



**PLANNING AND ZONING ADVISORY BOARD AGENDA
ADVISORY/ COMMITTEE BOARD MEETING
Village Hall Council Chambers
226 Cypress Lane
Palm Springs, FL 33461
Tuesday, August 10, 2021
6:30 PM**

Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least three (3) business days prior to the meeting in order to request such assistance.

1. CALL TO ORDER

2. ROLL CALL BOARD MEMBERS

Chairman Johnnie Tieche, Vice Chairman Richard Hughes, Ralph Lashells, James Mandigo, Peter Braun, Kim Gehrman and Larry Saingilus

STAFF

Planning, Zoning and Building Interim Director Iramis Cabrera, Assistant Village Manager Kimberly Glas-Castro, Village Attorney Susan Garrett and Deputy Village Clerk Jane R. Worth

3. PLEDGE OF ALLEGIANCE

4. ADDITIONS, DELETIONS, OR MODIFICATIONS, AND APPROVAL OF AGENDA

5. MINUTES

5.1 Approval of July 13, 2021 Planning and Zoning Board Meeting Minutes
[1. July 13, 2021 Planning and Zoning Board Minutes](#)

6. PUBLIC HEARING NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY EX PARTE COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY

6.1 Ordinance No. 2021-07 - Comprehensive Plan Amendment - Property Rights Sub-Element

1. Proposed Ordinance No. 2021-07 - Text Amendment - Comprehensive Plan - Property Rights Sub-Element
2. Committee Substitute/Senate Bill 496

6.2 Planning & Zoning Board Order 2021-13 - Minimum Landscape Buffer Width Variance (PSV21-13) - Legend Plaza - 1696 South Military Trail

1. Planning & Zoning Board Order 2021-07 - 1696 S. Military Trail - My Incentive LLC
2. Exhibit "A" Staff Report
3. Variance Justification Statement
4. Site Plan, Landscape Plans and Letters
5. Warranty Deed
6. Stipulated Order of Taking
7. Aerial and Location Maps

6.3 Resolution 2021-28 - Site Development Plan Amendment - Legend Plaza - 1696 South Military Trail (Quasi-Judicial Hearing)

1. Proposed Resolution No. 2021-28 - Site Development Plan Amendment (SPR21-13) - 1696 S. Military Trail
2. Exhibit "A" Staff Report
3. Variance Justification Statement
4. Site Plan, Landscape Plans and Letters
5. Warranty Deed
6. Stipulated Order of Taking
7. Aerial and Location Maps

6.4 Ordinance No. 2021-08 - Village Code Amendment - Chapter 34 - Administration - Building Design and Architectural Review

1. Proposed Ordinance No.2021-08 - Design and Architectural Review Board
2. Village Code Section 34-1366 - Building Design Guidelines

7. ACTIONS AND REPORTS

8. ADJOURNMENT

9. NEXT MEETING

If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.



Village of Palm Springs

Executive Brief

AGENDA DATE: August 10, 2021

DEPARTMENT: Administration

ITEM 5.1: Approval of July 13, 2021 Planning and Zoning Board Meeting Minutes

SUMMARY:

FISCAL IMPACT:

ATTACHMENTS:

July 13, 2021 Planning and Zoning Board Minutes



AGENDA
PLANNING AND ZONING ADVISORY BOARD MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
PALM SPRINGS, FL 33461
JULY 13, 2021
6:30 PM

1. CALL TO ORDER

The meeting held in the Council Chambers at Village Hall was called to order by Chairman Johnnie Tieche at 6:33 PM.

2. ROLL CALL

BOARD MEMBERS

Chairman Johnnie Tieche, Vice Chairman Richard Hughes, Ralph Lashells, James Mandigo, Peter Braun, and Kim Gehrman and Larry Saingilus

STAFF

Planning, Zoning and Building Interim Director Iramis Cabrera, Assistant Village Manager Kimberly Glas-Castro, Village Attorney Susan Garrett and Deputy Village Clerk Jane R. Worth

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Johnnie Tieche.

4. ADDITIONS, DELETIONS, OR MODIFICATIONS, AND APPROVAL OF AGENDA

Assistant Village Manager Glas-Castro stated she would like to add under Item 7, Actions and Reports. She would be giving a report on the Legislative changes which involved the Board.

5. MINUTES

5.1 Approval of June 8, 2021 Planning and Zoning Board Meeting Minutes

[June 8, 2021 Planning and Zoning Board Minutes](#)

A motion to accept the minutes was made by Mr. Hughes and seconded by Mr. Braun.

Motion carried. 5 - 0

6. **PUBLIC HEARING** *NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY EX PARTE COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY*

6.1 Resolution No. 2021-19 - Preliminary Plat - Fontana Townhomes - 4063 Davis Road and 4090 Coconut Road

[Proposed Resolution No. 2021-19 Preliminary Plat - Fontana Townhomes 4063 Davis Road and 4090 Coconut Road](#)

[Proposed Preliminary Plat - Fontana Townhomes](#)

[Letter of Compliance with Florida Statutes - Fontana Townhomes - 4063 Davis Road and 4090 Coconut Road - Engenuity Group](#)

[Approved Site Plan - Fontana](#)

[Townhomes Aerial and Location Maps](#)

Planning, Zoning and Building Director Cabrera informed the Board the applicant has filed a preliminary plat application proposing to join two (2) parcels into a unified plat, and delineate 59 individual townhouse lots for fee-simple ownership, consistent with the site plan approved by the Village Council (Resolution 2021-03 - May 13, 2021).

The Village's surveyor, Engenuity Group, has reviewed the proposed plat and has determined that it is in compliance with Chapter 177, F.S. - Platting Regulations.

If approved, the preliminary plat will be presented to the Village Council for consideration during their July 29, 2021 meeting.

If approved, the final plat will be recorded in the public records Palm Beach County prior to the sale of any lot and/or prior to issuance of a certificate of occupancy for a new residence.

Mark Mcfarland, Meritage Homes was present for any questions the Board might have.

The Board asked when construction would begin within eight (8) to ten (10) weeks.

Chairman Tieche asked the public or the Board for any additional comments. Hearing none, a motion to recommend approval of Resolution No. 2021-19, was made by Mr. Hughes and seconded by Mr. Braun. Motion carried 5-0

6.2 PZ&B Order 2021-06 - Minimum Rear Setback Variance (PSV21-11) - 3901

Gulfstream Road

[PZ&B Order 2021-06 - 3901 Gulfstream Road - Brandx LLC](#)

[Exhibit "A" Staff Report](#)

[Project Narrative and Justification Statement](#)

[Annexation Agreement - Res 2012-14](#)

[Site Plan, Landscape Plans, Architectural Plans, Civil Plans and Letters](#)

[Color Site Plan and Color Rendering](#)

[Quit Claim Deed](#)

[Aerial and Location Maps](#)

Planning, Zoning and Building Director Cabrera stated that both 6.2 and 6.3 would be heard together.

Planning, Zoning and Building Director Cabrera stated the applicant, Brandon Cabrera, owner of the property is requesting site development plan approval for the Residential Multi-Family property located at 3901 Gulfstream Road. The applicant is proposing to develop the 1.06 acres site with the construction of four (4) single-story buildings for a total of 8 dwelling units. Each building supports one 2 bedroom/2 bathroom unit and one 3 bedroom/3 bathroom unit.

The property was voluntarily annexed into the Village in 2012 with an annexation agreement to permit a maximum of 9 dwelling units on the property. The rental community will have an access driveway via the existing Gulfstream Road right-of-way. Amenities include a tot lot and a walkway to provide internal connectivity within the community.

The project provides sidewalk connections from the parking lot to the residences and sufficient parking stalls for the residents and visitors. The applicant has committed to

execute a right-of-way deed to dedicate right-of-way 7.5' in width to the Village along Gulfstream Road.

The applicant is concurrently requesting one variance from the Village Code

1. to allow a 15' rear setback rather than 25' minimum required.

Planning, Zoning & Building Staff does not object to the Residential Multi-Family Development Site Plan with one (1) variance and recommends conditional approval of the proposed development subject to the conditions listed on the Staff Report.

Mr. Brandon Cabrera owner stated there were eight (8) units units. There would be 29 parking stalls. The reason for the variance was more space for the drainage. If there was another 10 foot forward it would not have left enough room. Mr. Cabrera explained the play area. The properties will be owned and maintained by Mr. Cabrera and his staff.

The Board asked how large were the three (3) bedroom units. Mr. Cabrera answered the three (3) bedroom were approximately 1,200 sq. ft. and the two (2) bedroom were approximately 1,000 sq. ft. Would commercial vehicles be allowed at the complex. Mr. Cabrera stated only vehicles that could fit in the parking stall, and it is also in the conditions regarding commercial vehicles.

The question regarding the garage, would it match. Mr. Cabrera stated they would all be painted and are going to match the buildings. The question of a patio or fenced in privacy for the residents to be able to go outside. Mr. Cabrera stated there would be a concrete slab for a patio installed in the back with hedges as the privacy divider. It was asked if Mr. Cabrera would be maintaining those hedges. Mr. Cabrera answered yes, they will be maintaining all the property in the development.

Approve Chairman Tieche asked the Board or the Public if there were any further comments. Hearing none, a recommendation of approval PZ&B Order 2021-06 was made by Mr. Lashells and seconded by Mr. Braun. Motion carried 5-0

Motion: Ralph Lashells	Second: Peter Braun	Vote: Motion Approve: 5 - 0
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6.3 Resolution No. 2021-25 - Residential Multi-Family Site Development Plan (SPR21-10)
- 3901 Gulfstream Road (*Quasi-Judicial Hearing*)

[Proposed Resolution No. 2021-25 - Residential Multi-Family Site Development Plan
- 3901 Gulfstream Road](#)

[Exhibit "A" Staff Report](#)

[Site Plan, Landscape Plans, Architectural Plans, Civil Plans and Letters](#)

[Color Site Plan and Color Rendering](#)

[Project Narrative and Justification Statement](#)
[Annexation Agreement - Res. 2012-14](#)
[Quit Claim Deed](#)
[Aerial and Location Maps](#)

The Board did not have any questions as the project was discussed in full during Item 6.2.

Chairman Tieche asked the Board or the Public if there were any further comments. Hearing none, a recommendation of approval PZ&B Order 2021-06 was made by Mr. Hughes and seconded by Mr. Mandigo. Motion carried 5-0

Motion: Richard Hughes	Second: James Mandigo	Vote: Motion : 5 - 0
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7. ACTIONS AND REPORTS

Assistant Village Manager Glas-Castro gave the Board an update on House Bills that the Legislative Committee passed during the session. She wanted to notify everyone so they would know there would be ordinances coming forward.

8. ADJOURNMENT

Chairman Tieche adjourned the meeting at 7:25 PM

9. NEXT MEETING - Tuesday, August 10, 2021 @ 6:30 PM

If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he 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. Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least 3 business days prior to the meeting in order to request such assistance.



Village of Palm Springs

Executive Brief

AGENDA DATE: August 10, 2021

DEPARTMENT: Planning, Zoning & Building

ITEM 6.1: Ordinance No. 2021-07 - Comprehensive Plan Amendment - Property Rights Sub-Element

SUMMARY:

The Planning, Zoning & Building Department is proposing a text amendment to the Future Land Use Element to establish a new sub-element in an accordance with new legislation that recently became law.

Statutory provisions within Chapter 163, Florida Statutes, related to comprehensive plans, were amended during the most recent 2021 Florida Legislative Session that will now require each local government to adopt a property rights element within their existing comprehensive plan. It is expected that the new property rights element will protect private property rights and ensure that they are considered during the local decision-making process.

Committee Substitute/Senate Bill 496, which was signed into law on June 29, 2021 and effective July 1, 2021, adds Section 163.3177(6)(i), Florida Statutes, which requires each local government to adopt a property rights element into its comprehensive plan prior to initiating any other comprehensive plan amendments, including small-scale land use changes.

Note: Florida Department of Economic Opportunity (DEO) staff has interpreted that any comprehensive plan amendment for which the Local Planning Agency (LPA) has not held a public hearing prior to July 1, 2021 is stayed until the property rights provisions are adopted into the comprehensive plan.

The Local Planning Agency (LPA) considered the proposed Comprehensive Plan Text Amendment during their meeting on July 29, 2021.

The Village Council considered the proposed amendment during their regular meeting on July 29, 2021.

If approved on 1st reading, the proposed comprehensive plan amendment will be transmitted to the state planning agency, the Florida Department of Economic Opportunity (DEO), for review and approval prior to adoption.

The proposed ordinance was prepared by the Planning, Zoning & Building Director and reviewed by the Assistant Village Manager and the Village Attorney.

FISCAL IMPACT:

Amending the Comprehensive Plan to create a new sub-element (which is required due to new, approved legislation during the 2021 Florida Legislative Session) does not have a fiscal impact.

ATTACHMENTS:

Proposed Ordinance No. 2021-07 - Text Amendment - Comprehensive Plan - Property Rights Sub-Element

Committee Substitute/Senate Bill 496

ORDINANCE NO. 2021-07

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE VILLAGE OF PALM SPRINGS, IN ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, AS AMENDED, BEING SECTIONS 163.3177, ET. SEQ., FLORIDA STATUTES, PROVIDING FOR THE AMENDMENT TO THE TEXT OF THE VILLAGE'S FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO CREATE THE "PROPERTY RIGHTS" SUB-ELEMENT, WHICH AMENDMENT IS MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR OTHER PURPOSES.

WHEREAS, the Village Council ("Council") of the Village of Palm Springs, Florida ("Village") has adopted a Comprehensive Plan ("Plan") pursuant to the "Local Government Comprehensive Planning and Land Development Regulation Act"; and

WHEREAS, The Village's Plan has been determined to be "in compliance" with the provisions of the Act and Rule 9J-5 of the Florida Administrative Code; and

WHEREAS, the Council wishes to create a "Property Rights" Sub-Element in the Future Land Use Element of the Comprehensive Plan in order to ensure that private property rights are considered in decision making; and

WHEREAS, Pursuant to Chapter 163, Florida Statutes, and Rule 9J-5, Florida Administrative Code, all subsequent amendments to the Plan must be adopted in accordance with detailed statutory procedures; and

WHEREAS, the Village's LPA has considered the proposed amendments at a duly advertised meeting and has recommended that the Council adopt the Plan Amendments as set forth in the attached Exhibit "A"; and

WHEREAS, the Village Council of the Village of Palm Springs has held all required public hearings; both prior to transmittal and submission of the proposed amendments to the Plan to the Florida Department of Economic Opportunity, and after the proposed amendments to the Plan were returned to the Village of Palm Springs, in accordance with Chapter 163, Florida Statutes; and

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The Village Council of the Village of Palm Springs, Florida hereby amends the current Comprehensive Plan dated November 9, 1989, as amended, to create the “Property Rights” Sub-Element in the Future Land Use Element, which amendment consists of the pages attached hereto as Exhibit “A” and made a part hereof, and which will be incorporated into the current Comprehensive Plan. A copy of the Comprehensive Plan, as amended, is on file in the office of the Village Clerk.

Section 2. This Ordinance shall be effective within the corporate limits of the Village of Palm Springs, Florida.

Section 3. The Village Clerk is hereby directed to transmit the comprehensive plan amendment documents to the Department of Economic Opportunity and other agencies within ten (10) working days, in accordance with Section 163.3184, Florida Statutes.

Section 4. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 5. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this ordinance.

Section 6. Effective Date. The effective date of this Plan Amendment shall be in accordance with Section 163.3184, Florida Statutes; however, no later than thirty-one (31) days after the State Land Planning Agency has received the completed Amendment package. No development order, development permits, or land uses dependent on this Amendment may be issued or commence before the Amendment has become effective.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	☐	☐	☐
GARY READY, VICE MAYOR	☐	☐	☐
DOUG GUNTHER, MAYOR PRO TEM	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐
JONI BRINKMAN, COUNCIL MEMBER	☐	☐	☐

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the _____ day of _____, 2021.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

First Reading: _____

Second Reading: _____

ATTEST:

BY: _____
KIMBERLY M. WYNN, CMC, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
GLEN J. TORCIVIA, VILLAGE ATTORNEY

EXHIBIT "A"

Objective S: **Property Rights Sub-Element.** The Village as a governmental entity, shall respect judicially acknowledged and constitutionally protected private property rights. The Village shall ensure that private property rights are considered in local decision making.

_____ The following Property Rights – Statement of Rights shall be considered:

Policy S.1 The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

Policy S.2 The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state law and local ordinances.

Policy S.3: The right of a property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy S.4: The right of a property owner to dispose of his or her property through sale or gift.

By the Committees on Rules; Judiciary; and Community Affairs;
and Senator Perry

595-03395-21

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A bill to be entitled

An act relating to growth management; amending s. 163.3167, F.S.; specifying requirements for certain comprehensive plans effective, rather than adopted, after a specified date and for associated land development regulations; amending s. 163.3177, F.S.; requiring local governments to include a property rights element in their comprehensive plans; providing a statement of rights which a local government may use; requiring a local government to adopt a property rights element by the earlier of its adoption of its next proposed plan amendment initiated after a certain date or the next scheduled evaluation and appraisal of its comprehensive plan; prohibiting a local government's property rights element from conflicting with the statement of rights contained in the act; amending s. 163.3237, F.S.; providing that the consent of certain property owners is not required for development agreement changes under certain circumstances; providing an exception; amending s. 337.25, F.S.; requiring the Department of Transportation to afford a right of first refusal to certain individuals under specified circumstances; providing requirements and procedures relating to the right of first refusal; amending s. 380.06, F.S.; authorizing certain developments of regional impact agreements to be amended under certain circumstances; providing retroactive applicability; providing a declaration of important state interest; providing an

595-03395-21

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effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) of section 163.3167, Florida Statutes, is amended to read:

163.3167 Scope of act.—

(3) A municipality established after the effective date of this act shall, within 1 year after incorporation, establish a local planning agency, pursuant to s. 163.3174, and prepare and adopt a comprehensive plan of the type and in the manner set out in this act within 3 years after the date of such incorporation. A county comprehensive plan is controlling until the municipality adopts a comprehensive plan in accordance with this act. A comprehensive plan for a newly incorporated municipality which becomes effective ~~adopted~~ after January 1, 2016 ~~2019~~, and all land development regulations adopted to implement the comprehensive plan must incorporate each development order existing before the comprehensive plan's effective date, may not impair the completion of a development in accordance with such existing development order, and must vest the density and intensity approved by such development order existing on the effective date of the comprehensive plan without limitation or modification.

Section 2. Paragraph (i) is added to subsection (6) of section 163.3177, Florida Statutes, to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(6) In addition to the requirements of subsections (1)-(5),

595-03395-21

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the comprehensive plan shall include the following elements:

(i)1. In accordance with the legislative intent expressed in ss. 163.3161(10) and 187.101(3) that governmental entities respect judicially acknowledged and constitutionally protected private property rights, each local government shall include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decisionmaking. A local government may adopt its own property rights element or use the following statement of rights:

The following rights shall be considered in local decisionmaking:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state law and local ordinances.

3. The right of a property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

4. The right of a property owner to dispose of his or her property through sale or gift.

595-03395-21

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88 2. Each local government must adopt a property rights
89 element in its comprehensive plan by the earlier of its adoption
90 of its next proposed plan amendment that is initiated after July
91 1, 2021, or the next scheduled evaluation and appraisal of its
92 comprehensive plan pursuant to s. 163.3191. If a local
93 government adopts its own property rights element, the element
94 may not conflict with the statement of rights provided in
95 subparagraph 1.

96 Section 3. Section 163.3237, Florida Statutes, is amended
97 to read:

98 163.3237 Amendment or cancellation of a development
99 agreement.—A development agreement may be amended or canceled by
100 mutual consent of the parties to the agreement or by their
101 successors in interest. A party or its designated successor in
102 interest to a development agreement and a local government may
103 amend or cancel a development agreement without securing the
104 consent of other parcel owners whose property was originally
105 subject to the development agreement, unless the amendment or
106 cancellation directly modifies the allowable uses or
107 entitlements of such owners' property.

108 Section 4. Subsection (4) of section 337.25, Florida
109 Statutes, is amended to read:

110 337.25 Acquisition, lease, and disposal of real and
111 personal property.—

112 (4) The department may convey, in the name of the state,
113 any land, building, or other property, real or personal, which
114 was acquired under subsection (1) and which the department has
115 determined is not needed for the construction, operation, and
116 maintenance of a transportation facility. When such a

595-03395-21

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determination has been made, property may be disposed of through negotiations, sealed competitive bids, auctions, or any other means the department deems to be in its best interest, with due advertisement for property valued by the department at greater than \$10,000. A sale may not occur at a price less than the department's current estimate of value, except as provided in paragraphs (a)-(d). The department may afford a right of first refusal to the local government or other political subdivision in the jurisdiction in which the parcel is situated, except in a conveyance transacted under paragraph (a), paragraph (c), or paragraph (e). Notwithstanding any provision of this section to the contrary, before any conveyance under this subsection is made, except a conveyance under paragraph (a) or paragraph (c), the department shall first afford a right of first refusal to the previous property owner for the department's current estimate of value of the property. The right of first refusal must be in writing and sent to the previous owner via certified mail or hand delivery, which is effective upon receipt. The right of first refusal must provide the previous owner with a minimum of 30 days to exercise the right in writing and must be sent to the originator of the offer by certified mail or hand delivery, which is effective upon dispatch. If the previous owner exercises his or her right of first refusal, the previous owner has a minimum of 90 days to close on the property. The right of first refusal set forth in this subsection may not be required for the disposal of property acquired more than 10 years before the date of disposition by the department.

(a) If the property has been donated to the state for transportation purposes and a transportation facility has not

595-03395-21

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146 been constructed for at least 5 years, plans have not been
147 prepared for the construction of such facility, and the property
148 is not located in a transportation corridor, the governmental
149 entity may authorize reconveyance of the donated property for no
150 consideration to the original donor or the donor's heirs,
151 successors, assigns, or representatives.

152 (b) If the property is to be used for a public purpose, the
153 property may be conveyed without consideration to a governmental
154 entity.

155 (c) If the property was originally acquired specifically to
156 provide replacement housing for persons displaced by
157 transportation projects, the department may negotiate for the
158 sale of such property as replacement housing. As compensation,
159 the state shall receive at least its investment in such property
160 or the department's current estimate of value, whichever is
161 lower. It is expressly intended that this benefit be extended
162 only to persons actually displaced by the project. Dispositions
163 to any other person must be for at least the department's
164 current estimate of value.

165 (d) If the department determines that the property requires
166 significant costs to be incurred or that continued ownership of
167 the property exposes the department to significant liability
168 risks, the department may use the projected maintenance costs
169 over the next 10 years to offset the property's value in
170 establishing a value for disposal of the property, even if that
171 value is zero.

172 (e) If, at the discretion of the department, a sale to a
173 person other than an abutting property owner would be
174 inequitable, the property may be sold to the abutting owner for

595-03395-21

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the department's current estimate of value.

Section 5. Paragraph (d) of subsection (4) of section 380.06, Florida Statutes, is amended to read:

380.06 Developments of regional impact.—

(4) LOCAL GOVERNMENT DEVELOPMENT ORDER.—

(d) Any agreement entered into by the state land planning agency, the developer, and the local government with respect to an approved development of regional impact previously classified as essentially built out, or any other official determination that an approved development of regional impact is essentially built out, remains valid unless it expired on or before April 6, 2018, and may be amended pursuant to the processes adopted by the local government for amending development orders. Any such agreement or amendment may authorize the developer to exchange approved land uses, subject to demonstrating that the exchange will not increase impacts to public facilities. This paragraph applies to all such agreements and amendments effective on or after April 6, 2018.

Section 6. The Legislature finds and declares that this act fulfills an important state interest.

Section 7. This act shall take effect July 1, 2021.



Village of Palm Springs

Executive Brief

AGENDA DATE: August 10, 2021

DEPARTMENT: Planning, Zoning & Building

ITEM 6.2: Planning & Zoning Board Order 2021-13 - Minimum Landscape Buffer Width Variance (PSV21-13) - Legend Plaza - 1696 South Military Trail

SUMMARY:

Vijay Mishra agent for the owner, My Incentive LLC, is requesting site development plan amendment (SPR21-13) for the Commercial General property located at 1696 South Military Trail. The applicant is proposing to redesign the entire front (western) portion of the property due to right-of-way condemnation by the Florida Department of Transportation (FDOT).

FDOT proposes to make intersection improvements at State Road 809 (South Military Trail) and State Road 882 (Forest Hill Boulevard) which necessitates widening both roadways along the approach and departure from the intersection. The widening project results in the State taking 2,953 square feet along the entire length of the property's western frontage. The taking will impact the property causing the loss of 13 parking spaces, the utility connection and right-of-way landscape buffer.

Note: Currently, the 1.13 acres property is developed with 7,255 square feet commercial building supporting three tenant spaces and 52 parking spaces.

The applicant proposes a cure plan for remedial action for loss of the property to bring the property into compliance with minimum code requirements. The proposed plan will relocate all affected utilities, accommodate a landscape buffer, and will add 10 parking spaces along by realigning the internal circulation within the parking area.

As part of the proposed Site Development Plan Amendment, the applicant is requesting one variance (PSV21-13) which is subject to the Planning and Zoning Board consideration:

1. (PSV21-13) - Request to allow an irregular landscape buffer along the west side of the

property, adjacent to Military Trail, with a minimum width of 9' (a reduction of 6') [Provides relief from Section 34-162(b)(5)) that requires a minimum 15' wide buffer.]

Planning, Zoning & Building Staff does not object to the variance requested and recommends conditional approval to facilitate the redevelopment of the property as a result of the State condemnation, the proposed site plan for which is subject of a separate agenda item.

FISCAL IMPACT:

The proposed modification to the project is not expected to have a fiscal impact on the Village.

ATTACHMENTS:

Planning & Zoning Board Order 2021-07 - 1696 S. Military Trail - My Incentive LLC
Exhibit "A" Staff Report
Variance Justification Statement
Site Plan, Landscape Plans and Letters
Warranty Deed
Stipulated Order of Taking
Aerial and Location Maps

VILLAGE OF PALM SPRINGS, FLORIDA
PLANNING AND ZONING BOARD

PZ&B Order 2021-07
(PSV21-13)

My Incentive LLC
1696 South Military Trail
Palm Springs, FL 33461

PCN: 70-42-44-12-00-000-5460

Applicant(s)

FINAL ORDER

THIS MATTER having come before the Village of Palm Springs Planning and Zoning Board ("The Board") on **August 10, 2021**. The Board, having considered the evidence presented by the parties; and having been fully apprised of the circumstances, makes the following finding of fact and conclusions of law.

FINDINGS OF FACT

1. The Board has jurisdiction over the following variance application PSV21-13.
2. The above Applicant(s) is the owner of the property legally described as: **12-44-42, S 212.3 FT OF N 424.6 FT OF W 285.12 FT OF S 1/2 OF NW 1/4 OF SE 1/4 /LESS W 53 FT RD R/W/**
3. The Applicant has submitted an application for one (1) variance from the Village of Palm Springs, Florida as set forth below:
 - 1) **PSV21-13** – A variance relief from Section 34-162(b)(5) to allow an irregular landscape buffer along the west side adjacent to Military Trail with a minimum width of 9' (6' less) instead of 15' minimum required
4. The Village's Land Development Code Section 34-601(f)(2) requires the Board to determine that the variance meets the following requirements:
 1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures, or buildings in the same land development district.
 2. The special conditions and circumstances do not result from the actions of the applicant.
 3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same land development district.
 4. Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same land development district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
 5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
 6. The grant of the variance will be in harmony with the general intent and purpose of this chapter.

7. Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

_____ The Board having determined, based upon the evidence presented, that the requested variance PSV21-13, meets all the requirements of Section 34-602(f)(2) of the Land Development Code, the variance is hereby **GRANTED**.

_____ The Board having determined, based upon the evidence presented, that the requested variance PSV21-13 does not meet all of the requirements of Section 34-602(f)(2) of the Lane Development Code, the variance is hereby **DENIED** for the following reasons(s).

DONE AND ORDERED in Palm Springs, Florida this 10th day of August, 2021.

ATTEST:

Jane Worth, Deputy Village Clerk

Johnnie Tieche, Chairman
Planning and Zoning Board

Copies furnished to:

My Incentive LLC, 1696 South Military Trail, Palm Springs, FL 33461

Vijay Mishra P.E., RNM Engineering LLC, 12223 Brisbane Lane, Wellington, FL 33414

Iramis Cabrera, Planning, Zoning and Building Director, 226 Cypress Lane, Palm Springs, FL 33461

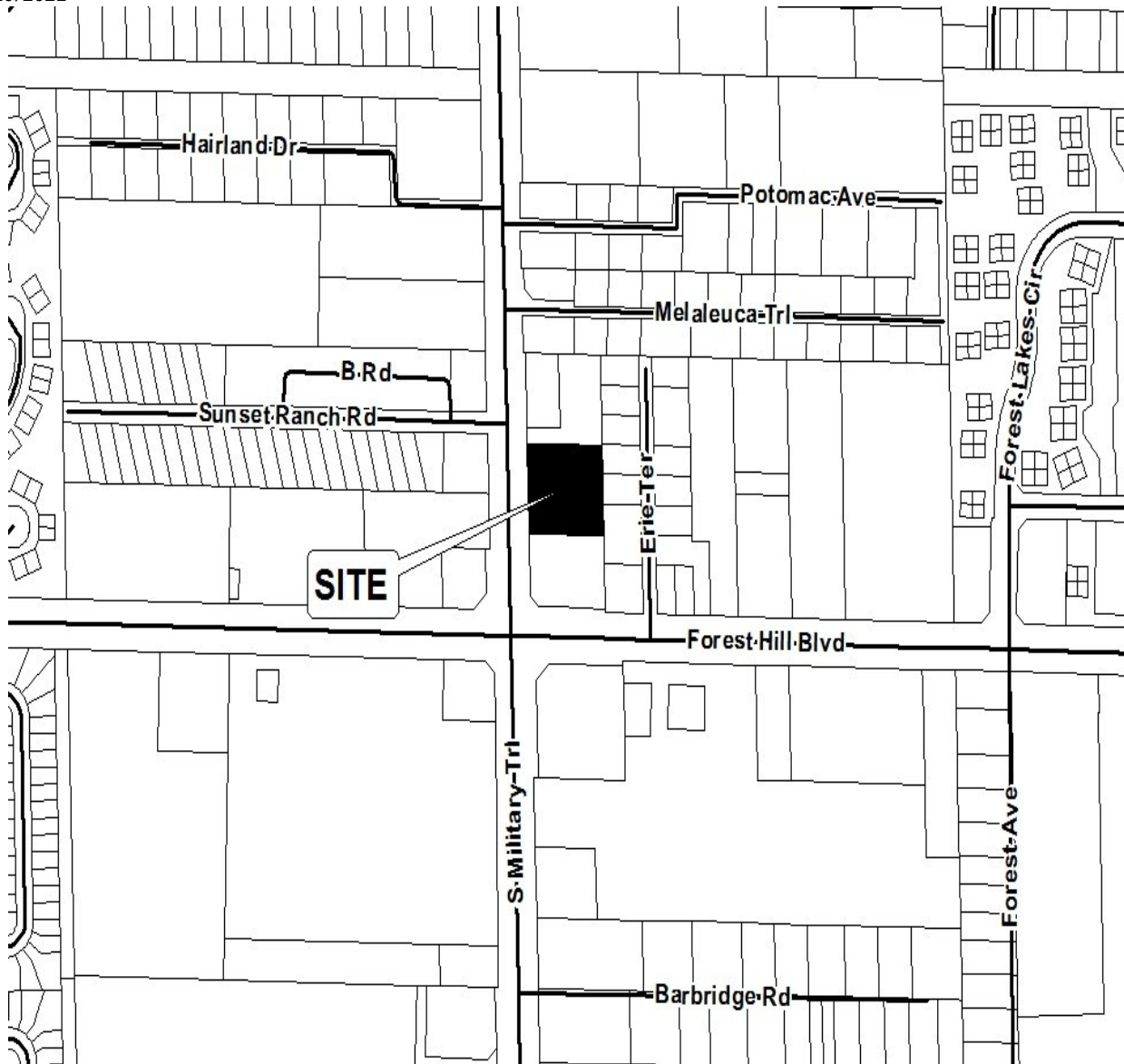
Glen J. Torcivia, Village Attorney, Northpoint Corporate Center, 701 Northpoint Parkway, Suite 209,
West Palm Beach, FL 33407



LAND DEVELOPMENT STAFF REPORT

SUBJECT: Site Development Plan Amendment application - Legend Plaza

Application Summary			
Applicant	Vijay Mishra	Submittal Date	2/25/2021
Reference Name	Legend Plaza	Case Number	SPR21-13/ PSV21-13
		Parcel Control No	70-42-44-12-00-000-5460
Location	1696 S Military Trail	Site Area	1.1340 acres
PZB Meeting	8/10/2021	Council Meeting	8/26/2021
Requests			
Existing Use	3 offices (1 travel agency, 1 dentist office and 1 nurse training school)		
Number of Buildings	1 building with 7,255 square feet		
Variances	PSV21-13: Requesting a variance relief from Sec.34-162(b)(5) to allow an irregular landscape buffer along the west side adjacent to S Military Trail with a minimum width of 9' instead of 15' minimum required.		
Parking			
Code	Required	Provided	Meets Requirement
Total Parking	37	52 (existing)	Yes
	37	49	Yes 3 parking space lost by the row dedication
Setbacks			
Code	Required Minimum	Existing	Meets Requirement
Front yard	50'	116'	Yes
Rear yard	20'	35'	Yes
Side yard	15'	35' (North side) and 78' (South side)	Yes
Site Characteristics			
Previous/ proposed Use	No changes proposed to the use of the property		
Zoning	Commercial General (CG)	Existing Future Land Use	Commercial
Surrounding Existing Land Use, Future Land Use, and Zoning			
Direction	Existing Use	Future Land Use	Zoning District
North	Pawn shop	Commercial	Commercial General (CG)
South	7-Eleven gas station	Commercial	Commercial General (CG)
East	Vacant land and residential properties	Commercial	Commercial General (CG)
West	Dunkin Donuts	Unincorporated Restaurant, Drive in	Unincorporated Urban Infill (UI)
Recommendation			
Planning, Zoning & Building Staff recommends conditional approval of the proposed site plan amendment to redesign the front of the property adjacent to South Military Trail right-of-way. The Florida Department of Transportation (FDOT) proposes to widen a portion of the State Road and as part of the project, a portion of the property along this segment is taken through eminent domain.			



I Site History

- Ordinance 2008-24: Annexation

The property was voluntarily annexed into the Village of Palm Springs in December, 2008, and designated with the Land Development as Commercial General zoning district and Future Land Use Commercial.

The property was known as “Inspiration House” a retail bookstore that used to sell religious materials since 2011 until the middle of 2015 when it was vacated.

- Resolution 2016-10: Site Plan and Special Exception Use

On February 11, 2016 the Village Council approved a site plan and special exception use to construct 7,225 square foot commercial building, with three tenant spaces including 2,141 square foot restaurant.

- Administrative Site Plan Amendment

On June 30, 2017, the Land Development Director approved an Administrative Site Plan Amendment to eliminate the restaurant use previous approved by special exception use and to allow some minor modifications to the site.

II Comprehensive Plan Consistency

- The subject property's Zoning and Future Land Use designation are Commercial and Commercial General (CG), respectively. The proposed special exception use of a restaurant is consistent with goals, objectives and policies of the Village's Comprehensive Plan.

III Variances Requested

The applicant is seeking the following variances:

- PSV21-13 The applicant is requesting a variance relief from Sec.34-162(b)(5) to allow an irregular landscape buffer along the west side adjacent to S Military Trail with a minimum width of 9' instead of 15' minimum required.

The Applicant's full justification to the waivers is attached hereto.

- a. That special condition and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same land development district.

The subject site is a legal non-conforming site that was constructed in 1982. The site is considered "legal non-conforming", as it was developed prior to the current Village of Palm Springs ordinances. As a result of the mandatory Right-of-Way Acquisition by the Florida Department of Transportation (FDOT), the property is losing 287 SF of property along the West property line abutting Military Trail. As a Result, the existing site will lose some existing parking and will have to comply with the current Code requirement of 15' for ROW Buffer width. In order to maintain the minimum drive-isle width of 15' for internal vehicular traffic, the minimum 15' ROW Buffer width requirement could not be met on all portions of the buffer along the length of the West property line. The small size of the lot eliminates the possibility of being able to comply with all site elements and site elements dimensional requirements on site, including minimum landscape buffer widths. Due to the site constraints, site design options are extremely limited. Therefore, the design considers life-safety and circulation as its first. As a result, there is not sufficient land area to redesign the site in a manner that would accommodate the minimum required 15' ROW Buffers along the West property line.

- b. That the special conditions and circumstances do not result from the actions of the applicant.

The catalyst which caused the site layout to be redesigned in a manner that caused the property to be in non-compliance with the current Village of Palm Springs Ordinances, was the mandatory Acquisition of land for additional ROW from FDOT. The current property owner's actions to reconfigure the site are result of his need to comply with both the FDOT requirements and the Village of Palm Springs requirements. The site constraints are not a direct result of actions from the property owner. The small size and configuration of the lot eliminate the possibility of being able to comply with the minimum 15' ROW Buffer requirement for all portion of the West property line along Military Trail.

- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same land development district.

The granting of this variance will not confer any special privilege.

- d. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same land development district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Denial of the variance request would cause the property owner to be in non-compliance with both the FDOT requirement and the Village of Palm Springs Code. In addition, denial of the variance request for a reduction in the 15' ROW Buffer width along Military Trail would require the property owner to lose additional parking to accommodate this requirement. Additional reductions in parking, when the site has already lost three (3) spaces to the ROW Acquisition by FDOT, would cause adverse effects to the property owner and the existing businesses.

- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Due to the existing configuration of the small 1.10-acre site, and the location of the existing 7,255 sf office building there are no other design alternative exists that would reduce or eliminate the need a Variance for a reduction in the 15' minimum ROW Buffer. The small size of the lot eliminated the possibility of being able to comply with all site elements and site element dimensional requirements. In order to meet the minimum quantity of parking for the existing development and provide the most efficient internal vehicular circulation, a portion of the ROW Buffer width had to be reduced to 9'-10".

In Order to attempt to accommodate the Code requirement of 15' for the ROW Buffer, other site elements that pertain to Life-Safety and internal vehicular circulation would be negatively impacted. Se examples below:

- ❖ Drive-isle Widths
- ❖ Sidewalk Dimensions
- ❖ Parking Dimensions
- ❖ Terminal Island Widths
- ❖ T-Turn Arounds
- ❖ Truck Turning Radii for Trucks

In order to maintain all the minimum required site element development standards, the ROW Buffer width had to be reduced.

- f. That the granting of the variance will be in harmony with the general intent and purpose of this chapter.

The granting of the variance will not only help the project be in harmony with the intent of the chapter, but it will also meet other requirements like parking.

- g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Granting the owner's variance request will not be detrimental to the Public Welfare or Injurious to the surrounding properties or uses. Reference Chart and Variance Location Map below.

The variance request does not include a reduction in the West ROW buffer the entire length of the property line. This area of the property is not a perfect 90-degree angle and therefore, the 15' minimum ROW Buffer can be achieved along the N/NW portion of the West portion of the property. However, as the ROW buffer extends South, it comes to a point where it will encroach into the required parking area. It is in this area only that the variance is being requested. South Military Trail is a 120' ROW, with compatible nearest commercial uses. These Commercial Uses will not be negatively impacted by the minor reduction in a portion of the ROW Buffer. The same quantities of landscape material required will

be installed. There will be no negative effects on the commercial uses to the North or South of the subject site as a result of the reduction in a portion of the ROW Buffer being reduced from 15' to 9'-10".

Staff generally supports the applicant's request based on the intent of the applicant to comply with parking requirements. The applicant intent to prioritize life-safety and circulation on the site maintaining the minimum drive aisle width.

IV Neighborhood Compatibility

- 1) The proposed project is located on the East side of South Military Trail, North of Forest Hill Boulevard.
- 2) Properties on the North, West and South are Commercial General.
- 3) Properties on the East side are designated Commercial General, but the existing uses are residential non-conforming dwelling units.

V Regulatory Issues:

- The site plan conforms to the property development standards of the CG district.
 - 1) Proposed project plan generally meets required site development regulation.
 - 2) Four power poles shall be relocated.
 - 3) A Palm Tran easement is required to be relocated.
 - 4) A Live Oak tree needs to be removed from the property due to conflict with PBC Water Utility and the property owner voluntarily commit to coordinate with the Village to mitigate.
 - 5) A bus shelter shall be provided. The bus stop located on the property is considered a high ridership location. The most recent ridership was 1,318 (474 alighting plus 844 boarding's).

VI Environmental Issues:

There are no environmental (wetlands, floodplains, etc) issues identified.

VII Community Outreach/ Notification

- The subject property was posted on July 30, 2021.
- Public Notification letters were mailed to all property owners within 300 foot radius of subject property on July 19, 2021.
- Legal advertisement was published in the paper on July 29, 2021.
- Staff has not received any inquiries or comments as a result of the notices.

VIII Proposed Development Plan Details

The petitioner's development plans dated received on February 26, 2021 depicts the following:
Application for Site Development Plan approval to amend the previously approved site plan due to dedication of right-of-way to FDOT.

1. Site Plan dated February 26, 2021 revised and resubmitted on July 19, 2021.
2. Landscape plans dated February 26, 2021 revised and resubmitted on July 19, 2021.
3. Engineering plans dated February 26, 2021 revised and resubmitted on July 19, 2021.

IX Recommendation

The applicant is proposing a site development plan amendment to redesign the entire front portion of the property due to a right-of way dedication to Florida Department of Transportation (FDOT). FDOT proposes to widen a portion of State Road 809 (South Military Trail) and as a result 2,953 square feet along the length of the western property line has been taken through eminent domain. This taken will impact the remaining property and improvements. It will cause the loss of 13 parking spaces, utility connection and landscape buffer.

The applicant proposes a cure plan for remedial action for loss of the property and to bring the property into compliance with minimum code requirements. The proposed plan will relocate all affected utilities, accommodate a landscaped buffer, and add 10 parking spaces along with realigning the internal circulation in the parking area.

Planning, Zoning and Building Staff has conducted a review of the application and found the proposed amendment to be consistent with goals, objectives and policies of the Village's Comprehensive Plan. The proposed cure plan is generally consistent with the Land Development and zoning regulation and all other portions of the code.

Staff highly recommends that a mass transit easement with complete infrastructure, including a shelter shall be installed at this location. This ridership for stop is considered a high ridership location and a major transfer point for routes 3 and 46.

Planning, Zoning and Building Staff recommends conditional approval of the Site Plan Amendment subject to the following (21) conditions below:

1. The Site Plan expires twenty-four months from approval if the proposed improvements are not constructed within that time frame.
2. A 10' x 15' easement dedicated to Palm Tran shall be recorded prior to Certificate of Completion. A concrete slab, bench and a trash can shall be provided within the bus shelter easement
3. A bus shelter shall be constructed by the Property Owner. Proposed design shall be in scale with the one installed at the "Preston Square Community" (metal roof, Village's teal color, etc.), the Village's logo sign shall be placed on the roof and shall be internally illuminated. The property owner or tenant shall be responsible for the maintenance (including trash pick-up) of the area.
4. The tree mitigation plans shall be coordinated with the Village to either donate the Live Oak Tree to the village to be planted on Village property at the owner's expense or, by contributing to the Village the monies equivalent to such required replacement tree according to Village Land Development Regulation Section 34-224. The mitigation plan shall be completed prior to the issuance of the Certificate of Completion.
5. The existing pole sign is non-conforming with current Land Development Regulations. Any improvement(s) made to the sign exceeding 50% of its current value necessitate that the entire sign be brought into conformance with the Village Code.
6. Civil/Utility plans shall be approved by the Village Engineer and PBC Water Department at time of permitting.
7. Any existing dead landscape material shall be replaced or supplemented with Village approval prior to Certificate of Completion.
8. The Applicant may be required to undertake additional security measures, based on the number of complaints or calls for service for incidents at the premises, as determined by the Police Chief. Such additional security measures, as approved by the Police Chief, may include provisions of on-site security at the operator's sole expense.
9. Trees/palms slated for removal and destruction shall be offered to the village for relocation to a public property. Property owners shall provide at least 60 days' notice to the village and grant the village permission to enter the property and relocate any trees approved for removal.

10. Verify utility and easement locations to ensure that there are no conflicts with landscaping, revise at time of permitting, as needed.
11. Landscaped areas shall be irrigated. New irrigation systems shall be maintained separately from potable water distribution systems, and shall include rain sensor shut-off mechanisms.
12. A pre-construction meeting shall be scheduled with the Village Planning, Zoning and Building Department prior to commencement of any construction activity. Permits are required from Planning, Zoning and Building Department prior to commencing any construction or renovation.
13. All new electrics shall be underground.
14. A silt barrier shall be installed around the perimeter of the property prior to commencement of any site work or construction activity and shall remain through substantial completion.
15. The Landscaping shall be certified by the Landscape Architect upon completion and prior to Certificate of Occupancy.
16. Plants installed shall conform to or exceed the minimum standards for Florida Number 1, as provided in the most current edition of the Grades and standards for Nursery Plants, Part I and II, prepared by the State Department of Agriculture and Consumer Services.
17. Any sidewalk broken or damaged during construction shall be replaced by the contractor prior to CO.
18. The civil engineer of record shall certify the site construction prior to Certificate of Occupancy.
19. The General Contractor shall be on site during any and all construction activity in accordance with FS 489.1195.
20. The project shall receive approval from all Authorities Having Jurisdiction and submit copies of approvals to the Village of Palm Springs.
21. At the time of CC, the petitioner shall provide the Land Development Department with electronic copies of as-builts.

JUSTIFICATION STATEMENT**Legend Plaza**

July 20, 2021

REQUEST:

On behalf of the property owner (My Incentive LLC) we are requesting the following:

- ❖ Approval for a 5'-2" in reduction in the required 15' Right-of-Way Buffer along the West portion of the subject property; for a total ROW Buffer width of 9'-10" and the narrowest point of the buffer.

In Accordance with Section: 34-162, the minimum required Right-of-Way Landscape Buffer widths is required:

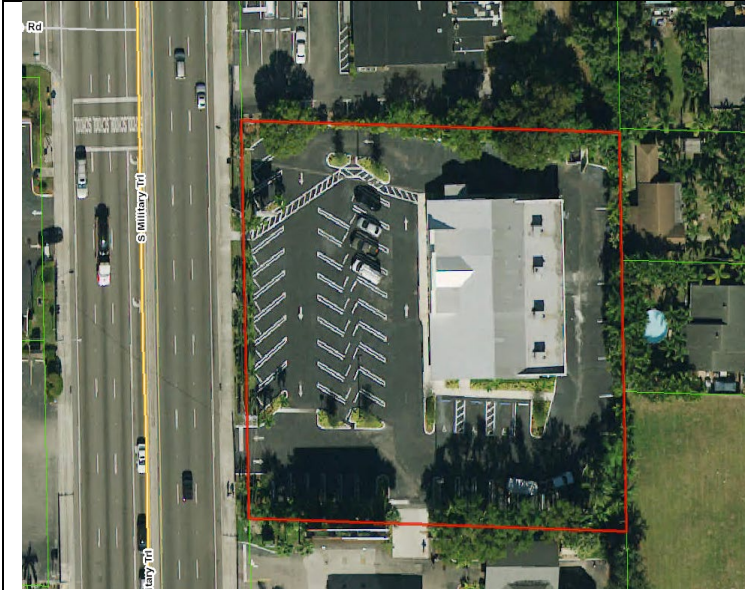
	<u>Buffer Location</u>	<u>Required</u>	<u>Provided</u>	<u>Variance</u>
V1	ROW Buffer (West)	15'	9'-10"	5'-2"

- ❖ Refer to Landscape Plan(s) for additional information on Right-of-Way Buffer width and plant material provided.

Variance Justification Statement**Variance Request and Justification:**

The subject property is located at 1696 South Military Trail and consists of 1.10 acres. The current Future Land Use is Commercial with a Zoning Designation of General Commercial (CG). The site is an existing development that was originally constructed in 1982. The site consists of a 7,255 SF single-story structure with existing Office Uses. As a result of a Right-Of-Way taking from the Florida Department of Transportation (FDOT), the existing property is losing 2,873 SF of the West portion of the property along Military. RNM Engineering has worked through several potential design patterns for the subject site in the attempt to meet all provisions of the Village of Palm Springs Development Ordinances/Zoning Code for the existing Office Use. However, due to existing site conditions, the minimum required Right-of-Way Buffer width of 15' could not be achieved for all portions of the West property line along Military Trail. As a result, the property owner is required to apply for a Variance for the Landscape Buffer width of less than 15' (See Chart Above). The final design is the most logical design that complies with all other provision of the Code as it pertains to internal drive-isle width, parking, turning radii, and Landscape Buffer material quantities for the West ROW Buffer.

Aerial – View and Location of Variance Request



Existing Site



Affected ROW Buffer Area Subject to Variance

Variance Justification Statement

The subject property is located at 1696 South Military Trail and consists of 1.10 acres. The current Future Land Use is Commercial with a Zoning Designation of General Commercial (CG). The site is an existing developed site with a 7,255 SF single-story structure with existing Office Uses. As a result of a Right-Of-Way taking from the Florida Department of Transportation, the existing property is losing 2,873 SF along the West portion of the property along Military. RNM Engineering has worked through several potential design patterns for the subject site in the attempt to meet all provisions of the Village of Palm Springs Development Ordinances/Zoning Code for the existing Office Use. However, due to existing site conditions, the minimum required Right-of-Way Buffer width of 15' could not be achieved for all portions of the West property line along Military Trail. As a result, the property owner is required to apply for a Variance for the Landscape Buffer width of less than 15' (See Below). The final design is the most logical design that complies with all other provision of the Code as it pertains to internal drive-isle width, parking, turning radii, and Landscape Buffer material quantities for the West ROW Buffer.

Variance – Five Criteria

	<u>Buffer Location</u>	<u>Required</u>	<u>Provided</u>	<u>Variance</u>
V1	ROW Buffer (West)	15'	9'-10"	5'-2"

- 1. Special and unique conditions exist which are peculiar to the applicant's case and which are not generally applicable to the property located within the zoning district or neighborhood involved, such as natural or manmade sight limitations from the public rights-of-way.**

Response: V.1 - Yes, The subject site is a legal non-conforming site that was constructed in 1982. The site is considered “legal non-conforming”, as it was developed prior to the current Village of Palm Springs ordinances. As a result of the mandatory Right-of-Way Acquisition by the Florida Department of Transportation (FDOT), the property is losing 2,87 SF of property along the West property line abutting Military Trail. As a Result, the existing site will lose some existing parking and will have to comply with the current Code requirement of 15’ for ROW Buffer width. In order to maintain the minimum drive-isle width of 15’ for internal vehicular traffic, the minimum 15’ ROW Buffer width requirement could not be met on all portions of the Buffer along the length of the West property line. (Reference Site Plan; Sheet C-2)

The small size of the lot eliminated the possibility of being able to comply with all site elements and site elements dimensional requirements on site, including minimum landscape buffer widths. Due to the site constraints, site design options are extremely limited. Therefore, the design considers life-safety and circulation as its first. As a result, there is not sufficient land area to redesign the site in a manner that would accommodate the minimum required 15’ ROW Buffers along the West property line.

- 2. The special and unique conditions are not directly attributable to the actions of the applicant.**

Response: V.1 – Yes. (Refer to Criteria#1) As mentioned, the site was developed in 1982, The current property owner purchased the subject site in 2015, and has made no changes to the existing site layout or the building. The catalyst which caused the site layout to be redesigned in a manner that caused the property to be in non-compliance with the current Village of Palm Springs Ordinances, was the mandatory Acquisition of land for additional ROW from FDOT. The current property owner’s actions to reconfigure the site are result of his need to comply with both the FDOT requirements and the Village of Palm Springs requirements. The site constraints are not a direct result of actions from the property owner. The small size and configuration of the lot eliminate the possibility of being able to comply with the minimum 15’ ROW Buffer requirement for all portion of the West property line along Military Trail.

- 3. The literal interpretation of this article, as applied to the applicant, would deprive the applicant of rights commonly enjoyed by persons who are similarly situated.**

Response: V.1 – Yes, (Refer to Criteria#1&2) Denial of the variance request would cause the property owner to be in non-compliance with both the FDOT requirement and the Village of Palm Springs Code. In addition, denial of the variance request for a reduction in the 15’ ROW Buffer width along Military Trail would require the property owner to lose additional parking to accommodate this requirement. Additional reductions in parking, when the site has already lost three (3) spaces to the ROW Acquisition by FDOT, would cause adverse effects to the property owner and the existing businesses.

4. The variance granted is the minimum necessary for the application to make reasonable use of the property

Response: V.1 – Yes. (Refer to Criteria 1,2 & 3) Due to the existing configuration of the small 1.10-acre site, and the location of the existing 7,255 SF Office building there are no other design alternative exists that would reduce or eliminate the need a Variance for a reduction in the 15' minimum ROW Buffer (*Refer to Site Plan and landscape Plan*). The small size of the lot eliminated the possibility of being able to comply with all site elements and site element dimensional requirements. In order to meet the minimum quantity of parking for the existing development and provide the most efficient internal vehicular circulation, a portion of the ROW Buffer width had to be reduced to 9'-10".

In Order to attempt to accommodate the Code requirement of 15' for the ROW Buffer, other site elements that pertain to Life-Safety and internal vehicular circulation would be negatively impacted. Se examples below:

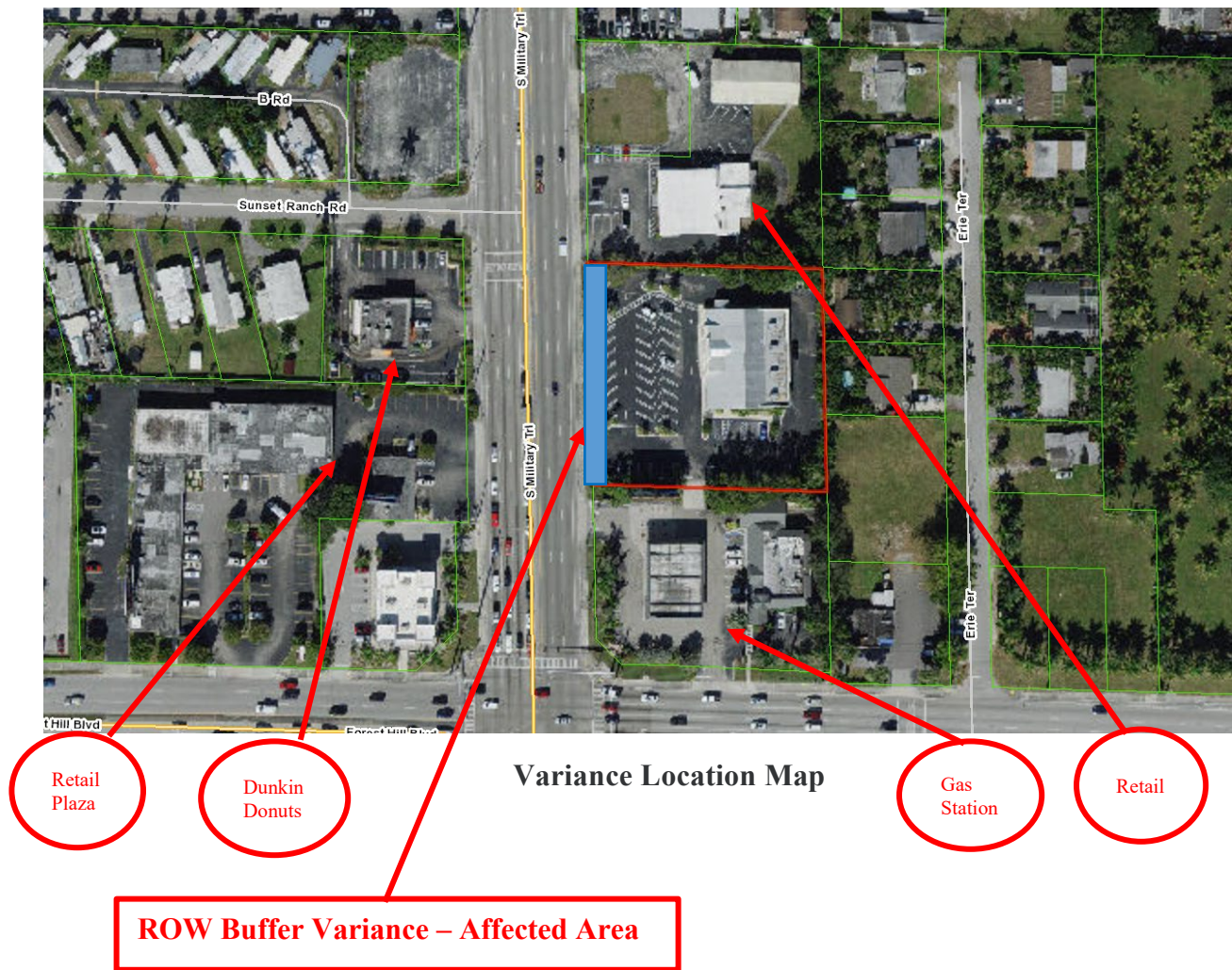
- ❖ Drive-isle Widths
- ❖ Sidewalk Dimensions
- ❖ Parking Dimensions
- ❖ Terminal Island Widths
- ❖ T-Turn Arounds
- ❖ Truck Turning Radi for Trucks

In order to maintain all the minimum required site element development standards, the ROW Buffer width had to be reduced.

5. Granting the variance is not detrimental to the public welfare, or injurious to the property improvements in the zoning district or neighborhood involved.

Response: V.1 – Yes, (Refer to Criteria#1, 3& 4) Granting the owner’s variance request will not be detrimental to the Public Welfare or Injurious to the surrounding properties or uses. Reference Chart and Variance Location Map below.

<u>Variance #</u>	<u>Minimum Variance</u>	<u>Variance Request</u>	<u>Reason Not Injurious or Detrimental</u>
V-1 ROW Buffer (West)	15’	9’-10”	The variance request does not include a reduction in the West ROW buffer the entire length of the property line. This area of the property is not a perfect 90 degree angel and therefore, the 15’ min. ROW Buffer can be achieved along the N/NW portion of the West portion of the property. However, as the ROW buffer extends South, it comes to a point where it will encroach into the required parking area. It is in this area <i>only</i> that the variance is being requested (<i>Refer to Site Plan for details</i>). Military Trail. is a 120’ ROW, with compatible nearest commercial uses. These Commercial Uses will not be negatively impacted by the minor reduction in a portion of the ROW Buffer. The same quantities of landscape material required will be installed. There will be no negative effects on the commercial uses to the North or South of the subject site as a result of the reduction in a portion of the ROW Buffer being reduced from 15’ to 9’-10”.



In accordance with the provisions in Section: 34-329 (Variances) all five variance criteria must be met. On behalf of **My Incentive LLC**, we respectfully request staff's support and approval of the One (1) variance request listed above.

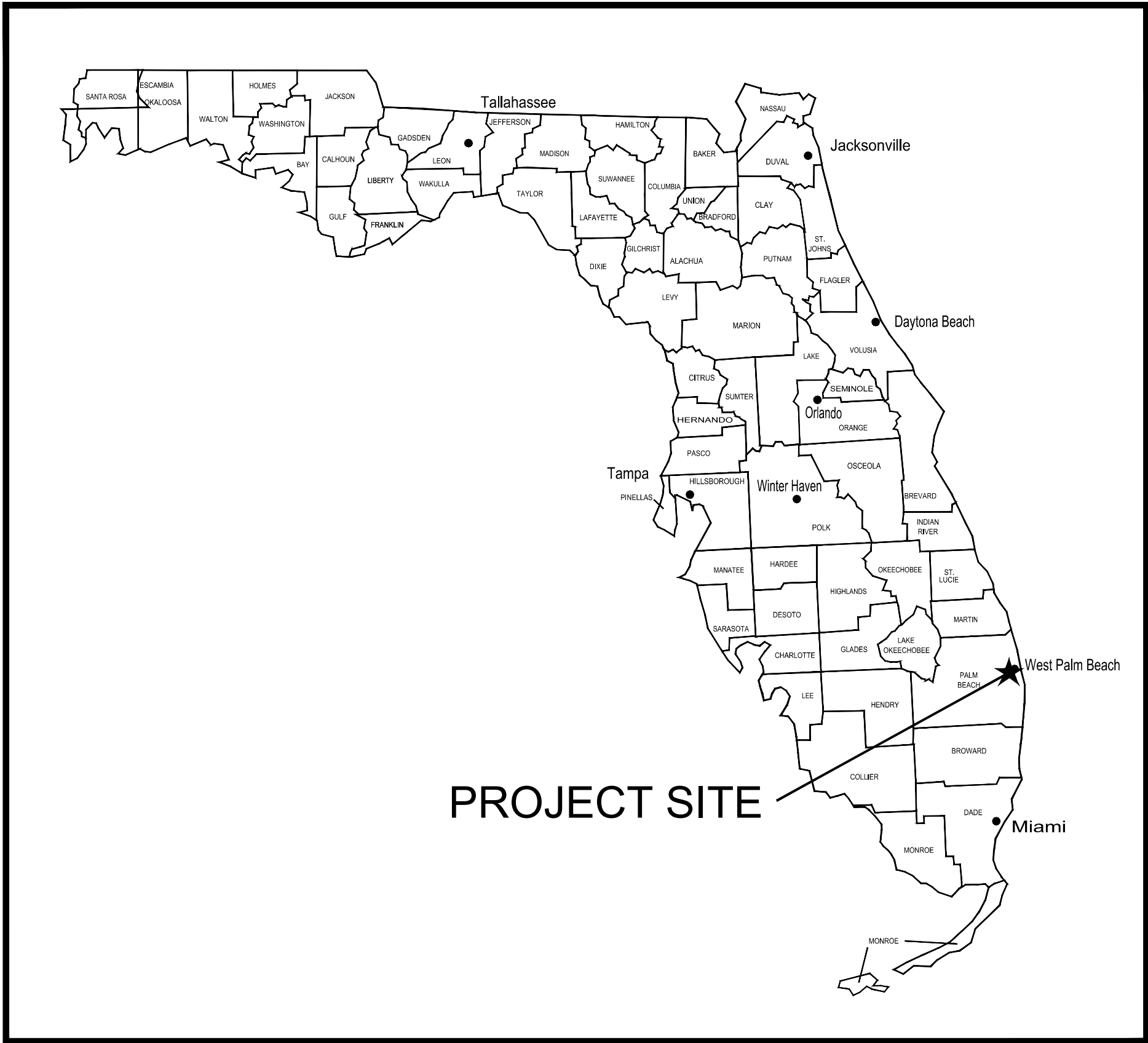
LEGENDS PLAZA

1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

PREPARED BY:

RNM ENGINEERING

LOCATION MAP



VICINITY MAP



INDEX OF DRAWINGS

1	G1	COVER AND INDEX OF DRAWINGS
2	G2	ABBREVIATIONS, LEGEND AND GENERAL NOTES
3	G3	EXISTING SURVEY
4	D1	DEMOLITION PLAN
5	C1	OVERALL LOCATION PLAN
6	C2	SITE PLAN
7	C3	UTILITIES PLAN
8	C4	DETAILS
9	C5	VEHICLE TURNING MOVEMENTS PLAN
10	LS-1	LIFT STATION DETAILS
11	E1	LIGHTING DETAILS
12	LA 1 OF 2	LANDSCAPE PLAN
13	LA 2 OF 2	DETAILS AND SPECIFICATIONS

CONSTRUCTION NOTES:

- ALL WORK PERFORMED, AS WELL AS ALL CONSTRUCTION MATERIALS AND TESTING, SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS, CODES, REGULATIONS AND ORDINANCES.
- ACCESS TO THE PROJECT SITE SHALL BE VIA NW 16TH BLVD. REFER TO THE SITE ACCESS MAP.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR SITE SAFETY ASSOCIATED WITH THE WORK UNDER THIS PROJECT AND FOR COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL HEALTH AND SAFETY LAWS, CODES, REGULATIONS, AND ORDINANCES, INCLUDING BUT NOT LIMITED TO THOSE CURRENTLY MANDATED BY THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA).
- CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING TREES, STRUCTURES, AND UTILITIES WHICH MAY OR MAY NOT BE SHOWN ON THE PLANS. ANY EXISTING STRUCTURE, PAVEMENT, TREES OR OTHER EXISTING UTILITIES NOT SPECIFIED FOR REMOVAL WHICH IS DAMAGED, EXPOSED OR IN ANY WAY DISTURBED BY CONSTRUCTION PERFORMED, SHALL BE REPAIRED, PATCHED OR REPLACED AT NO ADDITIONAL COST.
- UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR LEAVE EXCAVATED TRENCHES OPEN, UNCOVERED OR EXPOSED AT THE END OF THE WORKING DAY, WEEKENDS, HOLIDAYS OR OTHER TIMES WHEN THE CONTRACTOR IS NOT WORKING.
- THE CONTRACTOR SHALL KEEP THE SITE REASONABLE FREE FROM DEBRIS, TRASH, AND CONSTRUCTION WASTE, BUILDING MATERIAL AND/OR CONSTRUCTION DEBRIS STORED ADJACENT TO OR UPON THE ROADWAY SHALL BE ADEQUATELY MARKED AT ALL TIMES FOR PEDESTRIAN AND TRAFFIC SAFETY.
- ALL PAVEMENTS AND OTHER IMPROVEMENTS IMPACTED BY CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION OR BETTER.
- IN THE EVENT CONTAMINATED MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL IMMEDIATELY ADVISE THE CLIENT.
- ANY MATERIAL REMOVED FROM THIS PROJECT SHALL BE DISPOSED OF PROPERLY BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE CLIENT.
- ALL STATION AND OFFSET PROVIDED ON THE DRAWINGS REFERENCE THE BASELINE OF CONSTRUCTION.
- THE CONTRACTOR SHALL RESTORE ALL DISTURBED AREAS TO THEIR ORIGINAL CONDITION OR BETTER.
- SPECIFIC NORTHING/EASTING COORDINATE, STATIONING AND ALIGNMENT DATA AS SHOWN ON THE DRAWINGS SHALL BE UTILIZED FOR CONSTRUCTION.
- ALL PROPOSED ELEVATIONS ARE FINAL ELEVATION OF FACILITIES AFTER CONSTRUCTION.
- CONTRACTOR SHALL NOTIFY THE CLIENT IMMEDIATELY UPON IDENTIFICATION OF EXPOSED STEEL WITHIN CONCRETE STRUCTURE.

