latest edition. No deviations will be permitted.
2. By submitting a bid, the landscape contractor is responsible for providing the material specified on the plans. No substitutions will be accepted without prior written approval and acceptance by the Owner or his representative, or Landscape Architect.
3. Materials to be hand-selected at the discretion of the Owner or his representative, or Landscape Architect.
4. All work shall proceed in a professional manner in accordance with standard nursery and installation practice.
5. Quantities on plant list are for convenience only. Landscape Contractor is responsible for all plants shown on planting plans. When discrepancies occur between plant list and planting plans, the plans are to override the plant list in all cases. Contractor is responsible for confirming sod quantities and certifying such to the Owner or his representative.
6. Contractor is responsible for locating all underground utilities prior to digging. Notify the Owner or his representative, or the Landscape Architect immediately regarding discrepancies or conflicts.
7. Landscape Contractor to notify the Owner or his representative, or Landscape Architect at least three (3) working days prior to beginning any stage of work.
8. Owner or Landscape Architect to be immediately notified of any discrepancies found in field.
9. Owner or his representative, or Landscape Architect reserve the right to field adjust plant material on-site to avoid conflicts or discrepancies not anticipated in the planning process.
10. Existing plant material to be removed, except as noted.

TREES & PALMS

1. All trees, new and relocated, to be staked and guyed as detailed.
2. No double or multi-trunk trees unless otherwise specified.
3. Face of trees and palms to be located a minimum of 2'-0" off all sidewalks/bike paths or other paved surface, unless otherwise notated on plans.
4. Root suckers on Live Oaks are not acceptable.
5. All trees falling within grassed areas to have a mulch ring 3' in diameter, mulched 3" deep with no more than 1" deep directly adjacent to the trunk of the tree.

PLANTING BEDS

1. Groundcover and shrubs to be laid out in a uniform and consistent pattern.
2. All planting beds to receive mulch per plans.
3. Landscape Contractor is responsible for verifying that clean top soil, meeting the attached specifications, exists in each planting bed prior to planting. Contractor shall add or amend top soil if necessary. Tree pits shall be backfilled as noted in attached specifications. Excavate all shrub and groundcover beds as specified and backfill with planting soil per specifications.
4. All existing paving base material to be removed from planting areas and replaced with clean top soil prior to planting. Final grade within planting areas to be 2" below adjacent paved areas or top of curb.
5. Soil in landscaped areas shall be free of debris, including paving base or fill material, and calcareous materials such as shell, lime rock, concrete, plaster and stucco. Planting areas containing excessive calcareous materials shall be excavated to a minimum depth of (2') two feet.

**SO

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 7d

PREPARED BY: Nicole Dritz, Development Services Director

MEETING DATE: August 14, 2023

AGENDA ITEM: Consideration of four (4) variances from Sec. 23-134 of the Town Code of Ordinances for the property located at 230 Sunrise Avenue in the R15 - Residential Zoning District. (Case #'s: VAR23-0018, VAR23-0019, VAR23-0020, and VAR23-0021).

ISSUE/BACKGROUND:

The applicant, Anthony Alm, on behalf of Sunrise Harbor Condominium, is requesting approval of four (4) variances from Section 23-134 of the Town Code. The applicant wishes to enlarge the existing 94 ft. dock with two (2) boat slips and one (1) boat lift to allow for a total of four (4) boat slips and boat lifts, respectively. The intent of the expansion of the dock is to allow for one (1) boat slip for each unit in the condominium. The applicant is citing year-round shallow water depth as a hardship.

The applicant is seeking the following variances:

1. **CASE # VAR23-0018:** Request for a variance from Section 23-134(a)(2) of the Town Code of Ordinances to allow a dock length of 134.1, where no dock shall exceed 100 feet in length.
2. **CASE # VAR23-0019:** Request for a variance from Section 23-134(a)(1) of the Town Code of Ordinances to allow a dock of 1,138 square feet in overall area, where no dock shall exceed 1,000 square feet in overall area.
3. **CASE # VAR23-0020:** Request for a variance from Section 23-134(a)(5) of the Town Code of Ordinances to allow a minimum 20.6-foot side setback from the Northern property line, where a minimum 25-foot setback is required.
4. **CASE # VAR23-0021:** Request for a variance from Section 23-134(a)(4) of the Town Code of Ordinances to allow a maximum 8-foot dock width, where a maximum 6-foot width is permitted.

The Planning Commission (sitting as the ZBA) reviewed this item at the July 26, 2023 meeting and recommended the following:

VAR23-0018: Recommend approval with a 4-1 vote (Joseph Farrell-nay, did not provide a reason).

VAR23-0019: Recommend approval with a 4-1 vote (Joseph Farrell-nay, did not provide a reason).

VAR23-0020: Recommend approval with a 5-0 vote.

VAR23-0021: Recommend approval with a 5-0 vote.

The Board also provided the following motion related to the application for consideration:

"Motion to request that when the Town Council considers the variance requests that the Town Council considers limiting the size of boats to 35 feet per lift."

This motion passed 4-1 (Rosemary Mouring- nay, did not provide a reason).

The voting members included: Joseph Farrell (Chairperson); Rosemary Mouring; Lyn Tate; Michelle Donahue; and Erica Wald.

ATTACHMENT(S):

1. 7d Application and Backup.pdf
2. 7d ZBA Minutes.pdf

SAMPLE MOTION:

I move to (approve)(disapprove)VAR23-0018 for the property located at 230 Sunrise Avenue.

I move to (approve)(disapprove)VAR23-0019 for the property located at 230 Sunrise Avenue.

I move to (approve)(disapprove)VAR23-0020 for the property located at 230 Sunrise Avenue.

I move to (approve)(disapprove)VAR23-0021 for the property located at 230 Sunrise Avenue.

CASE #: VAR 23-0018/ 19/20/21

SUBMITTAL DATE: 6.14.23

TOWN OF LANTANA

504 Greynolds Circle
Lantana, FL 33462
(561) 540-5034

VARIANCE APPLICATION

Property Name: Sunrise Harbor Condo

Property Location: (Address) 230 Sunrise Ave

Property Control Number: 40 - 43 - 44 - 34 - 24 - 000 - 0000

Existing Zoning Category: _____

Type of Variance (circle one):

Setback (front, side, rear) — Lot (width, coverage, size)

Height — Subdivision Regulations

Other _____

Property Owner(s)	Applicant
Name: Sunrise Harbor Condo	**Name:** Anthony Alm
Address: 230 Sunrise Ave, 101-104 Lantana, FL 33462	**Address:** 230 Sunrise Ave, 103 Lantana, FL 33462
Phone: 561-436-4427	**Phone:** 561-436-4427

DO NOT WRITE BELOW THIS LINE **FOR DEPARTMENTAL USE ONLY**

ACCEPTED FOR REVIEW
Town Official: _____ Date: 6/13/23

Fee(s) Paid: $1050

TOWN ACTION
Town Council: _____ Date: _____

Conditions of Approval: _____

VAR23-0018

GENERAL DATA

Proposed Zoning:
Dock length to exceed 100 feet in length

Existing Use of Property:
The dock is currently 94 ft in length

Proposed Use of Property:
Extend existing dock 40 feet to allow room for boat slips

Total Site Area: 1,143 Sq. Ft. OR _____ Acres

RESIDENTIAL

Total Number of Dwelling Units: _____ (Existing) _____ (Proposed) Density (Units per acre): _____ (Existing) _____ (Proposed)

COMMERCIAL

Total Square Footage: _____ Number of Buildings: _____

A Variance is requested relative to Section # Sec 23-134 (2) of the Town of Lantana Zoning Code to allow:

A dock to exceed 100 feet in length due to water depth being less than 3 1/2 feet at mean low tide and an extension to the minimum length necessary to achieve a useful dock to home 4 boat slips with adequate depth.

Where the Zoning Ordinance requires

No dock shall exceed one hundred (100) feet in length as measured from the bulkhead line or mean high water line, unless the water depth at the one-hundred-foot mark is less than three and one-half (3 1/2) feet at mean low tide or unless environmental preservation issues exist as determined by county, state and/or federal permitting agencies. Should the water depth be less than three and one-half (3 1/2) feet at the one-hundred-foot mark at mean low tide... lengthening the dock, then, in that case only, the dock may be extended to the minimum length necessary to achieve such depth at mean low tide...

JUSTIFICATION STATEMENT

Please address the following criteria contained in Section 23-63 of the Zoning Code for Zoning Variance requests:

1. **Special Conditions and Circumstances** - Please describe any special circumstances which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same district.

Water depth is insufficient due to the tide being too low (less than 3') at the maximum 100 feet length to allow a vessel to safely move in and out from the existing dock at low tide.

2. **Not Self Created Condition** - Explain how the special conditions and circumstances do not result from the actions of the applicant.

The low tide is a direct result of the permanent, year round water level of the tide in the area.

3. **No Special Privilege** - Explain how the grant of this variance request will not confer any special privilege upon the applicant that is denied by the zoning ordinance to other lands, structures or buildings in the same district.

The dock is proposed to adhere to the variance requirements of lengthening the dock to the minimum length necessary to obtain a water level depth of 3 feet at mean low tide. Grass studies were conducted for environmental considerations.

4. **Deprivation of Rights Enjoyed by Others** - Explain how the literal interpretation of the provisions of the zoning ordinance would deprive the applicants of rights commonly enjoyed by other properties in the same district.

Currently, the dock is only allowed one (1) boat slip for one (1) unit. The Condos would like to allow the other three (3) units an opportunity to enjoy a vessel in their backyard with the convenience of getting safely in and out of the slips throughout deprivation of the tide.

5. **Minimum Variance** - Explain how the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

The new 40 ft long dock will allow the new slips a moderate amount of deeper water at low tide. To be variance compliant, the the plans project a smaller four (4) ft width than the existing for the extension and less square footage for minimum necessary requirements.

6. **Code's Intent** - Explain how the grant of this variance will be in harmony with the general purpose and intent of this ordinance.

