



AGENDA
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
JUNE 13, 2023 AT 6:30 PM

Johnnie Tieche, Chairman
Richard Hughes, Vice-Chairman
Ralph Lashells, Board Member
Vacant, Jr. Alternate

Peter Braun, Board Member
Kim Gehrman, Board Member
Vacant, Sr. Alternate

ADMINISTRATION

Planning, Zoning, and Building Director, Iramis Cabrera Deputy Village Clerk Jane R. Worth
Village Attorney Susan Garrett

If you need accommodation to attend or participate in this meeting should contact the office of the Village Clerk at (561) 584-8200 at least three (3) business days before the event to request such assistance.

CALL TO ORDER

ROLL CALL

Chairman Johnnie Tieche
Vice Chairman Richard Hughes
Ralph Lashells
Peter Braun
Kim Gehrman
Vacant, Sr. Alternate
Vacancy, Jr. Alternate

PZ&B Director, Iramis Cabrera
PZ&B Planner, Christian Melendez-Berrios
Village Attorney Susan Garrett
Deputy Village Clerk Jane R. Worth

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.

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

APPROVAL OF MINUTES

ORDER OF BUSINESS

REGULAR AGENDA

PUBLIC HEARINGS

2. **Site Plan Amendment (SPR23-05) and Special Exception Use (PSSE23-02) - St. Luke's Catholic Church - 2892 South Congress Avenue:** Motion to recommend approval to Village Council of an application from Insite Studio, agent for The Most Reverend Gerald M. Barbarito, D.D., J.C.L., Bishop of the Diocese of Palm Beach, Owner, for a Site Plan Amendment (SPR23-05) and Special Exception (PSSE23-02), to allow an expansion of the school use, with the construction of 27,024 square feet building to include classrooms and an indoor court for the Commercial General property located at 2892 South Congress Avenue.
Staff: Iramis Cabrera, PZB Director, Christian Melendez Berrios, PZ&B Technician
3. **Planning & Zoning Board Order No. 2023-02 - Parking Variance - PSV23-10 - St. Luke's Catholic Church:** Motion to approve Planning & Zoning Board Order No. 2023-02; an application from Insite Studio, Inc., agent for the owner, St. Luke's Catholic Church, for a Site Development Plan Amendment, (SPR23-04) and Special Exception Use (PSSE23-02), to allow an expansion of the school use, with the construction of 27,024 square feet building to include classrooms and an indoor court on the Commercial General property, located at 2892 South Congress Avenue.
Staff: Iramis Cabrera, PZB Director, Christian Melendez Berrios, PZ&B Technician
4. **Site Development Plan Amendment (SPR23-04) - Village of Palm Springs - 230 Cypress Lane:** Recommendation to approve an amendment to the Site Plan (SPR23-04) submitted by Song & Associates, Inc, agent for the Village of Palm Springs, to permit the expansion of the Public Safety Building with the construction of a 13,169 square feet two-story attached building on the governmental property located at 230 Cypress Lane. Funding to support the project is available within the FY 2021 and FY 2024 Budget - General Fund and Police Department Fund.
Staff: Iramis Cabrera, PZB Director, Christian Melendez Berrios, PZ&B Technician

OTHER BUSINESS

ADJOURNMENT

**NEXT MEETING
TUESDAY, JULY 11, 2023 @ 6:30 PM**

If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus

Address: 226 Cypress Lane, Palm Springs, FL 33461

Email: asaingilus@vpsfl.org

Phone: (561)584-8200 Ext. 8419

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561)584-8200 Ext. 8421



Village of Palm Springs

Staff Report

AGENDA DATE: June 13, 2023

DEPARTMENT: Planning, Zoning & Building

ITEM #2: Site Plan Amendment (SPR23-05) and Special Exception Use (PSSE23-02) - St. Luke's Catholic Church - 2892 South Congress Avenue

SUMMARY: Insite Studio, Inc. (Applicant), agent for The Most Reverend Gerald M. Barbarito, D.D., J.C.L., Bishop of the Diocese of Palm Beach (Owner), is requesting approval of a site plan amendment (SPR23-05) and special exception (PSSE23-02) to allow an expansion of the school use, with the construction of 27,024 square feet building to include classrooms and an indoor court for the Commercial General property located at 2892 South Congress Avenue.

Note: The subject property was approved on July 28, 1988, by Palm Beach County (Resolution R-89-721), as a Special Exception Use to permit a church or place of worship with accessory buildings and structures for educational institutions. A site plan was approved for the property consisting of several buildings totaling 50,620 square feet floor area.

The property was annexed into the Village of Palm Springs on October 22, 1998, and designated with Commercial General zoning, Commercial Future Land Use, and Special Exception use.

The Applicant is proposing to demolish the existing structure, shown on the approved site plan as the Existing Church (Parish Center), and construct a new multi-purpose building in its place. The Parish Center as it exists currently is a single-story building with an area of 8,696.7 square feet. The proposed structure will be two stories with a total floor area of 27,024 square feet (an additional 18,328 square feet). The proposed uses within the building will include a new gymnasium, cafeteria, kitchen, storage, and additional classrooms to support the overall function of St. Luke's Catholic Church. The proposed building will be compatible with the other structures on the campus and will be compatible with the existing use of the general commercial property. The proposed building will maintain the existing 25-foot setback from the northern property line and will be further buffered with a five-foot landscape buffer.

As part of the proposed Site Plan Amendment, the applicant is requesting one (1) variance that is subject to the Planning and Zoning Board's consideration and which is subject to a separate consideration:

1. PSV23-10 - Requesting a variance relief from Section 34-1329 (2) (a) to allow a total of 320 parking spaces where 338 parking spaces are required

The Planning, Zoning & Building staff do not object to the proposed Site Plan Amendment, Special Exception Use, and variance requested, and recommend conditional approval to facilitate the development project proposed for the property.

FISCAL IMPACT:

The proposed development will enhance the village's assessed property valuation.

ATTACHMENTS:

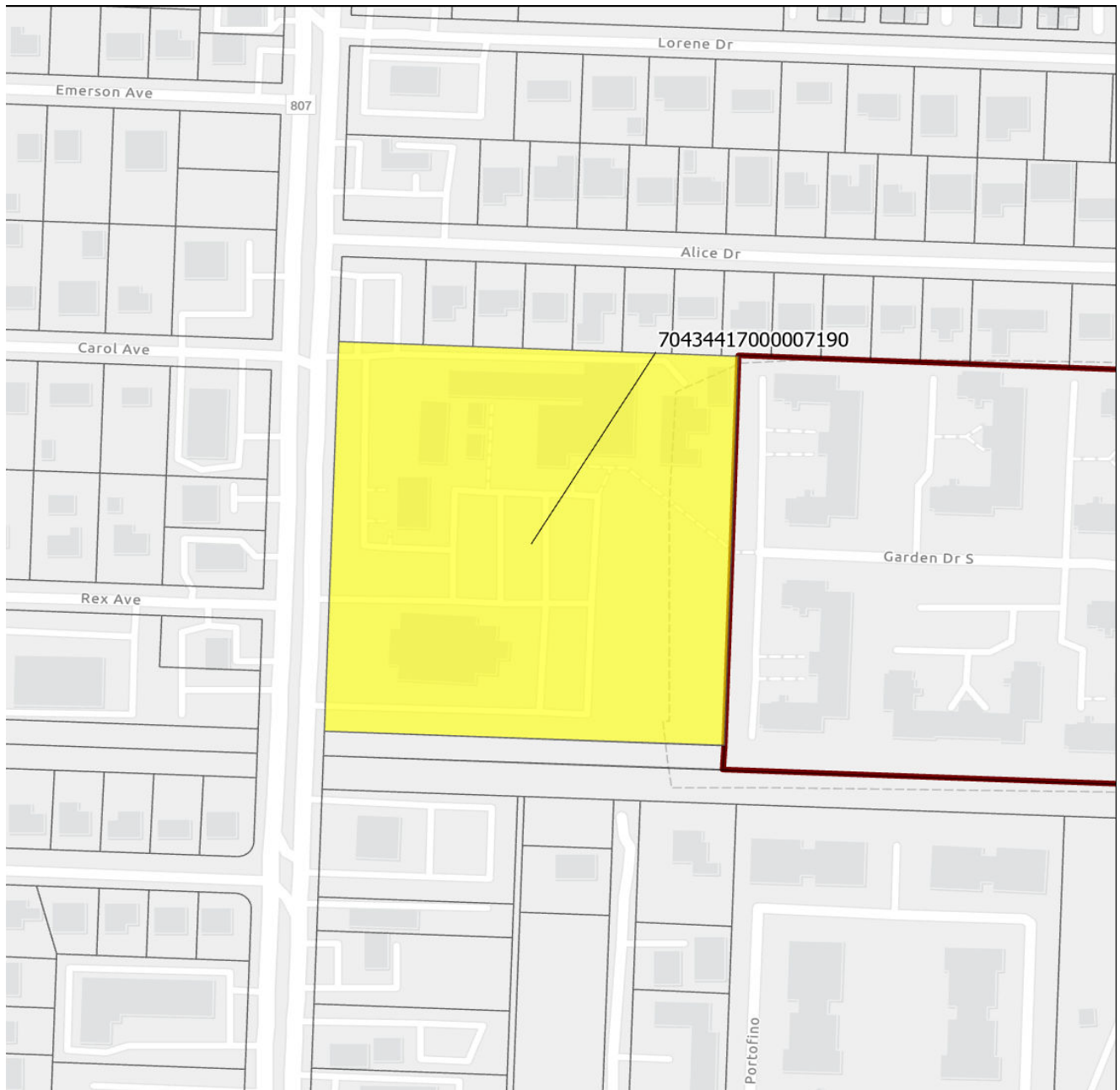
1. Exhibit A Staff Report
2. Justification Statement - Project Narrative
3. Site Plan, Floor Plans and Landscape Plans
4. Color Elevations
5. Aerial and Location Maps



PLANNING, ZONING & BUILDING STAFF REPORT

SUBJECT: Special Exception Use and Site Plan Amendment with a Variance - St. Luke's Catholic Church - 2892 South Congress Avenue

Application Summary			
Applicant / Petitioner	The Most Rev. Gerald M. Barbarito, D.D., J.C.L., Bishop of the Diocese of Palm Beach	Submittal Date	04/24/2023
Reference Name	St. Luke's Catholic Church	Case Number	SPR23-04, PSSE23-02, PSV23-10
		Parcel Control No	70-43-44-17-00-000-7190
Location	2892 South Congress Avenue	Site Area	±8.95 acres
P&Z B Meeting	June 13, 2023	Council Meeting	July 13, 2023
Requests			
Proposed Use(s)	Site Plan Amendment for the St. Luke's Catholic Church, to allow an expansion of the school use, with the construction of 27,024 square feet classrooms and indoor court building for the Commercial General property located at 2892 South Congress Avenue and concurrent request for a Special Exception Use of the existing Special Exception Use.		
Number of Buildings	7 buildings and 2 modular classrooms structures for a total of 41,924 sf		
Variances	PSV23-10 Requesting a Variance relief from Section 34-1329 (2) (a) to allow a total of 320 parking spaces where 338 parking spaces are required.		
Parking			
Code	Required	Provided	Meets Requirement
Total Overall Parking	338 spaces Office use 1/200 SF = 37 spaces School use 1 per Classroom / 1 per Staff = 46 spaces Indoor Court 1/1,800 SF = 5 spaces Church 1 / 4 seats = 250 spaces	320 spaces 257 paved + 63 grass parking	No** (variance requested)
Site Characteristics			
Existing Use	Church and Private School	Proposed Use	Church and Private School
Existing 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	Residential Use	Low Density Residential	Residential single-Family (RS)
South	Commercial & Residential Use	Commercial and High Density Residential	Commercial General (CG) and Residential Multi-Family (RM)
East	Residential community	Unincorporated Palm Beach County	Unincorporated Palm Beach County
West	Commercial use	Commercial	Commercial General (CG)
Recommendation			
Planning, Zoning & Building Staff recommends conditional approval of the proposed Site Plan amendment to allow the expansion to the existing school use with the construction of 27,024 square feet gymnasium building and additional classrooms.			



I. Site History

- **Ordinance No. 98-53: Annexation**

The property was annexed into the Village of Palm Springs on October 22, 1998 and designated with the Land Development with Commercial General zoning district and Commercial Future Land Use.

II. Comprehensive Plan Consistency

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

III. Variances Requested

The applicant is seeking the following variance:

- **PSV23-10** Requesting a Variance relief from Section 34-1329 (2) (a) to allow a total of 320 parking spaces where 338 parking spaces are required.

The applicant's full justification is 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 Applicant is requesting a variance for the off-street parking requirements for the existing and proposed uses on the St. Luke's campus. According to the Code, without shared parking operations on the site, 338 parking spaces would be required at build-out. Based on the proposed parking configuration for the project, a total of 320 parking spaces are being proposed. The St. Luke's Catholic Church operates as a church and worship center. The Applicant is seeking this technical deviation in order to allow a greater use of the property by demonstrating that the proposed school/church mixture parking demands are mere fractions of the City's code. If granted, this technical deviation will allow the Applicant to better serve the community, by providing better school/church services for its constituency. In this manner, the requested deviation will provide adequate parking supply for present and future development.

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

The approval of the requested variance would not create special conditions or circumstances on the subject site. The approval of the variance would ensure that the site functions more effectively based on the shared demand of the uses on the site, and reduce the likelihood of underutilized off-street parking during low demand times.

- 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 approval of the requested variance would not create special conditions or circumstances on the subject site. The approval of the variance would ensure that the site functions more effectively based on the shared demand of the uses on the site and reduce the likelihood of underutilized off-street parking during low demand times.

- 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.**

A literal interpretation of the off-street parking requirements stipulated in the Code fails to consider the nature of sites with a mix of uses that generate parking demand in fluctuations during the day and week. In consideration of this, the provision of off-street parking for one use can serve the parking demand of another use at different times of the day/week. A strict interpretation of the Code generates a parking requirement of 338 spaces, the proposed site plan provides for 320 spaces. The requested variance is for a mere deviation of 18 spaces.

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

No other variances are being requested to accommodate the proposed expansion to the St. Luke's Catholic Church campus.

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

A literal interpretation of the off-street parking requirements stipulated in the Code fails to consider the nature of sites with a mix of uses that generate parking demand in fluctuations during the day and week. In consideration of this, the provision of off-street parking for one use can serve the parking demand of another use at different times of the day/week. The granting of the variance will in fact allow for a better relationship between the uses and the parking demand fluctuations of the services provided onsite.

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

The requested variance is for a deviation in the off-street parking requirements for the uses on the St. Luke's Catholic Church campus and will not create a circumstance that would be injurious to the area or detrimental to the public.

Staff does not object to the applicant's request based on the intent of the applicant to maximize the use of the property without creating negative impacts to the surrounding properties.

IV. Neighborhood Compatibility

- 1) The proposed project is located on the east side of South Congress Avenue.
- 2) Surrounding properties are generally residential use.
- 3) A mix of different commercial uses are located along South Congress Avenue.
- 4) Public bus stop is located approximately 100'
- 5) The proposed facility is permitted as a special exception use within the Commercial General zoning district.

V. Regulatory Issues

- The site plan generally conforms to the property development standards of the CG district.
 - 1) Proposed project plan generally meets required site development regulations.
 - 2) Based on the Traffic Generation Analysis, the project will generate less than 20 peak hour trips which is in compliance with PBC TPS Article 12 of the PBC ULDC.
 - 3) Variance requested shall be approved by the Planning & Zoning Board prior to consideration of the Site Plan and the Special Exception by the Village's Council.
 - 4) Permits from all applicable permitting agencies, including but not limited to PBC Fire Rescue and Village of Palm Springs are required prior to construction.

VI. Environmental Issues:

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

VII. Community Outreach/ Notification

- The subject property was posted on June 01, 2023.
- Public Notification letters were mailed to all property owners within 300 feet radius of subject property on June 01, 2023.
- Legal advertisement was published in the paper on June 01, 2023.
- 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 April 24, 2023 depicts the following:

- An application submitted for a Site Plan Amendment Approval and concurrently Special Exception Use with 1 variance for the parking requirements.

1. Site Plan dated received on April 24, 2023.
2. Landscape plans dated received April 24, 2023.
3. Architectural floor plans dated received April 24, 2023.
4. Justification Statement and proposed use.
5. Traffic equivalency statement.
6. Parking reduction statement.

IX Recommendation

The subject property was approved on July 28, 1988, by Palm Beach County (Resolution R-89-721), as a Special Exception Use to permit a church or a place of worship with accessory buildings and structures for educational institution. A site plan was approved for the property consisting of several buildings totaling of 50,620 sf floor area.

The property was annexed into the Village of Palm Springs on October 22, 1998 and designated with the Land Development with Commercial Future Land Use and Commercial General zoning district with Special Exception use for the use of the property as a place of worship and a church, with an accessory use as educational institution.

The Applicant is proposing to demolish the structure, shown on the approved site plan as the Existing Church (Parish Center) and construct a new multi-purpose building in its place. The Parish Center as it exists currently is a single-story building with a floor area of 8,696.7 square feet. The proposed structure will be two stories with a total floor area of 27,024 square feet (an additional 18,328 square feet). The proposed uses within the building will include: a new gymnasium, cafeteria, kitchen, storage, and additional classrooms to support the overall function of the St. Luke's Catholic Church. The proposed building will be compatible with the other structures on the campus and will be compatible with the intent of the commercial general zoning district classification. The proposed building will maintain the existing 25-foot setback from the northern property line and will be further buffered with a five-foot landscape buffer.

Additionally, Staff has found the proposed Special Exception use to be generally consistent with goals, objectives and policies of the Village's Comprehensive Plan. The proposed use is generally consistent with the Land Development and zoning regulation and all other portions of the code. The proposed special exception use does not significantly reduce light and air to adjacent properties and would not be deterrent to surrounding properties. The new project does not negatively impact the natural system.

Planning, Zoning and Building Staff recommends conditional approval of the Special Exception Use, the Site Plan Amendment and the Variance subject to the following twenty-eight (28) conditions below:

1. The Site Plan approval is valid within 24 months of Council Approval.
2. The special exception approval shall be implemented within 18 months of Council approval.
3. In case of any parking issues, as determined by the PZ&B Director and/or Police chief, the property owner may be required to undertake additional measures.
4. Maximum number of students shall not exceed 315 at any time.
5. Hours of operation shall be accordingly with the Village's Land Development Regulation Section 34-1172.
6. Drop-off and pick-up of students shall be limited to the main entrance on the south side of the new building and a staff member shall be present all the time for receiving and releasing the students.
7. A security plan addressing evacuations and emergency situations shall provided **at time of permitting**.
8. Provide security/monitoring of the interior areas during school hours and submit details to the Village **at time of permitting**.
9. No loitering of students on the grounds will be permitted.
10. Any special event to be held at the facility is subject to Special Event Permit approval by the Village.
11. Permits must be obtained from the Village and Palm Beach County Fire Department **at time of permitting**.
12. Any future wall signs shall be in accordance with the Village's Land Development Regulations Section 34-328.
13. The construction dumpster shall be only provided by Waste Pro USA who is under franchise Agreement with the Village.

14. Landscaped areas shall be irrigated including but not limited to buffer, islands, planter boxes, etc.
15. Irrigation plans shall be provided **at the time of permitting**. Non-potable water shall be used for the irrigation system per Village code.
16. Provide permits from all applicable permitting agencies, including but not limited to, PBC Fire Rescue and Village of Palm Springs **at the time of permitting**.
17. The property owner shall register an Agent of Record, prior to issuance of a permit, to establish a contact person responsible for compliance with this Development Order, including site plan/landscape plan details and conditions of approval.
18. 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 increased on-site security at the operator's sole expense.
19. All new electric utilities shall be underground.
20. A silt barrier shall be installed around the perimeter of the property (within the affected area for the site improvements and new building construction) prior to commencement of any site work or construction activity, and a track pad shall be installed at the construction entrance(s), both of which shall remain through substantial completion.
21. Any sidewalk broken or damaged during construction shall be replaced by the contractor **prior to CO**.
22. The Landscaping shall be certified by the Landscape Architect upon completion and **prior to Certificate of Occupancy/Certificate of Completion** of each improvement area.
23. Absolutely no occupancy, other than construction personnel, is permitted **prior to TCO/CO**.
24. The civil engineer of record shall certify the site construction **prior to Certificate of Occupancy**.
25. The applicant may be required to provide a resident inspector for structural elements such as concrete pours in accordance with Section 109.1.3 FBC 2010 and F.S. 553.791. Determination shall be made at time of pre-construction conference with Planning Zoning and Building Director.
26. The General Contractor shall be on site during any and all construction activity in accordance with FS 489.1195.
27. The project shall receive approval from all Authorities Having Jurisdiction and submit copies of approvals to the Village of Palm Springs.
28. **At the time of CO**, the petitioner shall provide the Planning, Zoning and Building Department with electronic copies of as-builts.

St. Luke's Catholic Church
Justification Statement

Site Plan Approval | Modification of Special Exception | Parking Variance

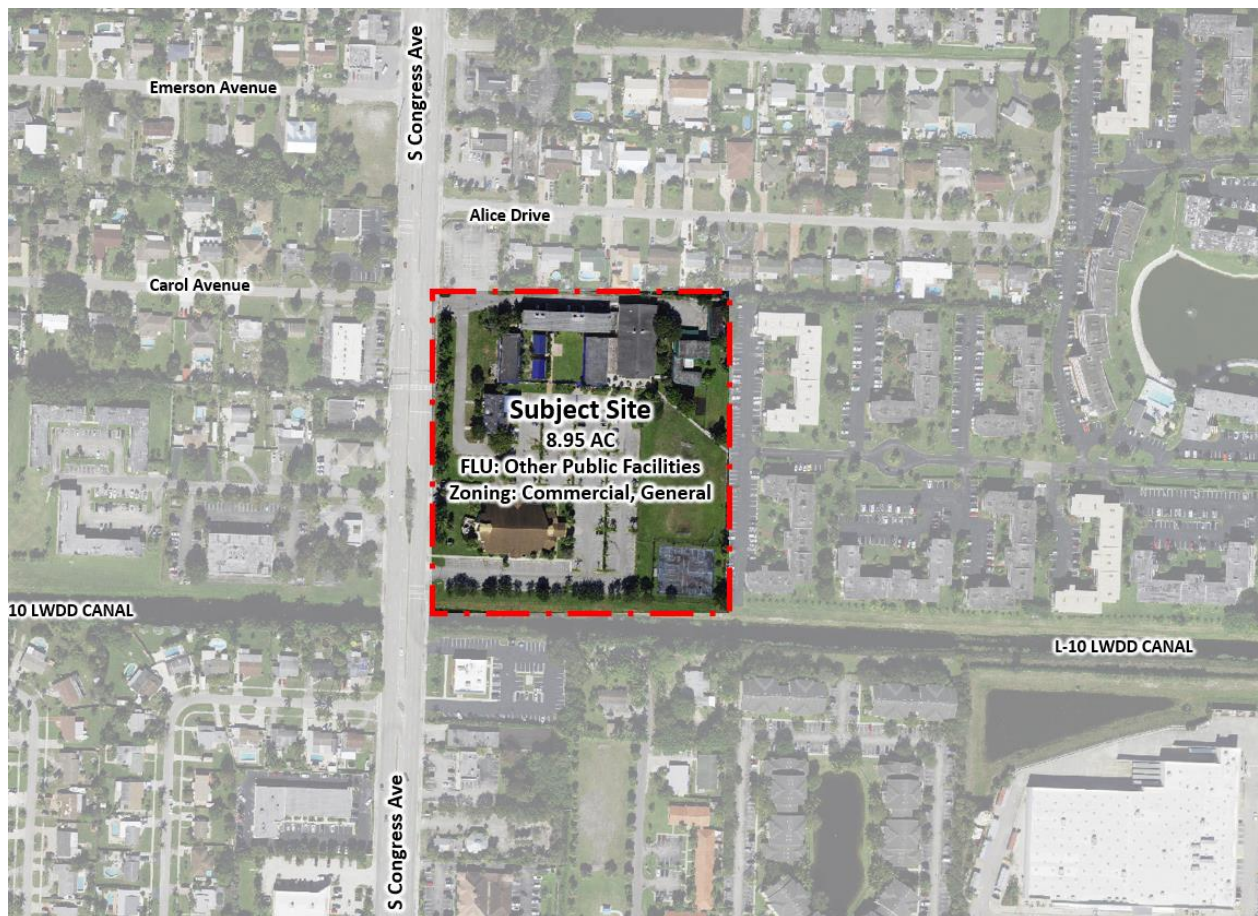
Request

On behalf of the applicant, Thomas V. Daily, Bishop of the Diocese of Palm Beach, we respectfully request approval of the following:

- **Site Plan Approval (Major Amendment)** for modifications to the approved site plan for the St. Luke's Catholic Church, to accommodate construction of a new multi-purpose building.
- **Special Exception (Modification)** to increase square footage of a Special Exception Use on a property with a Commercial General (CG) zoning district classification.
- **Variance (District Standard)** to allow a reduction in the off-street parking requirements for the St. Luke's Catholic Church site.

Project Location

The St. Luke's Catholic Church grounds is an 8.95-acre site located at 2892 South Congress Avenue in Palm Springs. The subject site currently retains a Future Land Use (FLU) designation of Other Public Facilities and a zoning district classification of Commercial, General (CG). The subject site is further identified by Parcel Control Number (PCN): 70434417000007190.



Project History

The St. Luke's Catholic Church was approved on July 28, 1988 (Resolution R-89-721), as a Special Exception Use to permit a church or place of worship and accessory buildings and structures and educational institution.

The site plan that was approved for the site consisted of several buildings totaling 47,838 square feet as outlined in the table below:

Use	Area
Church (New)	16,996 SF
Convent Building	3,186 SF
Library	4,212.25 SF
Classroom Building	5,641.25 SF
Music Building	4,130 SF
Church (Existing)	8,696 SF
Rectory	4,130 SF
Detached Garage	666 SF

It should be noted that two additional modular classroom buildings, 973 square feet each, exist on the site currently – bringing the existing total building square footage to 50,620 (12% building coverage).

Surrounding Uses

Below are descriptions of the zoning and land uses of the adjacent properties:

North: Single-Family Residential | FLU: Low Density | Zoning: Residential Single Family (RS)

South: Commercial | FLU: Commercial | Zoning: Commercial, General

East: Unincorporated Palm Beach County, Age-Restricted Multi-Family Housing (Lake Clarke Gardens)
FLU: High Residential, 18 units per acre (HR-18)
Zoning: Residential High Density (RH)

West: Commercial | FLU: Commercial | Zoning: Commercial, General

Development Program

To meet the current and future needs of the Diocese, the Applicant is proposing to demolish a structure, shown on the approved site plan as the Existing Church (Parish Center) and construct a new multi-purpose building in its place. The Parish Center as it exists currently is a single story building with an area of 8,696.7 square feet. The proposed structure will be two stories high with an area of 27,024 square feet (an additional 18,328 square feet). The proposed uses within the building will include a new gymnasium, cafeteria, kitchen, storage, and additional classrooms.

In order to accommodate the proposed modifications to the St. Luke's campus, the Applicant is requesting a **Major Site Plan Approval, Modification to a Special Exception, and a Variance** to allow a reduction in the required parking for the uses on the site.

Standards for Code Compliance

Division 5. – Site Plan

Sec. 34-682

(a) By the terms of this article, all development shall:

- (1) Require site plan review.**
- (2) Be compatible with the intent of the land development district wherein it is proposed to be located.**
- (3) Be compatible with adjacent land uses.**

Applicant Response:

The Applicant is requesting a Site Plan (Major) approval for the proposed construction of a two-story multi-purpose building that will include a gymnasium, cafeteria, kitchen, and additional classrooms to support the overall function of the St. Luke's Catholic Church. The proposed building will be compatible with the other structures on the campus and will be compatible with the intent of the commercial, general zoning district classification. The proposed building will maintain the existing 25 foot setback from the northern property line and will be further buffered with a five foot landscape buffer.

Sec. 34-607. Special exception procedures.

- (a) The planning and zoning board shall review all requests for special exception uses, with the exception of minor special exception uses, except on appeal, and forward their recommendations on the request to the village council for their consideration. The village council shall hear and decide requests for special exception uses in a quasi-judicial proceeding. Any person aggrieved by a decision of the council may appeal the final order of the council in accordance with the Florida Rules of Appellate Procedure.**
- (b) In reviewing a request for a special exception use, the village council shall take into consideration all technical, relevant factors and the factors and criteria set forth herein. A special exception use shall not be approved unless an applicant establishes that all the following criteria are met:**
 - (1) The proposed special exception use is consistent with the goals, objectives, and policies of the village's comprehensive plan.**

Applicant Response:

The proposed changes to the St. Luke's Catholic Church campus will remain consistent with Village's Comprehensive Plan. The Applicant is requesting a modification to the previously approved special exception use for a church or house of worship on the subject site. The special exception approved approximately 47,838 square feet of church/house of worship uses and accessory buildings which represented a 12.2.% building coverage ratio for the subject site.

The proposed modification to the previously approved special exception represents an increase of 18,328 square feet of building square footage on the site. The building coverage would increase from 12% to 18%, which is still below the 50% maximum gross floor area for the CG zoning district classification.

- (2) The proposed special exception is consistent with the land development and zoning regulations and all other portions of this Code.**

The proposed modification to the previously approved special exception represents an increase of 18,328 square feet of building square footage on the site. The building coverage would increase from 12% to 18%, which is still below the 50% maximum gross floor area for the CG zoning district classification.

- (3) The proposed special exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location, mass, height and setback; and other relevant factors peculiar to the proposed special exception use and the surrounding property.**

Applicant Response:

The Applicant is requesting a Site Plan (Major) approval for the proposed construction of a two-story multi-purpose building that will include a gymnasium, cafeteria, kitchen, and additional classrooms to support the overall function of the St. Luke's Catholic Church. The proposed building will be compatible with the other structures on the campus and will be compatible with the intent of the commercial, general zoning district classification. The proposed building will maintain the existing 25 foot setback from the northern property line and will be further buffered with a five foot landscape buffer.

- (4) The establishment of the proposed special exception use in the identified location does not create a concentration or proliferation of the same or similar type of special exception use, which may be deemed detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.**

Applicant Response:

The Applicant is requesting a modification to a special exception use that was previously approved, a new special exception use is not being requested. The St. Luke's Catholic Church will continue to function as a church/house of worship campus as outlined by the code. The proposed building will serve the current and future needs of the St. Luke's Catholic Church.

- (5) The proposed special exception use does not have a detrimental impact on surrounding properties based on:**
- a. The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use;**
 - b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use; and**
 - c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.**

Applicant Response:

The Applicant is requesting a modification to a special exception use that was previously approved, new special exception use is not being requested. The proposed expansion of the campus is not anticipated to have any detrimental impact on the surrounding communities.

- (6) That the proposed special exception use:**
- a. Does not significantly reduce light and air to adjacent properties.**
 - b. Does not adversely affect property values in adjacent areas.**
 - c. Would not be a deterrent to the improvement, development or redevelopment of surrounding properties in accordance with existing regulations.**
 - d. Does not negatively impact adjacent natural systems or public facilities, including parks and open spaces.**
 - e. Provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.**

Applicant Response:

The Applicant is requesting a modification to a special exception use that was previously approved, new special exception use is not being requested. The proposed expansion of the campus is not anticipated to have any detrimental impact on the surrounding communities.

- (7) The proposed use would enhance and/or promote redevelopment of the village, fulfill redevelopment objectives, and/or have a positive economic impact on the village, including creating new jobs, economic growth and provide needed community-serving (neighborhood retail and commercial) uses and businesses.**

Applicant Response:

The proposed expansion of the St. Luke's Catholic Church campus will enhance the overall function and services provided to the Palm Springs community. The expansion will provide for additional instructional space, as well as a cafeteria, kitchen, and gymnasium.

Sec. 34-603.b

Variances.

(1) The planning and zoning board shall authorize, such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship, including any alterations to nonconforming or grandfathered uses or structures. In order to authorize any variance in the terms of this chapter, the land development board must and shall find that:

- a. 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.**

Applicant Response:

The Applicant is requesting a variance for the off-street parking requirements for the existing and proposed uses on the St. Luke's campus. According to the Code, without shared parking operations on the site, 338 parking spaces would be required at build-out. Based on the proposed parking configuration for the project, a total of 320 parking spaces are being proposed. The St. Luke's Catholic Church operates as a church and worship center. The Applicant is seeking this technical deviation in order to allow a greater use of the property by demonstrating that the proposed school/church mixture parking demands are mere fractions of the City's code. If granted, this technical deviation will allow the Applicant to better serve the community, by providing better school/church services for its constituency. In this manner, the requested deviation will provide adequate parking supply for present and future development.

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

Applicant Response:

The approval of the requested variance would not create special conditions or circumstances on the subject site. The approval of the variance would ensure that the site functions more effectively based on the shared demand of the uses on the site and reduce the likelihood of underutilized off-street parking during low demand times.

- c. 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.**

Applicant Response:

The approval of the requested variance would not create special conditions or circumstances on the subject site. The approval of the variance would ensure that the site functions more effectively based on the shared demand of the uses on the site and reduce the likelihood of underutilized off-street parking during low demand times.

- d. 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.**

Applicant Response:

A literal interpretation of the off-street parking requirements stipulated in the Code fails to consider the nature of sites with a mix of uses that generate parking demand in fluctuations during the day and week. In consideration of this, the provision of off-street parking for one use can serve the parking demand of another use at different times of the day/week. A strict interpretation of the Code generates a parking requirement of 338 spaces, the proposed site plan provides for 320 spaces. The requested variance is for a mere deviation of 18 spaces.

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

Applicant Response:

No other variances are being requested to accommodate the proposed expansion to the St. Luke's Catholic Church campus.

- f. The grant of the variance will be in harmony with the general intent and purpose of this chapter.**

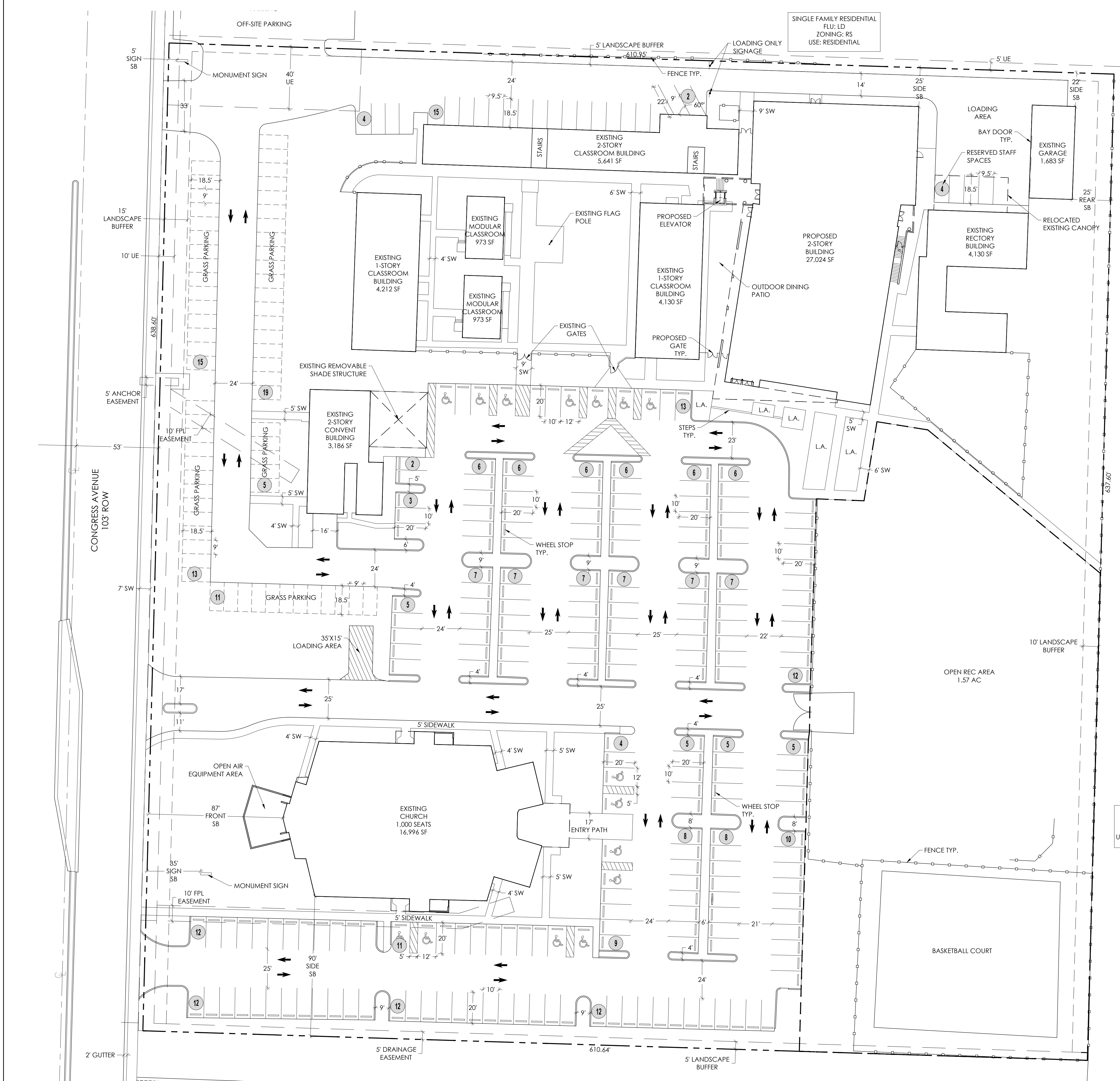
Applicant Response:

A literal interpretation of the off-street parking requirements stipulated in the Code fails to consider the nature of sites with a mix of uses that generate parking demand in fluctuations during the day and week. In consideration of this, the provision of off-street parking for one use can serve the parking demand of another use at different times of the day/week. The granting of the variance will in fact allow for a better relationship between the uses and the parking demand fluctuations of the services provided onsite.

- g. Such a variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

Applicant Response:

The requested variance is for a deviation in the off-street parking requirements for the uses on the St. Luke's Catholic Church campus and will not create a circumstance that would be injurious to the area or detrimental to the public.