STAGING NOTES:

- CONTRACTOR SHALL COORDINATE ACCESS REQUIREMENTS WITH THE CLIENT.
- STAGING AREA SHALL BE PREPARED IN ACCORDANCE WITH THE PROJECT'S SPECIFICATIONS.
- ADDITIONAL TEMPORARY DRAINAGE TO ACCOMMODATE CONTRACTOR'S STAGING MUST BE PROVIDED BY THE CONTRACTOR AT NO COST TO THE CLIENT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE GRADING, EROSION CONTROL, AND STORMWATER MANAGEMENT PLAN WHICH SHALL BE SUBMITTED TO THE CLIENT FOR REVIEW AND APPROVAL. DISCHARGE TO THE CANAL IS DISCOURAGED.
- FOLLOWING COMPLETION OF THE PROJECT, ALL TEMPORARY DRAINAGE MEASURES WITHIN THE STAGING AREAS SHALL BE REMOVED. ALL STAGING AREAS SHALL BE RESTORED IN KIND, E.G., GRASSED STAGING AREAS SHALL BE SEEDED AND MULCHED.

UTILITY NOTES:

- THE LOCATION AND SIZE OF ALL EXISTING UTILITIES SHOWN ON THESE DRAWINGS ARE APPROXIMATE. ADDITIONAL UTILITIES MY EXIST WHICH ARE NOT SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL UTILITIES BY ELECTRONIC METHODS AND/OR BY HAND EXCAVATION IN COORDINATION WITH ALL UTILITY COMPANIES PRIOR TO BEGINNING ANY CONSTRUCTION OPERATION.
- ALL CONFLICTS WITH EXISTING UTILITIES SHALL BE BROUGHT TO THE ATTENTION OF THE CLIENT AND MUST BE RESOLVED PRIOR TO CONTINUING WORK. THIS WORK IS INCIDENTAL TO THE CONSTRUCTION AND NO ADDITIONAL COMPENSATION SHALL BE PAID BY THE CLIENT.
- IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO TAKE ADEQUATE MEASURES TO ENSURE SAFETY WHEN WORKING WITHIN THE VICINITY OF OVERHEAD ELECTRICAL, TELEPHONE AND OTHER LINES. PROPER COORDINATION WITH JURISDICTIONAL AUTHORITIES MUST BE UNDERTAKEN AS APPLICABLE.
- CONTRACTOR SHALL CONTACT SUNSHINE STATE ONE CALL 811 AT LEAST 48 HOURS PRIOR TO PERFORMING ANY EXCAVATION/DIGGING TO VERIFY THE EXACT LOCATION OF EXISTING UTILITIES.
- CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED BY CONSTRUCTION RELATED ACTIVITIES TO EXISTING UTILITY SERVICE LINES. COST OF REPAIR TO BE BORNE BY CONTRACTOR.
- IN THE EVENT OF DAMAGE TO EXISTING UTILITIES, CONTRACTOR SHALL STOP WORK IMMEDIATELY, TAKE NECESSARY PRECAUTIONS TO PREVENT INJURY OR FURTHER DAMAGE, AND NOTIFY PROPER AUTHORITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING/REPAIRING ALL EXISTING STRUCTURES, CONDUITS, OR OTHER UTILITIES DAMAGED BY CONTRACTOR'S OPERATIONS AT NO COST TO CLIENT.
- ALL UTILITIES IN CONFLICT WITH CONSTRUCTION SHALL BE REMOVED, RELOCATED OR ADJUSTED UNDER THIS CONTRACT UNLESS THE PLANS AND SPECIFICATIONS INDICATE OTHERWISE. THE CONTRACTOR SHALL ARRANGE CONSTRUCTION SCHEDULE TO ALLOW UTILITIES OWNERS TIME FOR THE NECESSARY RELOCATION AND ADJUSTMENT OF UTILITIES AND RELATED STRUCTURES.
- UTILITIES AND STRUCTURES NOT SHOWN ON THE PLANS TO BE REMOVED AND REPLACED OR RELOCATED SHALL BE PROTECTED IN PLACE, AND UTILITY SERVICES SHALL BE MAINTAINED WHERE TEMPORARY CONFLICTS OCCUR BETWEEN EXISTING UTILITIES AND THE NEW CONSTRUCTION. THE CONTRACTOR SHALL PROTECT IN PLACE OR RELOCATE THE UTILITIES AND STRUCTURES SHOWN ON THE PLANS TO BE REMOVED AND REPLACED OR RELOCATED SHALL CONFORM TO THE REQUIREMENTS OF THE APPLICABLE TECHNICAL SPECIFICATIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING WHATEVER UTILITY SERVICES ARE REQUIRED TO SUPPORT THE EFFORTS SPECIFIED IN THESE PLANS AND SPECIFICATIONS. THE CONTRACTOR SHALL PAY ALL COSTS ASSOCIATED WITH THESE UTILITIES INCLUDING DEPOSITS, CONNECTIONS AND DISCONNECTION CHARGES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY PERMITS REQUIRED TO OBTAIN UTILITY SERVICES.

PERMITS NOTES:

- CONTRACTOR IS REQUIRED TO OBTAIN ALL NECESSARY PERMITS AND/OR APPROVALS PRIOR TO THE START OF CONSTRUCTION INCLUDING BUT NOT LIMITED TO AN NPDES NOI PERMIT AND ANY OTHER PERMIT ASSOCIATED WITH SUCH PERMIT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE NECESSARY PERMITS FOR CONSTRUCTION, CONTRACTOR SHALL COMPLY WITH ALL CONDITIONS OR CLIENT-OBTAINED PERMITS.
- ALL WORK PERFORMED SHALL COMPLY WITH APPLICABLE REGULATIONS AND ORDINANCES OF THE VARIOUS GOVERNMENT AGENCIES HAVING JURISDICTION OVER THE WORK PERFORMED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COST INCLUDING PENALTIES/FINES LEVIED FOR WORK THAT IS NOT PERFORMED IN ACCORDANCE WITH PERMIT CONDITIONS.

STORMWATER POLLUTION PREVENTION NOTES:

- CONTRACTOR SHALL INSTALL PERMANENT OR TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES AT THE EARLIEST PRACTICABLE TIME CONSISTENT WITH GOOD CONSTRUCTION PRACTICE. ONE OF THE FIRST CONSTRUCTION ACTIVITIES SHOULD BE THE PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES WHERE REQUIRED AROUND THE PERIMETER OF THE PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE AND REPAIRS OF EROSION AND SEDIMENT CONTROL/SWPPP DEVICES PER FDOT AND FDEP STANDARDS AND SPECIFICATIONS. THE MAINTENANCE OF THESE DEVICES WILL OCCUR THROUGHOUT THE DURATION OF CONSTRUCTION. THE CONTRACTOR SHALL REMOVE ALL TEMPORARY EROSION AFTER COMPLETION OF THE PROJECT. CONFORMANCE WITH SWPPP SHALL NOT RELIEVE THE CONTRACTOR FROM THE RESPONSIBILITIES TO PROTECT ADJACENT PROPERTIES, FEATURES AND NATURAL ENVIRONMENT FROM THE POSSIBLE DAMAGE IMPACT THAT MAY ARISE AS A RESULT OF THE CONSTRUCTION LIMITED TO CONSTRUCTING SUCH FACILITIES AND ANY OTHER MEASURES THAT ARE NECESSARY TO PREVENT, CONTROL AND ABATE WATER EROSION DAMAGE TO PUBLIC AND PRIVATE PROPERTY AS A RESULT TO THE CONSTRUCTION OF THIS PROJECT.
- PERIMETER POLLUTION PREVENTION CONTROLS SHALL BE INSTALLED AFTER CLEARING AND GRUBBING BUT BEFORE BEGINNING OTHER CONSTRUCTION PHASES, CONTRACTOR SHALL REMOVE PERIMETER CONTROL S ONLY AFTER ALL AREAS HAVE BEEN STABILIZED.
- THE EXISTING STORMWATER/DRAINAGE FLOW PATTERNS SHALL BE MAINTAINED DURING CONSTRUCTION.
- THE CONTRACTOR SHALL MONITOR ALL POLLUTION CONTROL DEVICES TO ENSURE THAT THEY ARE IN PROPER FUNCTIONING CONDITION DURING CONSTRUCTION.
- CONTRACTOR SHALL COVER LOADED TRUCKS WITH TARPULINS.
- CONTRACTOR SHALL REMOVE EXCESS DIRT FROM ROADS DAILY.
- BUILT UP SEDIMENT SHALL BE REMOVED FROM THE STAKED SILT FENCE WHEN IT REACHES ONE-THIRD OF THE FENCE BARRIER OR WHENEVER FLOW IS IMPEDED.
- WITHIN 24 HOURS OF INSPECTION, THE CONTRACTOR SHALL INITIATE REPAIRS TO THE CONTROL DEVICES THAT THE INSPECTION INDICATES ARE NOT IN GOOD ORDER.
- SOIL TRACKING PREVENTION DEVICES (STPD'S) ARE REQUIRED. STPD'S SHALL BE CONSTRUCTED AT POINTS WHERE TRAFFIC LEAVES OR ENTER DISTURBED AREAS SUCH AS WORK ZONES STOCKPILE AREAS. CONTRACTOR SHALL CONSTRUCT STPD PRIOR TO THE ASSOCIATED AREA BEING DISTURBED.
- AT NO TIME SHALL SEDIMENTS BE ALLOWED TO ACCUMULATE WITHIN EXISTING STORMWATER STRUCTURES.
- STOCKPILE OF EARTH AND OTHER CONSTRUCTION RELATED MATERIAL SHALL BE PROTECTED AGAINST ACCIDENTAL TRANSPORTATION FROM PROJECT SITE BY WIND AND WATER FLOW.
- IF ADDITIONAL EROSION AND SEDIMENT CONTROL BMP'S ARE REQUESTED BY ANY REGULATORY AGENCY, THE CONTRACTOR SHALL PROMPTLY IMPLEMENT SAID MEASURES AFTER APPROVAL BY THE CLIENT.
- THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES SHALL TAKE PRECEDENCE OVER CONSTRUCTION ACTIVITIES.
- ALL APPLICABLE PERMITS RELATING TO THE INSTALLATION OF THESE MEASURES MUST BE SECURED PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AN NPDES STORMWATER PERMIT. ALL COSTS TO PREPARE DOCUMENTATION FOR AND SECURE PERMIT SHALL BE BORNE BY THE CONTRACTOR. NO COMPENSATION WILL BE PROVIDED BY THE CLIENT FOR THIS PURPOSE.

LEGEND (PROPOSED)

- LEGEND:
- GV = RESILIENT WEDGE GATE VALVE
LWDD = LAKE WORTH DRAINAGE DISTRICT
DHW = DESIGN HIGH WATER ELEVATION
MTW = MAINTAINED WATER ELEVATION
BOP = BOTTOM OF PIPE
EOP = EDGE OF PAVEMENT
TOB = TOP OF BANK
TOS = TOE OF SLOPE
RWM = RAW WATER MAIN
MH = MANHOLE
ARV = AIR RELEASE VALVE

SYMBOLS:

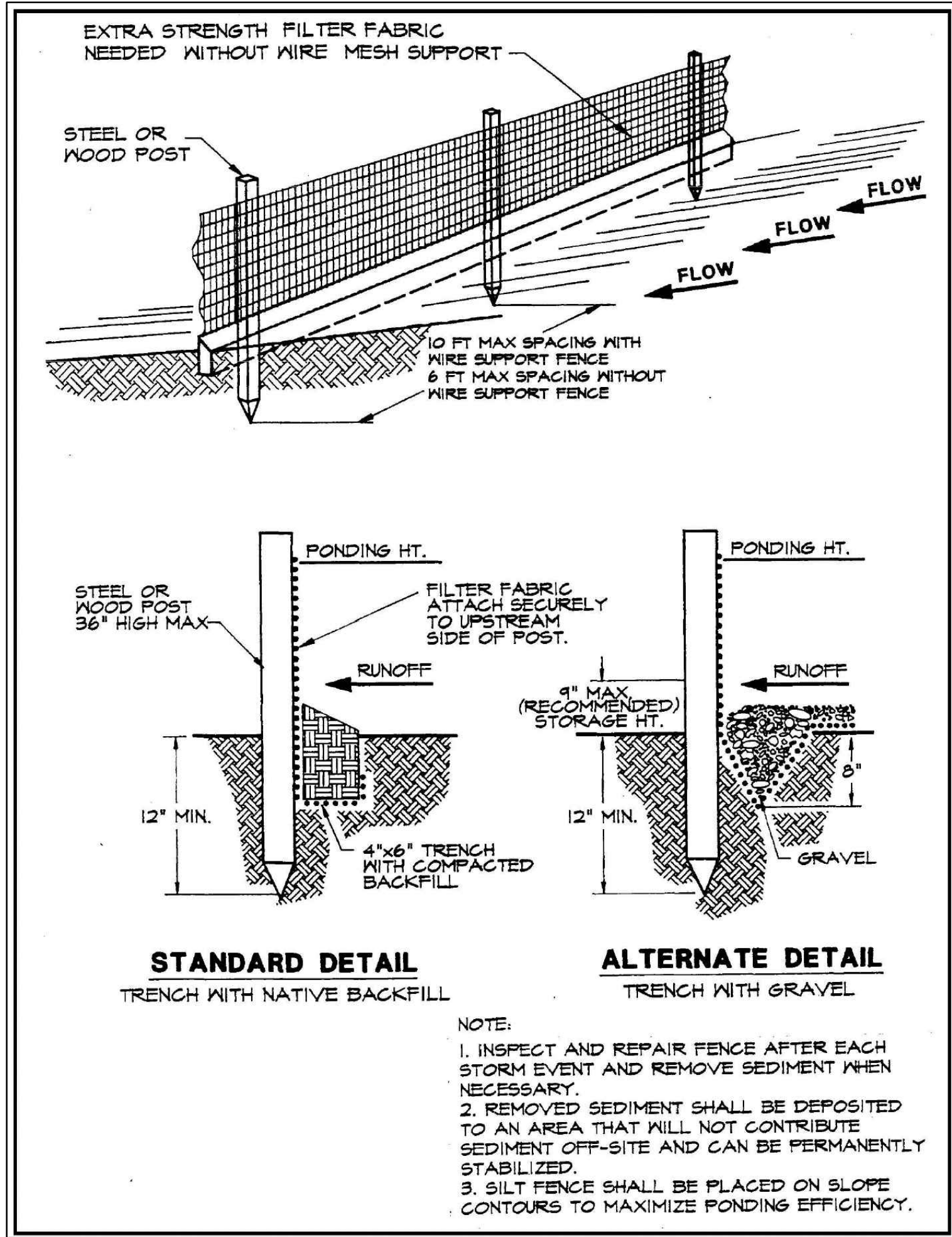
- ☒ = WATERMAIN GATE VALVE
● = AIR RELEASE VALVE (ARV)

LEGEND (EXISTING)¹:

- BT = Bollard
BT = Buried Telephone
CB = Cable Television Riser (CATV)
CB = Catch Basin
CL = Center Line
CLF = Chain Link Fence
C = Cleanout
C = Concrete
CMP = Corrugated Metal Pipe
CPP = Concrete Power Pole/CPP
C&G = Curb & Gutter
CI = Curb Inlet
DE = Drainage Easement
DM = Drainage Manhole
DIP = Ductile Iron Pipe
EJB = Electrical Junction Box
EE = Existing Elevation
FH = Fire Hydrant
FPL = Florida Power & Light
FM = Force Main
Fnd = Found
GM = Gas Main
GV = Gate Valve (WV=Water Valve)
SV = Sewer Valve (IV=Irrigation Valve)
GWA = Guy Wire Anchor
HDPE = High Density Polyethylene Pipe
Inv = Invert
LSB = Licensed Surveying Business
LP = Light Pole
NGVD = National Geodetic Vertical Datum
NAD = North American Datum
NAVD = North American Vertical Datum
ORB = Official Records Book
OF = Overhead Fiber Optic
OU = Overhead Utility
OHU = Overhead Utility Wires
Pg = Page
PBCR = Palm Beach County Records
PK = Parker Kaylor Nail
PLS = Professional Land Surveyor
PRM = Permanent Reference Monument
PSM = Professional Surveyor & Mapper
PB = Plat Book
PVC = Polyvinyl Chloride Pipe (Plastic)
RCP = Reinforced Concrete Pipe
RW = Right-of-Way
SAN = Sanitary Sewer (Gravity)
SS = Sanitary Sewer
SM = Sanitary Sewer Manhole
IS = Information Signs
TR = Telephone Riser
TS = Tree Symbol/Type & Size
UE = Underground Electric
UGFO = Underground Fiber Optic
UE = Utility Easement
WM = Water Main
W = With
WPP = Wood Power Pole/WPP

UTILITIES (EXISTING)²:

- BT = AT&T BURIED TELEPHONE
BFO = AT&T BURIED FIBEROPTIC
OHFO = OVERHEAD FIBEROPTIC
UGFO = UNDERGROUND FIBEROPTIC
CATV = CABLE TELEVISION
FM = FORCE MAIN
GM = GAS MAIN
SS = SANITARY SEWER
UCE = UNDERGROUND ELECTRIC
WM = WATER MAIN



RNM ENGINEERING, LLC.
LICENSE NUMBER: 33738
rnmengineeringllc@gmail.com
rnmeng.com

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

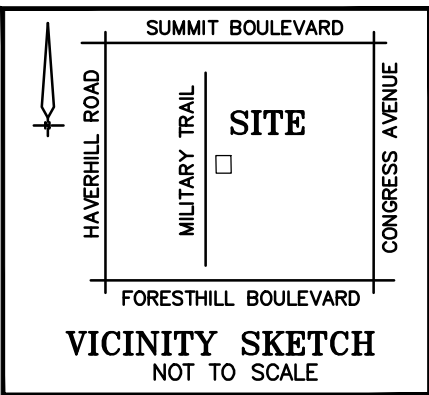
ABBREVIATIONS, LEGEND AND GENERAL NOTES

DATE: FEBRUARY 2021

ENGINEER OF RECORD:
VIJAY MISHRA, PE.
FL PROFESSIONAL ENGINEER LICENSE NO.: 81967

CONTRACT NO.

DRAWING NO.
G-2

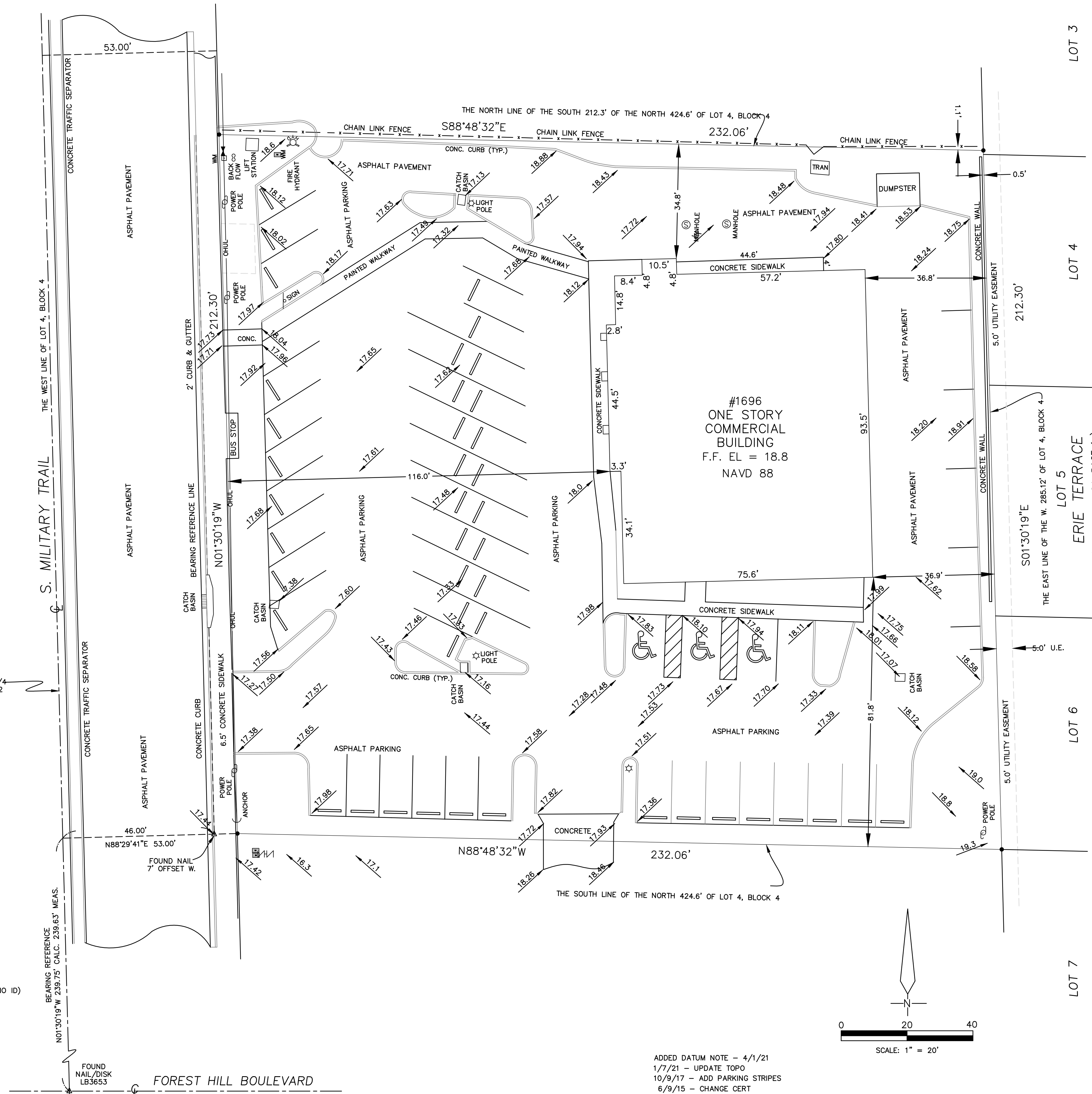


LEGEND:

CONC. = CONCRETE
MEAS = MEASURED
CALC = CALCULATED
WM = WATER METER

• = FOUND 1/2" IRON ROD (NO ID)
UNLESS NOTED OTHERWISE

DWG # 0404615B



Boundary Survey for MY Incentive LLC

SURVEYOR'S NOTES

BENCHMARK OF ORIGIN: PALM BEACH COUNTY BRASS DISK 'FH 14' AS PUBLISHED. ELEVATION = 19.077 NGVD 1929.

LEGAL DESCRIPTION PROVIDED BY CLIENT.

SURVEYOR HAS NOT ABSTRACTED THIS SURVEY FOR EASEMENTS AND RIGHTS OF WAYS OF RECORD.

SURVEY IS NOT VALID WITHOUT A RAISED SEAL.

BEARINGS ARE BASED ON THE ASSUMPTION THAT THE CENTERLINE OF MILITARY TRAIL BEARS N01°30'19"W.

ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD, USING FEET.

ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

ELEVATIONS SHOWN REFERENCED TO FDOT HIGH ACCURACY REFERENCE NETWORK, NAVD 88. CONVERSION TO NGVD 29 = +1.49'

LEGAL DESCRIPTION

THE SOUTH 212.3 FEET OF THE NORTH 424.6 FEET OF THE WEST 285.12 FEET OF LOT 4, BLOCK 4, OF PALM BEACH PLANTATIONS, IN SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 10, PAGE 20, LESS RIGHT-OF-WAY FOR MILITARY TRAIL.

PROPERTY ADDRESS

1696 SOUTH MILITARY TRAIL
WEST PALM BEACH, FL 33415

FLOOD ZONE

FLOOD ZONE 'X'
PANEL NUMBER: 120999C 0588 F
EFFECTIVE DATE: 10/5/17

CERTIFICATION

I HEREBY CERTIFY THAT I MADE THIS SURVEY AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

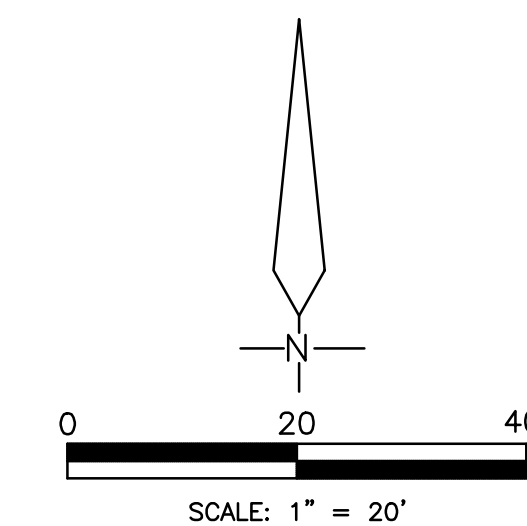
BY:
ROBERT A. BUGGEE, FLORIDA LICENSED SURVEYOR #333
233 E. GATEWAY BLVD., BOYNTON BEACH, FLORIDA
DATE OF FIELD SURVEY: 04/20/15

PREPARED BY:

**Bob Buggee, Inc.
the "SURVEYOR"**

P.O. BOX 3887
BOYNTON BEACH, FLORIDA, 33426
SURVEY & MAPPING BUSINESS #7890
561-732-7877

ADDED DATUM NOTE - 4/1/21
1/7/21 - UPDATE TOPO
10/9/17 - ADD PARKING STRIPES
6/9/15 - CHANGE CERT



ENGINEER: VM	DRAWN: RPT	CHECKED: VM	DATE: MAR 2020	SCALE: AS SHOWN
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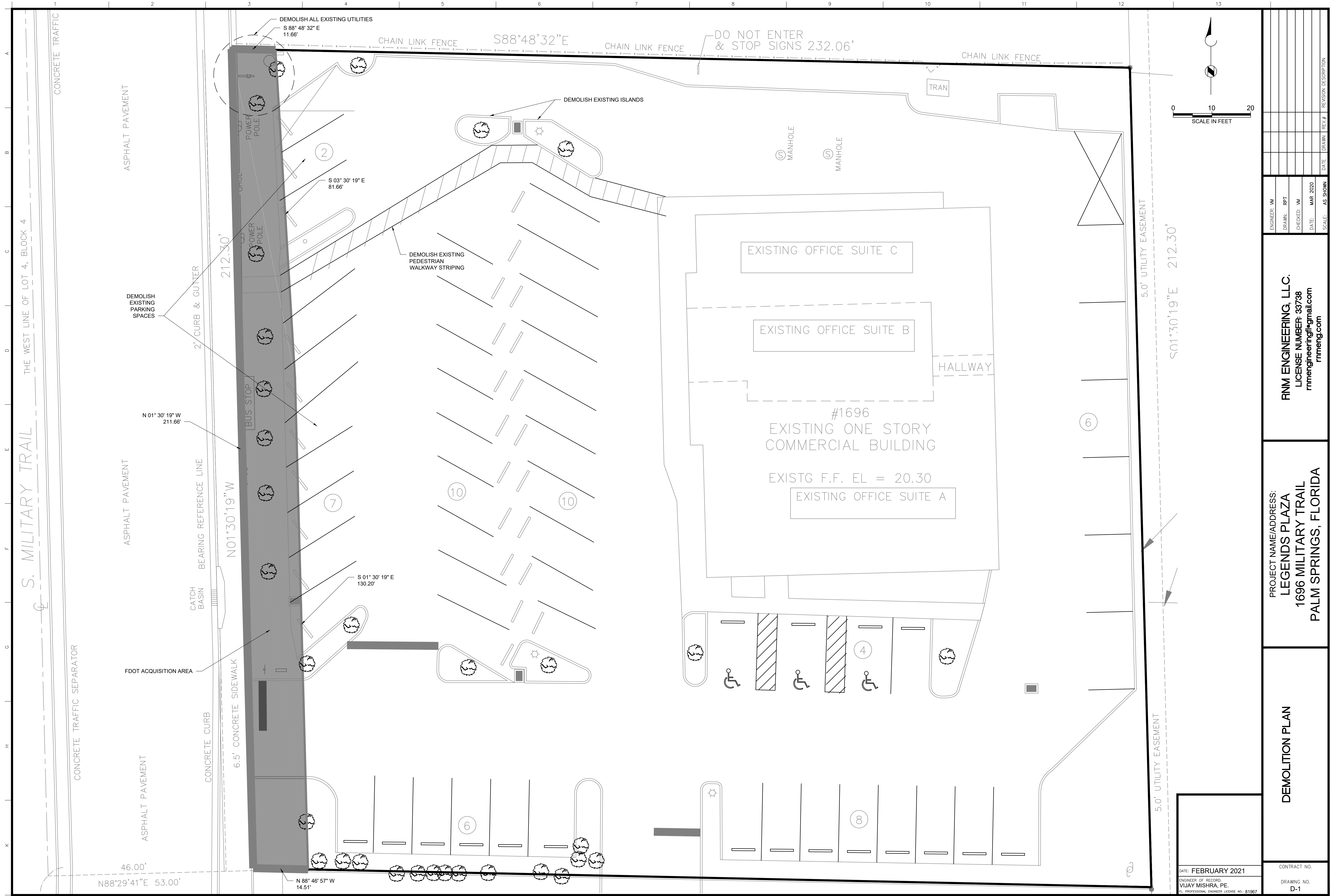
RNM ENGINEERING, LLC.
LICENSE NUMBER: 33738
rnmengineeringllc@gmail.com
rnmeng.com

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

EXISTING SURVEY

CONTRACT NO.

DRAWING NO.
G-3



ENGINEER	WM
DRAWN	RPT
CHECKED	WM
DATE	MAR 2020
SCALE	AS SHOWN

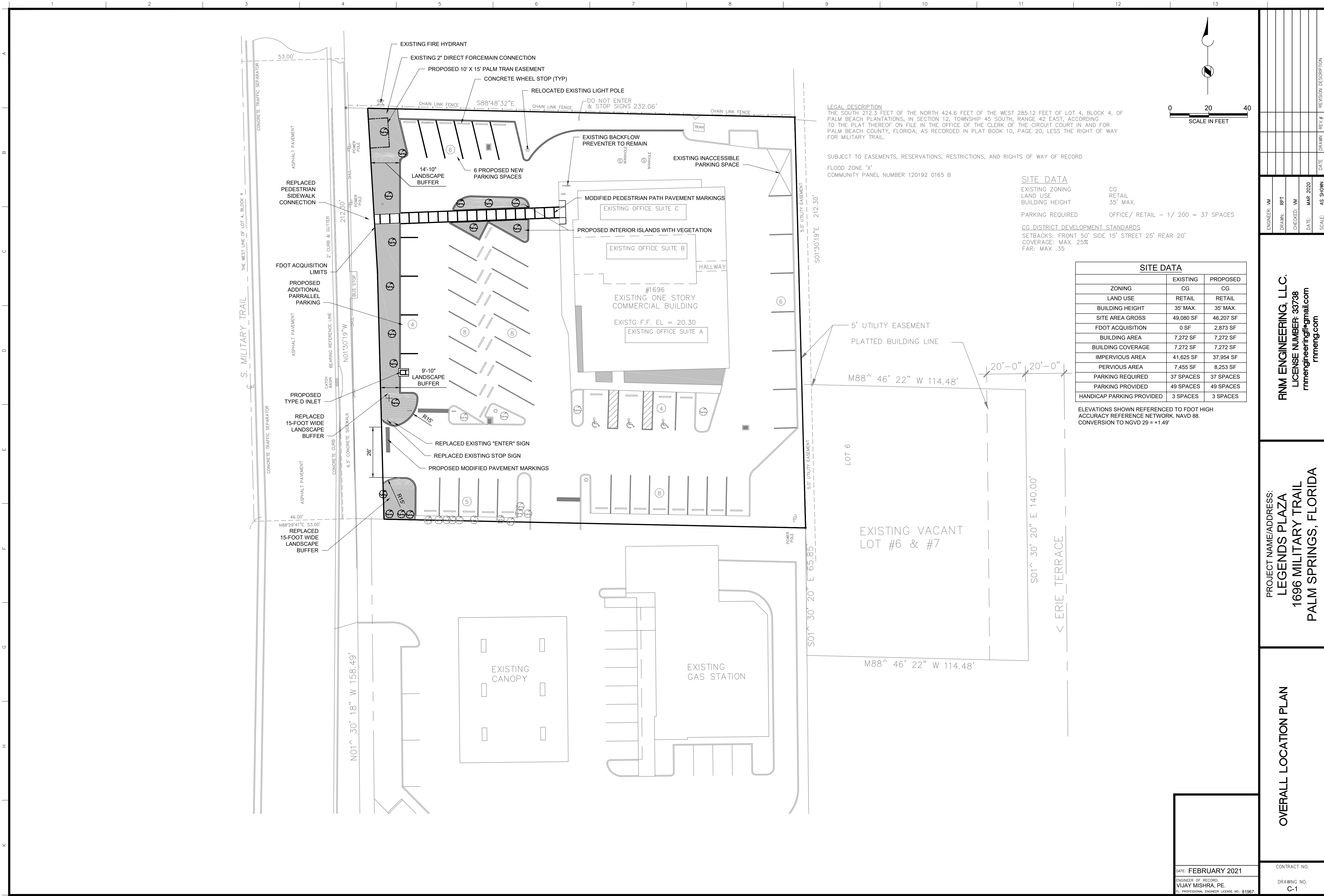
RNM ENGINEERING, LLC.
LICENSE NUMBER: 33738
rnmengineering@gmail.com
rnmeng.com

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

DEMOLITION PLAN

DATE: FEBRUARY 2021
ENGINEER OF RECORD:
VIJAY MISHRA, PE.
FL PROFESSIONAL ENGINEER LICENSE NO.: 81967

CONTRACT NO.
DRAWING NO.
D-1



LEGAL DESCRIPTION
THE SOUTH 212.3 FEET OF THE NORTH 424.6 FEET OF THE WEST 285.12 FEET OF LOT 4, BLOCK 4, OF
PALM BEACH PLANTATIONS, IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, ACCORDING
TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR
PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 10, PAGE 20, LESS THE RIGHT OF WAY
FOR MILITARY TRAIL.

SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD
FLOOD ZONE 'X'
COMMUNITY PANEL NUMBER 120192 0165 B

SITE DATA
EXISTING ZONING CG
LAND USE RETAIL
BUILDING HEIGHT 35' MAX.
PARKING REQUIRED OFFICE/ RETAIL - 1/ 200 = 37 SPACES

CG DISTRICT DEVELOPMENT STANDARDS
SETBACKS: FRONT 50' SIDE 15' STREET 25' REAR 20'
COVERAGE: MAX. 25%
FAR: MAX .35

SITE DATA		
ZONING	EXISTING	PROPOSED
LAND USE	CG	CG
BUILDING HEIGHT	RETAIL	RETAIL
SITE AREA GROSS	35' MAX.	35' MAX.
FDOT ACQUISITION	49,080 SF	46,207 SF
BUILDING AREA	0 SF	2,873 SF
BUILDING COVERAGE	7,272 SF	7,272 SF
IMPERVIOUS AREA	7,272 SF	7,272 SF
PERVIOUS AREA	41,625 SF	37,954 SF
PARKING REQUIRED	7,455 SF	8,253 SF
PARKING PROVIDED	37 SPACES	37 SPACES
HANDICAP PARKING PROVIDED	49 SPACES	49 SPACES
	3 SPACES	3 SPACES

ELEVATIONS SHOWN REFERENCED TO FDOT HIGH
ACCURACY REFERENCE NETWORK, NAVD 88.
CONVERSION TO NGVD 29 = +1.49'

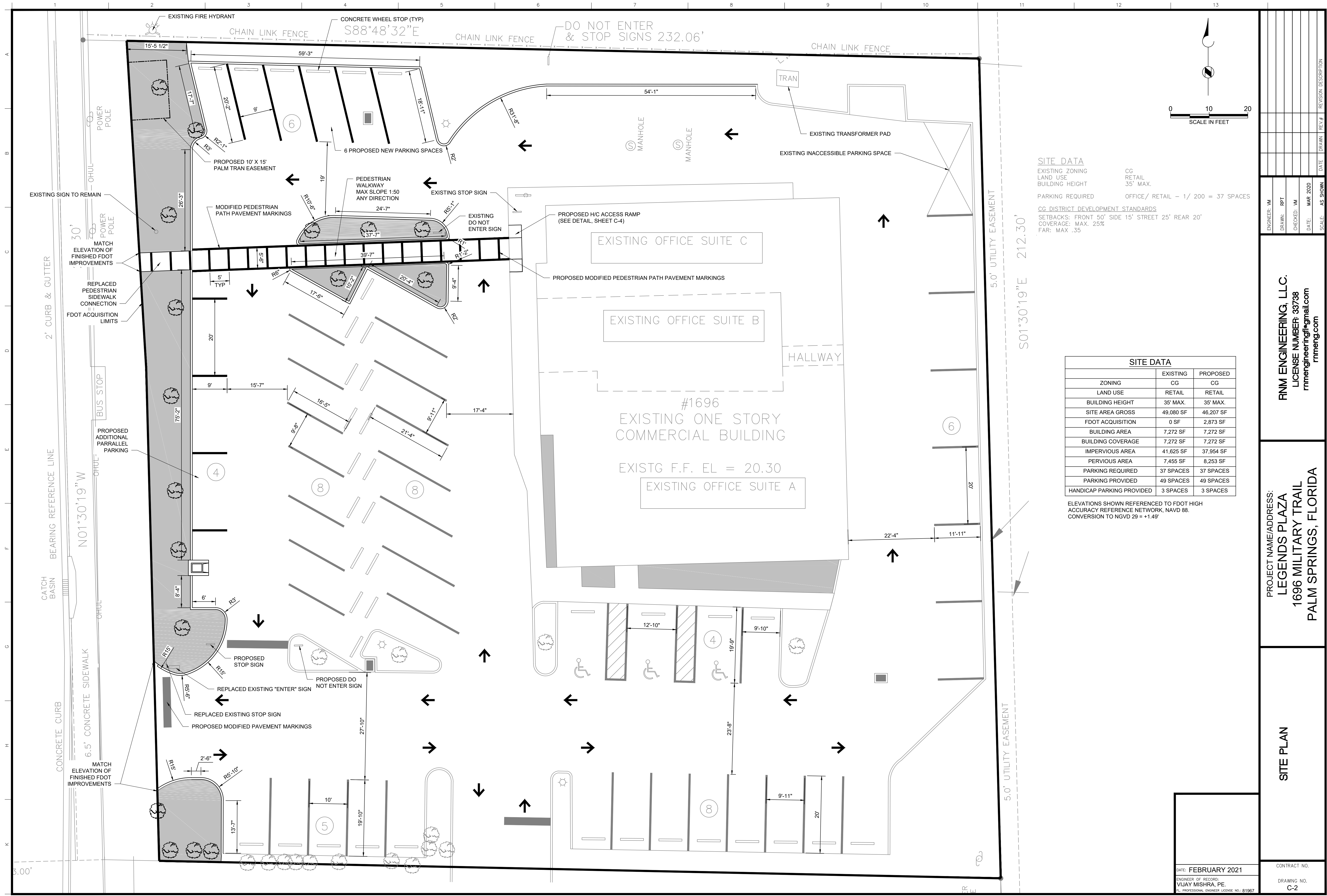
RNM ENGINEERING, LLC.
LICENSE NUMBER: 33738
rnmengineering@gmail.com
rnmeng.com

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

OVERALL LOCATION PLAN

DATE: FEBRUARY 2021
ENGINEER OF RECORD:
VIJAY MISHRA, PE.
FL PROFESSIONAL ENGINEER LICENSE NO.: 81967

CONTRACT NO.
DRAWING NO.
C-1



SITE DATA
EXISTING ZONING CG
LAND USE RETAIL
BUILDING HEIGHT 35' MAX.
PARKING REQUIRED OFFICE/ RETAIL - 1/ 200 = 37 SPACES
CG DISTRICT DEVELOPMENT STANDARDS
SETBACKS: FRONT 50' SIDE 15' STREET 25' REAR 20'
COVERAGE: MAX. 25%
FAR: MAX .35

SITE DATA		
	EXISTING	PROPOSED
ZONING	CG	CG
LAND USE	RETAIL	RETAIL
BUILDING HEIGHT	35' MAX.	35' MAX.
SITE AREA GROSS	49,080 SF	46,207 SF
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ELEVATIONS SHOWN REFERENCED TO FDOT HIGH
ACCURACY REFERENCE NETWORK, NAVD 88.
CONVERSION TO NGVD 29 = +1.49'

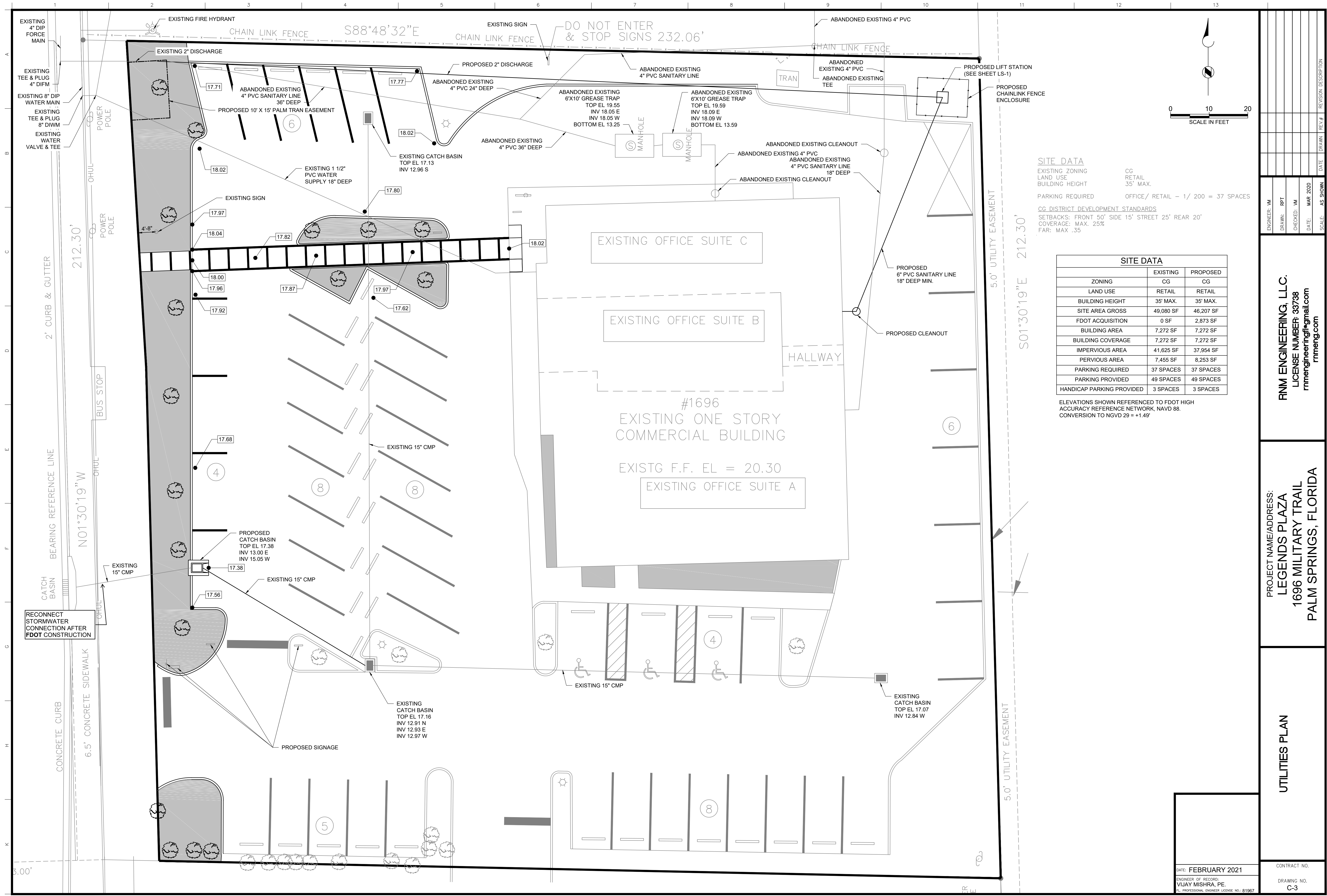
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1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

SITE PLAN

DATE: FEBRUARY 2021
ENGINEER OF RECORD:
VIJAY MISHRA, P.E.
FL PROFESSIONAL ENGINEER LICENSE NO.: 81967

CONTRACT NO.
DRAWING NO.
C-2



SITE DATA
EXISTING ZONING CG
LAND USE RETAIL
BUILDING HEIGHT 35' MAX.
CG DISTRICT DEVELOPMENT STANDARDS
SETBACKS: FRONT 50' SIDE 15' STREET 25' REAR 20'
COVERAGE: MAX. 25%
FAR: MAX .35
PARKING REQUIRED OFFICE/ RETAIL - 1/ 200 = 37 SPACES

SITE DATA		
	EXISTING	PROPOSED
ZONING	CG	CG
LAND USE	RETAIL	RETAIL
BUILDING HEIGHT	35' MAX.	35' MAX.
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ELEVATIONS SHOWN REFERENCED TO FDOT HIGH
ACCURACY REFERENCE NETWORK, NAVD 88.
CONVERSION TO NGVD 29 = +1.49'

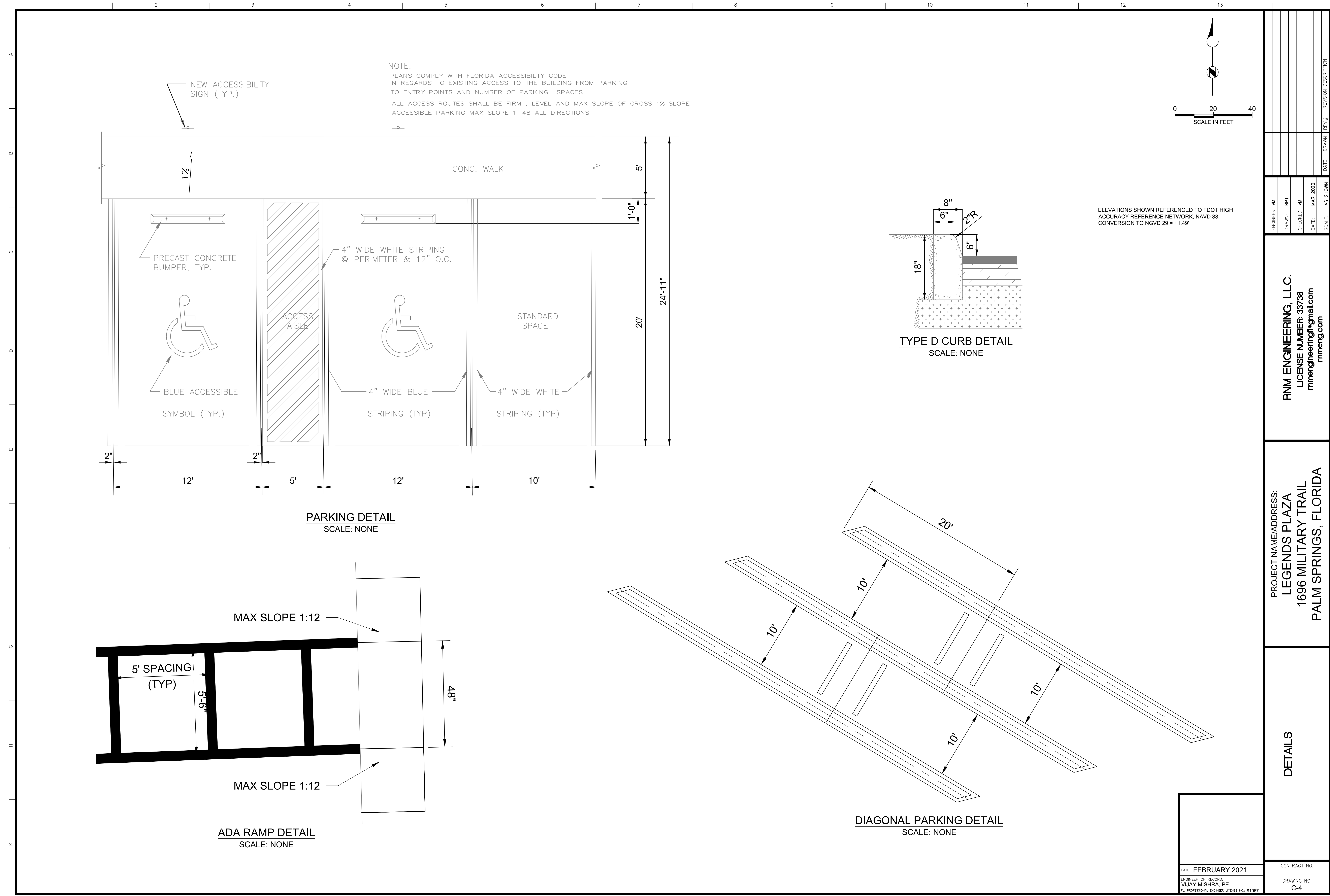
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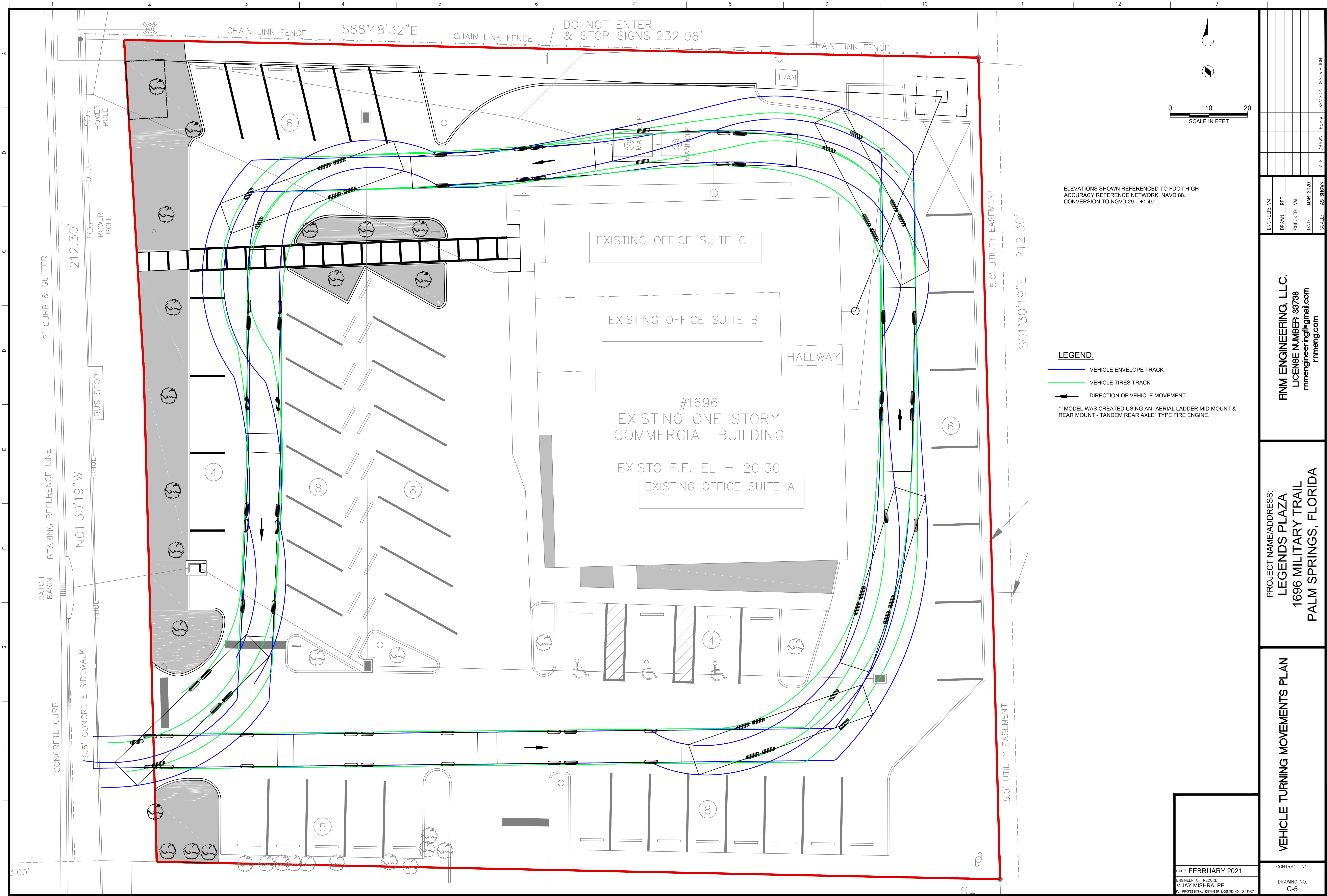
PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

UTILITIES PLAN

DATE: FEBRUARY 2021
ENGINEER OF RECORD:
VIJAY MISHRA, PE.
PL: PROFESSIONAL ENGINEER LICENSE NO.: 81967

CONTRACT NO.
DRAWING NO.
C-3

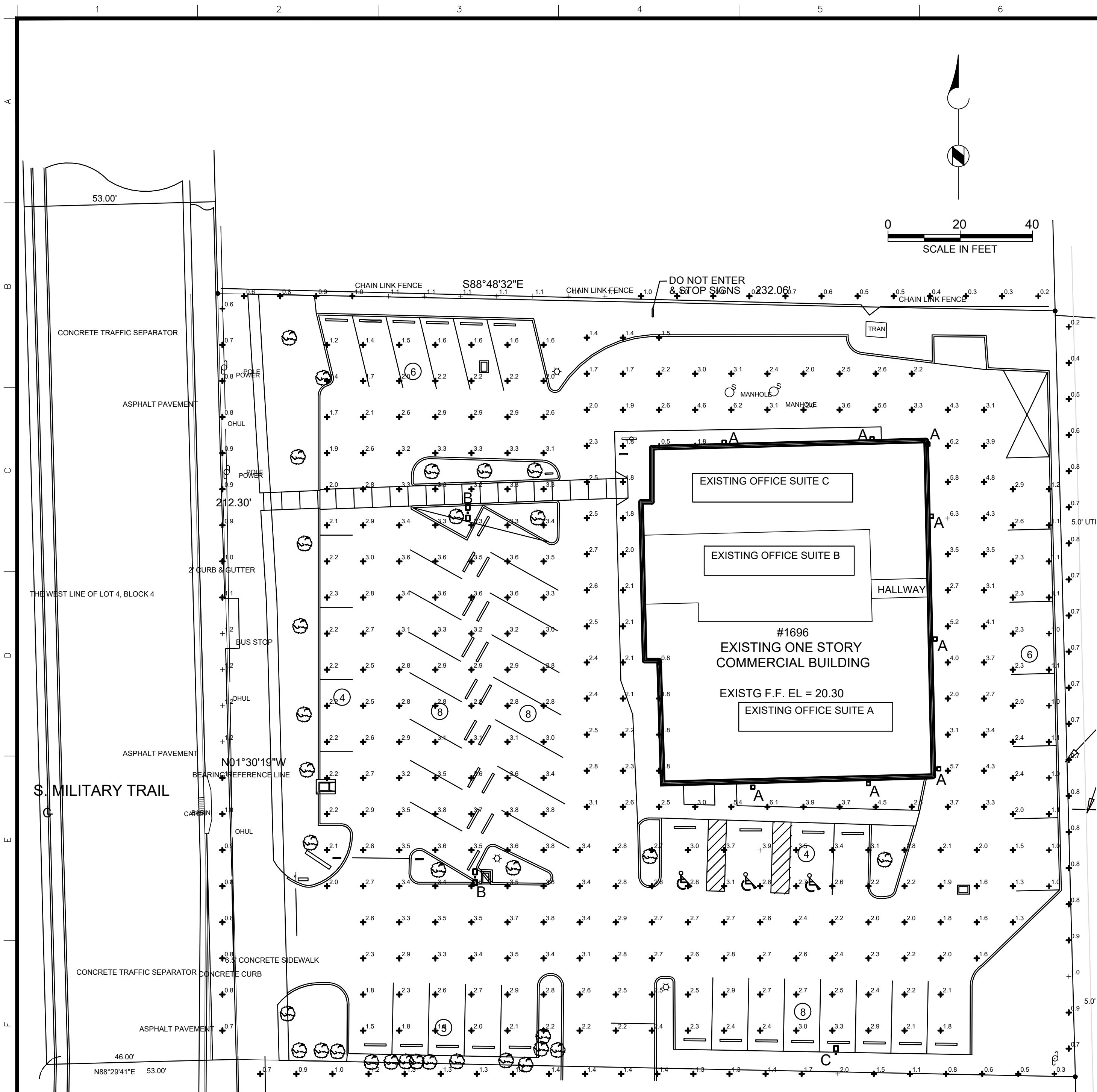




ELEVATIONS SHOWN REFERENCED TO FDOT HIGH
ACCURACY REFERENCE NETWORK, NAVD 88.
CONVERSION TO NGVD 29 = +1.48'

LEGEND:
— VEHICLE ENVELOPE TRACK
— VEHICLE TIRES TRACK
— DIRECTION OF VEHICLE MOVEMENT
* MODEL WAS CREATED USING AN "AERIAL LADDER MID MOUNT &
REAR MOUNT - TANDEM REAR AXLE" TYPE FIRE ENGINE.

PROJECT NAME/ADDRESS: LEGENDS PLAZA 1696 MILITARY TRAIL PALM SPRINGS, FLORIDA		ENGINEER: VM DRAWN: RPT CHECKED: VM DATE: MAR 2020 SCALE: AS SHOWN		RNM ENGINEERING, LLC. LICENSE NUMBER: 33738 rnmengineering@gmail.com rnmeng.com		REVISION DESCRIPTION DATE DRAWN REV.#	
VEHICLE TURNING MOVEMENTS PLAN		CONTRACT NO.		ENGINEER OF RECORD: VIJAY MISHRA, PE. P.E. PROFESSIONAL ENGINEER LICENSE NO.: 81967		DRAWING NO. C-5	



PHOTOMETRIC DETAIL
SCALE: 1" = 20'

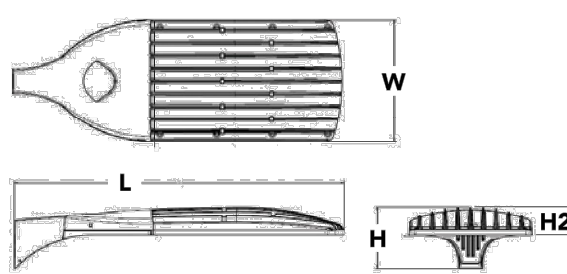
FOOT CANDLES					
AREA	MAXIMUM	MINIMUM	AVERAGE	MAXIMUM TO MINIMUM RATIO	AVERAGE TO MINIMUM RATIO
PALM SPRINGS, FL CODE OF ORDINANCES, PARKING LOTS	12.0	1.0	-	12:1	3:1
PARKING LOT	4.1	1.0	2.6	4.1:1	2.6:1
BUILDING PERIMETER	6.3	0.5	3.1	12.6:1	6.2:1
NORTH PROPERTY LINE	1.1	0.2	0.8	5.5:1	4:1
SOUTH PROPERTY LINE	2.0	0.3	1.2	6.7:1	4:1
EAST PROPERTY LINE	1.0	0.2	0.7	5:1	3.5:1
WEST PROPERTY LINE	1.2	0.6	0.9	2:1	1.5:1

NOTES:
1. CALCULATION GRID: 10 FT.



D-Series Size 2 LED Area Luminaire

Specifications
EPA: 1.1 ft²
(0.10 m²)
Length: 40"
(101.6 cm)
Width: 15"
(38.1 cm)
Height 1: 7-1/4"
(18.4 cm)
Height 2: 3.5"
Weight: 30lbs



Catalog Number
Notes
Type

Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment.

The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. The Size 2 is ideal for replacing 400-1000W metal halide in area lighting applications with energy savings of up to 80% and expected service life of over 100,000 hours.

Ordering Information

EXAMPLE: DSX2 LED P7 40K T3M MVOLT SPA NLTAR2 PIRHN DDBXD					
Series	LEDs	Color temperature	Distribution	Voltage	Mounting
DSX2 LED	Forward optics	30K 3000 K	T15 Type I Short (Automotive)	MSVOLT ¹ 277V-480V ^{1,2,3}	Shipped included
	P1 P5	40K 4000 K	T55 Type V Short ¹	MSVOLT ¹ 277V-480V ^{1,2,3}	Square pole mounting
	P2 P6	50K 5000 K	T25 Type K Short	MSVOLT ¹ 277V-480V ^{1,2,3}	Round pole mounting ^{1,2}
	P3 P7		T2M Type K Medium	MSVOLT ¹ 277V-480V ^{1,2,3}	Wall bracket ¹
Related optics	P4 P8		T35 Type H Short	MSVOLT ¹ 277V-480V ^{1,2,3}	Square pole universal mounting adapter ^{1,2}
	P9 P9		T3M Type H Medium	MSVOLT ¹ 277V-480V ^{1,2,3}	Round pole universal mounting adapter ^{1,2}
	P10 P10		T4M Type V Medium	MSVOLT ¹ 277V-480V ^{1,2,3}	Shipped separately
	P11 P11		T5M Type V Medium	MSVOLT ¹ 277V-480V ^{1,2,3}	Shipped separately
Control options					
Shipped installed					
NLTAR2 Night A/R generation 2 enabled ^{1,2}					
PIRHN Network, Bi-Level motion/ambient sensor ^{1,2}					
PER NEMA two-lock receptacle only (no controls) ^{1,2}					
PER5 Five-wire receptacle only (no controls) ^{1,2,3,4}					
PER7 Seven-wire receptacle only (no controls) ^{1,2,3,4}					
DMG 0-10V dimming (noted out back of housing for external control (no controls) ^{1,2}					
DS Dual switching ^{1,2,3}					
Other options					
Shipped installed					
HS House-side shield ^{1,2}					
SF Single fuse (120, 277, 347V) ^{1,2}					
DF Double fuse (208, 240, 480V) ^{1,2}					
LSD Left-side optics ^{1,2}					
RSD Right-side optics ^{1,2}					
HA 50°C ambient operations ¹					
Shipped separately					
BS Bird spikes ^{1,2}					
EGS External glare shield					
Finish (selected)					
DDBXD Dark bronze					
DDBLD Black					
DDBXD Natural aluminum					
DDBXD White					
DDBXD Textured dark bronze					
DDBXD Textured black					
DDBXD Textured natural aluminum					
DDBXD Textured white					

LITHONIA LIGHTING
COMMERCIAL OUTDOOR
One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • www.lithonia.com
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DSX2 LED Rev. 11/16/20 Page 1 of 6



Contractor Select™ TWH/TWP LED Wall Pack



Cast in a traditional dayform, the TWH LED wall pack luminaires come standard with adjustable light output allowing the distributors to reduce inventory, adjust to customers' needs and save energy compared to traditional light sources. The TWH LED luminaire provide two choices in wall pack construction. The TWH's glass refractor provides a long-life solution with great optical control.

FEATURES:

- Replaces up to 400W MH for TWH and 250W for TWP, saves 83% energy
- Traditional form factor, and payback within two years
- Available with glass for TWH or polycarbonate lens for TWP

Catalog Number	UPC	Description	Replaces Up To	Lumens	Wattage	CCT	Voltage	Finish	Pallet qty.
TWH LED ALD 40K	191848355251	WALL PACKS	70W - 400W METAL HALIDE	2,076 - 9,214	16 - 78W	4000K	120-277V	TEXTURED DARK BRONZE	30
TWH LED ALD 50K	191848355329	WALL PACKS	70W - 400W METAL HALIDE	2,076 - 9,214	16 - 78W	5000K	120-277V	TEXTURED DARK BRONZE	30
TWP LED ALD 50K	191848355312	WALL PACKS	70W - 250W METAL HALIDE	1,366 - 5,174	11 - 48W	5000K	120-277V	TEXTURED DARK BRONZE	30

More configurations are available. Click here or visit www.acuitybrands.com and search for TWH LED or TWP LED.

Accessories: Order as separate catalog number.