The length of the dock adheres to the code and will be less than twenty-five (25) percent of the width of the water body. The extension will exceed the 100 ft, due to the water levels at mean low tide being less than 3'. The 40 ft extension would allow an opportunity for other homeowners in the condo to have a boat slip and a boat at a safe and secure depth with a moderately higher tide. The water was tested and grass studies were provided to check for environmental concerns and permit permissions were granted by the Department of the Army and Florida Department of Engineers.

VAR23-0019

GENERAL DATA

Proposed Zoning:
Dock area to exceed 1000 square feet in overall area

Existing Use of Property:
The dock is currently 752 square feet

Proposed Use of Property:
Extend existing dock 40 more feet and 4 feet wide to allow room for boat slips

Total Site Area: 1,143 Sq. Ft. OR _____ Acres

RESIDENTIAL

Total Number of Dwelling Units: _____ (Existing) _____ (Proposed) Density (Units per acre): _____ (Existing) _____ (Proposed)

COMMERCIAL

Total Square Footage: _____ Number of Buildings: _____

A Variance is requested relative to Section # Sec 23-134 (1) of the Town of Lantana Zoning Code to allow:

A dock to exceed 1000 square feet in area due to water depth being less than 3 1/2 feet at mean low tide and an extension to the minimum length necessary to achieve a useful dock to home 4 boat slips with adequate depth.

Where the Zoning Ordinance requires

No dock shall exceed one thousand (1000) square feet in overall area.

JUSTIFICATION STATEMENT

Please address the following criteria contained in Section 23-63 of the Zoning Code for Zoning Variance requests:

1. **Special Conditions and Circumstances** - Please describe any special circumstances which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same district.

Water depth is insufficient due to the tide being too low (less than 3') at the maximum 1000 square feet of overall area to allow a vessel to safely move in and out from the existing dock at low tide.

2. **Not Self Created Condition** - Explain how the special conditions and circumstances do not result from the actions of the applicant.

The low tide is a direct result of the permanent, year round water level of the tide in the area.

3. **No Special Privilege** - Explain how the grant of this variance request will not confer any special privilege upon the applicant that is denied by the zoning ordinance to other lands, structures or buildings in the same district.

The dock is proposed to adhere to the variance requirements of lengthening the dock to the minimum length necessary to obtain a water level depth of 3 feet at mean low tide. Grass studies were conducted for environmental considerations.

4. **Deprivation of Rights Enjoyed by Others** - Explain how the literal interpretation of the provisions of the zoning ordinance would deprive the applicants of rights commonly enjoyed by other properties in the same district.

Currently, the dock is only allowed one (1) boat slip for one (1) unit. The Condos would like to allow the other three (3) units an opportunity to enjoy a vessel in their backyard with the convenience of getting safely in and out of the slips throughout deprivation of the tide.

5. **Minimum Variance** - Explain how the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

The new 40 ft long dock will allow the new slips a moderate amount of deeper water at low tide. To be variance compliant, the the plans project a smaller four (4) ft width than the existing for the extension and less square footage for minimum necessary requirements.

6. **Code's Intent** - Explain how the grant of this variance will be in harmony with the general purpose and intent of this ordinance.

The length of the dock adheres to the code and will be less than twenty-five (25) percent of the width of the water body. The extension will exceed the 1000 square foot allowance, due to the water levels at mean low tide being less than 3'. The 40 ft extension would allow an opportunity for other homeowners in the condo to have a boat slip and a boat at a safe and secure depth with a moderately higher tide. The water was tested and grass studies were provided to check for environmental concerns and permit permissions were granted by the Department of the Army and Florida Department of Engineers.

VAR23-0020

GENERAL DATA

Proposed Zoning:
Dock side setback (North) currently extends less than 25 ft from joint property lines

Existing Use of Property:
The dock is currently 94 ft long and was originally constructed less than 25 ft from joint property line (North)

Proposed Use of Property:
Extend existing dock 40 more feet and with a smaller width of 4 feet to allow room for boat slips

Total Site Area: 1,143 Sq. Ft. OR _____ Acres

RESIDENTIAL

Total Number of Dwelling Units: _____ (Existing) _____ (Proposed) Density (Units per acre): _____ (Existing) _____ (Proposed)

COMMERCIAL

Total Square Footage: _____ Number of Buildings: _____

A Variance is requested relative to Section # Sec 23-134 (5) of the Town of Lantana Zoning Code to allow:

A 40 foot dock extension to the preexisting 94 foot dock which was previously constructed less than twenty-five (25) feet from the joint property lines of immediately adjoining property owners.

Where the Zoning Ordinance requires

No pier or dock or mooring pilings extending from the shore shall be closer than twenty-five (25) feet from the joint property lines of immediately adjoining property owners. If the dock is a marginal dock (parallel and immediately adjacent to a bulkhead), the setback restriction shall be ten (10) feet.

JUSTIFICATION STATEMENT

Please address the following criteria contained in Section 23-63 of the Zoning Code for Zoning Variance requests:

1. **Special Conditions and Circumstances** - Please describe any special circumstances which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same district.

The existing dock was previously constructed less than 25 ft from the joint property lines of immediately adjoining property owners. The dock extension is intended to extend further into the waterway to achieve adequate water depth over 3' at mean low tide.

2. **Not Self Created Condition** - Explain how the special conditions and circumstances do not result from the actions of the applicant.

The existing dock is not intended to be a direct result of this variance, due to its preexisting construction. The 40 foot extension is intended to use the preexisting dock construction and modify it to the minimum length necessary to meet adequate water depth over 3 feet.

3. **No Special Privilege** - Explain how the grant of this variance request will not confer any special privilege upon the applicant that is denied by the zoning ordinance to other lands, structures or buildings in the same district.

The dock is proposed to adhere to the preexisting dock and extend what was previously constructed to meet all requirements to meet the minimum length necessary to obtain a water level depth of 3 feet at mean low tide.

4. **Deprivation of Rights Enjoyed by Others** - Explain how the literal interpretation of the provisions of the zoning ordinance would deprive the applicants of rights commonly enjoyed by other properties in the same district.

Currently, the dock is only allowed one (1) boat slip for one (1) unit. The Condos would like to allow the other three (3) units an opportunity to enjoy a vessel in their backyard with the convenience of getting safely in and out of the slips throughout deprivation of the tide.

5. **Minimum Variance** - Explain how the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

The 40 ft dock extension will allow the new slips a moderate amount of deeper water at low tide. We plan to use the preexisting dock and not rebuild a completely new dock to meet the 25ft minimum from the joint property lines of immediately adjoining property owners.

6. **Code's Intent** - Explain how the grant of this variance will be in harmony with the general purpose and intent of this ordinance.

The 40 ft dock extension is not intended to be placed less than 25 feet from the joint property lines of immediately adjoining property owners. Because the current dock is a preexisting construction, we are proposing to extend what was already constructed to obtain the water depth of a minimum of 3 feet at mean low tide without having to do a newly constructed dock to comply with the code 25 ft from the joint property lines.

VAR 23-0021

GENERAL DATA

Proposed Zoning:
The width of the dock extension to be 4 feet wide

Existing Use of Property:
The dock is currently 8 feet wide

Proposed Use of Property:
Extend existing dock 40 more feet and with a smaller width of 4 feet to allow room for boat slips

Total Site Area: 1,143 Sq. Ft. OR _____ Acres

RESIDENTIAL

Total Number of Dwelling Units: _____ (Existing) _____ (Proposed) Density (Units per acre): _____ (Existing) _____ (Proposed)

COMMERCIAL

Total Square Footage: _____ Number of Buildings: _____

A Variance is requested relative to Section # Sec 23-134 (4) of the Town of Lantana Zoning Code to allow:

A dock extension with a width of only four (4) feet wide to meet minimum necessary requirements. The existing 94' dock is currently eight (8) feet wide.

Where the Zoning Ordinance requires

The width of the dock shall not exceed six (6) feet.

JUSTIFICATION STATEMENT

Please address the following criteria contained in Section 23-63 of the Zoning Code for Zoning Variance requests:

1. **Special Conditions and Circumstances** - Please describe any special circumstances which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same district.

The existing dock was previously constructed to eight (8) feet wide. The dock extension is intended to comply to code and will be less than six (6) feet wide. The attempt to extend the dock at the minimum width necessary to achieve water depth over 3' at mean low tide.

2. **Not Self Created Condition** - Explain how the special conditions and circumstances do not result from the actions of the applicant.

The existing dock is not intended to be a direct result of this variance, due to its preexisting construction. The request for the four (4) width is compliant to the code guidelines.

3. **No Special Privilege** - Explain how the grant of this variance request will not confer any special privilege upon the applicant that is denied by the zoning ordinance to other lands, structures or buildings in the same district.

The dock is proposed to adhere to the variance requirements of a width no greater than six (6) feet and at the minimum length necessary to obtain a water level depth of 3 feet at mean low tide. Grass studies were conducted for environmental considerations.

4. **Deprivation of Rights Enjoyed by Others** - Explain how the literal interpretation of the provisions of the zoning ordinance would deprive the applicants of rights commonly enjoyed by other properties in the same district.

Currently, the dock is only allowed one (1) boat slip for one (1) unit. The Condos would like to allow the other three (3) units an opportunity to enjoy a vessel in their backyard with the convenience of getting safely in and out of the slips throughout deprivation of the tide.

5. **Minimum Variance** - Explain how the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

The new 40 ft long dock will allow the new slips a moderate amount of deeper water at low tide. To be variance compliant, the the plans project a smaller four (4) ft width than the existing dock width for minimum necessary requirements.

6. **Code's Intent** - Explain how the grant of this variance will be in harmony with the general purpose and intent of this ordinance.

The length of the dock adheres to the code and will be less than twenty-five (25) percent of the width of the water body. The new extension will not exceed the six (6) foot dock width allowance, due to the water levels at mean low tide being less than 3'. The 40 ft extension would allow an opportunity for other homeowners in the condo to have a boat slip and a boat at a safe and secure depth with a moderately higher tide. The water was tested and grass studies were provided to check for environmental concerns and permit permissions were granted by the Department of the Army and Florida Department of Engineers.