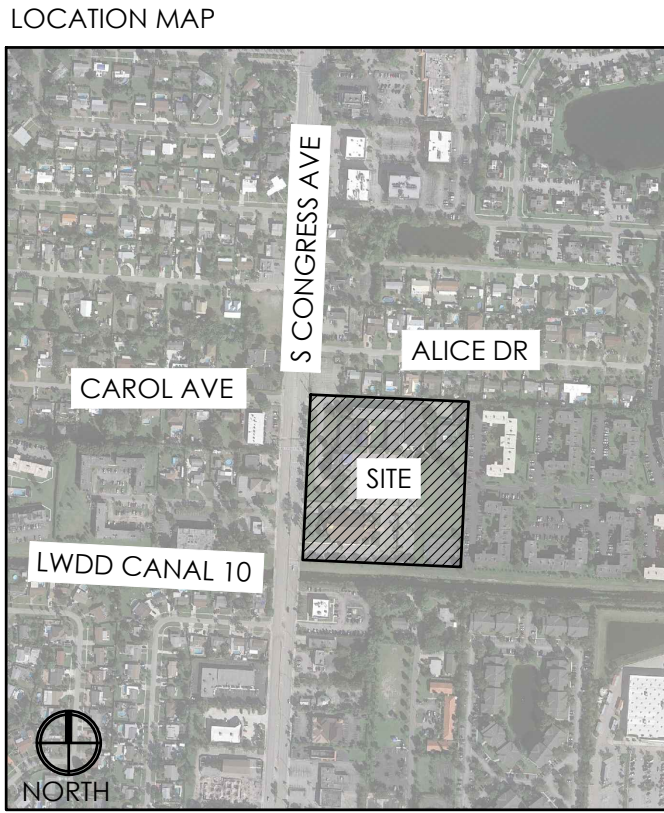


SITE DATA	
APPLICATION NAME	ST LUKE CATHOLIC CHURCH
ADDRESS	2892 S CONGRESS AVE, PALM SPRINGS, FL 33461
PROPERTY CONTROL NUMBER (S)	7043441700007190
EXISTING ZONING	CG
PROPOSED ZONING	CG
EXISTING LAND USE	INS1
PROPOSED LAND USE	INS1
FUTURE LAND USE (FLU)	OFF (CITY)
TIER	U/S
GROSS AREA	389,741 SF (8.95 AC)
GROSS FLOOR AREA	17.6%
REC/OPEN SPACE AREAS	1.57 AC (17.5%)
PERVIOUS AREA	164,857 SF (42.3%)
IMPERVIOUS AREA	224,884 SF (57.7%)
MAX BUILDING HEIGHT	4 STORIES OR 45'
PROPOSED BUILDING HEIGHT	TBD
NEW BUILDING AREA	26,527 SF
TOTAL BUILDING AREA	68,451 SF
TOTAL REQUIRED PARKING	338 SPACES
EXISTING SCHOOL (1 PER CLSRM./1 PER STAFF)	34 SPACES
EXISTING CHURCH (1 SP PER 4 SEATS)	250 SPACES
EXISTING OFFICE (1 SP PER 200 SF)	37 SPACES
PROPOSED MULTI-USE BUILDING	17 SPACES
6 CLASSROOMS (1 PER CLSRM./1 PER STAFF)	12 SPACES
INDOOR COURT (1 SP PER 1,800 SF)	5 SPACES
HANDICAP PARKING	8 SPACES
ANTICIPATED PEAK LOAD (CHURCH SERVICE)	306 SPACES
TOTAL PROVIDED PARKING	320 SPACES
PAVED PARKING	247 SPACES
GRASS PARKING	63 SPACES
GARAGE PARKING	6 SPACES
RESERVED PARKING	4 SPACES
HANDICAP PARKING	15 SPACES
REQUIRED LOADING AREAS	4 LOADING SPACES
PROVIDED LOADING AREAS	2 LOADING SPACES
TRAFFIC ANALYSIS ZONE	305

AFFECTED AREA DEVELOPMENT REGULATIONS		
LOT AND DENSITY DATA	REQUIRED	PROPOSED
FRONTAGE	100' (MIN)	638.6'
LOT DEPTH	200' (MIN)	610'
LOT WIDTH	100' (MIN)	638.6'
BUILDING SETBACKS	REQUIRED (MIN.)	PROPOSED
FRONT	50'	87'
REAR	20'	25'
SIDE INTERIOR	15'	90'
SIDE (NEXT TO RESIDENTIAL)	30'	*22'

*NOTES: BUILDING SETBACKS ARE EXISTING CONDITIONS TO THE SITE

EXISTING NON-CONFORMITIES			
SECTION	CODE REQUIREMENT	REQUIRED	PROVIDED
34-826	BUILDING SETBACK (PROP. BUILDING)	30'	25'
34-826	BUILDING SETBACK (EX. GARAGE)	30'	22'
34-327(B)	MONUMENT SIGN HEIGHT (W/ 5' SB)	5'	8'
34-1328	DRIVE AISLE WIDTH	26'	24'
34-1330	LOADING SPACES	4 SPACES	2 SPACES
34-1329	TOTAL PARKING SPACES	338 SPACES	320 SPACES
34-161(C)	CONTINUOUS PARKING SPACE COUNT	MAX 12 SPACES	15 SPACES
34-161(C)	LANDSCAPE ISLAND WIDTH	5'	4'
34-162(B)	NORTH LANDSCAPE BUFFER	15'	5'
34-162(B)	EAST LANDSCAPE BUFFER WIDTH	15'	10'
34-162(B)	SOUTH LANDSCAPE BUFFER WIDTH	15'	5'



insite

studio

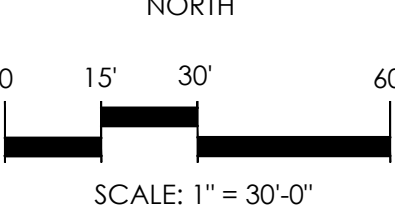
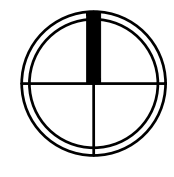
planning + landscape architecture

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phone: 561-249-0940 | email: info@insitestudio.com
www.insitestudio.com | License#: LC24000606

Consultants:

Revisions:

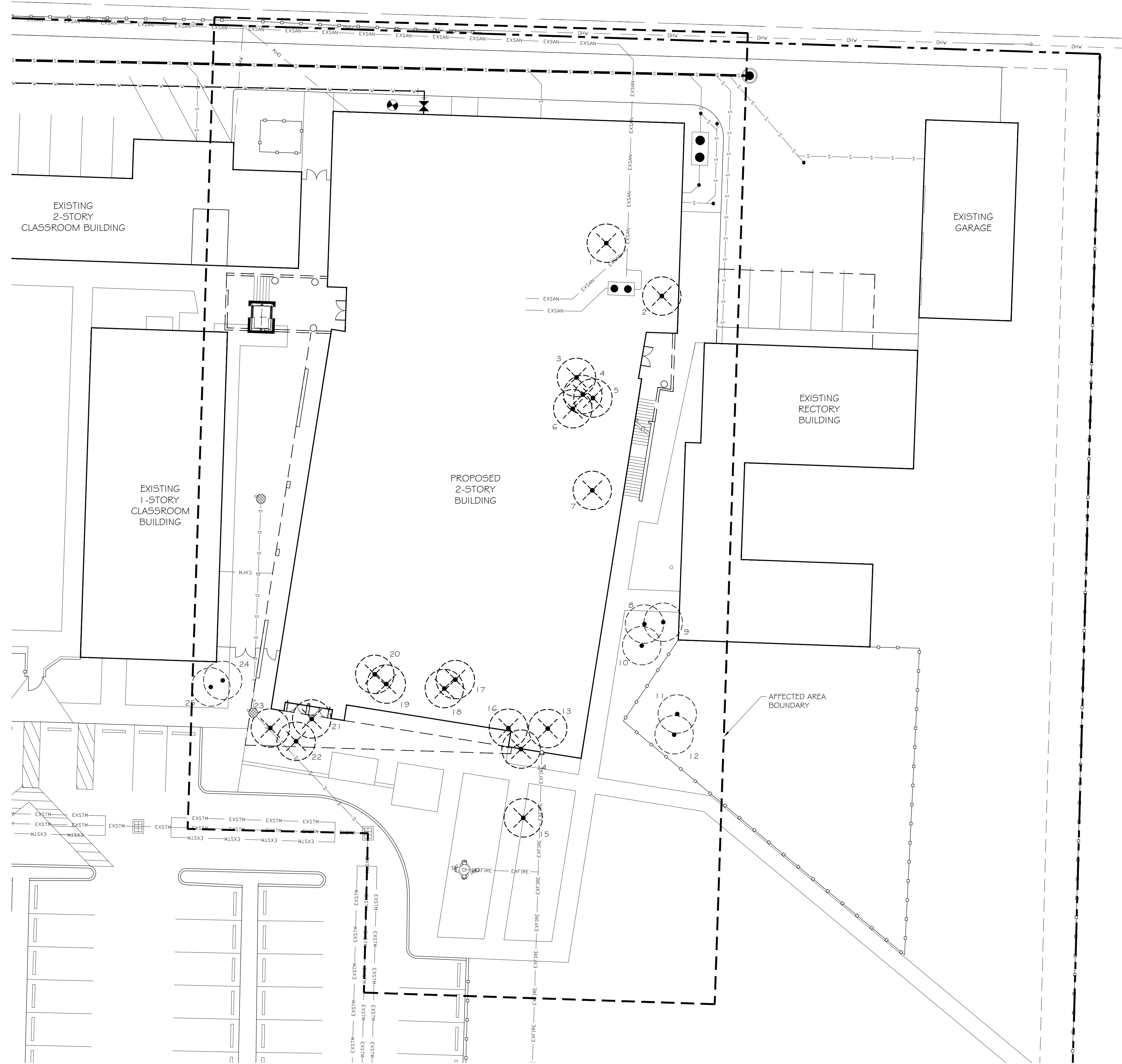
ST. LUKE CATHOLIC CHURCH
Palm Springs, FL



Drawn By: ZAK
Drawing #: 1319
Date: 12/05/2022

Preliminary
Site Plan

SHEET # PSP.1



TREE DISPOSITION TABLE			
TREE I.D.	SPECIES	SIZE	NOTES
1	LIVE OAK	24"	REMOVE
2	LIVE OAK	20"	REMOVE
3	SABAL PALM	25'	REMOVE
4	BOTTLE PALM	12'	REMOVE
5	SABAL PALM	25'	REMOVE
6	SABAL PALM	25'	REMOVE
7	LIVE OAK	20"	REMOVE
8	CHRISTMAS PALM	8'	PRESERVE
9	CHRISTMAS PALM	10'	PRESERVE
10	BOTTLEBRUSH	8"	PRESERVE
11	UMBRELLA TREE	40"	PRESERVE
12	UMBRELLA TREE	40"	PRESERVE
13	SABAL PALM	20'	REMOVE
14	SABAL PALM	20'	REMOVE
15	ROYAL POINCIANA	18"	REMOVE
16	SABAL PALM	20'	REMOVE
17	CHRISTMAS PALM	13'	REMOVE
18	CHRISTMAS PALM	13'	REMOVE
19	CHRISTMAS PALM	13'	REMOVE
20	CHRISTMAS PALM	13'	REMOVE
21	SABAL PALM	25'	REMOVE
22	SABAL PALM	25'	REMOVE
23	SABAL PALM	25'	REMOVE
24	SABAL PALM	18"	PRESERVE
25	SABAL PALM	18"	PRESERVE

TREE DISPOSITION TOTAL	
DISPOSITION	QTY
PRESERVE	7
REMOVE	18
RELOCATE	0

NORTH

0

8'

16'

32'

SCALE: 1" = 16'-0"

LEGEND

- EX. TREE TO BE PRESERVED

- EX. TREE TO BE RELOCATED

- EX. TREE TO BE REMOVED

ALWAYS CALL 811 TWO FULL BUSINESS DAYS BEFORE YOU DIG TO HAVE UNDERGROUND UTILITIES LOCATED AND MARKED.

Sunshine811.com

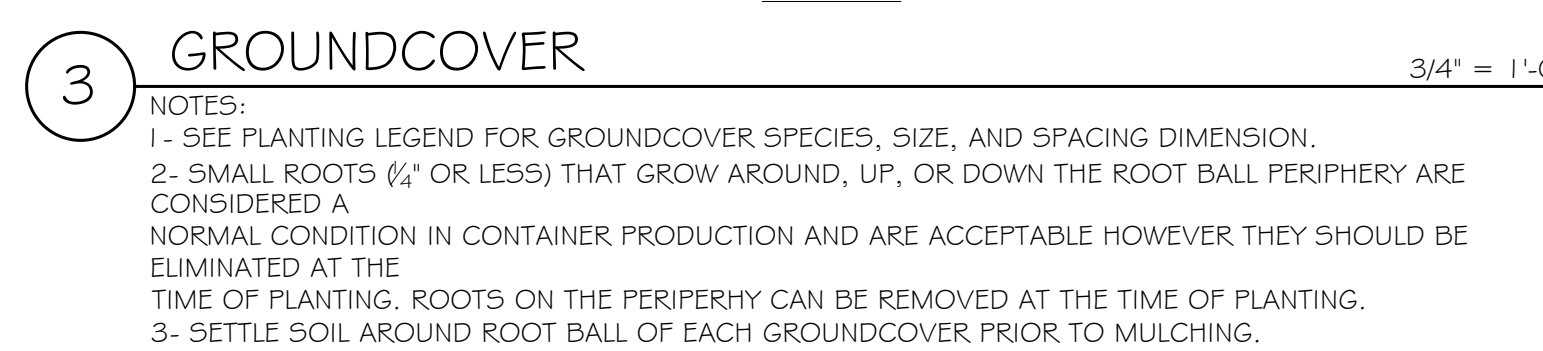
Drawn By: ZAK

Drawing #: 1319

Date: 03/22/2023

TREE DISPOSITION PLAN

SHEET # TD.1



1. ALL PLANTS TO BE FLORIDA #1 QUALITY OR BETTER AS DEFINED IN THE LATEST EDITION OF THE FLORIDA GRADES AND STANDARDS FOR NURSEY PLANTS, UNLESS OTHERWISE NOTED.

2. ALL PLANTING AND SOD AREAS SHALL RECEIVE 100% IRRIGATION COVERAGE FROM AN AUTOMATIC IRRIGATION SYSTEM WITH A RAIN SENSOR.

3. ALL PLANTING BEDS/ ISLANDS SHALL BE FREE OF SHELLROCK, CONSTRUCTION DEBRIS, OR OTHER MISCELLANEOUS DEBRIS, EXCAVATED TO A DEPTH OF 30" OR TO CLEAN NATIVE SOILS, AND BACKFILLED WITH THE SPECIFIED SOIL MIXTURE.

4. ROOT BARRIERS ARE REQUIRED FOR ALL TREES LOCATED WITHIN 1'0" OF UNDERGROUND UTILITIES.

5. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED APPROVALS AND PERMITS FROM LOCAL MUNICIPALITY AND GOVERNING AGENCIES PRIOR TO REMOVAL OF ANY EXISTING VEGETATION OR BEGINNING INSTALLATION.

6. IN THE EVENT OF A CONFLICT BETWEEN THE QUANTITIES SHOWN IN THE PLANT SCHEDULE AND GRAPHICALLY DEPICTED AND LABELED ON THE PLAN, THE PLAN WILL PREVAIL. IF SUCH CONFLICT IS DISCOVERED, CONTRACTOR SHALL CONSULT WITH LANDSCAPE ARCHITECT.

7. ALL TREES PLANTED UNDER OR NEAR OVERHEAD POWER LINES SHALL COMPLY WITH FPL RIGHT TREE, RIGHT PLACE REQUIREMENTS.

8. CONTRACTOR IS REQUIRED TO CALL SUNSHINE 811 TO HAVE ALL UNDERGROUND UTILITIES LOCATED PRIOR TO ANY DIGGING, EXCAVATION, OR UNDERGROUND WORK. IF PROPOSED DESIGN CONFLICTS WITH EXISTING OR PROPOSED UTILITY LOCATIONS, CONTRACTOR SHALL IMMEDIATELY CONTACT LANDSCAPE ARCHITECT TO DEVELOP A SOLUTION FOR THE CONFLICT.

[illegible]

GENERAL CONDITIONS

- A. CONTRACT DOCUMENTS: Shall consist of specifications and its general conditions and the drawings. The intent of these documents is to include all labor, materials, and services necessary for the proper execution of the work. The documents are to be considered as one. Whatever is called for by any parts shall be as binding as if called for in all parts.
- B. VERIFICATION: The Contractor shall verify measurements on the drawings before beginning work. In case of error or discrepancy in the drawings or specifications or in the work of others affecting his/her work, he/she shall notify the Owner's Representative immediately. The Contractor shall be held responsible for any damages or loss due to his/her failure to observe these instructions.
- C. MATERIALS, MACHINERY, EQUIPMENTS: Except as otherwise noted, the Contractor shall provide and pay for all materials, labor, tools, and other items necessary and incidental to the completion of his/her work.
- D. SURVEYS, PERMITS, REGULATIONS: The Owner shall furnish an adequate survey of the property. The Contractor shall obtain and pay for all permits and comply with all laws and ordinances bearing on the operation or conduct of the work as drawn and specified. If the Contractor observes that a variance exists therewith he/she shall promptly notify the Owner's Representative in writing and any necessary changes shall be adjusted as provided in the contract for changes in the work.
- E. PROTECTION OF WORK, PROPERTY AND PERSON: The Contractor shall adequately protect the work, adjacent property, and the public, and shall be responsible for any damages or injury due to his/her actions.
- F. CHANGES IN THE WORK: The owner may order changes in the work, and the contract sum being adjusted accordingly. All such orders and adjustments plus claims by the Contractor for extras must be made in writing before executing the work involved.
- G. CORRECTION OF WORK: The Contractor shall re-execute any work that fails to conform to the requirements of the contract and shall remedy defects due to faulty materials or workmanship upon written notice from the Owner's Representative for a period of ninety (90) days from the date of completion of the contract.
- H. Owner's Authorized Representative: The Owner's authorized representative acts as the authorized representative of the Owner in conjunction with the project manager, and has authority to accept or reject materials or workmanship and to make major changes in the work not involving extra cost. He will also interpret the meaning of the contract documents and may stop the work if necessary to ensure its proper execution.
- I. CLARIFICATION OF DRAWINGS BEFORE BIDDING: After reviewing the drawings thoroughly it is the Contractor's responsibility to clarify with the Owner's Representative any questions the Contractor may have regarding the method of construction, quantities, or quality of materials included or called out. If the Contractor cannot contact the Owner's Representative, the Contractor must qualify his/her bid or accept the interpretation of the Owner's Representative on the questionable areas as they develop during construction.
- J. SAMPLES: The Owner's Representative reserves the right to take and analyze samples of materials for conformity to specifications at any time. The Contractor shall furnish samples upon request by the Owner's Representative. Rejected materials shall be immediately removed from the site and replaced at the Contractor's expense. The cost of testing materials not meeting specifications shall be paid by the Contractor.
- K. PRE-CONSTRUCTION CONFERENCE: Schedule a pre-construction meeting with the Owner's Representative at least seven (7) days before beginning work. The purpose of this conference is to review any questions the Contractor may have regarding the work, administrative procedures during construction and project work schedule.

015639
Tree and Plant Protection

PART 1 GENERAL

- 1.1 SUMMARY
- The scope of work includes all labor, materials, tools, equipment, facilities, transportation and services necessary for, and incidental to performing all operations in connection with protection of existing trees and other plants as shown on the drawings and as specified herein.
- Provide preconstruction evaluations
 - Provide tree and plant protection fencing.
 - Provide protection of root zones and above ground tree and plants
 - Provide pruning of existing trees and plants.
 - Coordinate with the requirements of Section Planting Soil for modifications to the soil within the root zone of existing trees and plants.
 - Provide all insect and disease control.
 - Provide maintenance of existing trees and plants including irrigation during the construction period as recommended by the arborist report.
 - Provide maintenance of existing trees and plants including irrigation during the post construction plant maintenance period.
 - Remove tree protection fencing and other protection from around and under trees and plants.
 - Clean up and disposal of all excess and surplus material.
- 1.2 CONTRACT DOCUMENTS
- A. Shall consist of specifications and general conditions and the drawings. The intent of these documents is to include all labor, materials, and services necessary for the proper execution of the work. The documents are to be considered as one. Whatever is called for by any parts shall be as binding as if called for in all parts.
- B. It is the intent of this section that the requirements apply to all sections of the project specification such that any subcontractor must comply with the restrictions on work within designated Tree and Plant Protection Areas.
- 1.3 RELATED DOCUMENTS AND REFERENCES
- A. Related Documents:
- Drawings and general provisions of contract including general and supplementary conditions and Division I specifications apply to work of this section.
 - Section - Planting
- B. References: The following specifications and standards of the organizations and documents listed in this paragraph form a part of the specification to the extent required by the references thereof. In the event that the requirements of the following referenced standards and specification conflict with this specification section the requirements of this specification shall prevail. In the event that the requirements of any of the following referenced standards and specifications conflict with each other the more stringent requirement shall prevail.
- ANSI A300 (Part 5) - Standard Practices for Tree, Shrub and other Woody Plant Maintenance, most current editions.
 - Pruning practices shall conform with recommendations "Structural Pruning: A Guide For The Green Industry"; Published by Urban Tree Foundation, Visalia, California; most current edition.
 - Glossary of Arboricultural Terms, International Society of Arboriculture, Champaign IL, most current edition.
- 1.4 VERIFICATION
- A. All scaled dimensions on the drawings are approximate. Before proceeding with any work, the Contractor shall carefully check and verify all dimensions and quantities, and shall immediately inform the Owner's Representative of any discrepancies between the information on the drawings and the actual conditions, refraining from doing any work in said areas until given approval to do so by the Owner's Representative.
- 1.5 PERMITS AND REGULATIONS
- A. The Contractor shall obtain and pay for all permits related to this section of the work unless previously excluded under provision of the contract or general conditions. The Contractor shall comply with all laws and ordinances bearing on the operation or conduct of the work as drawn and specified. If the Contractor observes that a conflict exists between permit requirements and the work outlined in the contract documents, the Contractor shall promptly notify the Owner's Representative in writing including a description of any necessary changes and changes to the contract price resulting from changes in the work.
- B. Wherever references are made to standards or codes in accordance with which work is to be performed or tested, the edition or revision of the standards and codes current on the effective date of this contract shall apply, unless otherwise expressly set forth.
- C. In case of conflict among any referenced standards or codes or between any referenced standards and codes and the specifications, the more restrictive standard shall apply or Owner's Representative shall determine which shall govern.
- 1.6 PROTECTION OF WORK, PROPERTY AND PERSON
- A. The Contractor shall protect the work, adjacent property, and the public, and shall be responsible for any damages or injury due to his/her actions.
- 1.7 CHANGES IN THE WORK
- A. The Owner's Representative may order changes in the work, and the contract sum should be adjusted accordingly. All such orders and adjustments plus claims by the Contractor for extra compensation must be made and approved in writing before executing the work involved.
- 1.8 CORRECTION OF WORK
- A. The Contractor shall re-execute any work that fails to conform to the requirements of the contract and shall remedy defects due to faulty materials or workmanship upon written notice from the Owner's Representative, at the soonest possible time that can be coordinated with other work and seasonal weather demands.
- 1.9 DEFINITIONS
- All terms in this specification shall be as defined in the "Glossary of Arboricultural Terms" or as modified below.
- Boxed trees: A container root ball package made of wood in the shape of a four-sided box.
 - Container plant: Plants that are grown in and/or are currently in a container including boxed trees.
 - Defective plant: Any plant that fails to meet the plant quality requirement of this specification.
 - End of Warranty Final Acceptance: The date when the Owner's Representative accepts that the plants and work in this section meet all the requirements of the warranty. It is intended that the materials and workmanship warranty for Planting, Planting Soil, and irrigation work run concurrent with each other.
 - Field grown trees (B&B): Trees growing in field soil for at least 12 months prior to harvest.
 - Healthy: Plants that are growing in a condition that expresses leaf size, crown density, color, and with annual growth rates typical of the species and cultivar's horticultural description, adjusted for the planting site, soil, drainage and weather conditions.
 - Kinked root: A root within the root package that bends more than 90 degrees.
 - Maintenance: Actions that preserve the health of plants after installation and as defined in this specification.
 - Maintenance period: The time period, as defined in this specification, which the Contractor is to provide maintenance. It is intended that the maintenance period shall be in accordance with the following:
 - Normal: The prevailing protocol of industry standards).
 - Owner's Representative: The person appointed by the Owner to represent their interest in the review and approval of the work to serve as the contracting authority with the Contractor. The Owner's Representative or Owner may appoint other persons to review and approve any aspects of the work, such as the landscape architect who prepared the plans.
 - Reasonable and reasonably: When used in this specification relative to plant quality, it is intended to mean that the conditions cited will not affect the establishment or long term stability, health or growth of the plant. This specification recognizes that it is not possible to produce plants free of all defects, but that some accepted industry protocols and standards

- All terms in this specification shall be as defined in the "Glossary of Arboricultural Terms" or as modified below.
- Owner's Representative: The person appointed by the Owner to represent their interest in the review and approval of the work to serve as the contracting authority with the Contractor. The Owner's Representative or Owner may appoint other persons to review and approve any aspects of the work, such as the landscape architect who prepared the plans.
- B. Reasonable and reasonably: When used in this specification is intended to mean that the conditions cited will not affect the establishment or long term stability, health or growth of the plant. This specification recognizes that plants are not free of defects, and that plant conditions change with time. This specification also recognizes that some decisions cannot be totally based on measured findings and that professional judgment is required. In cases of differing opinion, the Owner's Representative expert shall determine when conditions within the plant are judged as reasonable.
- C. Shrub: Woody plants with mature height approximately less than 25 feet.
- D. Tree and Plant Protection Area: Area surrounding individual trees, groups of trees, shrubs, or other vegetation to be protected during construction, and defined by a circle centered on the trunk with each tree with a radius equal to the down dipline unless otherwise indicated by the owner's representative.
- E. Tree: Single and multi-stemmed plants, including palms with anticipated mature height approximately greater than 25 feet or any plant identified on the plans as a tree.
- 1.10 SUBMITTALS
- A. PRODUCT DATA: Submit manufacturer product data and literature describing all products required by this section to the Owner's Representative for approval. Provide submittal four weeks before the start of any work at the site.
- 1.11 OBSERVATION OF THE WORK
- A. The Owner's Representative may inspect the work at any time.
- 1.12 PRE-CONSTRUCTION CONFERENCE
- A. Schedule a pre - construction meeting with the Owner's Representative at least seven (7) days before beginning work to review any questions the Contractor may have regarding the work, administrative procedures during construction and project work schedule.
- The following Contractors shall attend the preconstruction conference:
 - General Contractor.
 - Consulting Arborist.
 - Subcontractor assigned to install Tree and Plant Protection measures.
 - Earthwork Contractor.
 - All site utility Contractors that may be required to dig or trench into the soil.
 - Landscape subcontractor.
 - Irrigation subcontractor.
 - Prior to this meeting, mark all trees and plants to remain and or be removed as described in this specification for review and approval by the Owner's Representative.
- 1.13 QUALITY ASSURANCE
- A. Contractor qualifications:
- All pruning, branch tie back, tree removal, root pruning, and fertilizing required by this section shall be performed by or under the direct supervision of ISA Certified Arborist Submit aforementioned individual's qualifications for approval by the Owner's Representative.
 - All applications of pesticide or herbicide shall be performed by a person maintaining a current state license to apply chemical pesticides valid in the jurisdiction of the project. Submit copies of all required state licensing certificates including applicable chemical applicator licenses.

PART 2 PRODUCTS

- 2.3 TREE PROTECTION FENCING:
- B. PLASTIC MESH FENCE: Heavy - duty orange plastic mesh fencing fabric 48 inches wide. Fencing shall be attached to metal "U" or "T" post or wooden post driven into the ground of sufficient depth to hold the fabric solidly in place with out sagging. The fabric shall be attached to the post using attachment of sufficient number and strength to hold up the fabric without sagging. The Owner's Representative may request, at any time, additional post, deeper post depths and or additional fabric attachments if the fabric begins to sag, lean or otherwise not present a sufficient barrier to access.
- C. GATES: For each fence type and in each separate fenced area, provide a minimum of one 3 foot wide gate. Gates shall be lockable. The location of the gates shall be approved by the Owner's Representative.
- D. Submit suppliers product data that product meets the requirements for approval.
- 2.4 Tree protection sign:
- Heavy-duty cardboard signs, 8.5 inches x 11 inches, white colored background with black 2 inch high or larger letters block letters. The signs shall be attached to the tree protection fence every 50 feet o.c. The tree protection sign shall read "Tree and Plant Protection Area - Keep Out"
- 2.5 TREE GROWTH REGULATOR (TGR)
- A. Cambistat 25C.
- B. Submit suppliers product data that product meets the requirements for approval.
- 2.6 MATTING
- A. Matting for vehicle and work protection shall be heavy duty matting designed for vehicle loading over tree roots, Alutarnums as manufactured by Alutarnums, Inc. Franklin, PA 16323 or approved equal.
- B. Submit suppliers product data that product meets the requirements for approval.
- 2.7 GEORGRID
- A. Geogrid shall be woven polyester fabric with PVC coating, Uni-axial or biaxial geogrid, inert to biological degradation, resistant to naturally occurring chemicals, alkalis, acids.
- B. Submit suppliers product data that product meets the requirements for approval.
- 2.8 FILTER FABRIC
- A. Filter Fabric shall be nonwoven polypropylene fibers, inert to biological degradation and resistant of naturally occurring chemicals, alkalis and acids.
- Miraf 135 N as manufactured by Ten Cate Nicolon, Norcross, GA. <http://www.tencate.com> or approved equal.
- B. Submit suppliers product data that product meets the requirements for approval.
- 2.9 TREE AND PLANT PROTECTION AREA: The Tree and Plant Protection Area is defined as all areas indicated on the tree protection plan. Where no limit of the Tree and Plant Protection area is defined on the drawings, the limit shall be the dip line (outer edge of the branch crown) of each tree.
- 3.4 Preparation:
- A. Prior to the preconstruction meeting, layout the limits of the Tree and Plant Protection Area and then alignments of required Tree and Plant Protection Fencing and root pruning. Obtain the Owner's Representative's approval of the limits of the protection area and the alignment of all fencing and root pruning.
- B. Flag all trees and shrubs to be removed by wrapping orange plastic ribbon around the trunk and obtain the Owner's Representative's approval of all trees and shrubs to be removed prior to the start of tree and shrub removal. After approval, mark all trees and shrubs to be removed with orange paint in a band completely around the base of the tree or shrub 4.5 feet above the ground.
- C. Flag all trees and shrubs to remain with white plastic ribbon tied completely around the trunk or each tree and to a prominent branch for each shrub. Obtain the Owner's Representative's approval of all trees and shrubs to be remain prior to the start of tree and shrub removal.
- D. Prior to any construction activity at the site including utility work, grading, storage of materials, or installation of temporary construction facilities, install all tree protection fencing, Filter Fabric, soil fence, tree protection signs, Geogrid, Mulch and or Wood Chips as shown on the drawings.
- 3.5 SOIL MOISTURE
- A. Volumetric soil moisture level, in all soils within the Tree and Plant Protection Area shall be maintained above permanent wilt point to a depth of at least 8 inches. No soil work or other activity shall be permitted within the Tree and Plant Protection Area when the volumetric soil moisture is above field capacity. The permanent wilt point and field capacity for each type of soil texture shall be defined as follows (numbers indicate percentage volumetric soil moisture).

Soil type	Permanent wilt point v/v	Field capacity v/v
Sand, Loamy sand, Sandy loam	5 - 8%	12 - 18%
Loam, Sandy clay, Sandy clay loam	14 - 25%	27 - 36%
Clay loam, Silty loam	11 - 22%	31 - 36%
Silty clay, Silty clay loam	22 - 27%	38 - 41%

1. Volumetric soil moisture shall be measured with a digital, electric conductivity meter. The meter shall be the Digital Soil Moisture Meter, DSM450 by General Specialty Tools and Instruments, or approved equivalent meter.

B. The Contractor shall confirm the soil moisture levels with a moisture meter. If the moisture is too high, suspend operations until the soil moisture drains to below field capacity.

3.6 ROOT PRUNING:

A. Prior to any excavating into the existing soil grade within 25 feet of the limit of the Tree and Plant Protection Area or trees to remain, root prune all existing trees to a depth of 24 inches below existing grade in alignments following the edges of the Tree and Plant Protection Area or as directed by the Owner's Representative. Root pruning shall be in conformance with ANSI A300 (part 5) latest edition.

3.7 INSTALLATION OF GEORGRIDS, FILTER FABRIC, MATTING, WOOD CHIPS AND OR MULCH

A. Install Geogrids, Filter Fabric, Matting, Wood Chips or Mulch in areas and depths shown on the plans and details or as directed by the Owner's representative. In general it is the intent of this specification to provide the following levels of protection:

- All areas within the Tree and Plant Protection area provide a minimum of 5 inches of Wood Chips or Mulch.
- Areas where foot traffic or storage of lightweight materials is anticipated to be unavoidable provide a layer of Filter Fabric under the 5 inches of Wood Chips or Mulch.
- Areas where occasional light vehicle traffic is anticipated to be unavoidable provide a layer of Geogrids under 8

- inches of Wood Chips or Mulch.
4. Areas where heavy vehicle traffic is unavoidable provide a layer of Geogrids under 8 - 12 inches of Wood Chips or Mulch and a layer of matting over the Wood Chips or Mulch.
- B. The Owner's Representative shall approve the appropriate level of protection.
- C. In the above requirements, light vehicle is defined as a track sled with a ground pressure of 4 psi or lighter. A heavy vehicle is any vehicle with a tire and track pressure of greater than 4 psi. Lightweight materials are any packaged materials that can be physically removed by hand into the location. Bulk materials such as soil, or aggregate shall never be stored within the Tree and Plant Protection Area.
- 3.8 PROTECTION:
- A. Protect the Tree and Plant Protection Area at all times from compaction of the soil; damage of any kind to trunks, bark, branches, leaves and roots of all plants; and contamination of the soil, bark or leaves with construction materials, debris, silt, fuels, oils, and any chemicals substance. Notify the Owner's Representative of any spills, compaction or damage and take corrective action immediately using methods approved by the Owner's Representative.
- 3.9 GENERAL REQUIREMENTS AND LIMITATIONS FOR OPERATIONS WITHIN THE TREE AND PLANT PROTECTION AREA:
- A. The Contractor shall not engage in any construction activity within the Tree and Plant Protection Area without the approval of the Owner's Representative including: operating, moving or storing equipment; storing supplies or materials; locating temporary facilities including trailers or portable toilets and shall not permit employees to traverse the area to access adjacent areas of the project or use the area for lunch or any other work breaks. Permitted activity, if any, within the Tree and Plant Protection Area may be indicated on the drawings along with any required remedial activity as listed below.
- B. In the event that construction activity is unavoidable within the Tree and Plant Protection Area, notify the Owner's Representative and submit a detailed written plan of action for approval. The plan shall include: a statement detailing the reason for the activity including why other areas are not served; a description of the proposed activity; the time period for the activity; and a list of remedial actions that will reduce the impact on the Tree and Plant Protection Area from the activity. Remedial actions shall include but shall not be limited to the following:
- In general, demolition and excavation within the dip line of trees and shrubs shall proceed with extreme care by the use of hand tools, directional boring and or Air Knife excavation where indicated or with other low impact equipment that will not cause damage to the tree, roots or soil.
 - When encountered, exposed roots, 1 inches and larger in diameter shall be worked around in a manner that does not break the outer layer of the root surface (bark). These roots shall be covered in Wood Chips and shall be maintained above permanent wilt point at all times. Roots one inch and larger in diameter shall not be cut out with the approval of the owners representative. Excavation shall be tunneled under these roots without cutting them. In the areas where roots are encountered, work shall be performed and scheduled to close excavations as quickly as possible over exposed roots.
 - Tree branches that interfere with the construction may be tied back or pruned to clear only to the point necessary to complete the work. Other branches shall only be removed when specifically indicated by the Owner's Representative. Tying back or trimming of all branches and the cutting of roots shall be in accordance with accepted arboricultural practices (ANSI A300, part 6) and be performed under supervision of the arborist.
 - Matting: Install temporary matting over the Wood Chips or Mulch to the extent indicated. Do not permit foot traffic, scaffolding or the storage of materials within the Tree and Plant Protection Area to occur off of the temporary matting.
 - Trunk Protection: Protect the trunk of each tree to remain by covering it with a ring of 8 foot long 2 inch x 6 - inch planks loosely banded onto the tree with 3 steel bands. Staple the bands to the planks as necessary to hold them securely in place. Trunk protection must be kept in place no longer than 12 months. If construction requires work near a particular tree to continue longer than 12 months, the steel bands shall be inspected every six months and loosened if they are found to have become tight.
 - Air Excavation Tool: If excavation for footings or utilities is required within the Tree and Plant Protection Area, air excavation tool techniques shall be used where practical or as designed on the drawings.
 - Remove the Wood Chips from an area approximately 18 inches beyond the limits of the hole or trench to be excavated. Cover the Wood Chips for a distance of not less than 15 feet around the limit of the excavation area with Filter Fabric or plastic sheeting to protect the Wood Chips from soil. Mount the Wood Chips so that the plastic slopes downward toward the excavation.
 - Using a sprinkler or soaker hose, apply water slowly to the area of the excavation for a period of at least 4 hours, approximately 12 hours prior to the work so that the ground water level is at or near field capacity at the beginning of the work. For excavations that go beyond the damp soil, rewet the soil as necessary to keep soil moisture near field capacity.
 - Using an air excavation tool specifically designed and manufactured for the intended purpose, and at pressures recommended by the manufacturer of the equipment, fracture the existing soil to the shape and the depths required. Work at rates and using techniques that do not harm tree roots. Air pressure shall be a maximum of 90-100 psi.
 - The air excavation tool shall be "Air-Spade" as manufactured by Concept Engineering Group, Inc., Verona, PA (412) 826-8800, or Air Knife as manufactured by Easy Use Air Tools, Inc. Allison Park, Pa (966) 328-5723 or approved equal.
 - Using a commercial, high-powered vacuum truck if required, remove the soil from the excavation produced by the Air Knife excavation. The vacuum truck should generally operate simultaneously with the hose operator, such that the soil produced is picked up from the excavation hole, and the exposed roots can be observed and not damaged by the ongoing operation. Do not drive the vacuum truck into the Tree and Plant Protection Area unless the area is protected from compaction as approved in advance by the Owner's Representative.
 - Remove all excavated soil and excavated Wood Chips, and contaminated soil at the end of the excavation.
 - Schedule the work so that foundations or utility work is completed immediately after the excavation. Do not let the roots dry out. Mist the roots several times during the day. If the excavated area must remain open over night, mist the roots and cover the excavation with black plastic.
 - Dispose of all soil in a manner that meets local laws and regulations.
 - Restore soil within the trench as soon as the work is completed. Utilize soil of similar texture to the removed soil and lightly compact with hand tools. Leave soil mounded over the trench to a height of approximately 10% of the trench depth to account for settlement.
 - Restore any Geogrids, Filter Fabric, Wood Chips or Mulch and or matting that was previously required for the area.
- 3.10 TREE REMOVAL:
- A. Remove all trees indicated by the drawings and specifications, as requiring removal, in a manner that will not damage adjacent trees or structures or compacts the soil.
- B. Remove trees that are adjacent to trees or structures to remain, in sections, to limit the opportunity of damage to adjacent crowns, trunks, ground plane elements and structures.
- C. Do not drop trees with a single cut unless the tree will fall in an area not included in the Tree and Plant Protection Area. No tree to be removed within 50 feet of the Tree and Plant Protection Area shall be pushed over or up-rooted using a piece of grading equipment.
- D. Protect adjacent paving, soil, trees, shrubs, ground cover plantings and understorey plants to remain from damage during all tree removal operations, and from construction operations. Protection shall include the root system, trunk, limbs, and crown from breakage or scarring, and the soil from compaction.
- E. Remove stumps and immediate root plane from existing trees to be removed. Grind trunk bases and large buttress roots to a depth of the largest buttress root or at least 18 inches below the top most roots which ever is less and over the area of three times the diameter of the trunk (DBH).
- F. For trees where the stump will fall under new paved areas, grind roots to a total depth of 18 inches below the existing grade. If the sides of the stump hole will have greater than approximately 20% wood visible, continue grinding operation deeper and or wider until the resulting hole has less than 20% wood. Remove all wood chips produced by the grinding operation and back fill in 8 inch layers with controlled fill of a quality acceptable to the site engineer for fill material under structures, compared to 95% of the maximum dry density standard proctor. The Owner's Representative shall approve each hole at the end of the grinding operation.
2. In areas where the tree location is to be a planting bed or lawn, remove all woodchips and backfill stump holes with planting soil as defined in Specification Section Planting Soil, in maximum of 12 inch layers and compact to 80 - 85% of the maximum dry density standard proctor.
- 3.11 PRUNING:
- A. Within six months of the estimated date of substantial completion, prune all dead or hazardous branches larger than 2 inch in diameter from all trees to remain.
- B. Implement all pruning recommendations found in the arborist report.
- C. Prune any low hanging branches and vines from existing trees and shrubs that overhang walks, streets and drives, or parking areas as follows:
- Walks - within 8 feet vertically of the proposed walk elevation.
 - Parking areas - within 12 feet vertically of the proposed parking surface elevation.
 - Streets and drives - within 14 feet vertically of the proposed driving surface elevation.
- D. All pruning shall be done in accordance with ANSI A300 (part 1), ISA BMP Tree Pruning (latest edition, and the "Structural Pruning: A Guide for the Green Industry", Edward Gilman, Brian Kempf, Nelda Matheny and Jim Clark, 2013 Urban Tree Foundation, Visalia CA.
- E. Perform other pruning task as indicated on the drawings or requested by the Owner's Representative.
- F. Where tree specific disease vectors require, sterilize all pruning tools between the work in individual trees.
- 3.13 WATERING
- A. The Contractor shall be fully responsible to ensure that adequate water is provided to all plants to be preserved during the entire construction period. Adequate water is defined to be maintaining soil moisture above the permanent wilt point to a depth of 8 inches or greater.
- B. The Contractor shall adjust the automatic irrigation system, if available, and apply additional water, using hoses or water tanks as required.
- C. Periodically test the moisture content in the soil within the root zone to determine the water content.
- 3.14 WEED REMOVAL
- A. During the construction period, control any plants that seed in and around the fenced Tree and Plant Protection area at least three times a year.
- All plants that are not shown on the planting plan or on the Tree and Plant Protection Plan to remain shall be considered as weeds.
- B. At the end of the construction period provide one final weeding of the Tree and Plant Protection Area.
- 3.15 INSECT AND DISEASE CONTROLLER
- A. Monitor all plants to remain for disease and insect infestations during the entire construction period. Provide all disease and insect control required to keep the plants in a healthy state using the principles of Integrated Plant Management (IPM). All pesticides shall be applied by a certified pesticide applicator.
- 3.16 CLEAN-UP
- A. During tree and plant protection work, keep the site free of trash, pavements reasonably clean and work area in an orderly condition at the end of each day. Remove trash and debris in containers from the site no less than once a week.
- Immediately clean up any spilled or tracked soil, fuel, oil, trash or debris deposited by the Contractor from all surfaces within the project or on public right of ways and neighboring property.
- B. Once tree protection work is complete, wash all soil from pavements and other structures. Ensure that Mulch is confined to planting beds.
- C. Make all repairs to grades, ruts, and damage to the work or other work at the site.
- D. Remove and dispose of all excess Mulch, Wood Chips, packaging, and other material brought to the site by the Contractor.