TWHVG U	Vandal guard accessory
TWHVG U	Wire guard accessory

TWH LED						TWP LED					
ALO Setting	System Watts	40K / 50K (4000K / 5000K, 70 CRI)	Lumens	Replaces (Metal Halide)	LPW	ALO Setting	System Watts	40K / 50K (4000K / 5000K, 70 CRI)	Lumens	Replaces (Metal Halide)	LPW
Step 8 (default)	78	9,214	118	400W		Step 8 (default)	48	5,174	108	250W	
Step 7	73	8,704	119			Step 7	45	4,888	109		
Step 6	63	7,659	122			Step 6	39	4,301	110		
Step 5	54	6,590	122			Step 5	34	3,701	111		
Step 4	44	5,498	125			Step 4	28	3,087	111		
Step 3	34	4,381	129			Step 3	22	2,460	112		
Step 2	25	3,241	130	150/175W		Step 2	16	1,820	112		
Step 1	16	2,076	130	70W		Step 1	11	1,166	112		

CONTRACTOR SELECT TWH LED

Page 1 of 2

SYMBOL	LUMINAIRES - LITHONIA	LABEL	QUALITY	ARRANGEMENT	MOUNTING	MOUNTED HEIGHT	LLF	WATTS
□	TWP-LED-ALO-PERFORMANE PACKAGE-4000K-CCT-TYPE3-MEDIUM-DARK BRONZE	A	8	SINGLE	WALL	12 FT	0.95	49
□-□	DSXS2-LED-P1-40K-T5M-MVOLT-SPA-DBBTXD	B	2	BACK TO BACK	SQUARE POLE	30 FT	0.95	280
□-□	DSXS2-LED-P1-40K-T3M-MVOLT-SPA-DBBTXD	C	1	SINGLE	SQUARE POLE	30 FT	0.95	140

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

LIGHTING DETAILS

DATE: FEBRUARY 2021
ENGINEER OF RECORD:
ANTHONY PHILLIPS, PE.
FL PROFESSIONAL ENGINEER LICENSE NO.: 60760

CONTRACT NO.
DRAWING NO.
E-1

DESIGN AND COMPLIANCE NOTES

1. SYSTEM SPECIFIED ON THIS PAGE COMPLIES WITH THE FOLLOWING REFERENCE STANDARDS:
+ FLORIDA ADMINISTRATIVE CODE (F.A.C.) CHAPTER 62-604 "COLLECTION SYSTEMS AND TRANSMISSION FACILITIES" AND ALL RELATED AND CROSS REFERENCED STANDARDS
+ N.F.P.A. 820
+ RECOMMENDED STANDARDS FOR WASTEWATER FACILITIES (TEN STATES STANDARDS)

2. WET WELL TOP AND CONTROLS MUST BE APPROPRIATELY LOCATED ABOVE THE 25 YEAR AND 100 YEAR FLOOD ELEVATIONS, RESPECTIVELY, PER F.A.C. 62-604.400(2)(e)

PUMP STATION SPECIFICATIONS

- FURNISH AND INSTALL SPECIFIED SUBMERSIBLE PUMPS
- OIL FILLED MOTOR DESIGN FOR SEWAGE APPLICATION WITH EITHER NEMA B OR NEMA F INSULATION VALUES
- WET WELL LOAD RATED PER A.S.T.M. D-3753 FIBERGLASS REINFORCED POLYESTER (F.R.P.) TO WITHSTAND HIGH GROUND WATER CONDITIONS. WET WELL SHALL ALSO BE SUPPLIED WITH SERIAL NUMBER TO BE UNIQUELY IDENTIFIED
- BASIN ASSEMBLY TO INCLUDE SCH 80 PVC DISCHARGE PIPING
- THE FOLLOWING COMPONENTS SHALL BE 304 STAINLESS STEEL: GUIDE RAILS, UPPER GUIDE RAIL BRACKETS, AND CABLE RACK AND SHALL BE INSTALLED BY SOUTHEASTERN PUMP PRIOR TO DELIVERY OF FIBERGLASS BASIN PACKAGE/ASSEMBLY
- ALUMINUM HATCHES SHALL BE REINFORCED FOR 300 P.S.F. LOAD RATING WITH HOLD OPEN SAFETY ARM, LOCKING DEVICE, AND STAINLESS STEEL HARDWARE; COVERS INCLUDE LIFETIME WARRANTY
- FLOAT SWITCHES SHALL BE SEPCO; SME-SERIES

VALVE PIT ASSEMBLY

- ASSEMBLED VALVE PIT ASSEMBLY SHALL BE PRESSURE TESTED @150 PSIG FOR MINIMUM 15 MINUTES WITH ZERO LOSS (TEST AGAINST CHECK VALVES AND CLOSED DISCHARGE)
- CHECK VALVES AND ISOLATION VALVES ARE PROVIDED FOR EACH PUMP PER RSWF 42.5 AND F.D.E.P. PERMIT ITEM 50
- VALVE PIT SHALL HAVE ENCLOSED BOTTOM WITH SLOPED FLOOR AND DRAIN LINE RETURNING TO THE WET WELL (COMPLETE WITH P-TRAP ASSEMBLY) PER RSWF 44.33 AND FDEP PERMIT ITEM 70
- BY-PASS PUMP CONNECTION IS PROVIDED PER F.A.C. 62-604.400(2)(a)(3)
- COVER MUST INCLUDE TAMPER RESISTANT HARDWARE AND PADLOCK POST

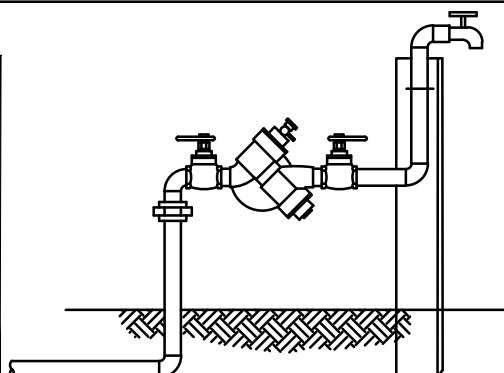
F.D.E.P. CONTROL PANEL

- CONTROL PANEL SHALL BE LISTED U.L. 698A LISTED FOR OPERATING MOTORS LOCATED WITHIN CLASS 1, GROUPS C&D, HAZARDOUS LOCATIONS. CONTROL PANEL SHALL BE LISTED U.L. 508A FOR NON-HAZARDOUS LOCATIONS ONLY
- ALL WIRING AND GROUNDING IS TO BE IN ACCORDANCE WITH N.E.C. AND LOCAL CODES
- ALL PENETRATIONS INTO THE CONTROL PANEL ARE TO BE MADE IN THE BOTTOM OF THE ENCLOSURE ONLY
- CONTROL PANEL TO INCLUDE LIGHTNING ARRESTOR AND SURGE CAPACITOR IN ACCORDANCE WITH F.A.C. CHAPTER 62-604.400(2)(b)
- CONTROL PANEL TO INCLUDE BATTERY BACK-UP ON HIGH WATER ALARM AND POWER FAIL ALARM

LIFT STATION START UP

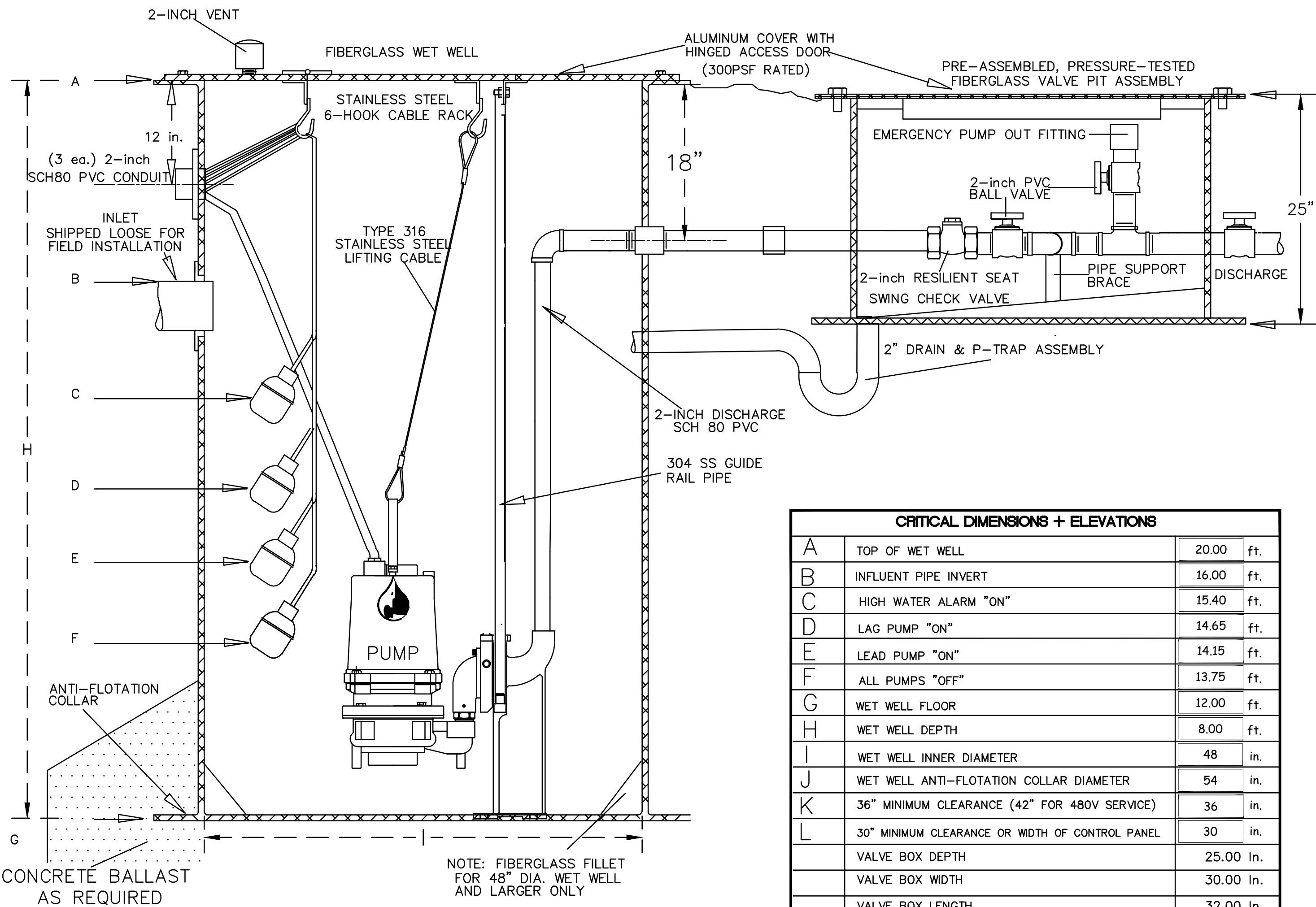
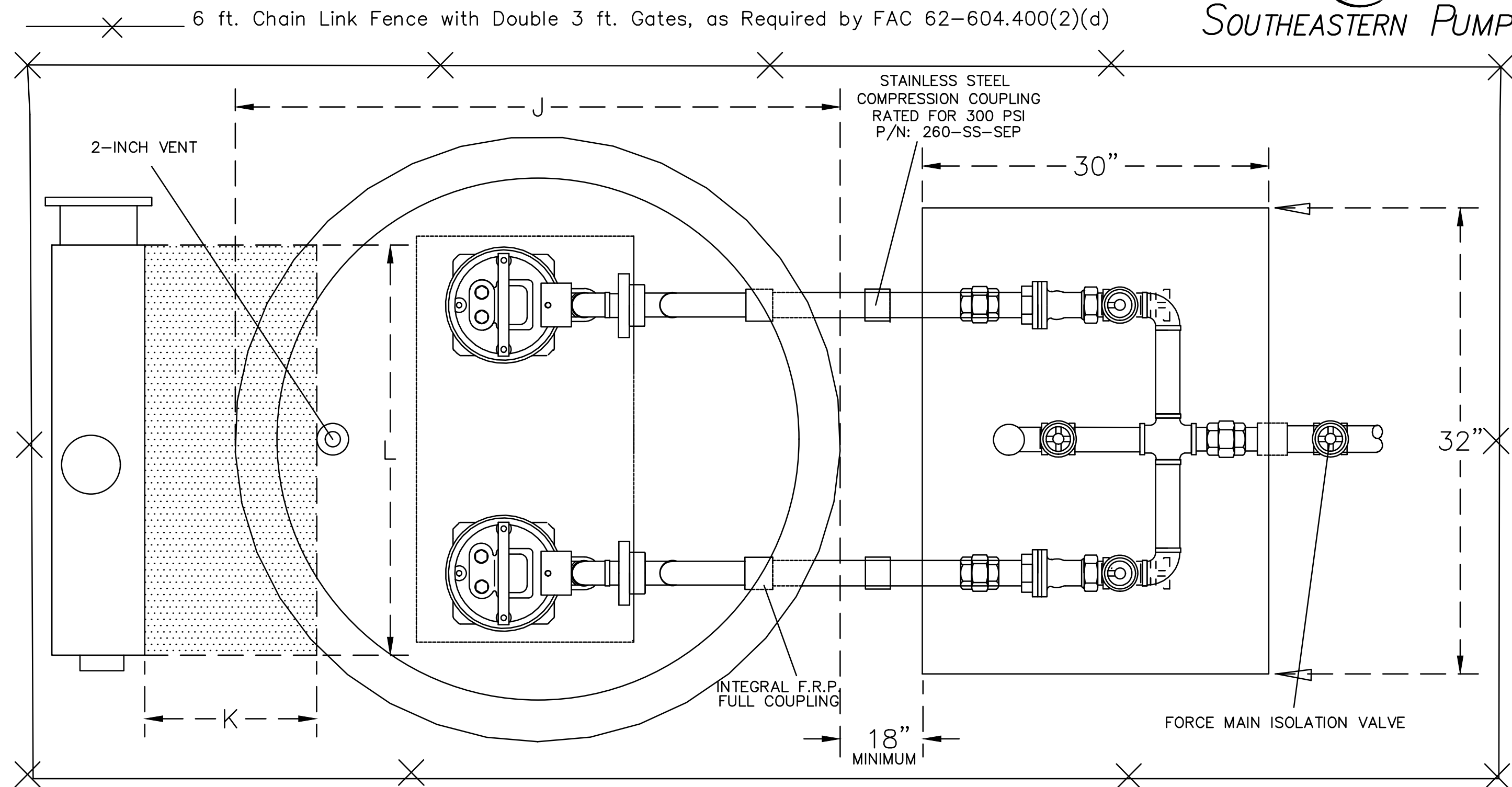
- LIFT STATION START UP SHALL BE PERFORMED DURING THE ANTICIPATED PEAK FLOW CONDITIONS.
- LIFT STATION SUPPLIER'S FIELD REPRESENTATIVE MUST BE PRESENT AT THE START UP.
- CHECK VOLTAGE, CHECK PUMP ROTATION, RECORD VOLTAGE AND AMPS UNDER LOAD.
- DEMONSTRATE PROPER OPERATION OF ALL CONTROLS
- CONDUCT DRAWDOWN TESTS AS REQUIRED TO CONFIRM PROPER PUMP/IMPELLER INSTALLATION.

FPZ BACK-FLOW PREVENTER	
	REQUIRED
	NOT REQUIRED

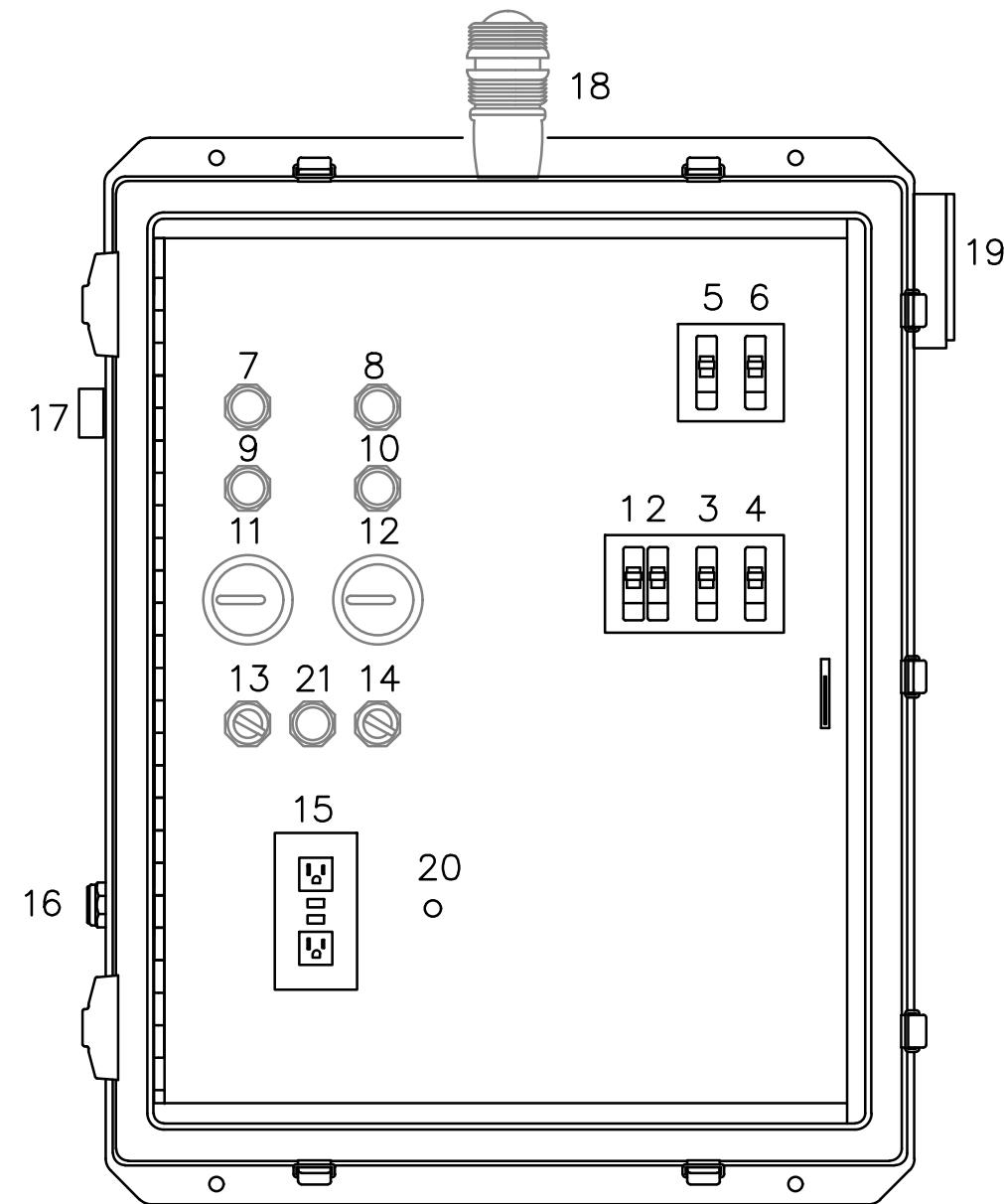


DUPLEX LIFT STATION DETAIL

(NOT TO SCALE)



CRITICAL DIMENSIONS + ELEVATIONS		
A	TOP OF WET WELL	20.00 ft.
B	INFLUENT PIPE INVERT	16.00 ft.
C	HIGH WATER ALARM "ON"	15.40 ft.
D	LAG PUMP "ON"	14.65 ft.
E	LEAD PUMP "ON"	14.15 ft.
F	ALL PUMPS "OFF"	13.75 ft.
G	WET WELL FLOOR	12.00 ft.
H	WET WELL DEPTH	8.00 ft.
I	WET WELL INNER DIAMETER	48 in.
J	WET WELL ANTI-FLOTATION COLLAR DIAMETER	54 in.
K	36" MINIMUM CLEARANCE (42" FOR 480V SERVICE)	36 in.
L	30" MINIMUM CLEARANCE OR WIDTH OF CONTROL PANEL	30 in.
	VALVE BOX DEPTH	25.00 in.
	VALVE BOX WIDTH	30.00 in.
	VALVE BOX LENGTH	32.00 in.
	DISTANCE BETWEEN DISCHARGE PIPES	16.00 in.
	CONCRETE BALLAST REQUIRED	1.69 Cu Yds
	DISCHARGE PIPE SIZE	2 in.
	INFLUENT PIPE DIAMETER & TYPE	6 in.
	DISCHARGE PIPE DEPTH (THROUGH VALVE PIT)	18 in.
	BOTTOM OF PANEL (ABOVE GRADE)	30 - 36 in.



NEMA 4X FIBERGLASS ENCLOSURE

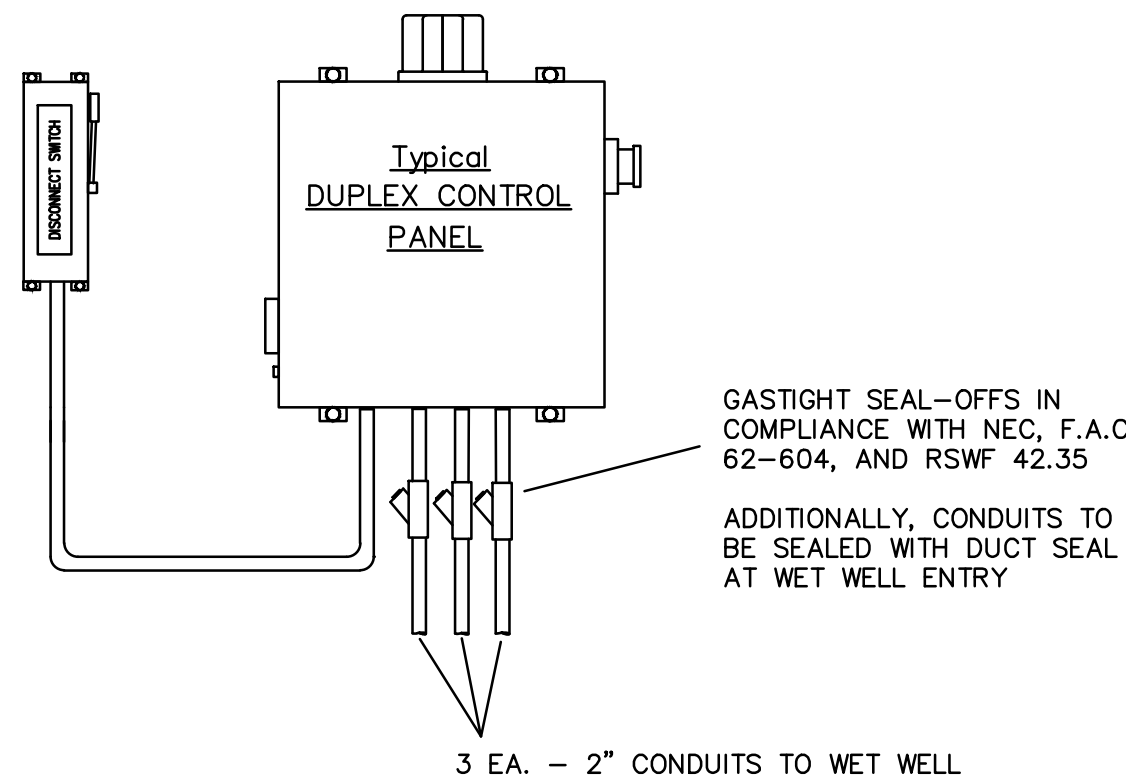
CONTROL PANEL FEATURES

- DRB DUPLEX RECEPTACLE BREAKER
- CCB CONTROL CIRCUIT BREAKER
- MB1 MOTOR BREAKER 1
- MB2 MOTOR BREAKER 2
- MCB MAIN CIRCUIT BREAKER
- ECB EMERGENCY CIRCUIT BREAKER
- PL1 MOISTURE 1
- PL2 MOISTURE 2
- RL1 RUN LIGHT 1
- RL2 RUN LIGHT 2
- ETM1 ELAPSE TIME METER 1
- ETM2 ELAPSE TIME METER 2
- HOA HAND-OFF-AUTO SWITCH PUMP 1
- HOA HAND-OFF-AUTO SWITCH PUMP 2
- DR DUPLEX RECEPTACLE GFI
- ASB ALARM SILENCE BUTTON
- AH ALARM HORN
- AL ALARM LIGHT
- GR GENERATOR RECEPTACLE
- F6 FUSE 6
- ALARM RESET

* NOTE *
SURGE PROTECTION DEVICE
SHIPPED LOOSE WITH PANEL
AND TO BE MOUNTED OUTSIDE
OF THE PANEL BY OTHERS



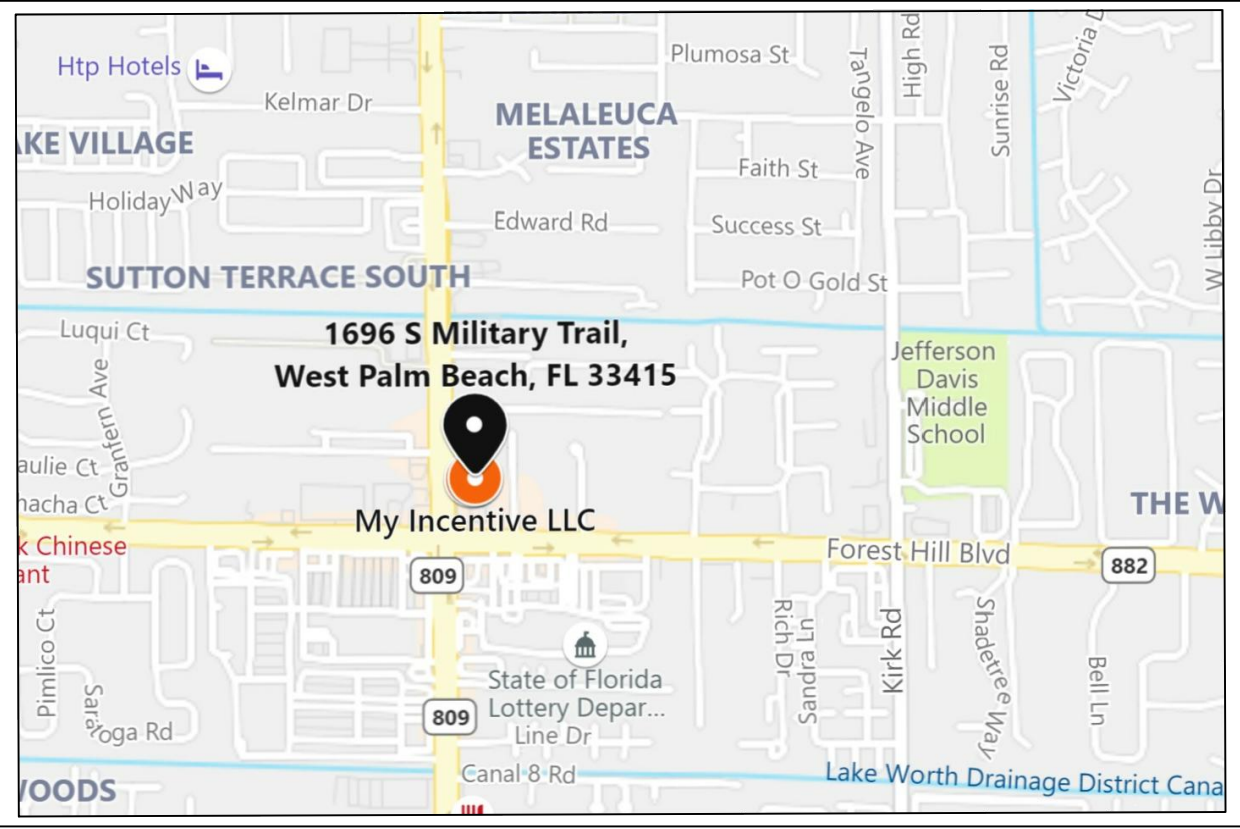
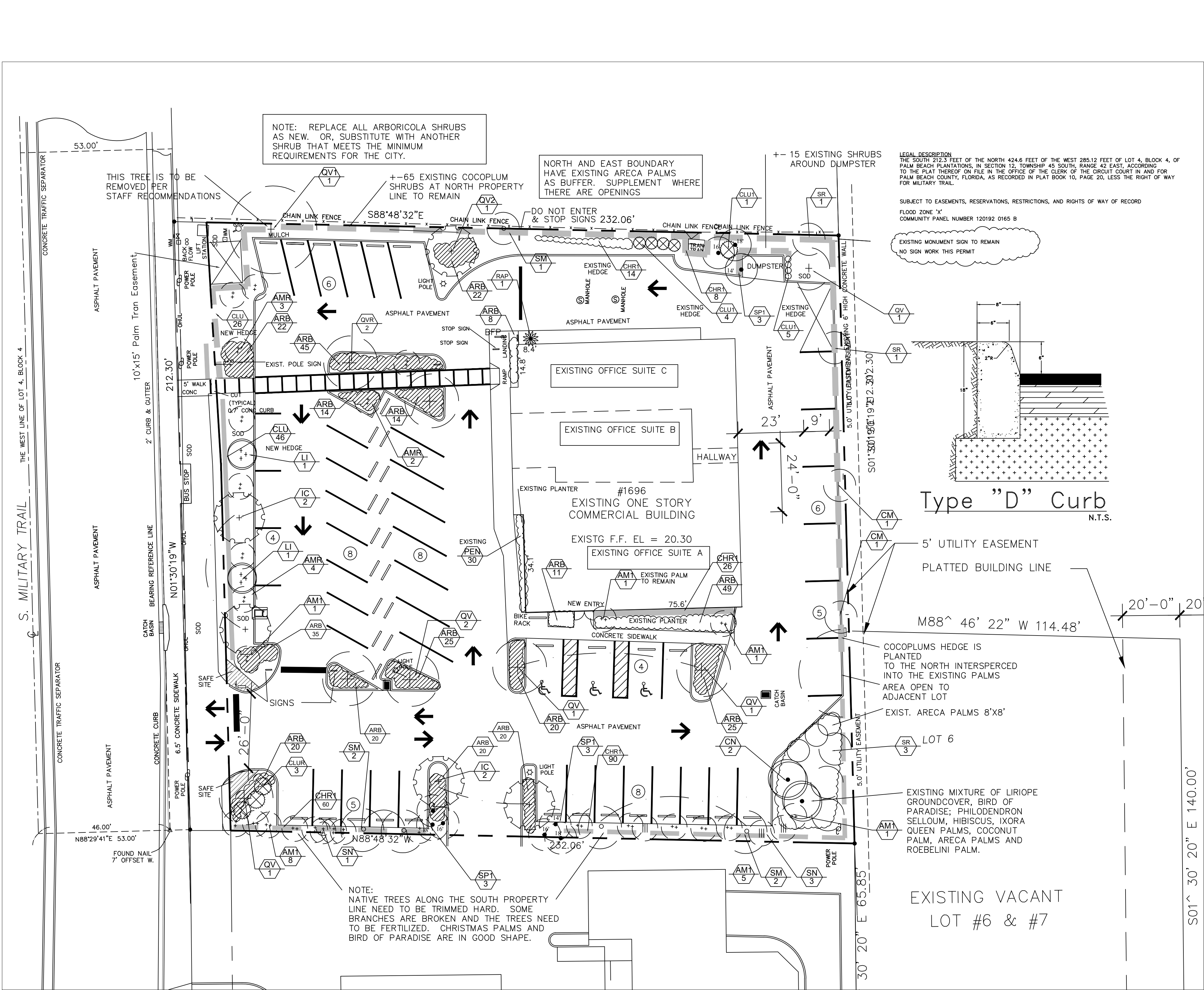
WALL MOUNT ENCLOSURE AND DISCONNECT SWITCH



RNM ENGINEERING, LLC.
LICENSE NUMBER: 33738
rnmengineering@gmail.com
rnmeng.com

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

LIFT STATION DETAILS



Location Map

PLANT LIST

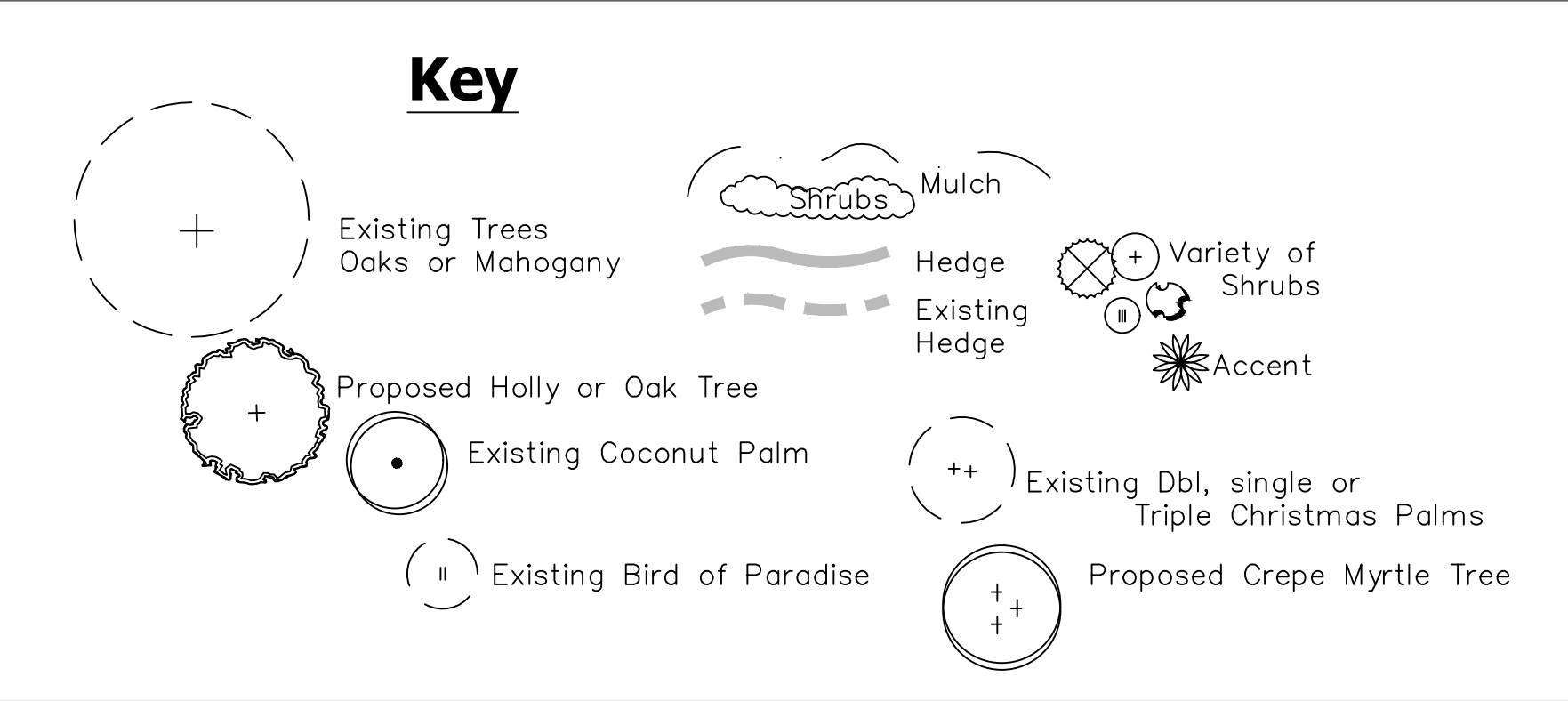
Trees and Palms				
Key	Qty.	Common Name	Botanical Name	Specifications
CN	2	EX COCONUT PALM	Cocos nucifera	Existing to remain; heights vary
CL	65 +10	ARECA PALMS	Chrysalidocarpus lutescens	Existing, 12' to 20' OA.; supplement where open
SM	5	MAHOGANY TREE	Swietenia mahogany	Existing 22'+OA. ht., x 18'sprd., 10'-15' CT
QV1	1	OAK	Quercus-sp.	REMOVE-Existing -25'+-OA. ht., x 30'sprd., 10'CT
QV	6	LIVE OAK	Quercus virginiana	Existing 20'OA. ht., x 14'sprd., 3-5' clear trunk
QV2	1	LIVE OAK	Quercus virginiana	15' O.A. HT., 5' GW; 3' CAL
QVR	2	LIVE OAK	Quercus virginiana	RELOCATED 20'OA. ht., x 14'sprd., 4' CT; 4" CAL
AMR	10	CHRISTMAS PALM, SINGLES	Veitchia merrillii	Existing to be relocated; 15' OA. ht., 10' GW MIN.
AM1	18	CHRISTMAS PALM, DBL&TRIP	Veitchia merrillii	Existing to remain 15' OA. ht., 10' GW MIN.
SN	4	WHITE BIRD OF PARADISE	Strelitzia nicotai	Existing to remain; 15' OA. ht.,
CM	2	FISHTAIL PALM	Caryota mitis	Existing to remain in east buffer, +- 20 OA. ht.,
SR	5	QUEEN PALM	Syagrus romanzoffianum	Existing to remain in east buffer, +- 20 OA. ht.,
SP	9	SABAL PALM	Sabal palmetto	Existing to remain; 12-16' HTS., X 6-8' SPRD.
IC	4	DAHOON HOLLY	Ilex cassine	15' O.A. HT., 8' SPRD., 4' GW; 3' CAL
LI	2	CREPE MYRTLE	Lagerstroemia natchez	15' O.A. HT., 8' SPRD., 4' GW; 3' CAL

ALTERNATES FOR ILEX TREES: GREEN BUTTWOOD / CONDORPUS ERECTUS

Shrubs and Groundcover

ARB	Qty	Common Name	Botanical Name	Specifications
ARB	370	VARIEGATED ARBORICOLA	Schefflera variegata	30"ht. x 18" sprd., 24" o.c.
CLU1	10	CLUSIA	Clusia rosea	EXISTING TO REMAIN: 30"ht. x 18" sprd., 24" o.c.
CLUR	3	CLUSIA	Clusia rosea	RELOCATED IF POSSIBLE: 30"ht. x 18" sprd., 24" o.c.
CHRI	+263	COCO PLUM	Chrysobalanus icaco	EXISTING TO REMAIN: 30"ht. x 18" sprd., 24" o.c.
CLU	72	CLUSIA	Clusia rosea	30"ht. x 18" sprd., 24" o.c.
RAP	1	LADY PALM	Raphis excelsa	EXISTING TO REMAIN: 5' ht. x5' sprd., FULL TO BASE.
PEN	30+-	PENTAS	Pentas lanceolata	EXISTING TO REMAIN: 15" x 15"

- * NATIVE
- ** MINIMUM SIZE OF SHRUBS IS 30" HEIGHT, 18" SPREAD AND 24" O.C. NOTE: IF GREEN ISLAND FICUS OR DWARF CLUSIA IS AVAILABLE AT THIS SITE, PLEASE SUBSTITUTE SOME OF THE ARBORICOLA FOR THESE SPECIES



General Notes

- 1) Base plan provided by Engineer.
- 2) All dimensions are given to the nearest tenth of a foot.
- 3) All new landscaping shall meet the acceptable standards of Fla. Number one or better represented by the Fla. Dept. of Agriculture and Consumer Services.
- 4) Refer to Sheet LA-2 OF 2 for Plant Specifications and Details.
- 5) Any planting substitutions shall be approved by Owner.
- 6) Field adjust placement of planting for drainage structures and Utilities as necessary.
- 7) Trees and Palms shall be field inspected before installation.
- 8) Field adjust placement of planting as necessary adjacent to sidewalks.
- 9) Soil and mulch quantities to be verified by contractor.
- 10) Refer to Planting Details and Specifications for soil and fertilizer requirements.
- 11) Field verify quantities of relocated material, if applicable.
- 12) Contractor to verify all quantities on plans; notify LA of discrepancies
- 13) All shellrock and construction debris shall be removed from all landscape islands, peninsula and planting beds. These areas shall be excavated to a depth of 30 inches or to clean native soils and backfilled with a mixture of clean topsoil and potting soil.
- 14) Root barriers shall be provided for all trees within six feet of curbs, sidewalks, or structure.
- 15) All required landscaping material shall have available an automatic irrigation or sprinkler system to provide 100% plant coverage with an automatic rainsensor.
- 16) Native plant material shall be recognized by the Xeriscape Plant Material Guide I or II, published by the So. Fla. Water Management District.

Landscape Plan

Scale: 1"=20'-0" Date: 02.25.21

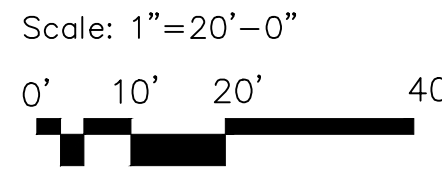
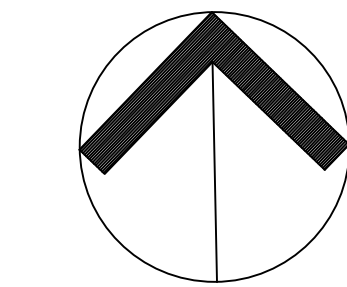
LEGENDS PLAZA
Landscape Plan

City of Palm Springs, Florida

Debra L. Northsea
Landscape Architect
6008 Eagles Nest Drive
Jupiter, Florida 33458
Phone: (561-758-6739)
Fla. Registration #1521
Email: DLNLADESIGN@aol.com

Job Name:	LEGENDS PLAZA
CADD File:	LegendsplazaA07.14.21
Date:	02.25.21
Drawn By:	DLN
Comments:	REVISED LA PLAN
	CHANGE CHR TO GLU
	ADD TRAM, WOOD SIGNS
	POST SIGN, DIMENSION
	REMOVE PER STAFF
	ADD 2 CREPE MYRTLE TREES

Seal / FLORIDA REGISTRATION NO. 1521



1. SCOPE OF WORK

- A. The scope of work includes furnishing all plants, materials, equipment of and labor necessary for planting plant materials indicated on the Drawings; and/or in the Specifications.

2. QUALITY ASSURANCE:

- A. Landscape contractor to be regularly engaged in the installation of living plant material. Labor crews shall be controlled and directed by a landscape foreman well versed in landscape installation, plant materials, reading blueprints and coordination between the job and nursery. The landscape contractor shall carry any necessary insurance and protect the Owner against all liabilities, claims or demands for injuries or damage to any person or property growing out of the performance of the work under this contract and all of his workers shall be covered by Workmen's Compensation Insurance.

- B. The landscape contractor and irrigation contractor must coordinate scheduling and layout prior to commencement of material installation. If necessary, the landscape contractor and irrigation contractor may agree to minor adjustment in sprinkler layout, head type or quantity, in response to specific plant needs. The Landscape Architect must be notified of any such changes.

3. MATERIALS:

3.1 PLANT MATERIALS:

- A. All plant materials shall be nursery grown unless otherwise noted. Abbreviations on plant list:
- C.W. clear wood
 - G. gallon
 - Spr. spread
 - C.T. clear trunk
 - O.A. Overall height
 - O.C. on center
 - H.T. height
 - D. diameter

- B. Quality and Size: Plants shall have a habit of growth that is normal for the species and shall be healthy, vigorous and equal or exceed the measurements specified in the plant list, which are the minimum acceptable sizes. Plants shall be measured before pruning with branches in normal position. Any necessary pruning shall be done at the time of planting. Requirements for measurements, branching, grading, quality, baling and burlapping of plants in the plant list generally follow the code of standards currently recommended by the American Association of Nursery Stock. Plant materials shall be graded Florida No. 1 or better as outlined under Grades & Standards for nursery plants, state Plant Board of Florida. Plants that meet the requirements specified, but do not have normal balance of height and spread typical for the respective plant, shall not be accepted. All plants shall be free of weeds or any other objectionable vegetation.

- C. Quantities: All quantities indicated on the plant list are intended as a guide for the bidders and does not relieve the bidder of his responsibility to do a comprehensive plant take off. Shall a discrepancy occur between the bidder's take off and the plant list quantity, the Landscape Architect is to be notified for clarification prior to the submission of bid.

- D. Substitution: Plant substitution requests by the contractor will be considered by the Landscape Architect only upon submission of proof that any plant is not obtainable in the type and size, specified. The Landscape Architect shall determine the nearest equivalent replacement in an obtainable size and variety. The unit price of the substitute item shall not exceed the bid item replaced, without approval of the Owner.

3.2 COMMERCIAL FERTILIZER:

- A. Commercial fertilizer shall be an organic 13-3-13 LESCO fertilizer containing nitrogen phosphoric acid and potash available plant food by weight. Nitrogen shall not be less than 50% from organic source. Inorganic chemical nitrogen shall not be derived from the sodium form of nitrate. Fertilizers shall be delivered to the site unopened in original containers, each bearing the manufacturer's guaranteed analysis. Any fertilizer that becomes caked or otherwise damaged shall not be acceptable.

- B. Planting tablets shall be tightly compressed, long lasting, slow release fertilizer tablets weighting 21 grams, with a potential acidity of not more than 5% by weight and having an analysis of 20.10.5.

3.3 PEAT:

- A. Peat shall be horticultural peat composed of not less than 60% decomposed organic matter by weight, on an oven dried basis. Peat shall be delivered to the site in a workable condition free from lumps.

3.4 PLANTING SOIL:

- A. Planting soil shall be sandy loam and shall contain a 25% minimum amount of decomposed organic matter. Planting soil shall be free of clay, stones, plants, roots, and other foreign materials which might be a hindrance to planting operations or be detrimental to good plant growth. Soil shall be delivered in a loose friable condition and applied in accordance with the Planting Specifications.

3.5 MULCH:

- A. Mulches shall not contain sticks larger than 1/4 inch in diameter, stones, or other foreign material that will prevent the eventual decay of the mulch necessary for its complete effectiveness.

3.6 WATER:

- A. Water for planting will be available at the site and will be provided by the Owner. Landscape Contractor shall not assume that the irrigation system will be operational at the time of planting. It is the responsibility of the Landscape Contractor to provide all the required water to maintain the plant material in a healthy growing condition. The watering may include deep watering of trees and the watering of shrub and ground cover areas. Any plant materials that die or that are not in a healthy growing condition due to lack of water shall be replaced at no additional cost to the Owner.

4. EXECUTION

4.1 PROTECTION OF PLANTS:

- A. Root Protection:
- 1. Balled and Burlapped Plants: Plants designated B & B (balled and burlapped) shall be dug with firm natural balls of earth of sufficient diameter and depth to encompass the fibrous and feeding root systems necessary for full recovery of plant. Balls shall be firmly wrapped with burlap or similar materials and bound with twine, cord, or wire mesh. All collected plants shall be balled and burlapped.

- 2. Container Grown Plants: Plants grown in containers will be accepted as B&B, providing that all other specified requirements are met. Container grown plants shall meet plant sizes as specified on the Plant List and on the Drawings, and shall not be governed by container sizes. Minimum root balls of container grown material shall be no more than 25% less proportionately in size than that stated in "Grades and Standards" for nursery plants. These plants shall have been grown in the container for a maximum of two years prior to installation and shall exhibit a fully developed root system when removed from the container.

- B. Protection During Transporting: All plant material shall be protected from possible bark injury or breakage of branches. All plants transported by open trucks shall be adequately covered to prevent windburn, drying or damage to plants.

- C. Protection After Delivery: Plants which cannot be planted immediately on delivery to the site shall be covered with moist soil, mulch, or other protection from the drying of wind and sun. All plants shall be watered as necessary until planted. Storage period shall not exceed forty-eight (48) hours.

- D. Protection of Palms (if Applicable): Only a minimum of fronds shall be removed from the crown of the palm trees to facilitate moving and handling.

- E. Clear trunk shall be as specified after the minimum of fronds have been removed. Cabbage Palms shall have a sufficient ball size for rapid growth and acclimation. Burn marks on trunks shall be removed.

- Cabbage Palm heads shall be tied with a burlap strip to be left in place until the tree is well established.

- F. Protection During Planting: Trees moved by winch or crane shall be thoroughly protected from chain marks, girdling or bark slippage by means of burlap, wood battens or other approved methods.

4.2 PLANTING OPERATIONS:

- A. Layout: Location for plants and outline of areas to be planted are indicated on the Drawings. All plant locations shall be staked in the field by the Contractor, to the satisfaction of the Landscape Architect. Where construction or utilities below ground or overhead are encountered, or where changes have been made in the construction, necessary adjustments will be approved by the Landscape Architect.

- B. Soil Preparation: Apply pre-planting herbicide of Round-up or equal. Soil used shall be as herein before specified under "Planting Soil". The soil should be in a relatively dry state and mixed thoroughly by hand or rotary mixer. All planting areas shall be treated with an approved pre-emergent according to the manufacturer's specifications. (Ronstar, Eptam, or equal).

- C. Excavation for Planting: Excavation of plant pits shall be circular in outline and shall blend with the required subgrades as specified hereunder. The minimum depth of plant pits specified below shall be measured from the finish grade. Mass Planting beds shall be stripped of all vegetation prior to planting. Use acceptable excess excavated topsoil to form watering berms (saucers) around plants: use 25% of native soil and mix with 75% planting soil for backfill. Remove all excess material to dump site as directed by Owner.

- D. Balled and Burlapped Plants: After final setting, loosen burlap wrapping exposing the top of the rootball, leaving the ball unbroken. Remove excessive amounts of burlap to eliminate voids which may be caused upon decomposition.

- E. Container Grown Plants: Container grown plants shall, when delivered, have sufficient growth to hold earth intact when removed from container and shall not be root bound. Plant pits for container materials shall be formed flat on the bottom to avoid air pockets at the bottom of root balls and containers shall be removed carefully to prevent damage to plant or root systems.

- F. Testing for Drainage: Test fill all tree pits with water before planting to assure proper drainage percolation is available. Pits which are found not to be adequately draining shall be excavated to a depth sufficient for drainage and backfilling with gravel or crushed rock. No allowances will be made for lost plants due to improper drainage.

- G. Pit sizes: Minimum diameter (width) and depth of planting pits for balled and burlapped, and container grown plants, shall be as follows:

- 1. Diameter - Trees: 18" greater than diameter of ball or spread of roots.
- 2. Diameter - Shrubs: 6" greater than diameter of ball or spread of roots.
- 3. Depth - Trees and Shrubs: 4" greater than depth of ball or roots to provide 4" of planting soil backfill around the rootball. (Large heavy trees and shrubs may sit directly on unexcavated pit bottom if it is determined that undue settlement may occur.)
- 4. Depth - Vine Groundcovers: Pits shall conform to accepted nursery practice for the particular species and equal the plant pot depth plus one (1) inch.

4.2 PLANTING OPERATIONS (CONT.):

- H. Backfilling: when the plant pit has been excavated as specified previously and the plant has been set, the pit shall be backfilled with planting soil at the following rates:

- One-quarter cubic yard per tree
- One cubic yard per 25 7gal (lerio)
- One cubic yard per 50 shrubs 3 gal.
- One cubic yard per 100 1 gal. (ground cover)

I. Setting Trees and Shrubs:

- Unless otherwise specified, all trees and shrubs shall be planted in pits, centered, and set on four inches (4") of compacted planting soil to such depths that the finished grade level of the plant after settlement shall be the same as that at which the plant was grown. They shall be planted upright and faced to give the best appearance or relationship to adjacent structures. No burlap shall be pulled out from under the balls. Platforms, wire and surplus binding from top and sides of the balls shall be removed. All broken or frayed roots shall be cut off cleanly. Soil shall be placed and compacted thoroughly, avoiding injury and shall be settled by watering. No bag ground trunks will be permitted. After the ground settles, additional soil shall be filled in to the level of the finished grade allowing for two inches (2") of mulch. Form a shallow saucer around each plant by placing a ridge of soil along the edge of the plant pit. This ridge shall be one inch (1") high for each one inch (1") caliper of trunk to a maximum of four inches.

- J. Setting Palms: All palms shall be planted in sand, thoroughly washed in during planting operations and with a shallow saucer depression left at the soil line for future waterings. Saucer areas shall be top dressed two inches (2") deep with topsoil raked and left in a neat, clear manner.

- K. Fertilizing: When setting trees, palms and shrubs place in each plant hole Planting Tablets, 20-10-5 formula, 21 gram, according to the following:

- 1 - gallon can - 1 tablet
- 2 - 3 gallon can - 2 tablets
- 7 - gallon can - 4 tablets
- B & B Shrubs and Trees - 1 tablet for every 20" around circumference of root ball above middle of ball.

- Correct placement of Tablets: Position the plant in the hole and backfill no higher than halfway up the root ball. Place the recommended number of tablets evenly around the perimeter of, and immediately adjacent to, the root ball at a depth which is between the middle and the bottom of the rootball. Complete backfilling as described above under setting trees, palms and shrubs.

- L. Pruning: Remove dead and broken branches from all plant material. Prune to retain typical growth habit of individual species with as much height and spread as is practicable. Make all pruning cuts with a sharp instrument flush with trunk or adjacent branch, in such a manner as to ensure elimination of stubs. "Headback" cuts, right angle to line of growth, will not be permitted and trees will not be poled or topped. Paint all cuts 1/2" in diameter and larger with approved waterproof antiseptic free paint and remove trimmings from site.

- M. Guying and Staking: Guy all trees 1-1/2" in caliper and greater in three (3) directions with double strands of No. 12 galvanized wire attached to approved anchors driven below grade. When securing wires to trees, cover all wires which may come in contact with any part of tree with new rubber hose. Place guys not less than 1/3 of the height of tree above finished grade and above substantial limbs one inch (1") in diameter or more, if possible. All hoses shall be interlocked around tree trunk. Place anchors so that guys are equally spaced and at 45 degree angles to horizontal. Keep guys tight until project completion.

- N. In staking palms and broadleaf trees no nails or other fasteners will directly penetrate the trunks. Wood 2 x 4 battens 12 inches long, separated by a minimum of four (4) layers of burlap can be attached to the trunk of the trees with metal banding. Stakes can only be nailed to the wooden battens. Alternate methods of guying or staking may be employed with the approval of the Landscape Architect.

- O. Mulching: All trees and shrub beds shall be mulched immediately after planting, to a three inch (3") depth, with a mulch approved by the Landscape Architect. Prevent wind displacement of mulch by thoroughly wetting down.

- P. Excess Excavated Soil: Excess excavated soil shall be disposed of by the Contractor at no additional expense to the Owner.

4.3 Sod (When Applicable):

- A. Soil: The Contractor shall submit a unit price per cubic yard for the supply and distribution of planting soil as herein before specified, to be applied at a depth of one inch (1") to all areas receiving sod. (The use of this item in the Contract shall be at the discretion of the Landscape Architect after evaluation of the existing soil on the site.) Payment for this item will be determined by a square foot, in-place measurement of the installed sod area after sod installation is complete, multiplied by the specified depth of one inch (1"), to determine cubic yards of soil used.

- B. Grades: It shall be the responsibility of the Contractor to finish (fine) grade all landscape areas, eliminating all bumps, depressions, sticks, stones and other debris to the satisfaction of the Landscape Architect, prior to the application of sod. If supplemental topsoil is to be spread, no sod shall be laid until the depth of this soil has been approved.

- C. The sod shall be as called for on the Landscape Drawings. Sod shall be of firm tough texture, having a compact growth of grass with good root development, and shall contain no Bermuda Grass, weeds or any other objectionable vegetation. The soil embedded in the sod shall be good earth, free from stones and debris and all sod shall be free from fungus, vermin and other diseases.

- D. Before being cut and lifted, the sod shall have been mowed at least three times with a lawn mower, with the final mowing not more than seven (7) days before the sod is cut. The sod shall be carefully cut into uniform dimensions.

- E. Solid sod shall be laid by the Contractor with closely abutting joints with a tamped or rolled, even surface. 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. If, in the opinion of the Landscape Architect, top-dressing, is necessary after rolling, clean sand will be evenly applied over the entire surface and thoroughly washed in.

4.4 CLEAN UP:

- Any soil, peat or similar material which has been brought onto any paved areas shall be removed promptly keeping these areas clean as the work progresses. Upon completion of the planting, all excess soil, stones and debris which has not been previously cleaned up shall be removed from the site.

4.5 MAINTENANCE:

- A. Maintenance shall begin immediately after each plant is planted and shall continue until all planting has passed final inspection and acceptance. Maintenance shall include watering, weeding, cultivating, removal of dead materials, resetting plants to proper grades or upright position and restoration of the planting saucer and any other necessary operations. Proper protection to lawn areas shall be provided and any damage resulting shall be repaired promptly.

- B. All trees shall be deep watered for a period of 90 days after planting.

- C. In the event of the threat of serious damage resulting from insects or disease prior to final acceptance, the plants shall be treated by preventative or remedial measures approved for good horticultural practice at no additional cost to the Owner.

- D. The Contractor shall furnish the Owner with a written and detailed description for the care and maintenance of all plant material at the time of final inspection. The owner agrees to execute the instructions for such care and maintenance.

4.6 INSPECTION AND ACCEPTANCE:

- A. Inspection: Inspection of work to determine completion of contract, exclusive of the possible replacement of plants, will be made by the Owner and/or Landscape Architect at the conclusion of all planting and at the written request of the Contractor.

- B. Acceptance: After inspection, the Contractor will be notified by the Owner and/or Landscape Architect of the acceptance of all plant material and workmanship, exclusive of the possible replacement of plants subject to guarantee.

4.7 GUARANTEE AND REPLACEMENT:

- A. Guarantee: The Contractor, as part of his Contract, shall furnish a written guarantee warranting all materials, workmanship and plant materials, except sod, for a period of one(1) year from the time of completion and acceptance. All plant materials shall be alive and in satisfactory condition and growth for each specific kind of plant at the end of the guarantee period. Where vandalism is agreed by the Landscape Architect as the cause for replacement, the Contractor shall not be responsible for replacement during the one(1) year guarantee after final acceptance.

- B. Sod shall be guaranteed for a two month period, dating from final acceptance and any lawn care which becomes necessary during the completion period will be the responsibility of the Owner to ensure a vigorous stand of grass.

5.0 TREE RELOCATION AND PROTECTION

TREE PROTECTION:

- A. Protection and care of existing trees, palms, shrubs, and ground covers to remain, to include all aspects of protection, fertilization and watering.

- B. Trees, palms, shrubs, and ground cover to remain are designated on the drawings or as directed by the Landscape Architect.

5.1 TREE RELOCATION:

- A. Prepare the relocate trees and palms designated for relocation to include all aspects of preparation, protection, fertilization and watering.

- B. Trees and Palms to be relocated on site are designated on the drawings or as directed by the Landscape Architect.

- C. Resulting tree and palm pits of relocated material shall be backfilled with clean topsoil and brought flush with surrounding grade.

- D. Guarantee:

- 1. Any tree or palm that dies or is deemed in unacceptable condition for (1) year following relocation shall be removed by the Contractor including root ball, and backfilling of pit, at no cost to the Owner.

- 2. Acknowledging the sensitive nature of tree and palm relocation, the Contractor shall not be responsible for survival of trees and palms if it is deemed by the Landscape Architect that all possible measures have been taken by the Contractor to insure survival. If, however, it is deemed by the Landscape Architect or Owner that tree or palm mortality is a product of negligence by the Contractor, the Contractor shall provide and install at no additional cost to the Owner a tree or palm of same size and species.

NOTE: TOP OF ROOT BALL SHALL BE AT LEAST 1/2" ABOVE THE FINISHED GRADE.

PRUNE SHRUBS AT OWNER'S DIRECTION ONLY. PRUNE ALL SHRUBS TO ACHIEVE A UNIFORM MASS.

REMOVE ANY CONTAINER OTHER THAN BURLAP THAT MAY BE AROUND ROOTS.

MINIMUM 3" PINE BARK MULCH OUTSIDE OF ROOTBALL; 1" MULCH OVER ROOTBALLS. CONTINUOUS SAUCER AROUND THE TREE PIT TO HOLD IRRIGATION WATER.

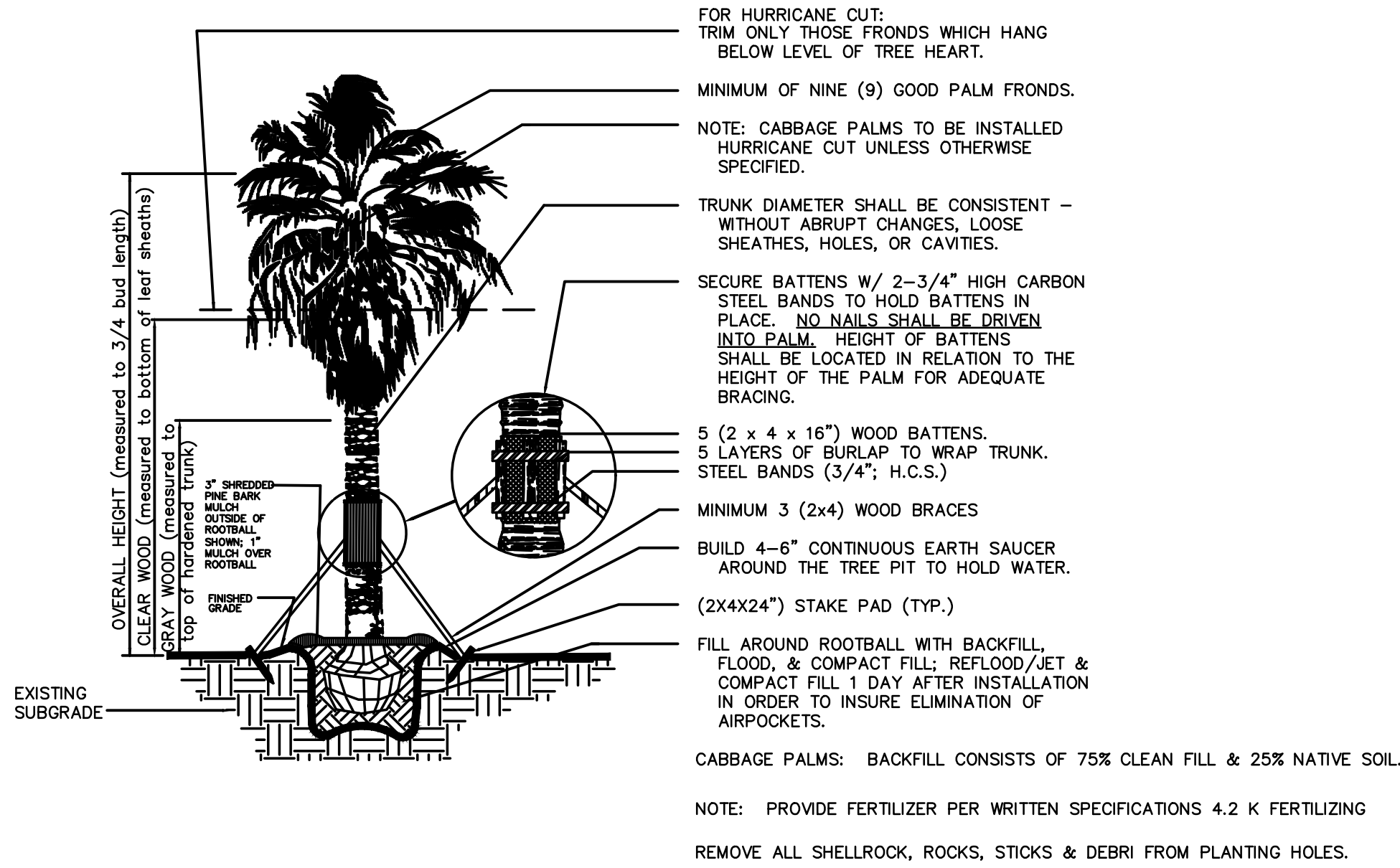
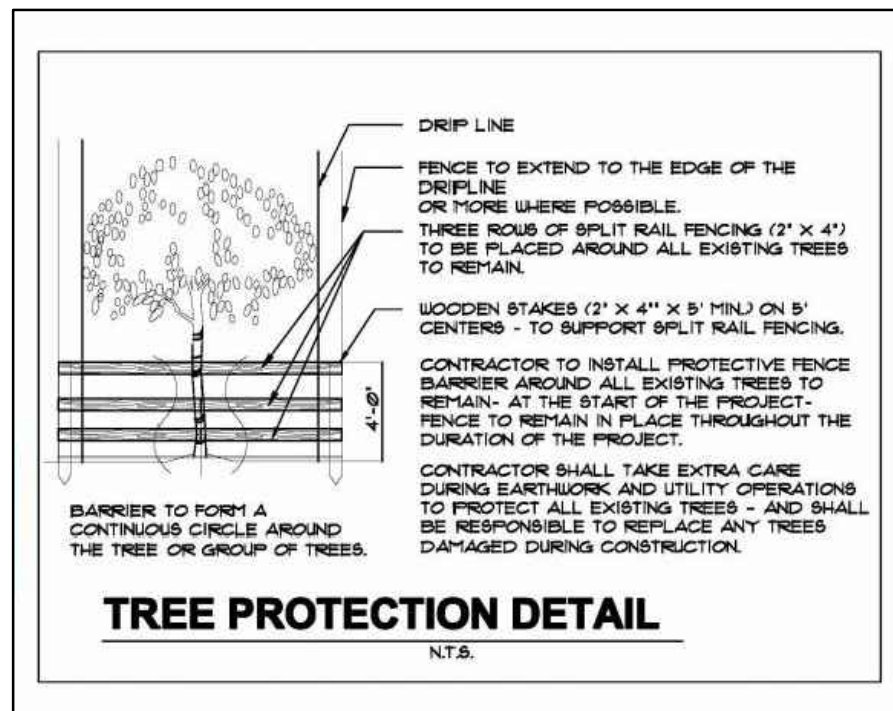
ROOTBALLS GREATER THAN 2' IN DIAMETER SHALL SIT ON MOUND OF UNDISTURBED SOIL TO PREVENT SETTLING. ROOTBALLS LESS THAN 2' MAY SIT ON COMPACTED SOIL. DIAMETER OF HOLE FOR BALLS 2' & GREATER SHALL BE 2' LARGER THAN DIAMETER OF BALL. DIAMETER OF HOLE FOR BALLS UP TO 2' SHALL BE TWICE THE BALL DIAMETER.

FILL MATERIAL SHALL CONSIST OF 75% PLANTING SOIL, AND 25% NATIVE SOIL FROM HOLE DUG FOR PLANT.

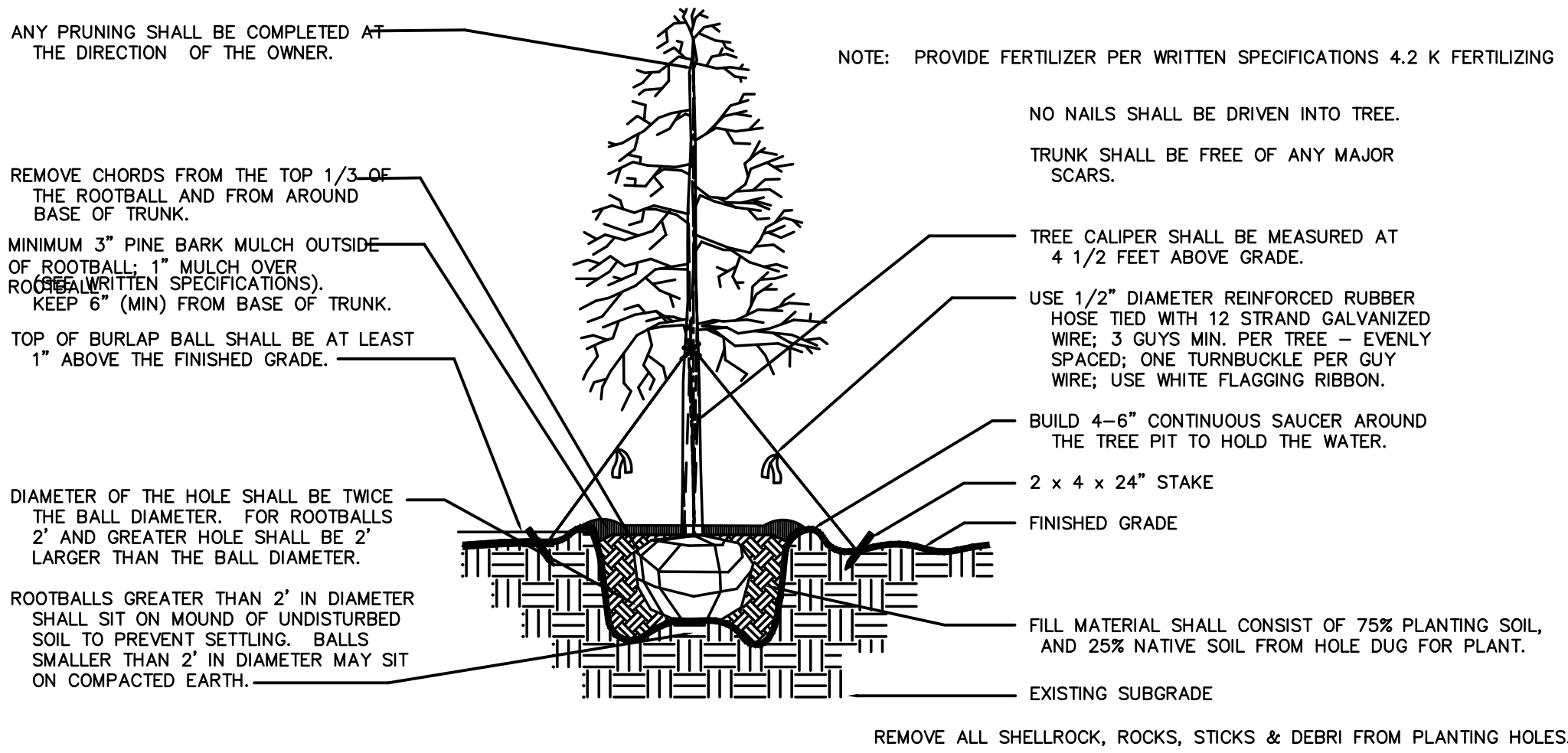
NOTE: PROVIDE FERTILIZER PER WRITTEN SPECIFICATIONS 4.2 K FERTILIZING

REMOVE ALL SHELLROCK, ROCKS, STICKS & DEBRI FROM PLANTING HOLES.