EXACT LEGAL DESCRIPTION OF PROPERTY:

(Attach if insufficient space)

located within the Intracoastal Waterway, Class III Waters, adjacent to Sunrise Harbor Condominiums at Sunrise Ave, Lantana (Section 34, Township 44 South, Range 43 East), in Palm Beach County (Latitude N 26°35' 17.40", Longitude W -80°02' 57.19").

As applicable, please provide the name, address and telephone number for the following persons or firms who are involved in this development:

AGENT [if different from Owner(s)]:	DEVELOPER:
Name: Tony Alm	Name:
Company Name: President- Sunrise Harbor Condo	Company Name:
Address: 230 Sunrise Ave, 103 Lantana, FL 33462	Address:
Phone: 561-436-4427	Phone:

PLANNER:	ARCHITECT:
Name:	Name:
Company Name:	Company Name:
Address:	Address:
Phone:	Phone:
	Florida Registration No.:

ENGINEER:	LANDSCAPE ARCHITECT:
Name: Jeffrey Anton	Name:
Company Name: Terragone Engineering	Company Name:
Address: 361 NW Dewbury Ter Jensen Beach, FL 34957	Address:
Phone: 772-291-8177	Phone:
Florida Registration No.: 34035	Florida Registration No.:

SURVEYOR:	ATTORNEY:
Name:	Name:
Company Name:	Company Name:
Address:	Address:
Phone:	Phone:

CURRENT OCCUPANT OF BUILDING OR PROPERTY:
Name: Sunrise Harbor Condo
Address: 230 Sunrise Ave, 101-104 Lantana, FL 33462
Phone: 561-436-4427

APPLICANT'S CERTIFICATION

(I) (We) affirm and certify that (I) (We) understand and will comply with all provisions and regulations of the Town of Lantana, Florida. (I) (We) understand that if this Application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Lantana (if not already) and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive and Zoning Ordinance. (I) (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this Application and attachments become part of the Official Records of the Town of Lantana, Florida, and are not returnable.

Witness

Witness

5/16/23
Date:

Signature of Applicant

Tony Alm
Printed Name of Applicant

Applicant is:

✓ Owner

_____ Optionee

_____ Lessee

_____ Agent

_____ Contract Purchaser

Address:
230 Sunrise Ave, 103
Lantana, FL 33462

Telephone Number: 561-436-4427

Fax Number: _____

OWNER'S AUTHORIZATION

I/We affirm and certify that Tony Alm, the Applicant, is hereby authorized to represent me/us in all dealings regarding this petition with the Town of Lantana.

Witness

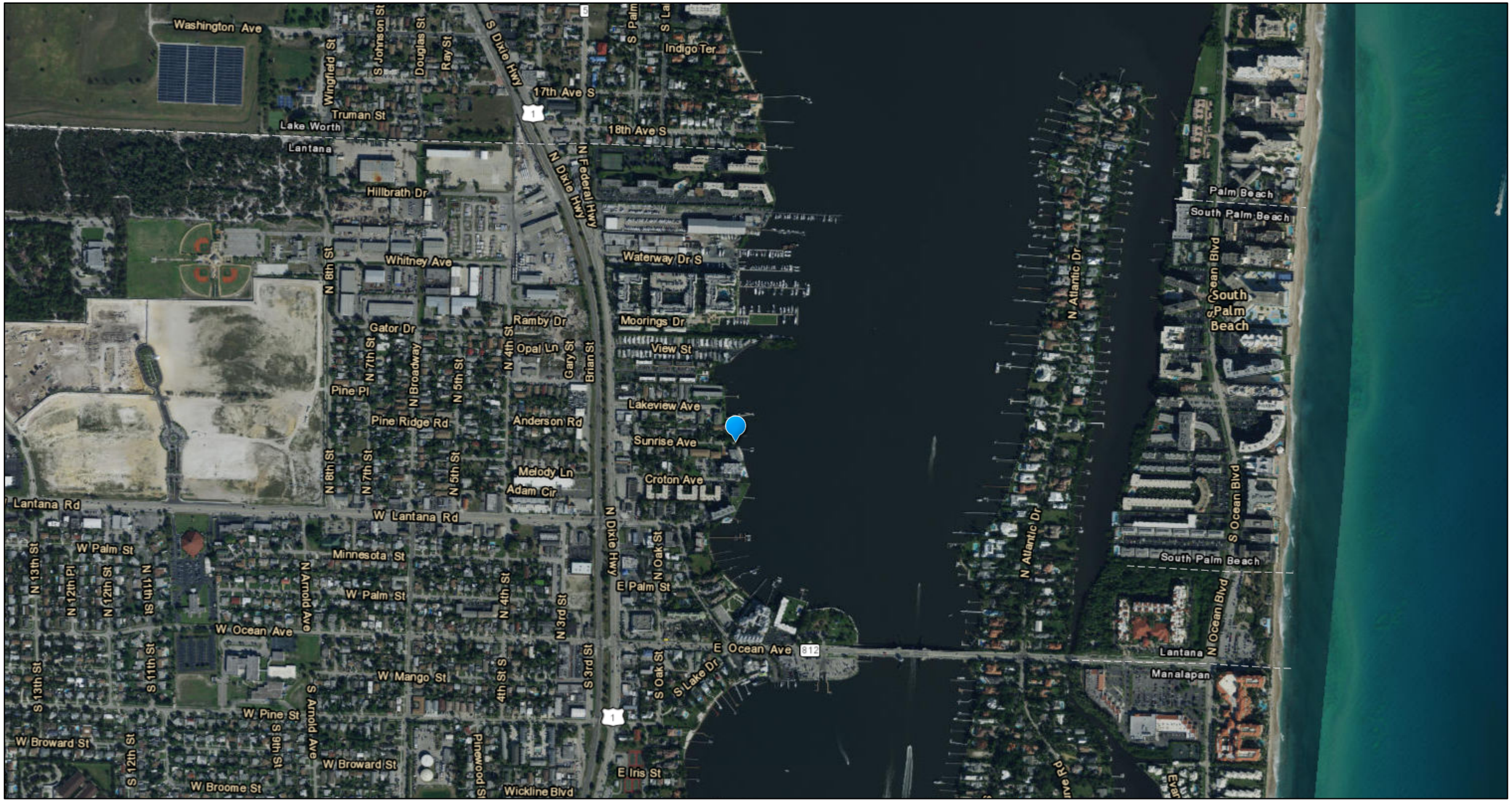
Witness

5/16/23
Date:

Signature of Owner

Tony Alm
Printed Name of Owner

Sunrise Harbor Condominium Lantana



April 15, 2020

1:9,028

0 0.1 0.2 0.4 mi

0 0.15 0.3 0.6 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Map created by Map Direct, powered by ESRI.

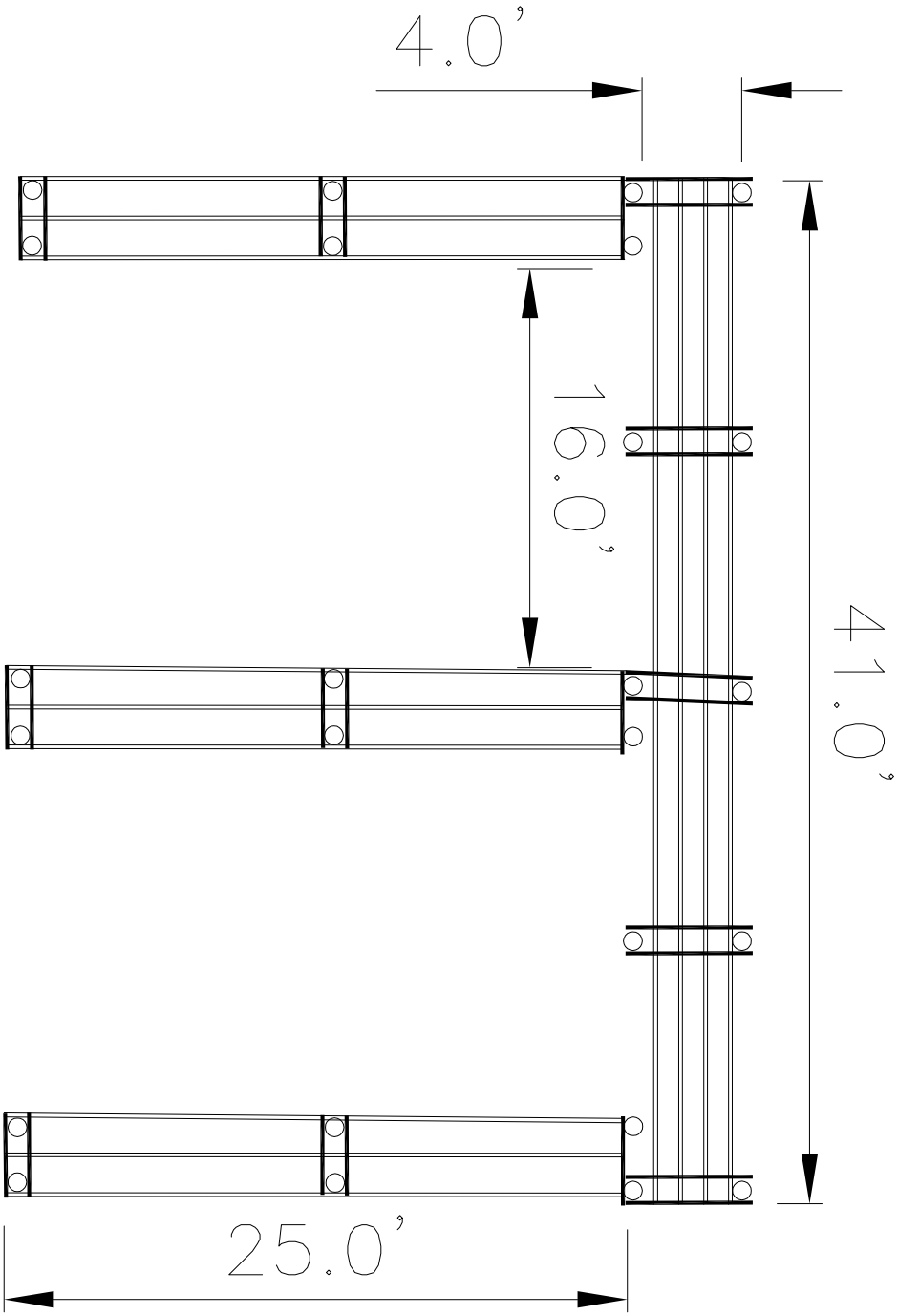
Florida Department of Environmental Protection makes no warranty,expressed or implied,or assumes any legal liability or responsibility for the accuracy,completeness,or usefulness of any information,apparatus,product,or process disclosed,or represents that its use would not infringe privately owned rights.