- 3.17 Removal of fencing and other Tree and plant protection
- A. At the end of the construction period or when requested by the Owner's Representative remove all fencing, Wood Chips or Mulch, Geogrids and Filter Fabric, trunk protection and or any other Tree and Plant Protection material.
- 3.18 DAMAGE OR LOSS TO EXISTING PLANTS TO REMAIN
- B. Any trees or plants designated to remain and which are damaged by the Contractor shall be replaced in kind by the Contractor at their own expense. Trees shall be replaced with a tree of similar species and of equal size or 6 inch caliper which ever is less. Shrubs shall be replaced with a plant of similar species and equal size or the largest size plants reasonably available which ever is less. Where replacement plants are to be less than the size of the plant that is damaged, the Owner's Representative shall approve the size and quality of the replacement plant.
- All trees and plants shall be installed per the requirements of Specification Section Planting.
 - Plants that are damaged shall be considered as requiring replacement or appraisal in the event that the damage affects more than 25 % of the crown, 25% of the trunk circumference, or root protection area, or the tree is damaged in such a manner that the tree could develop into a potential hazard. Trees and shrubs to be replaced shall be removed by the Contractor at his own expense.
 - The Owner's Representative may engage an independent arborist to assess any tree or plant that appears to have been damaged to determine their health or condition.
 - Any tree that is determined to be dead, damaged or potentially hazardous by the Owner's arborist and upon the request of the Owner's Representative shall be immediately removed by the Contractor at no additional expense to the owner. Tree removal shall include all clean up of all wood parts and grinding of the stump to a depth sufficient to plant the replacement tree or plant, removal of all chips from the stump site and filling the resulting hole with topsoil.
 - Any remedial work on damaged existing plants recommended by the consulting arborist shall be completed by the Contractor at no cost to the owner. Remedial work shall include but is not limited to: soil compaction remediation and vertical mulching, pruning and or cabling, insect and disease control including injections, compensatory watering, additional mulching and could include application tree growth regulators (TGR).
 - Remedial work may extend up to two years following the completion of construction to allow for any requirements of multiple applications or the need to undertake applications at required seasons of the year.
- END OF SECTION 015639

SECTION 32 9300
PLANTING

PART 1 GENERAL

1.1 SUMMARY

- A. The scope of work includes all labor, materials, appliances, tools, equipment, facilities, transportation and services necessary for, and incidental to performing all operations in connection with furnishing, delivery, and installation of plant (also known as "landscaping") complete as shown on the drawings and as specified herein.
- B. The scope of work in this section includes, but is not limited to, the following:
- Locate, purchase, deliver and install all specified plants.
 - Water all specified plants.
 - Mulch, fertilize, stake, and prune all specified plants.
 - Maintenance of all specified plants until the beginning of the warranty period.
 - Plant warranty.
 - Clean up and disposal of all excess and surplus material.
 - Maintenance of all specified plants during the warranty period.

1.2 CONTRACT DOCUMENTS

- A. Shall consist of specifications and general conditions and the construction drawings. The intent of these documents is to include all labor, materials, and services necessary for the proper execution of the work. The documents are to be considered as one. Whatever is called for by any parts shall be as binding as if called for in all parts.

1.3 RELATED DOCUMENTS AND REFERENCES

- A. Related Documents:
- Drawings and general provisions of contract including general and supplementary conditions and Division I specifications apply to work of this section
 - Related Specification Sections
 - Section - Tree Protection and Plant Protection
 - References: The following specifications and standards of the organizations and documents listed in this paragraph form a part of the specification to the extent required by the references thereof. In the event that the requirements of the following referenced standards and specification conflict with this specification section the requirements of this specification shall prevail. In the event that the requirements of any of the following referenced standards and specifications conflict with each other the more stringent requirement shall prevail or as determined by the Owners Representative.
- State of California, Department of Food and Agriculture, Regulations for Nursery Inspections, Rules and Grading
 - ANSI 200.1 American Standard for Nursery Stock, most current edition.
 - ANSI A 300 - Standard Practices for Tree, Shrub and other Woody Plant Maintenance, most current edition and parts.
 - Florida Grades and Standards for Nursery Stock, current edition (Florida Department of Agriculture, Tallahassee FL).
 - Interpretation of plant names and descriptions shall reference the following documents: Where the names or plant descriptions disagree between the several documents, the most current document shall prevail.
 - USDA - The Gernplearn Resources Information Network (<http://www.ars-grin.gov/npgs/searchgrin.html>)
 - Manual of Woody Landscape Plants; Michael Dir. Sipes Publishing, Champaign, Illinois; Most Current Edition.
 - The New Sunset Western Garden Book, Osmoor House, most current edition.
 - Pruning practices shall conform to recommendations "Structural Pruning: A Guide For The Green Industry" most current edition; published by Urban Tree Foundation, Visalia, California.
 - Glossary of Arboricultural Terms, International Society of Arboriculture, Champaign IL, most current edition.

1.4 VERIFICATION

- A. All scaled dimensions on the drawings are approximate. Before proceeding with any work, the Contractor shall carefully check and verify all dimensions and quantities, and shall immediately inform the Owner's Representative of any discrepancies between the information on the drawings and the actual conditions, refraining from doing any work in said areas until given approval to do so by the Owner's Representative.
- B. In the case of a discrepancy in the plant quantities between the plan drawings and the plant call outs, list or plant schedule, the number of plants or square footage of the planting bed actually drawn on the plan drawings shall be deemed correct and prevail.

1.5 PERMITS AND REGULATIONS

- A. The Contractor shall obtain and pay for all permits related to this section of the work unless previously excluded under provision of the contract or general conditions. The Contractor shall comply with all laws and ordinances bearing on the operation or conduct of the work as drawn and specified. If the Contractor observes that a conflict exists between permit requirements and the work outlined in the contract documents, the Contractor shall promptly notify the Owner's Representative in writing including a description of any necessary changes and changes to the contract price resulting from changes in the work.
- B. Wherever references are made to standards or codes in accordance with which work is to be performed or tested, the edition or revision of the standards and codes current on the effective date of this contract shall apply, unless otherwise expressly set forth.
- C. In case of conflict among any referenced standards or codes or between any referenced standards and codes and the specifications, the more restrictive standard shall apply or Owner's Representative shall determine which shall govern.

1.6 PROTECTION OF WORK, PROPERTY AND PERSON

- A. The Contractor shall adequately protect the work, adjacent property, and the public, and shall be responsible for any damages or injury due to his/her actions.

1.7 CHANGES IN THE WORK

- A. The Owner's Representative may order changes in the work, and the contract sum should be adjusted accordingly. All such orders and adjustments plus claims by the Contractor for extra compensation must be made and approved in writing before executing the work involved.
- B. All changes in the work, notifications and contractor's request for information (RFI) shall conform to the contract general condition requirements.

1.8 CORRECTION OF WORK

- A. The Contractor, at their own cost, shall re-execute any work that fails to conform to the requirements of the contract and shall remedy defects due to faulty materials or workmanship upon written notice from the Owner's Representative, at the soonest as possible time that can be coordinated with other work and seasonal weather demands.

1.9 DEFINITIONS

- All terms in this specification shall be as defined in the "Glossary of Arboricultural Terms" or as modified below.
- Boxed trees: A container root ball package made of wood in the shape of a four-sided box.
 - Container plant: Plants that are grown in and/or are currently in a container including boxed trees.
 - Defective plant: Any plant that fails to meet the plant quality requirement of this specification.
 - End of Warranty Final Acceptance: The date when the Owner's Representative accepts that the plants and work in this section meet all the requirements of the warranty. It is intended that the materials and workmanship warranty for Planting, Planting Soil, and irrigation work run concurrent with each other.
 - Field grown trees (B&B): Trees growing in field soil for at least 12 months prior to harvest.
 - Healthy: Plants that are growing in a condition that expresses leaf size, crown density, color, and with annual growth rates typical of the species and cultivar's horticultural description, adjusted for the planting site, soil, drainage and weather conditions.
 - Kinked root: A root within the root package that bends more than 90 degrees.
 - Maintenance: Actions that preserve the health of plants after installation and as defined in this specification.
 - Maintenance period: The time period, as defined in this specification, which the Contractor is to provide maintenance. It is intended that the maintenance period shall be in accordance with the following:
 - Normal: The prevailing protocol of industry standards).
 - Owner's Representative: The person appointed by the Owner to represent their interest in the review and approval of the work to serve as the contracting authority with the Contractor. The Owner's Representative or Owner may appoint other persons to review and approve any aspects of the work, such as the landscape architect who prepared the plans.
 - Reasonable and reasonably: When used in this specification relative to plant quality, it is intended to mean that the conditions cited will not affect the establishment or long term stability, health or growth of the plant. This specification recognizes that it is not possible to produce plants free of all defects, but that some accepted industry protocols and standards

result in plants unacceptable to this project.

When reasonable or reasonably is used in relation to other issues such as weeds, diseased, insects, it shall mean at levels low enough that no treatment would be required when applying recognized Integrated Plant Management practices.

This specification recognizes that some decisions cannot be totally based on measured findings and that professional judgment is required. In cases of differing opinion, the Owner's Representative's expert shall determine when conditions are judged as reasonable.

- M. Root ball: The mass of roots including any soil or substrate that is shipped with the tree within the root ball package.
- N. Root ball package: The material that surrounds the root ball during shipping. The root package may include the material in which the plant was grown, or new packaging placed around the root ball for shipping.
- O. Root collar (root crown, root flare, trunk flare, flare): The region at the base of the trunk where the majority of the structural roots join the plant stem, usually at or near ground level.
- P. Shrub: Woody plants with mature height approximately less than 15 feet.
- Q. Space harvested and transplanted: Field grown trees that are mechanically harvested and immediately transplanted to the final growing site without being removed from the digging machine.
- R. Stem: The trunk of the tree.
- S. Substantial Completion Acceptance: The date at the end of the Planting, Planting Soil, and Irrigation installation where the Owner's Representative accepts that all work in these sections is complete and the Warranty period has begun. This date may be different than the date of substantial completion for the other sections of the project.
- T. Stem girdling root: Any root more than 1/4 inch diameter currently touching the trunk, or with the potential to touch the trunk, above the root collar approximately tangent to the trunk circumference or circling the trunk. Roots shall be considered as Stem Girdling have, or are likely to have in the future, root to trunk bark contact.
- U. Structural root: One of the largest roots emerging from the root collar.
- V. Tree: Single and multi-stemmed plants with mature height approximately greater than 15 feet.

1.10 SUBMITTALS

- A. See contract general conditions for policy and procedure related to submittals.
- B. Submit all product submittals 4 weeks prior to installation of plantings.
- C. Product data: Submit manufacturer product data and literature describing all products required by this section to the Owner's Representative for approval. Provide submittal four weeks before the installation of plants.
- D. Plant growers' certificates: Submit plant growers' certificates for all plants indicating that each meets the requirements of the specification, including the requirements of tree quality, to the Owner's Representative for approval. Provide submittal four weeks before the installation of plants.
- E. Samples: Submit samples of each product and material where required by the specification to the Owner's Representative for approval. Label samples to indicate product, characteristics, and locations in the work. Samples will be reviewed for appearance only. Compliance with all other requirements is the exclusive responsibility of the Contractor.
- F. Plant sources: Submit sources of all plants as required by Article - "Selection of Plants" to the Owner's Representative for approval.
- G. Close out submittals: Submit to the Owner's Representative for approval.
- Plant maintenance data and requirements.
- H. Warranty period site visit record: If there is no maintenance during the warranty period, after each site visit during the warranty period, by the Contractor, as required by this specification, submit a written record of the visit, including any problems, potential problems, and any recommended corrective action to the Owner's Representative for approval.

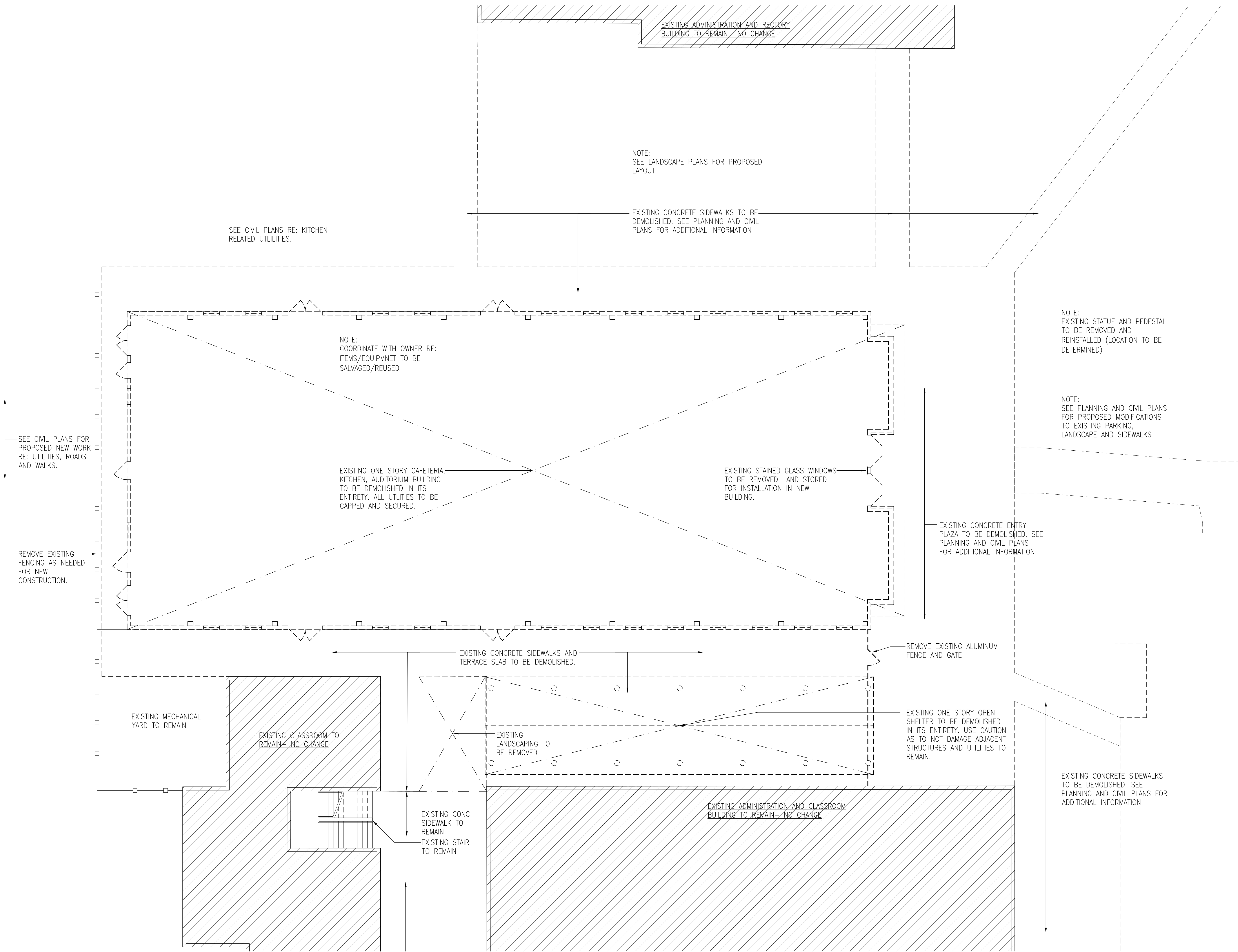
1.11 OBSERVATION OF THE WORK

- A. The Owner's Representative may observe the work at any time. They may remove samples of materials for conformity to specifications. Rejected materials shall be immediately removed from the site and replaced at the Contractor's expense. The cost of testing materials not meeting specifications shall be paid by the Contractor.
- B. The Owner's Representative shall be informed of the progress of the work so the work may be observed at the following key times in the construction process. The Owner's Representative shall be afforded sufficient time to schedule visit to the site. Failure of the Owner's Representative to make field observations shall not relieve the Contractor from meeting all the requirements of this specification.

- SITE CONDITIONS PRIOR TO THE START OF PLANTING: review the soil and drainage conditions.
- COMPLETION OF THE PLANT LAYOUT STAKING: Review of the plant layout.
- PLANT QUALITY: Review of plant quality at the time of delivery and prior to installation. Review tree quality prior to unloading where possible, but in all cases prior to planting.
- COMPLETION OF THE PLANTING: Review the completed planting.

1.12 PRE-CONSTRUCTION CONFERENCE

1.15 SELECTION AND OBSERVATION OF PLANTS		5.) The root system shall be reasonably free of stem girdling roots over the root collar or kninked roots from nursery production practices.	delivery, set plants in a location protected from sun and wind. Provide adequate water to the root ball package during the shipping and storage period.	away; do not fold down onto the Planting Soil.	B. Once installation is complete, wash all soil from pavements and other structures. Ensure that mulch is confined to planting beds and that all tags and flagging tape are removed from the site. The Owner's Representative's seals are to remain on the trees and removed at the end of the warranty period.
		6.) At time of observations and delivery, the root ball shall be moist throughout. Roots shall not show signs of excess soil moisture conditions as indicated by stunted, discolored, distorted, or dead roots.			
A. The Owner's Representative may review all plants subject to approval of size, health, quality, character, etc. Review or approval of any plant during the process of selection, delivery, installation and establishment period shall not prevent that plant from later rejection in the event that the plant quality changes or previously existing defects become apparent that were not observed.		E. Submittals: Submit for approval the required plant quality certifications from the grower where plants are to be purchased, for each plant type. The certification must state that each plant meets all the above plant quality requirements.	1. All plant materials must be available for observation prior to planting.	2. If the plant is shipped with a wire basket that does not meet the requirements of a "Low Rise" basket, remove the top 6 - 8 inches of the basket wires just before the final backfilling of the tree	C. Make all repairs to grades, roots, and damage by the planter installer to the work or other work at the site.
B. Plant Selection: The Owner's Representative reserves the right to select and observe all plants at the nursery prior to delivery and to reject plants that do not meet specifications as set forth in this specification. If a particular defect or substandard element can be corrected at the nursery, as determined by the Owner's Representative, the agreed upon remedy may be applied by the nursery or the Contractor provided that the correction allows the plant to meet the requirements set forth in this specification. Any work to correct plant defects shall be at the contractor's expense.		1. The grower's certification of plant quality does not prohibit the Owner's Representative from observing any plant or rejecting the plant if it is found to not meet the specification requirements.	2. Using a soil moisture meter, periodically check the soil moisture in the root balls of all plants to assure that the plants are being adequately watered. Volumetric soil moisture shall be maintained above wilting point and below field capacity for the root ball substrate or soil.	C. SPADE HARVESTED AND TRANSPLANTED PLANTS	
1. The Owner's Representative may make invasive observation of the plant's root system in the area of the root collar and the top of the root ball in general in order to determine that the plant meets the quality requirements for depth of the root collar and presence of roots above the root collar. Such observations will not harm the plant.		2.2 ROOT BALL PACKAGE OPTIONS: The following root ball packages are permitted. Specific root ball packages shall be required where indicated on the plant list or in this specification. Any type of root ball packages that is not specifically defined in this specification shall not be permitted.	B. Do not deliver more plants to the site than there is space with adequate storage conditions. Provide a suitable remote staging area for plants and other supplies.	1. After installing the tree, loosen the soil along the seam between the root ball and the surrounding soil out to a radius from the root ball edge equal to the diameter of the root ball to a depth of 8 - 10 inches by hand digging to disturb the soil interface.	3.19 PROTECTION DURING CONSTRUCTION
2. Corrections are to be undertaken at the nursery prior to shipping.		A. BALLED AND BURLAPPED PLANTS	1. The Owner's Representative or Contractor shall approve the duration, method and location of storage of plants.	2. Fill any gaps below this level with loose soil.	
C. The Contractor shall bear all cost related to plant corrections.		2. All Balled and Burlapped Plants shall be field grown, and the root ball packaged in a burlap and twine and/or burtap and wire basket package.	C. Provide protective covering over all plants during transporting.	D. CONTAINER (INCLUDES BOXED AND ABOVE-GROUND FABRIC CONTAINERS) PLANTS	B. Damage done by the Contractor, or any of their sub-contractors to existing or installed plants, or any other parts of the work or existing features to remain, including roots, trunk or branches of large existing trees, soil, paving, utilities, lighting, irrigation, other finished work and surfaces including those on adjacent property, shall be cleaned, repaired or replaced by the Contractor at no expense to the Owner. The Owner's Representative shall determine when such cleaning, replacement or repair is satisfactory.
D. All plants that are rejected shall be immediately removed from the site and acceptable replacement plants provided at no cost to the Owner.		3. Plants shall be harvested with the following modifications to standard nursery practices.	A. The Contractor shall coordinate with all other work that may impact the completion of the work.	1. This specification assumes that most container plants have significant stem girdling and circling roots, and that the root collar is too low in the root ball.	
E. Submit to the Owner's Representative, for approval, plant sources including the names and locations of nurseries proposed as sources of acceptable plants, and a list of the plants they will provide. The plant list shall include the botanical and common name and the size at the time of selection. Observe all nursery materials to determine that the materials meet the requirements of this section.		a. Prior to digging any tree that fails to meet the requirement for maximum soil and roots above the root collar, carefully removed the soil from the top of the root ball of each plant, using hand tools, water or an air spade, to locate the root collar and attain the soil depth over the structural roots requirements. Remove all stem girdling roots above the root collar. Care must be exercised not to damage the surface of the root collar and the top of the structural roots.	B. Prior to the start of work, prepare a detailed schedule of the work for coordination with other trades.	2. Remove the container.	A. During the project work period and prior to Substantial Completion Acceptance, the Contractor shall maintain all plantings in good condition and in accordance with the maintenance schedule.
F. The Contractor shall request the grower or re-wholesale supplier to permit the Owner's Representative to observe the root system of all plants at the nursery or job site prior to planting including random removal of soil or substrate around the base of the plant. Observation may be as frequent and as extensive as needed to verify that the plants meet the requirements of the specifications and conform to requirements.		b. Trees shall be dug for a minimum of 4 weeks and a maximum of 52 weeks prior to shipping. Trees dug 4 to 52 weeks prior to shipping are defined as hardened-off. Digging is defined as cutting all roots and lifting the tree out of the ground and either moving it to a new location in the nursery or placing it back into the same hole. Trees that are stored out of the ground shall be placed in a holding area protected from extremes of wind and sun with the root ball protected by covering with mulch or straw and irrigated sufficiently to keep moisture in the root ball above wilt point and below saturation	C. Coordinate the relocation of any irrigation lines, heads or the conduits of other utility lines that are in conflict with tree locations. Root balls shall not be altered to fit around lines. Notify the Owner's Representative of any conflicts encountered.	3. Perform root ball shaving as defined in Installation of Plants: General above.	
G. Where requested by the Owner's Representative, submit photographs of plants or representative samples of plants. Photographs shall be legible and clearly depict the plant specimen. Each submitted image shall contain a height reference, such as a measuring stick. The approval of plants by the Owner's Representative via photograph does not preclude the Owner's Representative's right to reject material while on site.		c. If wire baskets are used to support the root ball, a "low profile" basket shall be used. A low profile basket is defined as having the top of the highest loops on the basket no less than 4 inches and no greater than 8 inches below the shoulder of the root ball package. The basket shall be removed completely at time of planting.	D. It is understood that plants are not precise objects and that minor adjustments in the layout will be required as the planting plan is constructed. These adjustments may not be apparent until some or all of the plants are installed. Make adjustments as required by the Owner's Representative including relocating previously installed plants.	4. Remove all roots and substrate above the root collar and the main structural roots according to root correction details so root system conforms to root observations detail.	3.21 SUBSTANTIAL COMPLETION ACCEPTANCE
1.6 PLANT SUBSTITUTIONS FOR PLANTS NOT AVAILABLE		d. Twine and burtap used for wrapping the root ball package shall be natural, biodegradable material. If the burtap decomposes after digging the tree then the root ball shall be re-wrapped prior to shipping if roots have not yet grown to keep root ball intact during shipping.	3.4 LAYOUT AND PLANTING SEQUENCE	5. Remove all substrate at the bottom of the root ball that does not contain roots.	
A. Submit all requests for substitutions of plant species, or size to the Owner's Representative, for approval, prior to purchasing the proposed substitution. Request for substitution shall be accompanied with a list of nurseries contacted in the search for the required plant and a record of other attempts to locate the required material. Requests shall also include sources of plants found that may be of a smaller or larger size, or a different shape or habit than specified, or plants of the same genus and species but different cultivar origin, or which may otherwise not meet the requirements of the specifications, but which may be available for substitution.		1.) At nurseries where sandy soils prevent the use of "low profile baskets", baskets that support the entire root ball, including the top, are allowable.	A. Relative positions of all plants and trees are subject to approval of the Owner's Representative.	6. Using a hose, power washer and air excavation device, wash out the substrate from around the trunk and top of the remaining root ball and find and remove all stem girdling roots within the root ball above the top of the structural roots.	1. Notification shall be at least 7 days prior to the date the contractor is requesting the review.
1.7 SITE CONDITIONS		2. Twine and burtap used for wrapping the root ball package shall be natural, biodegradable material. If the burtap decomposes after digging the tree then the wire shall be re-wrapped prior to shipping if roots have not yet grown to keep root ball intact during shipping.	B. Notify the Owner's Representative, one (1) week prior to layout. Layout all individual tree and shrub locations. Place plants above surface at planting location and place a labeled stake at planting location. Layout bed lines with paint for the Owner's Representative's approval. Secure the Owner's Representative's acceptance before digging and start of planting work.	E. BARE ROOT PLANTS	
A. It is the responsibility of the Contractor to be aware of all surface and sub-surface conditions, and to notify the Owner's Representative, in writing, of any circumstances that would negatively impact the health of plantings. Do not proceed with work until unsatisfactory conditions have been corrected.		3. Trees shall be moved and planted within 48 hours of the initial harvesting and shall remain in the spade machine until planted.	C. When applicable, plant trees before other plants are installed.	1. Dig the planting hole to the diameter of the spread of the roots to a depth in the center that maintains the root collar at the elevation of the surrounding finished grade and slightly deeper along the edges of the hole.	C. The Plant Warranty period begins at date of written notification of substantial completion from the Owner's Representative. The date of substantial completion may be different than the date of substantial completion for the other sections of the project.
1. Should subsurface drainage or soil conditions be encountered which would be detrimental to growth or survival of plant material, the Contractor shall notify the Owner's Representative in writing, stating the conditions and submit a proposal covering cost of corrections. If the Contractor fails to notify the Owner's Representative of such conditions, he/she shall remain responsible for plant material under the warranty clause of the specifications.		4. Container plants may be permitted only when indicated on the drawing, in this specification, or approved by the Owner's Representative.	D. It is understood that plants are not precise objects and that minor adjustments in the layout will be required as the planting plan is constructed. These adjustments may not be apparent until some or all of the plants are installed. Make adjustments as required by the Owner's Representative including relocating previously installed plants.	2. Spread all roots out radial to the trunk in the prepared hole making the hole wider where needed to accommodate long roots. Root tips shall be directed away from the trunk. Prune any broken roots removing the least amount of tissue possible.	
B. It is the responsibility of the Contractor to be familiar with the local growing conditions, and if any specified plants will be in conflict with these conditions. Report any potential conflicts, in writing, to the Owner's Representative.		5. Provide plants shall be established and well rooted in removable containers.	3.5 SOIL PROTECTION DURING PLANT DELIVERY AND INSTALLATION	3. Maintain the trunk plumb while backfilling soil around the roots.	A. After Substantial Completion Acceptance, the Contractor shall make sufficient site visits to observe the Owner's maintenance and become aware of problems with the maintenance in time to request changes, until the date of End of Warranty Final Acceptance.
C. This specification requires that all Planting Soil and Irrigation (if applicable) work be completed and accepted prior to the installation of any plants.		6. Container class size shall conform to ANSI Z60.1 for container plants for each size and type of plant.	A. Protect soil from compaction during the delivery of plants to the planting locations, digging of planting holes and installing plants.	4. Lightly tamp the soil around the roots to eliminate voids and reduce settlement.	
1. Planting operations shall not begin until such time that the irrigation system is completely operational for the area(s) to be planted, and the irrigation system for that area has been preliminarily observed and approved by the Owner's Representative.		7. Harvest bare root plants while the plant is dormant and a minimum of 4 weeks prior to leaf out (bud break).	1. Where possible deliver and plant trees that require the use of heavy mechanized equipment prior to final soil preparation and tilling. Where possible, restrict the driving lanes to one area instead of driving over and compacting a large area of soil.	5. Apply mulch to the bed being sure not to cover the tops of the plants with or the tops of the root ball with mulch.	3.23 MAINTENANCE DURING THE WARRANTY PERIOD by the planter installer
D. Actual planting shall be performed during those periods when weather and soil conditions are suitable in accordance with locally accepted horticultural practices.		8. The root spread dimensions of the harvested plants shall conform to ANSI Z60.1 for nursery grown bare root plants for each size and type of plant. Just prior to shipping to the job site, dip the root system into a slurry of hydrogel (cross linked polyacrylamide) and water mixed at a rate of 15 oz. of hydrogel in 25 gallons of water. Do not shake off the excess hydrogel. Place the root system in a pleated black plastic bag and tie the bag snugly around the trunk. Bundle and tie the upper branches together.	3.6 SOIL MOISTURE	I. Water each planting area as soon as the planting is completed. Apply additional water to keep the soil moisture at the required levels. Do not over water.	
1. Do not install plants into saturated or frozen soils. Do not install plants during inclement weather, such as rain or snow or during extremely hot, cold or windy conditions.		9. Keep the trees in a cold dark space for storage and delivery. If daytime outside temperatures exceeds 70 degrees F, utilize a refrigerated storage area with temperature between 35 and 50 degrees.	A. Volumetric soil moisture level, in both the planting soil and the root balls of all plants, prior to, during and after planting shall be above permanent wilting point and below field capacity for each type of soil texture within the following ranges.	F. Remove wire which ties fronds together after placing plant in planting hole and securing it in the upright position.	B. General requirements:
1.8 PLANTING AROUND UTILITIES		10. Where possible, plant time of planting to be before bud break. For trees to be planted after bud break, place the trees before bud break in an irrigated bed of pea gravel.	1. Volumetric soil moisture shall be measured with a digital moisture meter. The meter shall be the Digital Soil Moisture Meter, DSM5M500 by General Specialty Tools and Instruments, or approved equivalent.	3.10 PALM PLANTING	
A. Contractor shall carefully examine the civil, record, and survey drawings to become familiar with the existing underground conditions before digging.		a. The pea gravel bed shall be 18 inches deep over a sheet of plastic.	B. The Contractor shall confirm the soil moisture levels with a moisture meter. If the moisture is too high, suspend planting operations until the soil moisture drains to below field capacity.	A. Palm trees shall be placed at grade making sure not to plant the tree any deeper in the ground than the palm trees originally stood.	2. All chemical and fertilizer applications shall be made by licensed applicators for the type of chemicals to be used. All work and chemical use shall comply with all applicable local, provincial and federal requirements.
B. Determine location of underground utilities and perform work in a manner that will avoid possible damage. Hand excavate, as required. Maintain grade stakes set by others until parties concerned mutually agree upon removal.		b. Space trees to allow the unbundled branches to grow without shading each other.	3.7 INSTALLATION OF PLANTS: GENERAL	B. The trees shall be placed with their vertical axis in a plumb position.	
C. Notification of Local Utility Locator Service, Sunshine 811, is required for all planting areas. The Contractor is responsible for knowing the location and avoiding utilities that are not covered by Sunshine 811.		c. Once stored in pea gravel, allow the trees sufficient time for the new root system to flush and spring growth of leaves to fully develop before planting.	C. Observe each plant after delivery and prior to installation for damage of other characteristics that may cause rejection of the plant. Notify the Owner's Representative of any condition observed.	C. All backfill shall be native soil except in cases where planting in rock. Water-settle the back fill.	4. All workers shall wear required safety equipment and apparel appropriate for the tasks being undertaken.
PART 2 PRODUCTS		d. Pea gravel stored trees may be kept for up to one growing season.	D. No more plants shall be distributed about the planting bed area than can be planted and watered on the same day.	D. Do not cover root ball with mulch or topsoil.	
2.1 PLANTS: GENERAL		e. Pea gravel stored trees shall be dipped, packaged and shipped similar to the requirements for freshly dug bare root trees above.	E. The root system of each plant, regardless of root ball package type, shall be observed by the Contractor, at the time of planting to confirm that the roots meet the requirements for plant root quality in Part 2 Products: Plants General: Plant Quality. The Contractor shall undertake at the time of planting, all modifications to the root system required by the Owner's Representative to meet these quality standards.	E. Provide a watering berm at each palm. Berms shall extend a minimum of 18 inches out from the trunk all around and shall be a minimum of (6) inches high.	6. Maintenance vehicles shall not park on the site including walks and lawn areas at any time without the Owner's Representative's written permission.
A. Standards and measurement: Provide plants of quantity, size, genus, species, and variety or cultivars as shown and scheduled in contract documents.		2.3 ANNUAL FLOWERING AND SEASONAL COLOR PLANTS	D. The Contractor remains responsible to confirm that the grower has made all required root modifications noted during any nursery observations.	F. Remove wire which ties fronds together after placing plant in planting hole and securing it in the upright position.	
1. All plants including the root ball dimensions or container size to trunk caliper ratio shall conform to ANSI Z60.1 "American Standard for Nursery Stock" latest edition, unless modified by provisions in this specification. When there is a conflict between this specification and ANSI Z60.1, this specification section shall be considered correct.		E. Container or flat-grown plants should be sized as noted in the planting plan. Plants shall be well-rooted and healthy.	1. Modifications, at the time of planting, to meet the specifications for the depth of the root collar and removal of stem girdling roots and circling roots may make the plant unstable or stress the plant to the point that the Owner's Representative may choose to reject the plant rather than permitting the modification.	3.11 STAKING AND GUYING	8. Meet with the Owner's Representative a minimum of three times a year to review the progress and discuss any changes that are needed in the maintenance program. At the end of the warranty period attend a hand over meeting to formally transfer the responsibilities of maintenance to the Owner's Representative. Provide all information on past maintenance activities and provide a list of critical tasks that will be needed over the next 12 months. Provide all maintenance logs and soil test data. Make the Contractor's supervisor available for a minimum of one year after the end of the warranty period to answer questions about past maintenance.
2. Plants larger than specified may be used if acceptable to the Owner's Representative. Use of such plants shall not increase the contract price. If larger plants are accepted the root ball size shall be in accordance with ANSI Z-60.1. Larger plants may not be acceptable if the resulting root ball cannot be fit into the required planting space.		2.4 PALMS	2. Any modifications required by the Owner's Representative to make the root system conform to the plant quality standards outlined in Part 2 Products: Plants General: Quality, or other requirements related to the permitted root ball package, shall not be considered as grounds to modify or void the plant warranty.	Do not stake or guy trees unless specifically required by the Contract Documents, or in the event that the Contractor feels that staking is the only alternative way to keep particular trees plumb.	
3. If a range of size is given, no plant shall be less than the minimum size and not less than 50 percent of the plants shall be as large as the maximum size specified. The measurements specified are the minimum and maximum size acceptable and are the measurements after pruning, where pruning is required.		Except as modified below or where the requirements are not appropriate to the specification of palms, palms shall meet all the requirements of the plant quality section above.	3. The resulting root ball may need additional staking and water after planting. The Owner's Representative may reject the plant if the root modification process makes the tree unstable or if the tree is not healthy at the end of the warranty period. Such plants shall still be covered under the warranty.	6. The Owner's Representative shall have the authority to require that trees are staked or to reject staking as an alternative way to stabilize the tree.	10. Mulch: Refresh mulch once a year to maintain complete coverage but do not over mulch. At no time shall the overall mulch thickness be greater than 3 inches. Do not apply mulch within 6 inches of the trunks or stems of any plants. Replacement mulch shall meet the requirements of the original approved material. Mulch shall be no more than one inch on top of the root ball surface.
B. Proper Identification: All trees shall be true to name as ordered or shown on planting plans.		5. In preparing palm trees for relocation, all dead fronds shall be removed.	F. Container and Boxed Root Ball Shaving: The outer surfaces of ALL plants in containers and boxes, including the top, sides and bottom of the root ball shall be shaved to remove all circling, descending, and matted roots. Shaving shall be performed using saws, knives, sharp shovels or other suitable equipment that is capable of making clean cuts on the roots. Shaving shall remove a minimum of one inch of root mat or up to 2 inches as required to remove all root segments that are not growing reasonably radial to the trunk.	7. Trees that are required heavily modified root balls to meet the root quality standards may become unstable. The Owner's Representative may choose to reject these trees rather than utilize staking to temporarily support the tree.	
C. Compliance: All trees shall comply with federal and state laws and regulations requiring observation for plant disease, pests, and weeds. Observation certificates required by law shall accompany each shipment of plants.		6. All remaining fronds above horizontal shall be lifted up and tied together around the crown in an upright position. Do not tie too tightly, bind or injure the bud. Jute binder twine shall be used in tying up the fronds; wire will not be permitted. Fronds shall be untied immediately after planting.	G. Exposed Stem Tissue after Modification: The required root ball modifications may result in stem tissue that has not formed trunk bark being exposed above the soil line. If such condition occurs, wrap the exposed portion of the stem in a protective wrapping with a white filter fabric. Secure the fabric with biodegradable masking tape. Do NOT USE string, twine, green nursery ties or any other material that may girdle the trunk if not removed.	8. Trees that are guyed shall have their guys and stakes removed after one full growing season or at other times as required by the Owner's Representative.	12. Leaf, fruit and other plant debris removal: Remove fall leaf, spent flowers, fruit and plant part accumulations from beds and paved surfaces. Maintain all surface water drains free of debris. Debris removal shall be undertaken at each visit to weed or pick up trash in beds.
D. Plant Quality:		C. Digging the root ball:	H. Excavation of the Planting Space: Using hand tools or tracked mini-excavator, excavate the planting hole into the Planting Soil to the depth of the root ball measured after any root ball modification to correct root problems, and wide enough for working room around the root ball or the size indicated on the drawing or as noted below.	9. The Contractor shall not store maintenance equipment at the plant at times when they are not in use unless authorized in writing by the Owner's Representative.	
1. General: Provide healthy stock, grown in a nursery and reasonably free of die-back, disease, insects, eggs, borers, and larvae. At the time of planting all plants shall have a root system, stem, and branch form that will restrict normal growth, stability and health for the expected life of the plant		1. When digging out the root ball, no excavation shall be done closer than 24 inches to the trunk at ground level and the excavation shall extend below the major root system to a minimum depth of 3.5 feet. The bottom of the root ball shall be cut off square and perpendicular to the trunk below the major root system.	I. For trees and shrubs planted in soil areas that are NOT tilled or otherwise modified to a depth of at least 12 inches over a distance of more than 10 feet radial from each tree, or 5 feet radial from each shrub, the soil around the root ball shall be loosened as defined below or as indicated on the drawings.	3.12 STRAIGHTENING PLANTS	3.27 END OF WARRANTY FINAL ACCEPTANCE / MAINTENANCE OBSERVATION