Shrub and Groundcover Planting Detail



Typical Palm Staking Detail



Tree Planting Detail

Debra L. Northsea
Landscape Architect
6008 Eagles Nest Drive
Jupiter, Florida 33458
Phone: (561)-758-6739
Fax: Registration #1521
Email: DLNLADESIGN@aol.com

LEGENDS PLAZA

Details and Specifications

City of Palm Springs, Florida

Job Name: Legends Plaza

CADD File: Legends PlazaLA05.05.21.dwg

Date: 12.18.20 Drawn By: D.N. Comments: Landscape Plan

05.05.21 Drawn By: D.N. Comments: Landscape plan

June 28, 2021

To: Iramis Cabrera, Village of Palm Springs Planner

From: Tara Bamber, PE 

**Re: Legends Plaza at 1696 Military Trail
Site Plan Approval Letter
Engenuity Group Project No. 6001.109**

We have received the following by email on 6-23-21:

1. Overall Plans, 13 Sheets (G1-G3, D1, C1-C5, LS-1, E1, LA1-LA2), dated February 2021, by RNM Engineering, LLC

We recommend Site Plan approval with the following condition:

1. The survey on Sheet G3 is not to scale.
2. All elevations in the plans shall follow the same datum and same source. We recommend using the latest survey included in the plan set. The finished floor elevation remains in NGVD while all site grade elevations are in NAVD.
3. Landscape shall not conflict with drainage and utility infrastructure, including proposed Lift Station and sanitary pipes. Include all infrastructure on the plan and resolve conflicts by relocating plantings or adding root barriers.

If you should have any questions, please give me a call at 561-655-1151.

Cc: Lisa Tropepe, PE

3-2-2021

Good afternoon Iramis,

LWDD has no objection to the certification of this petition. It is located south of the L-7 Canal and is not adjacent.

Thank you.

Anne Perry Schreiner

Anne Perry Schreiner | Right-of-Way Specialist

Lake Worth Drainage District | 13081 Military Trail | Delray Beach, Florida 33484

Direct Line | 561.819.5577 | Main Line 561.498. 5363 | Fax | 561.495.9694



Please consider the environment before printing this email.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

3-2-2021

Waste Pro has no issues with the proposed

Chris Schulle
Division Manager
Office # 561-688-8912
Fax # 561-688-8914
Cell # 772-216-4876

From: Iramis Cabrera <icabrera@vpsfl.org>

Sent: Tuesday, March 2, 2021 10:44 AM

To: Tara Bamber <tbamber@engenuitygroup.com>; Pedro Segovia <psegovia@pbcgov.org>; Arnold, Alex <Alex.Arnold@fpl.com>; Hymowitz, Larry <Larry.Hymowitz@dot.state.fl.us>; Anne Perry <aperry@lwdd.net>; Christopher Schulle <cschulle@wasteprousa.com>; Thomas McMahon <tmcmahon@wasteprousa.com>; Jackie Michels <JMichels@pbcwater.com>; Yash Nagal <YNagal@pbcgov.org>

Subject: Legend Plaza

Good morning,

Attached are the proposed plans for the property located at 1696 S Military Trail. FDOT is proposing to widen the road and as a result, the property needs to be re-adjusted along the west side. Please review the proposed plans and send me your comments to share with the applicant.

Thanks.



Iramis Cabrera
PZ&B Interim Director
Village of Palm Springs
Planning, Zoning & Building Department
Office: (561)-965-4016
icabrera@vpsfl.org

3-9-2021

Iramis,

It looks like we would have to relocate up to 4 poles. One of which is the pole that fuses off the padmount that feeds 1696 S Military trl so we would have to refeed that padmount. I do not see anything that makes me think we would not be able to accommodate this road widening. Do you have any idea of the timelines of this project?

Thanks,

Alex Arnold

Associate Engineer
West Palm Service Planning
810 Charlotte Ave
West Palm Beach, FL 33401
(561) 616-1618



Village of Palm Springs
Land Development Department
226 Cypress Lane, Palm Springs, FL 33461
(561) 965-4016 Fax (561) 439-4132

LETTER OF TRANSMITTAL

To: Pedro Segovia

Date: March 2/2021

Tom Ceccarelli/Frank Castro

RE: Legend Plaza – Site Plan Amendment – 1696 S Military Trail

Attached are:

x Prints

☐ Reproducibles

☐ Correspondence

☐ Report

☐ Specifications

☐ Applications

☐ Other _____

COPIES	DATE	DESCRIPTION
1	3/2/2021	Site Plan Package

Transmitted:

☐ For Approval

☐ As Requested

xxx For Review and Comment

☐ For Revisions

☐ For Your Use

☐ Other _____

REMARKS:

Upon review, please forward any comments regarding the attached materials to me.. Should you have any questions regarding the attached materials, do not hesitate to contact me at (561) 434-5090 or icabrera@vpsfl.org. Thank you for your assistance.

Signed: Iramis Cabrera

* Agree w/ staff recommendations

[Handwritten signature]

03/16/21

7-20-2021

Iramis,

PBCWUD will require plan submittal and approval for the relocation of the lift station. It also appears that the meter and backflow preventer may need to be relocated. The location of the fire hydrant on the utilities plan doesn't match the survey and this may also require relocation.

PBCWUD Minimum Design Standards require a point of service valve and flushing connection which appear to conflict with the location of the proposed bus stop and live oak tree proposed at the northwest corner of the property.

The live oak should be shown at a different location on the approved landscape plan however the other items can be addressed during PBCWUD plan review if that is acceptable to Palm Springs.

Plan approval by PBCWUD could be included as a condition of approval.

Thank you,

Jackie Michels, P.E.

Project Manager

Palm Beach County Water Utilities

8100 Forest Hill Blvd.

West Palm Beach, Florida 33413

Phone (561) 493-6116

JMichels@pbwater.com

Hi Iramis,

The most recent ridership for stop 1214 is 844 boardings and 474 alighting's. Our ridership is still recovering from Covid-19 on all routes (a 40% decrease from regular ridership). Starting May 2021, Palm Tran has restored full service and is expecting to recover lost ridership. The intersection of Forest Hill Blvd and Military Trail is a major transfer point for our routes 3 and 46. This location is still ideal for the transit easement. Thank you, I hope you have a good weekend.

Best,
Yash

Yash Nagal
Senior Planner
Tel: 561 841-4238
ynagal@pbcgov.org
<http://www.palmtran.org>

w/c 122

THIS INSTRUMENT PREPARED BY AND RETURN TO:

L Mendenhall pursuant to issuance of title insurance

Integrity Land Title

2724 Vista Parkway C-11, 2nd Floor

West Palm Beach, FL 33411

Property Appraisers Parcel Identification (Folio) Numbers:

70-42-44-12-00-000-5460 and 70-42-44-12-03-000-0060

Sales Price: \$950,000.00

CFN 20150222687

OR BK 27607 PG 0211

RECORDED 06/16/2015 15:02:39

Palm Beach County, Florida

AMT 950,000.00

Doc Stamp 6,650.00

Sharon R. Bock, CLERK & COMPTROLLER

Pg 0211; (1pg)

Space Above This Line For Recording Data

THIS WARRANTY DEED, made the 11th day of June, 2015 by Albert Brown and Althea Brown, husband and wife, herein called the grantors, to My Incentive LLC, a Florida limited liability company, whose post office address is 1730 S Military Trail, West Palm Beach, FL 33405, hereinafter called the Grantee:

(Wherever used herein, the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

W I T N E S S E T H: That the grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in PALM BEACH County, State of Florida, viz:

Parcel 1: The South 212.3 feet of the North 424.6 feet of the West 285.12 feet of Lot 4, Block 4, Plat No. 1, Palm Beach Plantations Subdivision of Section 12, Township 44 South, Range 42 East, according to the Plat thereof, on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 10, page 20, LESS the Right-of Way for Military Trail (State Road No. 809), as now laid out and in use.

-AND-

Parcel 2: Lots 6 and 7, Erie Terrace, according to the Plat thereof, on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 24, page 2.

Subject to easements, restrictions and reservations of record and to taxes for the year 2015 and thereafter.

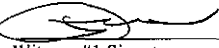
TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

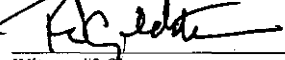
AND, the grantors hereby covenant with said grantee that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

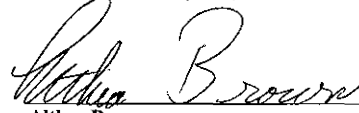

Witness #1 Signature

Leslie Mendenhall
Witness #1 Printed Name


Witness #2 Signature

Robert N. Goldstein
Witness #2 Printed Name


Albert Brown
3526 Whitehall Drive, #102, West Palm Beach, FL 33401


Althea Brown
3526 Whitehall Drive, #102, West Palm Beach, FL 33401

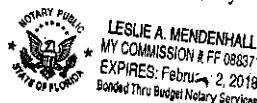
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 11th day of June, 2015 by Albert Brown and Althea Brown who are personally known to me or have produced _____ as identification.

SEAL


Notary Public

My Commission Expires:



File No: 15055AH

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION,

CIVIL ACTION NO.: 502020CA006848XXXXMB
Parcel No(s): 110

Petitioner,

-vs-

MY INCENTIVE, LLC
a Florida limited liability company, et al.,

Defendants.

_____/

STIPULATED ORDER OF TAKING

THIS CAUSE coming before the Court, and it appearing that proper notice was first given to all the Defendants and to all persons having or claiming any equity, lien, title, or other interest in or to the real property described in the Petition that the Petitioner would apply to this Court on the 14th day of September 2020, for an Order of Taking, and the Court being fully advised in the premises, upon consideration, it is, therefore,

ADJUDGED:

1. That the Court has jurisdiction of the subject matter of and the parties to this cause;
2. That the pleadings in this cause are sufficient, and the Petitioner is properly exercising its delegated authority;
3. That each Estimate of Value filed in this cause by the Petitioner was made in good faith. Defendant MY INCENTIVE LLC does not object to the validity of the appraisal upon which said Estimate of Value was based for the purposes of the entry of this Order, but this Order is without prejudice to Defendant's right to challenge the validity of said appraisal at the valuation trial of this matter;
4. That upon the payment of the deposit hereinafter specified into the Registry of this Court, all right, title, or interest specified in the Petition as described herein shall vest in the Petitioner; to wit:

[REMAINDER OF PAGE INTENTIONALLY BLANK]

Item/Segment No. 4378781

Fee Simple Right of Way

(Section 93150-2510)

07-12-19

Parcel No. 110

State Road 809

Palm Beach County

Description

A portion of Tract 4, Block 4, PLAT NO.1 PALM BEACH PLANTATIONS (MODEL LAND COMPANY), according to the plat thereof, as recorded in Plat Book 10, Page 20, of the Public Records of Palm Beach County, Florida, lying in Section 12, Township 44 South, Range 42 East, as shown on Sheet 4 of the Florida Department of Transportation Right of Way Map for Item/Segment No. 4378781, Section 93150-2510, being more particularly described as follows:

Commence at a mag nail & disk stamped "LB 6770", found marking the South One-Quarter

(S. 1/4) Corner of said Section 12; thence North 01°30'19" West along the North-South

One-Quarter (N-S 1/4) Section line of said Section 12, a distance of 600.21 feet to the point of tangent STA. 463+33.12 being a point on the Baseline of Survey of State Road 809 (Military Trail); thence continue North 01°30'19" West along said North-South One-Quarter (N-S 1/4) Section line and said Baseline of Survey of State Road 809 (Military Trail), a distance of 973.64 feet; thence North 88°29'41" East along a line at a right angle to the previously described course, a distance of 53.00 feet to a point on the Easterly Existing Right of Way line of State Road 809 (Military Trail) and the POINT OF BEGINNING; thence North 01°30'19" West along said Easterly Existing Right of Way line of State Road 809 (Military Trail), a distance of 211.66 feet; thence South 88°48'32" East, a distance of 11.66 feet; thence South 03°30'19" East, a distance of 81.66 feet; thence South 01°30'19" East, a distance of 130.20 feet; thence North 88°46'57" West, a distance of 14.52 feet to the POINT OF BEGINNING.

Containing 2,953 square feet, more or less.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

OWNED BY: My Incentive, LLC, a Florida limited liability company.

SUBJECT TO: Mortgage Future Advances recorded in Official Records Book 29334 Page 1451, of the Public Records of Palm Beach County, Florida, in favor of TD Bank, National Association.

Assignment of Rents recorded in Official Records Book 29334 Page 1461, of the Public Records of Palm Beach County, Florida, in favor of TD Bank, National Association.

Lien recorded in Official Records Book 30907, Page 1158, of the Public Records of Palm Beach County, Florida, in favor of 1st Choice Contracting, LLC, a Florida limited liability company.

Interest, if any, Nona Diamond Dental, LLC, a Florida limited liability company.

Interest, if any, Renaissance Health Institute, LLC, a Florida limited liability company.

Interest, if any, 7-Eleven, Inc., a Texas corporation d/b/a 7-Eleven 37223A.

Interest, if any, Palm Beach County, a Political Subdivision of the State of Florida.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

5. That the deposit of money will secure the persons lawfully entitled to the compensation which will ultimately be determined by final judgment of this Court;
6. That the sum of money to be deposited in the Registry of the Court within twenty (20) days of the entry of this Order, shall be in the amount of:

Parcel 110 \$373,100.00

TOTAL \$373,100.00

7. That on deposit as set forth above and without further notice or Order of this Court, the Petitioner shall be entitled to possession of the property described in the Petition.
8. Defendant shall, pursuant to Florida Statute 286.23, within 48 hours of the Order of Taking deposit, disclose, in writing, to the Florida Department of Transportation, the names and addresses of every person having a beneficial interest in the property acquired.
9. The Petitioner, its agents, representatives, contractors, and/or assigns shall be permitted to undertake reasonable and necessary actions in connection with the removal and/or demolition of the business ID sign and “Entry” directional sign located on Parcel 110, including entry upon the remainder property in order to disconnect electrical service to the signs, provided that Petitioner shall give Defendant and its counsel 48 hours advance written notice of its intent to disconnect said power to the signs, and provided further that such disconnection shall be done in such a manner that avoids any power interruption to the remainder property.
10. On or before May 31, 2021, Defendant shall relocate/reestablish the lift station, lift station electrical panel, underground electric serving the lift station, affiliated irrigation and domestic meters, and any other related incidental items from the Parcel onto Defendant’s remaining property. Further, Defendant must provide Petitioner with a copy of the permit(s) to accomplish this no later than April 30, 2021. Should the Defendant not complete the above-mentioned work by June 1, 2021, then the Petitioner shall be and is hereby entitled to remove or demolish the aforementioned improvements, in which case

the Defendant shall allow the Petitioner and/or its duly authorized representative such access to the Defendant's remaining property as is reasonably necessary to safely accomplish the work, including such access as is required to cut and cap waste/water lines, disconnect sewer, water and/or electric service. Petitioner and/or its duly authorized representative will not restore sewer service to the Defendant's remaining property.

11. On or before May 31, 2021, Defendant shall relocate the backflow preventer(s), affiliated irrigation and domestic meters, and any other related incidental items from the Parcel onto Defendant's remaining property. Furthermore, Defendant must provide Petitioner with a copy of the permit(s) to accomplish this no later than April 30, 2021. Should the Defendant not complete the above-mentioned work by June 1, 2021, then the Petitioner shall be and is hereby entitled to undertake such work, in which case the Defendant shall allow the Petitioner and/or its duly authorized representative such access to the Defendant's remaining property as is reasonably necessary to safely accomplish the work, including such access as is required to temporarily disconnect water and/or electric service. Petitioner and/or its duly authorized representative will restore the remaining lands to a safe and sanitary condition after the relocation of the improvements.
12. On or before May 31, 2021, Defendant shall construct a Type D Inlet and Flume connected to on-site system and any other related incidental items from the Parcel onto Defendant's remaining property. Further, Defendant must provide Petitioner with a copy of the permit(s) to accomplish this no later than April 30, 2021. Should the Defendant not complete the above-mentioned work by June 1, 2021, then the Petitioner shall be and is hereby entitled to undertake such work, in which case the Defendant shall allow the Petitioner and/or its duly authorized representative such access to the Defendant's remaining property as is reasonably necessary to safely accomplish the work, including such access as is required to reconnect Defendant's drainage structures to the roadway drainage system. Petitioner and/or its duly authorized representative will restore the remaining lands to a safe and sanitary condition after the relocation of the improvements.

13. This Order is entered without prejudice to the Defendant's right to jury trial on the amount of full compensation to ultimately be paid for the property acquired herein;
14. The jury shall not be advised that the Defendant stipulated to the taking or joined in a motion for entry of a Stipulated Order of Taking. The fact that a Stipulated Order of Taking was entered in this cause shall not be disclosed to the jury;
15. The Petitioner shall construct its project in substantial conformity with the construction plans attached hereto and incorporated herein as Exhibit "A".

DONE AND ORDERED in chambers, Palm Beach County, West Palm Beach, Florida.



50-2020-CA-006848-XXXX-MB 09/04/2020
James Nutt
Judge

COPIES TO:

1ST CHOICE CONTRACTING LLC	15066 SCOTTS PLACE LOXAHATCHEE, FL 33470	No E-mail Address Available
ANTHONY V. POLICASTRO	28100 US HIGHWAY 19 N SUITE 311 CLEARWATER, FL 33761	TONY@POLICASTROLAW.COM eric@policastrolaw.com
BRENT E. SIMON MR.	No Address Available	Brent@fullcomp.com pleadings@fullcomp.com
KEVIN F. MOOT	3400 WEST COMMERCIAL BOULEVARD FORT LAUDERDALE, FL 33309	KEVIN.MOOT@DOT.STATE.FL.US shalonda.sutton@dot.state.fl.us d4-ogcservice@dot.state.fl.us
NONA DIAMOND DENTAL LLC	3517 SOUTH FEDERAL HWY UNIT G BOYNTON BEACH, FL 33435	No E-mail Address Available
ORFELIA M MAYOR	No Address Available	omayor@pbctax.com legalservices@pbctax.com
PALM BEACH COUNTY	301 NORTH OLIVE AVENUE 3RD FLOOR	No E-mail Address Available

PAUL D. BAIN	WEST PALM BEACH, FL 33401 101 E KENNEDY BLVD SUITE 2700 TAMPA, FL 33602	PBAIN@TRENAM.COM
RENAISSANCE HEATH INSTITUTE LLC	6802 ALISO AVENUE WEST PALM BEACH, FL 33413	No E-mail Address Available
TD BANK NATIONAL ASSOCIATION	1201 HAYS STREET TALLAHASSEE, FL 32301	No E-mail Address Available

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION,

CIVIL ACTION NO.: 502020CA006848XXXXMB
Parcel No(s): 110

Petitioner,

-vs-

MY INCENTIVE, LLC
a Florida limited liability company, et al.,

Defendants.

JOINT MOTION

Petitioner, STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION and
Defendant, My Incentive, LLC, together move for entry of the foregoing **Stipulated Order of
Taking**, this third day of September, 2020. The undersigned counsel are authorized to enter into
this Joint Motion.

Florida Department of Transportation

My Incentive, LLC

/s/ Kevin F. Moot
Kevin F Moot, Esq.
Attorney for Petitioner
Florida Bar No. 0044667
Florida Department of Transportation
3400 West Commercial Blvd.
Fort Lauderdale, FL 33309
Phone: 954-777-4509
Fax: 954-777-4528
D4-ogcservice@dot.state.fl.us
kevin.moot@dot.state.fl.us

/s/ Anthony V. Policastro
Anthony V. Policastro
Attorney for Defendant
Florida Bar No. 0937932
Policastro Law Group
28100 US Highway 19 N. Suite 311
Clearwater, FL 33761
Phone: 727-475-1988
tony@policastrolaw.com
eric@policastrolaw.com

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

CONTRACT PLANS

FINANCIAL PROJECT ID 437878-1-52-01

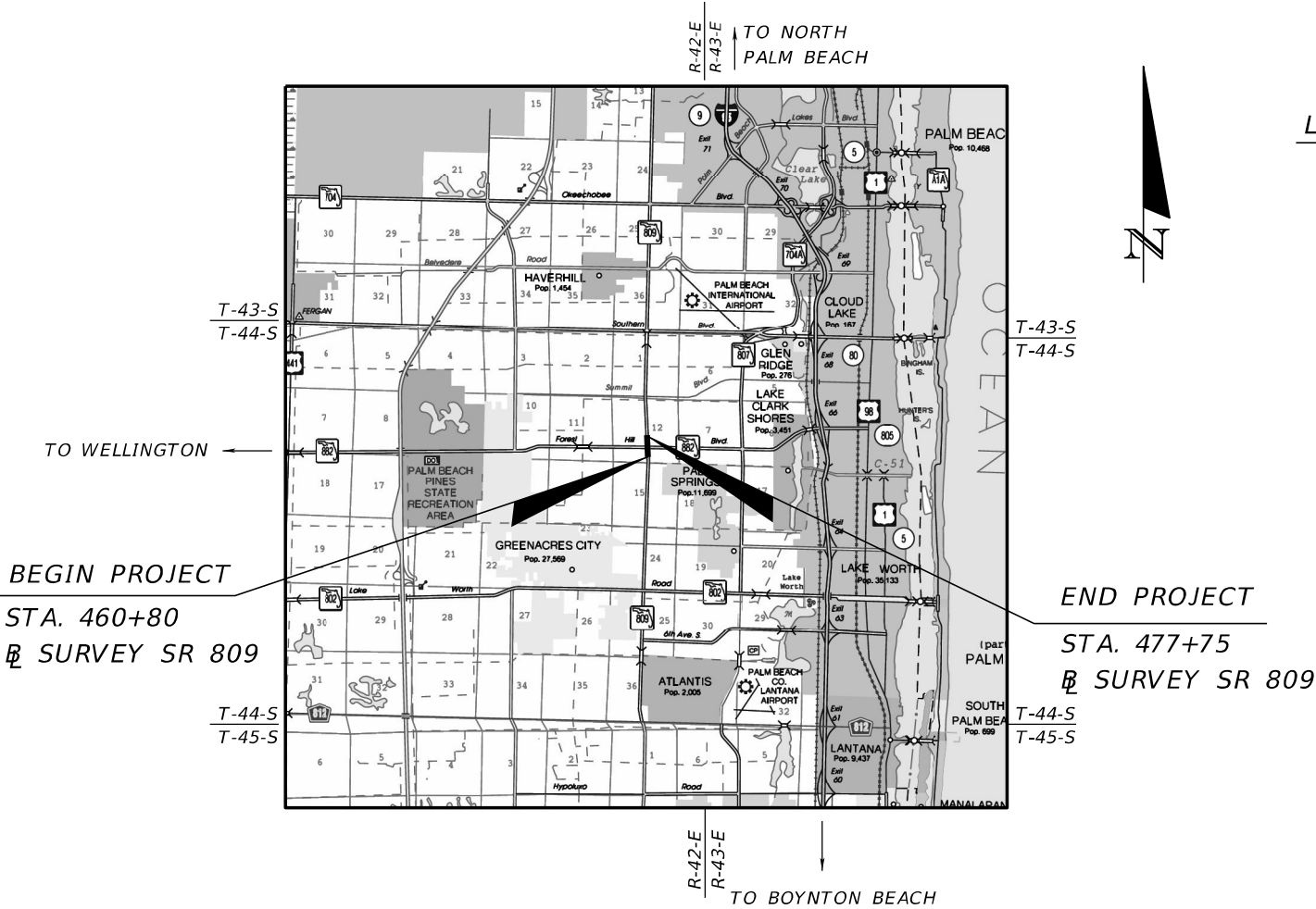
PALM BEACH COUNTY (93070)

STATE ROAD NO. 809

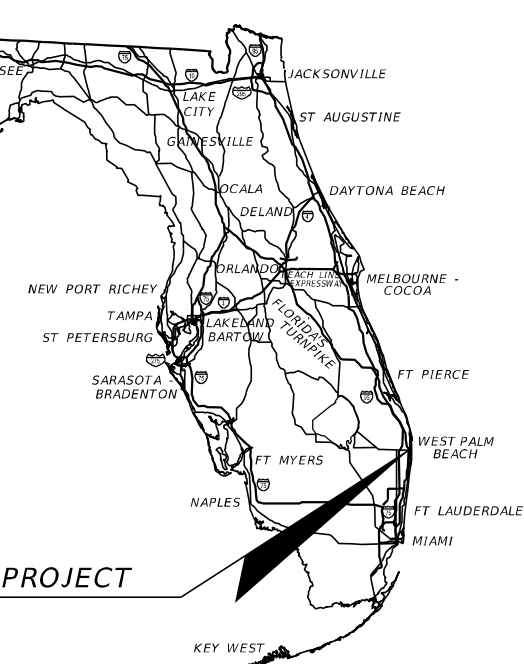
MILITARY TRAIL AT FOREST HILL BOULEVARD INTERSECTION IMPROVEMENTS

INDEX OF ROADWAY PLANS

SHEET NO.	SHEET DESCRIPTION
1	KEY SHEET
2	TYPICAL SECTION
3 - 4	ROADWAY PLAN
5 - 8	ROADWAY PROFILES
9 - 10	CROSS SECTIONS
11 - 12	SIGNING AND PAVEMENT MARKINGS



LOCATION OF PROJECT



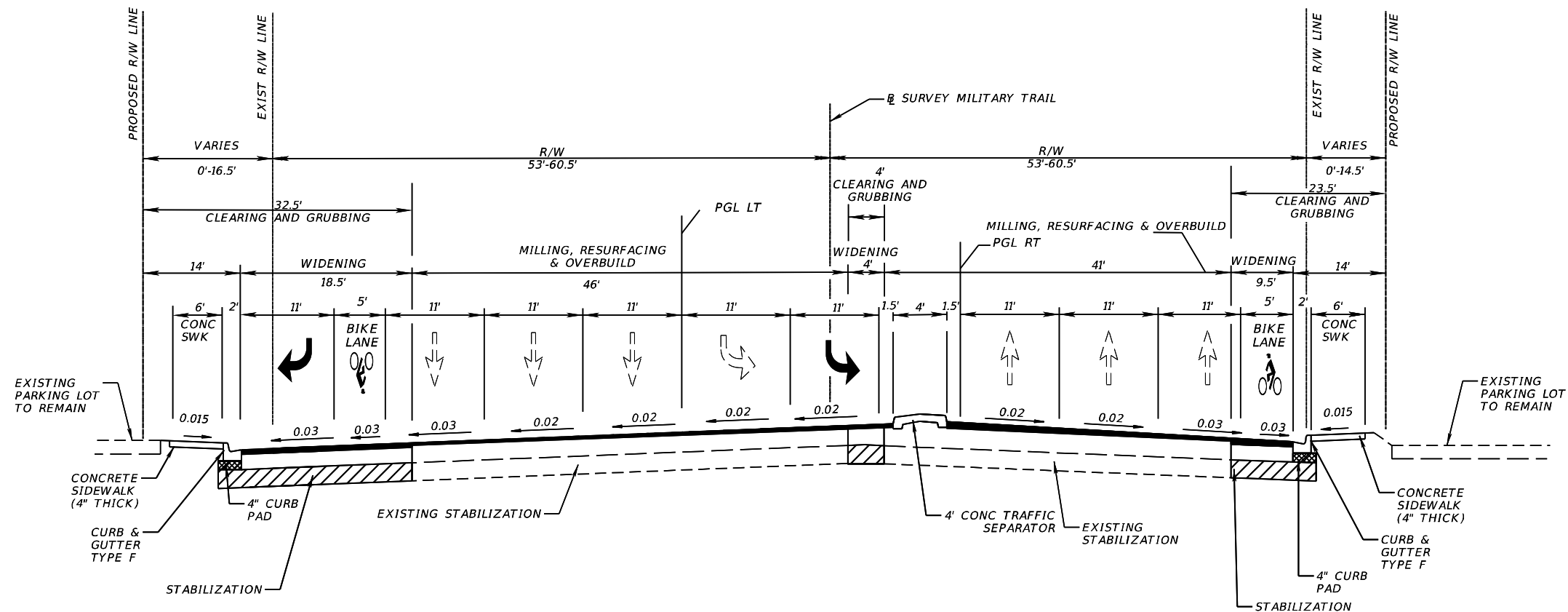
ROADWAY PLANS
ENGINEER OF RECORD:

SCOTT THURMAN, P.E.
P.E. N.O.: 72240
FDOT DISTRICT IV
3400 WEST COMMERCIAL BLVD.
FORT LAUDERDALE, FL 33309

FDOT PROJECT MANAGER:

SCOTT THURMAN, P.E.

CONSTRUCTION CONTRACT NO.	FISCAL YEAR	SHEET NO.
T.B.D.	21	1



TYPICAL SECTION
SR 809 (MILITARY TRAIL NORTH OF INTERSECTION)
STA. 471+64.80 TO STA. 474+53.37
MP 22.709 TO MP 22.774
DESIGN SPEED = 40 MPH

MILLING

MILL EXISTING ASPHALT CONCRET PAVEMENT
1.0 INCHES AVERAGE DEPTH

RESURFACING

FRICTION COURSE FC-9.5 (1) (PG 76-22)

WIDENING

OPTIONAL BASE GROUP 9 WITH
TYPE SP STRUCTURAL COURSE (TRAFFIC C) (3")
AND FRICTION COURSE FC-9.5 (1) (PG 76-22)

OVERBUILD FOR SLOPE

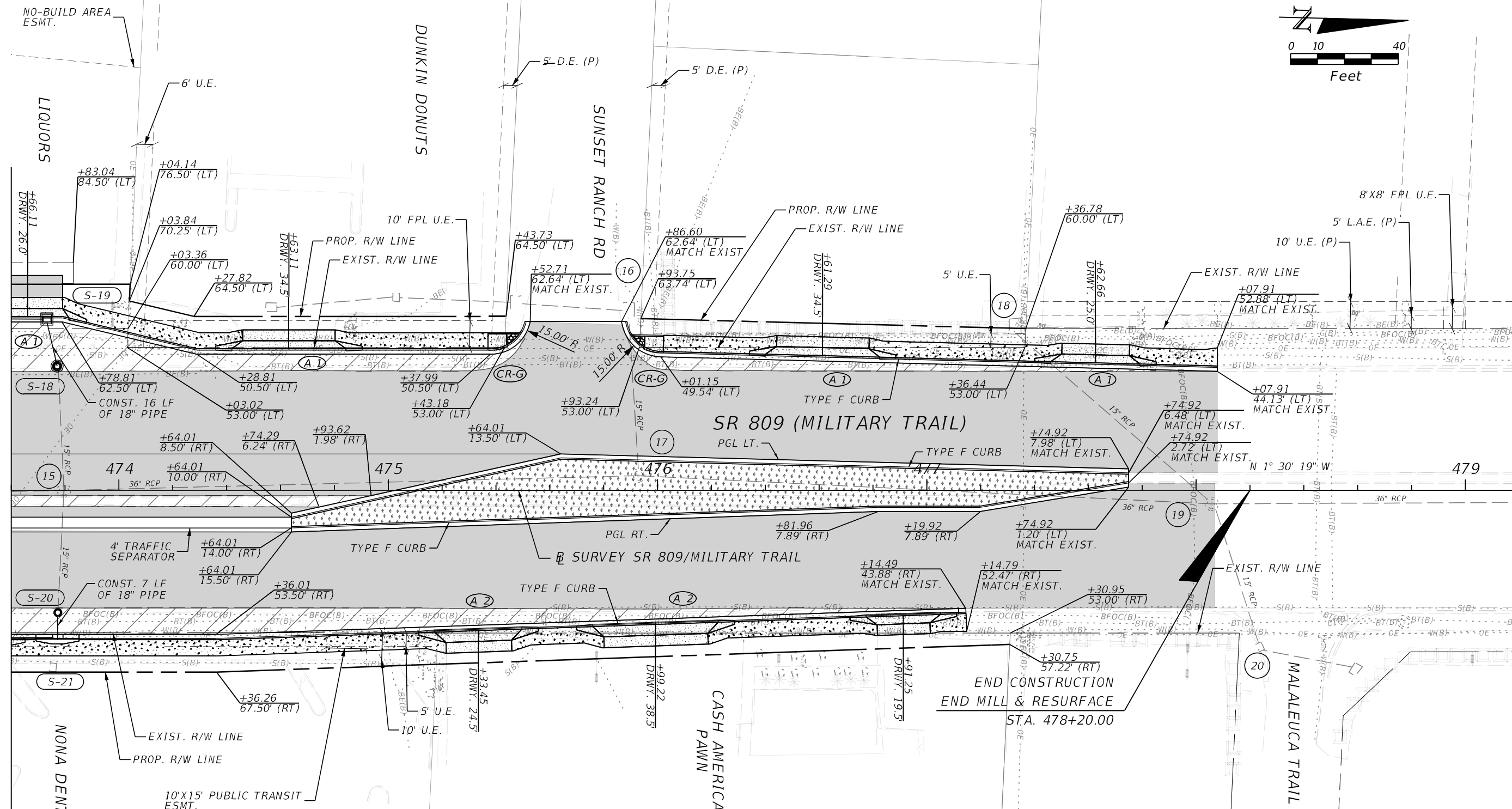
TYPE SP OVERBUILD (TRAFFIC C) THICKNESS VARIES ($\frac{3}{8}$ " TO $1\frac{1}{2}$ ")

TRAFFIC DATA

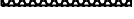
STA. 471+64.80 TO STA. 474+53.37

CURRENT YEAR ESTIMATE = 2018 AADT = 42,900
OPENING YEAR ESTIMATE = 2022 AADT = 46,800
DESIGN YEAR ESTIMATE = 2042 AADT = 66,000
K = 9% D = 60.6% T = 4.9% (24 HOUR)
DESIGN SPEED = 40 MPH
POSTED SPEED = 40 MPH

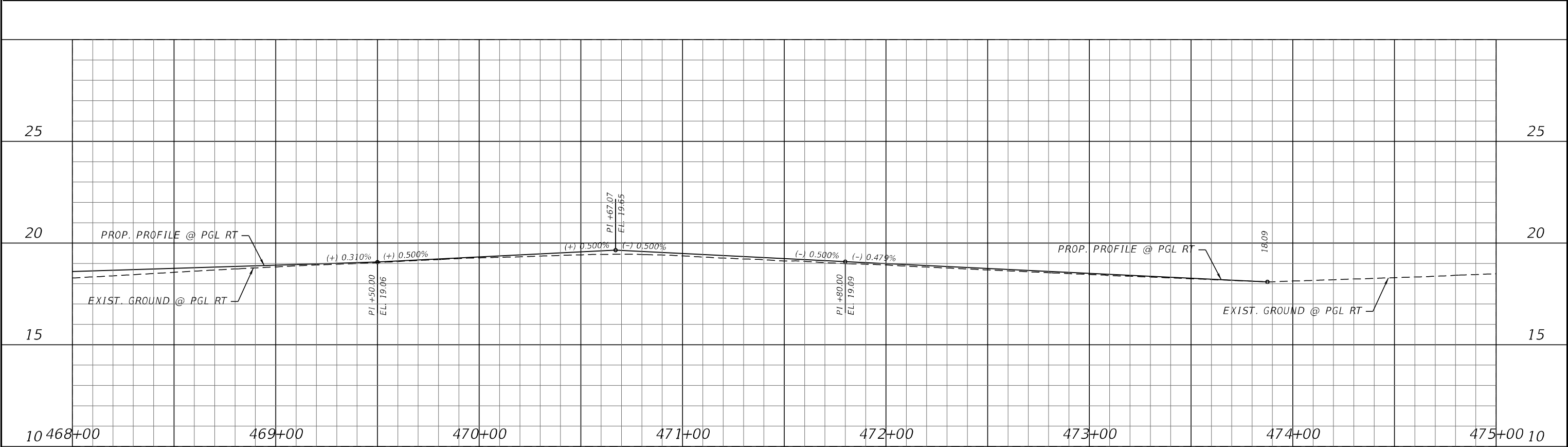
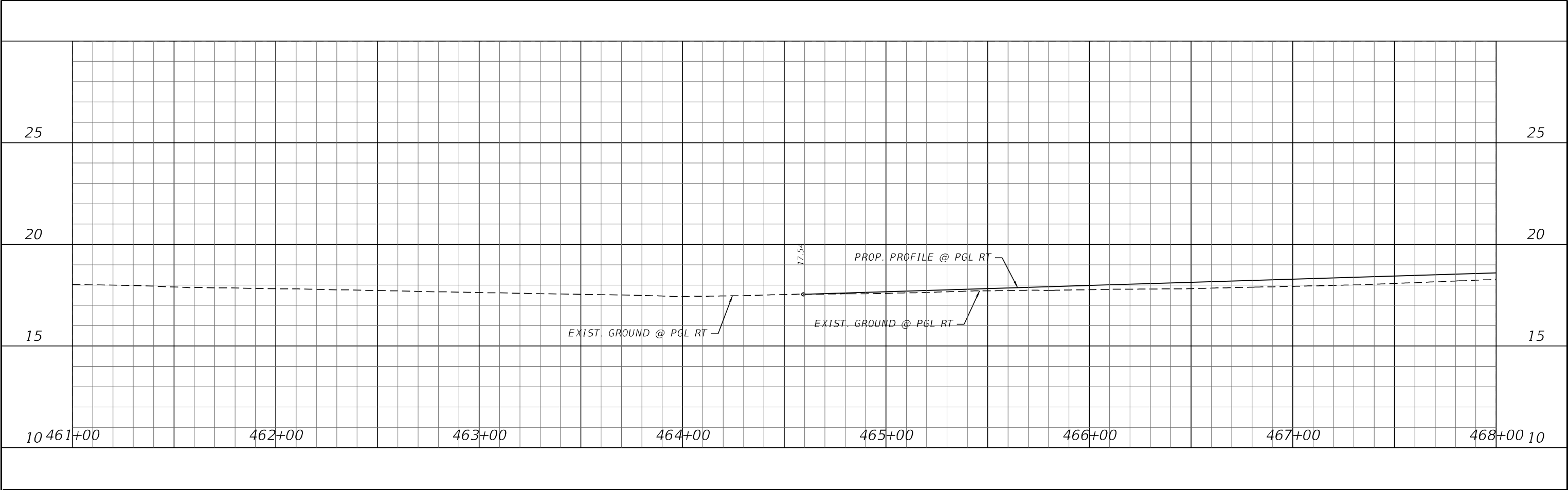
REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W COMMERCIAL BLVD FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			TYPICAL SECTION	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		2



PARCEL 110

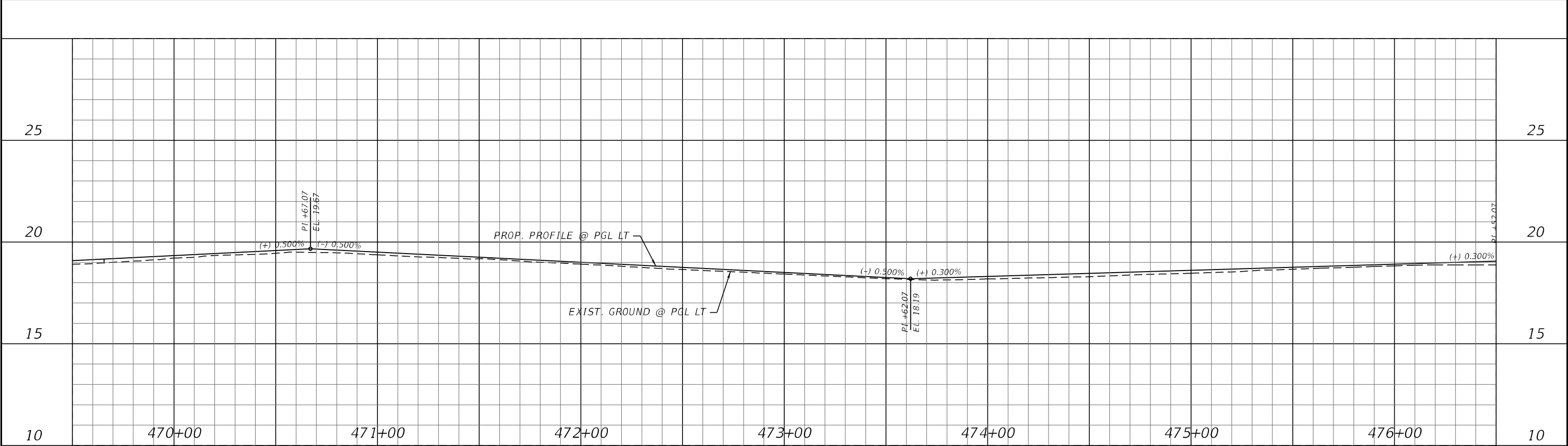
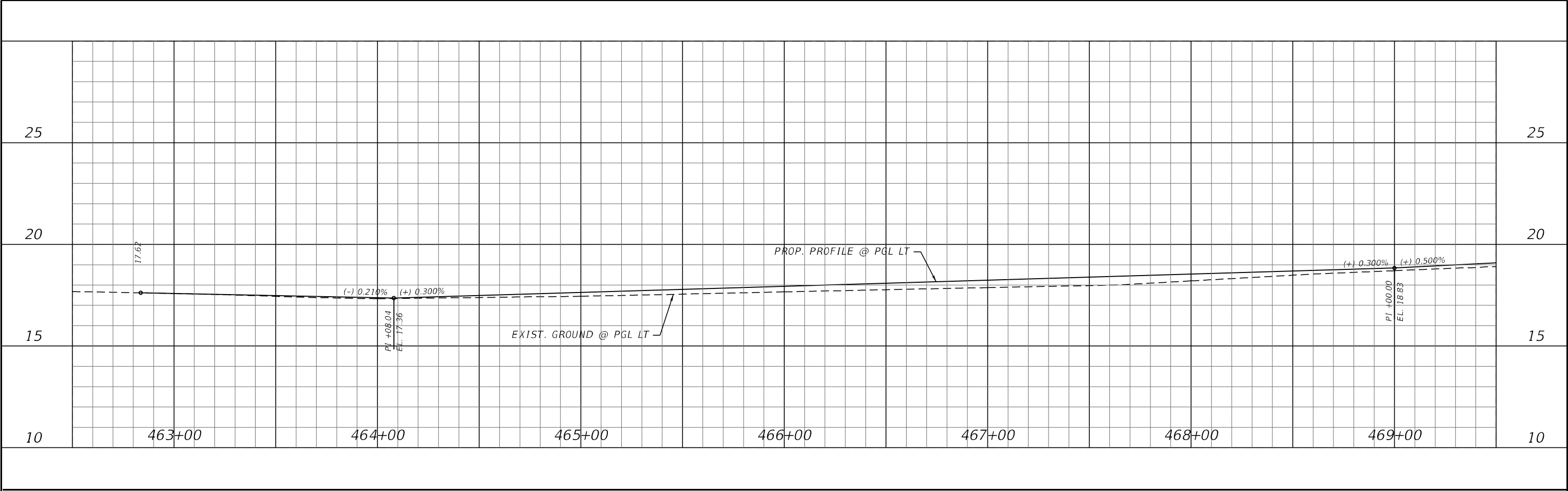
LEGEND			
	MILLING AND RESURFACING		DETECTABLE WARNINGS
	WIDENING		SOD
	CONCRETE SIDEWALK - 4"		
	CONCRETE SIDEWALK - 6"		

REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W. COMMERCIAL BLVD. FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			ROADWAY PLANS	SHEET NO. 4
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
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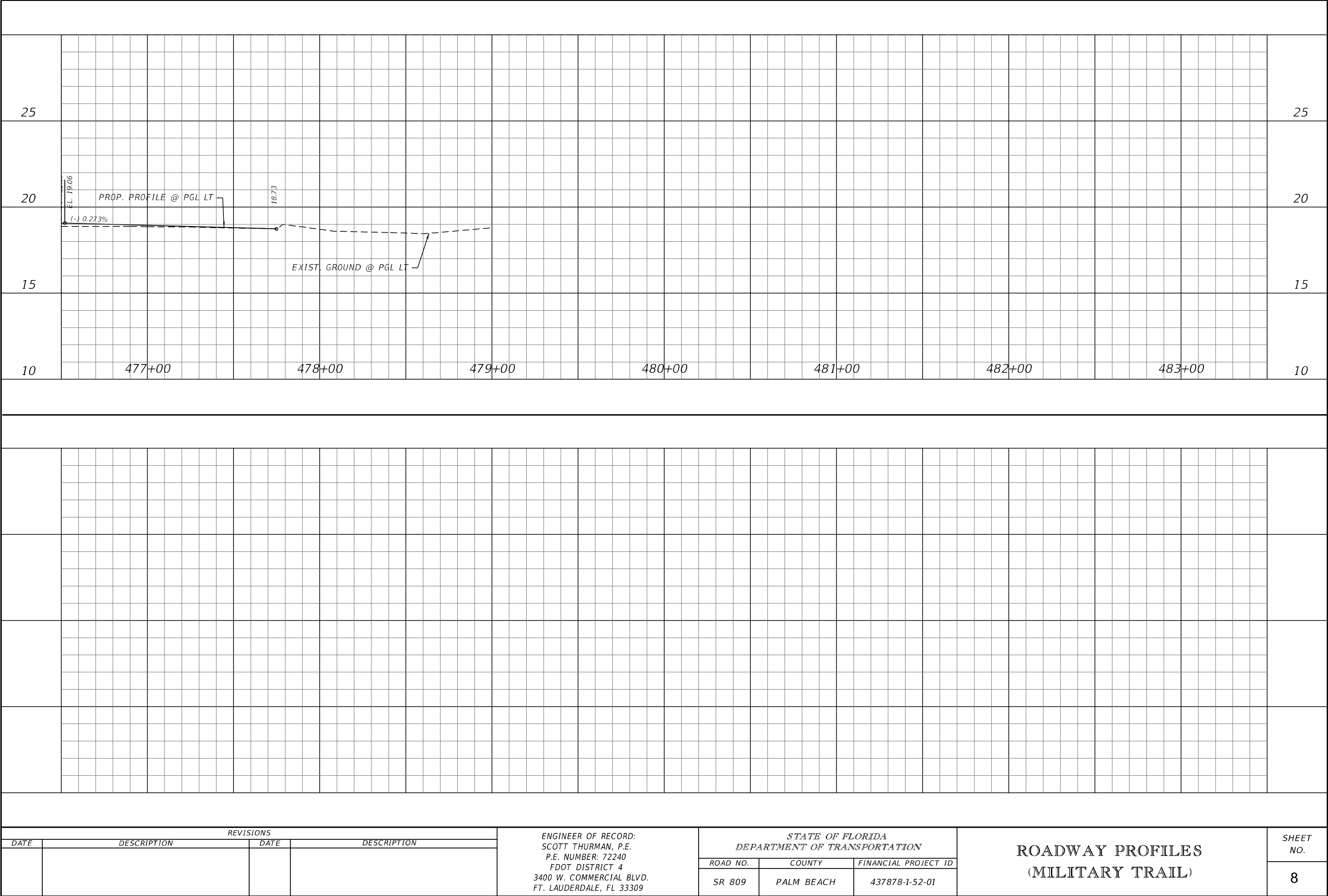
REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W. COMMERCIAL BLVD. FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			ROADWAY PROFILES (MILITARY TRAIL)	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		5

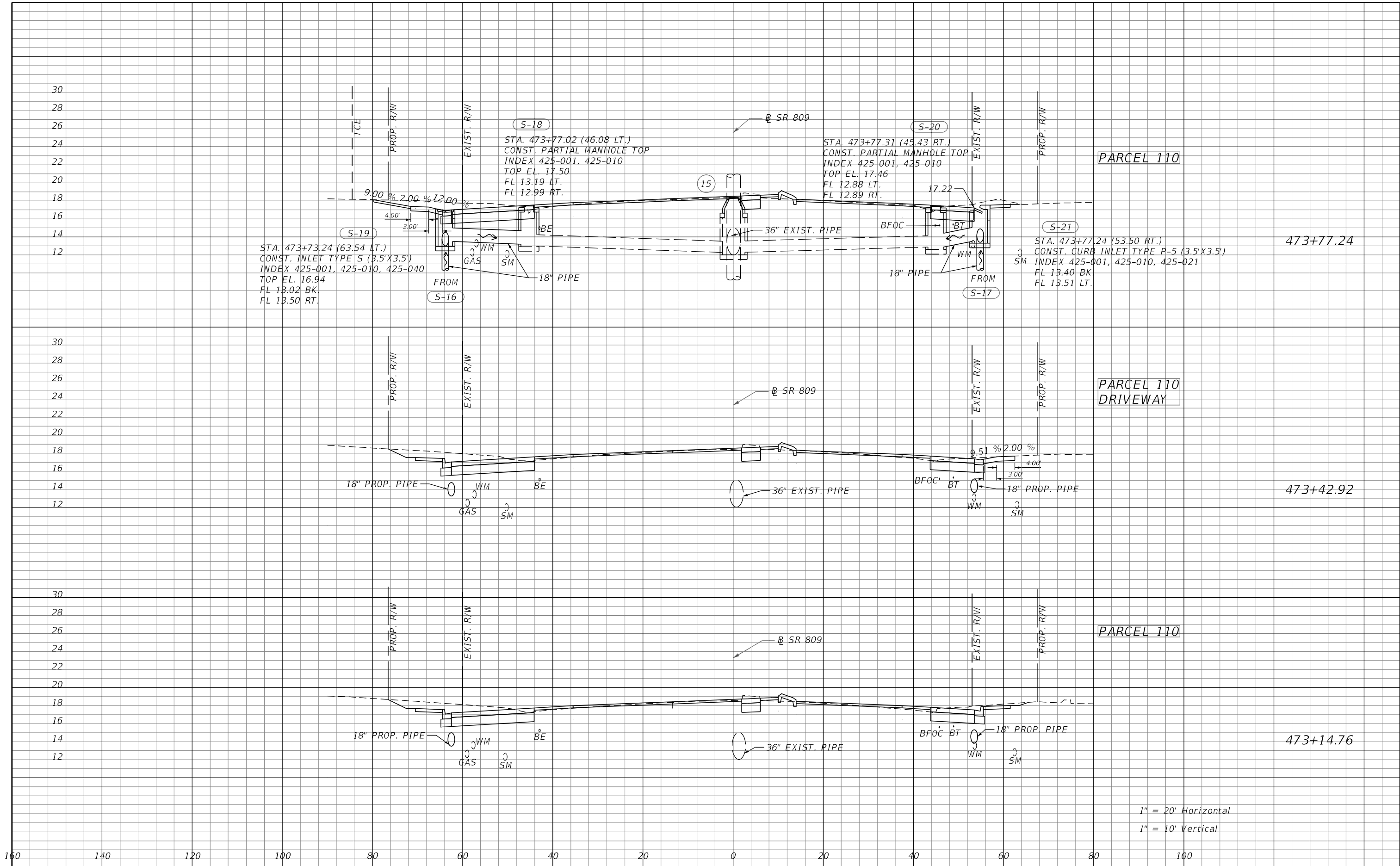
THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



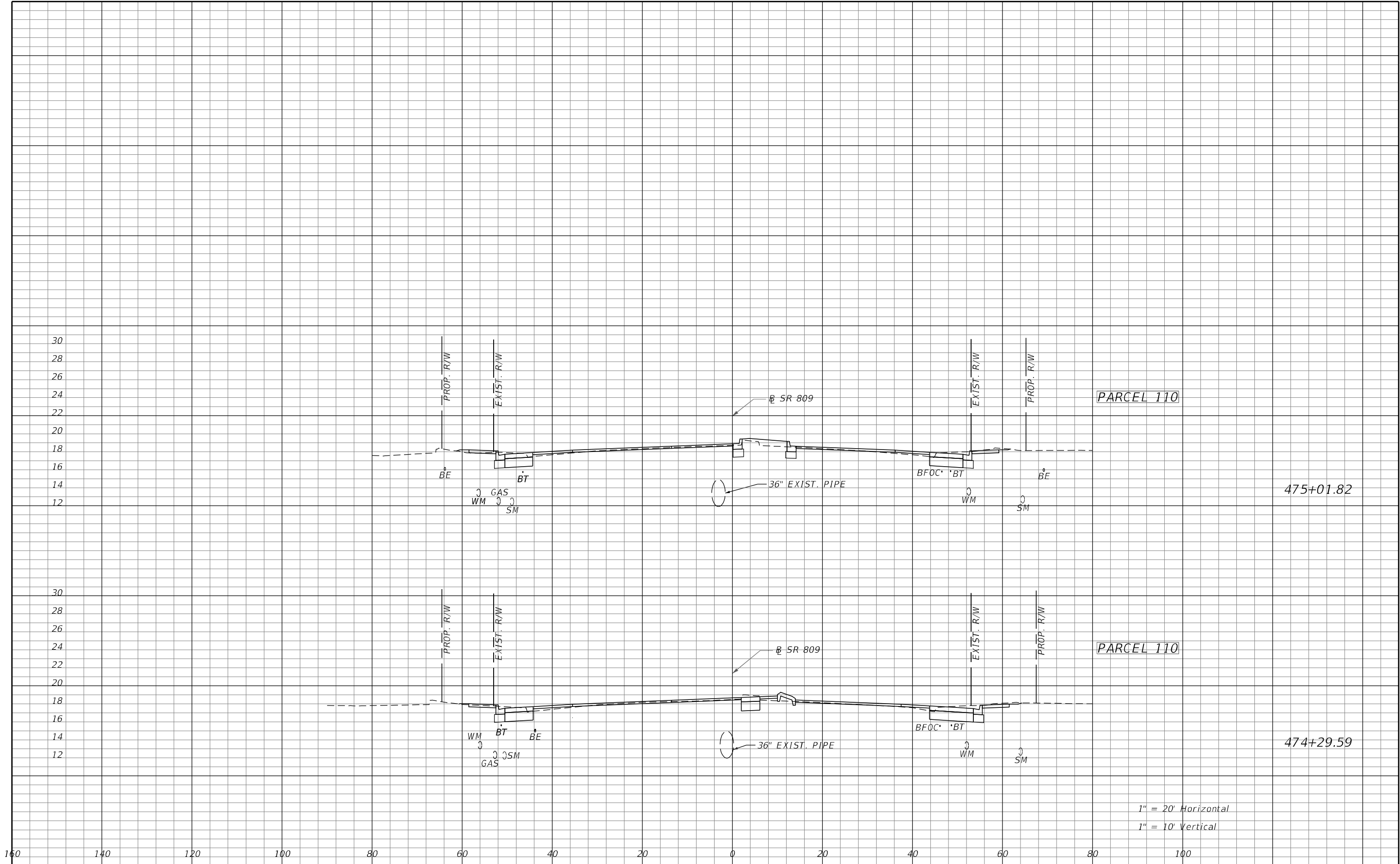
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DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		7

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



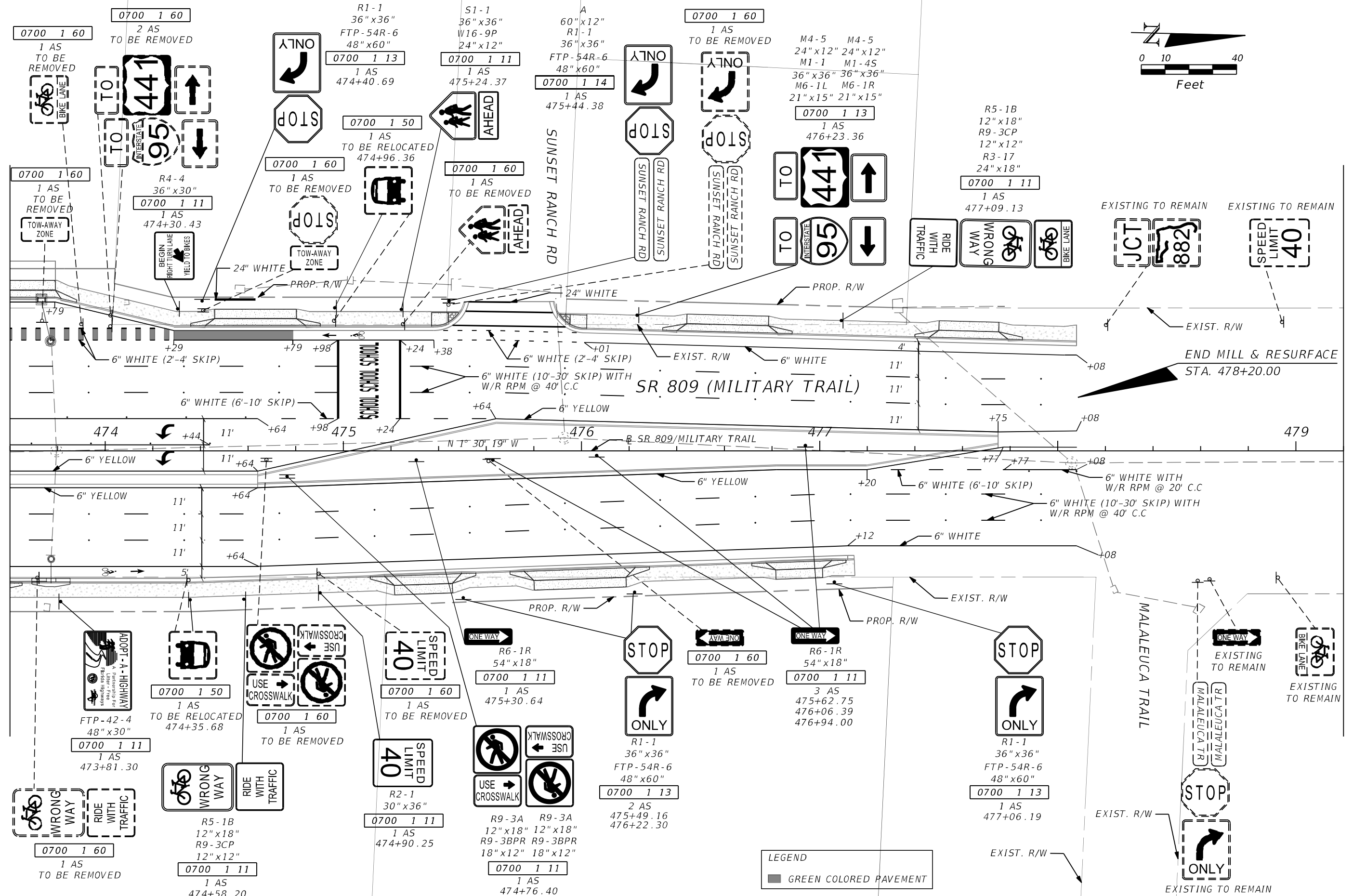
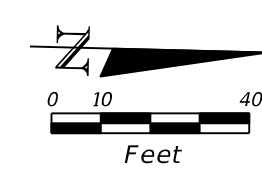


REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W. COMMERCIAL BLVD. FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			CROSS SECTIONS PARCEL 110	SHEET NO. 9
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		



REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W. COMMERCIAL BLVD. FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			CROSS SECTION PARCEL 110	SHEET NO. 10
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
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THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



LEGEND
■ GREEN COLORED PAVEMENT

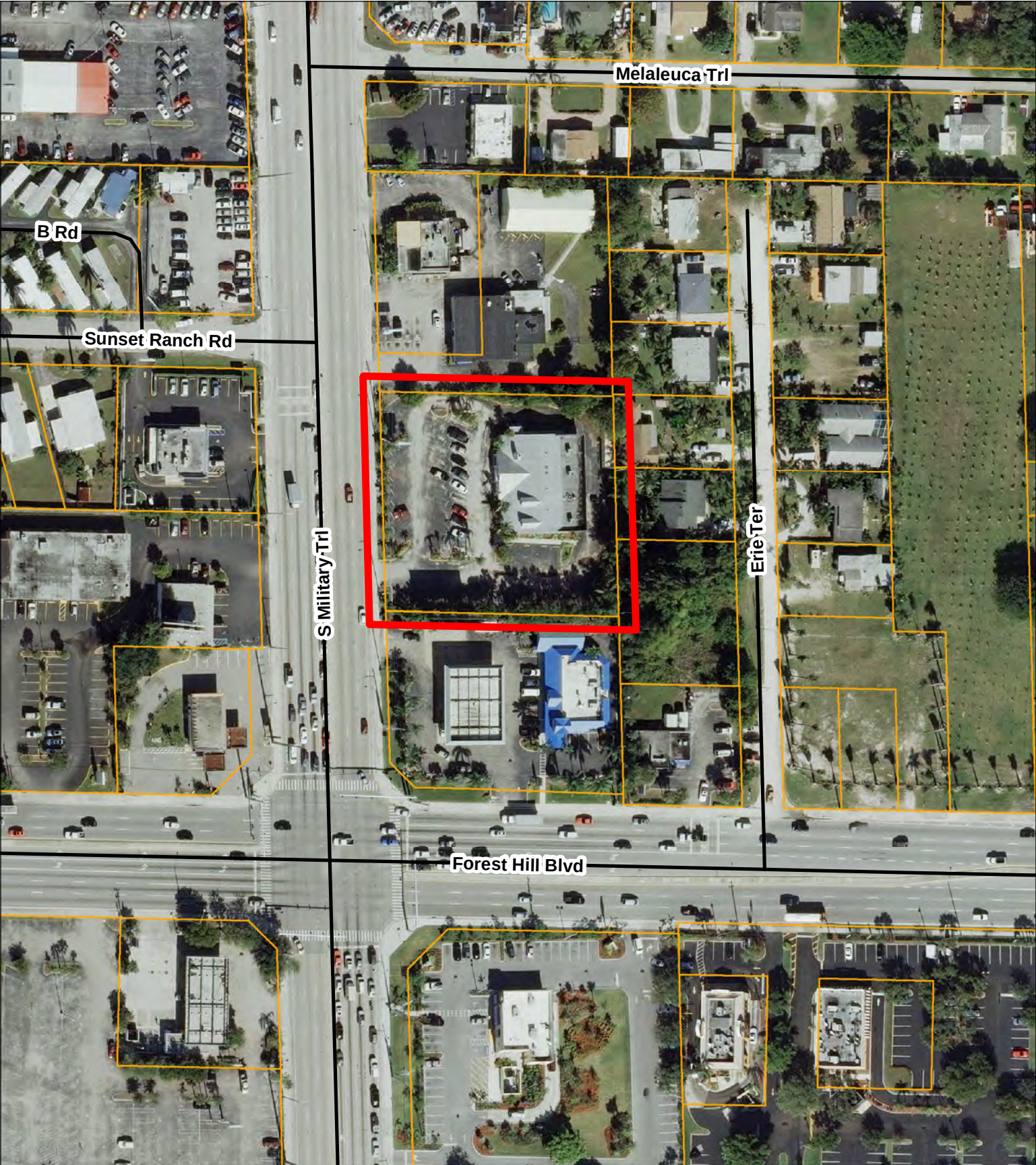
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DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		

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THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

VILLAGE OF PALM SPRINGS

Legend Plaza - 1696 S Military Trail



 Parcels

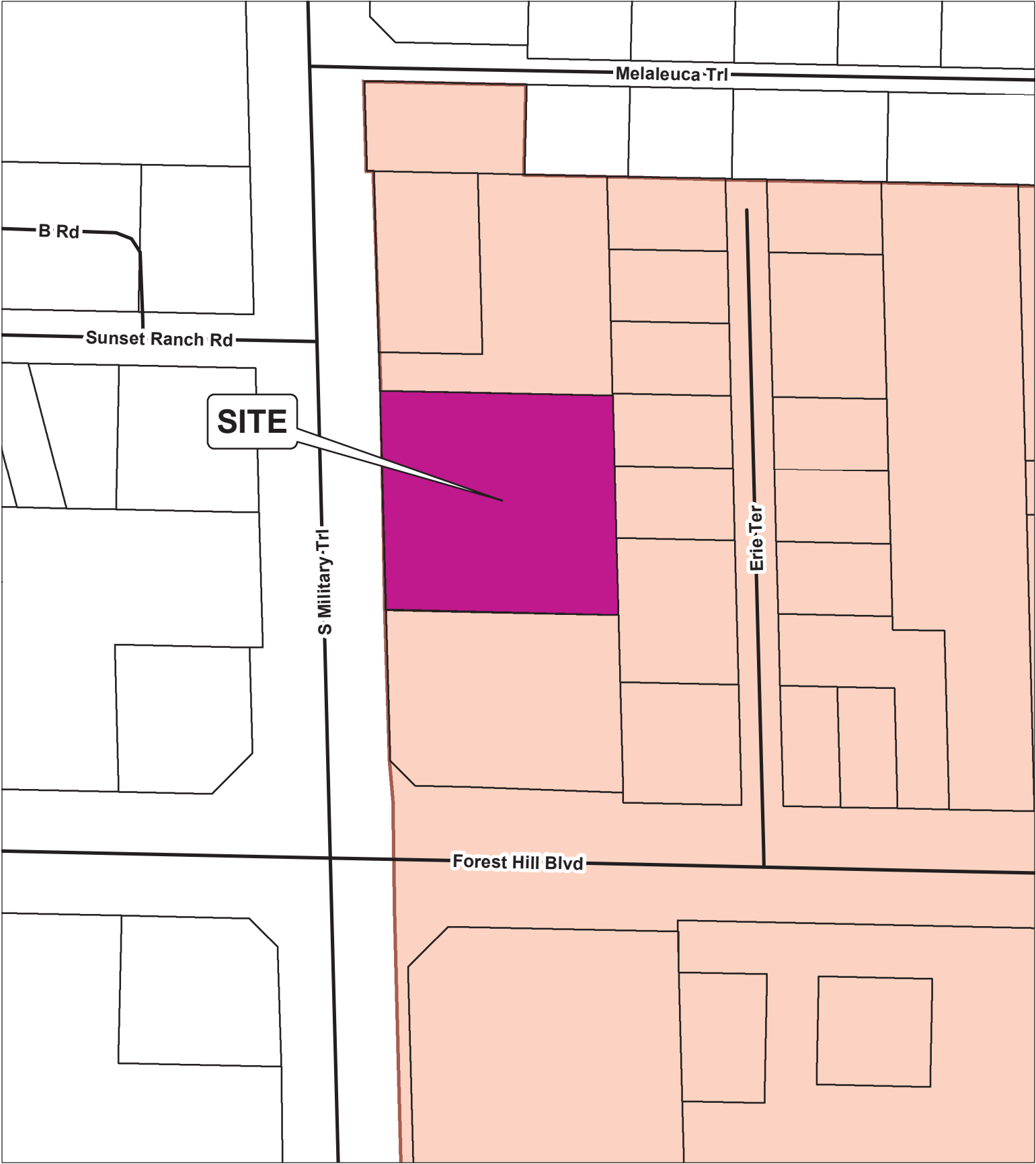
0 50 100 200 Feet

DATE: 7/27/2021



VILLAGE OF PALM SPRINGS

Legend Plaza - 1696 S Military Trail



-  Inspiration House
-  Village Limits

0 50 100 200 Feet

DATE: 6/27/2021





Village of Palm Springs

Executive Brief

AGENDA DATE: August 10, 2021

DEPARTMENT: Planning, Zoning & Building

ITEM 6.3: Resolution 2021-28 - Site Development Plan Amendment - Legend Plaza - 1696 South Military Trail (Quasi-Judicial Hearing)

SUMMARY:

Vijay Mishra agent for the owner, My Incentive LLC, is requesting site development plan amendment (SPR21-13) for the Commercial General property located at 1696 South Military Trail. The applicant is proposing to redesign the entire front (western) portion of the property due to right-of-way condemnation by the Florida Department of Transportation (FDOT).