Dock & Lift On Aerial

Sunrise Harbor Condominium
230 Sunrise Ave
Lantana, FL 33462

Scale	Designed By	Drawn By	Date
NTS	JPA	JPA	Apr 15, 2020

Terragone Engineering, LLC
361 NW Dewburry Terrace, Jensen Beach, Florida 34957
Phone: (772)291-8177
E-mail: antonpe@comcast.net
Florida Registry: 34035



Notes: PID40-43-44-34-24-000-00*0
1.

Jeffrey P. Anton
PE FL 46527

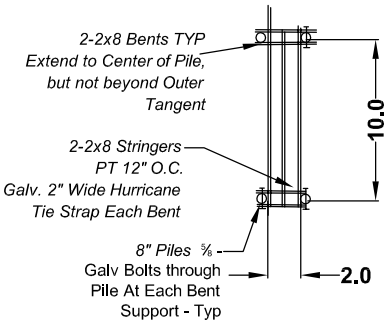
Terragone Engineering, LLC
361 NW Dewburry Terrace, Jensen Beach, Florida 34957
Phone: (772)291-8177
E-mail: antonpe@comcast.net
Florida Registry: 34035

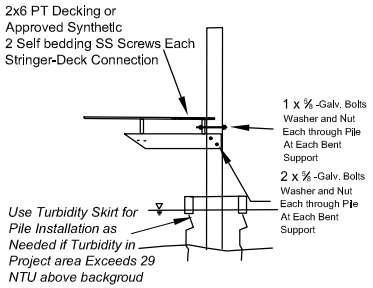
Dock Framing

C:\Users\Jeff\Documents\GA_JDS\Admin\SEAL_SCAN\SEAL SCANS.png

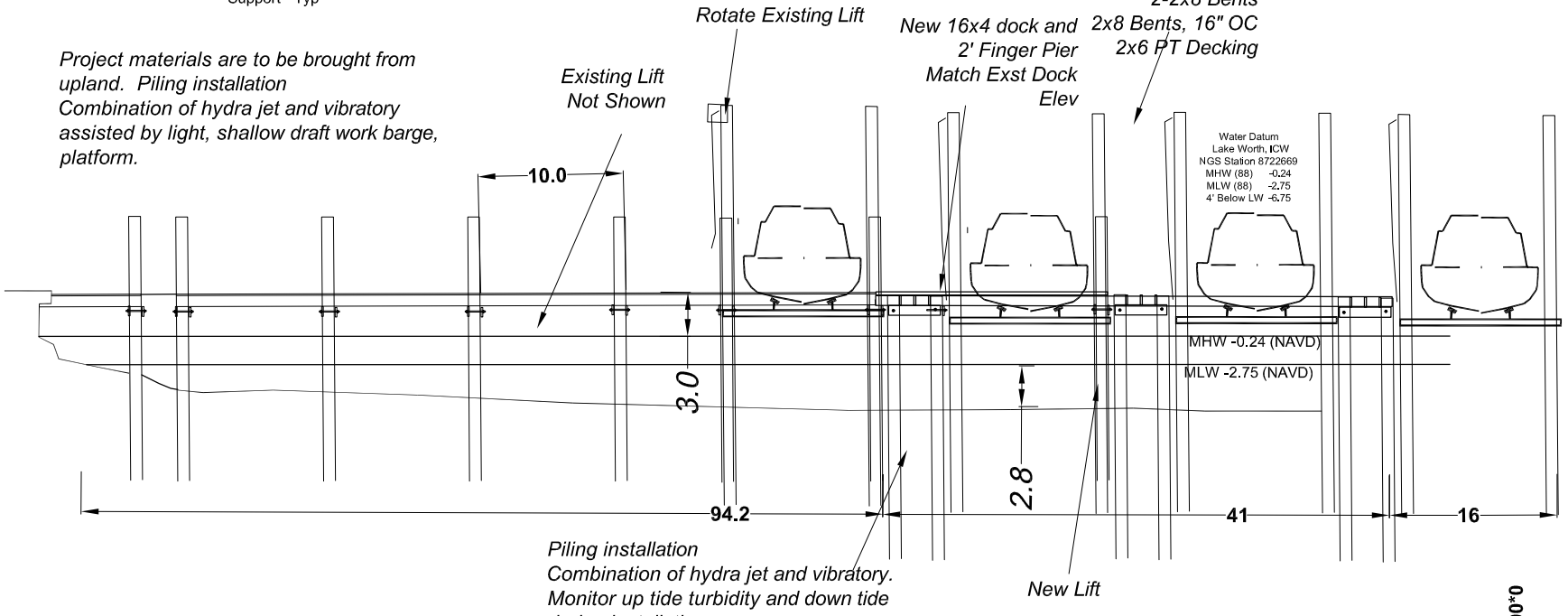
Sunrise Harbor Condominium
230 Sunrise Ave
Lantana, FL 33462

Scale	NTS
Designed By	JPA
Drawn By	JPA
Date	Apr 15, 2020





Project materials are to be brought from upland. Piling installation Combination of hydra jet and vibratory assisted by light, shallow draft work barge, platform.



Piling installation
Combination of hydra jet and vibratory.
Monitor up tide turbidity and down tide during installation
Deploy Skirt Turbidity Curtain if change in turbitiy exceeds 29 NTU
Otherwise, deploy turbidty curtain around entire project area

Notes: PID40-43-44-34-24-000-00*0
1.

Jeffrey P. Anton
PE FL 46527

Scale NTS
Designed By JPA
Drawn By JPA
Date Apr 15, 2020

Dock Sections

Sunrise Harbor Condominium
230 Sunrise Ave
Lantana, FL 33462

Terragone Engineering, LLC
361 NW Dewburry Terrace, Jensen Beach, Florida 34957
Phone: (772)291-8177
E-mail: antonpe@comcast.net
Florida Registry: 34035

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FL 33410

April 25, 2022

Regulatory Division
South Permits Branch
Palm Beach Gardens Section
SAJ-2020-04468(LP-CF)

Sunrise Harbor Condominiums
Attention: Mr. David Santangelo
230 Sunrise Ave.
Lantana, FL 33462

Dear Mr. Santangelo:

This is in reference to your request for a Department of the Army (DA) permit to perform work in or affecting waters of the United States. If you determine the permit provided is acceptable in its entirety and you have chosen to proceed with the authorized activity, then upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) you are authorized under a Letter of Permission to improve navigation to an existing multi-family residential structure by conducting the following actions: Installation of a 385 square dock extension to the existing dock for a total of 1,143 square feet. The extension is a 4' by 40' (160 square feet) dock to the existing dock and three (3) 3' by 25' finger piers (225 square feet) with the installation of four (4) boat lifts. The structure will have a total of four (4) slips. The structure will have a total of four (4) slips at 230 Sunrise Ave., Section 34, Township 44 South, Range 43 East, Lantana, Florida.

Geographic Position: Latitude: 26.58819
Longitude: -80.048944

The project must be completed in accordance with the four (4) enclosed construction drawings, and the general and special conditions which are incorporated in, and made a part of, the permit.

Special Conditions:

1. Reporting Address: The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number, SAJ-2020-04468(LOP-CF), on all submittals.

2. Commencement Notification: Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" Form (Attachment B).

3. Self-Certification: Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (Attachment C) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

4. Assurance of Navigation and Maintenance: The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

5. Manatee Conditions: The Permittee shall comply with the enclosed (Attachment D) "Standard Manatee Conditions for In-Water Work – 2011."

6. Jacksonville District Programmatic Biological Opinion (JAXBO): Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at: http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx

7. Cultural Resources/Historic Properties:

aNo structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archaeologist and from the Corps.

If the work authorized is not completed on or before **April 22, 2027**, authorization, if not previously revoked or specifically extended, shall cease and be null and void.

Instructions for Objecting to Permit Terms and Conditions: This letter contains an initial proffered permit for your proposed project/permit application. If you object to certain terms and conditions contained within the permit, you may request that the

permit be modified. Enclosed you will find a Notification of Administrative Appeal Options and Process fact sheet and Request for Appeal (RFA) form. If you choose to object to certain terms and conditions of the permit, you must follow the directions provided in Section 1, Part A and submit the completed RFA form to the letterhead address.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria under 33 CFR Part 331.5, and that it has been received by the District office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the letterhead address by **June 24, 2022**.

Should you have any questions regarding this letter, please contact the project manager Carolyn Farmer in writing the letterhead address, by telephone at 561-472-3527, or by email at Carolyn.h.farmer@usace.army.mil.

The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit https://regulatory.ops.usace.army.mil/customer-service-survey/ and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Linda C. Knoeck

James L. Booth
Colonel, U.S. Army
District Commander

Enclosures

cc:
Terragone Engineering, LLC (antonpe@comcast.net)
CESAJ-RD-PE (w/ enclosures)

MINUTES
LANTANA TOWN PLANNING COMMISSION
sitting as the
ZONING BOARD OF APPEALS
July 26, 2023
6:30 p.m.