St. Luke
CATHOLIC SCHOOL
A NOTRE DAME ACE ACADEMY

St. Luke Catholic Church
2892 South Congress Avenue
Palm Springs, Florida 33461

Owner

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Palm Beach Gardens, Florida 33410

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PLANNING
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EST. 1915

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Consultants

Civil Engineering

Planning and Landscape

Mechanical, Electrical, Plumbing and Fire Engineering

Structural Engineering

Acoustics, Audio, Visual

Key Plan

REVISIONS

NO.	DESCRIPTION	DATE

FILE LOG

ACTIVITY	BY
Manager	WAN/JAM
Design	RKW
Draw	LAD
Check	

STAMP

WILLIAM A. HANSER
AR-0007110
Date: 03/23/2023

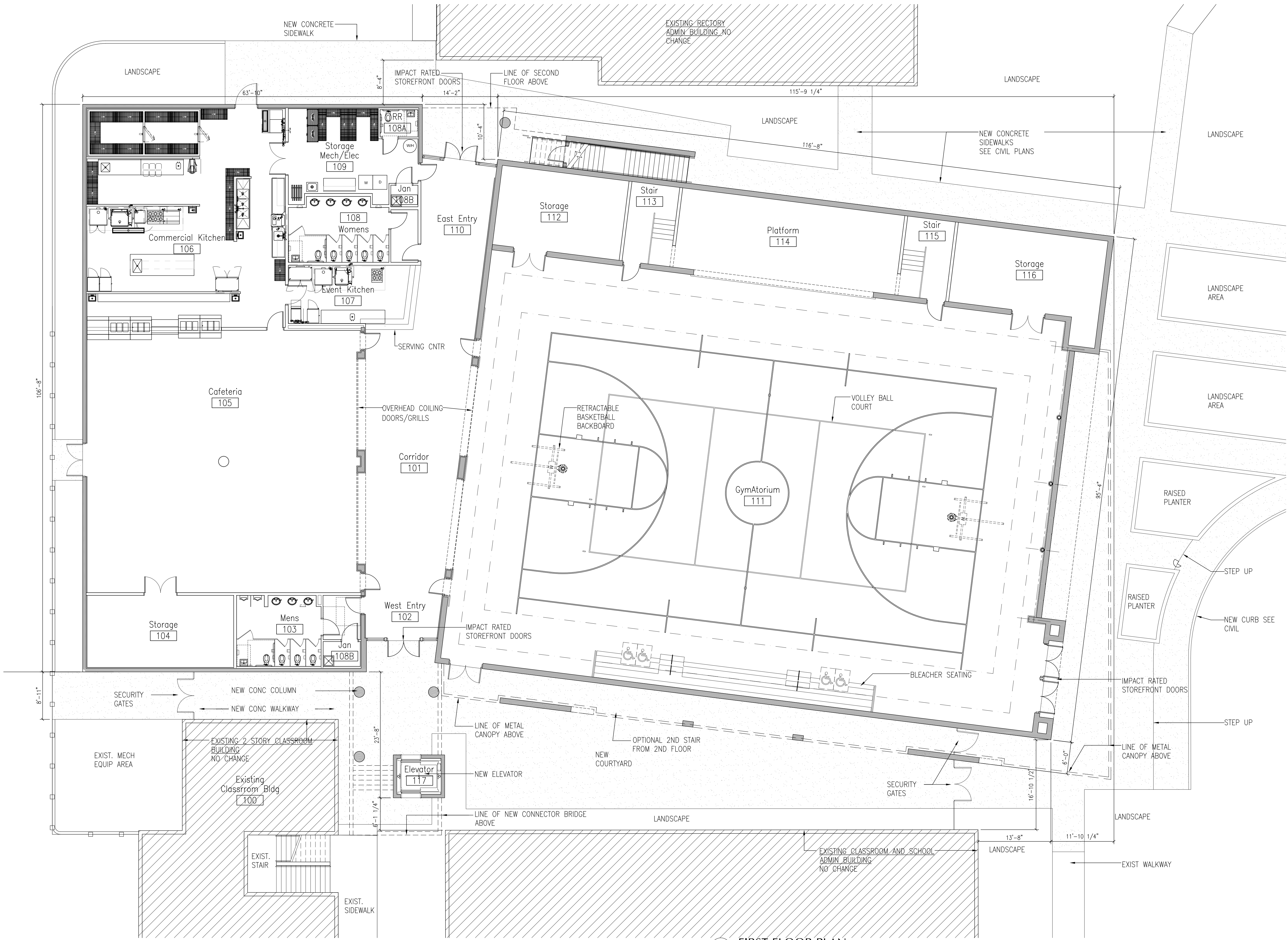
Project No. 201-20092-000
March 23, 2023

FIRST FLOOR PLAN

AD 1.10

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1 DEMOLITION PLAN
Scale 3/32"=1'-0"



1 FIRST FLOOR PLAN
Scale 3/32"=1'-0"



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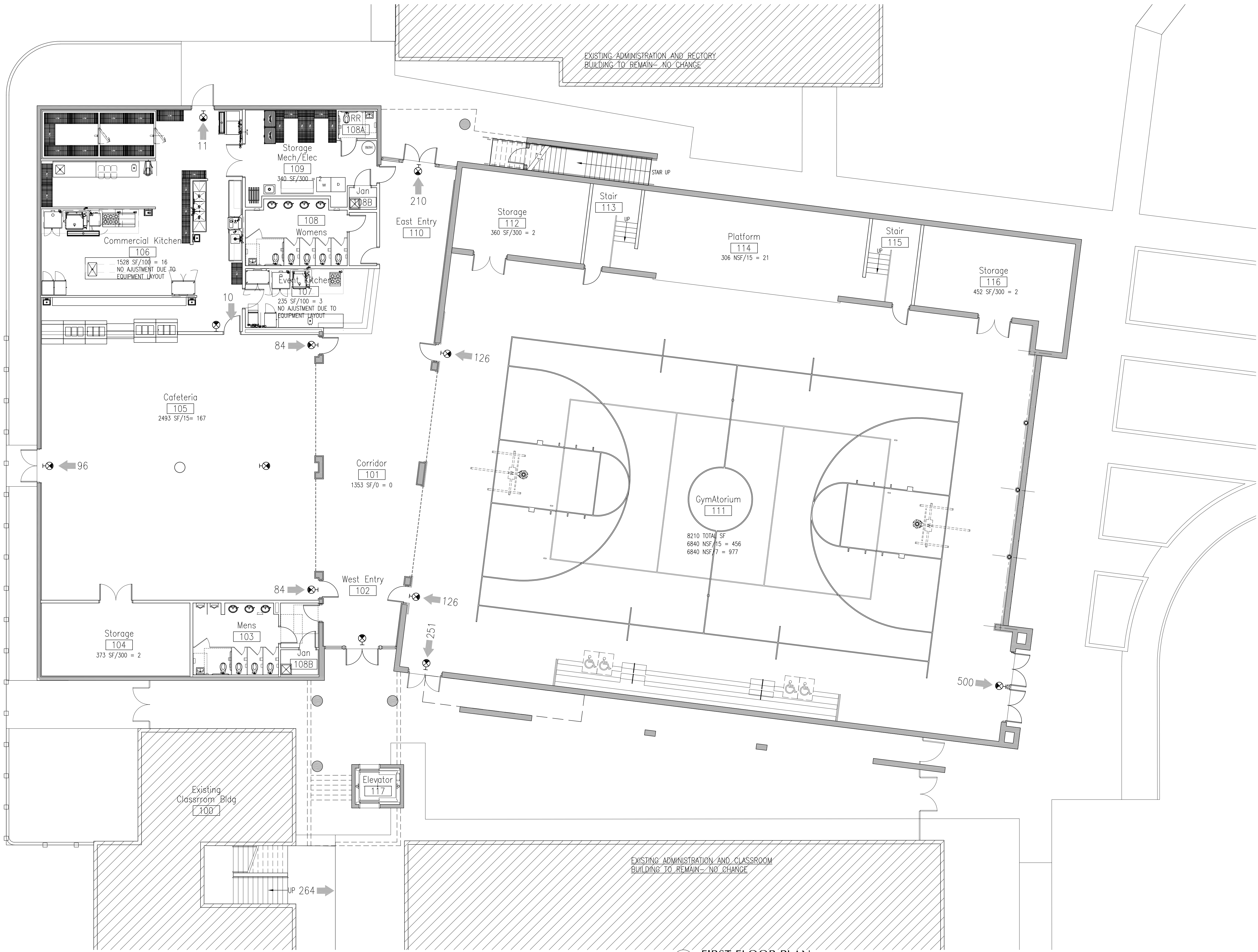
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March 23, 2023

FIRST FLOOR PLAN

AE 1.10



1 FIRST FLOOR PLAN
Scale 3/32"=1'-0"



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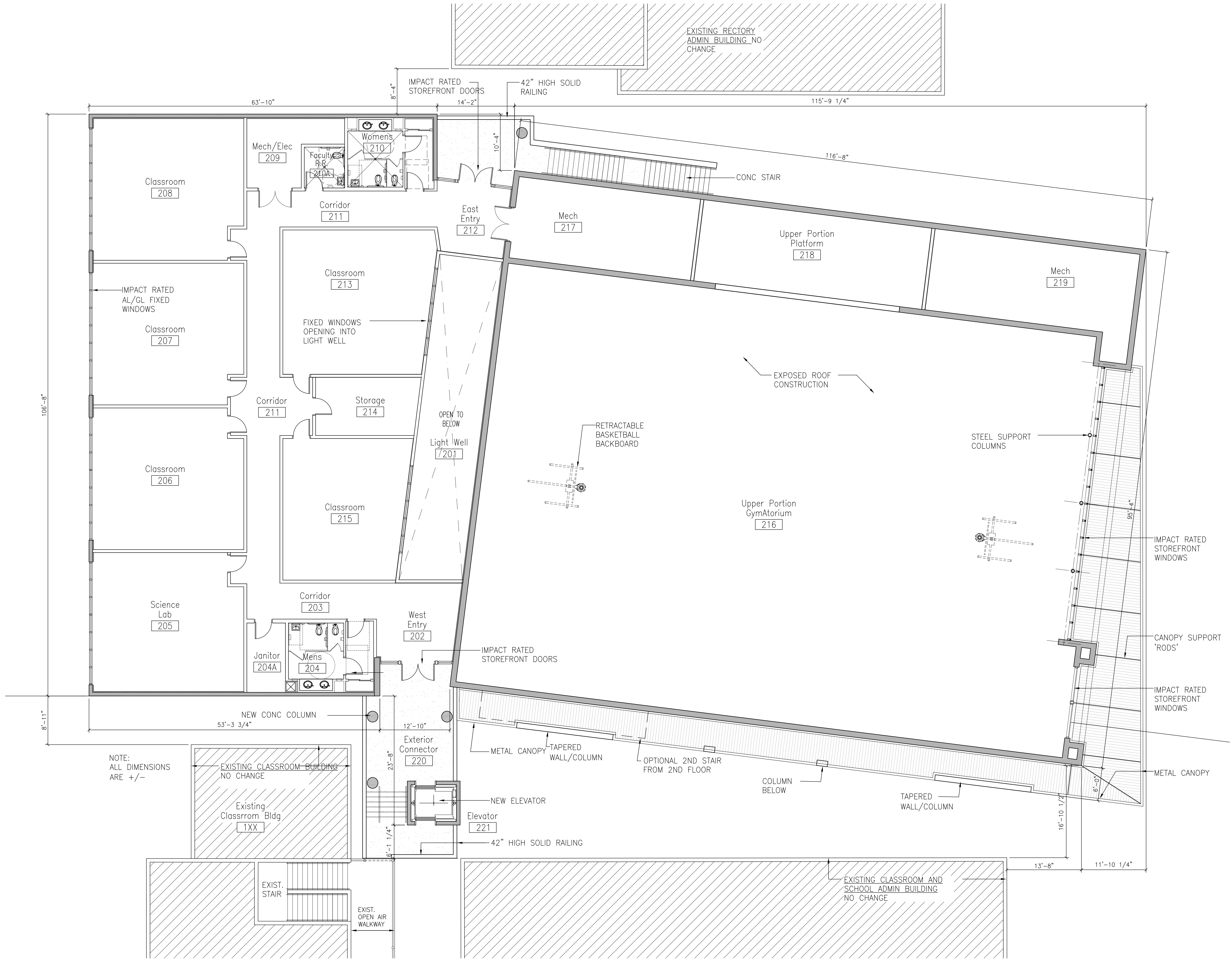
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Project No. 201-20092-000
March 23, 2023

FIRST FLOOR LIFE
SAFETY PLAN

LS 1.10



1 SECOND FLOOR PLAN
Scale 1/8"=1'-0"



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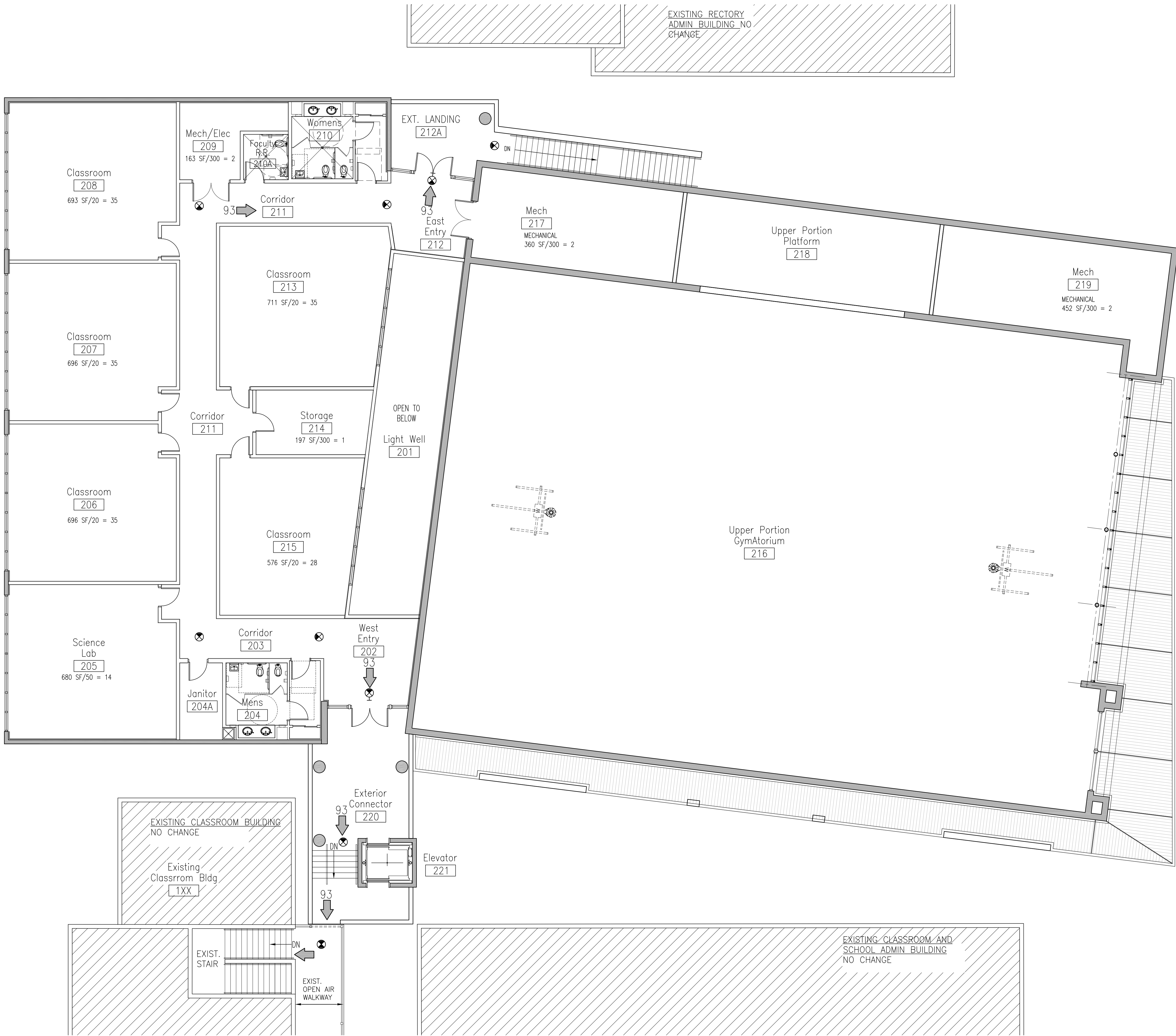
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Date: 03/23/2023

Project No. 201-20092-000
March 23, 2023

SECOND FLOOR PLAN

AE 1.20



1 SECOND FLOOR PLAN
Scale 1/8"=1'-0"



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Date: 03/23/2023

Project No. 201-20092-000
March 23, 2023

SECOND FLOOR LIFE
SAFETY PLAN

LS 1.20



1 ROOF PLAN
Scale 1/8"=1'-0"



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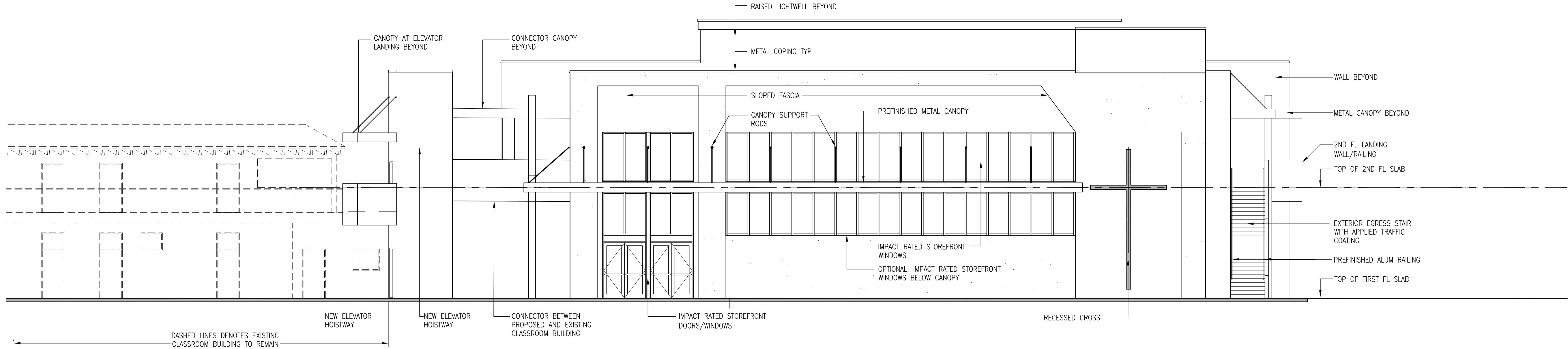
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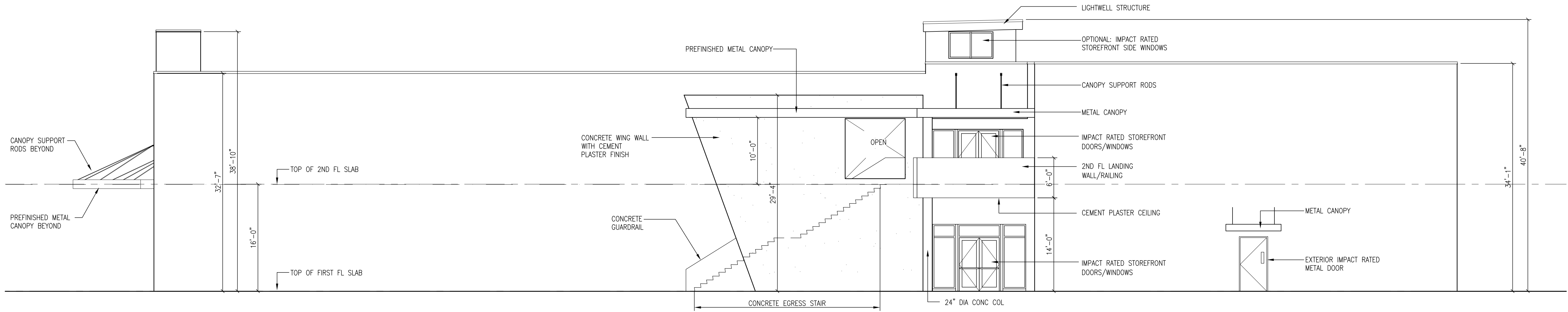
Project No. 201-20092-000
March 23, 2023

ROOF PLAN

AE 1.30



1 SOUTH ELEVATION
Scale 1/8"=1'-0"



2 EAST ELEVATION
Scale 1/8"=1'-0"

Consultants

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Mechanical, Electrical, Plumbing and Fire Engineering

Structural Engineering

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Key Plan

REVISIONS

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FILE LOG

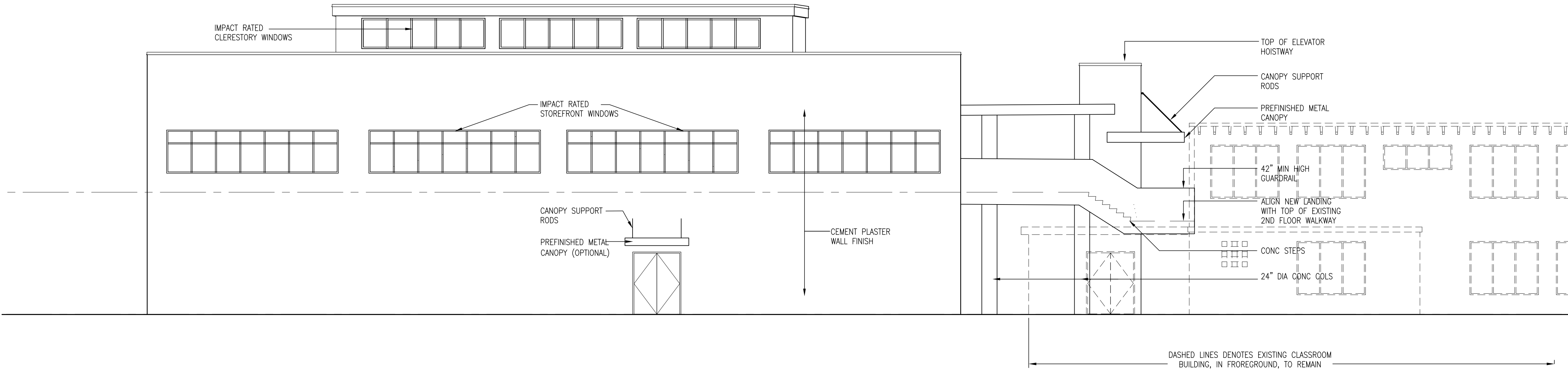
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Manager	WAH/JAM
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Check	

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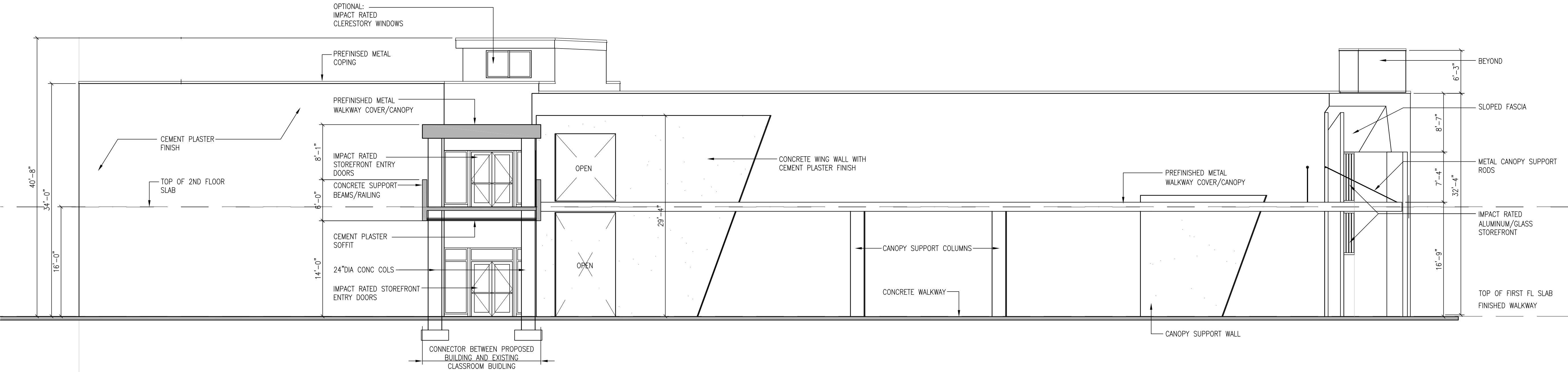
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Project No. 201-20092-000
March 23, 2023

EXTERIOR ELEVATIONS



1 NORTH PLAN
Scale 1/8"=1'-0"



2 WEST PLAN
Scale 1/8"=1'-0"



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FILE LOG

ACTIVITY	BY
Manager	WAH/JAM
Design	RKW
Draw	LAD
Check	

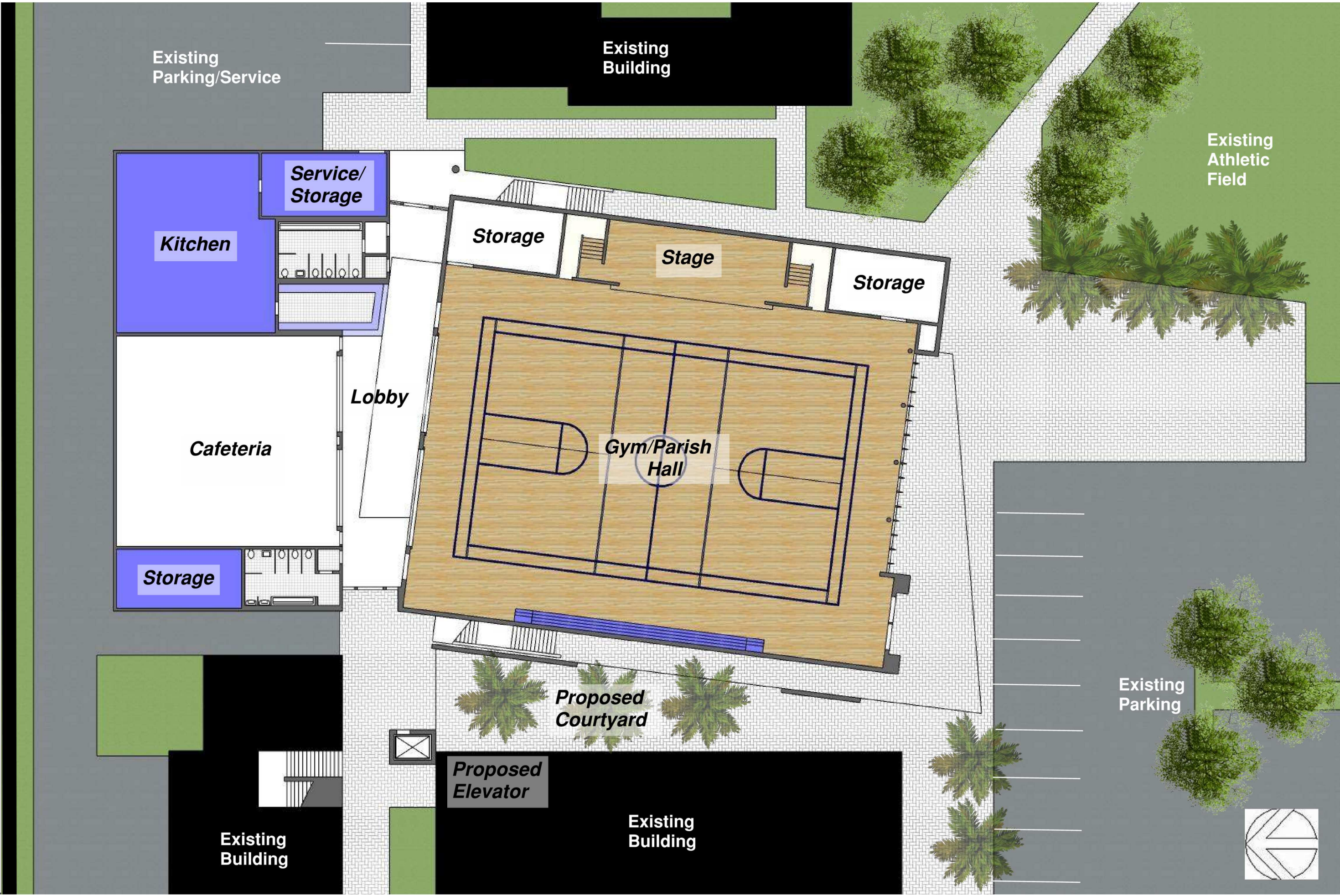
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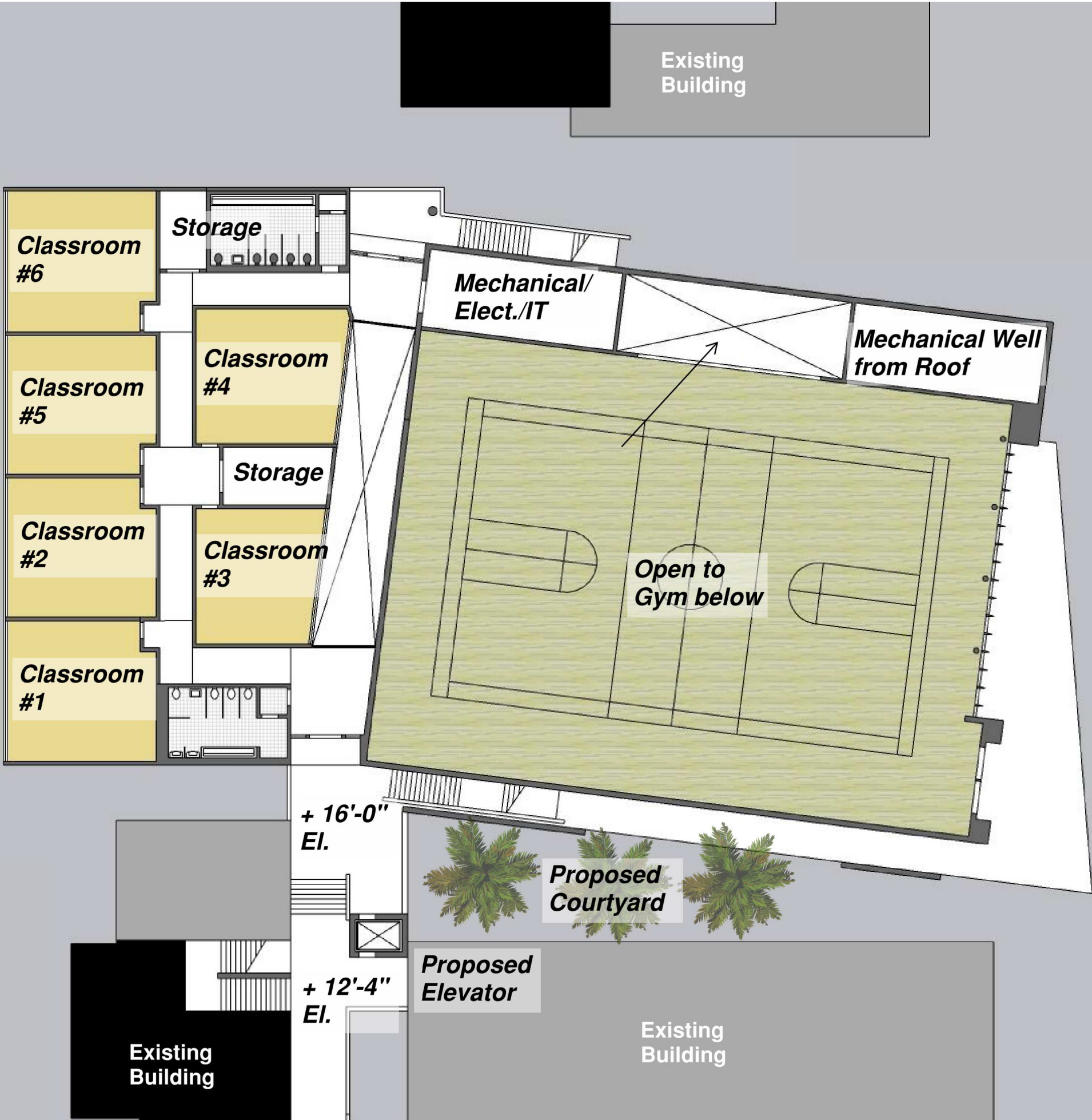
WILLIAM A. HANSER
AR-0007110
Date: 03/23/2023

Project No. 201-20092-000
March 23, 2023

EXTERIOR ELEVATIONS

AE 3.20





St. Luke
Catholic
Church
Parish Hall

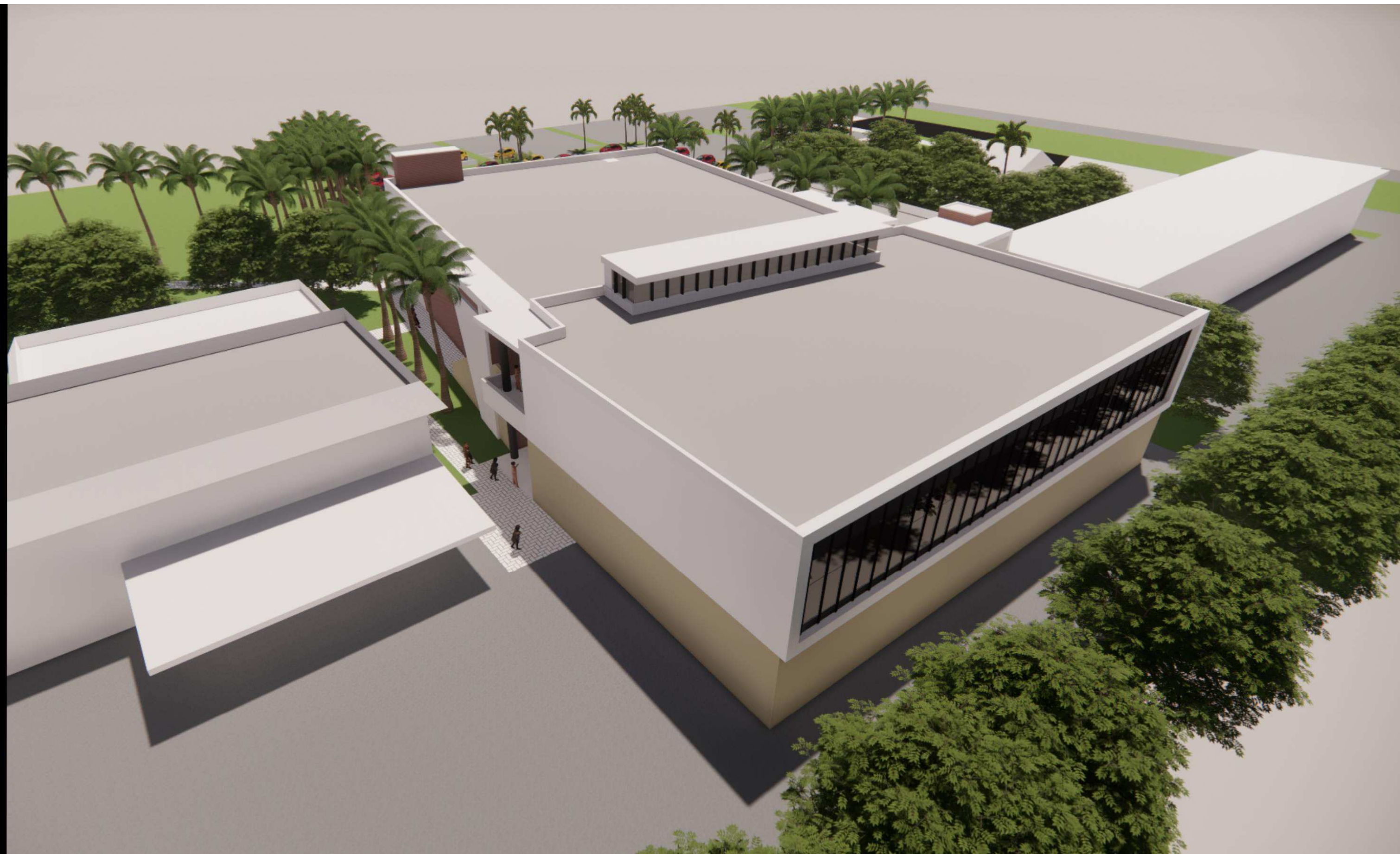
Conceptual
Elevation
From
South





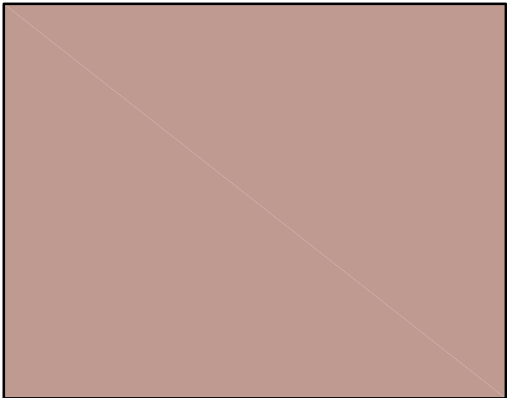
St. Luke
Catholic
Church
Parish Hall

Conceptual
Aerial View
From
South



St. Luke
Catholic
Church
Parish Hall

Conceptual
Aerial View
From North



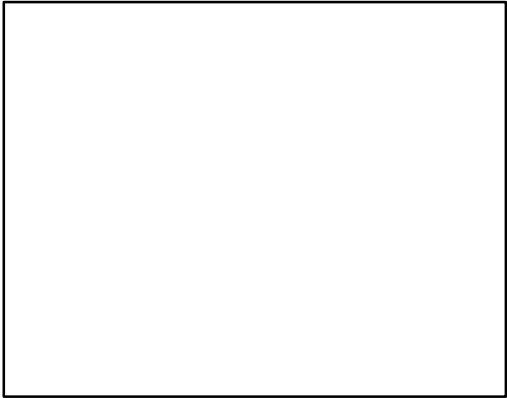
EXTERIOR CEMENT PLASTER
ACCENT WALL COLOR:
BENJAMIN MOORE #1180
ROSEDALE
191,153,143

NOTE: COLOR TO MATCH EXISTING
BRICK VENEER ON EXISTING
PARISH HALL



EXTERIOR CEMENT PLASTER
LIGHT ACCENT WALL COLOR:
COLOR FORMULA:
204,193,163

NOTE: COLOR TO MATCH EXISTING
ACCENT TRIM COLOR AT EXISTING
WORSHIP BUILDING.