FDOT proposes to make intersection improvements at State Road 809 (South Military Trail) and State Road 882 (Forest Hill Boulevard) which necessitates widening both roadways along the approach and departure from the intersection. The widening project results in the State taking 2,953 square feet along the entire length of the property's western frontage. The taking will impact the property causing the loss of 13 parking spaces, the utility connection and right-of-way landscape buffer.

Note: Currently, the 1.13 acres property is developed with 7,255 square feet commercial building supporting three tenant spaces and 52 parking spaces.

The applicant proposes a cure plan for remedial action for loss of the property to bring the property into compliance with minimum code requirements. The proposed plan will relocate all affected utilities, accommodate a landscape buffer, and will add 10 parking spaces along by realigning the internal circulation within the parking area.

As part of the requested Site Development Plan modification, the applicant is requesting one variance (PSV21-13) which is subject of a separate agenda item.

Planning, Zoning & Building Staff does not object to the applicant's request and recommends conditional approval to facilitate the redevelopment project proposed for the property.

FISCAL IMPACT:

The proposed project modification is not expected to have a fiscal impact on the Village.

ATTACHMENTS:

Proposed Resolution No. 2021-28 - Site Development Plan Amendment (SPR21-13) - 1696 S. Military Trail

Exhibit "A" Staff Report

Variance Justification Statement

Site Plan, Landscape Plans and Letters

Warranty Deed

Stipulated Order of Taking

Aerial and Location Maps

RESOLUTION NO. 2021-28

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, (APPROVING/DENYING), WITH CONDITIONS, A SITE PLAN DEVELOPMENT AMENDMENT, (SPR21-13), TO REDESIGN THE ENTIRE FRONT (WESTERN) PORTION OF THE PROPERTY, FOR THE COMMERCIAL GENERAL PROPERTY LOCATED AT 1696 SOUTH MILITARY TRAIL AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Mr. Vijay Mishra, “Agent”, on behalf of the property owner, My Incentive LLC (“Applicant”) is requesting a Site Development Plan amendment (SPR21-13) to redesign the entire front (western) portion, for the Commercial General property located at 1696 South Military Trail; and

WHEREAS, the Planning & Zoning Board (“Board”) considered the Site Plan Amendment (SPR21-13) and (PSV21-13), variance relief from Section 34-162(b)(5) to allow an irregular landscape buffer along the west side adjacent to South Military Trail with a minimum width of 9 feet, during their August 10, 2021 meeting and in light of the applicable legal criteria set forth in Chapter 34 of the Palm Springs Code and the sworn testimony and other evidence presented at public hearing, and the Board recommended approval of the application; and

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The Village Council, having received and considered the request of Mr. Vijay Mishra, “Agent” for the owner, My Incentive LLC and applicant (“Applicant”), for approval of Site Plan Amendment (SPR21-13), Special Exception Use (PSSE21-13), determines as follows:

_____ **Having been otherwise fully apprised of the premises herein, the Village Council hereby adopts the findings of the Board and approves the said application as revised, with the staff report conditions attached hereto as Exhibit “A”, and which is incorporated herein by reference.**

OR

_____ **Having been otherwise fully apprised of the premises herein, the Village Council hereby rejects the Board findings and denies the application for the following reason(s):**

Resolution No. 2021-28 – Site Dev. Plan Amend. Legend Plaza – (SPR21-13) – South Military Trail

Notwithstanding any exceptions, conditions or other approvals granted herein, the applicant must conform to all other applicable codes, ordinances, and laws whether stated herein or not.

Section 2. This Resolution shall take effect immediately upon adoption.

Council Member _____ offered the foregoing resolution. Council Member _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	☐	☐	☐
GARY M. READY, VICE MAYOR	☐	☐	☐
DOUG GUNTHER, MAYOR PRO TEM	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐
JONI BRINKMAN, COUNCIL MEMBER	☐	☐	☐

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____ 2021.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

ATTEST:

BY: _____
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR FORM AND LEGAL SUFFICIENCY

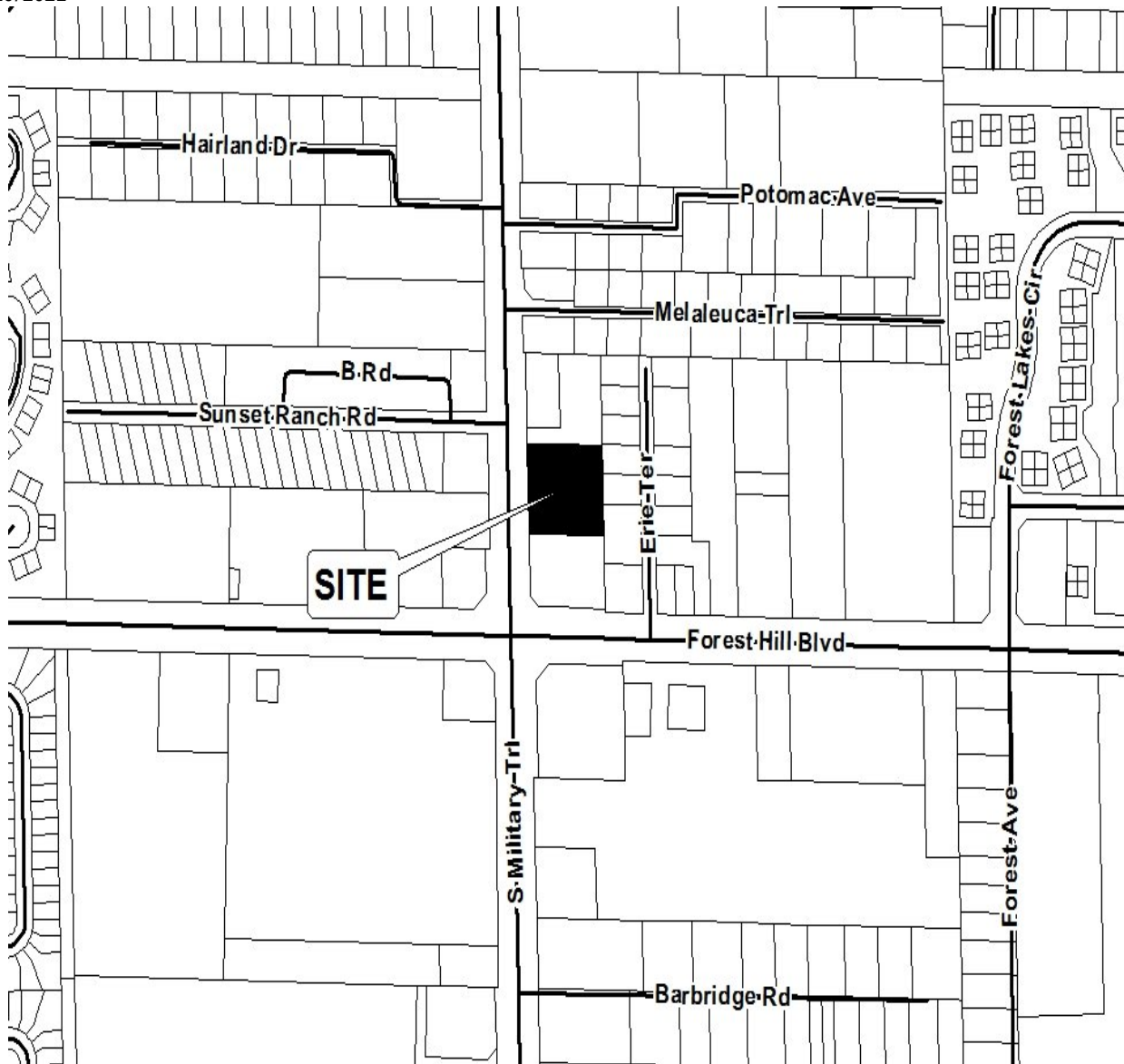
BY: _____
GLENN J. TORCIVIA, VILLAGE ATTORNEY



LAND DEVELOPMENT STAFF REPORT

SUBJECT: Site Development Plan Amendment application - Legend Plaza

Application Summary			
Applicant	Vijay Mishra	Submittal Date	2/25/2021
Reference Name	Legend Plaza	Case Number	SPR21-13/ PSV21-13
		Parcel Control No	70-42-44-12-00-000-5460
Location	1696 S Military Trail	Site Area	1.1340 acres
PZB Meeting	8/10/2021	Council Meeting	8/26/2021
Requests			
Existing Use	3 offices (1 travel agency, 1 dentist office and 1 nurse training school)		
Number of Buildings	1 building with 7,255 square feet		
Variances	PSV21-13: Requesting a variance relief from Sec.34-162(b)(5) to allow an irregular landscape buffer along the west side adjacent to S Military Trail with a minimum width of 9' instead of 15' minimum required.		
Parking			
Code	Required	Provided	Meets Requirement
Total Parking	37	52 (existing)	Yes
	37	49	Yes 3 parking space lost by the row dedication
Setbacks			
Code	Required Minimum	Existing	Meets Requirement
Front yard	50'	116'	Yes
Rear yard	20'	35'	Yes
Side yard	15'	35' (North side) and 78' (South side)	Yes
Site Characteristics			
Previous/ proposed Use	No changes proposed to the use of the property		
Zoning	Commercial General (CG)	Existing Future Land Use	Commercial
Surrounding Existing Land Use, Future Land Use, and Zoning			
Direction	Existing Use	Future Land Use	Zoning District
North	Pawn shop	Commercial	Commercial General (CG)
South	7-Eleven gas station	Commercial	Commercial General (CG)
East	Vacant land and residential properties	Commercial	Commercial General (CG)
West	Dunkin Donuts	Unincorporated Restaurant, Drive in	Unincorporated Urban Infill (UI)
Recommendation			
Planning, Zoning & Building Staff recommends conditional approval of the proposed site plan amendment to redesign the front of the property adjacent to South Military Trail right-of-way. The Florida Department of Transportation (FDOT) proposes to widen a portion of the State Road and as part of the project, a portion of the property along this segment is taken through eminent domain.			



I Site History

- Ordinance 2008-24: Annexation

The property was voluntarily annexed into the Village of Palm Springs in December, 2008, and designated with the Land Development as Commercial General zoning district and Future Land Use Commercial.

The property was known as “Inspiration House” a retail bookstore that used to sell religious materials since 2011 until the middle of 2015 when it was vacated.

- Resolution 2016-10: Site Plan and Special Exception Use

On February 11, 2016 the Village Council approved a site plan and special exception use to construct 7,225 square foot commercial building, with three tenant spaces including 2,141 square foot restaurant.

- Administrative Site Plan Amendment

On June 30, 2017, the Land Development Director approved an Administrative Site Plan Amendment to eliminate the restaurant use previous approved by special exception use and to allow some minor modifications to the site.

II Comprehensive Plan Consistency

- The subject property's Zoning and Future Land Use designation are Commercial and Commercial General (CG), respectively. The proposed special exception use of a restaurant is consistent with goals, objectives and policies of the Village's Comprehensive Plan.

III Variances Requested

The applicant is seeking the following variances:

- PSV21-13 The applicant is requesting a variance relief from Sec.34-162(b)(5) to allow an irregular landscape buffer along the west side adjacent to S Military Trail with a minimum width of 9' instead of 15' minimum required.

The Applicant's full justification to the waivers is attached hereto.

- a. That special condition and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same land development district.

The subject site is a legal non-conforming site that was constructed in 1982. The site is considered "legal non-conforming", as it was developed prior to the current Village of Palm Springs ordinances. As a result of the mandatory Right-of-Way Acquisition by the Florida Department of Transportation (FDOT), the property is losing 287 SF of property along the West property line abutting Military Trail. As a Result, the existing site will lose some existing parking and will have to comply with the current Code requirement of 15' for ROW Buffer width. In order to maintain the minimum drive-isle width of 15' for internal vehicular traffic, the minimum 15' ROW Buffer width requirement could not be met on all portions of the buffer along the length of the West property line. The small size of the lot eliminates the possibility of being able to comply with all site elements and site elements dimensional requirements on site, including minimum landscape buffer widths. Due to the site constraints, site design options are extremely limited. Therefore, the design considers life-safety and circulation as its first. As a result, there is not sufficient land area to redesign the site in a manner that would accommodate the minimum required 15' ROW Buffers along the West property line.

- b. That the special conditions and circumstances do not result from the actions of the applicant.

The catalyst which caused the site layout to be redesigned in a manner that caused the property to be in non-compliance with the current Village of Palm Springs Ordinances, was the mandatory Acquisition of land for additional ROW from FDOT. The current property owner's actions to reconfigure the site are result of his need to comply with both the FDOT requirements and the Village of Palm Springs requirements. The site constraints are not a direct result of actions from the property owner. The small size and configuration of the lot eliminate the possibility of being able to comply with the minimum 15' ROW Buffer requirement for all portion of the West property line along Military Trail.

- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same land development district.

The granting of this variance will not confer any special privilege.

- d. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same land development district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Denial of the variance request would cause the property owner to be in non-compliance with both the FDOT requirement and the Village of Palm Springs Code. In addition, denial of the variance request for a reduction in the 15' ROW Buffer width along Military Trail would require the property owner to lose additional parking to accommodate this requirement. Additional reductions in parking, when the site has already lost three (3) spaces to the ROW Acquisition by FDOT, would cause adverse effects to the property owner and the existing businesses.

- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Due to the existing configuration of the small 1.10-acre site, and the location of the existing 7,255 sf office building there are no other design alternative exists that would reduce or eliminate the need a Variance for a reduction in the 15' minimum ROW Buffer. The small size of the lot eliminated the possibility of being able to comply with all site elements and site element dimensional requirements. In order to meet the minimum quantity of parking for the existing development and provide the most efficient internal vehicular circulation, a portion of the ROW Buffer width had to be reduced to 9'-10".

In Order to attempt to accommodate the Code requirement of 15' for the ROW Buffer, other site elements that pertain to Life-Safety and internal vehicular circulation would be negatively impacted. Se examples below:

- ❖ Drive-isle Widths
- ❖ Sidewalk Dimensions
- ❖ Parking Dimensions
- ❖ Terminal Island Widths
- ❖ T-Turn Arounds
- ❖ Truck Turning Radii for Trucks

In order to maintain all the minimum required site element development standards, the ROW Buffer width had to be reduced.

- f. That the granting of the variance will be in harmony with the general intent and purpose of this chapter.

The granting of the variance will not only help the project be in harmony with the intent of the chapter, but it will also meet other requirements like parking.

- g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Granting the owner's variance request will not be detrimental to the Public Welfare or Injurious to the surrounding properties or uses. Reference Chart and Variance Location Map below.

The variance request does not include a reduction in the West ROW buffer the entire length of the property line. This area of the property is not a perfect 90-degree angle and therefore, the 15' minimum ROW Buffer can be achieved along the N/NW portion of the West portion of the property. However, as the ROW buffer extends South, it comes to a point where it will encroach into the required parking area. It is in this area only that the variance is being requested. South Military Trail is a 120' ROW, with compatible nearest commercial uses. These Commercial Uses will not be negatively impacted by the minor reduction in a portion of the ROW Buffer. The same quantities of landscape material required will

be installed. There will be no negative effects on the commercial uses to the North or South of the subject site as a result of the reduction in a portion of the ROW Buffer being reduced from 15' to 9'-10".

Staff generally supports the applicant's request based on the intent of the applicant to comply with parking requirements. The applicant intent to prioritize life-safety and circulation on the site maintaining the minimum drive aisle width.

IV Neighborhood Compatibility

- 1) The proposed project is located on the East side of South Military Trail, North of Forest Hill Boulevard.
- 2) Properties on the North, West and South are Commercial General.
- 3) Properties on the East side are designated Commercial General, but the existing uses are residential non-conforming dwelling units.

V Regulatory Issues:

- The site plan conforms to the property development standards of the CG district.
 - 1) Proposed project plan generally meets required site development regulation.
 - 2) Four power poles shall be relocated.
 - 3) A Palm Tran easement is required to be relocated.
 - 4) A Live Oak tree needs to be removed from the property due to conflict with PBC Water Utility and the property owner voluntarily commit to coordinate with the Village to mitigate.
 - 5) A bus shelter shall be provided. The bus stop located on the property is considered a high ridership location. The most recent ridership was 1,318 (474 alighting plus 844 boarding's).

VI Environmental Issues:

There are no environmental (wetlands, floodplains, etc) issues identified.

VII Community Outreach/ Notification

- The subject property was posted on July 30, 2021.
- Public Notification letters were mailed to all property owners within 300 foot radius of subject property on July 19, 2021.
- Legal advertisement was published in the paper on July 29, 2021.
- Staff has not received any inquiries or comments as a result of the notices.

VIII Proposed Development Plan Details

The petitioner's development plans dated received on February 26, 2021 depicts the following:
Application for Site Development Plan approval to amend the previously approved site plan due to dedication of right-of-way to FDOT.

1. Site Plan dated February 26, 2021 revised and resubmitted on July 19, 2021.
2. Landscape plans dated February 26, 2021 revised and resubmitted on July 19, 2021.
3. Engineering plans dated February 26, 2021 revised and resubmitted on July 19, 2021.

IX Recommendation

The applicant is proposing a site development plan amendment to redesign the entire front portion of the property due to a right-of way dedication to Florida Department of Transportation (FDOT). FDOT proposes to widen a portion of State Road 809 (South Military Trail) and as a result 2,953 square feet along the length of the western property line has been taken through eminent domain. This taken will impact the remaining property and improvements. It will cause the loss of 13 parking spaces, utility connection and landscape buffer.

The applicant proposes a cure plan for remedial action for loss of the property and to bring the property into compliance with minimum code requirements. The proposed plan will relocate all affected utilities, accommodate a landscaped buffer, and add 10 parking spaces along with realigning the internal circulation in the parking area.

Planning, Zoning and Building Staff has conducted a review of the application and found the proposed amendment to be consistent with goals, objectives and policies of the Village's Comprehensive Plan. The proposed cure plan is generally consistent with the Land Development and zoning regulation and all other portions of the code.

Staff highly recommends that a mass transit easement with complete infrastructure, including a shelter shall be installed at this location. This ridership for stop is considered a high ridership location and a major transfer point for routes 3 and 46.

Planning, Zoning and Building Staff recommends conditional approval of the Site Plan Amendment subject to the following (21) conditions below:

1. The Site Plan expires twenty-four months from approval if the proposed improvements are not constructed within that time frame.
2. A 10' x 15' easement dedicated to Palm Tran shall be recorded prior to Certificate of Completion. A concrete slab, bench and a trash can shall be provided within the bus shelter easement
3. A bus shelter shall be constructed by the Property Owner. Proposed design shall be in scale with the one installed at the "Preston Square Community" (metal roof, Village's teal color, etc.), the Village's logo sign shall be placed on the roof and shall be internally illuminated. The property owner or tenant shall be responsible for the maintenance (including trash pick-up) of the area.
4. The tree mitigation plans shall be coordinated with the Village to either donate the Live Oak Tree to the village to be planted on Village property at the owner's expense or, by contributing to the Village the monies equivalent to such required replacement tree according to Village Land Development Regulation Section 34-224. The mitigation plan shall be completed prior to the issuance of the Certificate of Completion.
5. The existing pole sign is non-conforming with current Land Development Regulations. Any improvement(s) made to the sign exceeding 50% of its current value necessitate that the entire sign be brought into conformance with the Village Code.
6. Civil/Utility plans shall be approved by the Village Engineer and PBC Water Department at time of permitting.
7. Any existing dead landscape material shall be replaced or supplemented with Village approval prior to Certificate of Completion.
8. The Applicant may be required to undertake additional security measures, based on the number of complaints or calls for service for incidents at the premises, as determined by the Police Chief. Such additional security measures, as approved by the Police Chief, may include provisions of on-site security at the operator's sole expense.
9. Trees/palms slated for removal and destruction shall be offered to the village for relocation to a public property. Property owners shall provide at least 60 days' notice to the village and grant the village permission to enter the property and relocate any trees approved for removal.

10. Verify utility and easement locations to ensure that there are no conflicts with landscaping, revise at time of permitting, as needed.
11. Landscaped areas shall be irrigated. New irrigation systems shall be maintained separately from potable water distribution systems, and shall include rain sensor shut-off mechanisms.
12. A pre-construction meeting shall be scheduled with the Village Planning, Zoning and Building Department prior to commencement of any construction activity. Permits are required from Planning, Zoning and Building Department prior to commencing any construction or renovation.
13. All new electrics shall be underground.
14. A silt barrier shall be installed around the perimeter of the property prior to commencement of any site work or construction activity and shall remain through substantial completion.
15. The Landscaping shall be certified by the Landscape Architect upon completion and prior to Certificate of Occupancy.
16. Plants installed shall conform to or exceed the minimum standards for Florida Number 1, as provided in the most current edition of the Grades and standards for Nursery Plants, Part I and II, prepared by the State Department of Agriculture and Consumer Services.
17. Any sidewalk broken or damaged during construction shall be replaced by the contractor prior to CO.
18. The civil engineer of record shall certify the site construction prior to Certificate of Occupancy.
19. The General Contractor shall be on site during any and all construction activity in accordance with FS 489.1195.
20. The project shall receive approval from all Authorities Having Jurisdiction and submit copies of approvals to the Village of Palm Springs.
21. At the time of CC, the petitioner shall provide the Land Development Department with electronic copies of as-builts.

JUSTIFICATION STATEMENT**Legend Plaza**

July 20, 2021

REQUEST:

On behalf of the property owner (My Incentive LLC) we are requesting the following:

- ❖ Approval for a 5'-2" in reduction in the required 15' Right-of-Way Buffer along the West portion of the subject property; for a total ROW Buffer width of 9'-10" and the narrowest point of the buffer.

In Accordance with Section: 34-162, the minimum required Right-of-Way Landscape Buffer widths is required:

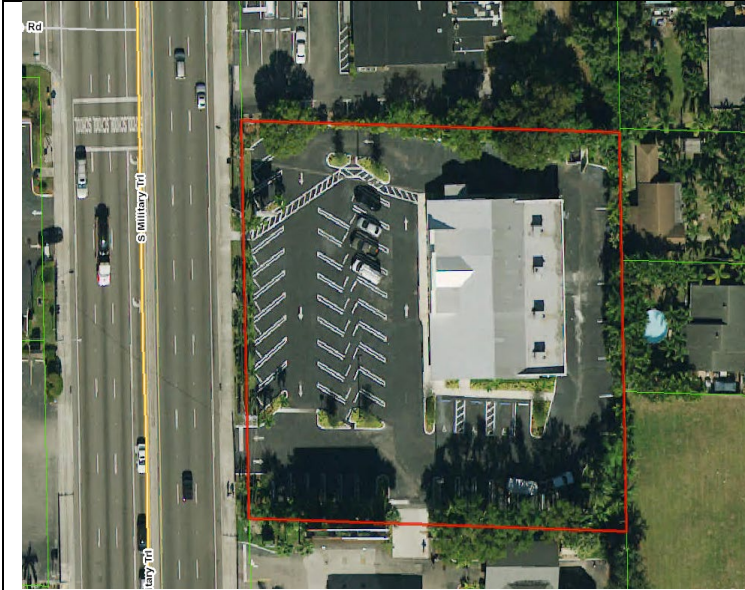
	<u>Buffer Location</u>	<u>Required</u>	<u>Provided</u>	<u>Variance</u>
V1	ROW Buffer (West)	15'	9'-10"	5'-2"

- ❖ Refer to Landscape Plan(s) for additional information on Right-of-Way Buffer width and plant material provided.

Variance Justification Statement**Variance Request and Justification:**

The subject property is located at 1696 South Military Trail and consists of 1.10 acres. The current Future Land Use is Commercial with a Zoning Designation of General Commercial (CG). The site is an existing development that was originally constructed in 1982. The site consists of a 7,255 SF single-story structure with existing Office Uses. As a result of a Right-Of-Way taking from the Florida Department of Transportation (FDOT), the existing property is losing 2,873 SF of the West portion of the property along Military. RNM Engineering has worked through several potential design patterns for the subject site in the attempt to meet all provisions of the Village of Palm Springs Development Ordinances/Zoning Code for the existing Office Use. However, due to existing site conditions, the minimum required Right-of-Way Buffer width of 15' could not be achieved for all portions of the West property line along Military Trail. As a result, the property owner is required to apply for a Variance for the Landscape Buffer width of less than 15' (See Chart Above). The final design is the most logical design that complies with all other provision of the Code as it pertains to internal drive-isle width, parking, turning radii, and Landscape Buffer material quantities for the West ROW Buffer.

Aerial – View and Location of Variance Request



Existing Site



Affected ROW Buffer Area Subject to Variance

Variance Justification Statement

The subject property is located at 1696 South Military Trail and consists of 1.10 acres. The current Future Land Use is Commercial with a Zoning Designation of General Commercial (CG). The site is an existing developed site with a 7,255 SF single-story structure with existing Office Uses. As a result of a Right-Of-Way taking from the Florida Department of Transportation, the existing property is losing 2,873 SF along the West portion of the property along Military. RNM Engineering has worked through several potential design patterns for the subject site in the attempt to meet all provisions of the Village of Palm Springs Development Ordinances/Zoning Code for the existing Office Use. However, due to existing site conditions, the minimum required Right-of-Way Buffer width of 15' could not be achieved for all portions of the West property line along Military Trail. As a result, the property owner is required to apply for a Variance for the Landscape Buffer width of less than 15' (See Below). The final design is the most logical design that complies with all other provision of the Code as it pertains to internal drive-isle width, parking, turning radii, and Landscape Buffer material quantities for the West ROW Buffer.

Variance – Five Criteria

	<u>Buffer Location</u>	<u>Required</u>	<u>Provided</u>	<u>Variance</u>
V1	ROW Buffer (West)	15'	9'-10"	5'-2"

- 1. Special and unique conditions exist which are peculiar to the applicant's case and which are not generally applicable to the property located within the zoning district or neighborhood involved, such as natural or manmade sight limitations from the public rights-of-way.**

Response: V.1 - Yes, The subject site is a legal non-conforming site that was constructed in 1982. The site is considered “legal non-conforming”, as it was developed prior to the current Village of Palm Springs ordinances. As a result of the mandatory Right-of-Way Acquisition by the Florida Department of Transportation (FDOT), the property is losing 2,87 SF of property along the West property line abutting Military Trail. As a Result, the existing site will lose some existing parking and will have to comply with the current Code requirement of 15’ for ROW Buffer width. In order to maintain the minimum drive-isle width of 15’ for internal vehicular traffic, the minimum 15’ ROW Buffer width requirement could not be met on all portions of the Buffer along the length of the West property line. (Reference Site Plan; Sheet C-2)

The small size of the lot eliminated the possibility of being able to comply with all site elements and site elements dimensional requirements on site, including minimum landscape buffer widths. Due to the site constraints, site design options are extremely limited. Therefore, the design considers life-safety and circulation as its first. As a result, there is not sufficient land area to redesign the site in a manner that would accommodate the minimum required 15’ ROW Buffers along the West property line.

- 2. The special and unique conditions are not directly attributable to the actions of the applicant.**

Response: V.1 – Yes. (Refer to Criteria#1) As mentioned, the site was developed in 1982, The current property owner purchased the subject site in 2015, and has made no changes to the existing site layout or the building. The catalyst which caused the site layout to be redesigned in a manner that caused the property to be in non-compliance with the current Village of Palm Springs Ordinances, was the mandatory Acquisition of land for additional ROW from FDOT. The current property owner’s actions to reconfigure the site are result of his need to comply with both the FDOT requirements and the Village of Palm Springs requirements. The site constraints are not a direct result of actions from the property owner. The small size and configuration of the lot eliminate the possibility of being able to comply with the minimum 15’ ROW Buffer requirement for all portion of the West property line along Military Trail.

- 3. The literal interpretation of this article, as applied to the applicant, would deprive the applicant of rights commonly enjoyed by persons who are similarly situated.**

Response: V.1 – Yes, (Refer to Criteria#1&2) Denial of the variance request would cause the property owner to be in non-compliance with both the FDOT requirement and the Village of Palm Springs Code. In addition, denial of the variance request for a reduction in the 15’ ROW Buffer width along Military Trail would require the property owner to lose additional parking to accommodate this requirement. Additional reductions in parking, when the site has already lost three (3) spaces to the ROW Acquisition by FDOT, would cause adverse effects to the property owner and the existing businesses.

4. The variance granted is the minimum necessary for the application to make reasonable use of the property

Response: V.1 – Yes. (Refer to Criteria 1,2 & 3) Due to the existing configuration of the small 1.10-acre site, and the location of the existing 7,255 SF Office building there are no other design alternative exists that would reduce or eliminate the need a Variance for a reduction in the 15' minimum ROW Buffer (*Refer to Site Plan and landscape Plan*). The small size of the lot eliminated the possibility of being able to comply with all site elements and site element dimensional requirements. In order to meet the minimum quantity of parking for the existing development and provide the most efficient internal vehicular circulation, a portion of the ROW Buffer width had to be reduced to 9'-10".

In Order to attempt to accommodate the Code requirement of 15' for the ROW Buffer, other site elements that pertain to Life-Safety and internal vehicular circulation would be negatively impacted. Se examples below:

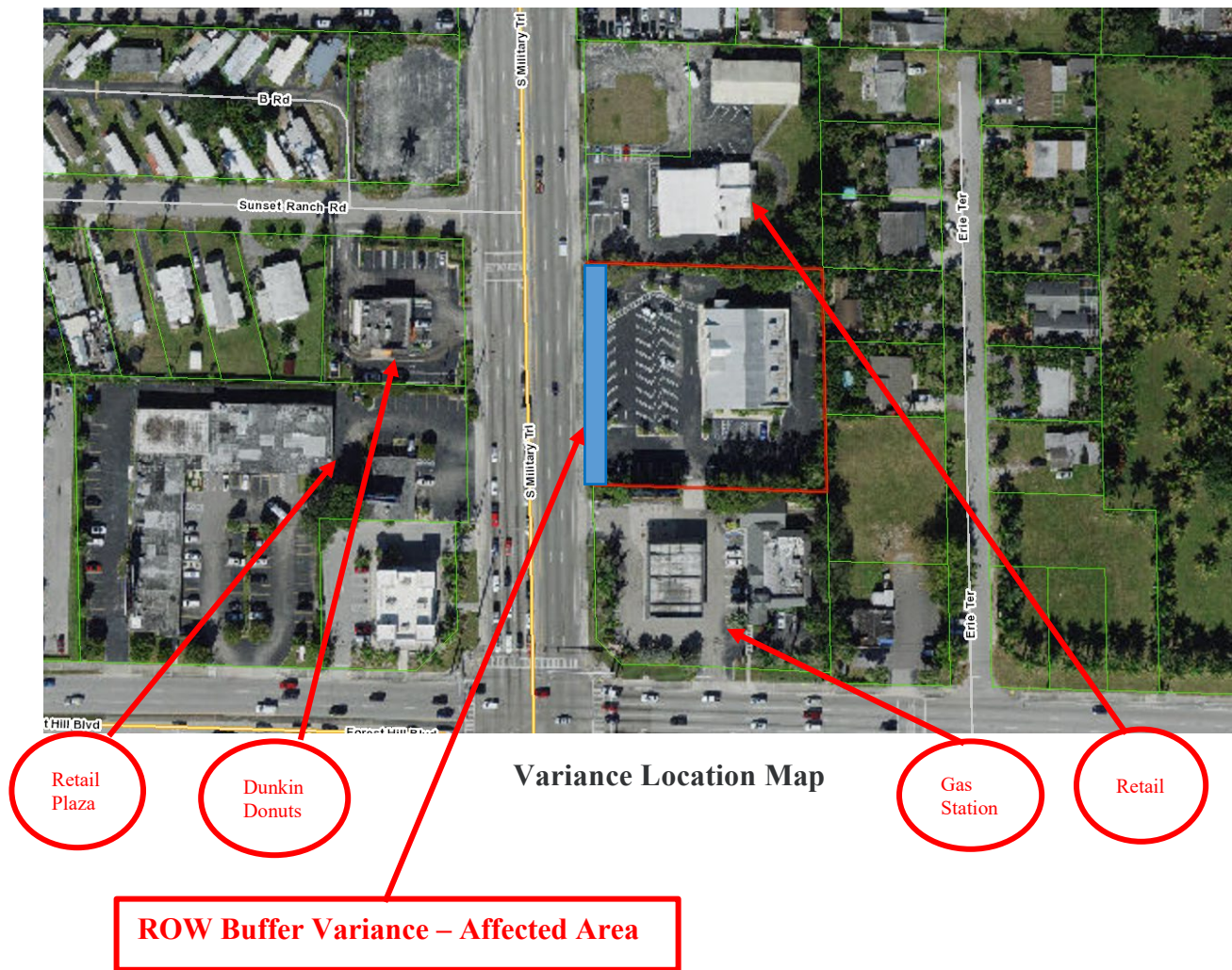
- ❖ Drive-isle Widths
- ❖ Sidewalk Dimensions
- ❖ Parking Dimensions
- ❖ Terminal Island Widths
- ❖ T-Turn Arounds
- ❖ Truck Turning Radi for Trucks

In order to maintain all the minimum required site element development standards, the ROW Buffer width had to be reduced.

5. Granting the variance is not detrimental to the public welfare, or injurious to the property improvements in the zoning district or neighborhood involved.

Response: V.1 – Yes, (Refer to Criteria#1, 3& 4) Granting the owner’s variance request will not be detrimental to the Public Welfare or Injurious to the surrounding properties or uses. Reference Chart and Variance Location Map below.

<u>Variance #</u>	<u>Minimum Variance</u>	<u>Variance Request</u>	<u>Reason Not Injurious or Detrimental</u>
V-1 ROW Buffer (West)	15’	9’-10”	The variance request does not include a reduction in the West ROW buffer the entire length of the property line. This area of the property is not a perfect 90 degree angel and therefore, the 15’ min. ROW Buffer can be achieved along the N/NW portion of the West portion of the property. However, as the ROW buffer extends South, it comes to a point where it will encroach into the required parking area. It is in this area <i>only</i> that the variance is being requested (<i>Refer to Site Plan for details</i>). Military Trail. is a 120’ ROW, with compatible nearest commercial uses. These Commercial Uses will not be negatively impacted by the minor reduction in a portion of the ROW Buffer. The same quantities of landscape material required will be installed. There will be no negative effects on the commercial uses to the North or South of the subject site as a result of the reduction in a portion of the ROW Buffer being reduced from 15’ to 9’-10”.



In accordance with the provisions in Section: 34-329 (Variances) all five variance criteria must be met. On behalf of **My Incentive LLC**, we respectfully request staff's support and approval of the One (1) variance request listed above.

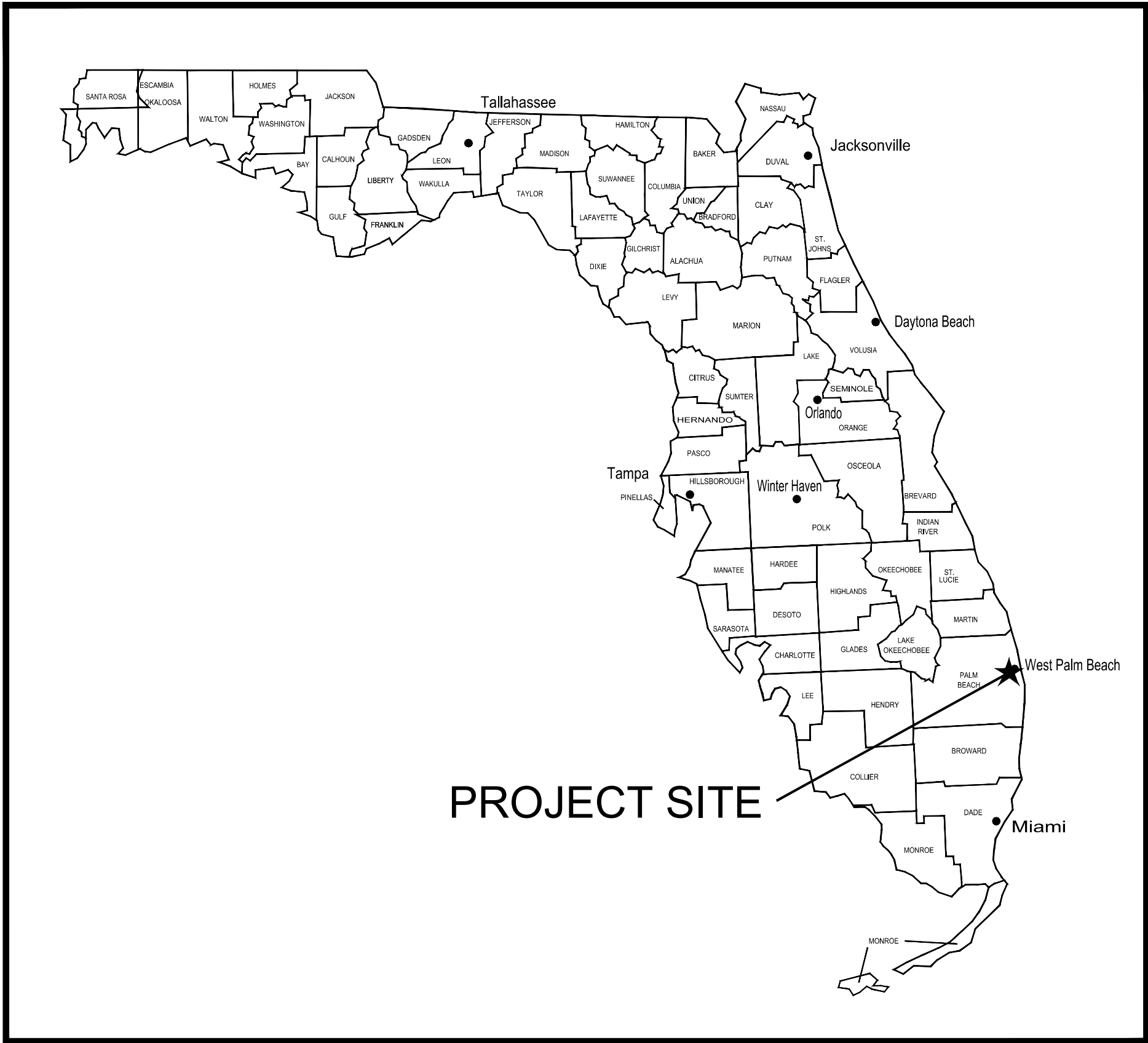
LEGENDS PLAZA

1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

PREPARED BY:

RNM ENGINEERING

LOCATION MAP



VICINITY MAP



INDEX OF DRAWINGS

1	G1	COVER AND INDEX OF DRAWINGS
2	G2	ABBREVIATIONS, LEGEND AND GENERAL NOTES
3	G3	EXISTING SURVEY
4	D1	DEMOLITION PLAN
5	C1	OVERALL LOCATION PLAN
6	C2	SITE PLAN
7	C3	UTILITIES PLAN
8	C4	DETAILS
9	C5	VEHICLE TURNING MOVEMENTS PLAN
10	LS-1	LIFT STATION DETAILS
11	E1	LIGHTING DETAILS
12	LA 1 OF 2	LANDSCAPE PLAN
13	LA 2 OF 2	DETAILS AND SPECIFICATIONS

CONSTRUCTION NOTES:

- ALL WORK PERFORMED, AS WELL AS ALL CONSTRUCTION MATERIALS AND TESTING, SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS, CODES, REGULATIONS AND ORDINANCES.
- ACCESS TO THE PROJECT SITE SHALL BE VIA NW 16TH BLVD. REFER TO THE SITE ACCESS MAP.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR SITE SAFETY ASSOCIATED WITH THE WORK UNDER THIS PROJECT AND FOR COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL HEALTH AND SAFETY LAWS, CODES, REGULATIONS, AND ORDINANCES, INCLUDING BUT NOT LIMITED TO THOSE CURRENTLY MANDATED BY THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA).
- CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING TREES, STRUCTURES, AND UTILITIES WHICH MAY OR MAY NOT BE SHOWN ON THE PLANS. ANY EXISTING STRUCTURE, PAVEMENT, TREES OR OTHER EXISTING UTILITIES NOT SPECIFIED FOR REMOVAL WHICH IS DAMAGED, EXPOSED OR IN ANY WAY DISTURBED BY CONSTRUCTION PERFORMED, SHALL BE REPAIRED, PATCHED OR REPLACED AT NO ADDITIONAL COST.
- UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR LEAVE EXCAVATED TRENCHES OPEN, UNCOVERED OR EXPOSED AT THE END OF THE WORKING DAY, WEEKENDS, HOLIDAYS OR OTHER TIMES WHEN THE CONTRACTOR IS NOT WORKING.
- THE CONTRACTOR SHALL KEEP THE SITE REASONABLE FREE FROM DEBRIS, TRASH, AND CONSTRUCTION WASTE, BUILDING MATERIAL AND/OR CONSTRUCTION DEBRIS STORED ADJACENT TO OR UPON THE ROADWAY SHALL BE ADEQUATELY MARKED AT ALL TIMES FOR PEDESTRIAN AND TRAFFIC SAFETY.
- ALL PAVEMENTS AND OTHER IMPROVEMENTS IMPACTED BY CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION OR BETTER.
- IN THE EVENT CONTAMINATED MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL IMMEDIATELY ADVISE THE CLIENT.
- ANY MATERIAL REMOVED FROM THIS PROJECT SHALL BE DISPOSED OF PROPERLY BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE CLIENT.
- ALL STATION AND OFFSET PROVIDED ON THE DRAWINGS REFERENCE THE BASELINE OF CONSTRUCTION.
- THE CONTRACTOR SHALL RESTORE ALL DISTURBED AREAS TO THEIR ORIGINAL CONDITION OR BETTER.
- SPECIFIC NORTHING/EASTING COORDINATE, STATIONING AND ALIGNMENT DATA AS SHOWN ON THE DRAWINGS SHALL BE UTILIZED FOR CONSTRUCTION.
- ALL PROPOSED ELEVATIONS ARE FINAL ELEVATION OF FACILITIES AFTER CONSTRUCTION.
- CONTRACTOR SHALL NOTIFY THE CLIENT IMMEDIATELY UPON IDENTIFICATION OF EXPOSED STEEL WITHIN CONCRETE STRUCTURE.

STAGING NOTES:

- CONTRACTOR SHALL COORDINATE ACCESS REQUIREMENTS WITH THE CLIENT.
- STAGING AREA SHALL BE PREPARED IN ACCORDANCE WITH THE PROJECT'S SPECIFICATIONS.
- ADDITIONAL TEMPORARY DRAINAGE TO ACCOMMODATE CONTRACTOR'S STAGING MUST BE PROVIDED BY THE CONTRACTOR AT NO COST TO THE CLIENT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE GRADING, EROSION CONTROL, AND STORMWATER MANAGEMENT PLAN WHICH SHALL BE SUBMITTED TO THE CLIENT FOR REVIEW AND APPROVAL. DISCHARGE TO THE CANAL IS DISCOURAGED.
- FOLLOWING COMPLETION OF THE PROJECT, ALL TEMPORARY DRAINAGE MEASURES WITHIN THE STAGING AREAS SHALL BE REMOVED. ALL STAGING AREAS SHALL BE RESTORED IN KIND, E.G., GRASSED STAGING AREAS SHALL BE SEEDED AND MULCHED.

UTILITY NOTES:

- THE LOCATION AND SIZE OF ALL EXISTING UTILITIES SHOWN ON THESE DRAWINGS ARE APPROXIMATE. ADDITIONAL UTILITIES MY EXIST WHICH ARE NOT SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL UTILITIES BY ELECTRONIC METHODS AND/OR BY HAND EXCAVATION IN COORDINATION WITH ALL UTILITY COMPANIES PRIOR TO BEGINNING ANY CONSTRUCTION OPERATION.
- ALL CONFLICTS WITH EXISTING UTILITIES SHALL BE BROUGHT TO THE ATTENTION OF THE CLIENT AND MUST BE RESOLVED PRIOR TO CONTINUING WORK. THIS WORK IS INCIDENTAL TO THE CONSTRUCTION AND NO ADDITIONAL COMPENSATION SHALL BE PAID BY THE CLIENT.
- IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO TAKE ADEQUATE MEASURES TO ENSURE SAFETY WHEN WORKING WITHIN THE VICINITY OF OVERHEAD ELECTRICAL, TELEPHONE AND OTHER LINES. PROPER COORDINATION WITH JURISDICTIONAL AUTHORITIES MUST BE UNDERTAKEN AS APPLICABLE.
- CONTRACTOR SHALL CONTACT SUNSHINE STATE ONE CALL 811 AT LEAST 48 HOURS PRIOR TO PERFORMING ANY EXCAVATION/DIGGING TO VERIFY THE EXACT LOCATION OF EXISTING UTILITIES.
- CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED BY CONSTRUCTION RELATED ACTIVITIES TO EXISTING UTILITY SERVICE LINES. COST OF REPAIR TO BE BORNE BY CONTRACTOR.
- IN THE EVENT OF DAMAGE TO EXISTING UTILITIES, CONTRACTOR SHALL STOP WORK IMMEDIATELY, TAKE NECESSARY PRECAUTIONS TO PREVENT INJURY OR FURTHER DAMAGE, AND NOTIFY PROPER AUTHORITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING/REPAIRING ALL EXISTING STRUCTURES, CONDUITS, OR OTHER UTILITIES DAMAGED BY CONTRACTOR'S OPERATIONS AT NO COST TO CLIENT.
- ALL UTILITIES IN CONFLICT WITH CONSTRUCTION SHALL BE REMOVED, RELOCATED OR ADJUSTED UNDER THIS CONTRACT UNLESS THE PLANS AND SPECIFICATIONS INDICATE OTHERWISE. THE CONTRACTOR SHALL ARRANGE CONSTRUCTION SCHEDULE TO ALLOW UTILITIES OWNERS TIME FOR THE NECESSARY RELOCATION AND ADJUSTMENT OF UTILITIES AND RELATED STRUCTURES.
- UTILITIES AND STRUCTURES NOT SHOWN ON THE PLANS TO BE REMOVED AND REPLACED OR RELOCATED SHALL BE PROTECTED IN PLACE, AND UTILITY SERVICES SHALL BE MAINTAINED WHERE TEMPORARY CONFLICTS OCCUR BETWEEN EXISTING UTILITIES AND THE NEW CONSTRUCTION. THE CONTRACTOR SHALL PROTECT IN PLACE OR RELOCATE THE UTILITIES AND STRUCTURES SHOWN ON THE PLANS TO BE REMOVED AND REPLACED OR RELOCATED SHALL CONFORM TO THE REQUIREMENTS OF THE APPLICABLE TECHNICAL SPECIFICATIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING WHATEVER UTILITY SERVICES ARE REQUIRED TO SUPPORT THE EFFORTS SPECIFIED IN THESE PLANS AND SPECIFICATIONS. THE CONTRACTOR SHALL PAY ALL COSTS ASSOCIATED WITH THESE UTILITIES INCLUDING DEPOSITS, CONNECTIONS AND DISCONNECTION CHARGES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY PERMITS REQUIRED TO OBTAIN UTILITY SERVICES.

PERMITS NOTES:

- CONTRACTOR IS REQUIRED TO OBTAIN ALL NECESSARY PERMITS AND/OR APPROVALS PRIOR TO THE START OF CONSTRUCTION INCLUDING BUT NOT LIMITED TO AN NPDES NOI PERMIT AND ANY OTHER PERMIT ASSOCIATED WITH SUCH PERMIT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE NECESSARY PERMITS FOR CONSTRUCTION, CONTRACTOR SHALL COMPLY WITH ALL CONDITIONS OR CLIENT-OBTAINED PERMITS.
- ALL WORK PERFORMED SHALL COMPLY WITH APPLICABLE REGULATIONS AND ORDINANCES OF THE VARIOUS GOVERNMENT AGENCIES HAVING JURISDICTION OVER THE WORK PERFORMED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COST INCLUDING PENALTIES/FINES LEVIED FOR WORK THAT IS NOT PERFORMED IN ACCORDANCE WITH PERMIT CONDITIONS.

STORMWATER POLLUTION PREVENTION NOTES:

- CONTRACTOR SHALL INSTALL PERMANENT OR TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES AT THE EARLIEST PRACTICABLE TIME CONSISTENT WITH GOOD CONSTRUCTION PRACTICE. ONE OF THE FIRST CONSTRUCTION ACTIVITIES SHOULD BE THE PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES WHERE REQUIRED AROUND THE PERIMETER OF THE PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE AND REPAIRS OF EROSION AND SEDIMENT CONTROL/SWPPP DEVICES PER FDOT AND FDEP STANDARDS AND SPECIFICATIONS. THE MAINTENANCE OF THESE DEVICES WILL OCCUR THROUGHOUT THE DURATION OF CONSTRUCTION. THE CONTRACTOR SHALL REMOVE ALL TEMPORARY EROSION AFTER COMPLETION OF THE PROJECT. CONFORMANCE WITH SWPPP SHALL NOT RELIEVE THE CONTRACTOR FROM THE RESPONSIBILITIES TO PROTECT ADJACENT PROPERTIES, FEATURES AND NATURAL ENVIRONMENT FROM THE POSSIBLE DAMAGE IMPACT THAT MAY ARISE AS A RESULT OF THE CONSTRUCTION LIMITED TO CONSTRUCTING SUCH FACILITIES AND ANY OTHER MEASURES THAT ARE NECESSARY TO PREVENT, CONTROL AND ABATE WATER EROSION DAMAGE TO PUBLIC AND PRIVATE PROPERTY AS A RESULT TO THE CONSTRUCTION OF THIS PROJECT.
- PERIMETER POLLUTION PREVENTION CONTROLS SHALL BE INSTALLED AFTER CLEARING AND GRUBBING BUT BEFORE BEGINNING OTHER CONSTRUCTION PHASES, CONTRACTOR SHALL REMOVE PERIMETER CONTROL S ONLY AFTER ALL AREAS HAVE BEEN STABILIZED.
- THE EXISTING STORMWATER/DRAINAGE FLOW PATTERNS SHALL BE MAINTAINED DURING CONSTRUCTION.
- THE CONTRACTOR SHALL MONITOR ALL POLLUTION CONTROL DEVICES TO ENSURE THAT THEY ARE IN PROPER FUNCTIONING CONDITION DURING CONSTRUCTION.
- CONTRACTOR SHALL COVER LOADED TRUCKS WITH TARPULINS.
- CONTRACTOR SHALL REMOVE EXCESS DIRT FROM ROADS DAILY.
- BUILT UP SEDIMENT SHALL BE REMOVED FROM THE STAKED SILT FENCE WHEN IT REACHES ONE-THIRD OF THE FENCE BARRIER OR WHENEVER FLOW IS IMPEDED.
- WITHIN 24 HOURS OF INSPECTION, THE CONTRACTOR SHALL INITIATE REPAIRS TO THE CONTROL DEVICES THAT THE INSPECTION INDICATES ARE NOT IN GOOD ORDER.
- SOIL TRACKING PREVENTION DEVICES (STPD'S) ARE REQUIRED. STPD'S SHALL BE CONSTRUCTED AT POINTS WHERE TRAFFIC LEAVES OR ENTER DISTURBED AREAS SUCH AS WORK ZONES STOCKPILE AREAS. CONTRACTOR SHALL CONSTRUCT STPD PRIOR TO THE ASSOCIATED AREA BEING DISTURBED.
- AT NO TIME SHALL SEDIMENTS BE ALLOWED TO ACCUMULATE WITHIN EXISTING STORMWATER STRUCTURES.
- STOCKPILE OF EARTH AND OTHER CONSTRUCTION RELATED MATERIAL SHALL BE PROTECTED AGAINST ACCIDENTAL TRANSPORTATION FROM PROJECT SITE BY WIND AND WATER FLOW.
- IF ADDITIONAL EROSION AND SEDIMENT CONTROL BMP'S ARE REQUESTED BY ANY REGULATORY AGENCY, THE CONTRACTOR SHALL PROMPTLY IMPLEMENT SAID MEASURES AFTER APPROVAL BY THE CLIENT.
- THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES SHALL TAKE PRECEDENCE OVER CONSTRUCTION ACTIVITIES.
- ALL APPLICABLE PERMITS RELATING TO THE INSTALLATION OF THESE MEASURES MUST BE SECURED PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AN NPDES STORMWATER PERMIT. ALL COSTS TO PREPARE DOCUMENTATION FOR AND SECURE PERMIT SHALL BE BORNE BY THE CONTRACTOR. NO COMPENSATION WILL BE PROVIDED BY THE CLIENT FOR THIS PURPOSE.

LEGEND (PROPOSED)

- LEGEND:
- GV = RESILIENT WEDGE GATE VALVE
LWDD = LAKE WORTH DRAINAGE DISTRICT
DHW = DESIGN HIGH WATER ELEVATION
MTW = MAINTAINED WATER ELEVATION
BOP = BOTTOM OF PIPE
EOP = EDGE OF PAVEMENT
TOB = TOP OF BANK
TOS = TOE OF SLOPE
RWM = RAW WATER MAIN
MH = MANHOLE
ARV = AIR RELEASE VALVE

SYMBOLS:

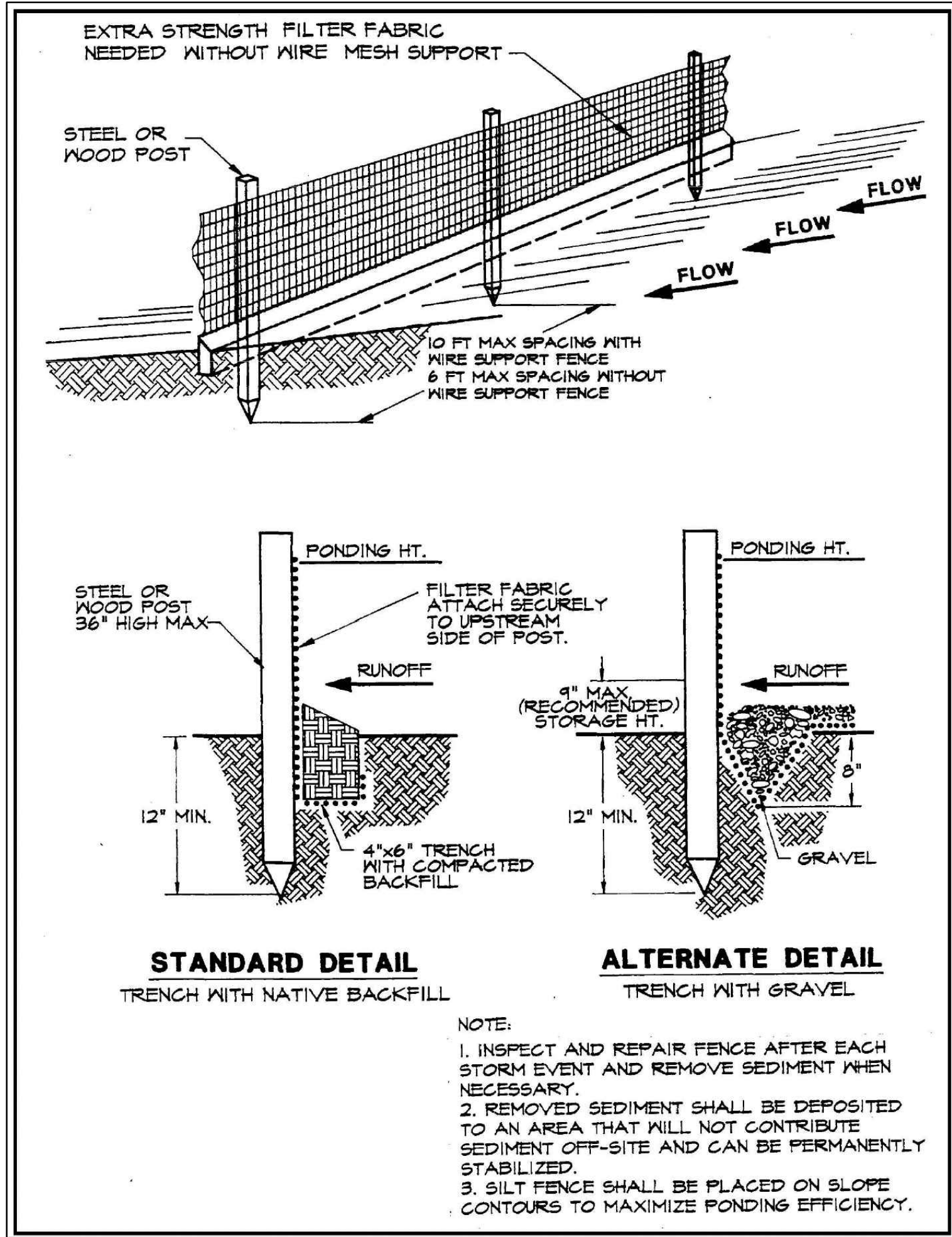
- ☒ = WATERMAIN GATE VALVE
● = AIR RELEASE VALVE (ARV)

LEGEND (EXISTING)¹:

- BT = Bollard
BT = Buried Telephone
CB = Cable Television Riser (CATV)
CB = Catch Basin
CL = Center Line
CLF = Chain Link Fence
C = Cleanout
C = Concrete
CMP = Corrugated Metal Pipe
CPP = Concrete Power Pole/CPP
C&G = Curb & Gutter
CI = Curb Inlet
DE = Drainage Easement
DM = Drainage Manhole
DIP = Ductile Iron Pipe
EJB = Electrical Junction Box
EE = Existing Elevation
FH = Fire Hydrant
FPL = Florida Power & Light
FM = Force Main
Fnd = Found
GM = Gas Main
GV = Gate Valve (WV=Water Valve)
SV = Sewer Valve (IV=Irrigation Valve)
GWA = Guy Wire Anchor
HDPE = High Density Polyethylene Pipe
Inv = Invert
LSB = Licensed Surveying Business
LP = Light Pole
NGVD = National Geodetic Vertical Datum
NAD = North American Datum
NAVD = North American Vertical Datum
ORB = Official Records Book
OF = Overhead Fiber Optic
OU = Overhead Utility
OHU = Overhead Utility Wires
Pg = Page
PBCR = Palm Beach County Records
PK = Parker Kaylor Nail
PLS = Professional Land Surveyor
PRM = Permanent Reference Monument
PSM = Professional Surveyor & Mapper
PB = Plat Book
PVC = Polyvinyl Chloride Pipe (Plastic)
RCP = Reinforced Concrete Pipe
RW = Right-of-Way
SAN = Sanitary of-Way
SS = Sanitary Sewer (Gravity)
SSM = Sanitary Sewer Manhole
IS = Information Signs
TR = Telephone Riser
TS = Tree Symbol/Type & Size
UE = Underground Electric
UGFO = Underground Fiber Optic
UE = Utility Easement
WM = Water Main
W = With
WPP = Wood Power Pole/WPP

UTILITIES (EXISTING)²:

- BT = AT&T BURIED TELEPHONE
BFO = AT&T BURIED FIBEROPTIC
OHFO = OVERHEAD FIBEROPTIC
UGFO = UNDERGROUND FIBEROPTIC
CATV = CABLE TELEVISION
FM = FORCE MAIN
GM = GAS MAIN
SS = SANITARY SEWER
UCE = UNDERGROUND ELECTRIC
WM = WATER MAIN



RNM ENGINEERING, LLC.
LICENSE NUMBER: 33738
rnmengineeringllc@gmail.com
rnmeng.com

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

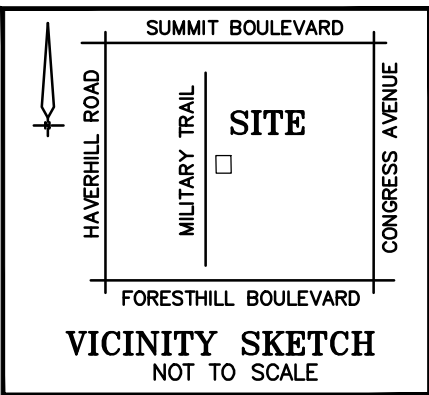
ABBREVIATIONS, LEGEND AND GENERAL NOTES

DATE: FEBRUARY 2021

ENGINEER OF RECORD:
VIJAY MISHRA, PE.
FL PROFESSIONAL ENGINEER LICENSE NO.: 81967

CONTRACT NO.

DRAWING NO.
G-2

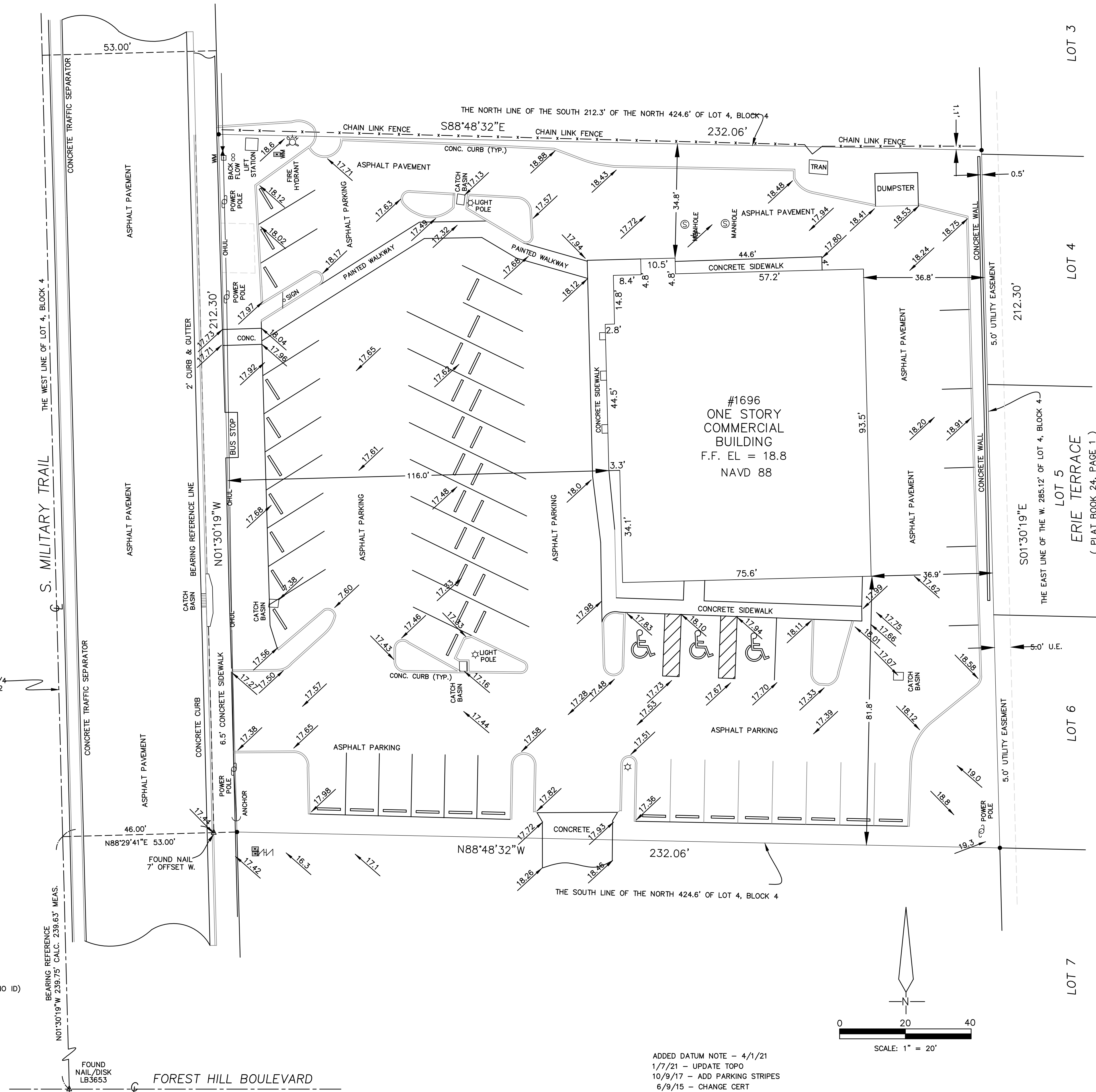


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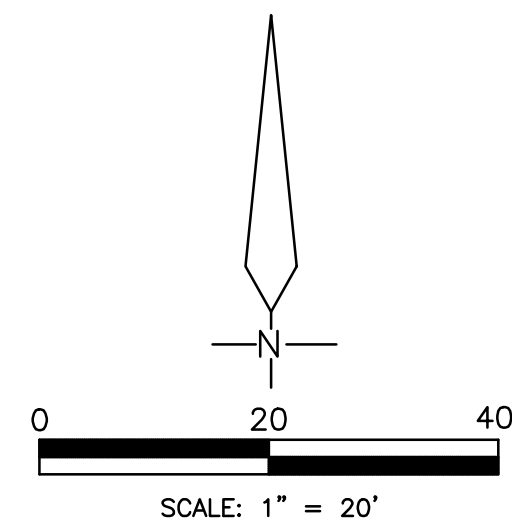
CONC. = CONCRETE
MEAS = MEASURED
CALC = CALCULATED
WM = WATER METER

• = FOUND 1/2" IRON ROD (NO ID)
UNLESS NOTED OTHERWISE

DWG # 0404615B



ADDED DATUM NOTE - 4/1/21
1/7/21 - UPDATE TOPO
10/9/17 - ADD PARKING STRIPES
6/9/15 - CHANGE CERT



Boundary Survey for MY Incentive LLC

SURVEYOR'S NOTES

BENCHMARK OF ORIGIN: PALM BEACH COUNTY BRASS DISK 'FH 14' AS PUBLISHED. ELEVATION = 19.077 NGVD 1929.