---

1. CALL TO ORDER: Mr. Farrell called the meeting to order at 6:30 PM.
2. ROLL CALL: Ms. Eassa called the roll and noted there was a quorum.
    a. PRESENT: Joseph Farrell (Chairperson); Rosemary Mouring; Lyn Tate; Michelle Donahue; Erica Wald
    b. ALSO PRESENT: Nicole Dritz, Development Services Director; Elizabeth Eassa, Assistant Development Services Director; Jeffery Jones, Legal Counsel
3. APPROVAL OF MINUTES:
    a. Ms. Donahue made a motion to approve the minutes for the June 28, 2023, ZBA meeting as amended to remove the note that she had spoken to the property owner for VAR23-0009. Ms. Tate seconded and the motion passed unanimously.
4. AGENDA APPROVAL:
    a. Mr. Farrell made a motion to present any additions, deletions, or substitutions.
    b. Ms. Tate made a motion to approve the agenda. Ms. Donahue seconded and the motion passed unanimously.
5. NEW BUSINESS:

    Assistant Town Attorney Jones conducted the swearing in of those wishing to speak about the item.

    Mr. Farrell gave an overview of the New Business to be presented.

    Ms. Tate disclosed they drove by the subject property; Ms. Donahue disclosed they drove by the subject property; Mr. Farrell disclosed they observed the property on Google maps; Ms. Mouring disclosed they observed the property on Google maps; there were no other board disclosures related to the item.

If a person decides to appeal any decision made by the Town Council or Zoning Board of Appeals with respect to any matter considered at such meeting or hearing, that person will need a record of the proceedings, and for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Town of Lantana does not provide such a record.

DRAFT

Ms. Dritz gave an overview of the variance requests.

Tony Alm, property owner and HOA President of Sunrise Condominium, presented regarding the item.

Mr. Alm answered questions from the Planning Commission members. It was determined there were no abandoned boats on the property, there was no plan to require uniform boat lifts, that lifts would be applied for at the leisure of the individual property owners in the future, and that the HOA had unanimously approved the proposal (by way of meeting minutes being provided to the Board for review; "Mr. Alm's Exhibit 1").

Ms. Dritz answered questions from the Planning Commission members.

The Chair opened the item for public comment.

Michael DeSell of 230 Sunrise Avenue #101: opposed the request.

a. **CASE # VAR23-0018**
Request for a variance from Section 23-134(a)(2) of the Town Code of Ordinances to allow a dock length of 134.1, where no dock shall exceed 100 feet in length, for the property located at 230 Sunrise Avenue, Lantana FL.
Applicant: Tony Alm

Ms. Mouring made a motion to recommend approval of the Variance request. Ms. Donahue seconded.

Ms. Eassa called the roll and the motion passed 4-1 (Joseph Farrell – nay, did not provide a reason).

b. **CASE # VAR23-0019**
Request for a variance from Section 23-134(a)(1) of the Town Code of Ordinances to allow a dock of 1,138 square feet in overall area, where no dock shall exceed 1,000 square feet in overall area, for the property located at 230 Sunrise Avenue, Lantana FL.
Applicant: Tony Alm

Ms. Donahue made a motion to recommend approval of the Variance request. Ms. Tate seconded.

Ms. Eassa called the roll and the motion passed 4-1 (Joseph Farrell – nay, did not provide a reason).

c. **CASE # VAR23-0020**
Request for a variance from Section 23-134(a)(5) of the Town Code of Ordinances to allow a minimum 20.6-foot side setback from the Northern property line, where a minimum 25-foot setback is required, for the property located at 230 Sunrise Avenue, Lantana FL.
Applicant: Tony Alm

If a person decides to appeal any decision made by the Town Council or Zoning Board of Appeals with respect to any matter considered at such meeting or hearing, that person will need a record of the proceedings, and for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Town of Lantana does not provide such a record.

DRAFT

Ms. Tate made a motion to recommend approval of the Variance request. Ms. Donahue seconded.

Ms. Eassa called the roll and the motion passed 5-0.

d. **CASE # VAR23-0021**
Request for a variance from Section 23-134(a)(4) of the Town Code of Ordinances to allow a maximum 8-foot dock width, where a maximum 6-foot width is permitted, for the property located at 230 Sunrise Avenue, Lantana FL.
Applicant: Tony Alm

Ms. Donahue made a motion to recommend approval of the Variance request. Ms. Tate seconded.

Ms. Eassa called the roll and the motion passed 5-0.

The Board also provided the following motion related to the application for consideration:

"Motion to request that when the Town Council considers the variance requests that the Town Council considers limiting the size of boats to 35 feet per lift."

This motion passed 4-1 (Rosemary Mouring – nay, did not provide a reason).

6. ADJOURN: Ms. Tate made a motion for adjournment and Ms. Donahue seconded the motion. The meeting was adjourned unanimously at 7:09 PM.

DRAFT

_____ _____

Chairperson Joseph Farrell Date

If a person decides to appeal any decision made by the Town Council or Zoning Board of Appeals with respect to any matter considered at such meeting or hearing, that person will need a record of the proceedings, and for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Town of Lantana does not provide such a record.

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 8a

PREPARED BY: Eddie Crockett, Public Services Director

REVIEWED BY: Brian K. Raducci, Town Manager

MEETING DATE: August 14, 2023

AGENDA ITEM: Consideration of CSA No. 2023-05 with Baxter & Woodman, Inc. authorizing engineering services in the amount of $109,592.00 to perform a Sea Level Rise Assessment and Ocean Avenue Vulnerability Assessment.

ISSUE/BACKGROUND:

The Town of Lantana has received a grant, in the amount of $167,000, from the Resilient Florida Grant (RFG) Program to perform a vulnerability assessment of the potential impacts related to Sea Level Rise (SLR) and has requested the engineering services of Baxter & Woodman, Inc. This grant is administered by the Florida Department of Environmental Protection's (FDEP) Resilient Florida Program, within the Office of Resilience and Coastal Protection (ORCP), which has developed a standardized set of work tasks to be performed as part of this assessment. In addition, the Town staff is recommending to move forward with a study and action plan to address flooding in the vicinity of Ocean Avenue.

The Town's primary engineer – Baxter & Woodman, Inc. has compiled a scope of services to perform a Sea Level Rise Asset and Ocean Avenue Vulnerability Assessment in the amount of $109,592.00. The CSA has been reviewed by our professional staff as well as our consultant and its cost will be covered by the Resilient Florida Grant as referenced above and will be addressed through the year-end budget amendment if necessary.

Staff recommends approval of CSA 2023-05 which provides for engineering services for the completion the Asset Inventory and Ocean Avenue Vulnerability Assessment. The total cost for the study is $109,592.00.

ATTACHMENT(S):

1. 8a BW_CSA 23-05 Asset and Ocean Ave Vulnerability Assessment.pdf

SAMPLE MOTION:

I move to (approve) (deny approval of) CSA No. 2023-05 with Baxter & Woodman, Inc. authorizing engineering services in the amount of $109,592.00 for the completion the Asset Inventory and Ocean Avenue Vulnerability Assessment and to authorize the Town Manager to execute the CSA and any amendments thereto.

TOWN OF LANTANA

CONSULTANT SERVICE AUTHORIZATION NO. 2023-05

Asset Inventory and Ocean Avenue Vulnerability Assessment

Date: July 11, 2023

CSA NO. 2023-05 FOR PROFESSIONAL CONSULTING SERVICES: Engineering services for performing a Sea Level Rise Asset and Ocean Avenue Vulnerability Assessment.

The Town of Lantana has entered into an engineering consulting services agreement entitled "Agreement for Professional Engineering Services" with Baxter & Woodman ("B&W") on the 12th day of March, 2001, as extended by a "First Addendum" dated February 27th, 2006, as amended by a "Second Addendum" dated November 27, 2006, as amended by a "Third Addendum" dated February 14, 2011, as amended by a "Fourth Addendum" dated January 25, 2016, as amended by a "Fifth Addendum" dated August 22, 2016, as amended by a "Sixth Addendum" dated September 9, 2019, and as amended by a "Seventh Addendum" dated March 12, 2021 (the "Agreement"). This B&W Services Authorization ("CSA") shall be performed under the terms and conditions described in that Agreement.

PROJECT DESCRIPTION

The Town of Lantana (Town) has received a grant from the Resilient Florida Grant (RFG) Program to perform a vulnerability assessment of impacts related to Sea Level Rise (SLR) and has requested the services of Baxter & Woodman, Inc. (CONSULTANT). This grant is administered by the Florida Department of Environmental Protection's (FDEP) Resilient Florida Program, within the Office of Resilience and Coastal Protection (ORCP) which has developed a standardized set of work tasks to be performed as part of this assessment. In addition, the Town would like to move forward with a study and action plan to address flooding in the vicinity of Ocean Avenue.

The Scope of Work is outlined in Agreement No. 23PLN99 – Attachment 3, between the Town and FDEP which includes seven tasks that the Town is responsible for completing. CONSULTANT will provide some assistance in completing these tasks, which will provide the Town with a Vulnerability Assessment of all critical assets within the Town. An eighth task has been added to perform the drainage assessment of Ocean Avenue to develop SLR mitigation strategies for that specific area that will be incorporated into the Final Vulnerability Assessment Report. The tasks associated with the project are as follow:

Task 1: Kickoff and Steering Meeting

CONSULTANT will develop an overall Project Management Plan and participate in a kickoff meeting to discuss the project scope, project goals, schedule, key milestones, and deliverables and to develop a list of individuals to sit on a steering committee. CONSULTANT will attend the meeting and prepare meeting minutes including the list recommended steering committee

members which will serve as a deliverable to ORCP for this task. The Steering Committee is to be formed and coordinated by the Town with input from the CONSULTANT.

Consultant will attend and participate in up to three Steering Committee meetings. This nolves preparing presentation materials and +/- 15-minute presentations of the status of the Vulnerability Assessment and "Next Steps". Minutes will be prepared from notes taken by the Town and the CONSULTANT.