EXTERIOR CEMENT PLASTER
BASE WALL COLOR:
WHITE

- EXTERIOR FINISH NOTES:
- 1. EXTERIOR METAL COPINGS AND FLASHING,
VISIBLE TO VIEW – COLOR: WHITE.
 - 2. EXTERIOR METAL CANOPIES AND SUPPORTS
– COLOR: WHITE.
 - 3. EXTERIOR IMPACT RATED ALUMINUM AND
GLASS STOREFRONT WINDOWS AND DOORS
– COLOR: 'BLACK' OR 'DARK BRONZE'
 - 4. EXTERIOR IMPACT RATED GALVANIZED
HOLLOW-METAL DOORS AND FRAMES TO
BE PAINTED TO MATCH ADJACENT WALL
COLOR.

PROPOSED EXTERIOR FINISHES AND COLORS
2023-05-26



St. Luke Catholic Church
2892 South Congress Avenue
Palm Springs, Florida 33461

Owner

Diocese of Palm Beach
9995 N Military Trail
Palm Beach Gardens, Florida 33410

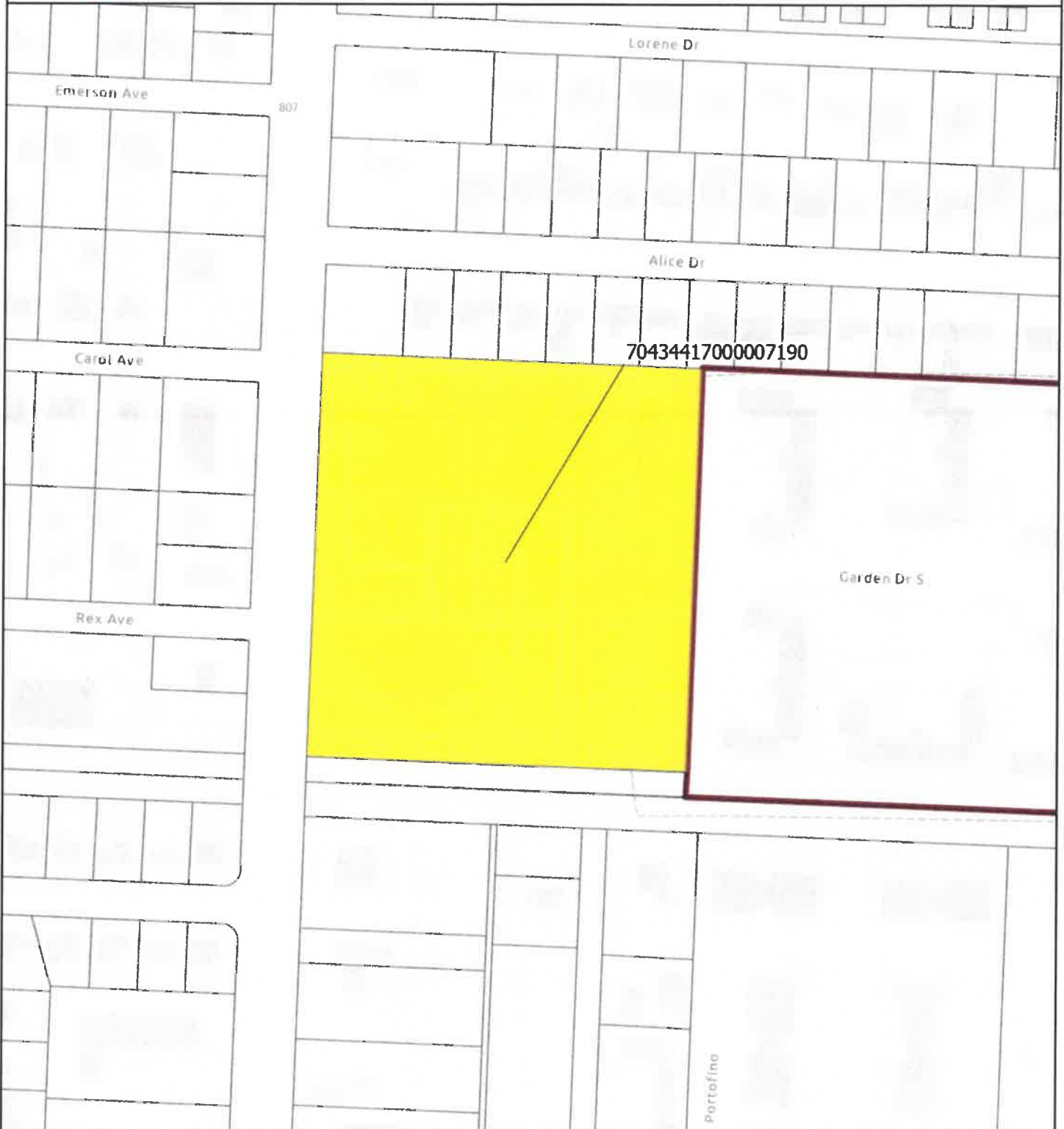


1400 Centrepark Boulevard, Suite 500
West Palm Beach, FL 33401 USA
Tel 561-688-2111 Fax 561-697-8040
DPR: # AAC000734



VILLAGE OF PALM SPRINGS

St. Luke Catholic Church



Legend

-  Proposal Parcel
-  Parcels
-  Village Boundary

Date: 5/25/2023

When Printed on 8 1/2" x 11"
1 inch equals 250 feet

0 250
Feet

 Florida Technical Consultants



VILLAGE OF PALM SPRINGS

St. Luke Catholic Church



Legend

-  Proposal Parcel
-  Parcels
-  Village Boundary

Date: 5/25/2023

When Printed on 8 1/2" x 11"

1 inch equals 250 feet

0 250

 Feet

 Florida Technical Consultants



Village of Palm Springs

Staff Report

AGENDA DATE: June 13, 2023

DEPARTMENT: Planning, Zoning & Building

ITEM #3: Planning & Zoning Board Order No. 2023-02 - Parking Variance - PSV23-10 - St. Luke's Catholic Church

SUMMARY: Insite Studio, Inc. (Applicant), agent for The Most Reverend Gerald M. Barbarito, D.D., J.C.L., Bishop of the Diocese of Palm Beach (Owner), is requesting approval of a Site Plan Amendment (SPR23-04) and Special Exception Use (PSSE23-02) to allow an expansion of the school use, with the construction of 27,024 square feet building to include classrooms and an indoor court for the Commercial General property located at 2892 South Congress Avenue.

The Applicant is proposing to demolish the existing structure, shown on the approved site plan as the Existing Church (Parish Center), and construct a new multi-purpose building in its place. The Parish Center as it exists currently is a single-story building with an area of 8,696.7 square feet. The proposed structure will be two stories with a total floor area of 27,024 square feet (an additional 18,328 square feet). The proposed uses within the building will include a new gymnasium, a cafeteria, a kitchen, storage, and additional classrooms to support the overall function of St. Luke's Catholic Church. The proposed building will be compatible with the other structures on the campus and will maintain the existing 25-foot setback from the northern property line.

As part of the proposed Site Plan, the applicant requests one (1) variance that is subject to the Planning and Zoning Board's consideration:

1. PSV23-10 - Request to allow 320 parking spaces rather than 338 parking spaces required (provides relief from Section 34-1329 (2) (a)).

The Planning, Zoning & Building staff does not object to the variance requested and recommends conditional approval to facilitate the development project.

FISCAL IMPACT:

The proposed development will enhance the village's assessed property valuation.

ATTACHMENTS:

1. Planning and Zoning Board Order 2023-02 - St. Luke's Catholic Church - 2892 South Congress Avenue - PSV23-10
2. Exhibit A Staff Report
3. Narrative and Justification Statement
4. Site Plan, Floor Plans and Landscape Plans
5. Color Elevations
6. Aerial and Location Maps



**VILLAGE OF PALM SPRINGS, FLORIDA
PLANNING AND ZONING BOARD**

**PZ&B Order 2023-02
(PSV23-10)**

**ST. LUKE'S CATHOLIC CHURCH
2892 SOUTH CONGRESS AVENUE
PALM SPRINGS, FL 33461**

PCN: 70-43-44-17-00-000-7190

Applicant(s)

FINAL ORDER

THIS MATTER having come before the Village of Palm Springs Planning and Zoning Board ("The Board") on **June 13, 2023**. 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 applications **PSV23-10**.
2. The above Applicant(s) is the owner of the property legally described as: **17-44-43, SW 1/4 OF SW 1/4 OF SW 1/4 (LESS W 53 FT CONGRESS AVE R/W)**
3. The Applicant has submitted an application for three (3) variances from the Village of Palm Springs, Florida as set forth below:
 1. **(PSV23-10)** - The applicant is requesting variance relief from Section 34-1329(2)(a), to allow 320 parking spaces rather than 338 parking spaces required.
4. The Village's Land Development Code Section 34-603(b) 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 a variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
5. The Board has determined that Variance **PSV23-10** has met the requirements of Section 34-603(b) of the Land Development Code.
6. The Variance is hereby **GRANTED/DENIED**.

DONE AND ORDERED in Palm Springs, Florida this 13th day of June 2023.

ATTEST:

Jane Worth, Deputy Village Clerk

Richard Hughes, Vice Chairman
Planning and Zoning Advisory Board

Copies furnished to:

Insite Studio, Inc., 8144 Okeechobee Boulevard, Suite A, West Palm Beach, FL 33411

St. Luke’s Catholic Church, 2892 South Congress Avenue, Palm Springs, FL 33461

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

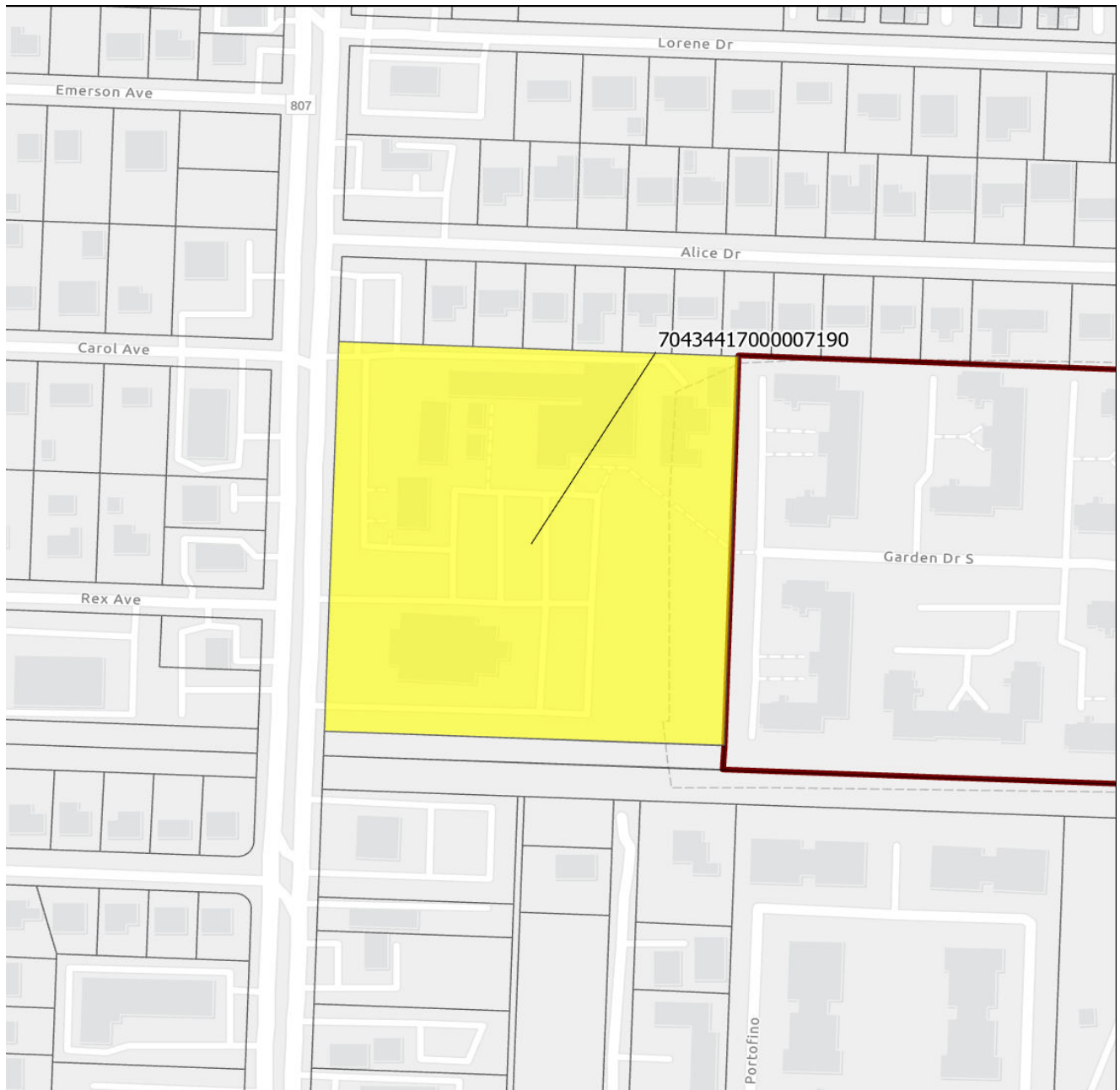
Glen J. Torcivia, Village Attorney, Northpoint Corporate Center, 701 Northpoint Parkway, Suite 209, West Palm Beach, FL 33407



PLANNING, ZONING & BUILDING STAFF REPORT

SUBJECT: Special Exception Use and Site Plan Amendment with a Variance - St. Luke's Catholic Church - 2892 South Congress Avenue

Application Summary			
Applicant / Petitioner	The Most Rev. Gerald M. Barbarito, D.D., J.C.L., Bishop of the Diocese of Palm Beach	Submittal Date	04/24/2023
Reference Name	St. Luke's Catholic Church	Case Number	SPR23-04, PSSE23-02, PSV23-10
		Parcel Control No	70-43-44-17-00-000-7190
Location	2892 South Congress Avenue	Site Area	±8.95 acres
P&Z B Meeting	June 13, 2023	Council Meeting	July 13, 2023
Requests			
Proposed Use(s)	Site Plan Amendment for the St. Luke's Catholic Church, to allow an expansion of the school use, with the construction of 27,024 square feet classrooms and indoor court building for the Commercial General property located at 2892 South Congress Avenue and concurrent request for a Special Exception Use of the existing Special Exception Use.		
Number of Buildings	7 buildings and 2 modular classrooms structures for a total of 41,924 sf		
Variances	PSV23-10 Requesting a Variance relief from Section 34-1329 (2) (a) to allow a total of 320 parking spaces where 338 parking spaces are required.		
Parking			
Code	Required	Provided	Meets Requirement
Total Overall Parking	338 spaces Office use 1/200 SF = 37 spaces School use 1 per Classroom / 1 per Staff = 46 spaces Indoor Court 1/1,800 SF = 5 spaces Church 1 / 4 seats = 250 spaces	320 spaces 257 paved + 63 grass parking	No** (variance requested)
Site Characteristics			
Existing Use	Church and Private School	Proposed Use	Church and Private School
Existing 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	Residential Use	Low Density Residential	Residential single-Family (RS)
South	Commercial & Residential Use	Commercial and High Density Residential	Commercial General (CG) and Residential Multi-Family (RM)
East	Residential community	Unincorporated Palm Beach County	Unincorporated Palm Beach County
West	Commercial use	Commercial	Commercial General (CG)
Recommendation			
Planning, Zoning & Building Staff recommends conditional approval of the proposed Site Plan amendment to allow the expansion to the existing school use with the construction of 27,024 square feet gymnasium building and additional classrooms.			



I. Site History

- **Ordinance No. 98-53: Annexation**

The property was annexed into the Village of Palm Springs on October 22, 1998 and designated with the Land Development with Commercial General zoning district and Commercial Future Land Use.

II. Comprehensive Plan Consistency

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

III. Variances Requested

The applicant is seeking the following variance:

- **PSV23-10** Requesting a Variance relief from Section 34-1329 (2) (a) to allow a total of 320 parking spaces where 338 parking spaces are required.

The applicant's full justification is 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 Applicant is requesting a variance for the off-street parking requirements for the existing and proposed uses on the St. Luke's campus. According to the Code, without shared parking operations on the site, 338 parking spaces would be required at build-out. Based on the proposed parking configuration for the project, a total of 320 parking spaces are being proposed. The St. Luke's Catholic Church operates as a church and worship center. The Applicant is seeking this technical deviation in order to allow a greater use of the property by demonstrating that the proposed school/church mixture parking demands are mere fractions of the City's code. If granted, this technical deviation will allow the Applicant to better serve the community, by providing better school/church services for its constituency. In this manner, the requested deviation will provide adequate parking supply for present and future development.

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

The approval of the requested variance would not create special conditions or circumstances on the subject site. The approval of the variance would ensure that the site functions more effectively based on the shared demand of the uses on the site, and reduce the likelihood of underutilized off-street parking during low demand times.

- 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 approval of the requested variance would not create special conditions or circumstances on the subject site. The approval of the variance would ensure that the site functions more effectively based on the shared demand of the uses on the site and reduce the likelihood of underutilized off-street parking during low demand times.

- 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.**

A literal interpretation of the off-street parking requirements stipulated in the Code fails to consider the nature of sites with a mix of uses that generate parking demand in fluctuations during the day and week. In consideration of this, the provision of off-street parking for one use can serve the parking demand of another use at different times of the day/week. A strict interpretation of the Code generates a parking requirement of 338 spaces, the proposed site plan provides for 320 spaces. The requested variance is for a mere deviation of 18 spaces.

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

No other variances are being requested to accommodate the proposed expansion to the St. Luke's Catholic Church campus.

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

A literal interpretation of the off-street parking requirements stipulated in the Code fails to consider the nature of sites with a mix of uses that generate parking demand in fluctuations during the day and week. In consideration of this, the provision of off-street parking for one use can serve the parking demand of another use at different times of the day/week. The granting of the variance will in fact allow for a better relationship between the uses and the parking demand fluctuations of the services provided onsite.

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

The requested variance is for a deviation in the off-street parking requirements for the uses on the St. Luke's Catholic Church campus and will not create a circumstance that would be injurious to the area or detrimental to the public.

Staff does not object to the applicant's request based on the intent of the applicant to maximize the use of the property without creating negative impacts to the surrounding properties.

IV. Neighborhood Compatibility

- 1) The proposed project is located on the east side of South Congress Avenue.
- 2) Surrounding properties are generally residential use.
- 3) A mix of different commercial uses are located along South Congress Avenue.
- 4) Public bus stop is located approximately 100'
- 5) The proposed facility is permitted as a special exception use within the Commercial General zoning district.

V. Regulatory Issues

- The site plan generally conforms to the property development standards of the CG district.
 - 1) Proposed project plan generally meets required site development regulations.
 - 2) Based on the Traffic Generation Analysis, the project will generate less than 20 peak hour trips which is in compliance with PBC TPS Article 12 of the PBC ULDC.
 - 3) Variance requested shall be approved by the Planning & Zoning Board prior to consideration of the Site Plan and the Special Exception by the Village's Council.
 - 4) Permits from all applicable permitting agencies, including but not limited to PBC Fire Rescue and Village of Palm Springs are required prior to construction.

VI. Environmental Issues:

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

VII. Community Outreach/ Notification

- The subject property was posted on June 01, 2023.
- Public Notification letters were mailed to all property owners within 300 feet radius of subject property on June 01, 2023.
- Legal advertisement was published in the paper on June 01, 2023.
- 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 April 24, 2023 depicts the following:

- An application submitted for a Site Plan Amendment Approval and concurrently Special Exception Use with 1 variance for the parking requirements.

1. Site Plan dated received on April 24, 2023.
2. Landscape plans dated received April 24, 2023.
3. Architectural floor plans dated received April 24, 2023.
4. Justification Statement and proposed use.
5. Traffic equivalency statement.
6. Parking reduction statement.

IX Recommendation

The subject property was approved on July 28, 1988, by Palm Beach County (Resolution R-89-721), as a Special Exception Use to permit a church or a place of worship with accessory buildings and structures for educational institution. A site plan was approved for the property consisting of several buildings totaling of 50,620 sf floor area.

The property was annexed into the Village of Palm Springs on October 22, 1998 and designated with the Land Development with Commercial Future Land Use and Commercial General zoning district with Special Exception use for the use of the property as a place of worship and a church, with an accessory use as educational institution.

The Applicant is proposing to demolish the structure, shown on the approved site plan as the Existing Church (Parish Center) and construct a new multi-purpose building in its place. The Parish Center as it exists currently is a single-story building with a floor area of 8,696.7 square feet. The proposed structure will be two stories with a total floor area of 27,024 square feet (an additional 18,328 square feet). The proposed uses within the building will include: a new gymnasium, cafeteria, kitchen, storage, and additional classrooms to support the overall function of the St. Luke's Catholic Church. The proposed building will be compatible with the other structures on the campus and will be compatible with the intent of the commercial general zoning district classification. The proposed building will maintain the existing 25-foot setback from the northern property line and will be further buffered with a five-foot landscape buffer.

Additionally, Staff has found the proposed Special Exception use to be generally consistent with goals, objectives and policies of the Village's Comprehensive Plan. The proposed use is generally consistent with the Land Development and zoning regulation and all other portions of the code. The proposed special exception use does not significantly reduce light and air to adjacent properties and would not be deterrent to surrounding properties. The new project does not negatively impact the natural system.

Planning, Zoning and Building Staff recommends conditional approval of the Special Exception Use, the Site Plan Amendment and the Variance subject to the following twenty-eight (28) conditions below:

1. The Site Plan approval is valid within 24 months of Council Approval.
2. The special exception approval shall be implemented within 18 months of Council approval.
3. In case of any parking issues, as determined by the PZ&B Director and/or Police chief, the property owner may be required to undertake additional measures.
4. Maximum number of students shall not exceed 315 at any time.
5. Hours of operation shall be accordingly with the Village's Land Development Regulation Section 34-1172.
6. Drop-off and pick-up of students shall be limited to the main entrance on the south side of the new building and a staff member shall be present all the time for receiving and releasing the students.
7. A security plan addressing evacuations and emergency situations shall provided **at time of permitting**.
8. Provide security/monitoring of the interior areas during school hours and submit details to the Village **at time of permitting**.
9. No loitering of students on the grounds will be permitted.
10. Any special event to be held at the facility is subject to Special Event Permit approval by the Village.
11. Permits must be obtained from the Village and Palm Beach County Fire Department **at time of permitting**.
12. Any future wall signs shall be in accordance with the Village's Land Development Regulations Section 34-328.
13. The construction dumpster shall be only provided by Waste Pro USA who is under franchise Agreement with the Village.

14. Landscaped areas shall be irrigated including but not limited to buffer, islands, planter boxes, etc.
15. Irrigation plans shall be provided **at the time of permitting**. Non-potable water shall be used for the irrigation system per Village code.
16. Provide permits from all applicable permitting agencies, including but not limited to, PBC Fire Rescue and Village of Palm Springs **at the time of permitting**.
17. The property owner shall register an Agent of Record, prior to issuance of a permit, to establish a contact person responsible for compliance with this Development Order, including site plan/landscape plan details and conditions of approval.
18. 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 increased on-site security at the operator's sole expense.
19. All new electric utilities shall be underground.
20. A silt barrier shall be installed around the perimeter of the property (within the affected area for the site improvements and new building construction) prior to commencement of any site work or construction activity, and a track pad shall be installed at the construction entrance(s), both of which shall remain through substantial completion.
21. Any sidewalk broken or damaged during construction shall be replaced by the contractor **prior to CO**.
22. The Landscaping shall be certified by the Landscape Architect upon completion and **prior to Certificate of Occupancy/Certificate of Completion** of each improvement area.
23. Absolutely no occupancy, other than construction personnel, is permitted **prior to TCO/CO**.
24. The civil engineer of record shall certify the site construction **prior to Certificate of Occupancy**.
25. The applicant may be required to provide a resident inspector for structural elements such as concrete pours in accordance with Section 109.1.3 FBC 2010 and F.S. 553.791. Determination shall be made at time of pre-construction conference with Planning Zoning and Building Director.
26. The General Contractor shall be on site during any and all construction activity in accordance with FS 489.1195.
27. The project shall receive approval from all Authorities Having Jurisdiction and submit copies of approvals to the Village of Palm Springs.
28. **At the time of CO**, the petitioner shall provide the Planning, Zoning and Building Department with electronic copies of as-builts.

St. Luke's Catholic Church
Justification Statement

Site Plan Approval | Modification of Special Exception | Parking Variance

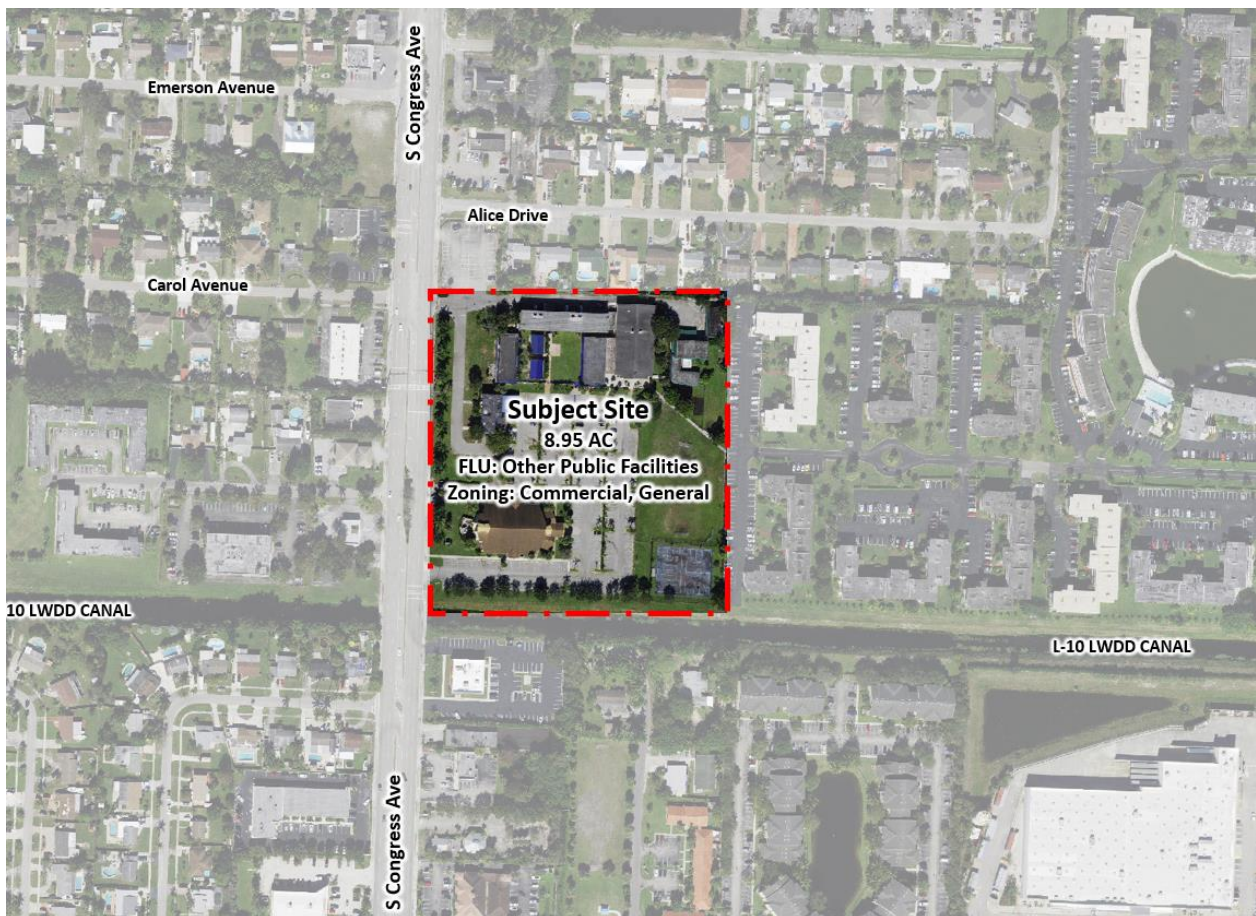
Request

On behalf of the applicant, Thomas V. Daily, Bishop of the Diocese of Palm Beach, we respectfully request approval of the following:

- **Site Plan Approval (Major Amendment)** for modifications to the approved site plan for the St. Luke's Catholic Church, to accommodate construction of a new multi-purpose building.
- **Special Exception (Modification)** to increase square footage of a Special Exception Use on a property with a Commercial General (CG) zoning district classification.
- **Variance (District Standard)** to allow a reduction in the off-street parking requirements for the St. Luke's Catholic Church site.

Project Location

The St. Luke's Catholic Church grounds is an 8.95-acre site located at 2892 South Congress Avenue in Palm Springs. The subject site currently retains a Future Land Use (FLU) designation of Other Public Facilities and a zoning district classification of Commercial, General (CG). The subject site is further identified by Parcel Control Number (PCN): 70434417000007190.



Project History

The St. Luke's Catholic Church was approved on July 28, 1988 (Resolution R-89-721), as a Special Exception Use to permit a church or place of worship and accessory buildings and structures and educational institution.

The site plan that was approved for the site consisted of several buildings totaling 47,838 square feet as outlined in the table below:

Use	Area
Church (New)	16,996 SF
Convent Building	3,186 SF
Library	4,212.25 SF
Classroom Building	5,641.25 SF
Music Building	4,130 SF
Church (Existing)	8,696 SF
Rectory	4,130 SF
Detached Garage	666 SF

It should be noted that two additional modular classroom buildings, 973 square feet each, exist on the site currently – bringing the existing total building square footage to 50,620 (12% building coverage).

Surrounding Uses

Below are descriptions of the zoning and land uses of the adjacent properties:

North: Single-Family Residential | FLU: Low Density | Zoning: Residential Single Family (RS)

South: Commercial | FLU: Commercial | Zoning: Commercial, General

East: Unincorporated Palm Beach County, Age-Restricted Multi-Family Housing (Lake Clarke Gardens)
FLU: High Residential, 18 units per acre (HR-18)
Zoning: Residential High Density (RH)

West: Commercial | FLU: Commercial | Zoning: Commercial, General

Development Program

To meet the current and future needs of the Diocese, the Applicant is proposing to demolish a structure, shown on the approved site plan as the Existing Church (Parish Center) and construct a new multi-purpose building in its place. The Parish Center as it exists currently is a single story building with an area of 8,696.7 square feet. The proposed structure will be two stories high with an area of 27,024 square feet (an additional 18,328 square feet). The proposed uses within the building will include a new gymnasium, cafeteria, kitchen, storage, and additional classrooms.

In order to accommodate the proposed modifications to the St. Luke's campus, the Applicant is requesting a **Major Site Plan Approval, Modification to a Special Exception, and a Variance** to allow a reduction in the required parking for the uses on the site.

Standards for Code Compliance

Division 5. – Site Plan

Sec. 34-682

(a) By the terms of this article, all development shall:

- (1) Require site plan review.**
- (2) Be compatible with the intent of the land development district wherein it is proposed to be located.**
- (3) Be compatible with adjacent land uses.**

Applicant Response:

The Applicant is requesting a Site Plan (Major) approval for the proposed construction of a two-story multi-purpose building that will include a gymnasium, cafeteria, kitchen, and additional classrooms to support the overall function of the St. Luke's Catholic Church. The proposed building will be compatible with the other structures on the campus and will be compatible with the intent of the commercial, general zoning district classification. The proposed building will maintain the existing 25 foot setback from the northern property line and will be further buffered with a five foot landscape buffer.

Sec. 34-607. Special exception procedures.

- (a) The planning and zoning board shall review all requests for special exception uses, with the exception of minor special exception uses, except on appeal, and forward their recommendations on the request to the village council for their consideration. The village council shall hear and decide requests for special exception uses in a quasi-judicial proceeding. Any person aggrieved by a decision of the council may appeal the final order of the council in accordance with the Florida Rules of Appellate Procedure.**
- (b) In reviewing a request for a special exception use, the village council shall take into consideration all technical, relevant factors and the factors and criteria set forth herein. A special exception use shall not be approved unless an applicant establishes that all the following criteria are met:**
 - (1) The proposed special exception use is consistent with the goals, objectives, and policies of the village's comprehensive plan.**

Applicant Response:

The proposed changes to the St. Luke's Catholic Church campus will remain consistent with Village's Comprehensive Plan. The Applicant is requesting a modification to the previously approved special exception use for a church or house of worship on the subject site. The special exception approved approximately 47,838 square feet of church/house of worship uses and accessory buildings which represented a 12.2.% building coverage ratio for the subject site.

The proposed modification to the previously approved special exception represents an increase of 18,328 square feet of building square footage on the site. The building coverage would increase from 12% to 18%, which is still below the 50% maximum gross floor area for the CG zoning district classification.

- (2) The proposed special exception is consistent with the land development and zoning regulations and all other portions of this Code.**

The proposed modification to the previously approved special exception represents an increase of 18,328 square feet of building square footage on the site. The building coverage would increase from 12% to 18%, which is still below the 50% maximum gross floor area for the CG zoning district classification.

- (3) The proposed special exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location, mass, height and setback; and other relevant factors peculiar to the proposed special exception use and the surrounding property.**

Applicant Response:

The Applicant is requesting a Site Plan (Major) approval for the proposed construction of a two-story multi-purpose building that will include a gymnasium, cafeteria, kitchen, and additional classrooms to support the overall function of the St. Luke's Catholic Church. The proposed building will be compatible with the other structures on the campus and will be compatible with the intent of the commercial, general zoning district classification. The proposed building will maintain the existing 25 foot setback from the northern property line and will be further buffered with a five foot landscape buffer.

- (4) The establishment of the proposed special exception use in the identified location does not create a concentration or proliferation of the same or similar type of special exception use, which may be deemed detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.**

Applicant Response:

The Applicant is requesting a modification to a special exception use that was previously approved, a new special exception use is not being requested. The St. Luke's Catholic Church will continue to function as a church/house of worship campus as outlined by the code. The proposed building will serve the current and future needs of the St. Luke's Catholic Church.

- (5) The proposed special exception use does not have a detrimental impact on surrounding properties based on:**
- a. The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use;**
 - b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use; and**
 - c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.**

Applicant Response:

The Applicant is requesting a modification to a special exception use that was previously approved, new special exception use is not being requested. The proposed expansion of the campus is not anticipated to have any detrimental impact on the surrounding communities.

- (6) That the proposed special exception use:**
- a. Does not significantly reduce light and air to adjacent properties.**
 - b. Does not adversely affect property values in adjacent areas.**
 - c. Would not be a deterrent to the improvement, development or redevelopment of surrounding properties in accordance with existing regulations.**
 - d. Does not negatively impact adjacent natural systems or public facilities, including parks and open spaces.**
 - e. Provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.**

Applicant Response:

The Applicant is requesting a modification to a special exception use that was previously approved, new special exception use is not being requested. The proposed expansion of the campus is not anticipated to have any detrimental impact on the surrounding communities.

- (7) The proposed use would enhance and/or promote redevelopment of the village, fulfill redevelopment objectives, and/or have a positive economic impact on the village, including creating new jobs, economic growth and provide needed community-serving (neighborhood retail and commercial) uses and businesses.**

Applicant Response:

The proposed expansion of the St. Luke's Catholic Church campus will enhance the overall function and services provided to the Palm Springs community. The expansion will provide for additional instructional space, as well as a cafeteria, kitchen, and gymnasium.

Sec. 34-603.b

Variances.

(1) The planning and zoning board shall authorize, such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship, including any alterations to nonconforming or grandfathered uses or structures. In order to authorize any variance in the terms of this chapter, the land development board must and shall find that:

- a. 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.**

Applicant Response:

The Applicant is requesting a variance for the off-street parking requirements for the existing and proposed uses on the St. Luke's campus. According to the Code, without shared parking operations on the site, 338 parking spaces would be required at build-out. Based on the proposed parking configuration for the project, a total of 320 parking spaces are being proposed. The St. Luke's Catholic Church operates as a church and worship center. The Applicant is seeking this technical deviation in order to allow a greater use of the property by demonstrating that the proposed school/church mixture parking demands are mere fractions of the City's code. If granted, this technical deviation will allow the Applicant to better serve the community, by providing better school/church services for its constituency. In this manner, the requested deviation will provide adequate parking supply for present and future development.

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

Applicant Response:

The approval of the requested variance would not create special conditions or circumstances on the subject site. The approval of the variance would ensure that the site functions more effectively based on the shared demand of the uses on the site and reduce the likelihood of underutilized off-street parking during low demand times.

- c. 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.**

Applicant Response:

The approval of the requested variance would not create special conditions or circumstances on the subject site. The approval of the variance would ensure that the site functions more effectively based on the shared demand of the uses on the site and reduce the likelihood of underutilized off-street parking during low demand times.

- d. 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.**

Applicant Response:

A literal interpretation of the off-street parking requirements stipulated in the Code fails to consider the nature of sites with a mix of uses that generate parking demand in fluctuations during the day and week. In consideration of this, the provision of off-street parking for one use can serve the parking demand of another use at different times of the day/week. A strict interpretation of the Code generates a parking requirement of 338 spaces, the proposed site plan provides for 320 spaces. The requested variance is for a mere deviation of 18 spaces.

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

Applicant Response:

No other variances are being requested to accommodate the proposed expansion to the St. Luke's Catholic Church campus.

- f. The grant of the variance will be in harmony with the general intent and purpose of this chapter.**

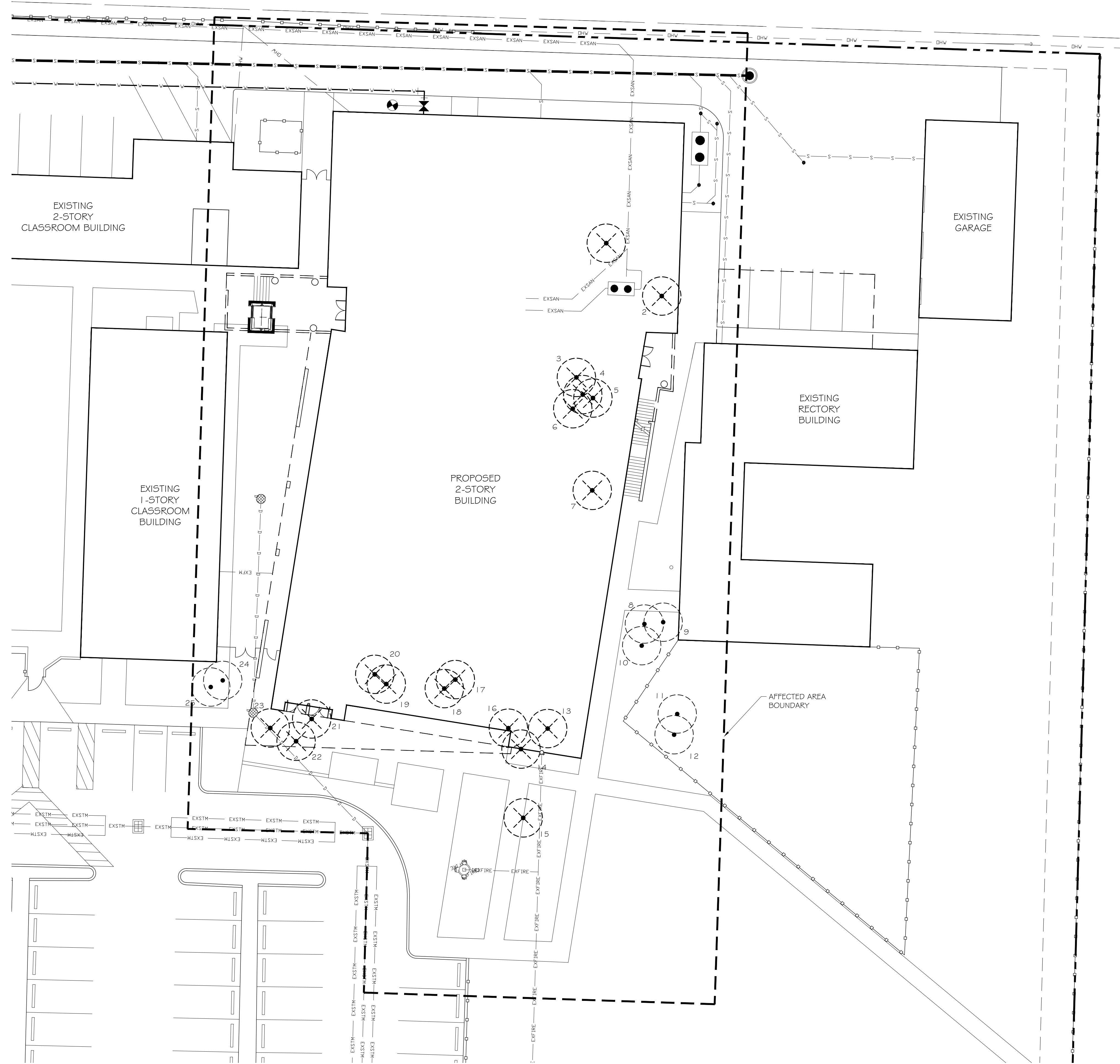
Applicant Response:

A literal interpretation of the off-street parking requirements stipulated in the Code fails to consider the nature of sites with a mix of uses that generate parking demand in fluctuations during the day and week. In consideration of this, the provision of off-street parking for one use can serve the parking demand of another use at different times of the day/week. The granting of the variance will in fact allow for a better relationship between the uses and the parking demand fluctuations of the services provided onsite.