LEGAL DESCRIPTION PROVIDED BY CLIENT.

SURVEYOR HAS NOT ABSTRACTED THIS SURVEY FOR EASEMENTS AND RIGHTS OF WAYS OF RECORD.

SURVEY IS NOT VALID WITHOUT A RAISED SEAL.

BEARINGS ARE BASED ON THE ASSUMPTION THAT THE CENTERLINE OF MILITARY TRAIL BEARS N01°30'19"W.

ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD, USING FEET.

ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

ELEVATIONS SHOWN REFERENCED TO FDOT HIGH ACCURACY REFERENCE NETWORK, NAVD 88. CONVERSION TO NGVD 29 = +1.49'

LEGAL DESCRIPTION

THE SOUTH 212.3 FEET OF THE NORTH 424.6 FEET OF THE WEST 285.12 FEET OF LOT 4, BLOCK 4, OF PALM BEACH PLANTATIONS, IN SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 10, PAGE 20, LESS RIGHT-OF-WAY FOR MILITARY TRAIL.

PROPERTY ADDRESS

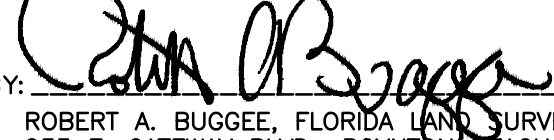
1696 SOUTH MILITARY TRAIL
WEST PALM BEACH, FL 33415

FLOOD ZONE

FLOOD ZONE 'X'
PANEL NUMBER: 120999C 0588 F
EFFECTIVE DATE: 10/5/17

CERTIFICATION

I HEREBY CERTIFY THAT I MADE THIS SURVEY AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: 
ROBERT A. BUGGEE, FLORIDA LICENSED SURVEYOR #333
233 E. GATEWAY BLVD., BOYNTON BEACH, FLORIDA
DATE OF FIELD SURVEY: 04/20/15

PREPARED BY:

**Bob Buggee, Inc.
the "SURVEYOR"**

P.O. BOX 3887
BOYNTON BEACH, FLORIDA, 33426
SURVEY & MAPPING BUSINESS #7890
561-732-7877

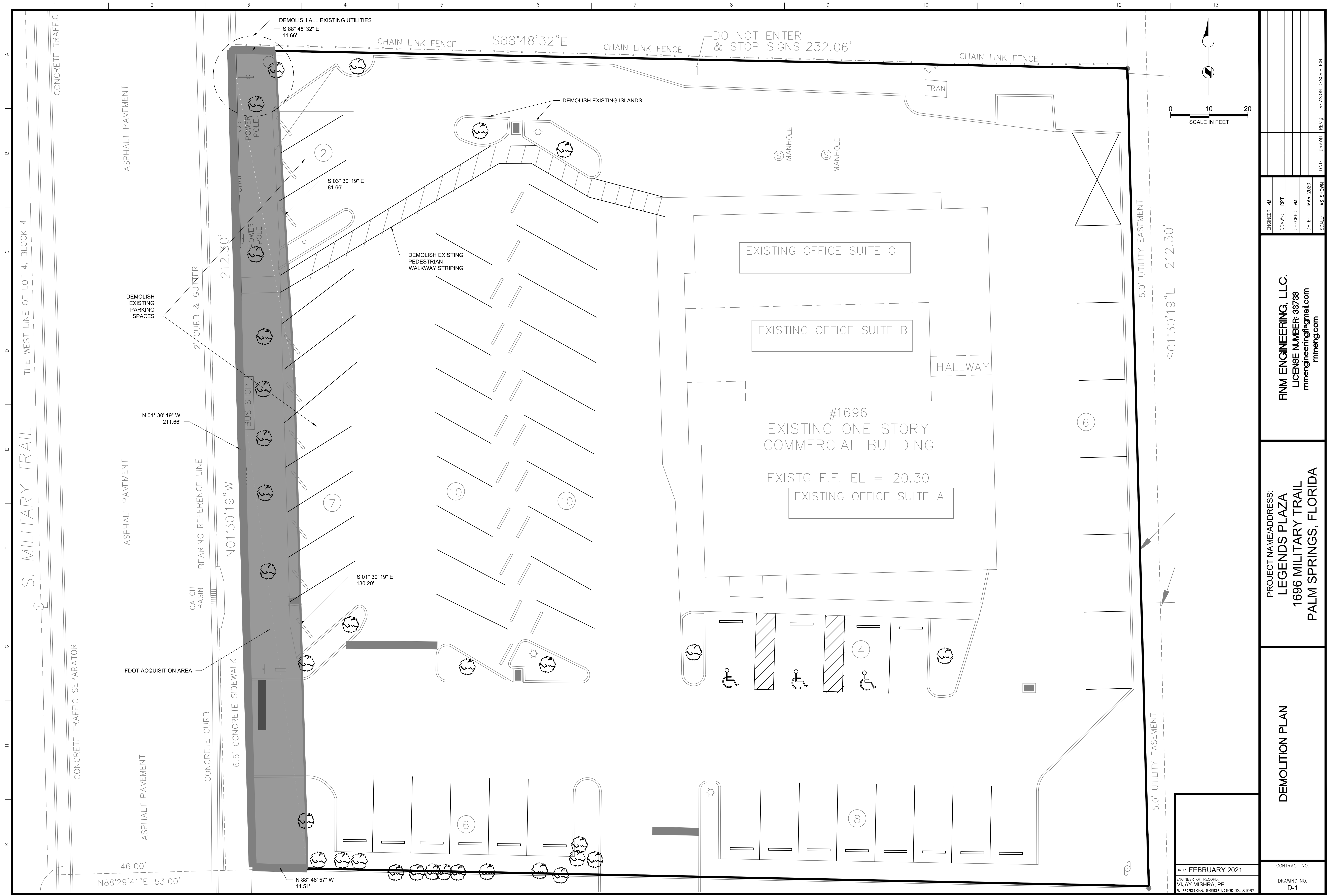
RNM ENGINEERING, LLC.
LICENSE NUMBER: 33738
rnmengineeringllc@gmail.com
rnmeng.com

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

EXISTING SURVEY

CONTRACT NO.

DRAWING NO.
G-3



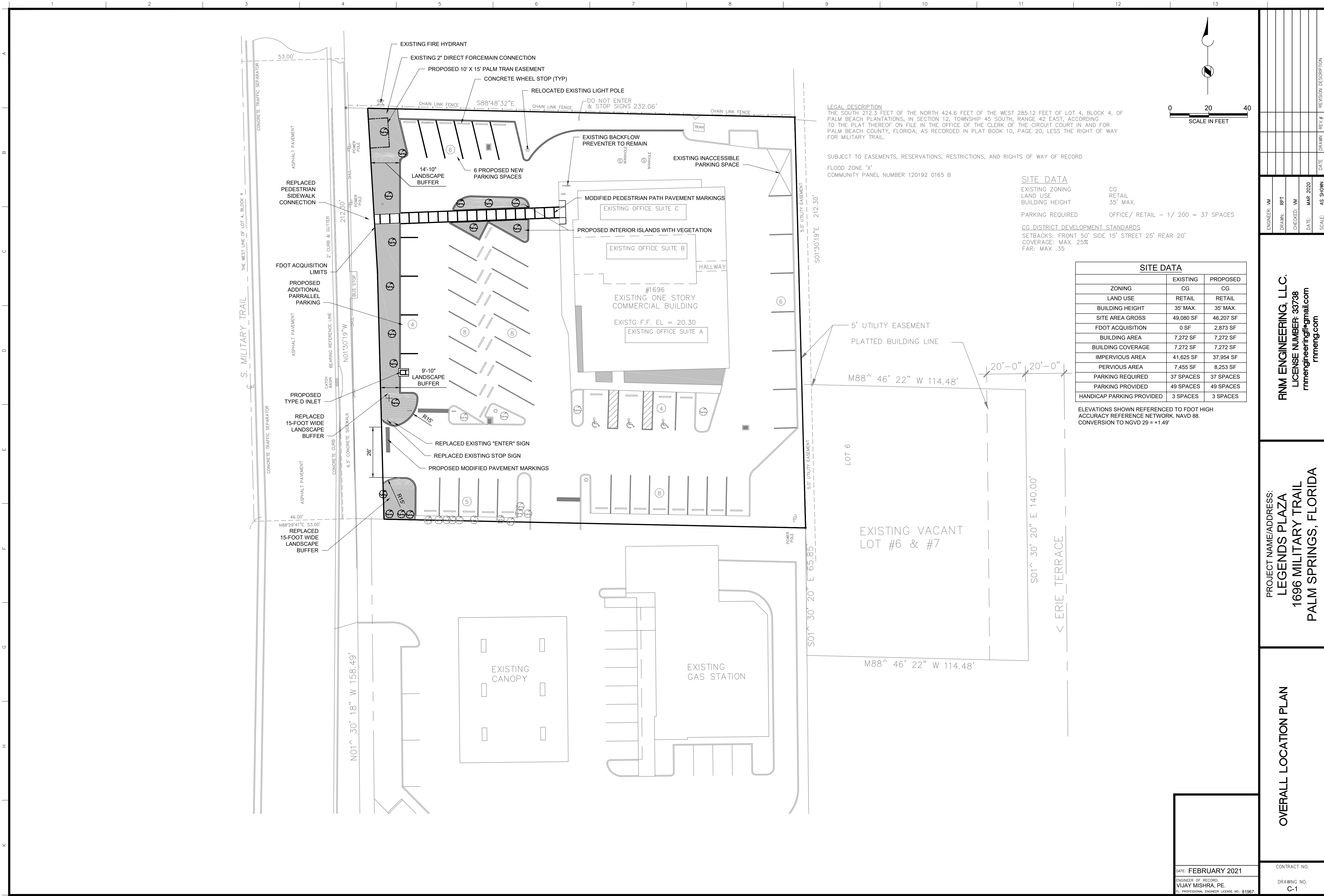
ENGINEER	WM
ENGINEER	WM
DRAWN	RPT
DRAWN	RPT
CHECKED	WM
CHECKED	WM
DATE	MAR 2020
DATE	MAR 2020
SCALE	AS SHOWN
SCALE	AS SHOWN

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LICENSE NUMBER: 33738
rnmengineering@gmail.com
rnmeng.com

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

DEMOLITION PLAN

DATE: **FEBRUARY 2021**
ENGINEER OF RECORD:
VIJAY MISHRA, PE.
FL PROFESSIONAL ENGINEER LICENSE NO.: 81967



LEGAL DESCRIPTION
THE SOUTH 212.3 FEET OF THE NORTH 424.6 FEET OF THE WEST 285.12 FEET OF LOT 4, BLOCK 4, OF
PALM BEACH PLANTATIONS, IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, ACCORDING
TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR
PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 10, PAGE 20, LESS THE RIGHT OF WAY
FOR MILITARY TRAIL.

SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD
FLOOD ZONE 'X'
COMMUNITY PANEL NUMBER 120192 0165 B

SITE DATA
EXISTING ZONING CG
LAND USE RETAIL
BUILDING HEIGHT 35' MAX.
PARKING REQUIRED OFFICE/ RETAIL - 1/ 200 = 37 SPACES

CG DISTRICT DEVELOPMENT STANDARDS
SETBACKS: FRONT 50' SIDE 15' STREET 25' REAR 20'
COVERAGE: MAX. 25%
FAR: MAX .35

SITE DATA		
ZONING	EXISTING	PROPOSED
LAND USE	CG	CG
BUILDING HEIGHT	RETAIL	RETAIL
SITE AREA GROSS	35' MAX.	35' MAX.
FDOT ACQUISITION	49,080 SF	46,207 SF
BUILDING AREA	0 SF	2,873 SF
BUILDING COVERAGE	7,272 SF	7,272 SF
IMPERVIOUS AREA	7,272 SF	7,272 SF
PERVIOUS AREA	41,625 SF	37,954 SF
PARKING REQUIRED	7,455 SF	8,253 SF
PARKING PROVIDED	37 SPACES	37 SPACES
HANDICAP PARKING PROVIDED	49 SPACES	49 SPACES
	3 SPACES	3 SPACES

ELEVATIONS SHOWN REFERENCED TO FDOT HIGH
ACCURACY REFERENCE NETWORK, NAVD 88.
CONVERSION TO NGVD 29 = +1.49'

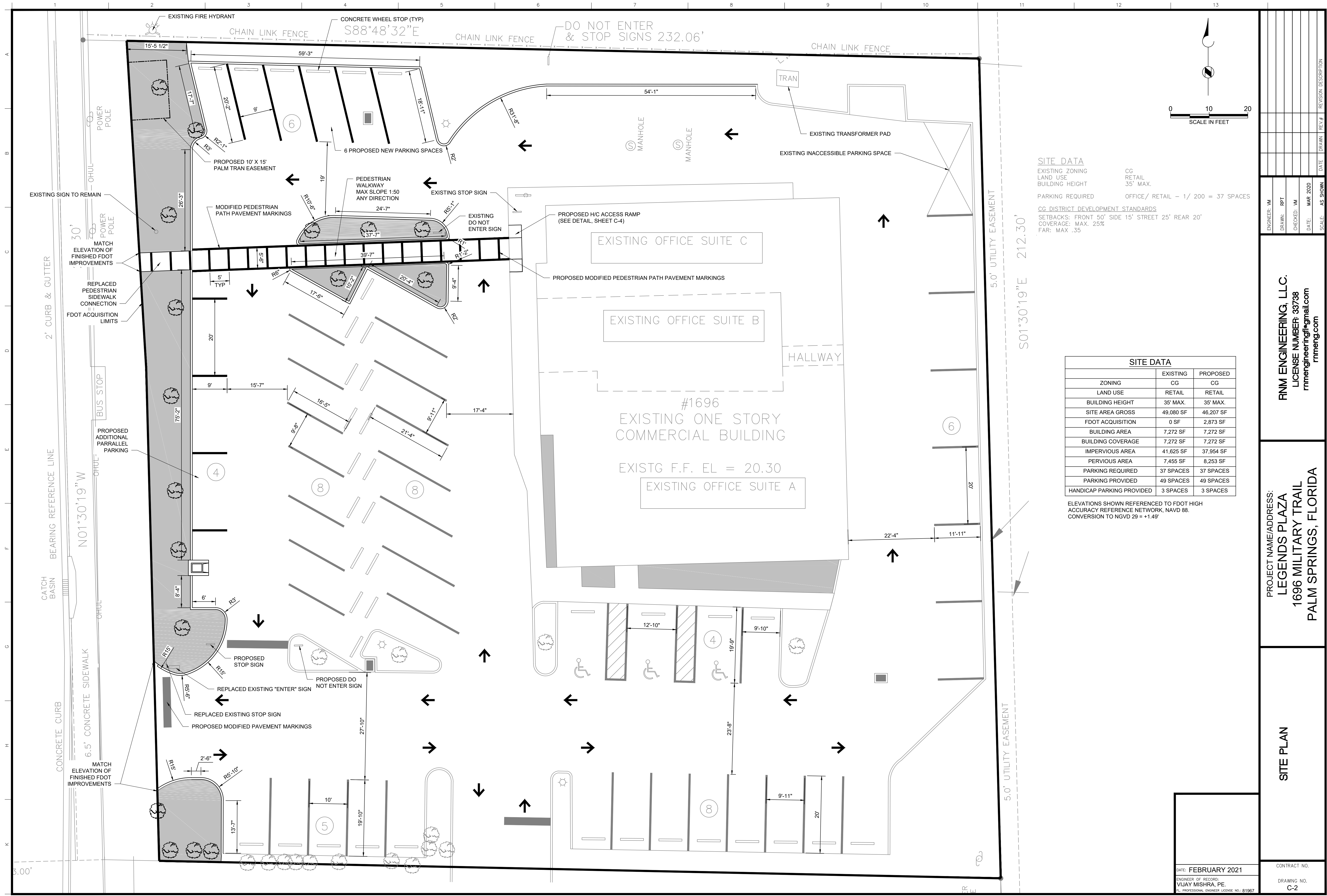
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LICENSE NUMBER: 33738
rnmengineering@gmail.com
rnmeng.com

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

OVERALL LOCATION PLAN

CONTRACT NO.
DRAWING NO.
C-1

DATE: FEBRUARY 2021
ENGINEER OF RECORD:
VIJAY MISHRA, PE.
FL PROFESSIONAL ENGINEER LICENSE NO.: 81967



SITE DATA
EXISTING ZONING CG
LAND USE RETAIL
BUILDING HEIGHT 35' MAX.
PARKING REQUIRED OFFICE/ RETAIL - 1/ 200 = 37 SPACES
CG DISTRICT DEVELOPMENT STANDARDS
SETBACKS: FRONT 50' SIDE 15' STREET 25' REAR 20'
COVERAGE: MAX. 25%
FAR: MAX .35

SITE DATA		
	EXISTING	PROPOSED
ZONING	CG	CG
LAND USE	RETAIL	RETAIL
BUILDING HEIGHT	35' MAX.	35' MAX.
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ELEVATIONS SHOWN REFERENCED TO FDOT HIGH
ACCURACY REFERENCE NETWORK, NAVD 88.
CONVERSION TO NGVD 29 = +1.49'

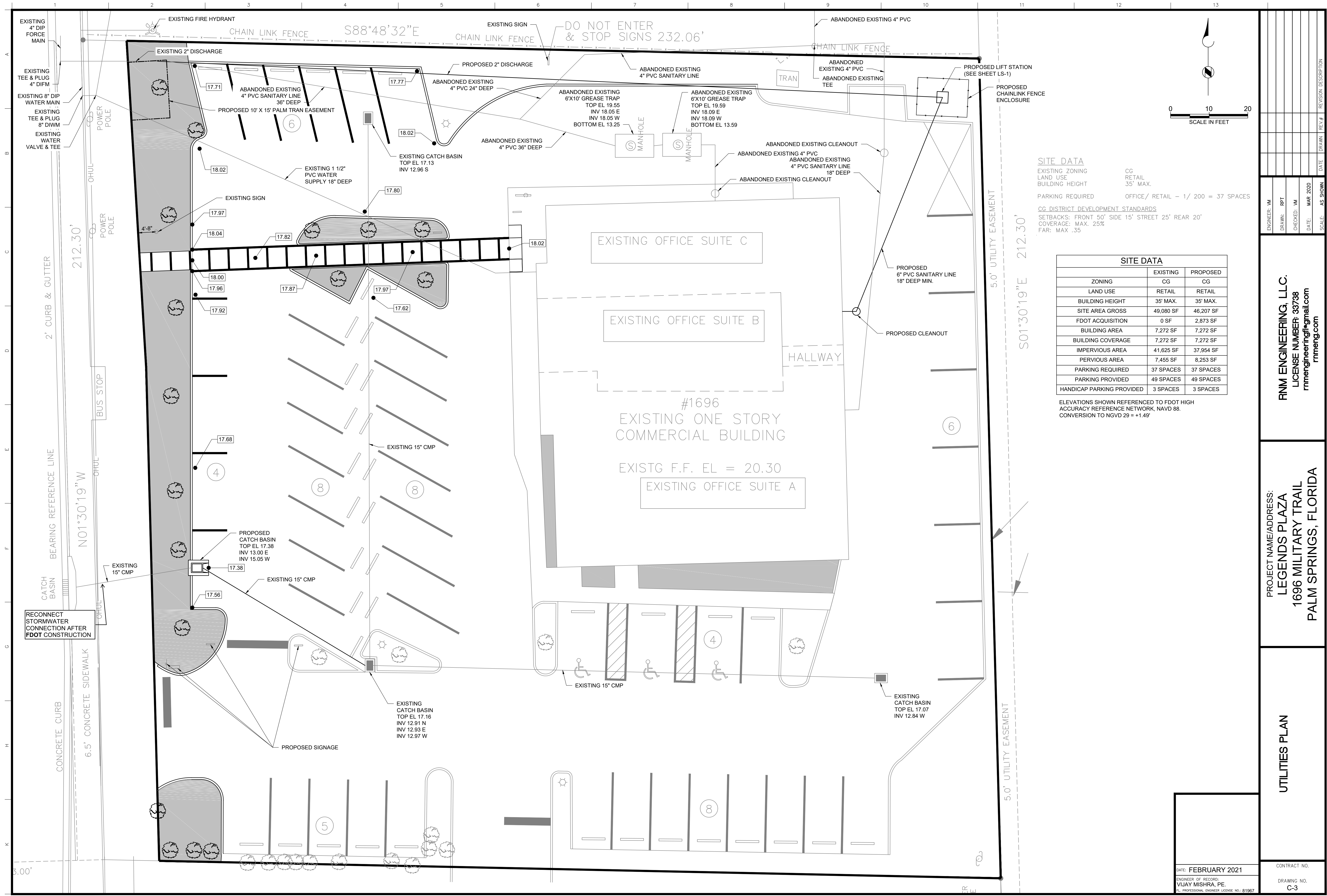
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LICENSE NUMBER: 33738
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rnmeng.com

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

SITE PLAN

DATE: FEBRUARY 2021
ENGINEER OF RECORD:
VIJAY MISHRA, PE.
FL PROFESSIONAL ENGINEER LICENSE NO.: 81967

CONTRACT NO.
DRAWING NO.
C-2



SITE DATA
EXISTING ZONING CG
LAND USE RETAIL
BUILDING HEIGHT 35' MAX.
PARKING REQUIRED OFFICE/ RETAIL - 1/ 200 = 37 SPACES
CG DISTRICT DEVELOPMENT STANDARDS
SETBACKS: FRONT 50' SIDE 15' STREET 25' REAR 20'
COVERAGE: MAX. 25%
FAR: MAX .35

SITE DATA		
	EXISTING	PROPOSED
ZONING	CG	CG
LAND USE	RETAIL	RETAIL
BUILDING HEIGHT	35' MAX.	35' MAX.
SITE AREA GROSS	49,080 SF	46,207 SF
FDOT ACQUISITION	0 SF	2,873 SF
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ELEVATIONS SHOWN REFERENCED TO FDOT HIGH
ACCURACY REFERENCE NETWORK, NAVD 88.
CONVERSION TO NGVD 29 = +1.49'

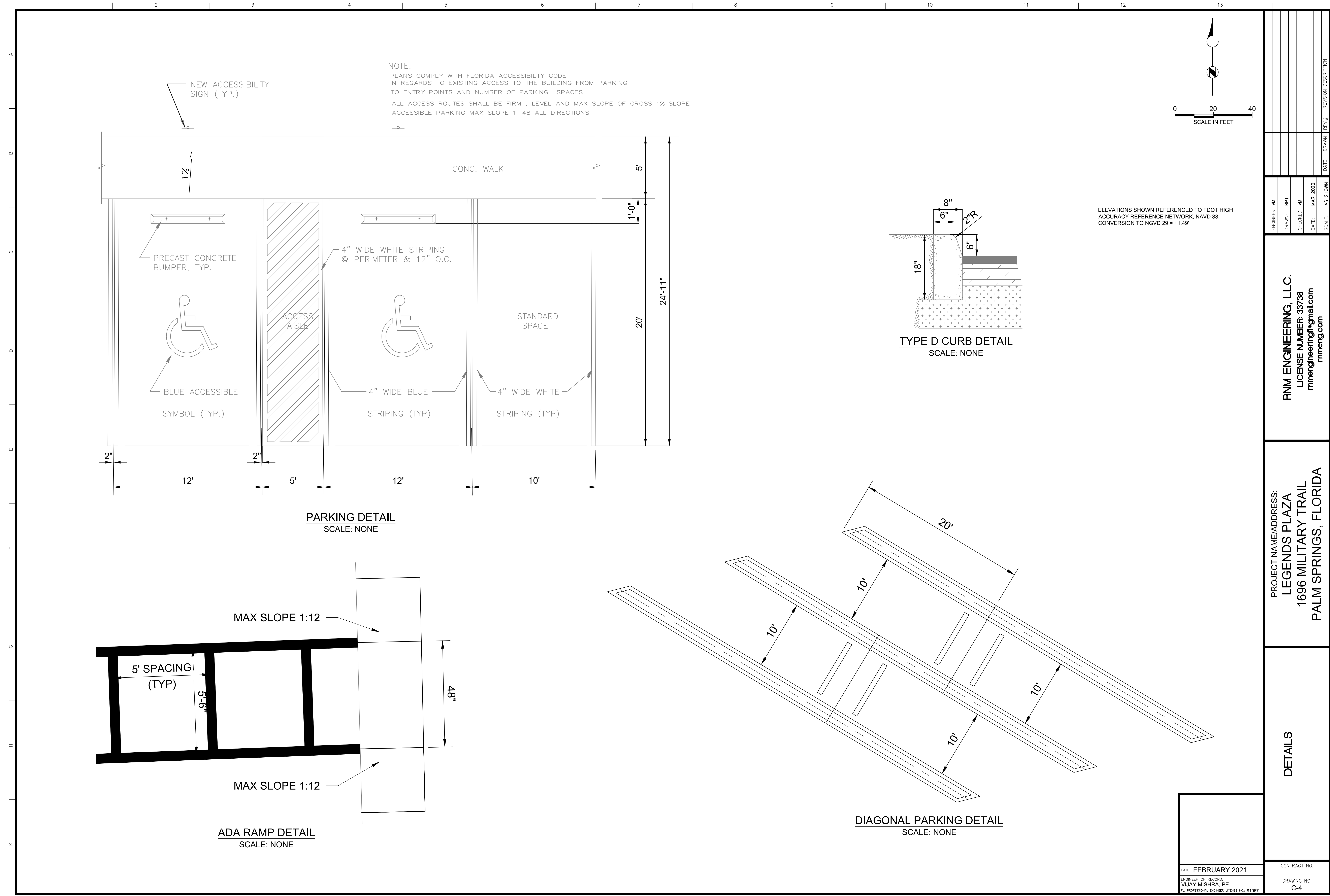
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rnmengineering@gmail.com
rnmeng.com

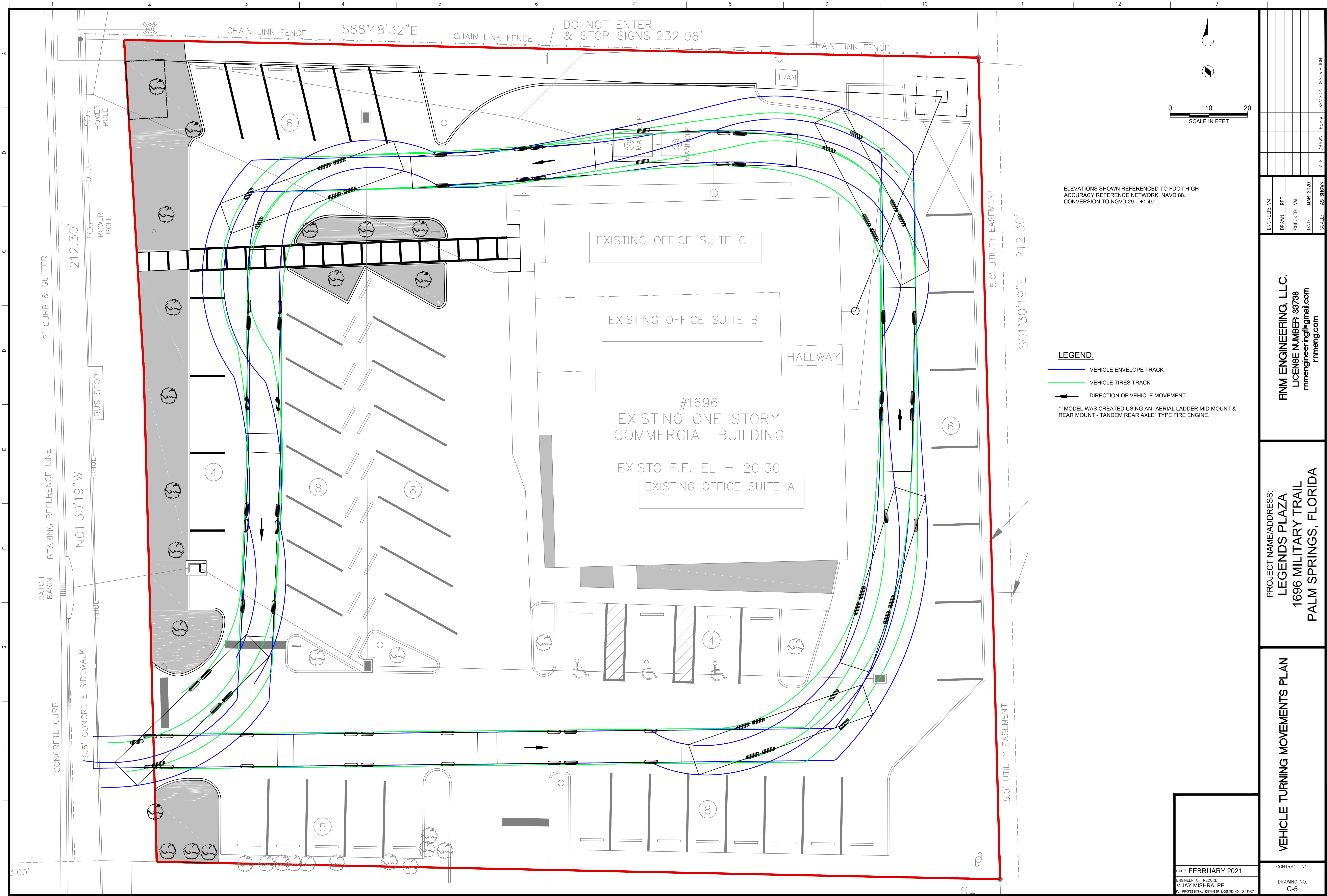
PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

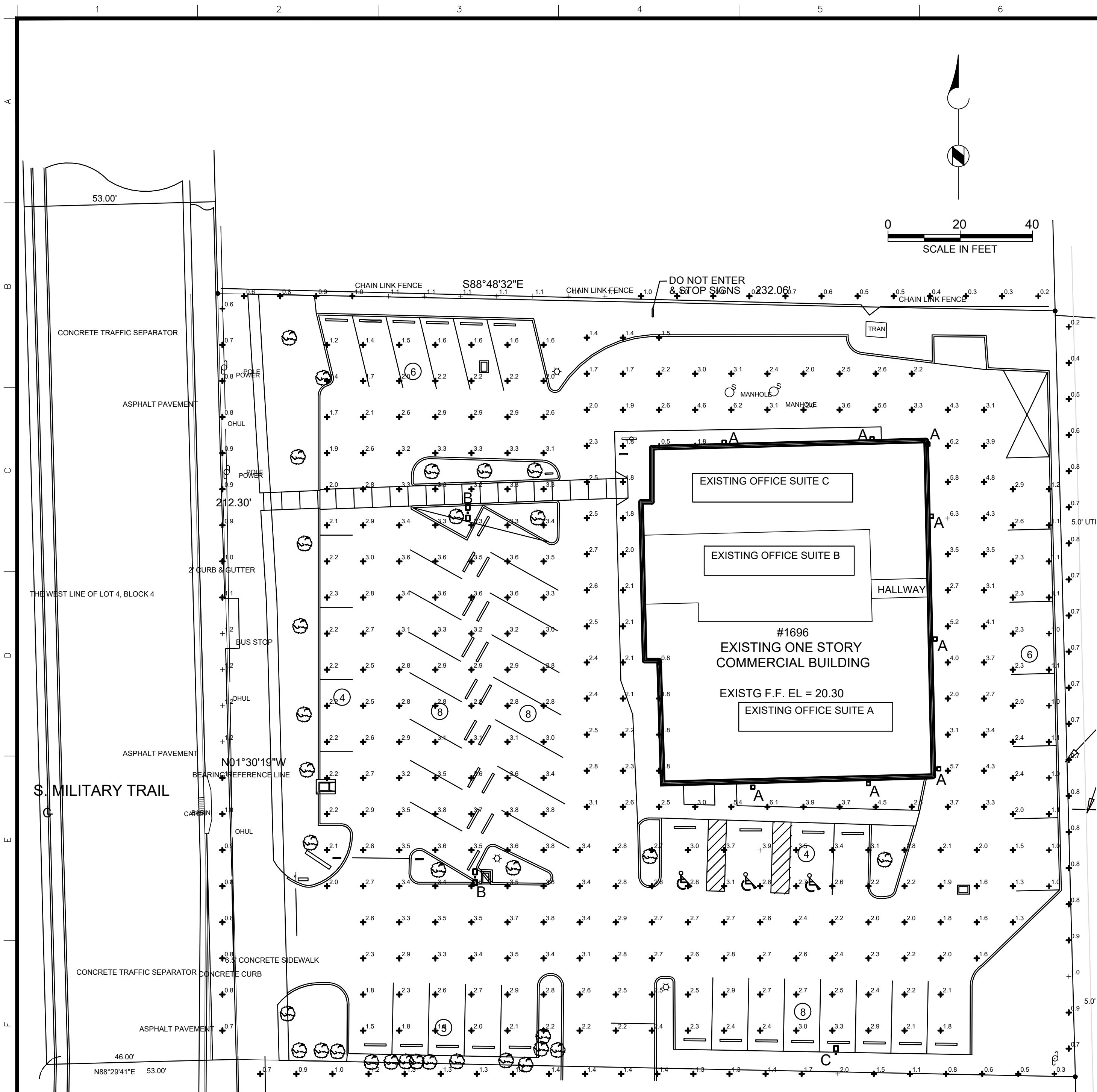
UTILITIES PLAN

DATE: FEBRUARY 2021
ENGINEER OF RECORD:
VIJAY MISHRA, PE.
PL PROFESSIONAL ENGINEER LICENSE NO.: 81967

CONTRACT NO.
DRAWING NO.
C-3







PHOTOMETRIC DETAIL
SCALE: 1" = 20'

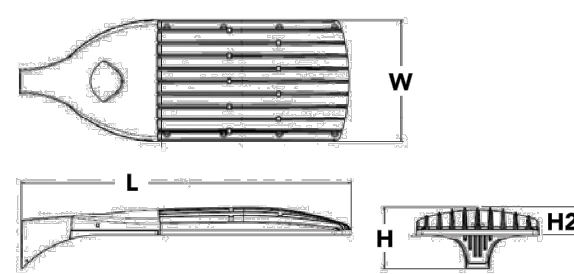
FOOT CANDLES					
AREA	MAXIMUM	MINIMUM	AVERAGE	MAXIMUM TO MINIMUM RATIO	AVERAGE TO MINIMUM RATIO
PALM SPRINGS, FL CODE OF ORDINANCES, PARKING LOTS	12.0	1.0	-	12:1	3:1
PARKING LOT	4.1	1.0	2.6	4.1:1	2.6:1
BUILDING PERIMETER	6.3	0.5	3.1	12.6:1	6.2:1
NORTH PROPERTY LINE	1.1	0.2	0.8	5.5:1	4:1
SOUTH PROPERTY LINE	2.0	0.3	1.2	6.7:1	4:1
EAST PROPERTY LINE	1.0	0.2	0.7	5:1	3.5:1
WEST PROPERTY LINE	1.2	0.6	0.9	2:1	1.5:1

NOTES:
1. CALCULATION GRID: 10 FT.



D-Series Size 2 LED Area Luminaire

Specifications
EPA: 1.1 ft²
(0.10 m²)
Length: 40"
(101.6 cm)
Width: 15"
(38.1 cm)
Height 1: 7-1/4"
(18.4 cm)
Height 2: 3.5"
Weight: 30lbs



Catalog Number
Notes
Type

Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment.

The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. The Size 2 is ideal for replacing 400-1000W metal halide in area lighting applications with energy savings of up to 80% and expected service life of over 100,000 hours.

Ordering Information			EXAMPLE: DSX2 LED P7 40K T3M MVOLT SPA NLTAR2 PIRHN DDBXD			
Series	LEDs	Color temperature	Distribution	Voltage	Mounting	
DSX2 LED	Forward optics	30K 3000 K	T15 Type I Short (Automotive)	T5V5 Type V Very Short 1	MSVOLT 277V-480V ^{1,3,4}	Shipped included
	P1 P5 ¹	40K 4000 K	T55 Type V Short 1	TSS Type V Short 1	XVOLT 277V-480V ^{1,3,4}	S28 Square pole mounting
	P2 P6	50K 5000 K	T25 Type II Short	TSM Type V Medium 1	SPA Round pole mounting ^{1,4}	RPA Round pole mounting ^{1,4}
	P3 P7		T2M Type II Medium	TSW Type V Wide 1	1270 240V	WBA Wall bracket 1
	P4 P8 ¹		T35 Type III Short	BLC Backlight control 1	240 ¹	SPUMBA Square pole universal mounting adapter ^{1,4}
	P10 P13 ^{1,2}		T3M Type III Medium	LCED Left corner cast ^{1,4}	277 ¹	SPUMBA Round pole universal mounting adapter ^{1,4}
	P11 P14 ^{1,2}		T4M Type IV Medium	RCED Right corner cast ^{1,4}	277 ¹	Shipped separately
	P12 ²		TFTM Forward Throw Medium		347 ¹	KMA8 DBXD V Must arm mounting bracket adapter (specify finish) ^{1,4}
					480 ¹	
Control options			Other options			
Shipped installed			Shipped installed			
NLTAR2	nLight AIR generation 2 enabled ^{1,4}		PIRHN	Bi-level, motion/ambient sensor, 15-30" mounting height, ambient sensor enable at 5ic ^{1,4}		DBRZD Dark bronze
PIRHN	Network, Bi-level motion/ambient sensor ^{1,4}		PIRHNFCV	High-low, motion/ambient sensor & 15" mounting height, ambient sensor enabled at 5ic ^{1,4}		DBLKD Black
PER	NEMA three-lock receptacle only (no controls) ^{1,4}		FAD	Field Adjustable Output ^{1,4}		DNAXD Natural aluminum
PER5	Five-wire receptacle only (no controls) ^{1,4,5}				L50 Left rimained optics ¹	DWHD Textured dark bronze
PER7	Seven-wire receptacle only (no controls) ^{1,4,5}				R50 Right rimained optics ¹	DBRZD Textured black
DMG	0-10V dimming (wired out back of housing for external control (no controls) ^{1,4}				HA 50°C ambient operations ¹	DNAXD Natural aluminum
DS	Dual switching ^{1,4,5}				Shipped separately	DWHD Textured white
					BS Bird spikes ^{1,4}	
					EGS External glare shield	

LITHONIA LIGHTING
COMMERCIAL OUTDOOR
One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • www.lithonia.com
© 2011-2020 Acuity Brands Lighting, Inc. All rights reserved.
DSX2 LED Rev. 11/16/20 Page 1 of 6



Contractor Select™ TWH/TWP LED Wall Pack



Cast in a traditional dayform, the TWH LED wall pack luminaires come standard with adjustable light output allowing the distributors to reduce inventory, adjust to customers' needs and save energy compared to traditional light sources. The TWH LED luminaire provide two choices in wall pack construction. The TWH's glass refractor provides a long-life solution with great optical control.

FEATURES:

- Replaces up to 400W MH for TWH and 250W for TWP, saves 83% energy
- Traditional form factor, and payback within two years
- Available with glass for TWH or polycarbonate lens for TWP

Catalog Number	UPC	Description	Replaces Up To	Lumens	Wattage	CCT	Voltage	Finish	Pallet qty.
TWH LED ALD 40K	191848355251	WALL PACKS	70W - 400W METAL HALIDE	2,076 - 9,214	16 - 78W	4000K	120-277V	TEXTURED DARK BRONZE	30
TWH LED ALD 50K	191848355329	WALL PACKS	70W - 400W METAL HALIDE	2,076 - 9,214	16 - 78W	5000K	120-277V	TEXTURED DARK BRONZE	30
TWP LED ALD 50K	191848355312	WALL PACKS	70W - 250W METAL HALIDE	1,366 - 5,174	11 - 48W	5000K	120-277V	TEXTURED DARK BRONZE	30

More configurations are available. Click here or visit www.acuitybrands.com and search for TWH LED or TWP LED.

TWH LED						TWP LED					
ALO Setting	System Watts	40K / 50K (4000K / 5000K, 70 CR)	Lumens	Replaces (Metal Halide)	LPW	ALO Setting	System Watts	40K / 50K (4000K / 5000K, 70 CR)	Lumens	Replaces (Metal Halide)	LPW
Step 8 (default)	78	9,214	118	400W		Step 8 (default)	48	5,174	108	250W	
Step 7	73	8,704	119			Step 7	45	4,888	109		
Step 6	63	7,659	122	250W		Step 6	39	4,301	110	175W	
Step 5	54	6,590	122			Step 5	34	3,701	111		
Step 4	44	5,498	125	150/175W		Step 4	28	3,087	111	150W	
Step 3	34	4,381	129			Step 3	22	2,460	112	100W	
Step 2	25	3,241	130	100W		Step 2	16	1,820	112	70W	
Step 1	16	2,076	130	70W		Step 1	11	1,166	112	CFL	

Accessories: Order as separate catalog number.

TWVG U	Vandal guard accessory
TWVGW U	Wire guard accessory

CONTRACTOR SELECT TWH LED

Page 1 of 2

SYMBOL	LUMINAIRES - LITHONIA	LABEL	QUALITY	ARRANGEMENT	MOUNTING	MOUNTED HEIGHT	LLF	WATTS
□	TWP-LED-ALO-PERFORMANE PACKAGE-4000K-CCT-TYPE3-MEDIUM-DARK BRONZE	A	8	SINGLE	WALL	12 FT	0.95	49
□-□	DSXS2-LED-P1-40K-T5M-MVOLT-SPA-DBDTXD	B	2	BACK TO BACK	SQUARE POLE	30 FT	0.95	280
□-□	DSXS2-LED-P1-40K-T3M-MVOLT-SPA-DBDTXD	C	1	SINGLE	SQUARE POLE	30 FT	0.95	140

PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

LIGHTING DETAILS

DATE: FEBRUARY 2021
ENGINEER OF RECORD:
ANTHONY PHILLIPS, PE.
FL PROFESSIONAL ENGINEER LICENSE NO.: 60760

CONTRACT NO.
DRAWING NO.
E-1

DESIGN AND COMPLIANCE NOTES

1. SYSTEM SPECIFIED ON THIS PAGE COMPLIES WITH THE FOLLOWING REFERENCE STANDARDS:
+ FLORIDA ADMINISTRATIVE CODE (F.A.C.) CHAPTER 62-604 "COLLECTION SYSTEMS AND TRANSMISSION FACILITIES" AND ALL RELATED AND CROSS REFERENCED STANDARDS
+ N.F.P.A. 820
+ RECOMMENDED STANDARDS FOR WASTEWATER FACILITIES (TEN STATES STANDARDS)

2. WET WELL TOP AND CONTROLS MUST BE APPROPRIATELY LOCATED ABOVE THE 25 YEAR AND 100 YEAR FLOOD ELEVATIONS, RESPECTIVELY, PER F.A.C. 62-604.400(2)(e)

PUMP STATION SPECIFICATIONS

- FURNISH AND INSTALL SPECIFIED SUBMERSIBLE PUMPS
- OIL FILLED MOTOR DESIGN FOR SEWAGE APPLICATION WITH EITHER NEMA B OR NEMA F INSULATION VALUES
- WET WELL LOAD RATED PER A.S.T.M. D-3753 FIBERGLASS REINFORCED POLYESTER (F.R.P.) TO WITHSTAND HIGH GROUND WATER CONDITIONS. WET WELL SHALL ALSO BE SUPPLIED WITH SERIAL NUMBER TO BE UNIQUELY IDENTIFIED
- BASIN ASSEMBLY TO INCLUDE SCH 80 PVC DISCHARGE PIPING
- THE FOLLOWING COMPONENTS SHALL BE 304 STAINLESS STEEL: GUIDE RAILS, UPPER GUIDE RAIL BRACKETS, AND CABLE RACK AND SHALL BE INSTALLED BY SOUTHEASTERN PUMP PRIOR TO DELIVERY OF FIBERGLASS BASIN PACKAGE/ASSEMBLY
- ALUMINUM HATCHES SHALL BE REINFORCED FOR 300 P.S.F. LOAD RATING WITH HOLD OPEN SAFETY ARM, LOCKING DEVICE, AND STAINLESS STEEL HARDWARE; COVERS INCLUDE LIFETIME WARRANTY
- FLOAT SWITCHES SHALL BE SEPCO; SME-SERIES

VALVE PIT ASSEMBLY

- ASSEMBLED VALVE PIT ASSEMBLY SHALL BE PRESSURE TESTED @150 PSIG FOR MINIMUM 15 MINUTES WITH ZERO LOSS (TEST AGAINST CHECK VALVES AND CLOSED DISCHARGE)
- CHECK VALVES AND ISOLATION VALVES ARE PROVIDED FOR EACH PUMP PER RSWF 42.5 AND F.D.E.P. PERMIT ITEM 50
- VALVE PIT SHALL HAVE ENCLOSED BOTTOM WITH SLOPED FLOOR AND DRAIN LINE RETURNING TO THE WET WELL (COMPLETE WITH P-TRAP ASSEMBLY) PER RSWF 44.33 AND FDEP PERMIT ITEM 70
- BY-PASS PUMP CONNECTION IS PROVIDED PER F.A.C. 62-604.400(2)(a)(3)
- COVER MUST INCLUDE TAMPER RESISTANT HARDWARE AND PADLOCK POST

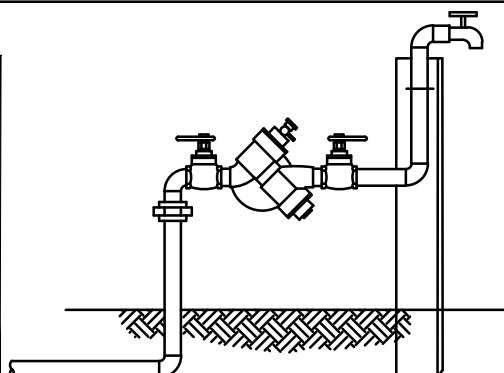
F.D.E.P. CONTROL PANEL

- CONTROL PANEL SHALL BE LISTED U.L. 698A LISTED FOR OPERATING MOTORS LOCATED WITHIN CLASS 1, GROUPS C&D, HAZARDOUS LOCATIONS. CONTROL PANEL SHALL BE LISTED U.L. 508A FOR NON-HAZARDOUS LOCATIONS ONLY
- ALL WIRING AND GROUNDING IS TO BE IN ACCORDANCE WITH N.E.C. AND LOCAL CODES
- ALL PENETRATIONS INTO THE CONTROL PANEL ARE TO BE MADE IN THE BOTTOM OF THE ENCLOSURE ONLY
- CONTROL PANEL TO INCLUDE LIGHTNING ARRESTOR AND SURGE CAPACITOR IN ACCORDANCE WITH F.A.C. CHAPTER 62-604.400(2)(b)
- CONTROL PANEL TO INCLUDE BATTERY BACK-UP ON HIGH WATER ALARM AND POWER FAIL ALARM

LIFT STATION START UP

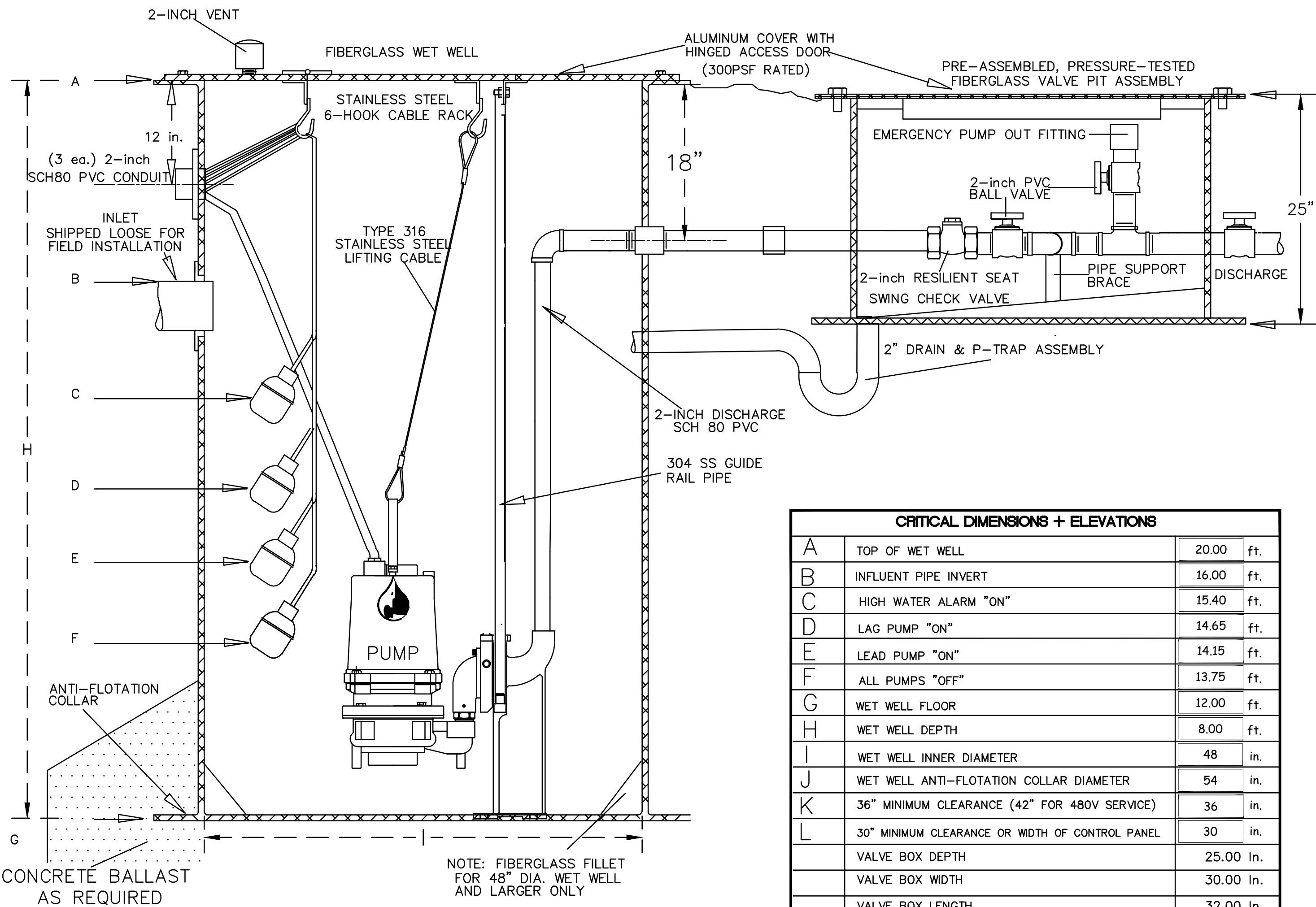
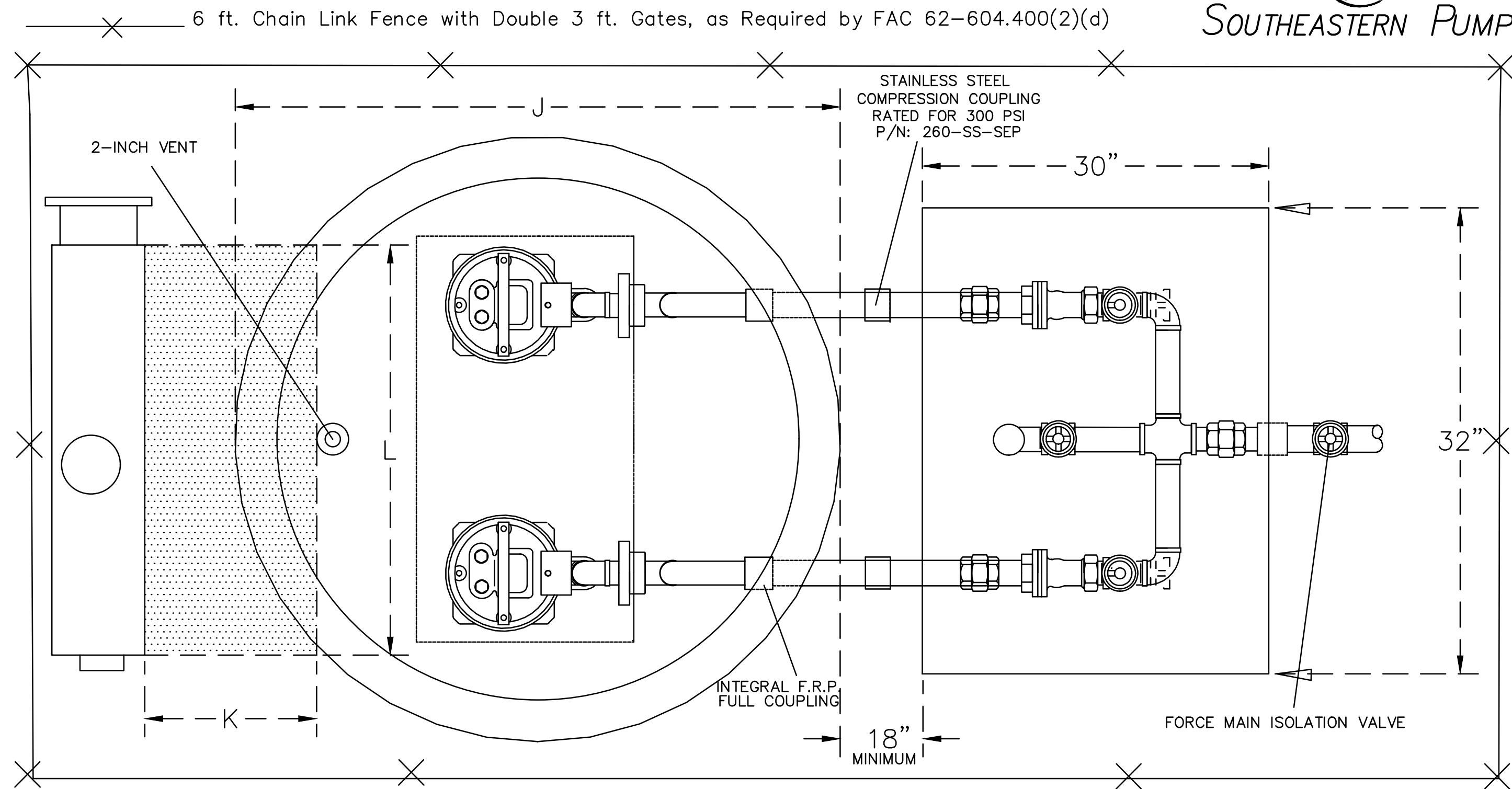
- LIFT STATION START UP SHALL BE PERFORMED DURING THE ANTICIPATED PEAK FLOW CONDITIONS.
- LIFT STATION SUPPLIER'S FIELD REPRESENTATIVE MUST BE PRESENT AT THE START UP.
- CHECK VOLTAGE, CHECK PUMP ROTATION, RECORD VOLTAGE AND AMPS UNDER LOAD.
- DEMONSTRATE PROPER OPERATION OF ALL CONTROLS
- CONDUCT DRAWDOWN TESTS AS REQUIRED TO CONFIRM PROPER PUMP/IMPELLER INSTALLATION.

FPZ BACK-FLOW PREVENTER	
	REQUIRED
	NOT REQUIRED

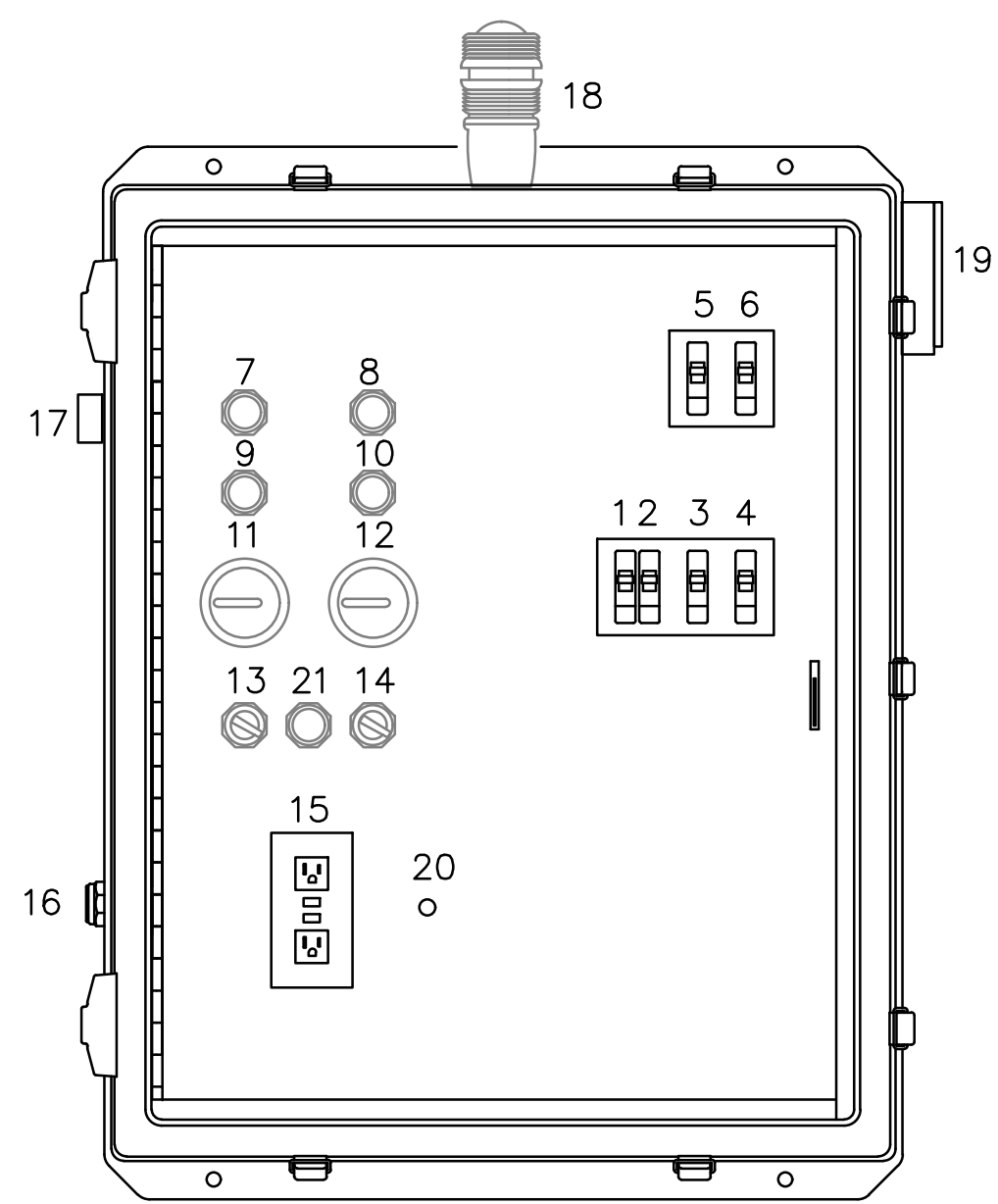


DUPLEX LIFT STATION DETAIL

(NOT TO SCALE)



CRITICAL DIMENSIONS + ELEVATIONS		
A	TOP OF WET WELL	20.00 ft.
B	INFLUENT PIPE INVERT	16.00 ft.
C	HIGH WATER ALARM "ON"	15.40 ft.
D	LAG PUMP "ON"	14.65 ft.
E	LEAD PUMP "ON"	14.15 ft.
F	ALL PUMPS "OFF"	13.75 ft.
G	WET WELL FLOOR	12.00 ft.
H	WET WELL DEPTH	8.00 ft.
I	WET WELL INNER DIAMETER	48 in.
J	WET WELL ANTI-FLOTATION COLLAR DIAMETER	54 in.
K	36" MINIMUM CLEARANCE (42" FOR 480V SERVICE)	36 in.
L	30" MINIMUM CLEARANCE OR WIDTH OF CONTROL PANEL	30 in.
	VALVE BOX DEPTH	25.00 in.
	VALVE BOX WIDTH	30.00 in.
	VALVE BOX LENGTH	32.00 in.
	DISTANCE BETWEEN DISCHARGE PIPES	16.00 in.
	CONCRETE BALLAST REQUIRED	1.69 Cu Yds
	DISCHARGE PIPE SIZE	2 in.
	INFLUENT PIPE DIAMETER & TYPE	6 in.
	DISCHARGE PIPE DEPTH (THROUGH VALVE PIT)	18 in.
	BOTTOM OF PANEL (ABOVE GRADE)	30 - 36 in.