Task 2: Acquire Background Data

CONSULTANT will obtain and review information needed to perform the assessments. CONSULTANT will document the sources of the information along with other attributes needed to compile the required metadata to meet FDEP's standards. Data gaps, if any, will be identified. A technical report will be prepared as a deliverable and will ultimately be inserted into the Vulnerability Assessment Report. Metadata is a component of a GIS spatial dataset and includes information regarding sources of the data, dates and how the dataset was created. The final geodatabase(s) will be prepared as the required deliverable to ORCP. The data includes:

- Transportation assets and evacuation routes.
- Critical infrastructure
    - Wastewater treatment facilities and lift stations
    - Stormwater treatment facilities and pump stations
    - Drinking water facilities
    - Solid and hazardous waste facilities
    - Communications facilities
    - Disaster debris management sites
- Critical community and emergency facilities
    - Schools, colleges, universities
    - Community centers
    - Correctional facilities
    - Disaster recovery centers
    - Hospitals and emergency medical service facilities
    - Fire stations and law enforcement facilities
    - Local and state government facilities
    - Affordable public housing locations
- Natural, cultural, and historical resources
    - Conservation lands and parks
    - Shorelines, surface waters and wetlands
    - Historical and cultural assets
- Property parcel data
- FEMA Data
- Transportation network data
- Building footprints
- Topographic LiDAR data
- Monitoring data for rainfall, evapotranspiration and groundwater levels

- SLR projections
- Tidal flooding and storm surge data
- River cross-sections, if available
- Land use information (FLUCCS)
- Soils data (NRCS)

Task 3: Critical and Regionally Significant Asset Inventory

CONSULTANT will develop scenarios based on SLR predictions, storm surge, rainfall events, and/or compound flood scenarios. Several SLR scenarios will be developed based on the information obtained and reviewed in Task 2. Scenarios will include 2070 High and Low Intermediate Climate Compact SLR predictions, hurricane storm surges, 100-year and 500-year storm events, combined with normal high tides and king tides. For the 100-year and 500-year storm events, modeling will be required. An integrated utility master plan is currently underway which will provide a hydrologic model covering the entire Town. This model will be used for these extreme storm events. The Inter-connected Pond Routing model (ICPR) will be used for the rainfall event analyses, which exceeds the capabilities of the ORCP's minimum standard model, "Modified Bathtub Model". Maps of flood depths will be produced that show the locations and depths (in ranges) for each of the scenarios and potential combinations of scenarios. CONSULTANT will identify which assets are impacted by flooding.

A spreadsheet will be provided of critical and regionally significant assets that are impacted by flooding and SLR, prioritized by area or immediate need, and identifies which flood scenarios impacts each asset. Related GIS files and associated metadata will be provided.

Task 4: Exposure Analysis

CONSULTANT will perform an exposure analysis to identify the depths of flooding for impacted assets associated with each scenario. Point, linear and areal depths of flooding will be determined depending on the types of assets being assessed. Maps and tables will be compiled to quantify the impacts and for inclusion in the Vulnerability Report.

A Draft Vulnerability Assessment Report will be prepared that provides details on the modeling process, type of models utilized, and resulting tables and maps illustrating flood depths for each flood scenario. GIS files will be provided with results of the exposure analysis for each flood scenario as well as the appropriate metadata that identifies the methods used to create the flood layers.

Task 5: Sensitivity Analysis

CONSULTANT will perform a sensitivity analysis to measure the impact of flooding on assets and to apply the data from the exposure analysis to the inventory of critical assets created in Task 4. The sensitivity analysis will include an evaluation of the impact of flood severity on each asset class and at each flood scenario and assign a risk level based on percentages of land area inundated and number of critical assets affected.

CONSULTANT will provide a supplemental Draft Vulnerability Assessment Report detailing the work efforts and procedures used to perform the sensitivity analysis. Results will be presented for the prescribed scenarios with tables, charts and maps with appropriate terminology, legends, scales, etc. A list of impacted assets per scenario will be included as supported by the mapping along with tables indicating risk levels based on percentages of land area inundated.

Task 6: Final Vulnerability Assessment

CONSULTANT will incorporate comments and recommendations from the Steering Committee and the public (as determined by the Town) into the draft Vulnerability Assessment Report. The final report will include the final results from the exposure and sensitivity analyses, as well as the final summary of identified risks and assigned focus areas. It will also include a final list of critical and regionally significant assets that are impacted by flooding and sea-level rise, specifying for each asset the flood scenario(s) impacting the asset. CONSULTANT will complete and provide the Vulnerability Assessment Compliance Checklist.

Task 7: Public Presentation

CONSULTANT will prepare relevant graphics for this presentation and answering technical questions that may come from the public. CONSULTANT will attend the presentation and present the findings of the Final Vulnerability Assessment.

Task 8: Ocean Avenue Assessment and Recommendations

It is assumed that flooding issues along Ocean Avenue will be analyzed in the ongoing Integrated Utility Master Plan which will identify the problem areas and assess solutions as part of the associated Capital Improvement Plan. Those efforts will not be duplicated. An analysis, however, will be performed to assess the response of the improvements to the flooding scenarios outlined in this study. The results of the analysis will be incorporated into the Vulnerability Assessment Report along with descriptions and graphics illustrating the recommended improvements, 'before' and 'after' flood depth maps for certain scenarios and the Engineer's Opinion of Probable Construction Costs.

Assumptions:

1. Information collected by CONSULTANT shall be limited to data provided by the Town or readily available on the required websites.
2. The project does not include survey, geotechnical services, or other field work associated with the project.
3. Any required Public Notices or other fees shall be paid for and posted by the Town.
4. The Town shall coordinate and arrange Steering Committee and public outreach meetings including notices, distribution of flyers, meeting agendas and minutes.

Schedule:

CONSULTANT will provide the deliverables associated with the tasks below in electronic format at the indicated timeframe. The Final Vulnerability Assessment Report, however, will also be provided as three hardcopies to the Town.

Task	Completion Date (Weeks from Notice to Proceed)
Task 1: Kickoff Meeting	2 weeks
Task 2: Acquire Background Data	8 weeks
Task 3: Critical and Regionally Significant Asset Inventory	12 weeks
Task 4: Exposure Analysis	18 weeks
Task 5: Sensitivity Analysis	22 weeks
Task 6: Final Vulnerability Assessment	28 weeks
Task 7: Public Presentation	34 weeks
Task 8: Ocean Avenue Assessment and Recommendations	28 weeks

Fees:

Task No.	Task Description	Labor Classification and Hourly Rates					
		Principal Engineer $178.61	Sr. Engineer / Surveyor $162.37	Engineer $124.49	GIS $102.84	Clerical $72.38	Total Labor
1	**Management Plan and Meetings**						
1.1	Management Plan	2	6	8	2	6	$2,967
1.2	Kickoff Meeting	1	4	4	3		$1,635
1.3	Steering Committee Meetings	3	22	22	6		$7,464
2	**Acquire Background Data**						
2.1	Data Acquisition	2	12	24	6		$5,910
2.2	Review and Organize Data		10	26	4		$5,272
2.3	Technical Report	2	16	24	8	12	$7,634
2.4	GIS Metadata/Geodatabase Preparation		2	6	22		$3,334
3	**Critical and Regionally Significant Asset Inventory**						
3.1	Scenario Development	1	14	20			$4,942
3.2	H&H Modeling	1	12	30			$5,862
3.3	Asset Impacts Table	1	8	18			$3,718
4	**Exposure Analysis**						
4.1	Depth Analysis	1	16	34	14		$8,449
4.2	Draft Vulnerability (Partial)	2	24	38	10	22	$11,605
5	**Sensitivity Analysis**						
5.1	Asset Vulnerability Assessment	1	22	24	8		$7,561
5.2	Draft Vulnerability (Complete)	2	16	26	4	20	$8,051
6	**Final Vulnerability Assessment**	3	16	24		16	$7,280
7	**Public Presentation**	3	16	6	4		$4,292
8	**Ocean Avenue Assessment**						
8.1	Assess Improvements per Scenario	1	14	28			$5,938
8.2	Technical Report	2	16	22	6	12	$7,180
	Labor Subtotal Hours	28	246	384	97	88	
	Labor Subtotal Costs	$5,001	$39,943	$47,804	$9,975	$6,369	$109,093
	Labor Total Costs	**$109,092**					
	Sub-Consultant Fee	**$0**					
	Reimbursable Expenses	**$500**					
	Project Total (Lump Sum)	**$109,592**					

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 8b

PREPARED BY: Eddie Crockett, Public Services Director

REVIEWED BY: Brian K. Raducci, Town Manager

MEETING DATE: August 14, 2023

AGENDA ITEM: Consideration of an Interlocal Agreement with the City of Lake Worth Beach for an emergency use watermain interconnection at a cost not to exceed $60,000.00.

ISSUE/BACKGROUND:

Town staff has negotiated an Interlocal Agreement (ILA) with the City of Lake Worth Beach (City) to secure a continuous and reliable source of potable water in the event of an emergency. Staff recommends the approval of the ILA between the Town and the City which shall commence on execution by both parties and continue for a term of five (5) years. The agreement may be extended for three (3) successive five (5) year terms.

According to the City, their meter-site will be used for the Town to purchase water from them in the event of an emergency. As a result, the City will hire the contractor who will construct the interconnection to their specifications. The $60,000.00 construction cost is based on unit prices from a similar project that the City had bid earlier this year. Due to long-lead times, it may take a few months to acquire all the parts needed for construction.

The cost for the connection to the City's watermain and meter installation is estimated at $60,000.00 which is budgeted in the Adopted FY 2023/24 Water and Sewer Fund Capital Budget. The ILA has been reviewed and approved for legal sufficiency by both the Town and City Attorneys.

ATTACHMENT(S):

1. 8c lantana potable IA_city 2023.04.20 - R clg 6.8.2023 (Final).docx

SAMPLE MOTION:

I move to (approve)(disapprove) the Water Main Interconnect Interlocal Agreement between the City of Lake Worth Beach and the Town of Lantana, authorize the Town Manager to execute same and any amendments thereto, and authorize an expenditure of funds not to exceed $60,000.00 to effectuate same.