- g. Such a variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

Applicant Response:

The requested variance is for a deviation in the off-street parking requirements for the uses on the St. Luke's Catholic Church campus and will not create a circumstance that would be injurious to the area or detrimental to the public.



TREE DISPOSITION TABLE			
TREE I.D.	SPECIES	SIZE	NOTES
1	LIVE OAK	24"	REMOVE
2	LIVE OAK	20"	REMOVE
3	SABAL PALM	25'	REMOVE
4	BOTTLE PALM	12'	REMOVE
5	SABAL PALM	25'	REMOVE
6	SABAL PALM	25'	REMOVE
7	LIVE OAK	20"	REMOVE
8	CHRISTMAS PALM	8'	PRESERVE
9	CHRISTMAS PALM	10'	PRESERVE
10	BOTTLEBRUSH	8"	PRESERVE
11	UMBRELLA TREE	40"	PRESERVE
12	UMBRELLA TREE	40"	PRESERVE
13	SABAL PALM	20'	REMOVE
14	SABAL PALM	20'	REMOVE
15	ROYAL POINCIANA	18"	REMOVE
16	SABAL PALM	20'	REMOVE
17	CHRISTMAS PALM	13'	REMOVE
18	CHRISTMAS PALM	13'	REMOVE
19	CHRISTMAS PALM	13'	REMOVE
20	CHRISTMAS PALM	13'	REMOVE
21	SABAL PALM	25'	REMOVE
22	SABAL PALM	25'	REMOVE
23	SABAL PALM	25'	REMOVE
24	SABAL PALM	18'	PRESERVE
25	SABAL PALM	18'	PRESERVE

TREE DISPOSITION TOTAL	
DISPOSITION	QTY
PRESERVE	7
REMOVE	18
RELOCATE	0

NORTH

0

8'

16'

32'

SCALE: 1" = 16'-0"

LEGEND

- EX. TREE TO BE PRESERVED

- EX. TREE TO BE RELOCATED

- EX. TREE TO BE REMOVED

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Consultants:

Revisions:

ST. LUKE CATHOLIC CHURCH

Palm Springs, Florida

ALWAYS CALL 811 TWO FULL BUSINESS DAYS BEFORE YOU DIG TO HAVE UNDERGROUND UTILITIES LOCATED AND MARKED.

Sunshine311.com

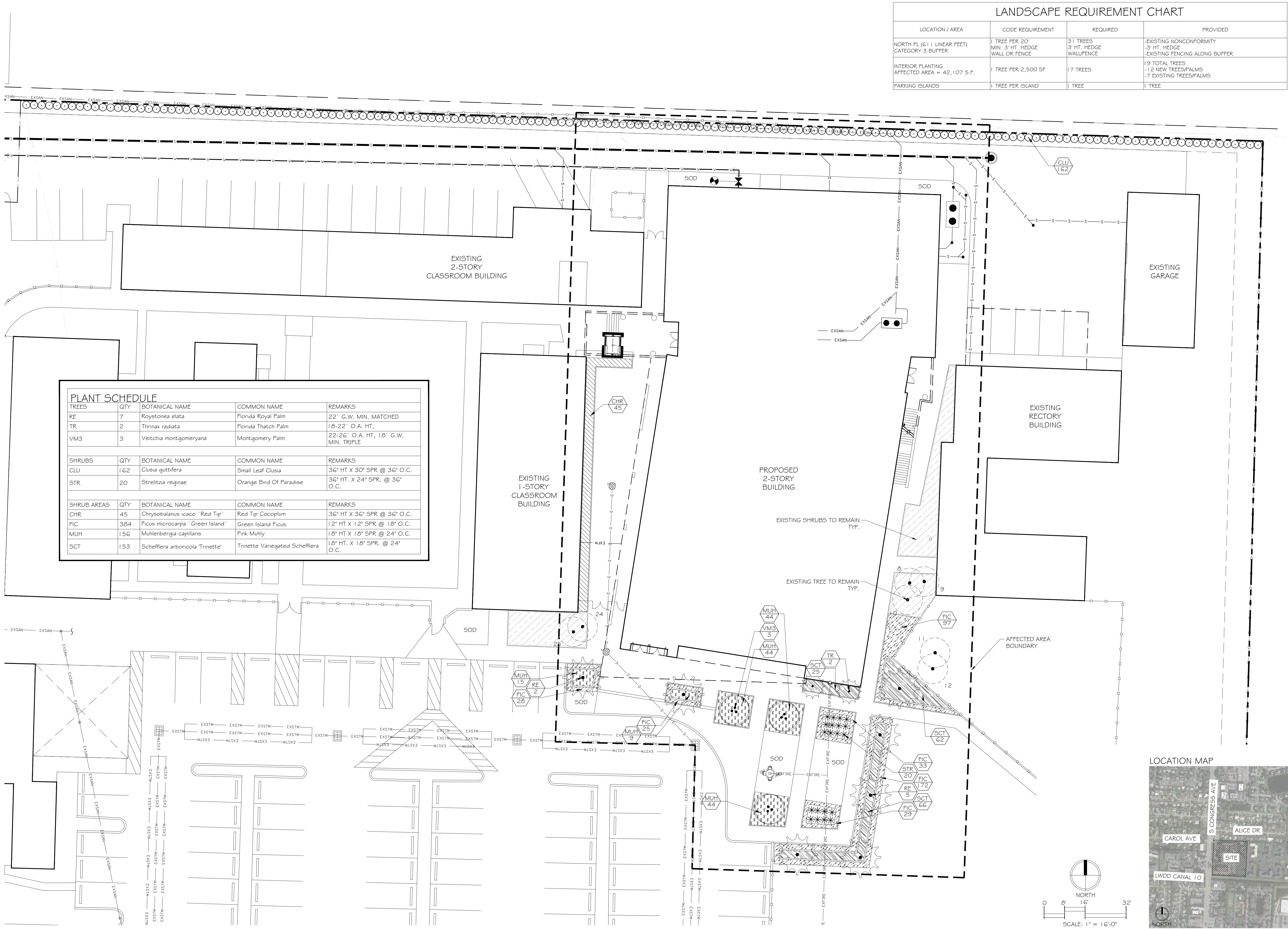
Drawn By: ZAK

Drawing #: 1319

Date: 03/22/2023

TREE DISPOSITION PLAN

SHEET # TD.1



PLANT SCHEDULE				
TREES	QTY	BOTANICAL NAME	COMMON NAME	REMARKS
RE	7	Roystonea elata	Florida Royal Palm	22" G.W. MIN. MATCHED
TR	2	Thrinax radiata	Florida Thatch Palm	18-22" O.A. HT.
VM3	3	Veitchia montgomeryana	Montgomery Palm	22-26" O.A. HT, 18" G.W. MIN. TRIPLE
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	REMARKS
CLU	162	Clusia guttifera	Small Leaf Clusia	36" HT X 30" SPR @ 36" O.C.
STR	20	Strelitzia reginae	Orange Bird Of Paradise	36" HT. X 24" SPR. @ 36" O.C.
SHRUB AREAS	QTY	BOTANICAL NAME	COMMON NAME	REMARKS
CHR	45	Chrysobalanus icaco 'Red Tip'	Red Tip Cocoplum	36" HT X 36" SPR @ 36" O.C.
FIC	384	Ficus microcarpa 'Green Island'	Green Island Ficus	12" HT X 12" SPR @ 18" O.C.
MUH	156	Muhlenbergia capillans	Pink Muhly	18" HT X 18" SPR @ 24" O.C.
SCT	153	Schefflera arboncola 'Tnnette'	Tnnette Variegated Schefflera	18" HT. X 18" SPR. @ 24" O.C.

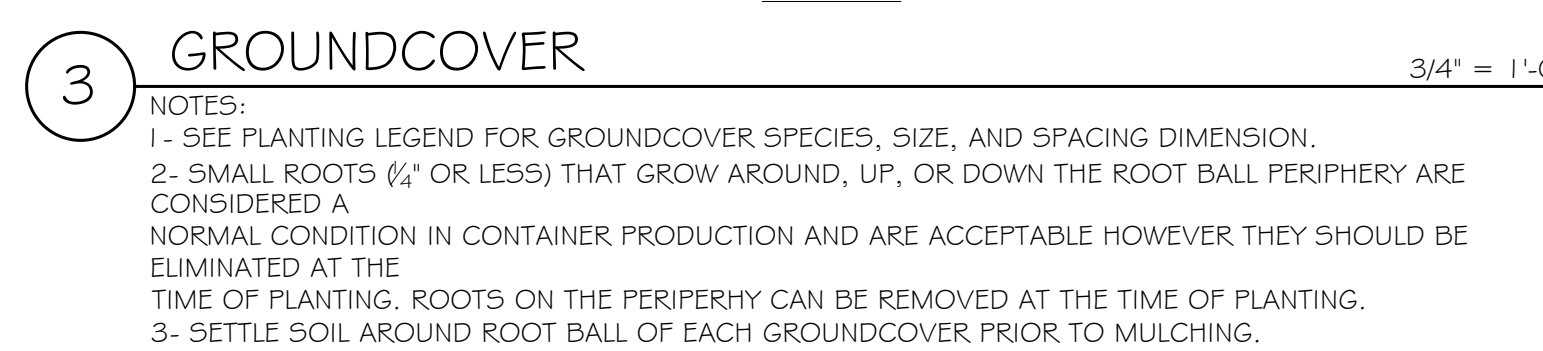
LOCATION / AREA	CODE REQUIREMENT	REQUIRED	PROVIDED
NORTH PL (6' I LINEAR FEET) CATEGORY 3 BUFFER	1 TREE PER 20' MIN. 3' HT. HEDGE WALL OR FENCE	31 TREES 3' HT. HEDGE WALL/FENCE	-EXISTING NONCONFORMITY -3' HT. HEDGE -EXISTING FENCING ALONG BUFFER
INTERIOR PLANTING AFFECTED AREA = 42,107 S.F.	1 TREE PER 2,500 SF	17 TREES	19 TOTAL TREES -12 NEW TREES/PALMS -7 EXISTING TREES/PALMS
PARKING ISLANDS	1 TREE PER ISLAND	1 TREE	1 TREE

Consultants:

Revisions:

ST. LUKE CATHOLIC CHURCH
Palm Springs, Florida





1. ALL PLANTS TO BE FLORIDA #1 QUALITY OR BETTER AS DEFINED IN THE LATEST EDITION OF THE FLORIDA GRADES AND STANDARDS FOR NURSEY PLANTS, UNLESS OTHERWISE NOTED.

2. ALL PLANTING AND SOD AREAS SHALL RECEIVE 100% IRRIGATION COVERAGE FROM AN AUTOMATIC IRRIGATION SYSTEM WITH A RAIN SENSOR.

3. ALL PLANTING BEDS/ ISLANDS SHALL BE FREE OF SHELLOCK, CONSTRUCTION DEBRIS, OR OTHER MISCELLANEOUS DEBRIS, EXCAVATED TO A DEPTH OF 30" OR TO CLEAN NATIVE SOILS, AND BACKFILLED WITH THE SPECIFIED SOIL MIXTURE.

4. ROOT BARRIERS ARE REQUIRED FOR ALL TREES LOCATED WITHIN 1'0" OF UNDERGROUND UTILITIES.

5. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED APPROVALS AND PERMITS FROM LOCAL MUNICIPALITY AND GOVERNING AGENCIES PRIOR TO REMOVAL OF ANY EXISTING VEGETATION OR BEGINNING INSTALLATION.

6. IN THE EVENT OF A CONFLICT BETWEEN THE QUANTITIES SHOWN IN THE PLANT SCHEDULE AND GRAPHICALLY DEPICTED AND LABELED ON THE PLAN, THE PLAN WILL PREVAIL. IF SUCH CONFLICT IS DISCOVERED, CONTRACTOR SHALL CONSULT WITH LANDSCAPE ARCHITECT.

7. ALL TREES PLANTED UNDER OR NEAR OVERHEAD POWER LINES SHALL COMPLY WITH FPL RIGHT TREE, RIGHT PLACE REQUIREMENTS.

8. CONTRACTOR IS REQUIRED TO CALL SUNSHINE 811 TO HAVE ALL UNDERGROUND UTILITIES LOCATED PRIOR TO ANY DIGGING, EXCAVATION, OR UNDERGROUND WORK. IF PROPOSED DESIGN CONFLICTS WITH EXISTING OR PROPOSED UTILITY LOCATIONS, CONTRACTOR SHALL IMMEDIATELY CONTACT LANDSCAPE ARCHITECT TO DEVELOP A SOLUTION FOR THE CONFLICT.

GENERAL CONDITIONS

- A. **CONTRACT DOCUMENTS:** Shall consist of specifications and its general conditions and the drawings. The intent of these documents is to include all labor, materials, and services necessary for the proper execution of the work. The documents are to be considered as one. Whatever is called for by any parts shall be as binding as if called for in all parts.
- B. **VERIFICATION:** The Contractor shall verify measurements on the drawings before beginning work. In case of error or discrepancy in the drawings or specifications or in the work of others affecting his/her work, he/she shall notify the Owner's Representative immediately. The Contractor shall be held responsible for any damages or loss due to his/her failure to observe these instructions.
- C. **MATERIALS, MACHINERY, EQUIPMENT:** Except as otherwise noted, the Contractor shall provide and pay for all materials, labor, tools, and other items necessary and incidental to the completion of his/her work.
- D. **SURVEYS, PERMITS, REGULATIONS:** The Owner shall furnish an adequate survey of the property. The Contractor shall obtain and pay for all permits and comply with all laws and ordinances bearing on the operation or conduct of the work as drawn and specified. If the Contractor observes that a variance exists therewith he/she shall promptly notify the Owner's Representative in writing and any necessary changes shall be adjusted as provided in the contract for changes in the work.
- E. **PROTECTION OF WORK, PROPERTY AND PERSON:** The Contractor shall adequately protect the work, adjacent property, and the public, and shall be responsible for any damages or injury due to his/her actions.
- F. **CHANGES IN THE WORK:** The owner may order changes in the work, and the contract sum being adjusted accordingly. All such orders and adjustments plus claims by the Contractor for extras must be made in writing before executing the work involved.
- G. **CORRECTION OF WORK:** The Contractor shall re-execute any work that fails to conform to the requirements of the contract and shall remedy defects due to faulty materials or workmanship upon written notice from the Owner's Representative for a period of ninety (90) days from the date of completion of the contract.
- H. **Owner's Authorized Representative:** The Owner's authorized representative acts as the authorized representative of the Owner in conjunction with the project manager, and has authority to accept or reject materials or workmanship and to make major changes in the work not involving extra cost. He will also interpret the meaning of the contract documents and may stop the work if necessary to ensure its proper execution.
- I. **CLARIFICATION OF DRAWINGS BEFORE BIDDING:** After reviewing the drawings thoroughly it is the Contractor's responsibility to clarify with the Owner's Representative any questions the Contractor may have regarding the method of construction, quantities, or quality of materials included or called out. If the Contractor cannot contact the Owner's Representative, the Contractor must qualify his/her bid or accept the interpretation of the Owner's Representative on the questionable areas as they develop during construction.
- J. **SAMPLES:** The Owner's Representative reserves the right to take and analyze samples of materials for conformity to specifications at any time. The Contractor shall furnish samples upon request by the Owner's Representative. Rejected materials shall be immediately removed from the site and replaced at the Contractor's expense. The cost of testing materials not meeting specifications shall be paid by the Contractor.
- K. **PRE-CONSTRUCTION CONFERENCE:** Schedule a pre-construction meeting with the Owner's Representative at least seven (7) days before beginning work. The purpose of this conference is to review any questions the Contractor may have regarding the work, administrative procedures during construction and project work schedule.

015639
Tree and Plant Protection

PART 1 GENERAL

- 1.1 SUMMARY
- The scope of work includes all labor, materials, tools, equipment, facilities, transportation and services necessary for, and incidental to performing all operations in connection with protection of existing trees and other plants as shown on the drawings and as specified herein.
- Provide preconstruction evaluations
 - Provide tree and plant protection fencing.
 - Provide protection of root zones and above ground tree and plants
 - Provide pruning of existing trees and plants.
 - Coordinate with the requirements of Section Planting Soil for modifications to the soil within the root zone of existing trees and plants.
 - Provide all insect and disease control.
 - Provide maintenance of existing trees and plants including irrigation during the construction period as recommended by the arborist report.
 - Provide maintenance of existing trees and plants including irrigation during the post construction plant maintenance period.
 - Remove tree protection fencing and other protection from around and under trees and plants.
 - Clean up and disposal of all excess and surplus material.
- 1.2 CONTRACT DOCUMENTS
- A. Shall consist of specifications and general conditions and the drawings. The intent of these documents is to include all labor, materials, and services necessary for the proper execution of the work. The documents are to be considered as one. Whatever is called for by any parts shall be as binding as if called for in all parts.
- B. It is the intent of this section that the requirements apply to all sections of the project specification such that any subcontractor must comply with the restrictions on work within designated Tree and Plant Protection Areas.
- 1.3 RELATED DOCUMENTS AND REFERENCES
- A. Related Documents:
- Drawings and general provisions of contract including general and supplementary conditions and Division I specifications apply to work of this section.
 - Section - Planting
- B. References: The following specifications and standards of the organizations and documents listed in this paragraph form a part of the specification to the extent required by the references thereof. In the event that the requirements of the following referenced standards and specification conflict with this specification section the requirements of this specification shall prevail. In the event that the requirements of any of the following referenced standards and specifications conflict with each other the more stringent requirement shall prevail.
- ANSI A300 (Part 5) - Standard Practices for Tree, Shrub and other Woody Plant Maintenance, most current editions.
 - Pruning practices shall conform with recommendations "Structural Pruning: A Guide For The Green Industry"; Published by Urban Tree Foundation, Visalia, California; most current edition.
 - Glossary of Arboricultural Terms, International Society of Arboriculture, Champaign IL, most current edition.
- 1.4 VERIFICATION
- A. All scaled dimensions on the drawings are approximate. Before proceeding with any work, the Contractor shall carefully check and verify all dimensions and quantities, and shall immediately inform the Owner's Representative of any discrepancies between the information on the drawings and the actual conditions, refraining from doing any work in said areas until given approval to do so by the Owner's Representative.
- 1.5 PERMITS AND REGULATIONS
- A. The Contractor shall obtain and pay for all permits related to this section of the work unless previously excluded under provision of the contract or general conditions. The Contractor shall comply with all laws and ordinances bearing on the operation or conduct of the work as drawn and specified. If the Contractor observes that a conflict exists between permit requirements and the work outlined in the contract documents, the Contractor shall promptly notify the Owner's Representative in writing including a description of any necessary changes and changes to the contract price resulting from changes in the work.
- B. Wherever references are made to standards or codes in accordance with which work is to be performed or tested, the edition or revision of the standards and codes current on the effective date of this contract shall apply, unless otherwise expressly set forth.
- C. In case of conflict among any referenced standards or codes or between any referenced standards and codes and the specifications, the more restrictive standard shall apply or Owner's Representative shall determine which shall govern.
- 1.6 PROTECTION OF WORK, PROPERTY AND PERSON
- A. The Contractor shall protect the work, adjacent property, and the public, and shall be responsible for any damages or injury due to his/her actions.
- 1.7 CHANGES IN THE WORK
- A. The Owner's Representative may order changes in the work, and the contract sum should be adjusted accordingly. All such orders and adjustments plus claims by the Contractor for extra compensation must be made and approved in writing before executing the work involved.
- 1.8 CORRECTION OF WORK
- A. The Contractor shall re-execute any work that fails to conform to the requirements of the contract and shall remedy defects due to faulty materials or workmanship upon written notice from the Owner's Representative, at the soonest possible time that can be coordinated with other work and seasonal weather demands.
- 1.9 DEFINITIONS
- All terms in this specification shall be as defined in the "Glossary of Arboricultural Terms" or as modified below.
- Baxed trees: A container root ball package made of wood in the shape of a four-sided box.
 - Container plant: Plants that are grown in and/or are currently in a container including baxed trees.
 - Defective plant: Any plant that fails to meet the plant quality requirement of this specification.
 - End of Warranty Final Acceptance: The date when the Owner's Representative accepts that the plants and work in this section meet all the requirements of the warranty. It is intended that the materials and workmanship warranty for Planting, Planting Soil, and irrigation work run concurrent with each other.
 - Field grown trees (B&B): Trees growing in field soil for at least 12 months prior to harvest.
 - Healthy: Plants that are growing in a condition that expresses leaf size, crown density, color, and with annual growth rates typical of the species and cultivar's horticultural description, adjusted for the planting site, soil, drainage and weather conditions.
 - Kinked root: A root within the root package that bends more than 90 degrees.
 - Maintenance: Actions that preserve the health of plants after installation and as defined in this specification.
 - Maintenance period: The time period, as defined in this specification, which the Contractor is to provide maintenance. It is intended that the prevailing protocol of industry standards apply.
 - Owner's Representative: The person appointed by the Owner to represent their interest in the review and approval of the work to serve as the contracting authority with the Contractor. The Owner's Representative or Owner may appoint other persons to review and approve any aspects of the work, such as the landscape architect who prepared the plans.
 - Reasonable and reasonably: When used in this specification relative to plant quality, it is intended to mean that the conditions cited will not affect the establishment or long term stability, health or growth of the plant. This specification recognizes that it is not possible to produce plants free of all defects, but that some accepted industry protocols and standards

- All terms in this specification shall be as defined in the "Glossary of Arboricultural Terms" or as modified below.
- Owner's Representative: The person appointed by the Owner to represent their interest in the review and approval of the work to serve as the contracting authority with the Contractor. The Owner's Representative or Owner may appoint other persons to review and approve any aspects of the work, such as the landscape architect who prepared the plans.
- B. Reasonable and reasonably: When used in this specification is intended to mean that the conditions cited will not affect the establishment or long term stability, health or growth of the plant. This specification recognizes that plants are not free of defects, and that plant conditions change with time. This specification also recognizes that some decisions cannot be totally based on measured findings and that professional judgment is required. In cases of differing opinion, the Owner's Representative expert shall determine when conditions within the plant are judged as reasonable.
- C. Shrub: Woody plants with mature height approximately less than 25 feet.
- D. Tree and Plant Protection Area: Area surrounding individual trees, groups of trees, shrubs, or other vegetation to be protected during construction, and defined by a circle centered on the trunk with each tree with a radius equal to the down dipline unless otherwise indicated by the owner's representative.
- E. Tree: Single and multi-stemmed plants, including palms with anticipated mature height approximately greater than 25 feet or any plant identified on the plans as a tree.
- 1.10 SUBMITTALS
- A. PRODUCT DATA: Submit manufacturer product data and literature describing all products required by this section to the Owner's Representative for approval. Provide submittal four weeks before the start of any work at the site.
- 1.11 OBSERVATION OF THE WORK
- A. The Owner's Representative may inspect the work at any time.
- 1.12 PRE-CONSTRUCTION CONFERENCE
- A. Schedule a pre - construction meeting with the Owner's Representative at least seven (7) days before beginning work to review any questions the Contractor may have regarding the work, administrative procedures during construction and project work schedule.
- The following Contractors shall attend the preconstruction conference:
 - General Contractor.
 - Consulting Arborist.
 - Subcontractor assigned to install Tree and Plant Protection measures.
 - Earthwork Contractor.
 - All site utility Contractors that may be required to dig or trench into the soil.
 - Landscape subcontractor.
 - Irrigation subcontractor.
 - Prior to this meeting, mark all trees and plants to remain and or be removed as described in this specification for review and approval by the Owner's Representative.
- 1.13 QUALITY ASSURANCE
- A. Contractor qualifications:
- All pruning, branch tie back, tree removal, root pruning, and fertilizing required by this section shall be performed by or under the direct supervision of ISA Certified Arborist Submit aforementioned individual's qualifications for approval by the Owner's Representative.
 - All applications of pesticide or herbicide shall be performed by a person maintaining a current state license to apply chemical pesticides valid in the jurisdiction of the project. Submit copies of all required state licensing certificates including applicable chemical applicator licenses.

PART 2 PRODUCTS

- 2.3 TREE PROTECTION FENCING:
- B. PLASTIC MESH FENCE: Heavy - duty orange plastic mesh fencing fabric 48 inches wide. Fencing shall be attached to metal "U" or "T" post or wooden post driven into the ground of sufficient depth to hold the fabric solidly in place with out sagging. The fabric shall be attached to the post using attachment of sufficient number and strength to hold up the fabric without sagging. The Owner's Representative may request, at any time, additional post, deeper post depths and or additional fabric attachments if the fabric begins to sag, lean or otherwise not present a sufficient barrier to access.
- C. GATES: For each fence type and in each separate fenced area, provide a minimum of one 3 foot wide gate. Gates shall be lockable. The location of the gates shall be approved by the Owner's Representative.
- D. Submit suppliers product data that product meets the requirements for approval.
- 2.4 tree protection sign:
- Heavy-duty cardboard signs, 8.5 inches x 11 inches, white colored background with black 2 inch high or larger letters block letters. The signs shall be attached to the tree protection fence every 50 feet o.c. The tree protection sign shall read "Tree and Plant Protection Area - Keep Out"
- 2.5 TREE GROWTH REGULATOR (TGR)
- A. Cambistat 25C.
- B. Submit suppliers product data that product meets the requirements for approval.
- 2.6 MATTING
- A. Matting for vehicle and work protection shall be heavy duty matting designed for vehicle loading over tree roots, Alutarnums as manufactured by Alutarnums, Inc. Franklin, PA 16323 or approved equal.
- B. Submit suppliers product data that product meets the requirements for approval.
- 2.7 GEOTRID
- A. Geotrid shall be woven polyester fabric with PVC coating, Uni-axial or biaxial geotrid, inert to biological degradation, resistant to naturally occurring chemicals, alkalis, acids.
- B. Submit suppliers product data that product meets the requirements for approval.
- 2.8 FILTER FABRIC
- A. Filter Fabric shall be nonwoven polypropylene fibers, inert to biological degradation and resistant of naturally occurring chemicals, alkalis and acids.
- Miraf 135 N as manufactured by Ten Cate Nicolson, Norcross, GA. <http://www.tencate.com> or approved equal.
- B. Submit suppliers product data that product meets the requirements for approval.
- 2.9 TREE AND PLANT PROTECTION AREA: The Tree and Plant Protection Area is defined as all areas indicated on the tree protection plan. Where no limit of the Tree and Plant Protection area is defined on the drawings, the limit shall be the dip line (outer edge of the branch crown) of each tree.
- 3.4 Preparation:
- A. Prior to the preconstruction meeting, layout the limits of the Tree and Plant Protection Area and then alignments of required Tree and Plant Protection Fencing and root pruning. Obtain the Owner's Representative's approval of the limits of the protection area and the alignment of all fencing and root pruning.
- B. Flag all trees and shrubs to be removed by wrapping orange plastic ribbon around the trunk and obtain the Owner's Representative's approval of all trees and shrubs to be removed prior to the start of tree and shrub removal. After approval, mark all trees and shrubs to be removed with orange paint in a band completely around the base of the tree or shrub 4.5 feet above the ground.
- C. Flag all trees and shrubs to remain with white plastic ribbon tied completely around the trunk or each tree and to a prominent branch for each shrub. Obtain the Owner's Representative's approval of all trees and shrubs to be remain prior to the start of tree and shrub removal.
- D. Prior to any construction activity at the site including utility work, grading, storage of materials, or installation of temporary construction facilities, install all tree protection fencing, Filter Fabric, soil fence, tree protection signs, Geotrid, Mulch and or Wood Chips as shown on the drawings.
- 3.5 SOIL MOISTURE
- A. Volumetric soil moisture level, in all soils within the Tree and Plant Protection Area shall be maintained above permanent wilt point to a depth of at least 8 inches. No soil work or other activity shall be permitted within the Tree and Plant Protection Area when the volumetric soil moisture is above field capacity. The permanent wilt point and field capacity for each type of soil texture shall be defined as follows (numbers indicate percentage volumetric soil moisture).

Soil type	Permanent wilt point v/v	Field capacity v/v
Sand, Loamy sand, Sandy loam	5 - 8%	12 - 18%
Loam, Sandy clay, Sandy clay loam	14 - 25%	27 - 36%
Clay loam, Silty loam	11 - 22%	31 - 36%
Silty clay, Silty clay loam	22 - 27%	38 - 41%

1. Volumetric soil moisture shall be measured with a digital, electric conductivity meter. The meter shall be the Digital Soil Moisture Meter, DSM4500 by General Specialty Tools and Instruments, or approved equivalent meter.

B. The Contractor shall confirm the soil moisture levels with a moisture meter. If the moisture is too high, suspend operations until the soil moisture drains to below field capacity.

3.6 ROOT PRUNING:

A. Prior to any excavating into the existing soil grade within 25 feet of the limit of the Tree and Plant Protection Area or trees to remain, root prune all existing trees to a depth of 24 inches below existing grade in alignments following the edges of the Tree and Plant Protection Area or as directed by the Owner's Representative. Root pruning shall be in conformance with ANSI A300 (part 5) latest edition.

3.7 INSTALLATION OF GEOTRIDS, FILTER FABRIC, MATTING, WOOD CHIPS AND OR MULCH

A. Install Geotrids, Filter Fabric, Matting, Wood Chips or Mulch in areas and depths shown on the plans and details or as directed by the Owner's representative. In general it is the intent of this specification to provide the following levels of protection:

- All areas within the Tree and Plant Protection area provide a minimum of 5 inches of Wood Chips or Mulch.
- All areas where foot traffic or storage of lightweight materials is anticipated to be unavoidable provide a layer of Filter Fabric under the 5 inches of Wood Chips or Mulch.
- Areas where occasional light vehicle traffic is anticipated to be unavoidable provide a layer of Geotrids under 8

- inches of Wood Chips or Mulch.
4. Areas where heavy vehicle traffic is unavoidable provide a layer of Geotrids under 8 - 12 inches of Wood Chips or Mulch and a layer of matting over the Wood Chips or Mulch.
- B. The Owner's Representative shall approve the appropriate level of protection.
- C. In the above requirements, light vehicle is defined as a track sled with a ground pressure of 4 psi or lighter. A heavy vehicle is any vehicle with a tire and track pressure of greater than 4 psi. Lightweight materials are any packaged materials that can be physically moved by hand into the location. Bulk materials such as soil, or aggregate shall never be stored within the Tree and Plant Protection Area.
- 3.8 PROTECTION:
- A. Protect the Tree and Plant Protection Area at all times from compaction of the soil; damage of any kind to trunks, bark, branches, leaves and roots of all plants; and contamination of the soil, bark or leaves with construction materials, debris, silt, fuels, oils, and any chemicals substance. Notify the Owner's Representative of any spills, compaction or damage and take corrective action immediately using methods approved by the Owner's Representative.
- 3.9 GENERAL REQUIREMENTS AND LIMITATIONS FOR OPERATIONS WITHIN THE TREE AND PLANT PROTECTION AREA:
- A. The Contractor shall not engage in any construction activity within the Tree and Plant Protection Area without the approval of the Owner's Representative including: operating, moving or storing equipment; storing supplies or materials; locating temporary facilities including trailers or portable toilets and shall not permit employees to traverse the area to access adjacent areas of the project or use the area for lunch or any other work breaks. Permitted activity, if any, within the Tree and Plant Protection Area maybe indicated on the drawings along with any required remedial activity as listed below.
- B. In the event that construction activity is unavoidable within the Tree and Plant Protection Area, notify the Owner's Representative and submit a detailed written plan of action for approval. The plan shall include: a statement detailing the reason for the activity including why other areas are not suited; a description of the proposed activity; the time period for the activity; and a list of remedial actions that will reduce the impact on the Tree and Plant Protection Area from the activity. Remedial actions shall include but shall not be limited to the following:
- In general, demolition and excavation within the dip line of trees and shrubs shall proceed with extreme care by the use of hand tools, directional boring and or Air Knife excavation where indicated or with other low impact equipment that will not cause damage to the tree, roots or soil.
 - When encountered, exposed roots, 1 inches and larger in diameter shall be worked around in a manner that does not break the outer layer of the root surface (bark). These roots shall be covered in Wood Chips and shall be maintained above permanent wilt point at all times. Roots one inch and larger in diameter shall not be cut out with the approval of the owners representative. Excavation shall be tunneled under these roots without cutting them. In the areas where roots are encountered, work shall be performed and scheduled to close excavations as quickly as possible over exposed roots.
 - Tree branches that interfere with the construction may be tied back or pruned to clear only to the point necessary to complete the work. Other branches shall only be removed when specifically indicated by the Owner's Representative. Tying back or trimming of all branches and the cutting of roots shall be in accordance with accepted arboricultural practices (ANSI A300, part 6) and be performed under supervision of the arborist.
 - Matting: Install temporary matting over the Wood Chips or Mulch to the extent indicated. Do not permit foot traffic, scaffolding or the storage of materials within the Tree and Plant Protection Area to occur off of the temporary matting.
 - Trunk Protection: Protect the trunk of each tree to remain by covering it with a ring of 8 foot long 2 inch x 6 - inch planks loosely banded onto the tree with 3 steel bands. Staple the bands to the planks as necessary to hold them securely in place. Trunk protection must be kept in place no longer than 12 months. If construction requires work near a particular tree to continue longer than 12 months, the steel bands shall be inspected every six months and loosened if they are found to have become tight.
 - Air Excavation Tool: If excavation for footings or utilities is required within the Tree and Plant Protection Area, air excavation tool techniques shall be used where practical or as designed on the drawings.
 - Remove the Wood Chips from an area approximately 18 inches beyond the limits of the hole or trench to be excavated. Cover the Wood Chips for a distance of not less than 15 feet around the limit of the excavation area with Filter Fabric or plastic sheeting to protect the Wood Chips from soil. Mount the Wood Chips so that the plastic slopes downward toward the excavation.
 - Using a sprinkler or soaker hose, apply water slowly to the area of the excavation for a period of at least 4 hours, approximately 12 hours prior to the work so that the ground water level is at or near field capacity at the beginning of the work. For excavations that go beyond the damp soil, rewet the soil as necessary to keep soil moisture near field capacity.
 - Using an air excavation tool specifically designed and manufactured for the intended purpose, and at pressures recommended by the manufacturer of the equipment, fracture the existing soil to the shape and the depths required. Work at rates and using techniques that do not harm tree roots. Air pressure shall be a maximum of 90-100 psi.
 - The Air excavation tool shall be "Air-Spade" as manufactured by Concept Engineering Group, Inc., Verona, PA (412) 826-8800, or Air Knife as manufactured by Easy Use Air Tools, Inc. Allison Park, Pa (966) 328-5723 or approved equal.
 - Using a commercial, high-powered vacuum truck if required, remove the soil from the excavation produced by the Air Knife excavation. The vacuum truck should generally operate simultaneously with the hose operator, such that the soil produced is picked up from the excavation hole, and the exposed roots can be observed and not damaged by the ongoing operation. Do not drive the vacuum truck into the Tree and Plant Protection Area unless the area is protected from compaction as approved in advance by the Owner's Representative.
 - Remove all excavated soil and excavated Wood Chips, and contaminated soil at the end of the excavation.
 - Schedule the work so that foundations or utility work is completed immediately after the excavation. Do not let the roots dry out. Mist the roots several times during the day. If the excavated area must remain open over night, mist the roots and cover the excavation with black plastic.
 - Dispose of all soil in a manner that meets local laws and regulations.
 - Restore soil within the trench as soon as the work is completed. Utilize soil of similar texture to the removed soil and lightly compact with hand tools. Leave soil mounded over the trench to a height of approximately 10% of the trench depth to account for settlement.
 - Restore any Geotrids, Filter Fabric, Wood Chips or Mulch and or matting that was previously required for the area.
- 3.10 TREE REMOVAL:
- A. Remove all trees indicated by the drawings and specifications, as requiring removal, in a manner that will not damage adjacent trees or structures or compacts the soil.
- B. Remove trees that are adjacent to trees or structures to remain, in sections, to limit the opportunity of damage to adjacent crowns, trunks, ground plane elements and structures.
- C. Do not drop trees with a single cut unless the tree will fall in an area not included in the Tree and Plant Protection Area. No tree to be removed within 50 feet of the Tree and Plant Protection Area shall be pushed over or up-rooted using a piece of grading equipment.
- D. Protect adjacent paving, soil, trees, shrubs, ground cover plantings and understorey plants to remain from damage during all tree removal operations, and from construction operations. Protection shall include the root system, trunk, limbs, and crown from breakage or scarring, and the soil from compaction.
- E. Remove stumps and immediate root plane from existing trees to be removed. Grind trunk bases and large buttress roots to a depth of the largest buttress root or at least 18 inches below the top most roots which ever is less and over the area of three times the diameter of the trunk (DBH).
- F. For trees where the stump will fall under new paved areas, grind roots to a total depth of 18 inches below the existing grade. If the sides of the stump hole will have greater than approximately 20% wood visible, continue grinding operation deeper and or wider until the resulting hole has less than 20% wood. Remove all wood chips produced by the grinding operation and back fill in 8 inch layers with controlled fill of a quality acceptable to the site engineer for fill material under structures, compared to 95% of the maximum dry density standard proctor. The Owner's Representative shall approve each hole at the end of the grinding operation.
2. In areas where the tree location is to be a planting bed or lawn, remove all woodchips and backfill stump holes with planting soil as defined in Specification Section Planting Soil, in maximum of 12 inch layers and compact to 80 - 85% of the maximum dry density standard proctor.
- 3.11 PRUNING:
- A. Within six months of the estimated date of substantial completion, prune all dead or hazardous branches larger than 2 inch in diameter from all trees to remain.
- B. Implement all pruning recommendations found in the arborist report.
- C. Prune any low hanging branches and vines from existing trees and shrubs that overhang walks, streets and drives, or parking areas as follows:
- Walks - within 8 feet vertically of the proposed walk elevation.
 - Parking areas - within 12 feet vertically of the proposed parking surface elevation.
 - Streets and drives - within 14 feet vertically of the proposed driving surface elevation.
- D. All pruning shall be done in accordance with ANSI A300 (part 1), ISA BMP Tree Pruning (latest edition, and the "Structural Pruning: A Guide for the Green Industry", Edward Gilman, Brian Kempf, Nelda Matheny and Jim Clark, 2013 Urban Tree Foundation, Visalia CA.
- E. Perform other pruning task as indicated on the drawings or requested by the Owner's Representative.
- F. Where tree specific disease vectors require, sterilize all pruning tools between the work in individual trees.
- 3.13 WATERING
- A. The Contractor shall be fully responsible to ensure that adequate water is provided to all plants to be preserved during the entire construction period. Adequate water is defined to be maintaining soil moisture above the permanent wilt point to a depth of 8 inches or greater.
- B. The Contractor shall adjust the automatic irrigation system, if available, and apply additional water, using hoses or water tanks as required.
- C. Periodically test the moisture content in the soil within the root zone to determine the water content.
- 3.14 WEED REMOVAL
- A. During the construction period, control any plants that seed in and around the fenced Tree and Plant Protection area at least three times a year.
- All plants that are not shown on the planting plan or on the Tree and Plant Protection Plan to remain shall be considered as weeds.
- B. At the end of the construction period provide one final weeding of the Tree and Plant Protection Area.
- 3.15 INSECT AND DISEASE CONTROLLER
- A. Monitor all plants to remain for disease and insect infestations during the entire construction period. Provide all disease and insect control required to keep the plants in a healthy state using the principles of Integrated Plant Management (IPM). All pesticides shall be applied by a certified pesticide applicator.
- 3.16 CLEAN-UP
- A. During tree and plant protection work, keep the site free of trash, pavements reasonably clean and work area in an orderly condition at the end of each day. Remove trash and debris in containers from the site no less than once a week.
- Immediately clean up any spilled or tracked soil, fuel, oil, trash or debris deposited by the Contractor from all surfaces within the project or on public right of ways and neighboring property.
- B. Once tree protection work is complete, wash all soil from pavements and other structures. Ensure that Mulch is confined to planting beds.
- C. Make all repairs to grades, ruts, and damage to the work or other work at the site.
- D. Remove and dispose of all excess Mulch, Wood Chips, packaging, and other material brought to the site by the Contractor.