NEMA 4X FIBERGLASS ENCLOSURE

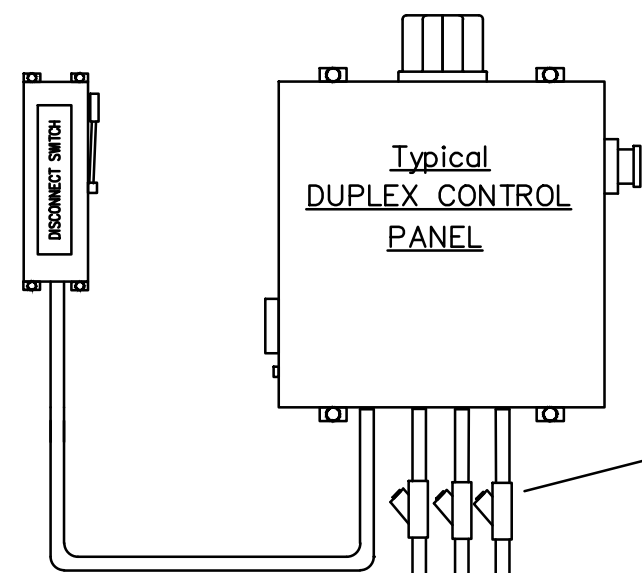
CONTROL PANEL FEATURES

- DRB DUPLEX RECEPTACLE BREAKER
- CCB CONTROL CIRCUIT BREAKER
- MB1 MOTOR BREAKER 1
- MB2 MOTOR BREAKER 2
- MCB MAIN CIRCUIT BREAKER
- ECB EMERGENCY CIRCUIT BREAKER
- PL1 MOISTURE 1
- PL2 MOISTURE 2
- RL1 RUN LIGHT 1
- RL2 RUN LIGHT 2
- ETM1 ELAPSE TIME METER 1
- ETM2 ELAPSE TIME METER 2
- HOA HAND-OFF-AUTO SWITCH PUMP 1
- HOA HAND-OFF-AUTO SWITCH PUMP 2
- DR DUPLEX RECEPTACLE GFI
- ASB ALARM SILENCE BUTTON
- AH ALARM HORN
- AL ALARM LIGHT
- GR GENERATOR RECEPTACLE
- F6 FUSE 6
- ALARM RESET

* NOTE *
SURGE PROTECTION DEVICE
SHIPPED LOOSE WITH PANEL
AND TO BE MOUNTED OUTSIDE
OF THE PANEL BY OTHERS



WALL MOUNT ENCLOSURE AND DISCONNECT SWITCH



GASTIGHT SEAL-OFFS IN
COMPLIANCE WITH NEC, F.A.C.
62-604, AND RSWF 42.35

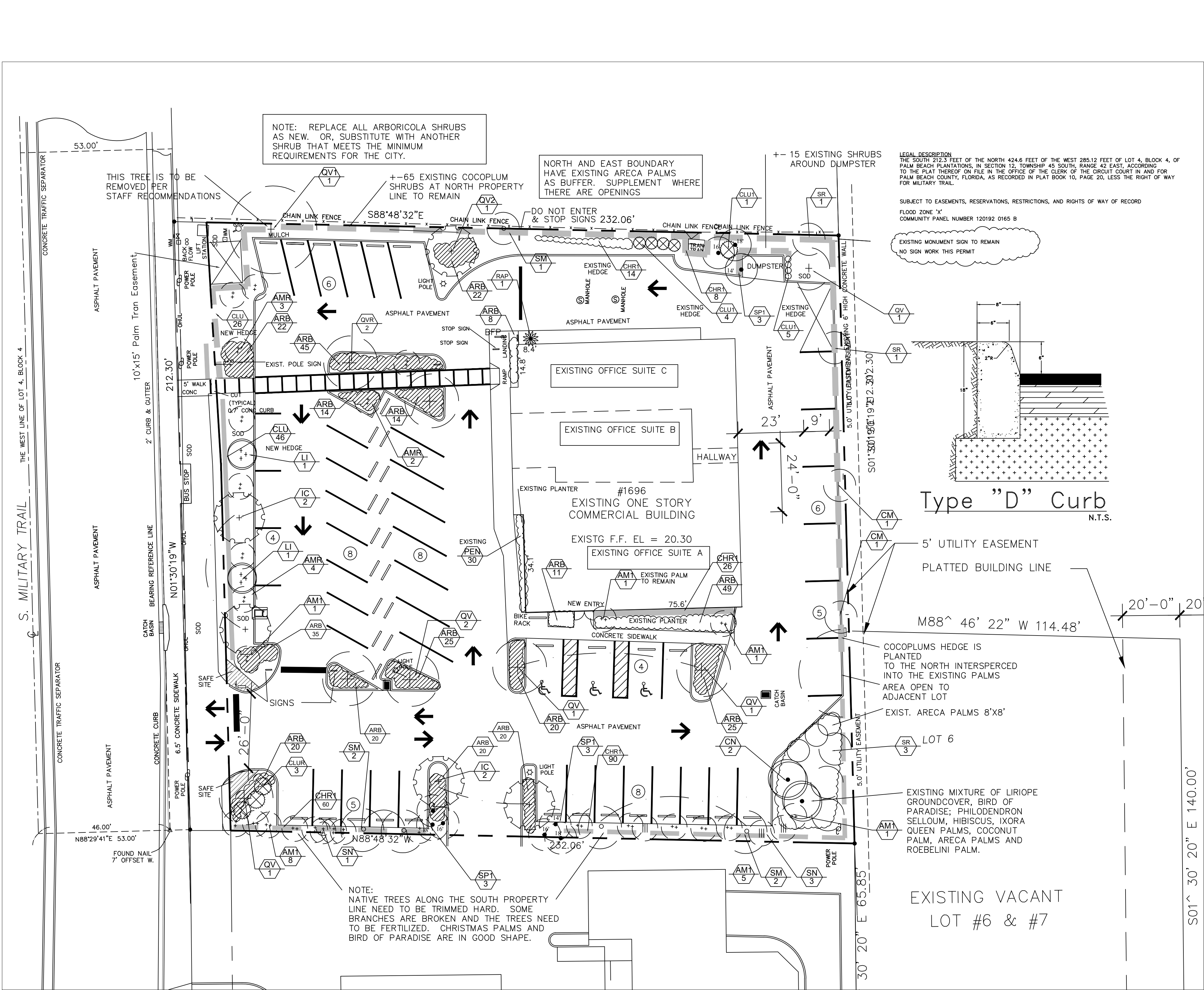
ADDITIONALLY, CONDUITS TO
BE SEALED WITH DUCT SEAL
AT WET WELL ENTRY

3 EA. - 2" CONDUITS TO WET WELL

RNM ENGINEERING, LLC.
LICENSE NUMBER: 33738
rnmengineering@gmail.com
rnmeng.com

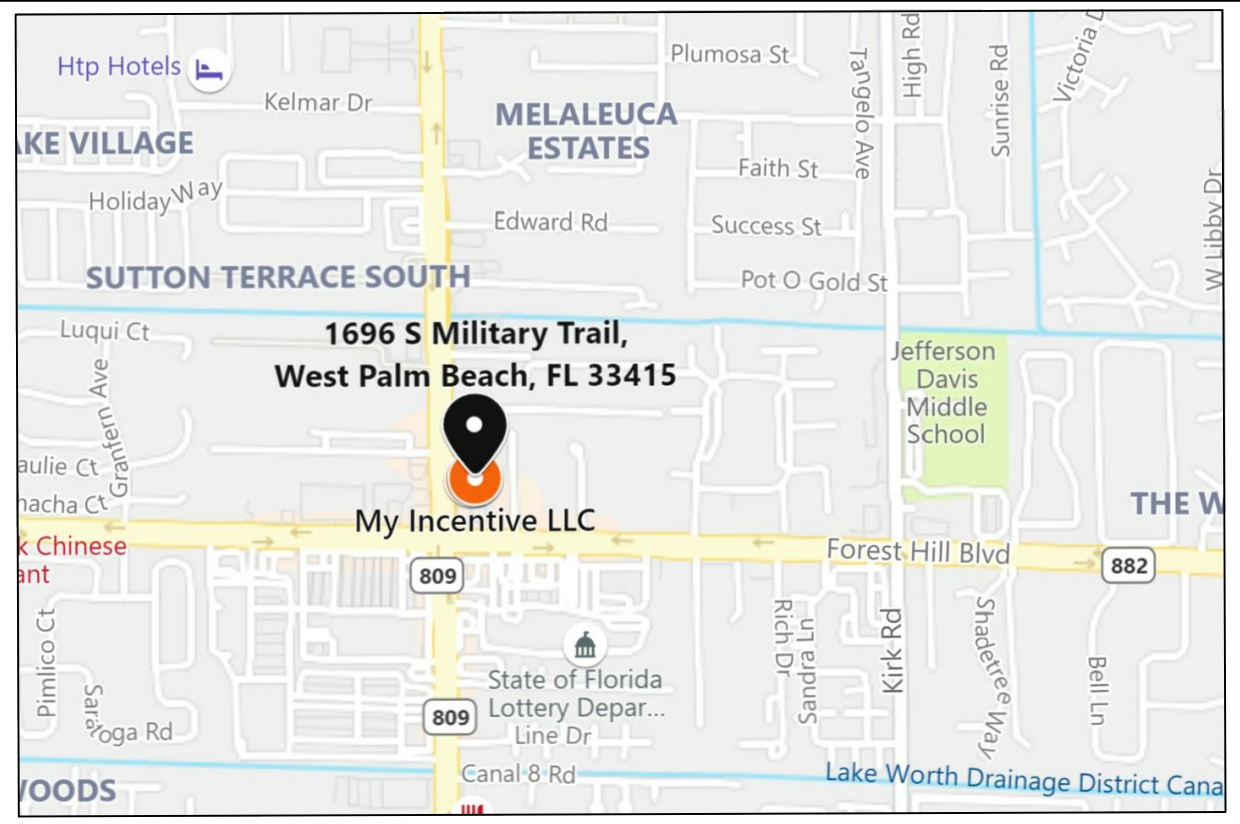
PROJECT NAME/ADDRESS:
LEGENDS PLAZA
1696 MILITARY TRAIL
PALM SPRINGS, FLORIDA

LIFT STATION DETAILS



Landscape Plan

Scale: 1"=20'-0" Date: 02.25.21



Location Map

PLANT LIST

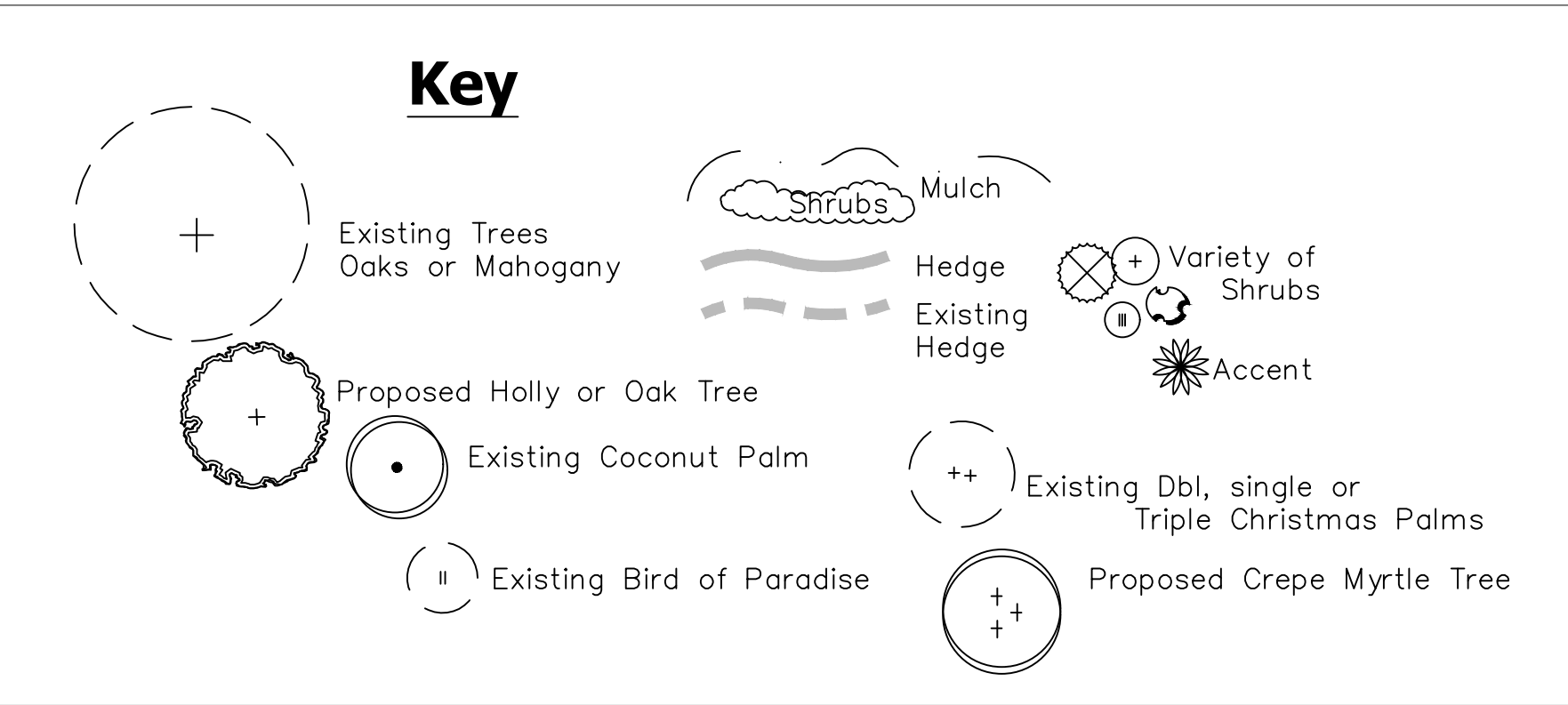
Trees and Palms				
Key	Qty.	Common Name	Botanical Name	Specifications
CN	2	EX COCONUT PALM	Cocos nucifera	Existing to remain; heights vary
CL	65 +10	ARECA PALMS	Chrysalidocarpus lutescens	Existing, 12' to 20' OA.; supplement where open
SM	5	MAHOGANY TREE	Swietenia mahogany	Existing 22'+OA. ht., x 18'sprd., 10'-15' CT
QV1	1	OAK	Quercus-sp.	REMOVE-Existing -25'+-OA. ht., x-30'sprd., 10'CT
QV	6	LIVE OAK	Quercus virginiana	Existing 20'OA. ht., x 14'sprd., 3-5' clear trunk
QV2	1	LIVE OAK	Quercus virginiana	15' O.A. HT., 5' GW; 3" CAL
QVR	2	LIVE OAK	Quercus virginiana	RELOCATED 20'OA. ht., x 14'sprd., 4' CT; 4" CAL
AMR	10	CHRISTMAS PALM, SINGLES	Veitchia merrillii	Existing to be relocated; 15' OA. ht., 10' GW MIN.
AM1	18	CHRISTMAS PALM, DBL&TRIP	Veitchia merrillii	Existing to remain 15' OA. ht., 10' GW MIN.
SN	4	WHITE BIRD OF PARADISE	Strelitzia nicotai	Existing to remain; 15' OA. ht.,
CM	2	FISHTAIL PALM	Caryota mitis	Existing to remain in east buffer, +- 20 OA. ht.,
SR	5	QUEEN PALM	Syagrus romanzoffianum	Existing to remain in east buffer, +- 20 OA. ht.,
SP	9	SABAL PALM	Sabal palmetto	Existing to remain; 12-16' HTS., X 6-8' SPRD.
IC	4	DAHOON HOLLY	Ilex cassine	15' O.A. HT., 8' SPRD., 4' GW; 3" CAL
LI	2	CREPE MYRTLE	Lagerstroemia natchez	15' O.A. HT., 8' SPRD., 4' GW; 3" CAL

ALTERNATES FOR ILEX TREES: GREEN BUTTWOOD / CONDORPUS ERECTUS

Shrubs and Groundcover

ARB	Qty	VARIATED ARBORICOLA	Schefflera variegata	30"ht. x 18" sprd., 24" o.c.
CLU1	10	CLUSIA	Clusia rosea	EXISTING TO REMAIN: 30"ht. x 18" sprd., 24" o.c.
CLUR	3	CLUSIA	Clusia rosea	RELOCATED IF POSSIBLE: 30"ht. x 18" sprd., 24" o.c.
CHRI	+263	COCO PLUM	Chrysobalanus icaco	EXISTING TO REMAIN: 30"ht. x 18" sprd., 24" o.c.
CLU	72	CLUSIA	Clusia rosea	30"ht. x 18" sprd., 24" o.c.
RAP	1	LADY PALM	Raphis excelsa	EXISTING TO REMAIN: 5' ht. x5' sprd., FULL TO BASE.
PEN	30+-	PENTAS	Pentas lanceolata	EXISTING TO REMAIN: 15" x 15"

- * NATIVE
- ** MINIMUM SIZE OF SHRUBS IS 30" HEIGHT, 18" SPREAD AND 24" O.C. NOTE: IF GREEN ISLAND FICUS OR DWARF CLUSIA IS AVAILABLE AT THIS SITE, PLEASE SUBSTITUTE SOME OF THE ARBORICOLA FOR THESE SPECIES



General Notes

- 1) Base plan provided by Engineer.
- 2) All dimensions are given to the nearest tenth of a foot.
- 3) All new landscaping shall meet the acceptable standards of Fla. Number one or better represented by the Fla. Dept. of Agriculture and Consumer Services.
- 4) Refer to Sheet LA-2 OF 2 for Plant Specifications and Details.
- 5) Any planting substitutions shall be approved by Owner.
- 6) Field adjust placement of planting for drainage structures and Utilities as necessary.
- 7) Trees and Palms shall be field inspected before installation.
- 8) Field adjust placement of planting as necessary adjacent to sidewalks.
- 9) Soil and mulch quantities to be verified by contractor.
- 10) Refer to Planting Details and Specifications for soil and fertilizer requirements.
- 11) Field verify quantities of relocated material, if applicable.
- 12) Contractor to verify all quantities on plans; notify LA of discrepancies
- 13) All shellrock and construction debris shall be removed from all landscape islands, peninsula and planting beds. These areas shall be excavated to a depth of 30 inches or to clean native soils and backfilled with a mixture of clean topsoil and potting soil.
- 14) Root barriers shall be provided for all trees within six feet of curbs, sidewalks, or structure.
- 15) All required landscaping material shall have available an automatic irrigation or sprinkler system to provide 100% plant coverage with an automatic rainsensor.
- 16) Native plant material shall be recognized by the Xeriscape Plant Material Guide I or II, published by the So. Fla. Water Management District.

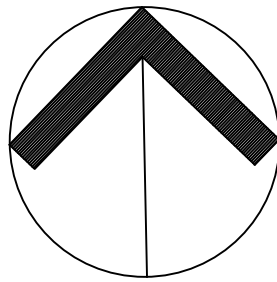
Debra L. Northsea
Landscape Architect
6008 Eagles Nest Drive
Jupiter, Florida 33458
Phone: (561-758-6739)
Fla. Registration #1521
Email: DLNLADESIGN@aol.com

LEGENDS PLAZA Landscape Plan

City of Palm Springs, Florida

Job Name:	LEGENDS PLAZA
CADD File:	LegendsplazaA07.14.21
Date:	02.25.21
Drawn By:	DLN
Comments:	REVISED LA PLAN
	CHANGE CHR TO GLU
	ADD TRAM WOOD SIGNS
	POST SIGN DIMENSION
	TREE REMOVAL PER STAFF
	ADD 2 CREPE MYRTLE TREES

Seal / FLORIDA REGISTRATION NO. 1521



Scale: 1"=20'-0"



1. SCOPE OF WORK

- A. The scope of work includes furnishing all plants, materials, equipment of and labor necessary for planting plant materials indicated on the Drawings; and/or in the Specifications.

2. QUALITY ASSURANCE:

- A. Landscape contractor to be regularly engaged in the installation of living plant material. Labor crews shall be controlled and directed by a landscape foreman well versed in landscape installation, plant materials, reading blueprints and coordination between the job and nursery. The landscape contractor shall carry any necessary insurance and protect the Owner against all liabilities, claims or demands for injuries or damage to any person or property growing out of the performance of the work under this contract and all of his workers shall be covered by Workmen's Compensation Insurance.

- B. The landscape contractor and irrigation contractor must coordinate scheduling and layout prior to commencement of material installation. If necessary, the landscape contractor and irrigation contractor may agree to minor adjustment in sprinkler layout, head type or quantity, in response to specific plant needs. The Landscape Architect must be notified of any such changes.

3. MATERIALS:

3.1 PLANT MATERIALS:

- A. All plant materials shall be nursery grown unless otherwise noted. Abbreviations on plant list:
- C.W. clear wood
 - G. gallon
 - Spr. spread
 - C.T. clear trunk
 - O.A. Overall height
 - O.C. on center
 - H.T. height
 - D. diameter

- B. Quality and Size: Plants shall have a habit of growth that is normal for the species and shall be healthy, vigorous and equal or exceed the measurements specified in the plant list, which are the minimum acceptable sizes. Plants shall be measured before pruning with branches in normal position. Any necessary pruning shall be done at the time of planting. Requirements for measurements, branching, grading, quality, baling and burlapping of plants in the plant list generally follow the code of standards currently recommended by the American Association of Nursery Stock. Plant materials shall be graded Florida No. 1 or better as outlined under Grades & Standards for nursery plants, state Plant Board of Florida. Plants that meet the requirements specified, but do not have normal balance of height and spread typical for the respective plant, shall not be accepted. All plants shall be free of weeds or any other objectionable vegetation.

- C. Quantities: All quantities indicated on the plant list are intended as a guide for the bidders and does not relieve the bidder of his responsibility to do a comprehensive plant take off. Shall a discrepancy occur between the bidder's take off and the plant list quantity, the Landscape Architect is to be notified for clarification prior to the submission of bid.

- D. Substitution: Plant substitution requests by the contractor will be considered by the Landscape Architect only upon submission of proof that any plant is not obtainable in the type and size, specified. The Landscape Architect shall determine the nearest equivalent replacement in an obtainable size and variety. The unit price of the substitute item shall not exceed the bid item replaced, without approval of the Owner.

3.2 COMMERCIAL FERTILIZER:

- A. Commercial fertilizer shall be an organic 13-3-13 LESCO fertilizer containing nitrogen phosphoric acid and potash available plant food by weight. Nitrogen shall not be less than 50% from organic source. Inorganic chemical nitrogen shall not be derived from the sodium form of nitrate. Fertilizers shall be delivered to the site unopened in original containers, each bearing the manufacturer's guaranteed analysis. Any fertilizer that becomes caked or otherwise damaged shall not be acceptable.

- B. Planting tablets shall be tightly compressed, long lasting, slow release fertilizer tablets weighting 21 grams, with a potential acidity of not more than 5% by weight and having an analysis of 20.10.5.

3.3 PEAT:

- A. Peat shall be horticultural peat composed of not less than 60% decomposed organic matter by weight, on an oven dried basis. Peat shall be delivered to the site in a workable condition free from lumps.

3.4 PLANTING SOIL:

- A. Planting soil shall be sandy loam and shall contain a 25% minimum amount of decomposed organic matter. Planting soil shall be free of clay, stones, plants, roots, and other foreign materials which might be a hindrance to planting operations or be detrimental to good plant growth. Soil shall be delivered in a loose friable condition and applied in accordance with the Planting Specifications.

3.5 MULCH:

- A. Mulches shall not contain sticks larger than 1/4 inch in diameter, stones, or other foreign material that will prevent the eventual decay of the mulch necessary for its complete effectiveness.

3.6 WATER:

- A. Water for planting will be available at the site and will be provided by the Owner. Landscape Contractor shall not assume that the irrigation system will be operational at the time of planting. It is the responsibility of the Landscape Contractor to provide all the required water to maintain the plant material in a healthy growing condition. The watering may include deep watering of trees and the watering of shrub and ground cover areas. Any plant materials that die or that are not in a healthy growing condition due to lack of water shall be replaced at no additional cost to the Owner.

4. EXECUTION

4.1 PROTECTION OF PLANTS:

- A. Root Protection:
- Balled and Burlapped Plants: Plants designated B & B (balled and burlapped) shall be dug with firm natural balls of earth of sufficient diameter and depth to encompass the fibrous and feeding root systems necessary for full recovery of plant. Balls shall be firmly wrapped with burlap or similar materials and bound with twine, cord, or wire mesh. All collected plants shall be balled and burlapped.

- Container Grown Plants: Plants grown in containers will be accepted as B&B, providing that all other specified requirements are met. Container grown plants shall meet plant sizes as specified on the Plant List and on the Drawings, and shall not be governed by container sizes. Minimum root balls of container grown material shall be no more than 25% less proportionately in size than that stated in "Grades and Standards" for nursery plants. These plants shall have been grown in the container for a maximum of two years prior to installation and shall exhibit a fully developed root system when removed from the container.

- B. Protection During Transporting: All plant material shall be protected from possible bark injury or breakage of branches. All plants transported by open trucks shall be adequately covered to prevent windburn, drying or damage to plants.

- C. Protection After Delivery: Plants which cannot be planted immediately on delivery to the site shall be covered with moist soil, mulch, or other protection from the drying of wind and sun. All plants shall be watered as necessary until planted. Storage period shall not exceed forty-eight (48) hours.

- D. Protection of Palms (if Applicable): Only a minimum of fronds shall be removed from the crown of the palm trees to facilitate moving and handling.

- E. Clear trunk shall be as specified after the minimum of fronds have been removed. Cabbage Palms shall have a sufficient ball size for rapid growth and acclimation. Burn marks on trunks shall be removed.

- Cabbage Palm heads shall be tied with a burlap strip to be left in place until the tree is well established.

- F. Protection During Planting: Trees moved by winch or crane shall be thoroughly protected from chain marks, girdling or bark slippage by means of burlap, wood battens or other approved methods.

4.2 PLANTING OPERATIONS:

- A. Layout: Location for plants and outline of areas to be planted are indicated on the Drawings. All plant locations shall be staked in the field by the Contractor, to the satisfaction of the Landscape Architect.

- Where construction or utilities below ground or overhead are encountered, or where changes have been made in the construction, necessary adjustments will be approved by the Landscape Architect.

- B. Soil Preparation: Apply pre-planting herbicide of Round-up or equal. Soil used shall be as herein before specified under "Planting Soil". The soil should be in a relatively dry state and mixed thoroughly by hand or rotary mixer. All planting areas shall be treated with an approved pre-emergent according to the manufacturer's specifications. (Ronstar, Eptam, or equal).

- C. Excavation for Planting: Excavation of plant pits shall be circular in outline and soil blend with the required subgrades as specified hereunder. The minimum depth of plant pits specified below shall be measured from the finish grade. Mass Planting beds shall be stripped of all vegetation prior to planting. Use acceptable excess excavated topsoil to form watering berms (saucers) around plants: use 25% of native soil and mix with 75% planting soil for backfill. Remove all excess material to dump site as directed by Owner.

- D. Balled and Burlapped Plants: After final setting, loosen burlap wrapping exposing the top of the rootball, leaving the ball unbroken. Remove excessive amounts of burlap to eliminate voids which may be caused upon decomposition.

- E. Container Grown Plants: Container grown plants shall, when delivered, have sufficient growth to hold earth intact when removed from container and shall not be root bound. Plant pits for container materials shall be formed flat on the bottom to avoid air pockets at the bottom of root balls and containers shall be removed carefully to prevent damage to plant or root systems.

- F. Testing for Drainage: Test fill all tree pits with water before planting to assure proper drainage percolation is available. Pits which are found not to be adequately draining shall be excavated to a depth sufficient for drainage and backfilling with gravel or crushed rock. No allowances will be made for lost plants due to improper drainage.

- G. Pit sizes: Minimum diameter (width) and depth of planting pits for balled and burlapped, and container grown plants, shall be as follows:

- Diameter - Trees: 18" greater than diameter of ball or spread of roots.
- Diameter - Shrubs: 6" greater than diameter of ball or spread of roots.
- Depth - Trees and Shrubs: 4" greater than depth of ball or roots to provide 4" of planting soil backfill around the rootball. (Large heavy trees and shrubs may sit directly on unexcavated pit bottom if it is determined that undue settlement may occur.)
- Depth - Vine Groundcovers: Pits shall conform to accepted nursery practice for the particular species and equal the plant pot depth plus one (1) inch.

4.2 PLANTING OPERATIONS (CONT.):

- H. Backfilling: when the plant pit has been excavated as specified previously and the plant has been set, the pit shall be backfilled with planting soil at the following rates:

- One-quarter cubic yard per tree
- One cubic yard per 25 7gal (lerio)
- One cubic yard per 50 shrubs 3 gal.
- One cubic yard per 100 1 gal. (ground cover)

I. Setting Trees and Shrubs:

- Unless otherwise specified, all trees and shrubs shall be planted in pits, centered, and set on four inches (4") of compacted planting soil to such depths that the finished grade level of the plant after settlement shall be the same as that at which the plant was grown. They shall be planted upright and faced to give the best appearance or relationship to adjacent structures. No burlap shall be pulled out from under the balls. Platforms, wire and surplus binding from top and sides of the balls shall be removed. All broken or frayed roots shall be cut off cleanly. Soil shall be placed and compacted thoroughly, avoiding injury and shall be settled by watering. No wig ground trunks will be permitted. After the ground settles, additional soil shall be filled in to the level of the finished grade allowing for two inches (2") of mulch. Form a shallow saucer around each plant by placing a ridge of soil along the edge of the plant pit. This ridge shall be one inch (1") high for each one inch (1") caliper of trunk to a maximum of four inches.

- J. Setting Palms: All palms shall be planted in sand, thoroughly washed in during planting operations and with a shallow saucer depression left at the soil line for future waterings. Saucer areas shall be top dressed two inches (2") deep with topsoil raked and left in a neat, clear manner.

- K. Fertilizing: When setting trees, palms and shrubs place in each plant hole Planting Tablets, 20-10-5 formula, 21 gram, according to the following:

- 1 - gallon can - 1 tablet
- 2 - 3 gallon can - 2 tablets
- 7 - gallon can - 4 tablets
- B & B Shrubs and Trees - 1 tablet for every 20" around circumference of root ball above middle of ball.

- Correct placement of Tablets: Position the plant in the hole and backfill no higher than halfway up the root ball. Place the recommended number of tablets evenly around the perimeter of, and immediately adjacent to, the root ball at a depth which is between the middle and the bottom of the rootball. Complete backfilling as described above under setting trees, palms and shrubs.

- L. Pruning: Remove dead and broken branches from all plant material. Prune to retain typical growth habit of individual species with as much height and spread as is practicable. Make all pruning cuts with a sharp instrument flush with trunk or adjacent branch, in such a manner as to ensure elimination of stubs. "Headback" cuts, right angle to line of growth, will not be permitted and trees will not be poled or topped. Paint all cuts 1/2" in diameter and larger with approved waterproof antiseptic free paint and remove trimmings from site.

- M. Guying and Staking: Guy all trees 1-1/2" in caliper and greater in three (3) directions with double strands of No. 12 galvanized wire attached to approved anchors driven below grade. When securing wires to trees, cover all wires which may come in contact with any part of tree with new rubber hose. Place guys not less than 1/3 of the height of tree above finished grade and above substantial limbs one inch (1") in diameter or more, if possible. All hoses shall be interlocked around tree trunk. Place anchors so that guys are equally spaced and at 45 degree angles to horizontal. Keep guys tight until project completion.

- N. In staking palms and broadleaf trees no nails or other fasteners will directly penetrate the trunks. Wood 2 x 4 battens 12 inches long, separated by a minimum of four (4) layers of burlap can be attached to the trunk of the trees with metal banding. Stakes can only be nailed to the wooden battens. Alternate methods of guying or staking may be employed with the approval of the Landscape Architect.

- O. Mulching: All trees and shrub beds shall be mulched immediately after planting, to a three inch (3") depth, with a mulch approved by the Landscape Architect. Prevent wind displacement of mulch by thoroughly wetting down.

- P. Excess Excavated Soil: Excess excavated soil shall be disposed of by the Contractor at no additional expense to the Owner.

4.3 Sod (When Applicable):

- A. Soil: The Contractor shall submit a unit price per cubic yard for the supply and distribution of planting soil as herein before specified, to be applied at a depth of one inch (1") to all areas receiving sod. (The use of this item in the Contract shall be at the discretion of the Landscape Architect after evaluation of the existing soil on the site.) Payment for this item will be determined by a square foot, in-place measurement of the installed sod area after sod installation is complete, multiplied by the specified depth of one inch (1"), to determine cubic yards of soil used.

- B. Grades: It shall be the responsibility of the Contractor to finish (fine) grade all landscape areas, eliminating all bumps, depressions, sticks, stones and other debris to the satisfaction of the Landscape Architect, prior to the application of sod. If supplemental topsoil is to be spread, no sod shall be laid until the depth of this soil has been approved.

- C. The sod shall be as called for on the Landscape Drawings. Sod shall be of firm tough texture, having a compact growth of grass with good root development, and shall contain no Bermuda Grass, weeds or any other objectionable vegetation. The soil embedded in the sod shall be good earth, free from stones and debris and all sod shall be free from fungus, vermin and other diseases.

- D. Before being cut and lifted, the sod shall have been mowed at least three times with a lawn mower, with the final mowing not more than seven (7) days before the sod is cut. The sod shall be carefully cut into uniform dimensions.

- E. Solid sod shall be laid by the Contractor with closely abutting joints with a tamped or rolled, even surface. 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. If, in the opinion of the Landscape Architect, top-dressing, is necessary after rolling, clean sand will be evenly applied over the entire surface and thoroughly washed in.

4.4 CLEAN UP:

- Any soil, peat or similar material which has been brought onto any paved areas shall be removed promptly keeping these areas clean as the work progresses. Upon completion of the planting, all excess soil, stones and debris which has not been previously cleaned up shall be removed from the site.

4.5 MAINTENANCE:

- A. Maintenance shall begin immediately after each plant is planted and shall continue until all planting has passed final inspection and acceptance. Maintenance shall include watering, weeding, cultivating, removal of dead materials, resetting plants to proper grades or upright position and restoration of the planting saucer and any other necessary operations. Proper protection to lawn areas shall be provided and any damage resulting shall be repaired promptly.

- B. All trees shall be deep watered for a period of 90 days after planting.

- C. In the event of the threat of serious damage resulting from insects or disease prior to final acceptance, the plants shall be treated by preventative or remedial measures approved for good horticultural practice at no additional cost to the Owner.

- D. The Contractor shall furnish the Owner with a written and detailed description for the care and maintenance of all plant material at the time of final inspection. The owner agrees to execute the instructions for such care and maintenance.

4.6 INSPECTION AND ACCEPTANCE:

- A. Inspection: Inspection of work to determine completion of contract, exclusive of the possible replacement of plants, will be made by the Owner and/or Landscape Architect at the conclusion of all planting and at the written request of the Contractor.

- B. Acceptance: After inspection, the Contractor will be notified by the Owner and/or Landscape Architect of the acceptance of all plant material and workmanship, exclusive of the possible replacement of plants subject to guarantee.

4.7 GUARANTEE AND REPLACEMENT:

- A. Guarantee: The Contractor, as part of his Contract, shall furnish a written guarantee warranting all materials, workmanship and plant materials, except sod, for a period of one(1) year from the time of completion and acceptance. All plant materials shall be alive and in satisfactory condition and growth for each specific kind of plant at the end of the guarantee period. Where vandalism is agreed by the Landscape Architect as the cause for replacement, the Contractor shall not be responsible for replacement during the one(1) year guarantee after final acceptance.

- B. Sod shall be guaranteed for a two month period, dating from final acceptance and any lawn care which becomes necessary during the completion period will be the responsibility of the Owner to ensure a vigorous stand of grass.

5.0 TREE RELOCATION AND PROTECTION

TREE PROTECTION:

- A. Protection and care of existing trees, palms, shrubs, and ground covers to remain, to include all aspects of protection, fertilization and watering.

- B. Trees, palms, shrubs, and ground cover to remain are designated on the drawings or as directed by the Landscape Architect.

5.1 TREE RELOCATION:

- A. Prepare the relocate trees and palms designated for relocation to include all aspects of preparation, protection, fertilization and watering.

- B. Trees and Palms to be relocated on site are designated on the drawings or as directed by the Landscape Architect.

- C. Resulting tree and palm pits of relocated material shall be backfilled with clean topsoil and brought flush with surrounding grade.

- D. Guarantee:

- Any tree or palm that dies or is deemed in unacceptable condition for (1) year following relocation shall be removed by the Contractor including root ball, and backfilling of pit, at no cost to the Owner.

- Acknowledging the sensitive nature of tree and palm relocation, the Contractor shall not be responsible for survival of trees and palms if it is deemed by the Landscape Architect that all possible measures have been taken by the Contractor to insure survival. If, however, it is deemed by the Landscape Architect or Owner that tree or palm mortality is a product of negligence by the Contractor, the Contractor shall provide and install at no additional cost to the Owner a tree or palm of same size and species.

NOTE: TOP OF ROOT BALL SHALL BE AT LEAST 1/2" ABOVE THE FINISHED GRADE.

PRUNE SHRUBS AT OWNER'S DIRECTION ONLY. PRUNE ALL SHRUBS TO ACHIEVE A UNIFORM MASS.

REMOVE ANY CONTAINER OTHER THAN BURLAP THAT MAY BE AROUND ROOTS.

MINIMUM 3" PINE BARK MULCH OUTSIDE OF ROOTBALL; 1" MULCH OVER ROOTBALLS. CONTINUOUS SAUCER AROUND THE TREE PIT TO HOLD IRRIGATION WATER.

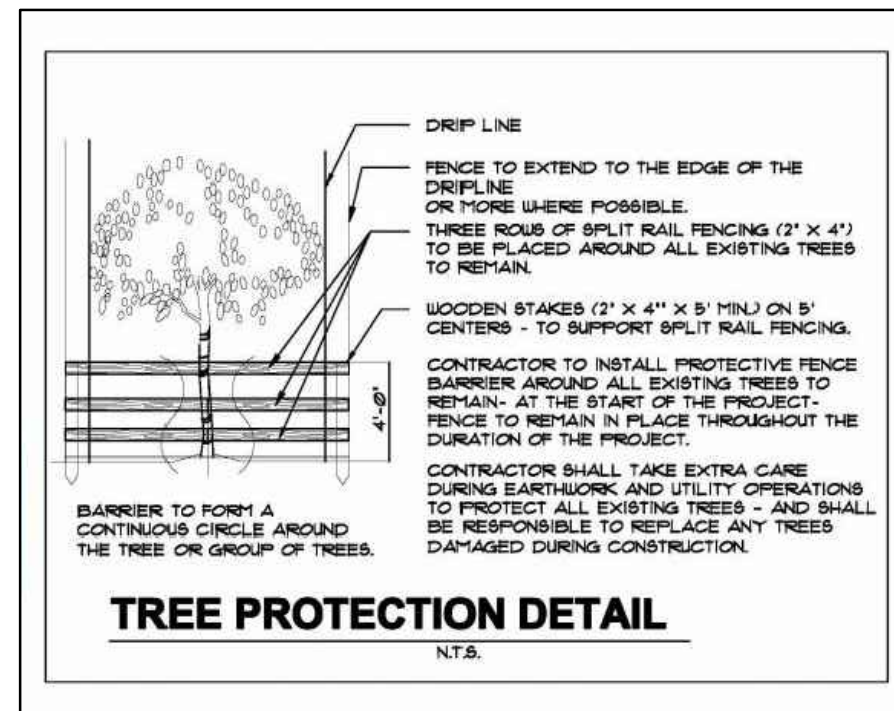
ROOTBALLS GREATER THAN 2' IN DIAMETER SHALL SIT ON MOUND OF UNDISTURBED SOIL TO PREVENT SETTLING. ROOTBALLS LESS THAN 2' MAY SIT ON COMPACTED SOIL. DIAMETER OF HOLE FOR BALLS 2' & GREATER SHALL BE 2' LARGER THAN DIAMETER OF BALL. DIAMETER OF HOLE FOR BALLS UP TO 2' SHALL BE TWICE THE BALL DIAMETER.

FILL MATERIAL SHALL CONSIST OF 75% PLANTING SOIL, AND 25% NATIVE SOIL FROM HOLE DUG FOR PLANT.

NOTE: PROVIDE FERTILIZER PER WRITTEN SPECIFICATIONS 4.2 K FERTILIZING

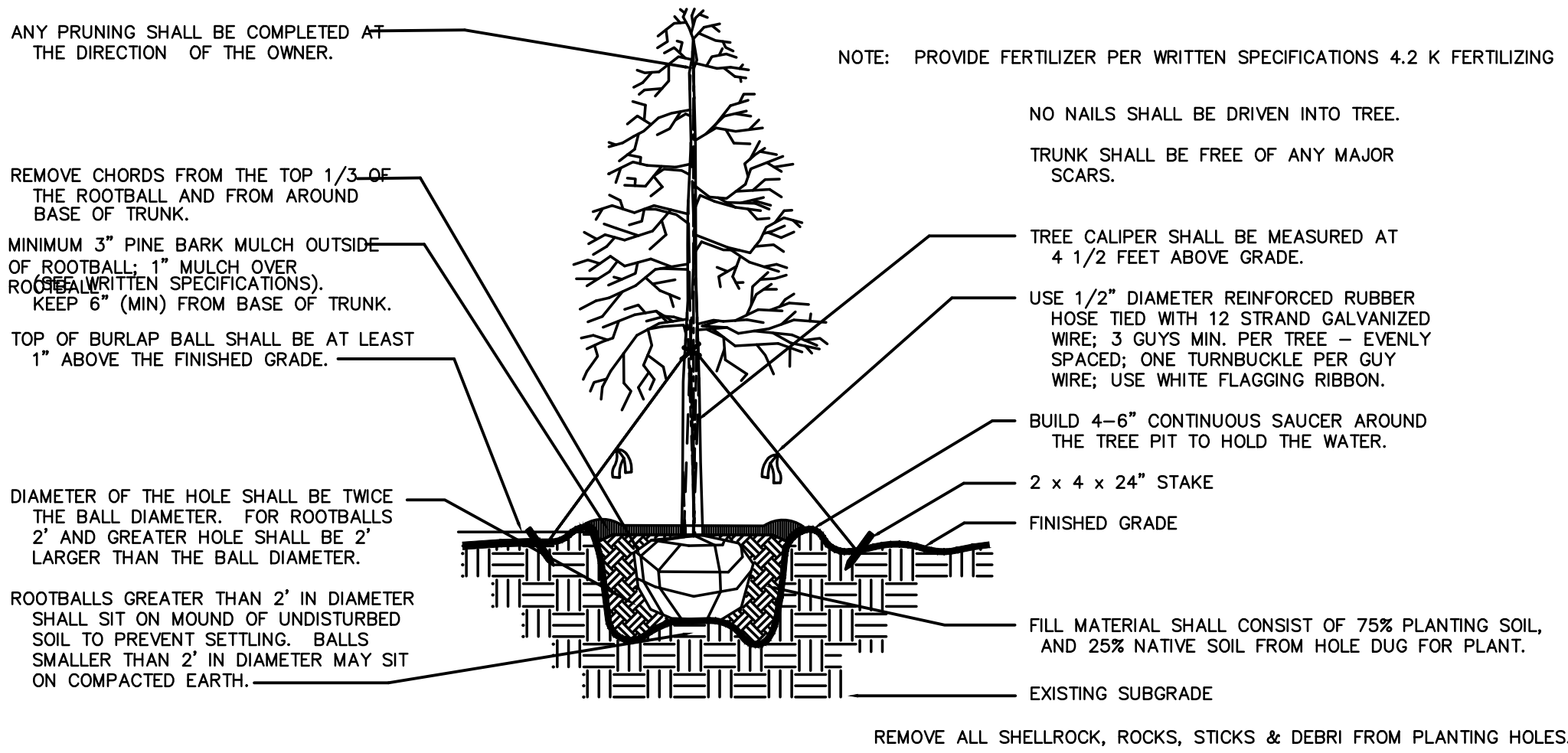
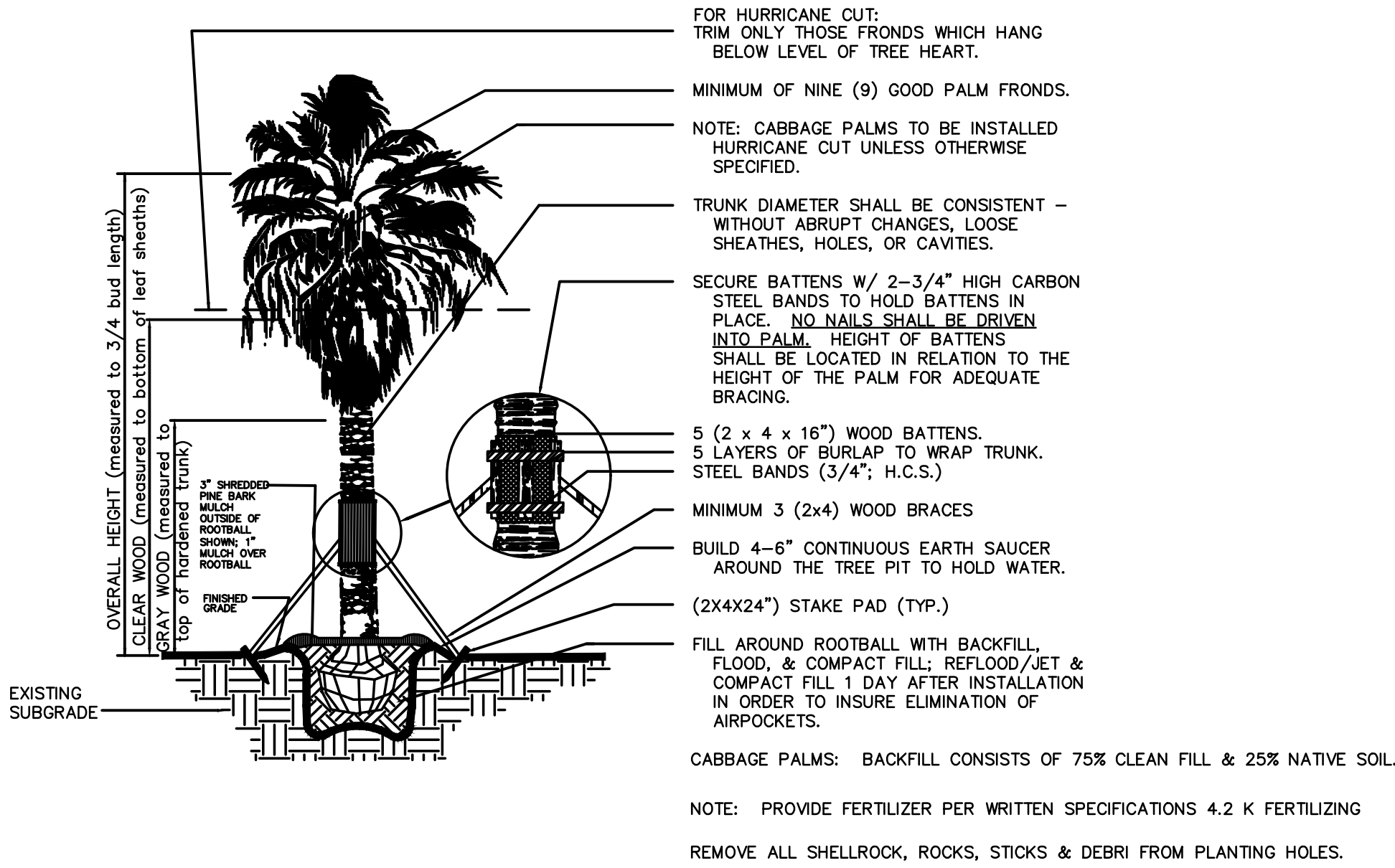
REMOVE ALL SHELLROCK, ROCKS, STICKS & DEBRI FROM PLANTING HOLES.

Shrub and Groundcover Planting Detail



Tree Planting Detail

Typical Palm Staking Detail



Debra L. Northsea
Landscape Architect
6008 Eagles Nest Drive
Jupiter, Florida 33458
Phone: (561)-758-6739
Fax: Registration #1521
Email: DLNLADESIGN@aol.com

LEGENDS PLAZA

Details and Specifications

City of Palm Springs, Florida

Job Name: Legends Plaza
CADD File: Legends PlazaLA05.05.21.dwg

Date	Drawn By	Comments
12.18.20	D.N.	Landscape Plan
05.05.21	D.N.	Landscape plan

Seal / FLORIDA REGISTRATION NO. 1521

June 28, 2021

To: Iramis Cabrera, Village of Palm Springs Planner

From: Tara Bamber, PE 

**Re: Legends Plaza at 1696 Military Trail
Site Plan Approval Letter
Engenuity Group Project No. 6001.109**

We have received the following by email on 6-23-21:

1. Overall Plans, 13 Sheets (G1-G3, D1, C1-C5, LS-1, E1, LA1-LA2), dated February 2021, by RNM Engineering, LLC

We recommend Site Plan approval with the following condition:

1. The survey on Sheet G3 is not to scale.
2. All elevations in the plans shall follow the same datum and same source. We recommend using the latest survey included in the plan set. The finished floor elevation remains in NGVD while all site grade elevations are in NAVD.
3. Landscape shall not conflict with drainage and utility infrastructure, including proposed Lift Station and sanitary pipes. Include all infrastructure on the plan and resolve conflicts by relocating plantings or adding root barriers.

If you should have any questions, please give me a call at 561-655-1151.

Cc: Lisa Tropepe, PE

3-2-2021

Good afternoon Iramis,

LWDD has no objection to the certification of this petition. It is located south of the L-7 Canal and is not adjacent.

Thank you.

Anne Perry Schreiner

Anne Perry Schreiner | Right-of-Way Specialist

Lake Worth Drainage District | 13081 Military Trail | Delray Beach, Florida 33484

Direct Line | 561.819.5577 | Main Line 561.498. 5363 | Fax | 561.495.9694



Please consider the environment before printing this email.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

3-2-2021

Waste Pro has no issues with the proposed

Chris Schulle
Division Manager
Office # 561-688-8912
Fax # 561-688-8914
Cell # 772-216-4876

From: Iramis Cabrera <icabrera@vpsfl.org>

Sent: Tuesday, March 2, 2021 10:44 AM

To: Tara Bamber <tbamber@engenuitygroup.com>; Pedro Segovia <psegovia@pbcgov.org>; Arnold, Alex <Alex.Arnold@fpl.com>; Hymowitz, Larry <Larry.Hymowitz@dot.state.fl.us>; Anne Perry <aperry@lwdd.net>; Christopher Schulle <cschulle@wasteprousa.com>; Thomas McMahon <tmcmahon@wasteprousa.com>; Jackie Michels <JMichels@pbcwater.com>; Yash Nagal <YNagal@pbcgov.org>

Subject: Legend Plaza

Good morning,

Attached are the proposed plans for the property located at 1696 S Military Trail. FDOT is proposing to widen the road and as a result, the property needs to be re-adjusted along the west side. Please review the proposed plans and send me your comments to share with the applicant.

Thanks.



Iramis Cabrera
PZ&B Interim Director
Village of Palm Springs
Planning, Zoning & Building Department
Office: (561)-965-4016
icabrera@vpsfl.org

3-9-2021

Iramis,

It looks like we would have to relocate up to 4 poles. One of which is the pole that fuses off the padmount that feeds 1696 S Military trl so we would have to refeed that padmount. I do not see anything that makes me think we would not be able to accommodate this road widening. Do you have any idea of the timelines of this project?

Thanks,

Alex Arnold

Associate Engineer
West Palm Service Planning
810 Charlotte Ave
West Palm Beach, FL 33401
(561) 616-1618



Village of Palm Springs
Land Development Department
226 Cypress Lane, Palm Springs, FL 33461
(561) 965-4016 Fax (561) 439-4132

LETTER OF TRANSMITTAL

To: Pedro Segovia

Date: March 2/2021

Tom Ceccarelli/Frank Castro

RE: Legend Plaza – Site Plan Amendment – 1696 S Military Trail

Attached are:

x Prints

☐ Reproducibles

☐ Correspondence

☐ Report

☐ Specifications

☐ Applications

☐ Other _____

COPIES	DATE	DESCRIPTION
1	3/2/2021	Site Plan Package

Transmitted:

☐ For Approval

☐ As Requested

xxx For Review and Comment

☐ For Revisions

☐ For Your Use

☐ Other _____

REMARKS:

Upon review, please forward any comments regarding the attached materials to me.. Should you have any questions regarding the attached materials, do not hesitate to contact me at (561) 434-5090 or icabrera@vpsfl.org. Thank you for your assistance.

Signed: Iramis Cabrera

* Agree w/ staff recommendations

[Handwritten signature]

03/16/21

7-20-2021

Iramis,

PBCWUD will require plan submittal and approval for the relocation of the lift station. It also appears that the meter and backflow preventer may need to be relocated. The location of the fire hydrant on the utilities plan doesn't match the survey and this may also require relocation.

PBCWUD Minimum Design Standards require a point of service valve and flushing connection which appear to conflict with the location of the proposed bus stop and live oak tree proposed at the northwest corner of the property.

The live oak should be shown at a different location on the approved landscape plan however the other items can be addressed during PBCWUD plan review if that is acceptable to Palm Springs.

Plan approval by PBCWUD could be included as a condition of approval.

Thank you,

*Jackie Michels, P.E.
Project Manager
Palm Beach County Water Utilities
8100 Forest Hill Blvd.
West Palm Beach, Florida 33413
Phone (561) 493-6116
JMichels@pbwater.com*

Hi Iramis,

The most recent ridership for stop 1214 is 844 boardings and 474 alighting's. Our ridership is still recovering from Covid-19 on all routes (a 40% decrease from regular ridership). Starting May 2021, Palm Tran has restored full service and is expecting to recover lost ridership. The intersection of Forest Hill Blvd and Military Trail is a major transfer point for our routes 3 and 46. This location is still ideal for the transit easement. Thank you, I hope you have a good weekend.

Best,
Yash

Yash Nagal
Senior Planner
Tel: 561 841-4238
ynagal@pbcgov.org
<http://www.palmtran.org>

w/c 122

THIS INSTRUMENT PREPARED BY AND RETURN TO:
L Mendenhall pursuant to issuance of title insurance
Integrity Land Title
2724 Vista Parkway C-11, 2nd Floor
West Palm Beach, FL 33411
Property Appraisers Parcel Identification (Folio) Numbers:
70-42-44-12-00-000-5460 and 70-42-44-12-03-000-0060
Sales Price: \$950,000.00

CFN 20150222687
OR BK 27607 PG 0211
RECORDED 06/16/2015 15:02:39
Palm Beach County, Florida
AMT 950,000.00
Doc Stamp 6,650.00
Sharon R. Bock, CLERK & COMPTROLLER
Pg 0211; (1pg)

Space Above This Line For Recording Data

THIS WARRANTY DEED, made the 11th day of June, 2015 by Albert Brown and Althea Brown, husband and wife, herein called the grantors, to My Incentive LLC, a Florida limited liability company, whose post office address is 1730 S Military Trail, West Palm Beach, FL 33405, hereinafter called the Grantee:
(Wherever used herein, the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

W I T N E S S E T H: That the grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in PALM BEACH County, State of Florida, viz:

Parcel 1: The South 212.3 feet of the North 424.6 feet of the West 285.12 feet of Lot 4, Block 4, Plat No. 1, Palm Beach Plantations Subdivision of Section 12, Township 44 South, Range 42 East, according to the Plat thereof, on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 10, page 20, LESS the Right-of Way for Military Trail (State Road No. 809), as now laid out and in use.

-AND-

Parcel 2: Lots 6 and 7, Erie Terrace, according to the Plat thereof, on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 24, page 2.

Subject to easements, restrictions and reservations of record and to taxes for the year 2015 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

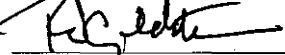
AND, the grantors hereby covenant with said grantee that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

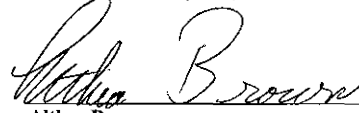

Witness #1 Signature

Leslie Mendenhall
Witness #1 Printed Name


Witness #2 Signature

Robert N. Goldstein
Witness #2 Printed Name


Albert Brown
3526 Whitehall Drive, #102, West Palm Beach, FL 33401


Althea Brown
3526 Whitehall Drive, #102, West Palm Beach, FL 33401

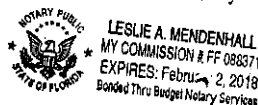
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 11th day of June, 2015 by Albert Brown and Althea Brown who are personally known to me or have produced _____ as identification.

SEAL


Notary Public

My Commission Expires:



File No: 15055AH

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION,

CIVIL ACTION NO.: 502020CA006848XXXXMB
Parcel No(s): 110

Petitioner,

-vs-

MY INCENTIVE, LLC
a Florida limited liability company, et al.,

Defendants.

_____/

STIPULATED ORDER OF TAKING

THIS CAUSE coming before the Court, and it appearing that proper notice was first given to all the Defendants and to all persons having or claiming any equity, lien, title, or other interest in or to the real property described in the Petition that the Petitioner would apply to this Court on the 14th day of September 2020, for an Order of Taking, and the Court being fully advised in the premises, upon consideration, it is, therefore,

ADJUDGED:

1. That the Court has jurisdiction of the subject matter of and the parties to this cause;
2. That the pleadings in this cause are sufficient, and the Petitioner is properly exercising its delegated authority;
3. That each Estimate of Value filed in this cause by the Petitioner was made in good faith. Defendant MY INCENTIVE LLC does not object to the validity of the appraisal upon which said Estimate of Value was based for the purposes of the entry of this Order, but this Order is without prejudice to Defendant's right to challenge the validity of said appraisal at the valuation trial of this matter;
4. That upon the payment of the deposit hereinafter specified into the Registry of this Court, all right, title, or interest specified in the Petition as described herein shall vest in the Petitioner; to wit:

[REMAINDER OF PAGE INTENTIONALLY BLANK]

Item/Segment No. 4378781

Fee Simple Right of Way

(Section 93150-2510)

07-12-19

Parcel No. 110

State Road 809

Palm Beach County

Description

A portion of Tract 4, Block 4, PLAT NO.1 PALM BEACH PLANTATIONS (MODEL LAND COMPANY), according to the plat thereof, as recorded in Plat Book 10, Page 20, of the Public Records of Palm Beach County, Florida, lying in Section 12, Township 44 South, Range 42 East, as shown on Sheet 4 of the Florida Department of Transportation Right of Way Map for Item/Segment No. 4378781, Section 93150-2510, being more particularly described as follows:

Commence at a mag nail & disk stamped "LB 6770", found marking the South One-Quarter

(S. 1/4) Corner of said Section 12; thence North 01°30'19" West along the North-South

One-Quarter (N-S 1/4) Section line of said Section 12, a distance of 600.21 feet to the point of tangent STA. 463+33.12 being a point on the Baseline of Survey of State Road 809 (Military Trail); thence continue North 01°30'19" West along said North-South One-Quarter (N-S 1/4) Section line and said Baseline of Survey of State Road 809 (Military Trail), a distance of 973.64 feet; thence North 88°29'41" East along a line at a right angle to the previously described course, a distance of 53.00 feet to a point on the Easterly Existing Right of Way line of State Road 809 (Military Trail) and the POINT OF BEGINNING; thence North 01°30'19" West along said Easterly Existing Right of Way line of State Road 809 (Military Trail), a distance of 211.66 feet; thence South 88°48'32" East, a distance of 11.66 feet; thence South 03°30'19" East, a distance of 81.66 feet; thence South 01°30'19" East, a distance of 130.20 feet; thence North 88°46'57" West, a distance of 14.52 feet to the POINT OF BEGINNING.

Containing 2,953 square feet, more or less.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

OWNED BY: My Incentive, LLC, a Florida limited liability company.

SUBJECT TO: Mortgage Future Advances recorded in Official Records Book 29334 Page 1451, of the Public Records of Palm Beach County, Florida, in favor of TD Bank, National Association.

Assignment of Rents recorded in Official Records Book 29334 Page 1461, of the Public Records of Palm Beach County, Florida, in favor of TD Bank, National Association.

Lien recorded in Official Records Book 30907, Page 1158, of the Public Records of Palm Beach County, Florida, in favor of 1st Choice Contracting, LLC, a Florida limited liability company.

Interest, if any, Nona Diamond Dental, LLC, a Florida limited liability company.

Interest, if any, Renaissance Health Institute, LLC, a Florida limited liability company.

Interest, if any, 7-Eleven, Inc., a Texas corporation d/b/a 7-Eleven 37223A.

Interest, if any, Palm Beach County, a Political Subdivision of the State of Florida.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

5. That the deposit of money will secure the persons lawfully entitled to the compensation which will ultimately be determined by final judgment of this Court;
6. That the sum of money to be deposited in the Registry of the Court within twenty (20) days of the entry of this Order, shall be in the amount of:

Parcel 110 \$373,100.00

TOTAL \$373,100.00

7. That on deposit as set forth above and without further notice or Order of this Court, the Petitioner shall be entitled to possession of the property described in the Petition.
8. Defendant shall, pursuant to Florida Statute 286.23, within 48 hours of the Order of Taking deposit, disclose, in writing, to the Florida Department of Transportation, the names and addresses of every person having a beneficial interest in the property acquired.
9. The Petitioner, its agents, representatives, contractors, and/or assigns shall be permitted to undertake reasonable and necessary actions in connection with the removal and/or demolition of the business ID sign and “Entry” directional sign located on Parcel 110, including entry upon the remainder property in order to disconnect electrical service to the signs, provided that Petitioner shall give Defendant and its counsel 48 hours advance written notice of its intent to disconnect said power to the signs, and provided further that such disconnection shall be done in such a manner that avoids any power interruption to the remainder property.
10. On or before May 31, 2021, Defendant shall relocate/reestablish the lift station, lift station electrical panel, underground electric serving the lift station, affiliated irrigation and domestic meters, and any other related incidental items from the Parcel onto Defendant’s remaining property. Further, Defendant must provide Petitioner with a copy of the permit(s) to accomplish this no later than April 30, 2021. Should the Defendant not complete the above-mentioned work by June 1, 2021, then the Petitioner shall be and is hereby entitled to remove or demolish the aforementioned improvements, in which case

the Defendant shall allow the Petitioner and/or its duly authorized representative such access to the Defendant's remaining property as is reasonably necessary to safely accomplish the work, including such access as is required to cut and cap waste/water lines, disconnect sewer, water and/or electric service. Petitioner and/or its duly authorized representative will not restore sewer service to the Defendant's remaining property.

11. On or before May 31, 2021, Defendant shall relocate the backflow preventer(s), affiliated irrigation and domestic meters, and any other related incidental items from the Parcel onto Defendant's remaining property. Furthermore, Defendant must provide Petitioner with a copy of the permit(s) to accomplish this no later than April 30, 2021. Should the Defendant not complete the above-mentioned work by June 1, 2021, then the Petitioner shall be and is hereby entitled to undertake such work, in which case the Defendant shall allow the Petitioner and/or its duly authorized representative such access to the Defendant's remaining property as is reasonably necessary to safely accomplish the work, including such access as is required to temporarily disconnect water and/or electric service. Petitioner and/or its duly authorized representative will restore the remaining lands to a safe and sanitary condition after the relocation of the improvements.
12. On or before May 31, 2021, Defendant shall construct a Type D Inlet and Flume connected to on-site system and any other related incidental items from the Parcel onto Defendant's remaining property. Further, Defendant must provide Petitioner with a copy of the permit(s) to accomplish this no later than April 30, 2021. Should the Defendant not complete the above-mentioned work by June 1, 2021, then the Petitioner shall be and is hereby entitled to undertake such work, in which case the Defendant shall allow the Petitioner and/or its duly authorized representative such access to the Defendant's remaining property as is reasonably necessary to safely accomplish the work, including such access as is required to reconnect Defendant's drainage structures to the roadway drainage system. Petitioner and/or its duly authorized representative will restore the remaining lands to a safe and sanitary condition after the relocation of the improvements.

13. This Order is entered without prejudice to the Defendant's right to jury trial on the amount of full compensation to ultimately be paid for the property acquired herein;
14. The jury shall not be advised that the Defendant stipulated to the taking or joined in a motion for entry of a Stipulated Order of Taking. The fact that a Stipulated Order of Taking was entered in this cause shall not be disclosed to the jury;
15. The Petitioner shall construct its project in substantial conformity with the construction plans attached hereto and incorporated herein as Exhibit "A".

DONE AND ORDERED in chambers, Palm Beach County, West Palm Beach, Florida.



50-2020-CA-006848-XXXX-MB 09/04/2020
James Nutt
Judge

COPIES TO:

1ST CHOICE CONTRACTING LLC	15066 SCOTTS PLACE LOXAHATCHEE, FL 33470	No E-mail Address Available
ANTHONY V. POLICASTRO	28100 US HIGHWAY 19 N SUITE 311 CLEARWATER, FL 33761	TONY@POLICASTROLAW.COM eric@policastrolaw.com
BRENT E. SIMON MR.	No Address Available	Brent@fullcomp.com pleadings@fullcomp.com
KEVIN F. MOOT	3400 WEST COMMERCIAL BOULEVARD FORT LAUDERDALE, FL 33309	KEVIN.MOOT@DOT.STATE.FL.US shalonda.sutton@dot.state.fl.us d4-ogcservice@dot.state.fl.us
NONA DIAMOND DENTAL LLC	3517 SOUTH FEDERAL HWY UNIT G BOYNTON BEACH, FL 33435	No E-mail Address Available
ORFELIA M MAYOR	No Address Available	omayor@pbctax.com legalservices@pbctax.com
PALM BEACH COUNTY	301 NORTH OLIVE AVENUE 3RD FLOOR	No E-mail Address Available

PAUL D. BAIN	WEST PALM BEACH, FL 33401 101 E KENNEDY BLVD SUITE 2700 TAMPA, FL 33602	PBAIN@TRENAM.COM
RENAISSANCE HEATH INSTITUTE LLC	6802 ALISO AVENUE WEST PALM BEACH, FL 33413	No E-mail Address Available
TD BANK NATIONAL ASSOCIATION	1201 HAYS STREET TALLAHASSEE, FL 32301	No E-mail Address Available

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION,

CIVIL ACTION NO.: 502020CA006848XXXXMB
Parcel No(s): 110

Petitioner,

-vs-

MY INCENTIVE, LLC
a Florida limited liability company, et al.,

Defendants.

JOINT MOTION

Petitioner, STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION and
Defendant, My Incentive, LLC, together move for entry of the foregoing **Stipulated Order of
Taking**, this third day of September, 2020. The undersigned counsel are authorized to enter into
this Joint Motion.