INTERLOCAL AGREEMENT BETWEEN
CITY OF LAKE WORTH BEACH AND THE TOWN OF LANTANA
FOR WATERMAIN INTERCONNECTION

THIS AGREEMENT is hereby made and entered into this _____ day of _____, 2023, by and between THE CITY OF LAKE WORTH BEACH, FLORIDA, a municipality organized under the laws of the State of Florida (hereinafter "CITY"), and the TOWN OF LANTANA, FLORIDA, a municipality organized under the laws of the State of Florida (hereinafter "TOWN").

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, the parties hereto have the common power to provide essential public utility services within their respective geographic jurisdictions; and

WHEREAS, the TOWN owns and operates a Community Public Water System to serve residents living within the TOWN Service Area as shown on **Exhibit "B"**; and

WHEREAS, the TOWN wishes to use the interconnects for potable water for emergency use from the CITY for distribution and sale to its customers within the TOWN Service Area for emergency service connections; and

WHEREAS, the CITY wishes to sell the TOWN bulk potable water within the TOWN Service Area pursuant to the terms and conditions of this Agreement; and

WHEREAS, the TOWN and CITY both wish to leave the water connections from the CITY through interconnects active in case needed as emergency service connections as well as to provide bulk potable water through the term of this Agreement; and

WHEREAS, as a consecutive system, the TOWN and CITY wish that the TOWN implement and facilitate conservation of water resources in accordance with the direction of the CITY, and restrictions in effect on the CITY's system; and

WHEREAS, the physical, chemical and biological quality of all treated potable waters produced by the CITY currently meets or exceeds all Federal, State and local laws, regulations and requirements, and the CITY will take reasonable steps to maintain the quality of treated waters to the Points of Connection (as later defined in this Agreement); and

WHEREAS, it is solely the responsibility of the TOWN to operate and maintain the water delivery system on the discharge side of the Points of Connection so that the physical, chemical and biological quality of the treated water meets or exceeds all Federal, State and local laws, regulations and requirements; and

WHEREAS, the CITY and TOWN have determined that entering this Agreement serves a valid public purpose.

NOW, THEREFORE, for and in consideration of these promises, the mutual undertakings and agreements herein contained and assumed, the sufficiency of which is acknowledged by both parties hereto, the CITY and TOWN hereby covenant and agree as follows:

1. Recitals. The foregoing statements are true and correct and are incorporated herein by reference and made a material part of this Agreement.

2. Scope of Agreement. The CITY agrees to furnish, and the TOWN agrees to purchase and accept, an emergency supply of Potable Water in accordance with the terms and conditions of this Agreement. The CITY shall furnish, and the TOWN shall accept, the Potable Water at the Point(s) of Connection shown in **Exhibit "A".**

3. Term. This Agreement shall commence on the Effective Date of this Agreement and continue for a term of five (5) years. The Term of this Agreement may be renewed three (3) times for successive periods of five (5) years each, upon the same terms and conditions as herein provided, by written agreement of both of the parties to this Agreement prior to expiration of the initial term of this Agreement or any renewal thereof. Renewals of this Agreement may be executed by the City (or Town) managers for the TOWN and the CITY.

4. Effective Date. The Effective Date of this Agreement is the date this Agreement is approved by the TOWN's and the CITY's governing bodies. Once this Agreement is fully executed, it shall be filed with the Palm Beach County Clerk and Comptroller.

5. Prior Agreements. This Agreement, upon its approval and execution by both parties, shall supersede any and all prior negotiations, correspondence, conversations, agreements, including the expired prior agreement and any amendments thereto, or understandings applicable to the provision of emergency bulk potable water interconnect and supply and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in this Agreement. Accordingly, it is agreed by the parties that there shall be no deviation from the terms hereof which shall be predicated upon any prior representation or agreements whether oral or written, unless said are specifically provided for herein.

6. Definitions. The following definitions and references are given for the purpose of interpreting the terms as used in this Agreement and apply unless the context indicates a different meaning:

   (a) "Average Daily Flow (ADF)" – the average daily flow rate of potable water collectively measured through all Points of Connection. The Average Daily Flow rate is calculated by dividing the total amount of Potable Water flowing through the Points of Connection in any one fiscal year by the number of days in that same fiscal year.

   (b) "CITY's Potable Water System" – the system owned and/or operated by the CITY for the production and distribution of Potable Water to all retail, wholesale, and/or bulk customers of the CITY, said system being located on the CITY's side of the various Points of Connection and including all Potable Water meters and related appurtenances located at the Point(s) of Connection.

   (c) "Point(s) of Connection" – The location(s) where the CITY's Potable Water System is connected with the TOWN's Potable Water System, as shown in **Exhibit "A"**,

which is incorporated herein and attached hereto. The Potable Water System of the CITY shall include the water meter(s) and related appurtenances located at the Point(s) of Connection, with said water meter(s) being utilized for the measurement and payment of emergency Potable Water obtained by the TOWN.

(d) "Potable Water" – Water for human consumption which meets all applicable Federal, State, and County standards.

(e) Service Areas:

a. "TOWN Service Area" - That area within which TOWN owns and maintains a potable water distribution system.
b. "TOWN's Potable Water System" – the system owned and/or operated by the TOWN for the distribution of potable water, said system being located on the TOWN's side of the Point(s) of Connection.

7. Point(s) of Connection: The parties hereto agree that the Points of Connection of the TOWN System to the CITY System and meter locations shall be as set forth below:

(a) Federal Highway at 18th Avenue South. The TOWN agrees to pay at a cost not to exceed $60,000.00 to the CITY to re-activate and add metering. Such payment shall be due within 30 days of project completion and meter activation.
(b) North Ridge Road and Shirley Court, which the CITY recently paid the costs to reactivate.

8. Obligation to Accept Service. Except as otherwise provided herein, TOWN agrees that during the term of this Agreement, the CITY shall be a provider of emergency bulk potable water services to the Town service area set forth in **Exhibit "B"**, and the TOWN shall only accept potable water services from the CITY and the City of Boynton Beach for the TOWN service area as set forth in **Exhibit "B"**.

9. Each party agrees that they are responsible for all improvements, maintenance and repairs related to their respective equipment on their side of the Point of Connection and that the point to determine compliance with the contract terms is the Point of Connection.

10. It is mutually agreed that by entering into this Agreement, the CITY does not incur any responsibility for the quality, flow, or pressure of the potable water beyond the Points of Connection.

11. Operation of Interconnect Facilities in an Emergency. The piping to serve TOWN will be left intact in case of a need for an emergency connection. In the event of a potable water system failure causing an emergency in the TOWN Service Area, the valves will be opened so as to permit the flow of potable water to the TOWN Service Area. No supply of potable water shall be provided except in case of an emergency and upon the following terms and conditions to be determined by the CITY as set forth below. "CITY" in this paragraph shall mean the City Manager or designee.

(a) There must be a sufficient surplus of potable water available after the CITY meets all of its anticipated needs, which shall be determined by the CITY in its sole discretion.

(b) The CITY may reasonably, which shall be determined by the CITY in its sole discretion, limit the amount of potable water to be supplied to the TOWN.

(c) The CITY shall determine that the provision of potable water to the TOWN will not impose a danger to the health, safety or welfare of its citizens of the CITY. Any resultant expenses incurred by the CITY as a result of the connection to the TOWN system shall be reimbursed by the TOWN.

(d) The CITY may require the TOWN to impose use restrictions on its customers as prescribed by the CITY.

(e) The CITY, in its sole discretion, may place a reasonable termination date for the emergency supply period.

(f) Water shall be considered the property and responsibility of the TOWN once it has passed through the Point(s) of Connection. The CITY and TOWN each shall have the sole and exclusive right to sell and distribute the water in its respective water system on its respective side of the Point(s) of Connection.

(g) Procedure to Activate Interconnects during emergencies:

1. In case of an emergency, a written or verbal communication from the TOWN's Town Manager, or his/her designated representative, setting forth the emergency and estimated time of need of emergency potable water, shall be made and shall be the only request necessary to open the valves. The request shall be made to the CITY's Utilities Director or designated representative. If said communication is made verbally, said notice shall be immediately followed by a written communication. Notwithstanding the provisions above, the request by the TOWN to the CITY to turn off valves and discontinue providing the emergency potable water supply shall be handled by the same procedure.

2. If the TOWN's required emergency potable water supply needs last more than 24 hours, then within 36 hours of the valve opening, the Director of the TOWN's utility shall transmit a letter to the CITY's Utility Director, outlining the reasons for the required needs, the probable duration of such requirements, the estimated usage in gallons per day and the maximum peak hour request.

3. The TOWN expressly acknowledges the right of the CITY to refuse to provide the emergency potable water service, as set forth in this Agreement, if the CITY determines that the provision of such service would not be in its best interest or would constitute a danger to the health, safety and welfare of its citizens. In the event of such refusal, the TOWN hereby expressly waives any and all claims of loss or damage against the CITY.

12. Monthly Billed Usage. The TOWN shall be billed the Service Rate on a monthly basis for actual metered water service delivered by the CITY in accordance with the following conditions:

(a) Emergency usage shall be charged at bulk temporary rates, with no capacity or fixed charges, as set forth in sub-section 12(b).

(b) The CITY shall charge the TOWN a bulk temporary service rate of $0.309 per hundred gallons commencing upon the Effective Date of this Agreement. Future rate changes will be allowed only at the time of the CITY's Water System rate increases. The new rate to be charged will be equal to the current rate plus the same percentage increase as the CITY's Water System.

(c) The CITY agrees to provide the TOWN with written notification of all rate increases upon passage of the new rate by the CITY's City Commission or 30-days before rates go into effect, whichever is greater. In the case of multiple-year rate authorizations, a separate notice will be sent 30-days prior to each incremental change approval.

(d) The TOWN agrees to pay for all potable water received from the CITY and to make payments to the CITY within thirty (30) days from the date the bill is rendered by CITY. A one percent (1%) per month interest charge will be assessed on any outstanding balance thereafter. If payment has not been received after ninety (90) days from the date of the original bill, then the CITY may discontinue services provided to the TOWN by this Agreement.