- 3.17 Removal of fencing and other Tree and plant protection
- A. After the end of the construction period or when requested by the Owner's Representative remove all fencing, Wood Chips or Mulch, Geotrids and Filter Fabric, trunk protection and or any other Tree and Plant Protection material.
- 3.18 DAMAGE OR LOSS TO EXISTING PLANTS TO REMAIN
- B. Any trees or plants designated to remain and which are damaged by the Contractor shall be replaced in kind by the Contractor at their own expense. Trees shall be replaced with a tree of similar species and of equal size or 6 inch caliper which ever is less. Shrubs shall be replaced with a plant of similar species and equal size or the largest size plants reasonably available which ever is less. Where replacement plants are to be less than the size of the plant that is damaged, the Owner's Representative shall approve the size and quality of the replacement plant.
- All trees and plants shall be installed per the requirements of Specification Section Planting.
 - Plants that are damaged shall be considered as requiring replacement or appraisal in the event that the damage affects more than 25 % of the crown, 25% of the trunk circumference, or root protection area, or the tree is damaged in such a manner that the tree could develop into a potential hazard. Trees and shrubs to be replaced shall be removed by the Contractor at his own expense.
 - The Owner's Representative may engage an independent arborist to assess any tree or plant that appears to have been damaged to determine their health or condition.
 - Any tree that is determined to be dead, damaged or potentially hazardous by the Owner's arborist and upon the request of the Owner's Representative shall be immediately removed by the Contractor at no additional expense to the owner. Tree removal shall include all chips up of all wood parts and grinding of the stump to a depth sufficient to plant the replacement tree or plant, removal of all clean from the stump site and filling the resulting hole with topsoil.
 - Any remedial work on damaged existing plants recommended by the consulting arborist shall be completed by the Contractor at no cost to the owner. Remedial work shall include but is not limited to: soil compaction remediation and vertical mulching, pruning and or cabling, insect and disease control including injections, compensatory watering, additional mulching and could include application tree growth regulators (TGR).
 - Remedial work may extend up to two years following the completion of construction to allow for any requirements of multiple applications or the need to undertake applications at required seasons of the year.
- END OF SECTION 015639

SECTION 32 9300
PLANTING

PART 1 GENERAL

1.1 SUMMARY

- A. The scope of work includes all labor, materials, appliances, tools, equipment, facilities, transportation and services necessary for, and incidental to performing all operations in connection with furnishing, delivery, and installation of plant (also known as "landscaping") complete as shown on the drawings and as specified herein.
- B. The scope of work in this section includes, but is not limited to, the following:
- Locate, purchase, deliver and install all specified plants.
 - Water all specified plants.
 - Mulch, fertilize, stake, and prune all specified plants.
 - Maintenance of all specified plants until the beginning of the warranty period.
 - Plant warranty.
 - Clean up and disposal of all excess and surplus material.
 - Maintenance of all specified plants during the warranty period.

1.2 CONTRACT DOCUMENTS

- A. Shall consist of specifications and general conditions and the construction drawings. The intent of these documents is to include all labor, materials, and services necessary for the proper execution of the work. The documents are to be considered as one. Whatever is called for by any parts shall be as binding as if called for in all parts.

1.3 RELATED DOCUMENTS AND REFERENCES

- A. Related Documents:
- Drawings and general provisions of contract including general and supplementary conditions and Division I specifications apply to work of this section
 - Related Specification Sections
 - Section - Tree Protection and Plant Protection
 - References: The following specifications and standards of the organizations and documents listed in this paragraph form a part of the specification to the extent required by the references thereof. In the event that the requirements of the following referenced standards and specification conflict with this specification section the requirements of this specification shall prevail. In the event that the requirements of any of the following referenced standards and specifications conflict with each other the more stringent requirement shall prevail or as determined by the Owners Representative.
- State of California, Department of Food and Agriculture, Regulations for Nursery Inspections, Rules and Grading
 - ANSI 200.1 American Standard for Nursery Stock, most current edition.
 - ANSI A 300 - Standard Practices for Tree, Shrub and other Woody Plant Maintenance, most current edition and parts.
 - Florida Grades and Standards for Nursery Stock, current edition (Florida Department of Agriculture, Tallahassee FL).
 - Interpretation of plant names and descriptions shall reference the following documents: Where the names or plant descriptions disagree between the several documents, the most current document shall prevail.
 - USDA - The Gernplearn Resources Information Network (<http://www.ars-grin.gov/npgs/searchgrin.html>)
 - Manual of Woody Landscape Plants; Michael Dir. Sipes Publishing, Champaign, Illinois; Most Current Edition.
 - The New Sunset Western Garden Book, Osmoor House, most current edition.
 - Pruning practices shall conform to recommendations "Structural Pruning: A Guide For The Green Industry" most current edition; published by Urban Tree Foundation, Visalia, California.
 - Glossary of Arboricultural Terms, International Society of Arboriculture, Champaign IL, most current edition.

1.4 VERIFICATION

- A. All scaled dimensions on the drawings are approximate. Before proceeding with any work, the Contractor shall carefully check and verify all dimensions and quantities, and shall immediately inform the Owner's Representative of any discrepancies between the information on the drawings and the actual conditions, refraining from doing any work in said areas until given approval to do so by the Owner's Representative.
- B. In the case of a discrepancy in the plant quantities between the plan drawings and the plant call outs, list or plant schedule, the number of plants or square footage of the planting bed actually drawn on the plan drawings shall be deemed correct and prevail.

1.5 PERMITS AND REGULATIONS

- A. The Contractor shall obtain and pay for all permits related to this section of the work unless previously excluded under provision of the contract or general conditions. The Contractor shall comply with all laws and ordinances bearing on the operation or conduct of the work as drawn and specified. If the Contractor observes that a conflict exists between permit requirements and the work outlined in the contract documents, the Contractor shall promptly notify the Owner's Representative in writing including a description of any necessary changes and changes to the contract price resulting from changes in the work.
- B. Wherever references are made to standards or codes in accordance with which work is to be performed or tested, the edition or revision of the standards and codes current on the effective date of this contract shall apply, unless otherwise expressly set forth.
- C. In case of conflict among any referenced standards or codes or between any referenced standards and codes and the specifications, the more restrictive standard shall apply or Owner's Representative shall determine which shall govern.

1.6 PROTECTION OF WORK, PROPERTY AND PERSON

- A. The Contractor shall adequately protect the work, adjacent property, and the public, and shall be responsible for any damages or injury due to his/her actions.

1.7 CHANGES IN THE WORK

- A. The Owner's Representative may order changes in the work, and the contract sum should be adjusted accordingly. All such orders and adjustments plus claims by the Contractor for extra compensation must be made and approved in writing before executing the work involved.
- B. All changes in the work, notifications and contractor's request for information (RFI) shall conform to the contract general condition requirements.

1.8 CORRECTION OF WORK

- A. The Contractor, at their own cost, shall re-execute any work that fails to conform to the requirements of the contract and shall remedy defects due to faulty materials or workmanship upon written notice from the Owner's Representative, at the soonest as possible time that can be coordinated with other work and seasonal weather demands.

1.9 DEFINITIONS

- All terms in this specification shall be as defined in the "Glossary of Arboricultural Terms" or as modified below.
- Baxed trees: A container root ball package made of wood in the shape of a four-sided box.
 - Container plant: Plants that are grown in and/or are currently in a container including baxed trees.
 - Defective plant: Any plant that fails to meet the plant quality requirement of this specification.
 - End of Warranty Final Acceptance: The date when the Owner's Representative accepts that the plants and work in this section meet all the requirements of the warranty. It is intended that the materials and workmanship warranty for Planting, Planting Soil, and irrigation work run concurrent with each other.
 - Field grown trees (B&B): Trees growing in field soil for at least 12 months prior to harvest.
 - Healthy: Plants that are growing in a condition that expresses leaf size, crown density, color, and with annual growth rates typical of the species and cultivar's horticultural description, adjusted for the planting site, soil, drainage and weather conditions.
 - Kinked root: A root within the root package that bends more than 90 degrees.
 - Maintenance: Actions that preserve the health of plants after installation and as defined in this specification.
 - Maintenance period: The time period, as defined in this specification, which the Contractor is to provide maintenance. It is intended that the prevailing protocol of industry standards apply.
 - Owner's Representative: The person appointed by the Owner to represent their interest in the review and approval of the work to serve as the contracting authority with the Contractor. The Owner's Representative or Owner may appoint other persons to review and approve any aspects of the work, such as the landscape architect who prepared the plans.
 - Reasonable and reasonably: When used in this specification relative to plant quality, it is intended to mean that the conditions cited will not affect the establishment or long term stability, health or growth of the plant. This specification recognizes that it is not possible to produce plants free of all defects, but that some accepted industry protocols and standards

result in plants unacceptable to this project.

When reasonable or reasonably is used in relation to other issues such as weeds, diseased, insects, it shall mean at levels low enough that no treatment would be required when applying recognized Integrated Plant Management practices.

This specification recognizes that some decisions cannot be totally based on measured findings and that professional judgment is required. In cases of differing opinion, the Owner's Representative's expert shall determine when conditions are judged as reasonable.

- M. Root ball: The mass of roots including any soil or substrate that is shipped with the tree within the root ball package.
- N. Root ball package: The material that surrounds the root ball during shipping. The root package may include the material in which the plant was grown, or new packaging placed around the root ball for shipping.
- O. Root collar (root crown, root flare, trunk flare, flare): The region at the base of the trunk where the majority of the structural roots join the plant stem, usually at or near ground level.
- P. Shrub: Woody plants with mature height approximately less than 15 feet.
- Q. Space harvested and transplanted: Field grown trees that are mechanically harvested and immediately transplanted to the final growing site without being removed from the digging machine.
- R. Stem: The trunk of the tree.
- S. Substantial Completion Acceptance: The date at the end of the Planting, Planting Soil, and Irrigation installation where the Owner's Representative accepts that all work in these sections is complete and the Warranty period has begun. This date may be different than the date of substantial completion for the other sections of the project.
- T. Stem girdling root: Any root more than 1/4 inch diameter currently touching the trunk, or with the potential to touch the trunk, above the root collar approximately tangent to the trunk circumference or circling the trunk. Roots shall be considered as Stem Girdling have, or are likely to have in the future, root to trunk bark contact.
- U. Structural root: One of the largest roots emerging from the root collar.
- V. Tree: Single and multi-stemmed plants with mature height approximately greater than 15 feet.

1.10 SUBMITTALS

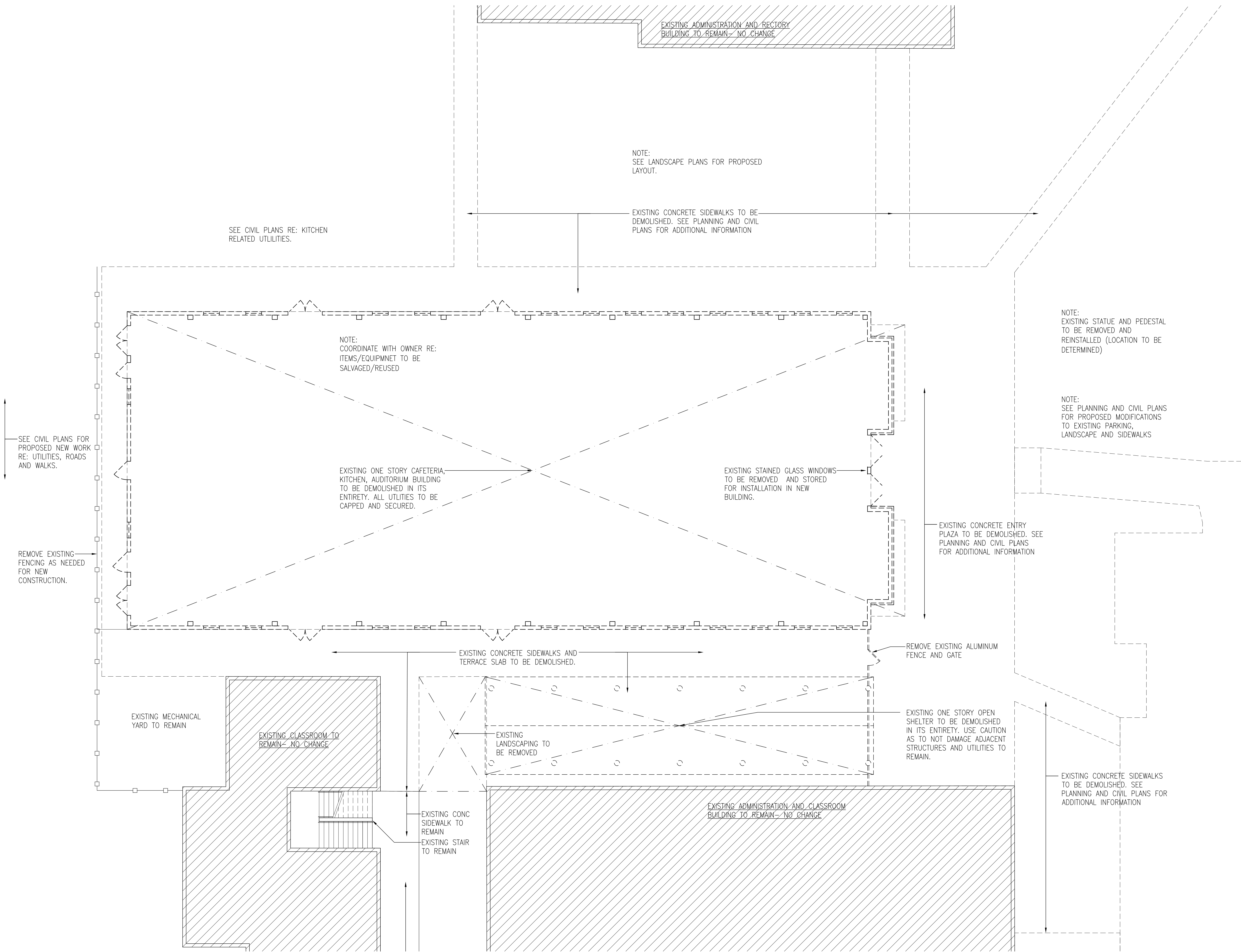
- A. See contract general conditions for policy and procedure related to submittals.
- B. Submit all product submittals 4 weeks prior to installation of plantings.
- C. Product data: Submit manufacturer product data and literature describing all products required by this section to the Owner's Representative for approval. Provide submittal four weeks before the installation of plants.
- D. Plant growers' certificates: Submit plant growers' certificates for all plants indicating that each meets the requirements of the specification, including the requirements of tree quality, to the Owner's Representative for approval. Provide submittal four weeks before the installation of plants.
- E. Samples: Submit samples of each product and material where required by the specification to the Owner's Representative for approval. Label samples to indicate product, characteristics, and locations in the work. Samples will be reviewed for appearance only. Compliance with all other requirements is the exclusive responsibility of the Contractor.
- F. Plant sources: Submit sources of all plants as required by Article - "Selection of Plants" to the Owner's Representative for approval.
- G. Close out submittals: Submit to the Owner's Representative for approval.
- Plant maintenance data and requirements.
- H. Warranty period site visit record: If there is no maintenance during the warranty period, after each site visit during the warranty period, by the Contractor, as required by this specification, submit a written record of the visit, including any problems, potential problems, and any recommended corrective action to the Owner's Representative for approval.

1.11 OBSERVATION OF THE WORK

- A. The Owner's Representative may observe the work at any time. They may remove samples of materials for conformity to specifications. Rejected materials shall be immediately removed from the site and replaced at the Contractor's expense. The cost of testing materials not meeting specifications shall be paid by the Contractor.
- B. The Owner's Representative shall be informed of the progress of the work so the work may be observed at the following key times in the construction process. The Owner's Representative shall be afforded sufficient time to schedule visit to the site. Failure of the Owner's Representative to make field observations shall not relieve the Contractor from meeting all the requirements of this specification.

- SITE CONDITIONS PRIOR TO THE START OF PLANTING: review the soil and drainage conditions.
- COMPLETION OF THE PLANT LAYOUT STAKING: Review of the plant layout.
- PLANT QUALITY: Review of plant quality at the time of delivery and prior to installation. Review tree quality prior to unloading where possible, but in all cases prior to planting.
- COMPLETION OF THE PLANTING: Review the completed planting.

		5.) The root system shall be reasonably free of stem girdling roots over the root collar or kninked roots from nursery production practices.	delivery, set plants in a location protected from sun and wind. Provide adequate water to the root ball package during the shipping and storage period.	away; do not fold down onto the Planting Soil.	B. Once installation is complete, wash all soil from pavements and other structures. Ensure that mulch is confined to planting beds and that all tags and flagging tape are removed from the site. The Owner's Representative's seals are to remain on the trees and removed at the end of the warranty period.
1.15 SELECTION AND OBSERVATION OF PLANTS		6.) At time of observations and delivery, the root ball shall be moist throughout. Roots shall not show signs of excess soil moisture conditions as indicated by stunted, discolored, distorted, or dead roots.			
A. The Owner's Representative may review all plants subject to approval of size, health, quality, character, etc. Review or approval of any plant during the process of selection, delivery, installation and establishment period shall not prevent that plant from later rejection in the event that the plant quality changes or previously existing defects become apparent that were not observed.		E. Submittals: Submit for approval the required plant quality certifications from the grower where plants are to be purchased, for each plant type. The certification must state that each plant meets all the above plant quality requirements.	1. All plant materials must be available for observation prior to planting.	2. If the plant is shipped with a wire basket that does not meet the requirements of a "Low Rise" basket, remove the top 6 - 8 inches of the basket wires just before the final backfilling of the tree	C. Make all repairs to grades, roots, and damage by the plant installer to the work or other work at the site.
B. Plant Selection: The Owner's Representative reserves the right to select and observe all plants at the nursery prior to delivery and to reject plants that do not meet specifications as set forth in this specification. If a particular defect or substandard element can be corrected at the nursery, as determined by the Owner's Representative, the agreed upon remedy may be applied by the nursery or the Contractor provided that the correction allows the plant to meet the requirements set forth in this specification. Any work to correct plant defects shall be at the contractor's expense.		1. The grower's certification of plant quality does not prohibit the Owner's Representative from observing any plant or rejecting the plant if it is found to not meet the specification requirements.	2. Using a soil moisture meter, periodically check the soil moisture in the root balls of all plants to assure that the plants are being adequately watered. Volumetric soil moisture shall be maintained above wilting point and below field capacity for the root ball substrate or soil.	C. SPADE HARVESTED AND TRANSPLANTED PLANTS	
1. The Owner's Representative may make invasive observation of the plant's root system in the area of the root collar and the top of the root ball in general in order to determine that the plant meets the quality requirements for depth of the root collar and presence of roots above the root collar. Such observations will not harm the plant.		2.2 ROOT BALL PACKAGE OPTIONS: The following root ball packages are permitted. Specific root ball packages shall be required where indicated on the plant list or in this specification. Any type of root ball packages that is not specifically defined in this specification shall not be permitted.	B. Do not deliver more plants to the site than there is space with adequate storage conditions. Provide a suitable remote staging area for plants and other supplies.	1. After installing the tree, loosen the soil along the seam between the root ball and the surrounding soil out to a radius from the root ball edge equal to the diameter of the root ball to a depth of 8 - 10 inches by hand digging to disturb the soil interface.	3.19 PROTECTION DURING CONSTRUCTION
2. Corrections are to be undertaken at the nursery prior to shipping.		A. BALLED AND BURLAPPED PLANTS	1. The Owner's Representative or Contractor shall approve the duration, method and location of storage of plants.	2. Fill any gaps below this level with loose soil.	
C. The Contractor shall bear all cost related to plant corrections.		2. All Balled and Burlapped Plants shall be field grown, and the root ball packaged in a burlap and twine and/or burtap and wire basket package.	C. Provide protective covering over all plants during transporting.	D. CONTAINER (INCLUDES BOXED AND ABOVE-GROUND FABRIC CONTAINERS) PLANTS	B. Damage done by the Contractor, or any of their sub-contractors to existing or installed plants, or any other parts of the work or existing features to remain, including roots, trunk or branches of large existing trees, soil, paving, utilities, lighting, irrigation, other finished work and surfaces including those on adjacent property, shall be cleaned, repaired or replaced by the Contractor at no expense to the Owner. The Owner's Representative shall determine when such cleaning, replacement or repair is satisfactory.
D. All plants that are rejected shall be immediately removed from the site and acceptable replacement plants provided at no cost to the Owner.		3. Plants shall be harvested with the following modifications to standard nursery practices.	A. The Contractor shall coordinate with all other work that may impact the completion of the work.	1. This specification assumes that most container plants have significant stem girdling and circling roots, and that the root collar is too low in the root ball.	
E. Submit to the Owner's Representative, for approval, plant sources including the names and locations of nurseries proposed as sources of acceptable plants, and a list of the plants they will provide. The plant list shall include the botanical and common name and the size at the time of selection. Observe all nursery materials to determine that the materials meet the requirements of this section.		a. Prior to digging any tree that fails to meet the requirement for maximum soil and roots above the root collar, carefully removed the soil from the top of the root ball of each plant, using hand tools, water or an air spade, to locate the root collar and attain the soil depth over the structural roots requirements. Remove all stem girdling roots above the root collar. Care must be exercised not to damage the surface of the root collar and the top of the structural roots.	B. Prior to the start of work, prepare a detailed schedule of the work for coordination with other trades.	2. Remove the container.	A. During the project work period and prior to Substantial Completion Acceptance, the Contractor shall maintain all plantings in good condition and in accordance with the maintenance schedule.
F. The Contractor shall request the grower or re-wholesale supplier to permit the Owner's Representative to observe the root system of all plants at the nursery or job site prior to planting including random removal of soil or substrate around the base of the plant. Observation may be as frequent and as extensive as needed to verify that the plants meet the requirements of the specifications and conform to requirements.		b. Trees shall be dug for a minimum of 4 weeks and a maximum of 52 weeks prior to shipping. Trees dug 4 to 52 weeks prior to shipping are defined as hardened-off. Digging is defined as cutting all roots and lifting the tree out of the ground and either moving it to a new location in the nursery or placing it back into the same hole. Trees that are stored out of the ground shall be placed in a holding area protected from extremes of wind and sun with the root ball protected by covering with mulch or straw and irrigated sufficiently to keep moisture in the root ball above wilt point and below saturation	C. Coordinate the relocation of any irrigation lines, heads or the conduits of other utility lines that are in conflict with tree locations. Root balls shall not be altered to fit around lines. Notify the Owner's Representative of any conflicts encountered.	3. Perform root ball shaving as defined in Installation of Plants: General above.	
G. Where requested by the Owner's Representative, submit photographs of plants or representative samples of plants. Photographs shall be legible and clearly depict the plant specimen. Each submitted image shall contain a height reference, such as a measuring stick. The approval of plants by the Owner's Representative via photograph does not preclude the Owner's Representative's right to reject material while on site.		c. If wire baskets are used to support the root ball, a "low profile" basket shall be used. A low profile basket is defined as having the top of the highest loops on the basket no less than 4 inches and no greater than 8 inches below the shoulder of the root ball package. The basket shall be removed completely at time of planting.	D. It is understood that plants are not precise objects and that minor adjustments in the layout will be required as the planting plan is constructed. These adjustments may not be apparent until some or all of the plants are installed. Make adjustments as required by the Owner's Representative including relocating previously installed plants.	4. Remove all roots and substrate above the root collar and the main structural roots according to root correction details so root system conforms to root observations detail.	3.21 SUBSTANTIAL COMPLETION ACCEPTANCE
1.6 PLANT SUBSTITUTIONS FOR PLANTS NOT AVAILABLE		d. Twine and burtap used for wrapping the root ball package shall be natural, biodegradable material. If the burtap decomposes after digging the tree then the root ball shall be re-wrapped prior to shipping if roots have not yet grown to keep root ball intact during shipping.	3.4 LAYOUT AND PLANTING SEQUENCE	5. Remove all substrate at the bottom of the root ball that does not contain roots.	
A. Submit all requests for substitutions of plant species, or size to the Owner's Representative, for approval, prior to purchasing the proposed substitution. Request for substitution shall be accompanied with a list of nurseries contacted in the search for the required plant and a record of other attempts to locate the required material. Requests shall also include sources of plants found that may be of a smaller or larger size, or a different shape or habit than specified, or plants of the same genus and species but different cultivar origin, or which may otherwise not meet the requirements of the specifications, but which may be available for substitution.		1.) At nurseries where sandy soils prevent the use of "low profile baskets", baskets that support the entire root ball, including the top, are allowable.	A. Relative positions of all plants and trees are subject to approval of the Owner's Representative.	6. Using a hose, power washer and air excavation device, wash out the substrate from around the trunk and top of the remaining root ball and find and remove all stem girdling roots within the root ball above the top of the structural roots.	1. Notification shall be at least 7 days prior to the date the contractor is requesting the review.
1.7 SITE CONDITIONS		2. Twine and burtap used for wrapping the root ball package shall be natural, biodegradable material. If the burtap decomposes after digging the tree then the root ball shall be re-wrapped prior to shipping if roots have not yet grown to keep root ball intact during shipping.	B. Notify the Owner's Representative, one (1) week prior to layout. Layout all individual tree and shrub locations. Place plants above surface at planting location or place a labeled stake at planting location. Layout bed lines with paint for the Owner's Representative's approval. Secure the Owner's Representative's acceptance before digging and start of planting work.	E. BARE ROOT PLANTS	
A. It is the responsibility of the Contractor, to be aware of all surface and sub-surface conditions, and to notify the Owner's Representative, in writing, of any circumstances that would negatively impact the health of plantings. Do not proceed with work until unsatisfactory conditions have been corrected.		3. Trees shall be moved and planted within 48 hours of the initial harvesting and shall remain in the spade machine until planted.	C. When applicable, plant trees before other plants are installed.	1. Dig the planting hole to the diameter of the spread of the roots to a depth in the center that maintains the root collar at the elevation of the surrounding finished grade and slightly deeper along the edges of the hole.	C. The Plant Warranty period begins at date of written notification of substantial completion from the Owner's Representative. The date of substantial completion may be different than the date of substantial completion for the other sections of the project.
1. Should subsurface drainage or soil conditions be encountered which would be detrimental to growth or survival of plant material, the Contractor shall notify the Owner's Representative in writing, stating the conditions and submit a proposal covering cost of corrections. If the Contractor fails to notify the Owner's Representative of such conditions, he/she shall remain responsible for plant material under the warranty clause of the specifications.		4. Container plants may be permitted only when indicated on the drawing, in this specification, or approved by the Owner's Representative.	D. It is understood that plants are not precise objects and that minor adjustments in the layout will be required as the planting plan is constructed. These adjustments may not be apparent until some or all of the plants are installed. Make adjustments as required by the Owner's Representative including relocating previously installed plants.	2. Spread all roots out radial to the trunk in the prepared hole making the hole wider where needed to accommodate long roots. Root tips shall be directed away from the trunk. Prune any broken roots removing the least amount of tissue possible.	
B. It is the responsibility of the Contractor to be familiar with the local growing conditions, and if any specified plants will be in conflict with these conditions. Report any potential conflicts, in writing, to the Owner's Representative.		5. Provide plants shall be established and well rooted in removable containers.	3.5 SOIL PROTECTION DURING PLANT DELIVERY AND INSTALLATION	3. Maintain the trunk plumb while backfilling soil around the roots.	A. After Substantial Completion Acceptance, the Contractor shall make sufficient site visits to observe the Owner's maintenance and become aware of problems with the maintenance in time to request changes, until the date of End of Warranty Final Acceptance.
C. This specification requires that all Planting Soil and Irrigation (if applicable) work be completed and accepted prior to the installation of any plants.		6. Container class size shall conform to ANSI Z60.1 for container plants for each size and type of plant.	A. Protect soil from compaction during the delivery of plants to the planting locations, digging of planting holes and installing plants.	4. Lightly tamp the soil around the roots to eliminate voids and reduce settlement.	
1. Planting operations shall not begin until such time that the irrigation system is completely operational for the area(s) to be planted, and the irrigation system for that area has been preliminarily observed and approved by the Owner's Representative.		7. Harvest bare root plants while the plant is dormant and a minimum of 4 weeks prior to leaf out (bud break).	1. Where possible deliver and plant trees that require the use of heavy mechanized equipment prior to final soil preparation and tilling. Where possible, restrict the driving lanes to one area instead of driving over and compacting a large area of soil.	5. Apply mulch to the bed being sure not to cover the tops of the plants with or the tops of the root ball with mulch.	B. General requirements:
D. Actual planting shall be performed during those periods when weather and soil conditions are suitable in accordance with locally accepted horticultural practices.		8. The root spread dimensions of the harvested plants shall conform to ANSI Z60.1 for nursery grown bare root plants for each size and type of plant. Just prior to shipping to the job site, dip the root system into a slurry of hydrogel (cross linked polyacrylamide) and water mixed at a rate of 15 cc of hydrogel in 25 gallons of water. Do not shake off the excess hydrogel. Place the root system in a pleated black plastic bag and tie the bag snugly around the trunk. Bundle and tie the upper branches together.	3.6 SOIL MOISTURE	I. Water each planting area as soon as the planting is completed. Apply additional water to keep the soil moisture at the required levels. Do not over water.	
1. Do not install plants into saturated or frozen soils. Do not install plants during inclement weather, such as rain or snow or during extremely hot, cold or windy conditions.		9. Keep the trees in a cold dark space for storage and delivery. If daytime outside temperatures exceeds 70 degrees F, utilize a refrigerated storage area with temperature between 35 and 50 degrees.	A. Volumetric soil moisture level, in both the planting soil and the root balls of all plants, prior to, during and after planting shall be above permanent wilting point and below field capacity for each type of soil texture within the following ranges.	F. Remove wire which ties fronds together after placing plant in planting hole and securing it in the upright position.	2. All chemical and fertilizer applications shall be made by licensed applicators for the type of chemicals to be used. All work and chemical use shall comply with all applicable local, provincial and federal requirements.
1.8 PLANTING AROUND UTILITIES		10. Where possible, plant time of planting to be before bud break. For trees to be planted after bud break, place the trees before bud break in an irrigated bed of pea gravel.	B. The Contractor shall confirm the soil moisture levels with a moisture meter. If the moisture is too high, suspend planting operations until the soil moisture drains to below field capacity.	3.10 PALM PLANTING	
A. Contractor shall carefully examine the civil, record, and survey drawings to become familiar with the existing underground conditions before digging.		a. The pea gravel bed shall be 18 inches deep over a sheet of plastic.	3.7 INSTALLATION OF PLANTS: GENERAL	A. Palm trees shall be placed at grade making sure not to plant the tree any deeper in the ground than the palm trees originally stood.	4. All workers shall wear required safety equipment and apparel appropriate for the tasks being undertaken.
B. Determine location of underground utilities and perform work in a manner that will avoid possible damage. Hand excavate, as required. Maintain grade stakes set by others until parties concerned mutually agree upon removal.		b. Space trees to allow the unbundled branches to grow without shading each other.	C. Observe each plant after delivery and prior to installation for damage of other characteristics that may cause rejection of the plant. Notify the Owner's Representative of any condition observed.	B. The trees shall be placed with their vertical axis in a plumb position.	
C. Notification of Local Utility Locator Service, Sunshine 811, is required for all planting areas. The Contractor is responsible for knowing the location and avoiding utilities that are not covered by Sunshine 811.		c. Once stored in pea gravel, allow the trees sufficient time for the new root system to flush and spring growth of leaves to fully develop before planting.	D. No more plants shall be distributed about the planting bed area than can be planted and watered on the same day.	C. All backfill shall be native soil except in cases where planting in rock. Water-settle the back fill.	6. Maintenance vehicles shall not park on the site including walks and lawn areas at any time without the Owner's Representative's written permission.
PART 2 PRODUCTS		d. Pea gravel stored trees may be kept for up to one growing season.	E. The root system of each plant, regardless of root ball package type, shall be observed by the Contractor, at the time of planting to confirm that the roots meet the requirements for plant root quality in Part 2 Products: Plants General: Plant Quality. The Contractor shall undertake at the time of planting, all modifications to the root system required by the Owner's Representative to meet these quality standards.	D. Do not cover root ball with mulch or topsoil.	
2.1 PLANTS: GENERAL		e. Pea gravel stored trees shall be dipped, packaged and shipped similar to the requirements for freshly dug bare root trees above.	1. Modifications, at the time of planting, to meet the specifications for the depth of the root collar and removal of stem girdling roots and circling roots may make the plant unstable or stress the plant to the point that the Owner's Representative may choose to reject the plant rather than permitting the modification.	E. Provide a watering berm at each palm. Berms shall extend a minimum of 18 inches out from the trunk all around and shall be a minimum of (6) inches high.	8. Meet with the Owner's Representative a minimum of three times a year to review the progress and discuss any changes that are needed in the maintenance program. At the end of the warranty period attend a hand over meeting to formally transfer the responsibilities of maintenance to the Owner's Representative. Provide all information on past maintenance activities and provide a list of critical tasks that will be needed over the next 12 months. Provide all maintenance logs and soil test data. Make the Contractor's supervisor available for a minimum of one year after the end of the warranty period to answer questions about past maintenance.
A. Standards and measurement: Provide plants of quantity, size, genus, species, and variety or cultivars as shown and scheduled in contract documents.		2.3 ANNUAL FLOWERING AND SEASONAL COLOR PLANTS	2. Any modifications required by the Owner's Representative to make the root system conform to the plant quality standards outlined in Part 2 Products: Plants General: Quality, or other requirements related to the permitted root ball package, shall not be considered as grounds to modify or void the plant warranty.	F. Remove wire which ties fronds together after placing plant in planting hole and securing it in the upright position.	
1. All plants including the root ball dimensions or container size to trunk caliper ratio shall conform to ANSI Z60.1 "American Standard for Nursery Stock" latest edition, unless modified by provisions in this specification. When there is a conflict between this specification and ANSI Z60.1, this specification section shall be considered correct.		E. Container or flat-grown plants should be sized as noted in the planting plan. Plants shall be well-rooted and healthy.	3. The resulting root ball may need additional staking and water after planting. The Owner's Representative may reject the plant if the root modification process makes the tree unstable or if the tree is not healthy at the end of the warranty period. Such plants shall still be covered under the warranty.	3.11 STAKING AND GUYING	1. Watering: Provide all water required to keep soil within and around the root balls at optimum moisture content for plant growth.
2. Plants larger than specified may be used if acceptable to the Owner's Representative. Use of such plants shall not increase the contract price. If larger plants are accepted the root ball size shall be in accordance with ANSI Z-60.1. Larger plants may not be acceptable if the resulting root ball cannot be fit into the required planting space.		2.4 PALMS	4. The Contractor remains responsible to confirm that the grower has made all required root modifications noted during any nursery observations.	A. Do not stake or guy trees unless specifically required by the Contract Documents, or in the event that the Contractor feels that staking is the only alternative way to keep particular trees plumb.	
3. If a range of size is given, no plant shall be less than the minimum size and not less than 50 percent of the plants shall be as large as the maximum size specified. The measurements specified are the minimum and maximum size acceptable and are the measurements after pruning, where pruning is required.		Except as modified below or where the requirements are not appropriate to the specification of palms, palms shall meet all the requirements of the plant quality section above.	1. Modifications, at the time of planting, to meet the specifications for the depth of the root collar and removal of stem girdling roots and circling roots may make the plant unstable or stress the plant to the point that the Owner's Representative may choose to reject the plant rather than permitting the modification.	6. The Owner's Representative shall have the authority to require that trees are staked or to reject staking as an alternative way to stabilize the tree.	b. Monitor soil moisture to provide sufficient water. Check soil moisture and root ball moisture with a soil moisture meter on a regular basis and record moisture readings. Do not over water.
B. Proper Identification: All trees shall be true to name as ordered or shown on planting plans.		Defolonding, tying, and hedging:	2. Any modifications required by the Owner's Representative to make the root system conform to the plant quality standards outlined in Part 2 Products: Plants General: Quality, or other requirements related to the permitted root ball package, shall not be considered as grounds to modify or void the plant warranty.	7. Trees that require heavily modified root balls to meet the root quality standards may become unstable. The Owner's Representative may choose to reject these trees rather than utilize staking to temporarily support the tree.	
C. Compliance: All trees shall comply with federal and state laws and regulations requiring observation for plant disease, pests, and weeds. Observation certificates required by law shall accompany each shipment of plants.		In preparing palm trees for relocation, all dead fronds shall be removed.	3. The resulting root ball may need additional staking and water after planting. The Owner's Representative may reject the plant if the root modification process makes the tree unstable or if the tree is not healthy at the end of the warranty period. Such plants shall still be covered under the warranty.	8. The Contractor shall have the authority to require that trees are staked or to reject staking as an alternative way to stabilize the tree.	a. Make any other soil test and/or plant tissue test that may be indicated by plant conditions that may not be related to soil nutrient levels such as soil contaminated by other chemicals or lack of chemical uptake by the plant.
D. Plant Quality:		All remaining fronds above horizontal shall be lifted up and tied together around the crown in an upright position. Do not tie too tightly, bind or injure the bud. Jute binder twine shall be used in tying up the fronds; wire will not be permitted. Fronds shall be lifted immediately after planting.	H. For trees to be planted in prepared Planting Soil that is deeper than the root ball depth, compact the soil under the root ball using a mechanical tamper to assure a firm bedding for the root ball. If there is more than 12 inches of planting soil under the root ball excavate and tamp the planting soil in lifts to exceed 12 inches.	9. Trees that are guyed shall have their guys and stakes removed after one full growing season or at other times as required by the Owner's Representative.	
1. General: Provide healthy stock, grown in a nursery and reasonably free of die-back, disease, insects, eggs, borers, and larvae. At the time of planting all plants shall have a root system, stem, and branch form that will restrict normal growth, stability and health for the expected life of the plant		D. Digging the root ball:	I. Set top outer edge of the root ball at the average elevation of the proposed finish. Set the plant plumb and upright in the center of the planting hole. The tree graft, if applicable, shall be visible above the grade. Do not place soil on top of the root ball.	10. The Contractor shall have the authority to require that trees are staked or to reject staking as an alternative way to stabilize the tree.	4. Restore plants: Reset any plants that have settled or are leaning as soon as the condition is noticed.
2. Plant quality above the soil line:		1. When digging out the root ball, no excavation shall be done closer than 24 inches to the trunk at ground level and the excavation shall extend below the major root system to a minimum depth of 3.5 feet. The bottom of the root ball shall be cut off square and perpendicular to the trunk below the major root system.	1. For trees and shrubs planted in soil areas that are NOT tilled or otherwise modified to a depth of at least 12 inches over a distance of more than 10 feet radius from each tree, or 5 feet radius from each shrub, the soil around the root ball shall be loosened as defined below or as indicated on the drawings.	11. Plants shall stand plumb after staking or guying.	
a. Plants shall be healthy with the color					