Florida Department of Transportation

My Incentive, LLC

/s/ Kevin F. Moot
Kevin F Moot, Esq.
Attorney for Petitioner
Florida Bar No. 0044667
Florida Department of Transportation
3400 West Commercial Blvd.
Fort Lauderdale, FL 33309
Phone: 954-777-4509
Fax: 954-777-4528
D4-ogcservice@dot.state.fl.us
kevin.moot@dot.state.fl.us

/s/ Anthony V. Policastro
Anthony V. Policastro
Attorney for Defendant
Florida Bar No. 0937932
Policastro Law Group
28100 US Highway 19 N. Suite 311
Clearwater, FL 33761
Phone: 727-475-1988
tony@policastrolaw.com
eric@policastrolaw.com

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

CONTRACT PLANS

FINANCIAL PROJECT ID 437878-1-52-01

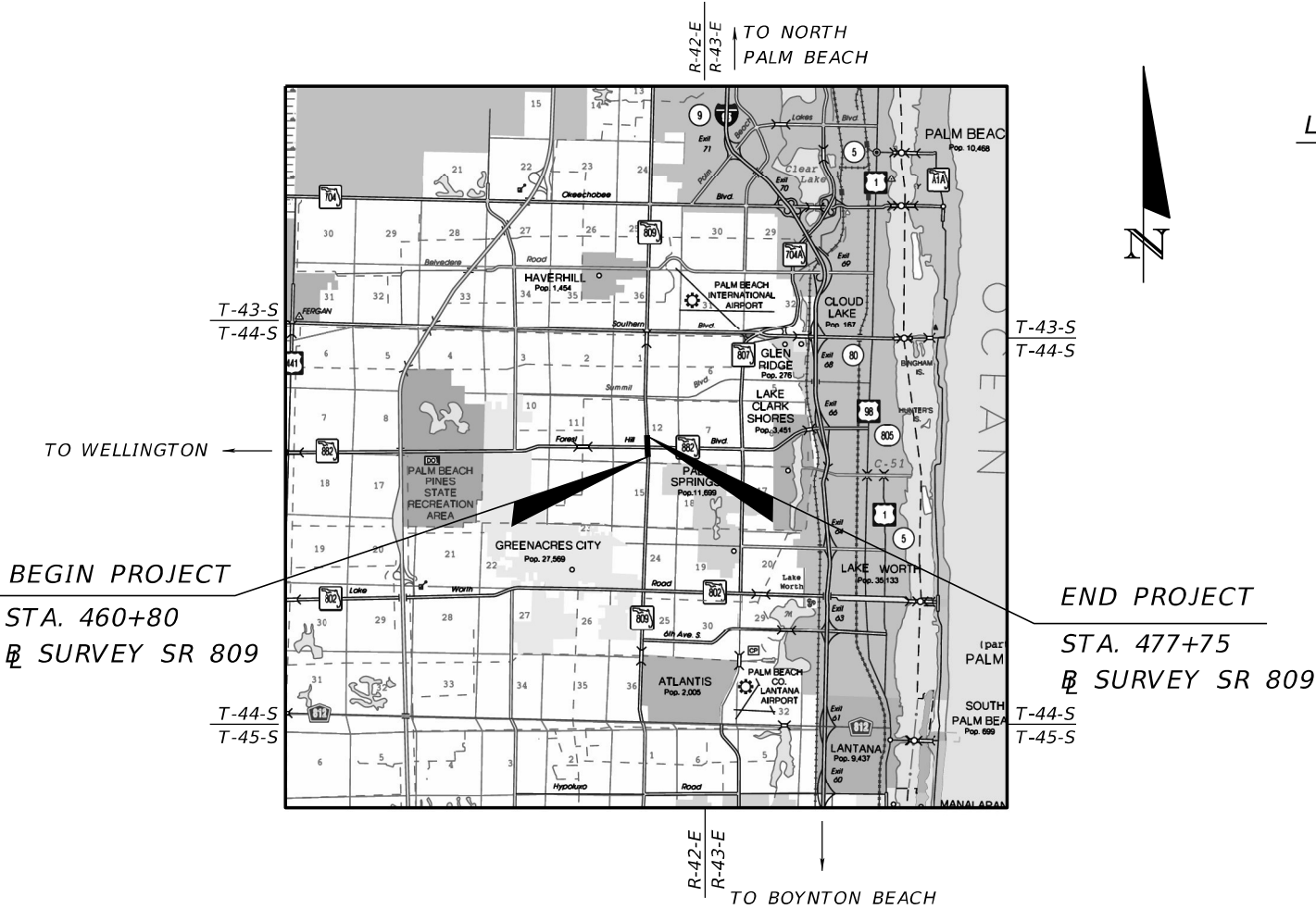
PALM BEACH COUNTY (93070)

STATE ROAD NO. 809

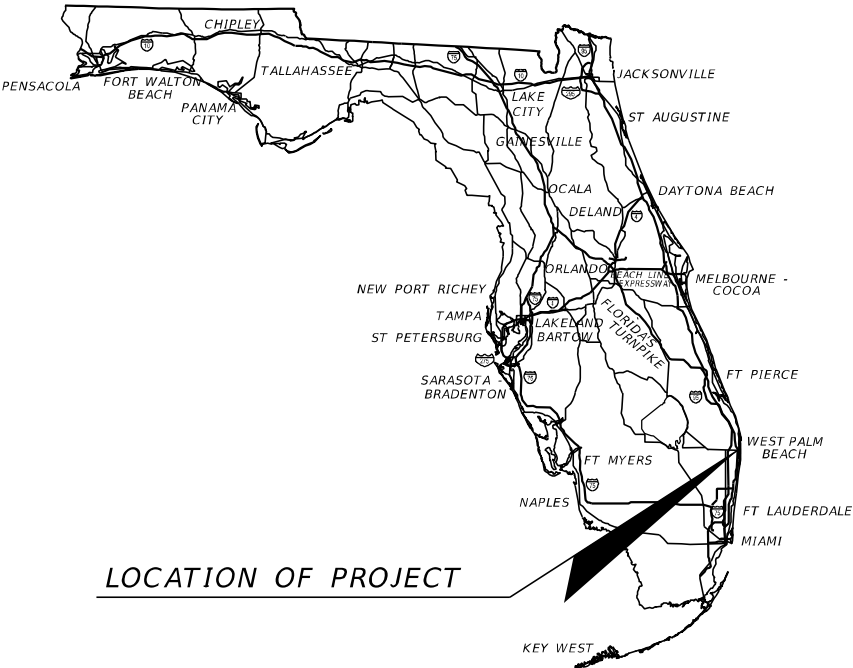
MILITARY TRAIL AT FOREST HILL BOULEVARD INTERSECTION IMPROVEMENTS

INDEX OF ROADWAY PLANS

SHEET NO.	SHEET DESCRIPTION
1	KEY SHEET
2	TYPICAL SECTION
3 - 4	ROADWAY PLAN
5 - 8	ROADWAY PROFILES
9 - 10	CROSS SECTIONS
11 - 12	SIGNING AND PAVEMENT MARKINGS



PARCEL 110



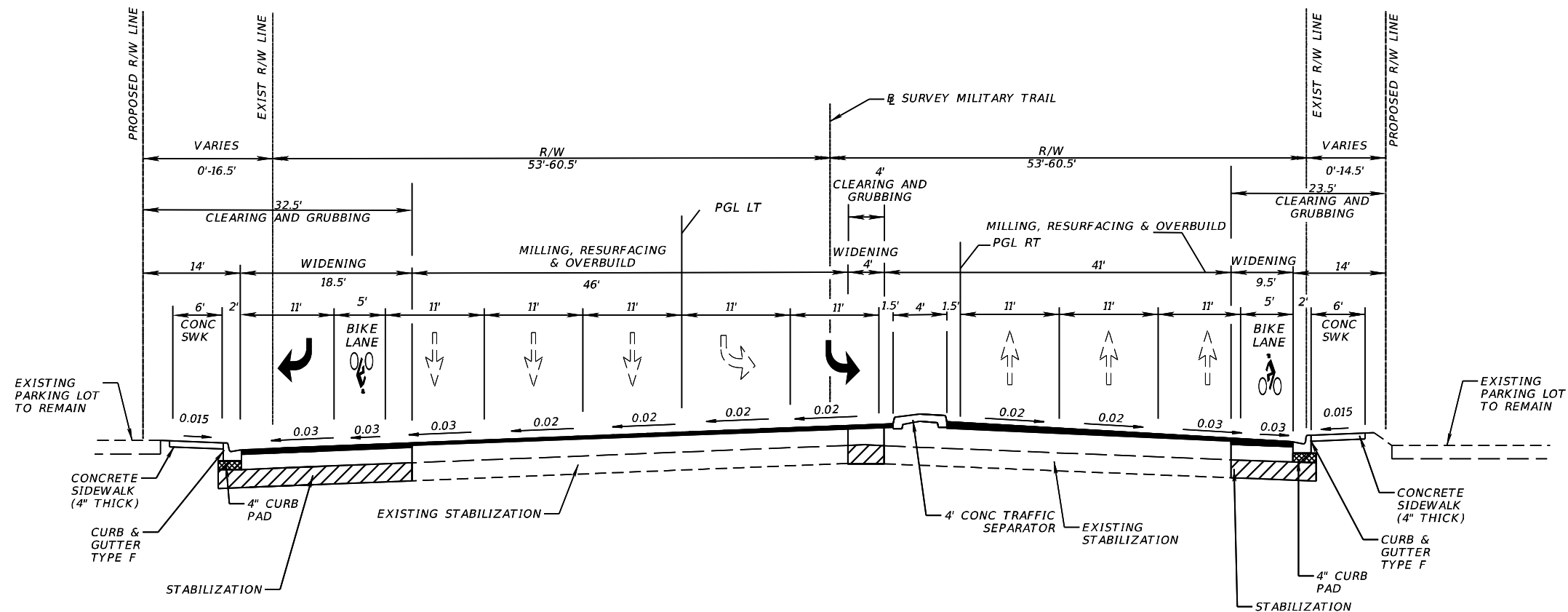
ROADWAY PLANS
ENGINEER OF RECORD:

SCOTT THURMAN, P.E.
P.E. N.O.: 72240
FDOT DISTRICT IV
3400 WEST COMMERCIAL BLVD.
FORT LAUDERDALE, FL 33309

FDOT PROJECT MANAGER:

SCOTT THURMAN, P.E.

CONSTRUCTION CONTRACT NO.	FISCAL YEAR	SHEET NO.
T.B.D.	21	1



TYPICAL SECTION
SR 809 (MILITARY TRAIL NORTH OF INTERSECTION)
STA. 471+64.80 TO STA. 474+53.37
MP 22.709 TO MP 22.774
DESIGN SPEED = 40 MPH

MILLING

MILL EXISTING ASPHALT CONCRET PAVEMENT
1.0 INCHES AVERAGE DEPTH

RESURFACING

FRICTION COURSE FC-9.5 (1) (PG 76-22)

WIDENING

OPTIONAL BASE GROUP 9 WITH
TYPE SP STRUCTURAL COURSE (TRAFFIC C) (3")
AND FRICTION COURSE FC-9.5 (1) (PG 76-22)

OVERBUILD FOR SLOPE

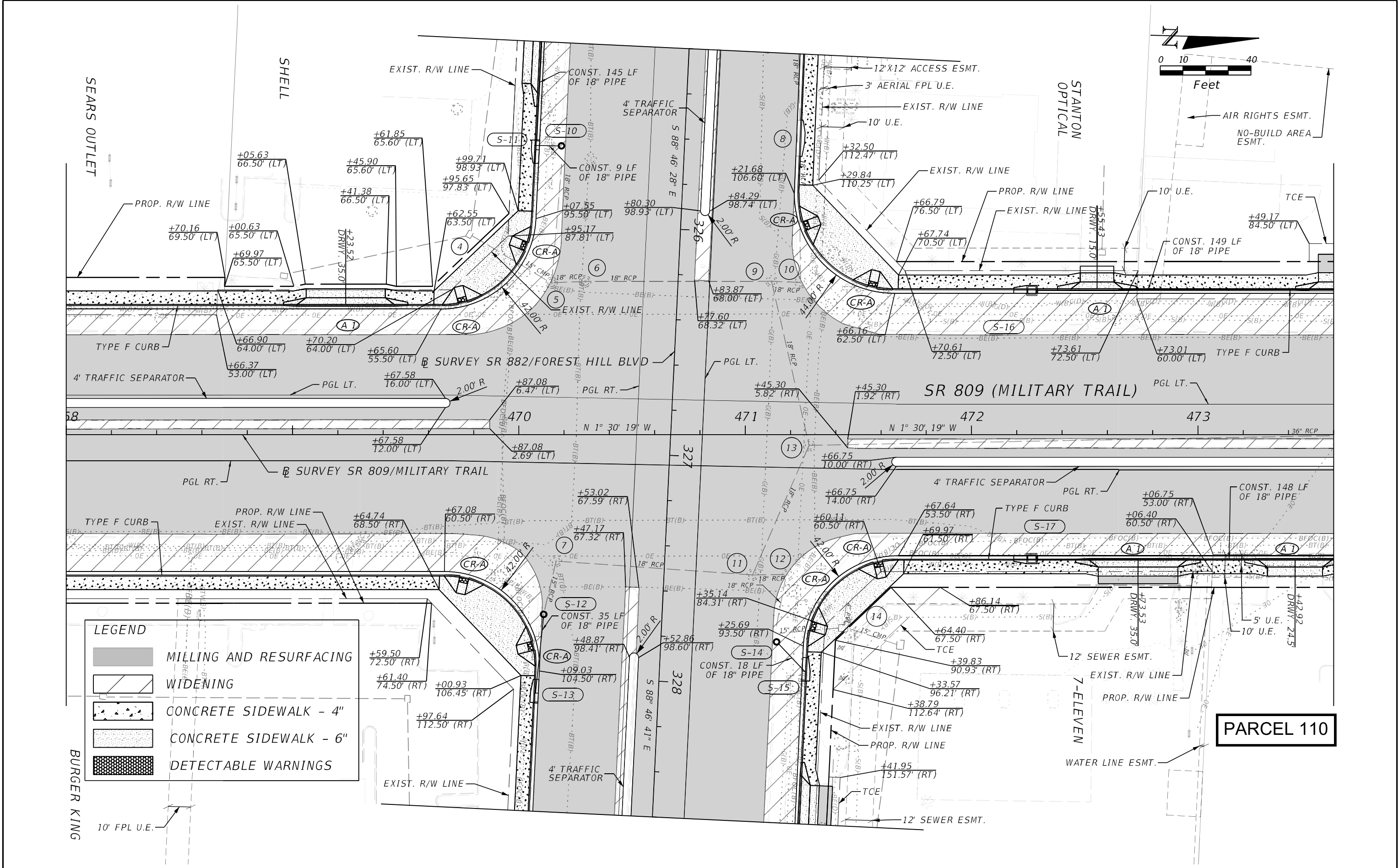
TYPE SP OVERBUILD (TRAFFIC C) THICKNESS VARIES ($\frac{3}{8}$ " TO $1\frac{1}{2}$ ")

TRAFFIC DATA

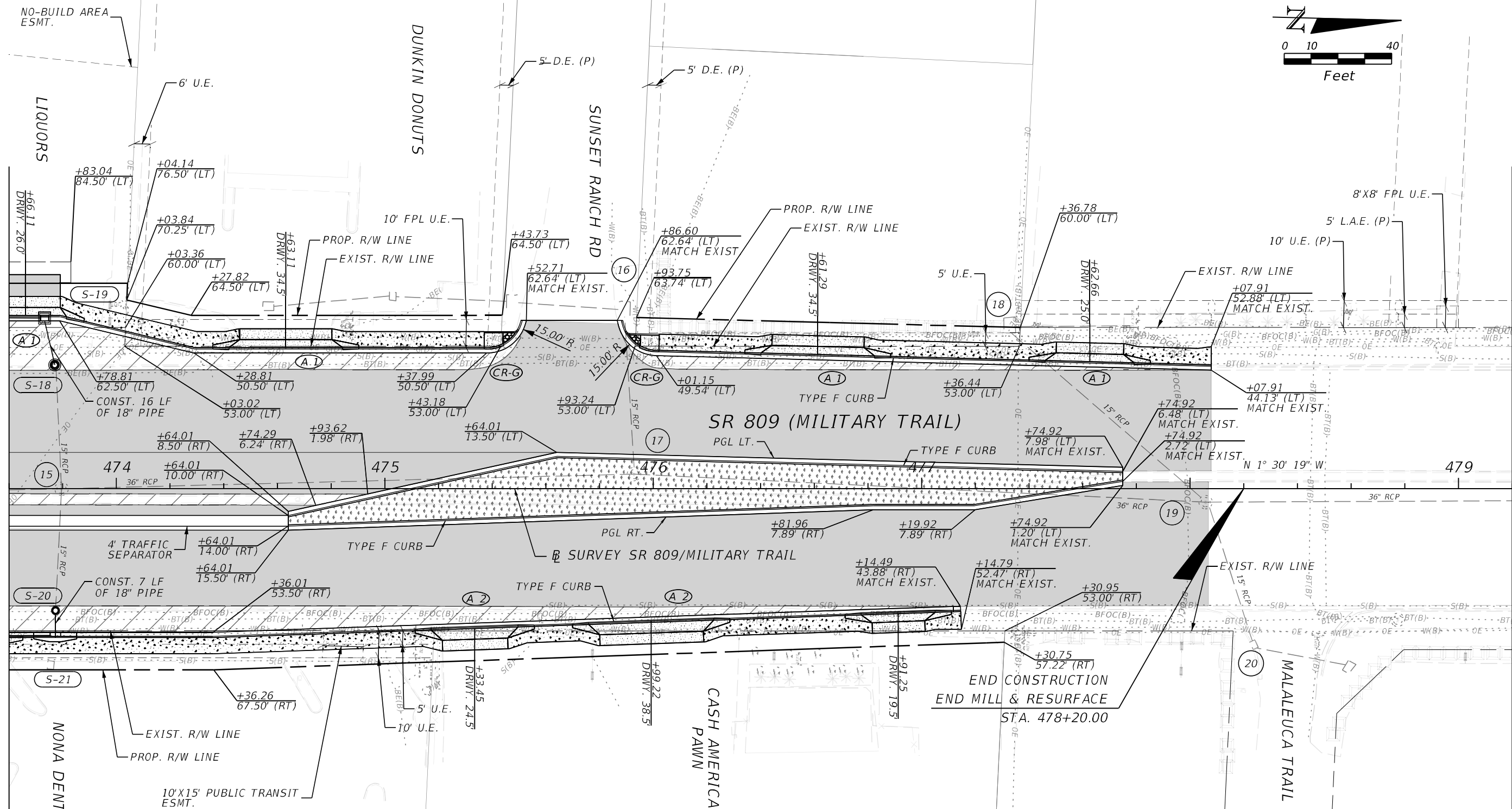
STA. 471+64.80 TO STA. 474+53.37

CURRENT YEAR ESTIMATE = 2018 AADT = 42,900
OPENING YEAR ESTIMATE = 2022 AADT = 46,800
DESIGN YEAR ESTIMATE = 2042 AADT = 66,000
K = 9% D = 60.6% T = 4.9% (24 HOUR)
DESIGN SPEED = 40 MPH
POSTED SPEED = 40 MPH

REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W COMMERCIAL BLVD FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			TYPICAL SECTION	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		2



REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W. COMMERCIAL BLVD. FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			ROADWAY PLANS	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		3

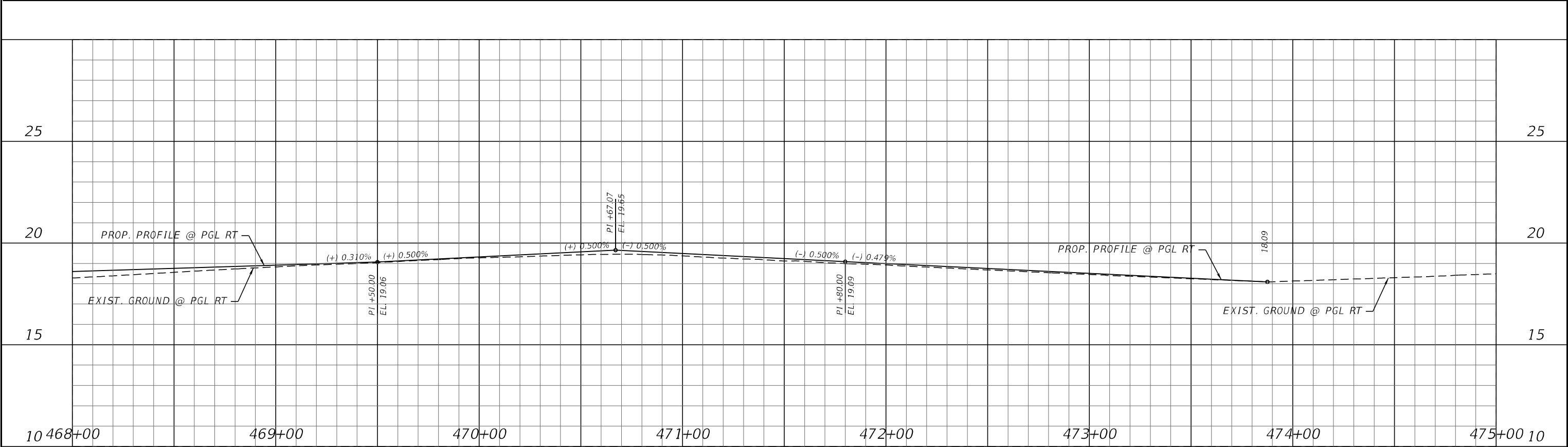
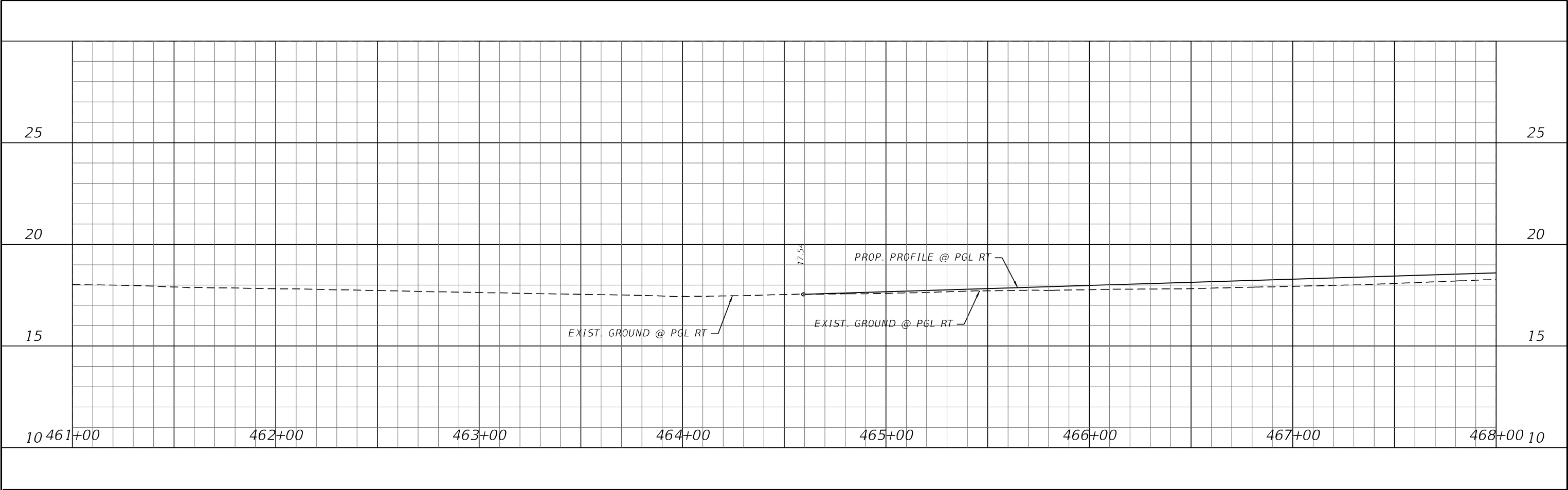


PARCEL 110

LEGEND

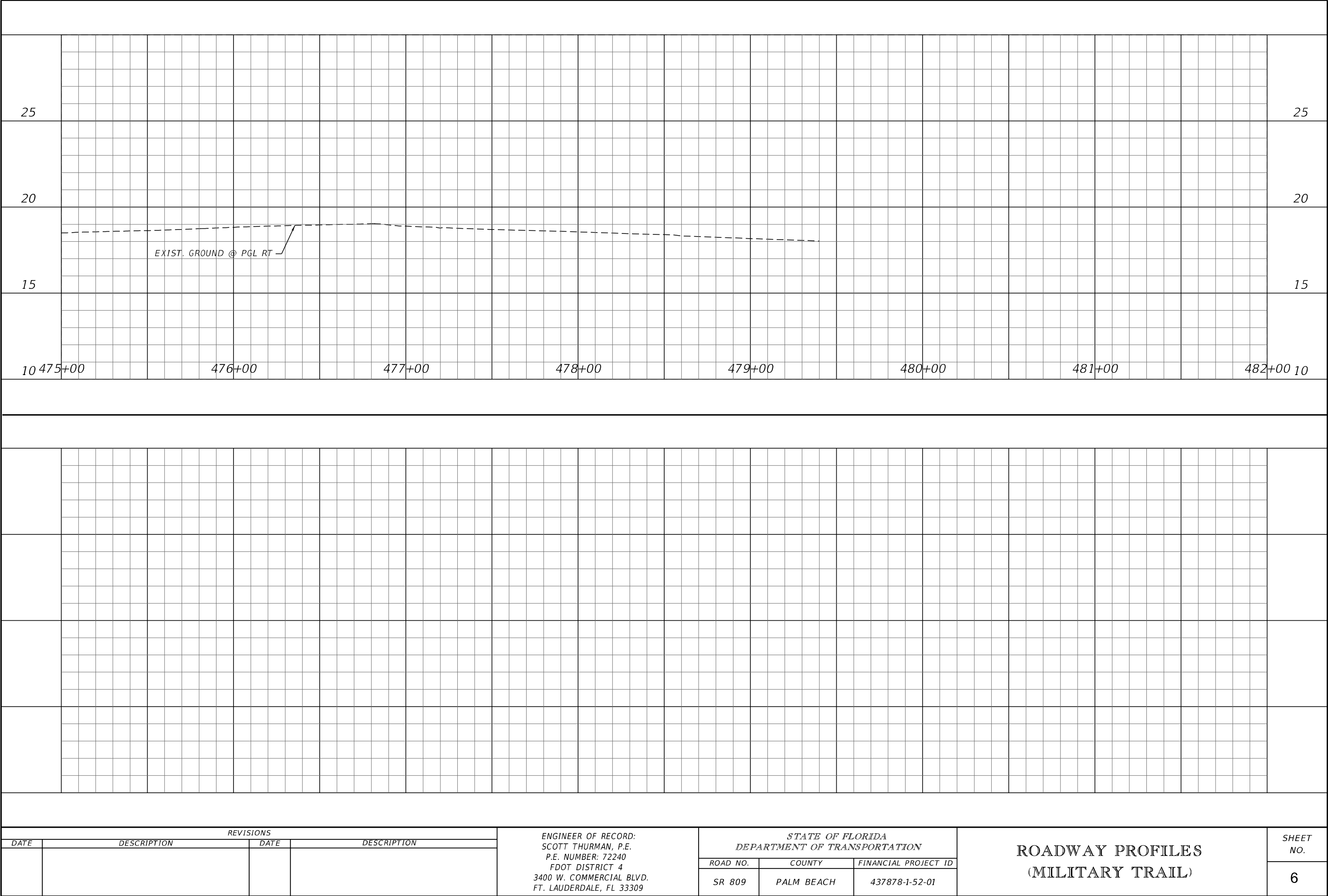
	MILLING AND RESURFACING		DETECTABLE WARNINGS
	WIDENING		SOD
	CONCRETE SIDEWALK - 4"		
	CONCRETE SIDEWALK - 6"		

REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W. COMMERCIAL BLVD. FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			ROADWAY PLANS	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		4

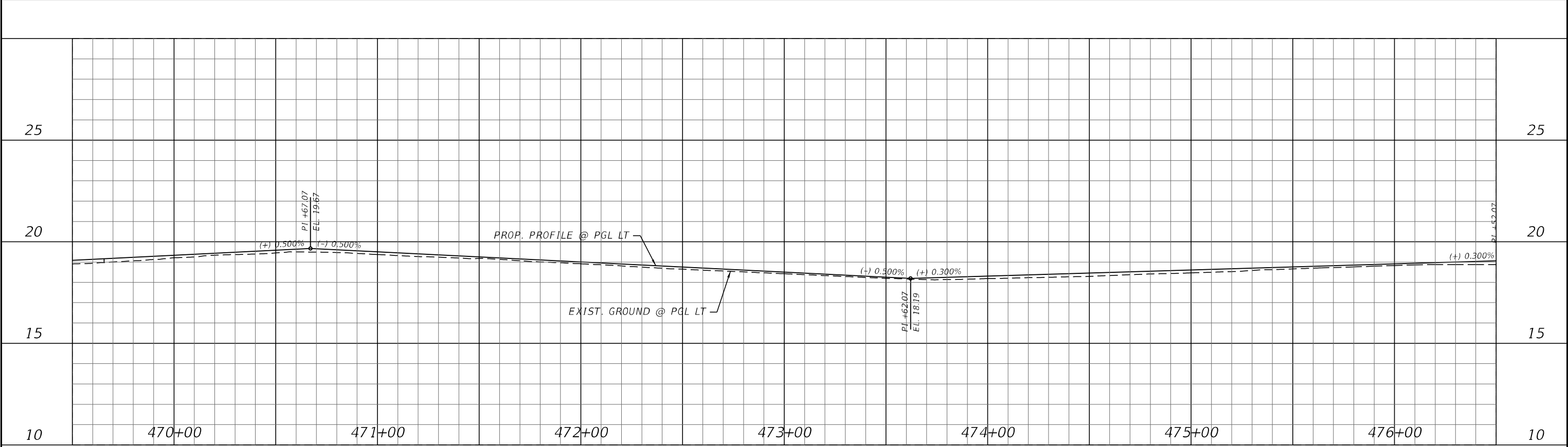
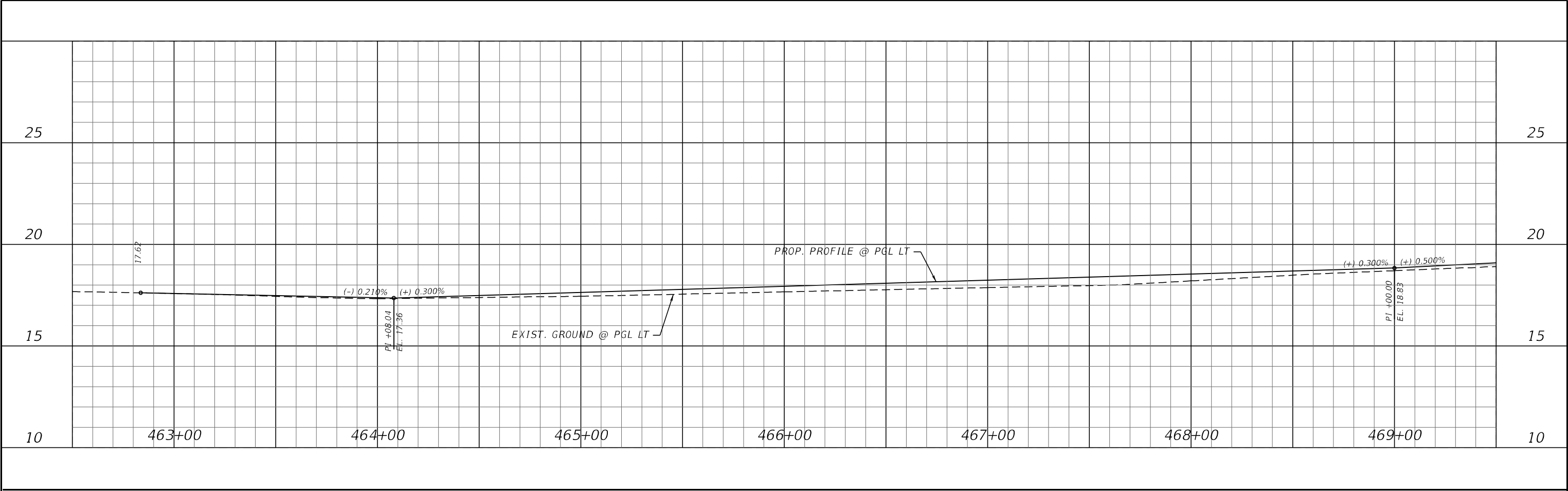


REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W. COMMERCIAL BLVD. FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			ROADWAY PROFILES (MILITARY TRAIL)	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		5

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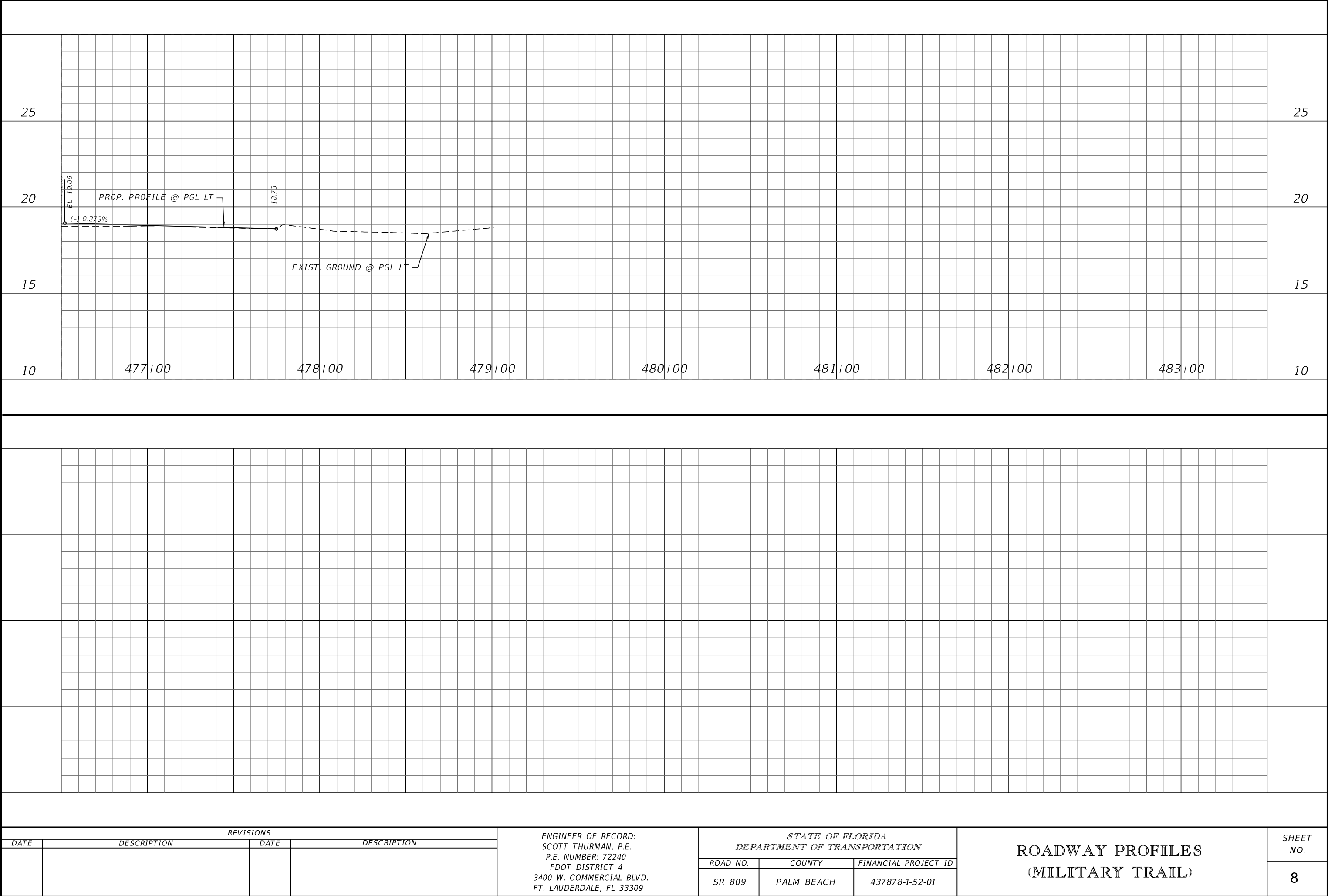


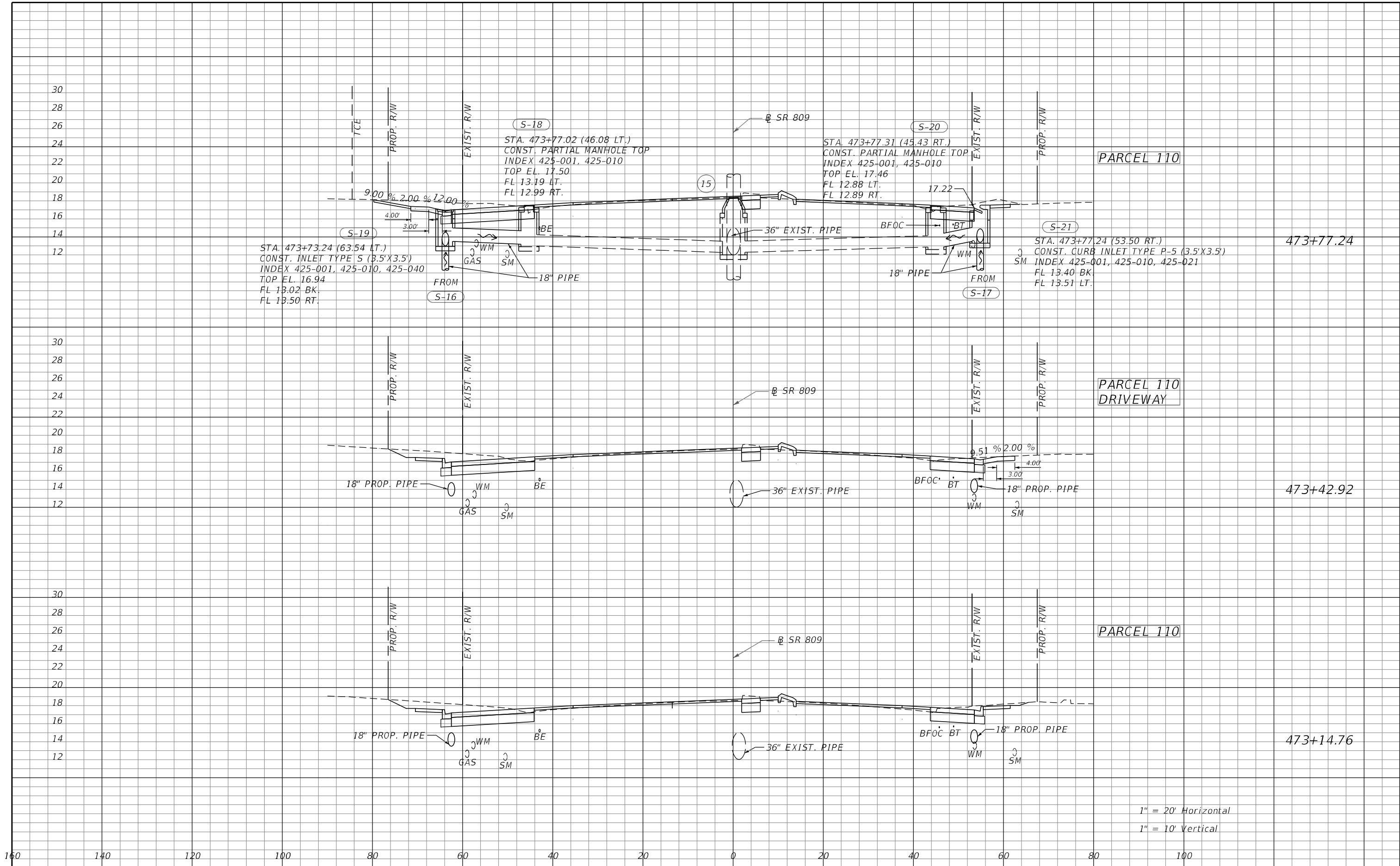
THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



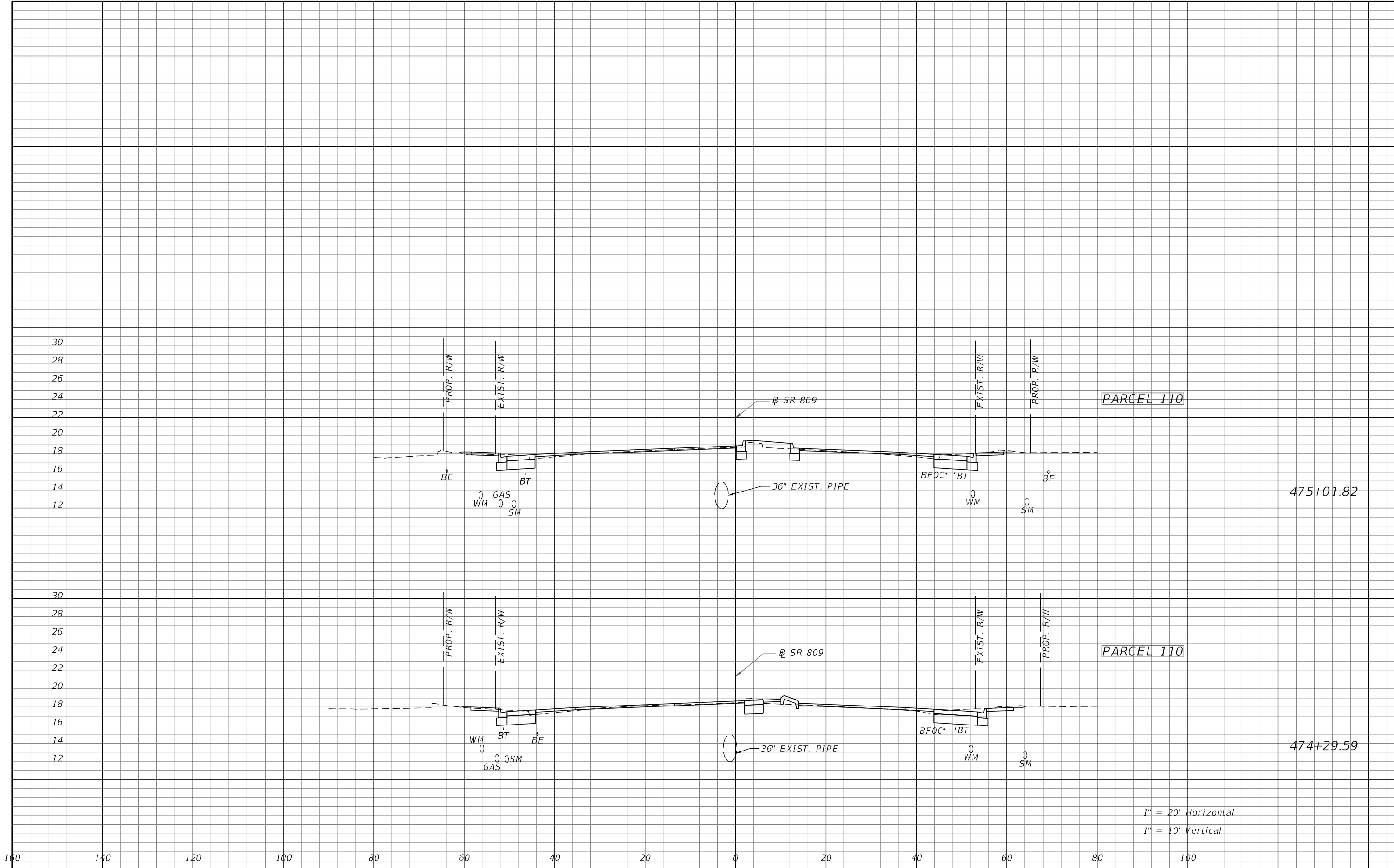
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DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		7
					SR 809	PALM BEACH	437878-1-52-01		

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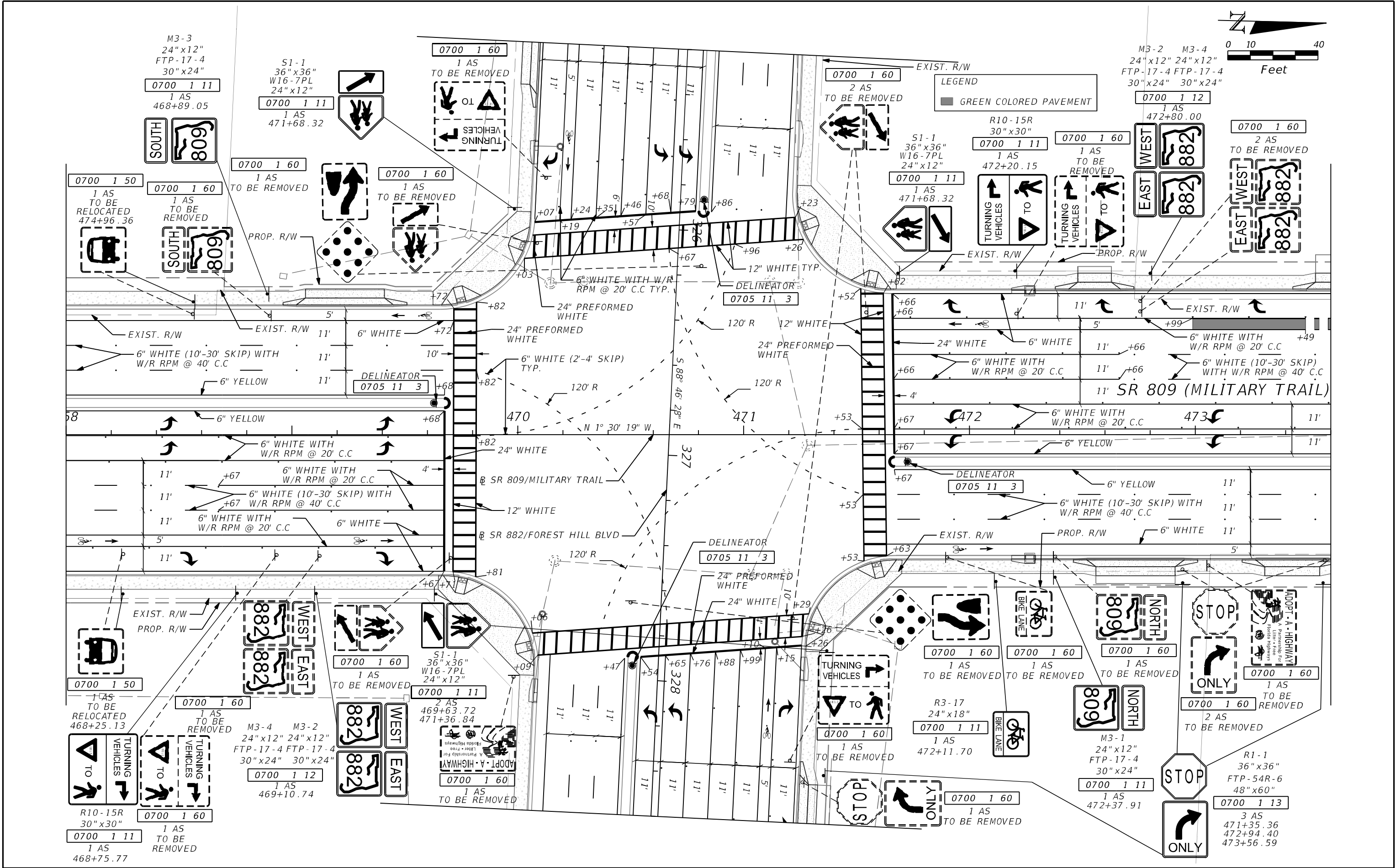
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DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		



1" = 20' Horizontal
1" = 10' Vertical

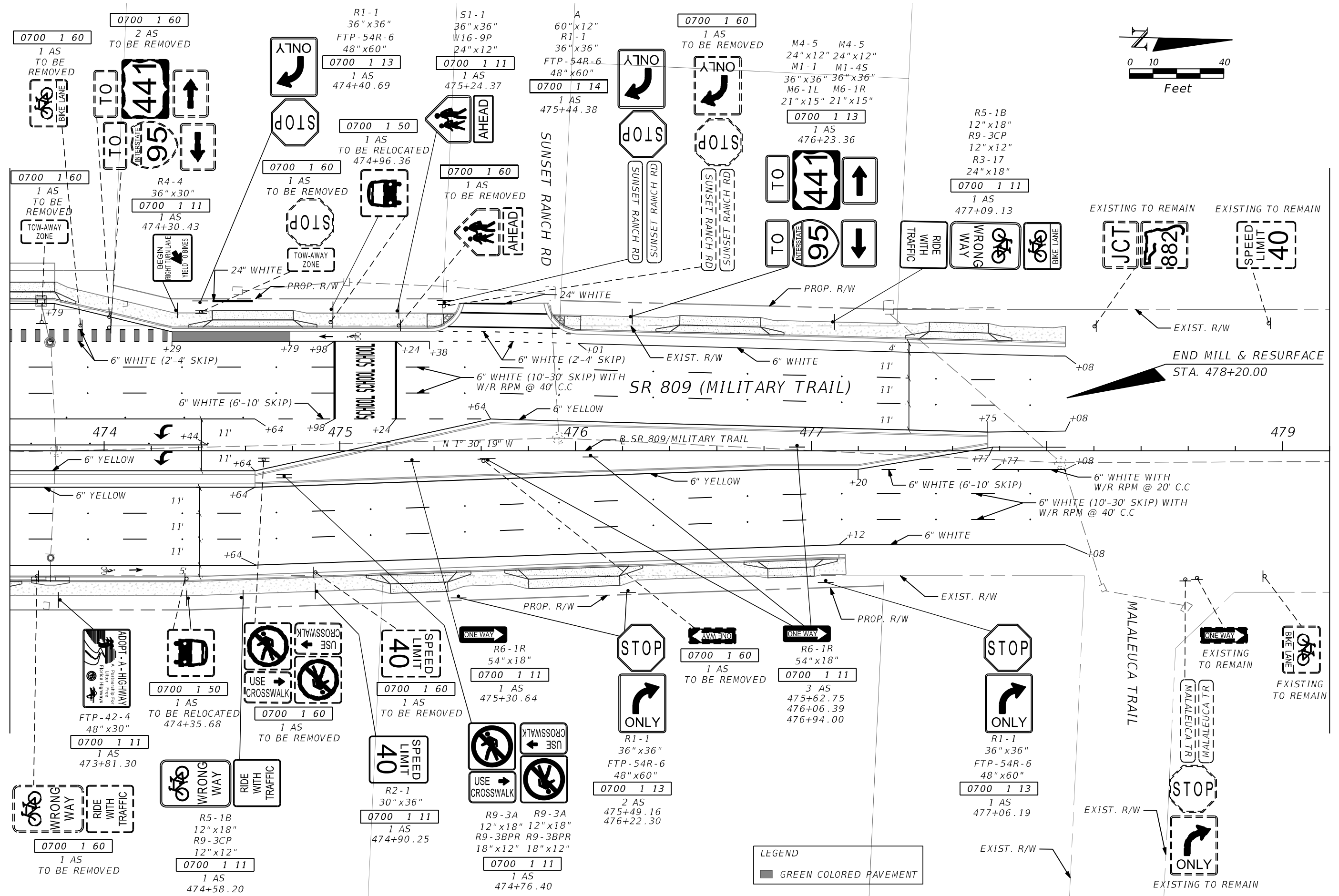
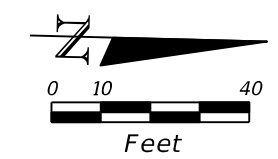
REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W. COMMERCIAL BLVD. FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			CROSS SECTION PARCEL 110	SHEET NO. 10
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		

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REVISIONS				ENGINEER OF RECORD: SCOTT THURMAN, P.E. P.E. NUMBER: 72240 FDOT DISTRICT 4 3400 W. COMMERCIAL BLVD. FT. LAUDERDALE, FL 33309	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			SIGNING AND PAVEMENT MARKINGS	SHEET NO. 11
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		

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LEGEND
■ GREEN COLORED PAVEMENT

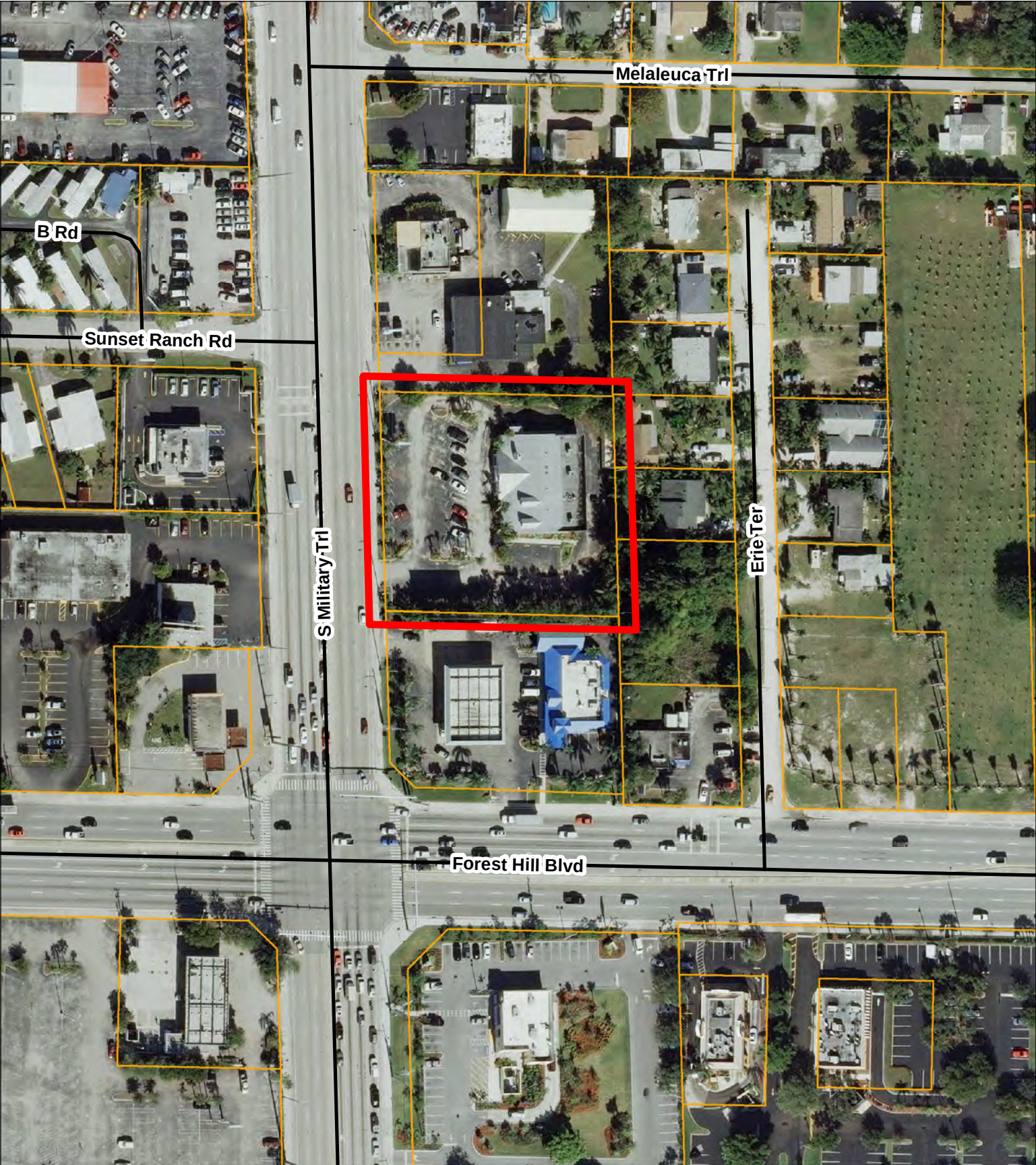
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DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 809	PALM BEACH	437878-1-52-01		

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VILLAGE OF PALM SPRINGS

Legend Plaza - 1696 S Military Trail



 Parcels

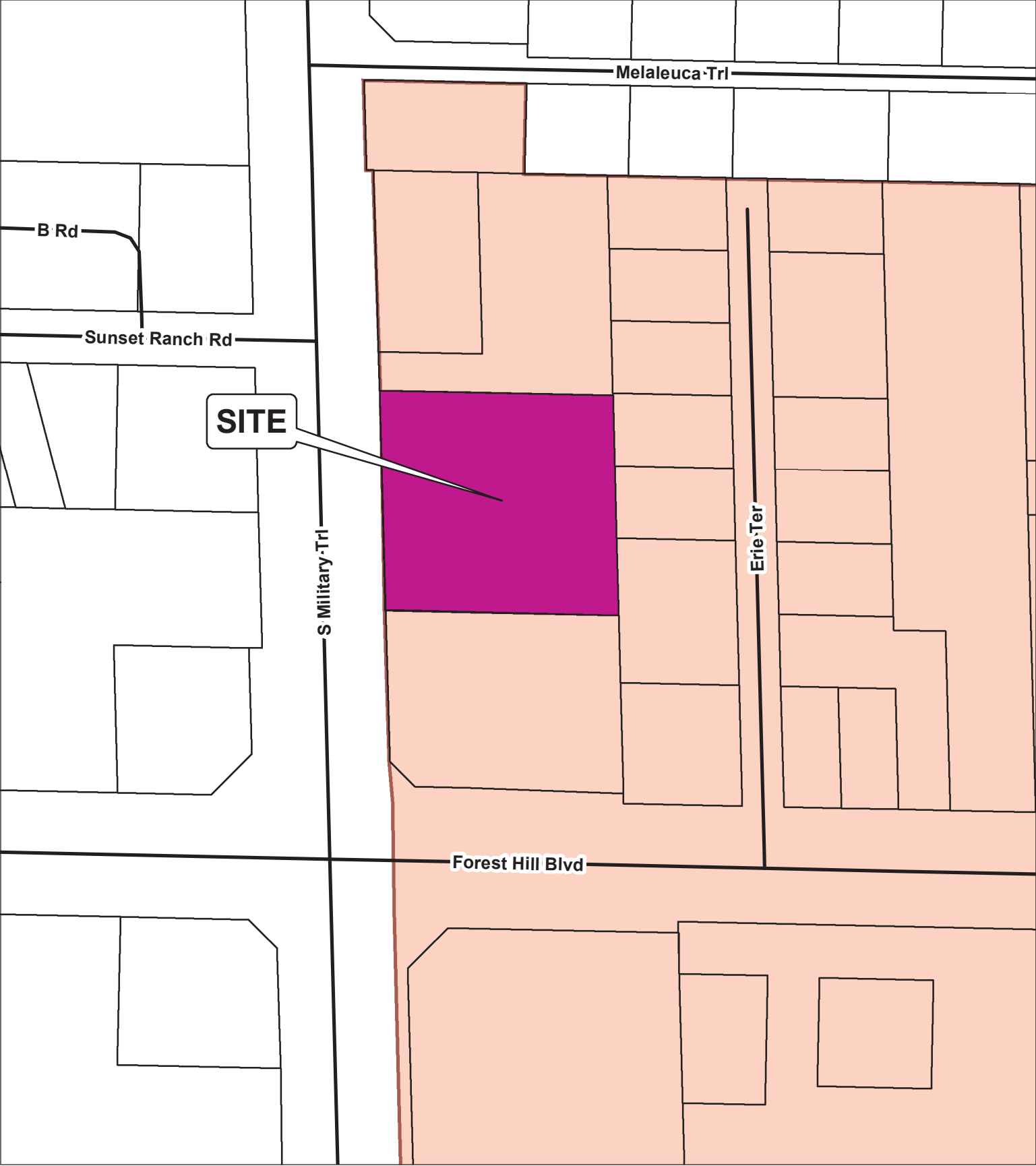
0 50 100 200 Feet

DATE: 7/27/2021



VILLAGE OF PALM SPRINGS

Legend Plaza - 1696 S Military Trail



-  Inspiration House
-  Village Limits

0 50 100 200 Feet

DATE: 6/27/2021





Village of Palm Springs

Executive Brief

AGENDA DATE: August 10, 2021

DEPARTMENT: Planning, Zoning & Building

ITEM 6.4: Ordinance No. 2021-08 - Village Code Amendment - Chapter 34 - Administration - Building Design and Architectural Review

SUMMARY:

The Planning, Zoning & Building department is requesting an amendment to the Village Code - Chapter 34 - to add a new enumeration (14) under subsection (d) "Powers and Duties" to formally assign architectural review authority to the Planning & Zoning Board as the Village of Palm Springs Design and Architectural Review Board.

The Planning & Zoning Board is already performing this function with respect to review of proposed development projects' building design elements for consistency with the Village's adopted building design guidelines (Section 34-1366). The proposed ordinance clarifies this authority.

The proposed ordinance was prepared by the Village Attorney and reviewed by the Planning, Zoning & Building Director and Assistant Village Manager.

The proposed ordinance will be considered by the Village Council on August 26, 2021 and if approved on 1st reading, the proposed ordinance will be considered for 2nd and final reading by the Village Council on September 8, 2021.

FISCAL IMPACT:

The proposed ordinance does not have a direct fiscal impact to the Village.

ATTACHMENTS:

Proposed Ordinance No.2021-08 - Design and Architectural Review Board
Village Code Section 34-1366 - Building Design Guidelines

ORDINANCE NO. 2021-__

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA,
AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 34
“LAND DEVELOPMENT”, ARTICLE VI “LAND USE”, DIVISION 2
“ADMINISTRATION” TO PROVIDE FOR THE PLANNING AND ZONING
BOARD TO SERVE AS THE DESIGN AND ARCHITECTURAL REVIEW
BOARD; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING
ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Village of Palm Springs (“Village”) is authorized to regulate land development within its corporate limits in order to promote the public health, safety and welfare; and

WHEREAS, such regulation may include setting standards for building design elements; and

WHEREAS, the Village Council (“Council”) desires to ensure due process for applicants with respect to compliance with building design elements; and

WHEREAS, the Council has determined that the Village Planning and Zoning Board is well suited to serve as the Design and Architectural Review Board for the Village; and

WHEREAS, the Council therefore desires to amend the Village’s Land Development Code, Chapter 34, Article VI, to provide for the Design and Architectural Review Board; and

WHEREAS, the Village Council has reviewed the recommended ordinance and has determined that it is in the best interests and general welfare of the Village to adopt this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The foregoing recitals are incorporated herein as true and correct findings of fact of the Village Council and serve as a basis for adoption of this Ordinance.

Section 2. Chapter 34 “Land Development”, Article VI “Land Use”, Division 2 “Administration”, Section 602, “Planning and Zoning Board” Subsection (d), “Powers and Duties” is hereby amended by adding sub-subsection (14) as follows (words stricken are deletions; words underlined are additions):

:

(d) *Power and duties.* The Planning and Zoning Board shall have the authority and duty to consider and make recommendations upon applications submitted for district boundary changes, special exceptions, land development district changes amendments) and others set forth in this section after first considering the recommendations thereon of the Village Manager or his Representative, and after a determination of the fact that the application would not generate excessive noise or traffic; tend to create a fire, disease or other equally or greater dangerous hazard; provoke excessive crowding or over concentration of people; be in harmony and compatible with the present and future developments of the area concerned; provide for the appropriate use of land and water; provide light and air in amounts adequate to promote the health of the community; promote such a distribution of population and such a classification of land uses, development and utilization as will tend to facilitate and provide adequate provisions for public requirements and improvements; would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas; and would not be adverse to the promotion of the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare. The Planning and Zoning Board's duties shall also include the following:

- (1) Hear applications for district boundary changes.
- (2) Hear applications for changes in the regulations.
- (3) Hear applications for special exceptions permitted by this article.
- (4) Acquire, maintain, and update basic data, statistics, charts, maps and any other information necessary to accurately depict and record existing conditions for the purpose of analyzing, interpreting and projecting trends and future potentialities with respect to population, economic base, property values, building construction, tourist and traffic impact, transportation, housing, public facilities, utilities, recreation and land use of the Village and related area.
- (5) Recommend principles and policies for guiding action in the development of the area.
- (6) Conduct public hearings, as required, to gather information necessary for the drafting, establishment and maintenance of the comprehensive plan and any additional public hearings that are specified and required by other ordinances.
- (7) Make or cause to be made, any special studies related to the adequacy of public related facilities in the area.
- (8) Review, pass upon and recommend to the Village Council all preliminary plats for the subdivision of land within the Village and

recommend subdivision regulations and subsequent amendments thereto to the Village Council.

(9) Review and make recommendations to the Village Council on all acquisitions of property for public purposes, all sales or dispositions of public property and all allocations or changes of use of public property.

(10) Conduct all public hearings necessary for the proper performance of its duties as may be assigned to the Planning and Zoning Board by the Village Council or the terms of this article.

(11) Hear applications for variances from the Village's land development code.

(12) Hear appeals from decisions of the Planning, Zoning and Building Director that relate to the Village's land development code.

(13) Hear applications for minor site plans. For the purposes of this subsection, the term "minor site plan" means one in which the requested approval or revision involves: a. Residential projects of three to five dwelling units b. Nonresidential projects, including change of use requests, not exceeding 3,000 square feet in floor area, or c. Site plan amendments affecting less than 10,000 square feet of floor area.

(14) Serve as the Village of Palm Springs Design and Architectural Review Board with respect to compliance with building design elements and consistent with section 34-1366, where applicable. For the purposes of this section, "building design elements" shall include any current or subsequently adopted regulations concerning external building color; the type or style of exterior cladding material; the style or material of roof structures or porches; the exterior non-structural architectural ornamentation; the location or architectural styling of windows or doors; the location or orientation of the garage; the number and type of rooms; and the interior layout of rooms.

Section 3. Applicability. This ordinance shall apply to all applications for development in the Village of Palm Springs, Florida, submitted on or after the effective date of this ordinance.

Section 4. Codification. It is the intent of the Village Council that the provisions of this ordinance shall become and be made a part of the Village of Palm Springs Code of Ordinances, and that the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof,

other than the part so declared.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEVEVERLY SMITH, MAYOR	☐	☐	☐
GARY READY, VICE MAYOR	☐	☐	☐
DOUG GUNTHER, MAYOR PRO TEM	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐
JONI BRINKMAN, COUNCIL MEMBER	☐	☐	☐

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the ____ day of _____, 2021.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEVERLY SMITH, MAYOR

First Reading: _____

Second Reading: _____

ATTEST:

BY: _____
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____

GLEN J. TORCIVIA, VILLAGE ATTORNEY

Sec. 34-1366. - Building design guidelines.

These guidelines are intended to help secure a high quality of environment, regarding livability, visual interest, identity and sense of place in Palm Springs' commercial and multifamily districts by providing guidance for the design of new buildings. These guidelines are intended to focus on the characteristics of architectural compatibility and leave individual property owners and developers the maximum flexibility to build to meet their own needs and objectives.

(1) *General design.*

- a. *General design.* Buildings shall be designed to be compatible with the surrounding environment, both manmade and natural. A building shall provide a positive impact on the surrounding environment.
- b. *Visible façades.* All building facades visible from public rights-of-way and adjacent properties shall be designed to create a harmonious effect with its surroundings. This should not be construed as creating look-alike buildings. Harmony shall be achieved through the proper use of scale, proportions, form, materials, texture, and color.
- c. *Unity of character and design.* Buildings or structures which are part of an existing or future complex shall have a unity of character and design.
- d. *Design character.* The design character of buildings shall be such that it is aesthetically pleasing and without cluttered forms having no apparent system of organization.
- e. *Building materials and color.* Building materials and color selection shall achieve visual order through the consistent use of compatible color palettes.
- f. *Building elevations.* All building elevations shall be treated equally as if all sides were the front of the building. This requirement includes but is not limited to architectural elements, facade treatment, and landscaping.

(2) *Building forms and colors.* Buildings and structures which use symbolic forms and colors, with the exception of those features protected by F.S. § 553.79(20)(a)1, and which have a negative impact on the visual environment of the area, as determined by the land development director, land development board, or village council, shall not be permitted.

(3) *Architectural detail.* Architectural design shall prohibit large expanses of blank walls with limited or no windows or architectural embellishments. Building massing should be varied to break up long unadorned expanses of façade and to create visual interest through shade and shadow. Exterior facades should incorporate vertical treatments and elements to break up the horizontal wall, visually reduce the massive bulk and the uniform appearance.

(4) *Building scale and height.* In general, building should relate in scale and proportion to other buildings in the area. Buildings of different sizes can be made architecturally compatible through skillful design that might include transitional massing element, cornice lines and other treatments to coordinate the line of the lower building to the taller one.

(5) *Roof treatments.*

- a. Roof design treatments and features should be incorporated to provide interest and an appropriate sense of scale and mass. Rooflines should include changes in roof edge treatment and/or parapet treatment. Sufficient variation should be provided to provide noticeable change in apparent roof height from the dominant roof height.
- b. Gabled, hipped and shed roof types most frequently used in residential settings, should be accompanied with dormers, deep eaves, overhangs, and changes in pitch orientation to reduce building bulk.

(6) *Roof overhangs.* Unless specifically designed otherwise, roof overhangs including mansard roof overhangs shall wrap around the building so that there is visual continuity around the entire building.

- (7) *Roof penetrations.* All penetrations, except for chimneys, but including plumbing vents, exhaust vents, pipes and flues, must be located on the least visible side and painted to match the sloped roof.
- (8) *Mechanical equipment screening.* The highest portion of mechanical equipment, such as backflow preventers, meters and valves for public utilities operations, satellite antennas, heating and ventilating, air-conditioning, or other utility hardware on roofs, ground, or buildings shall be installed at or below the lowest elevation or level of screening materials. Materials used for screening purposes shall be compatible with the architectural style, color, and materials of the principal building. This equipment shall be located so as not to be visible from any street or adjoining property. Landscape screening must include a dense planting or earth berming or both.
- (9) *Gutters and down spouts.* Gutters and down spouts shall be painted to match the surface to which they are attached. Gutters and down spouts may, however, be painted in such a way so as to become a design element if the color is consistent with the color scheme of the building.
- (10) *Service yards, storage yards, and loading docks.* All refuse and waste containers, recycling or compacting containers, dumpsters, oil tanks, bottled gas tanks, service yards, storage yards, and loading docks shall be located in the rear or side yard. All such service equipment and service areas shall be screened from view from any street or adjoining property by means of a wall, landscaping, or other methods approved by the city council.
- (11) *Mailboxes.* Mailboxes, including special drop boxes, may be clustered within buildings, grouped under a kiosk, or individually freestanding. In all cases, the design and installation of mailboxes shall comply with the standards listed below.
 - a. *Approval.* Mail boxes shall be approved by the land development director, land development board or village council and the U.S. Postal Service as to size, type, and location.
 - b. *Design and landscaping.* Mail boxes shall be landscaped consistent with and architecturally compatible to the development.
- (12) *Applicability.* These building design guidelines shall apply to all new construction projects for nonresidential uses in excess of 3,000 square feet of the gross floor area of the structure and to multi-family residential projects comprised of more than six dwelling units. Renovation construction projects are encouraged to comply with these standards.

([Ord. No. 2017-13, § 2\(34-1365\), 6-8-2017](#))

Editor's note— [Ord. No. 2017-13](#), adopted June 8, 2017, added provisions to be designated as § 34-1365. Inasmuch as there already exists a § 34-1365, said new provisions have been redesignated as § 34-1366 by the editor.