(e) Payments required herein shall be governed by the provisions of Chapter 218, Part VII, Florida Statutes, the "Local Government Prompt Payment Act," or its successor in function, or as otherwise mutually agreed to between the parties hereto.

13. Additional/Future Capacity Fees. If permanent additional capacity is required to meet the needs of the TOWN, the TOWN shall be required to pay additional capacity charges as calculated in accordance with the CITY's regulations regarding capacity charges, and at a cost per ERU as established by the CITY for all new water connections within the Service Area(s). It is further agreed that these capacity fees are the property of the CITY but that the TOWN may charge their own additional connection charges, surcharges or equivalent to its new customers.

14. Presumed Consumption and Required Payment In Case of Billing Meter Failure. Both parties agree that, if at any time a billing meter fails, the TOWN will pay to the CITY at a daily consumption rate equal to the average consumption of the ninety (90) day period prior to the date the meter failed, if emergency potable water was being supplied during that period. If not, the TOWN will pay to the CITY the average daily flow rate of the most recent consumption period. The CITY shall make all efforts to restore the meter to working order as soon as possible, with the cost of any repairs to be split by the CITY and the TOWN.

15. Termination of Agreement

(a) Termination for Cause. The parties hereto expressly covenant and agree that in the event either party is in default of its obligations herein, the party not in default shall provide to the party in default ninety (90) days written notice to cure said default before exercising any of its rights as provided for in this Agreement. Failure to cure said default within ninety (90) days following notice shall be grounds for termination of this Agreement. Termination of this Agreement by either party shall require thirty (30) days prior written notice to the other party prior to the termination date. The parties may mutually agree to extend the time for cure and/or termination.

(b) Termination by Mutual Agreement. This Agreement may be terminated by law or at any time by the written agreement of the CITY and TOWN. The TOWN will not be entitled to a refund of any Capacity Fees or other reimbursements, and all service will be discontinued upon the termination date if so terminated.

(c) Termination Upon Expiration. This Agreement shall be considered terminated on the expiration date of the Agreement as adjusted by extensions approved in accordance with Paragraph 3 of this Agreement. The TOWN will not be entitled to a refund of any Capacity Fees or other reimbursements, and all service will be discontinued upon the expiration date.

(d) Termination for Convenience. Either party may terminate this Agreement with or without cause by providing thirty (30) days written notice to other party. In such event TOWN terminates the Agreement for convenience, it will not be entitled to a refund of any Capacity Fees or other reimbursements.

16. Water Shortages. In the event the South Florida Water Management District or other government unit with authority declares a water shortage, then the CITY shall have the right to restrict service to the TOWN by the same percentage, level and/or manner as the CITY restricts service to customers located within the CITY's service area.

17. Water Quality. The physical, chemical and biological quality of all waters delivered to the TOWN by the CITY currently meets or exceeds all Federal, State and local laws, regulations and requirements, and the CITY shall take reasonable steps to maintain the quality of treated waters to the Point of Connection.

18. Employee Status. Persons employed by one party in the performance of services and functions pursuant to this Agreement shall have no claim to salary, pension, workers' compensation, civil service, or other employee rights or privileges granted by any other party to its officers and employees.

19. Force Majeure. In the event that the performance of this Agreement by either party to this Agreement is prevented or interrupted in consequence of any cause beyond the control of either party including, but not limited to, Acts of God or of the public enemy, war, national emergency, allocation of or other governmental restrictions upon the use or availability of labor or materials, rationing, civil insurrection, riot, racial or civil rights disorder or demonstration, strike, embargo, flood, tidal wave, fire, explosion, bomb detonation, nuclear fallout, windstorm, hurricane, earthquake, or other casualty or disaster or catastrophe, said party shall not be liable for such nonperformance. This provision shall not affect the payment terms in this Agreement.

20. Successors and Assigns. The CITY and the TOWN each binds itself and its partners, successors, executors, administrators and assigns to the other party and to the partners, successors, executors, administrators and assigns of such other party, in respect to all covenants of this Agreement. Neither the CITY nor the TOWN shall assign, sublet, convey, or transfer its interest in this Agreement without prior written consent of the other party. Such consent will not be unreasonably withheld.

21. Severability. If any term or provision of this Agreement, or the application thereof, to any person or circumstance shall, to any extent, be held invalid or unenforceable by any

court of competent jurisdiction, then the remainder of this Agreement, or the application of such terms or provision, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

22. Notice. All notices provided for herein shall be in writing and transmitted by mail or by courier, and, if to CITY, shall be mailed or delivered to CITY at:

City of Lake Worth Beach
7 N. Dixie Highway
Lake Worth Beach, Florida 33460
Attn: Carmen Y. Davis, City Manager

with copies to:

Sam Heady
Utility Director
City of Lake Worth Beach
301 College Street
Lake Worth Beach, FL 33460

and

Glen J. Torcivia, Esq.
City Attorney
7 North Dixie Highway
Lake Worth Beach, FL 33460

and if to Town, shall be mailed or delivered at:

Town of Lantana
500 Greynolds Circle
Lantana, FL 33462
Attn: Brian K. Raducci, Town Manager

with copies to:

Jerry Darr
Assistant Utilities Director
Town of Lantana
510 W. Pine Street
Lantana, FL 33462

and

R. Max Lohman, Esq.
Town Attorney
500 S. Australian Avenue
Suite 531
West Palm Beach, FL 33401

23. Filing. This Agreement and all amendments and renewals thereto shall be filed with the Clerk of the Circuit Court for Palm Beach County.

24. Amendment and Modification. This Agreement may only be amended, modified, changed, supplemented or discharged by an instrument in writing signed by the parties hereto, except, as provided in paragraph 3 herein, that renewals of this Agreement may be executed by the City (or Town) managers for the TOWN and the CITY as long as all other terms and conditions remain the same.

25. Liability.

(a) The CITY and TOWN acknowledge the waiver of sovereign immunity for liability in tort contained in Florida Statutes 768.28, the State of Florida's partial waiver of sovereign immunity, and acknowledge that such statute permits actions at law to recover damages in tort for money damages up to the limits set forth in such statute for death, personal injury or damage to property caused by the negligent or wrongful acts or omissions of an employee acting within the scope of the employee's office or employment. The CITY and TOWN agree to be responsible for all such claims and damages, to the extent and limits provided in Florida Statutes Section 768.28, arising from the actions of their respective employees. The parties acknowledge that the foregoing shall not constitute an agreement by either party to indemnify the other, nor a waiver of sovereign immunity, nor a waiver of any defense the parties may have under such statute, nor as consent to be sued by third parties.

(b) Indemnity. To the extent permitted by law and subject to the limitations of Florida Statutes, Section 768.28, TOWN agrees to indemnify and hold harmless from and against any loss, damage, liability, claim or obligation of any kind or nature whatsoever, which CITY may incur or which may be asserted against CITY as a result of any actions or conditions on the discharge side of the Point of Connection affecting quality, water service or water availability.

26. Nothing contained in this Agreement shall be construed to constitute a transfer of powers in any way whatsoever. This Agreement is solely an Interlocal Agreement to provide services as authorized by Chapter 163, Florida Statutes. The governing bodies for the CITY and the TOWN shall each maintain all legislative authority with regard to their respective municipality. All of the privileges and immunities from liability, exemptions from laws, ordinances, and rules; and pensions and relief, disability, workers' compensation, and other benefits which apply to the activity of officers, agents, or employees of any public agents or employees of any public agency when performing their respective functions within the territorial limits for their respective agencies shall apply to the same degree and extent to the performance of such functions and duties of such officers, agents, or employees extra-territoriality under the provisions of any such Interlocal Agreement.

27. Waiver. No delay by either party in enforcing any covenant or right hereunder shall be deemed a waiver of such covenant or right, and no waiver by either party of any particular provision hereof shall be deemed a waiver of any other provision or a continuing waiver of such particular provision, and except as so expressly waived, all provisions hereof shall continue in full force and effect.

28. Entirety of Agreement. This Agreement constitutes the entire understanding of the parties with respect to the provision of public water supply services. Except as provided in paragraph 3 above, this Agreement may not be modified unless such modification and/or waiver is in writing and is agreed to and signed by both parties. The parties expressly agree that any uncertainties or ambiguities contained herein shall not be construed against or in favor of either party.

29. No Third Party Beneficiaries. There are no third party beneficiaries under this Agreement.

30. No Agency Created. Nothing contained herein is intended to nor shall create an agency relationship between the TOWN and CITY.

31. Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which constitute but one and the same instrument. Either or both parties may sign this Agreement electronically or by facsimile or email and such signature is as valid as the original signature of such party.

32. Compliance with Law. The CITY and TOWN shall comply with all laws, ordinances, and regulations applicable to their obligations under this Agreement.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, TOWN and CITY have executed or have caused this Agreement, with the named exhibits attached, to be duly executed in several counterparts, each of which counterpart shall be considered an original executed copy of this Agreement.

ATTEST:
TOWN OF LANTANA
TOWN CLERK

By:_____
Kathleen Dominguez, Town Clerk

TOWN OF LANTANA
BY ITS TOWN COUNCIL

By: _____
Karen Lythgoe, Mayor

(SEAL)

APPROVED AS TO FORM AND TO LEGAL SUFFICIENCY

By: _____
R. Max Lohman, Town Attorney

ATTEST:

By:_____
Melissa Ann Coyne, City Clerk

CITY OF LAKE WORTH BEACH, FLORIDA
BY ITS CITY COMMISSION

By: _____
Betty Resch, Mayor

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Glen J. Torcivia, City Attorney

APPROVED FOR FINANCIAL SUFFICIENCY

By: _____
Yannick Ngendahayo
Financial Services Director

TOWN OF LANTANA

Agenda Item Summary

AGENDA ITEM No.: 12a

PREPARED BY: Kathleen Dominguez

MEETING DATE: August 14, 2023

AGENDA ITEM:

To listen to the meeting from your computer, tablet or smartphone. https://meet.goto.com/425538557

You can also dial in using your phone.

Access Code: 425-538-557

United States: +1 (224) 501-3412

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ISSUE/BACKGROUND:

ATTACHMENT(S):