1 DEMOLITION PLAN
Scale 3/32"=1'-0"



St. Luke Catholic Church
2892 South Congress Avenue
Palm Springs, Florida 33461

Owner
Diocese of Palm Beach
9995 N Military Trail
Palm Beach Gardens, Florida 33410



1400 Centrepark Boulevard, Suite 500
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DPR: # AAC000734

Consultants

- Civil Engineering
- Planning and Landscape
- Mechanical, Electrical, Plumbing and Fire Engineering
- Structural Engineering
- Acoustics, Audio, Visual

Key Plan

REVISIONS

NO.	DESCRIPTION	DATE

FILE LOG

ACTIVITY	BY
Manager	WAN/JAM
Design	RKW
Draw	LAD
Check	

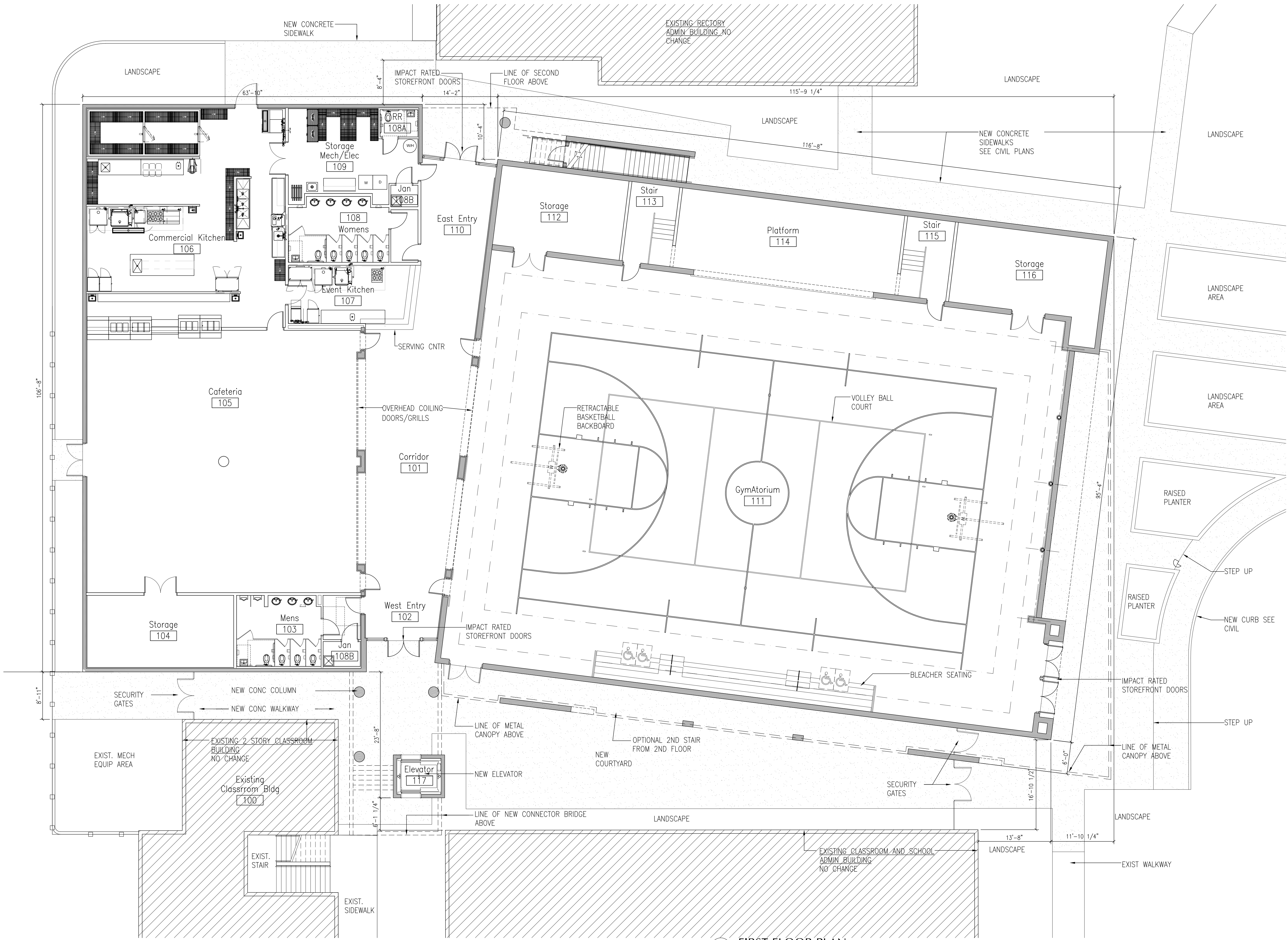
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WILLIAM A. HANSER
AR-0007110
Date: 03/23/2023

Project No. 201-20092-000
March 23, 2023

FIRST FLOOR PLAN

AD 1.10



1 FIRST FLOOR PLAN
Scale 3/32"=1'-0"



St. Luke Catholic Church
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LEO A DALY PLANNING
ARCHITECTURE
ENGINEERING
INTERIORS
EST. 1915

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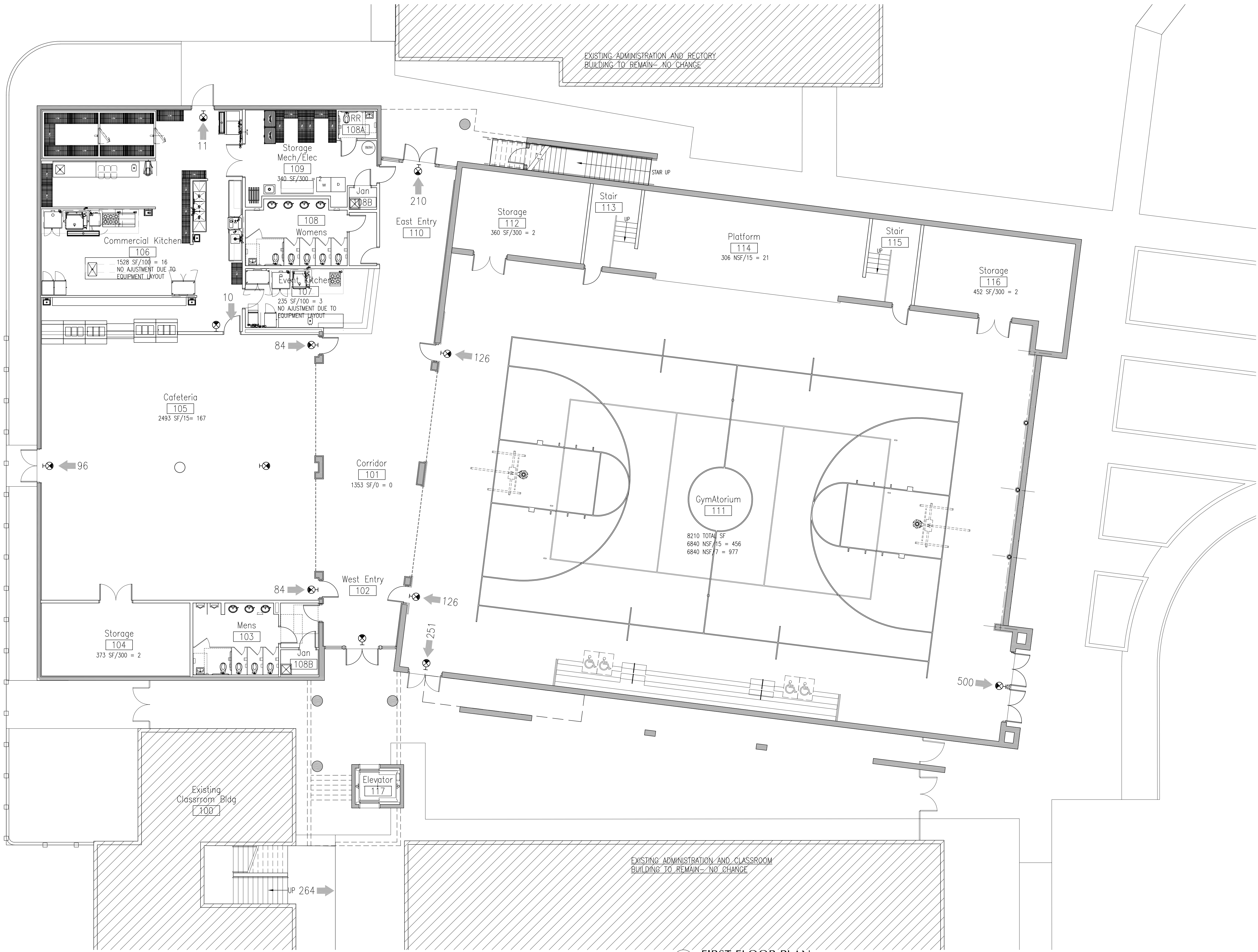
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FIRST FLOOR PLAN

AE 1.10



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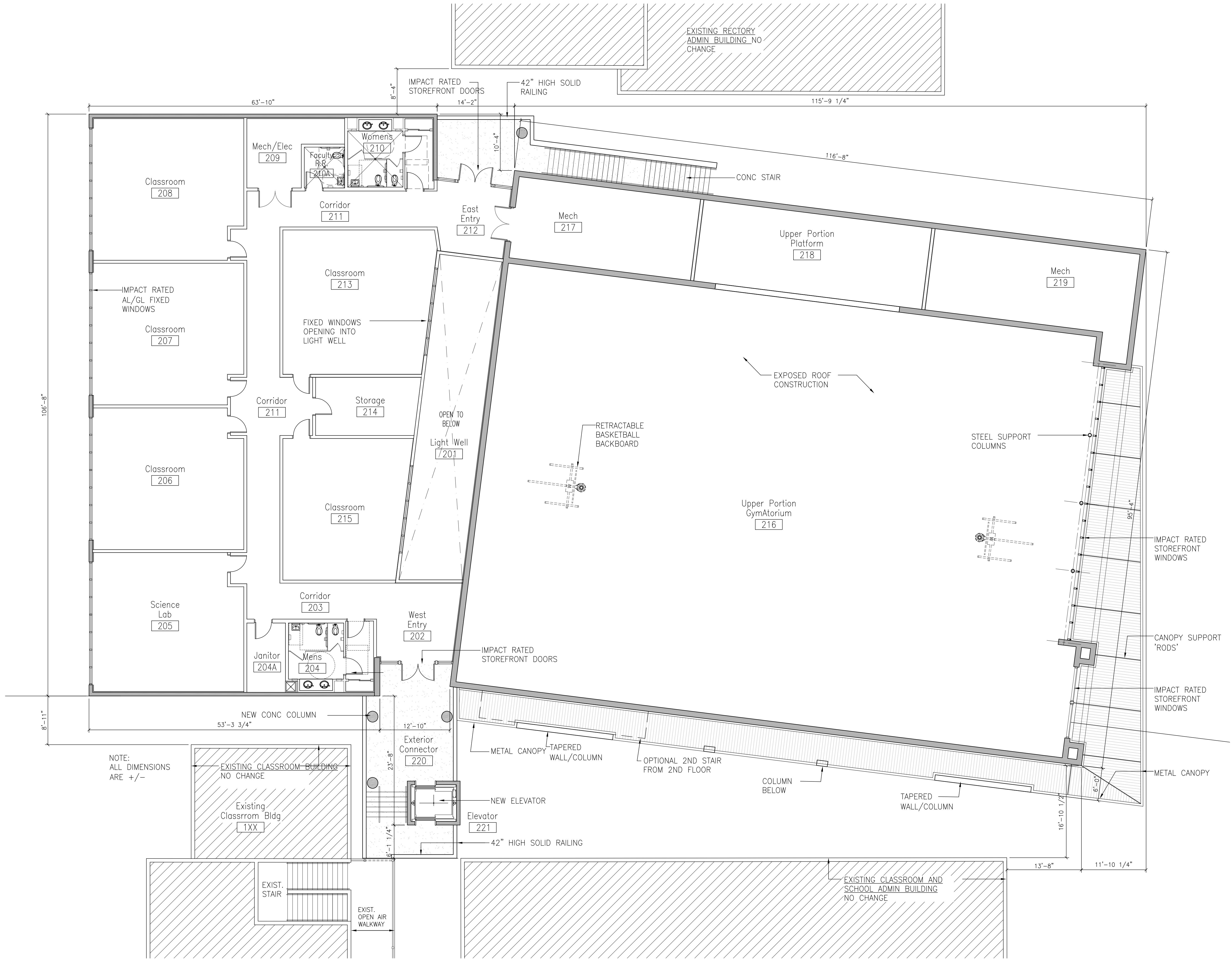
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Date: 03/23/2023

Project No. 201-20092-000
March 23, 2023

FIRST FLOOR LIFE
SAFETY PLAN

LS 1.10



1 SECOND FLOOR PLAN
Scale 1/8"=1'-0"



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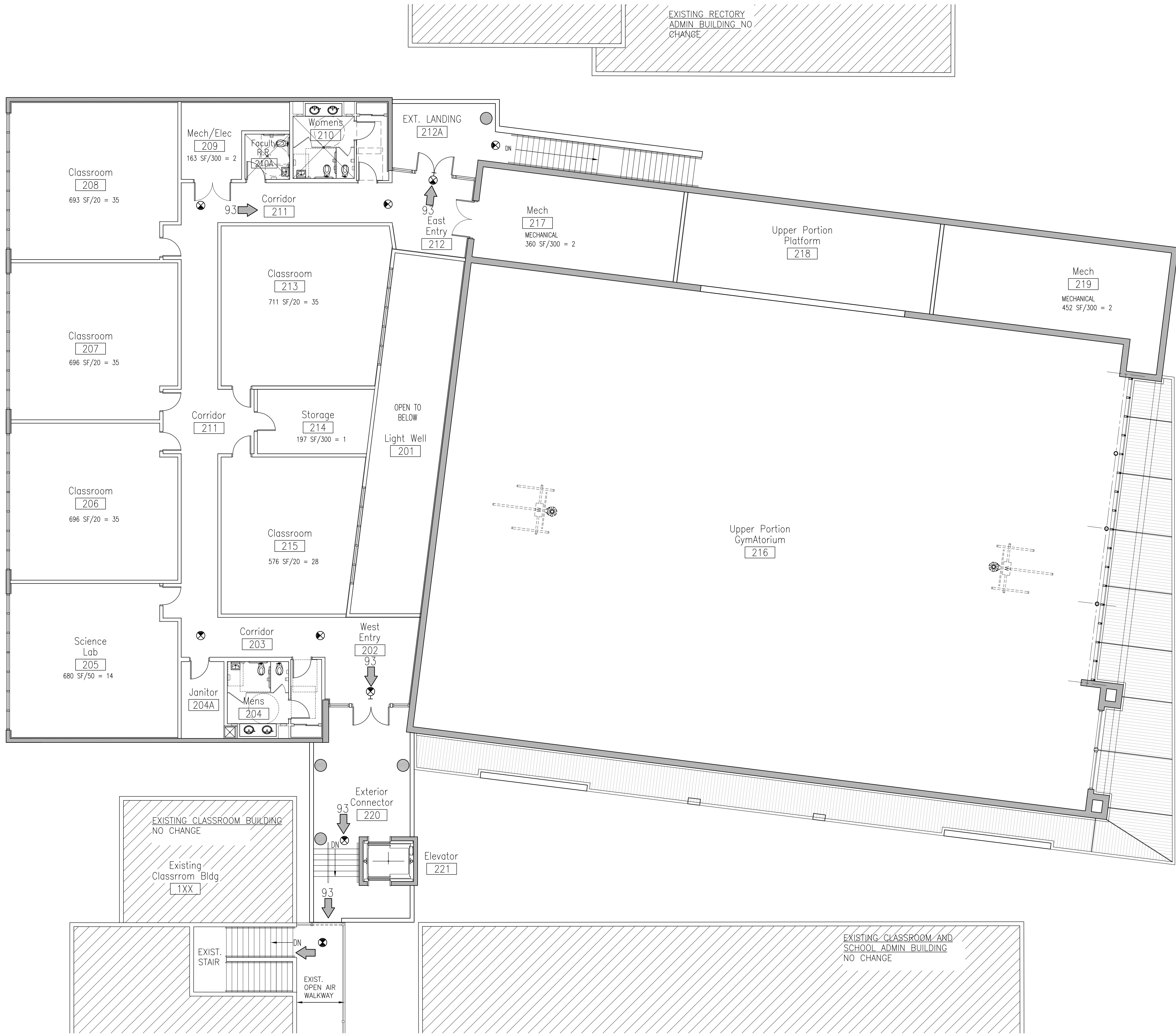
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Date: 03/23/2023

Project No. 201-20092-000
March 23, 2023

SECOND FLOOR PLAN

AE 1.20



1 SECOND FLOOR PLAN
Scale 1/8"=1'-0"



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SECOND FLOOR LIFE
SAFETY PLAN

LS 1.20



1 ROOF PLAN
Scale 1/8"=1'-0"



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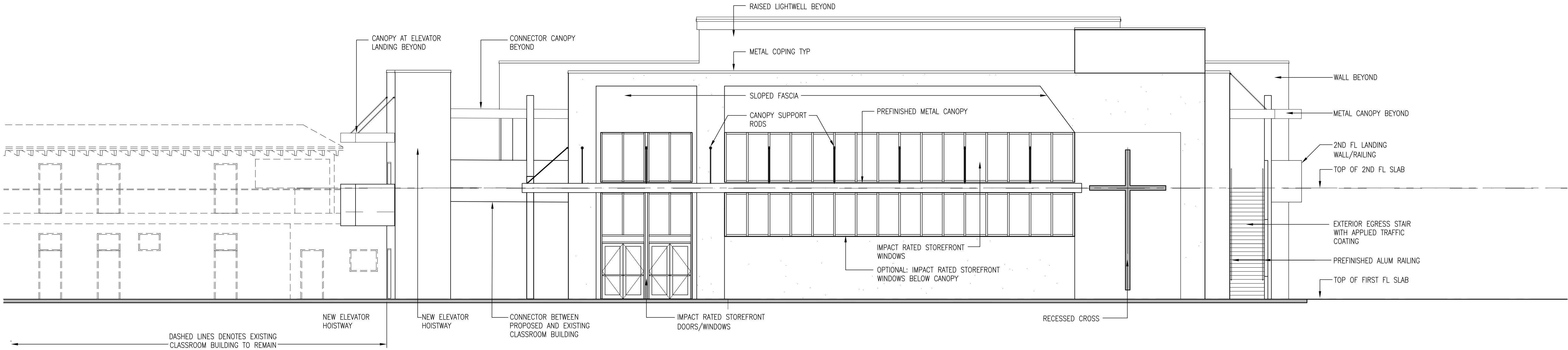
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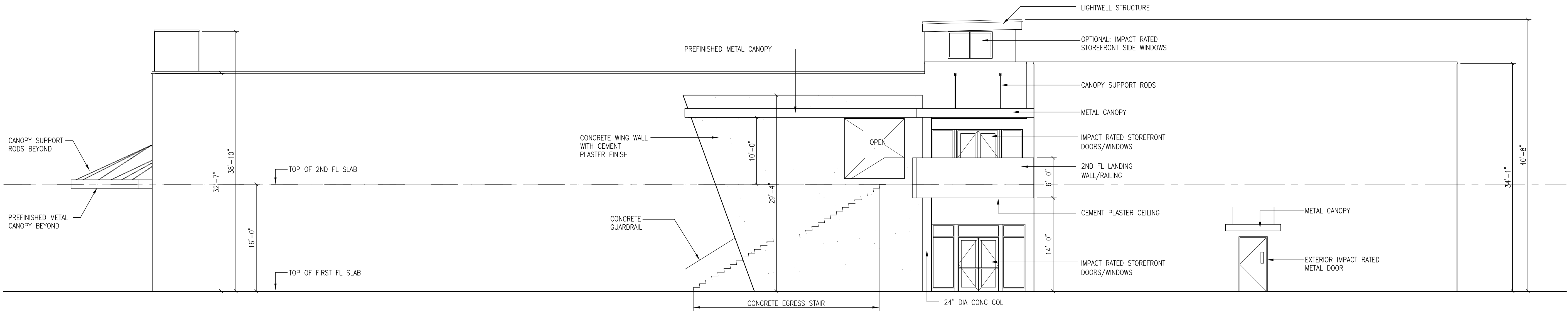
Project No. 201-20092-000
March 23, 2023

ROOF PLAN

AE 1.30



1 SOUTH ELEVATION
Scale 1/8"=1'-0"



2 EAST ELEVATION
Scale 1/8"=1'-0"

Consultants

Civil Engineering

Planning and Landscape

Mechanical, Electrical, Plumbing and Fire Engineering

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Key Plan

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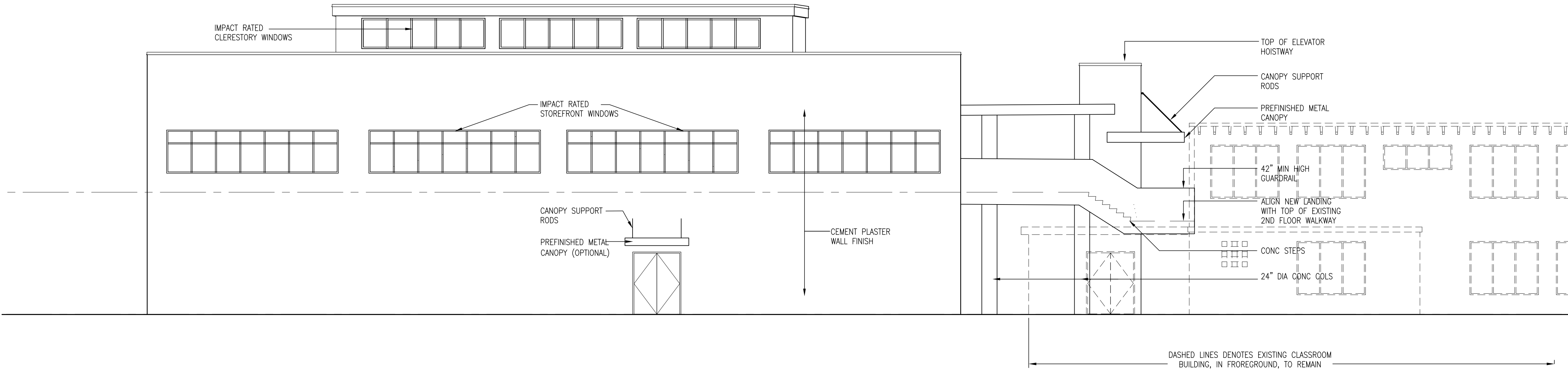
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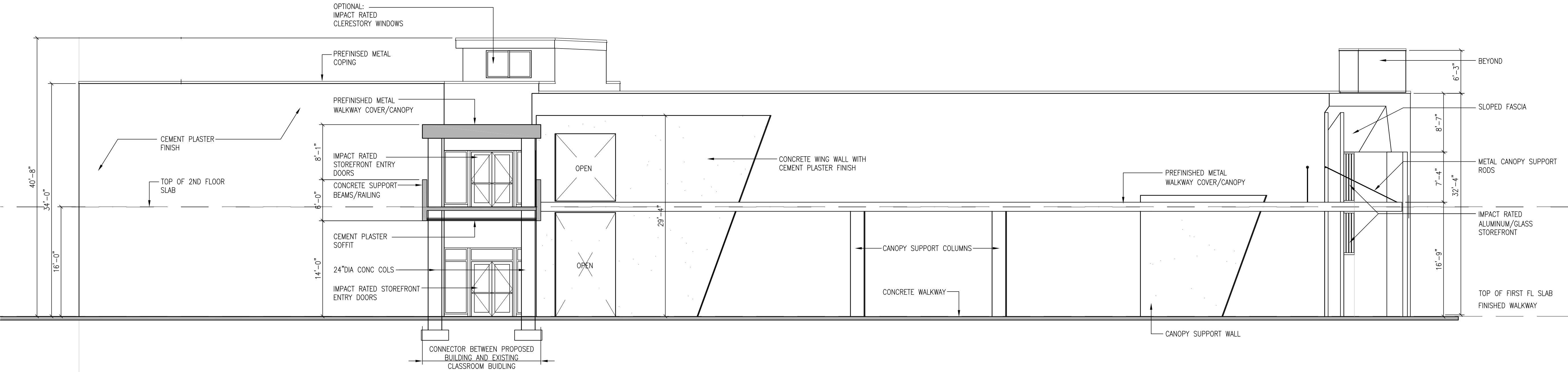
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Date: 03/23/2023

Project No. 201-20092-000
March 23, 2023

EXTERIOR ELEVATIONS



1 NORTH PLAN
Scale 1/8"=1'-0"



2 WEST PLAN
Scale 1/8"=1'-0"



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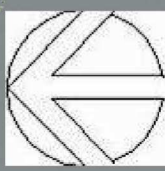
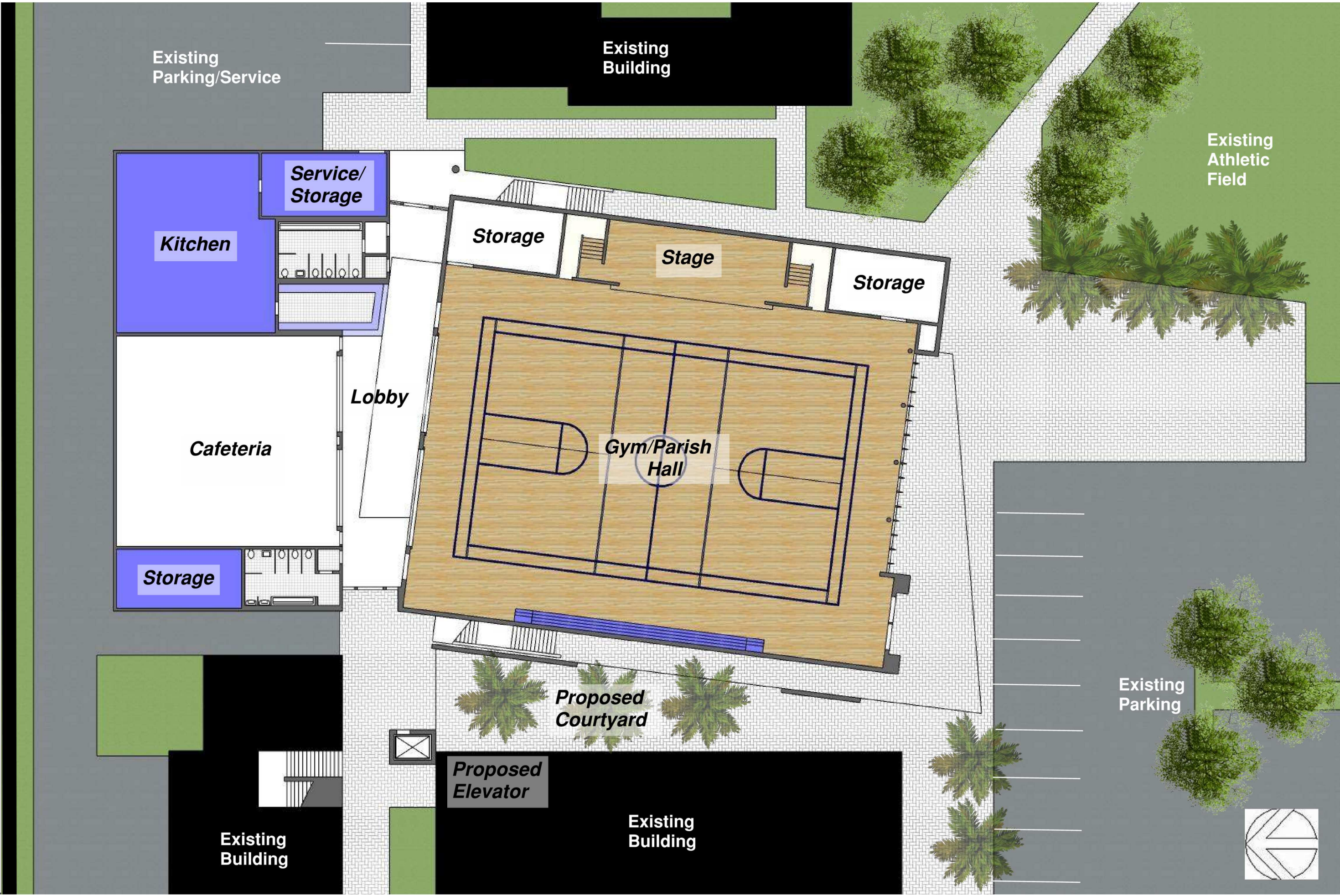
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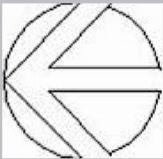
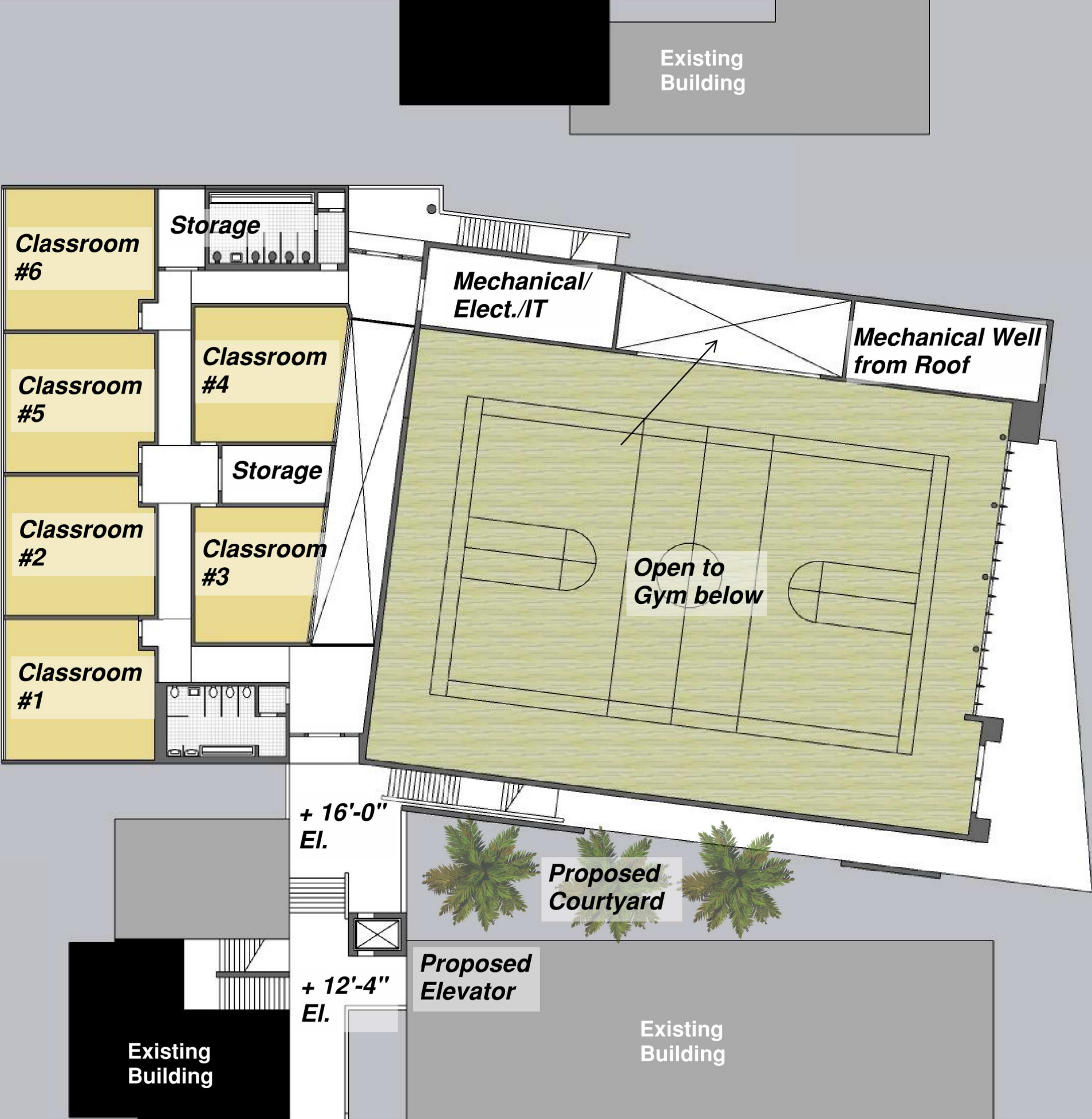
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Date: 03/23/2023

Project No. 201-20092-000
March 23, 2023

EXTERIOR ELEVATIONS

AE 3.20





St. Luke
Catholic
Church
Parish Hall

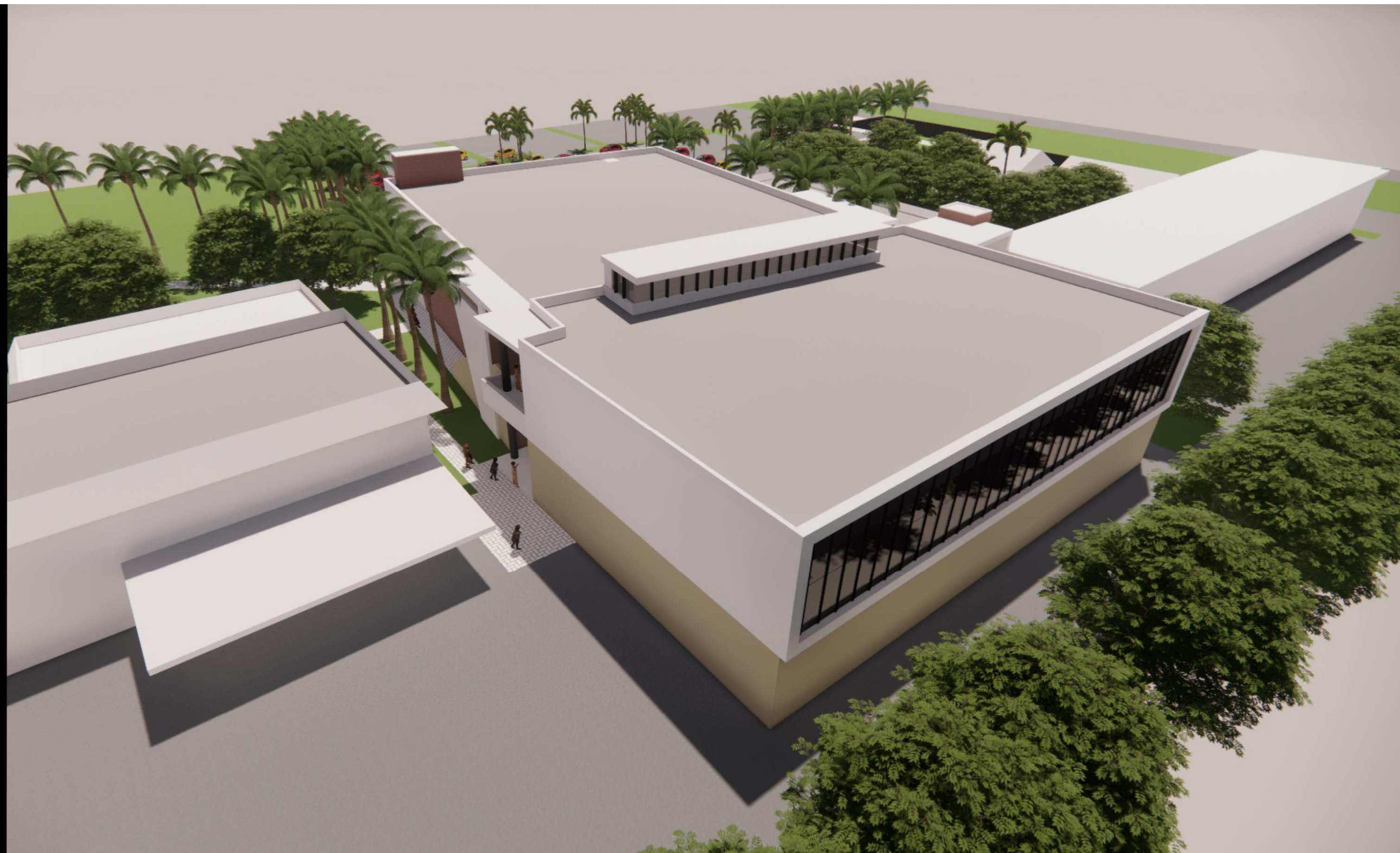
Conceptual
Elevation
From
South





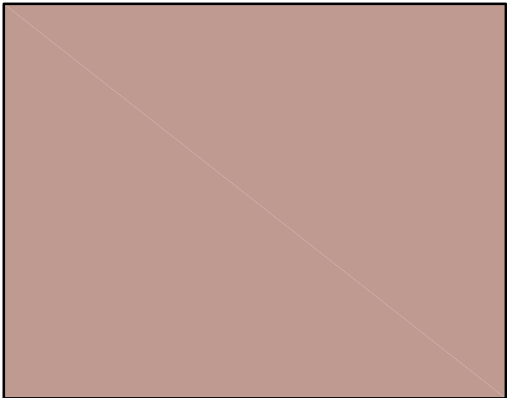
St. Luke
Catholic
Church
Parish Hall

Conceptual
Aerial View
From
South



St. Luke
Catholic
Church
Parish Hall

Conceptual
Aerial View
From North



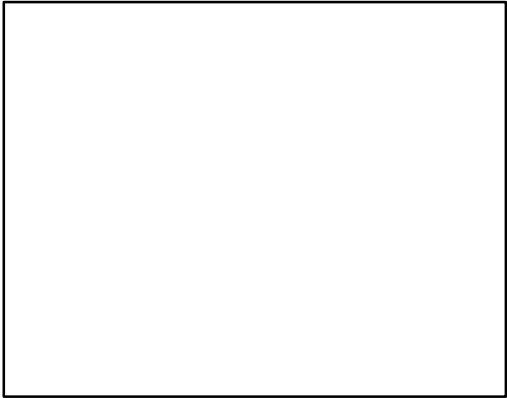
EXTERIOR CEMENT PLASTER
ACCENT WALL COLOR:
BENJAMIN MOORE #1180
ROSEDALE
191,153,143

NOTE: COLOR TO MATCH EXISTING
BRICK VENEER ON EXISTING
PARISH HALL



EXTERIOR CEMENT PLASTER
LIGHT ACCENT WALL COLOR:
COLOR FORMULA:
204,193,163

NOTE: COLOR TO MATCH EXISTING
ACCENT TRIM COLOR AT EXISTING
WORSHIP BUILDING.



EXTERIOR CEMENT PLASTER
BASE WALL COLOR:
WHITE

- EXTERIOR FINISH NOTES:
- 1. EXTERIOR METAL COPINGS AND FLASHING,
VISIBLE TO VIEW – COLOR: WHITE.
 - 2. EXTERIOR METAL CANOPIES AND SUPPORTS
– COLOR: WHITE.
 - 3. EXTERIOR IMPACT RATED ALUMINUM AND
GLASS STOREFRONT WINDOWS AND DOORS
– COLOR: 'BLACK' OR 'DARK BRONZE'
 - 4. EXTERIOR IMPACT RATED GALVANIZED
HOLLOW-METAL DOORS AND FRAMES TO
BE PAINTED TO MATCH ADJACENT WALL
COLOR.

PROPOSED EXTERIOR FINISHES AND COLORS
2023-05-26



St. Luke Catholic Church
2892 South Congress Avenue
Palm Springs, Florida 33461

Owner

Diocese of Palm Beach
9995 N Military Trail
Palm Beach Gardens, Florida 33410

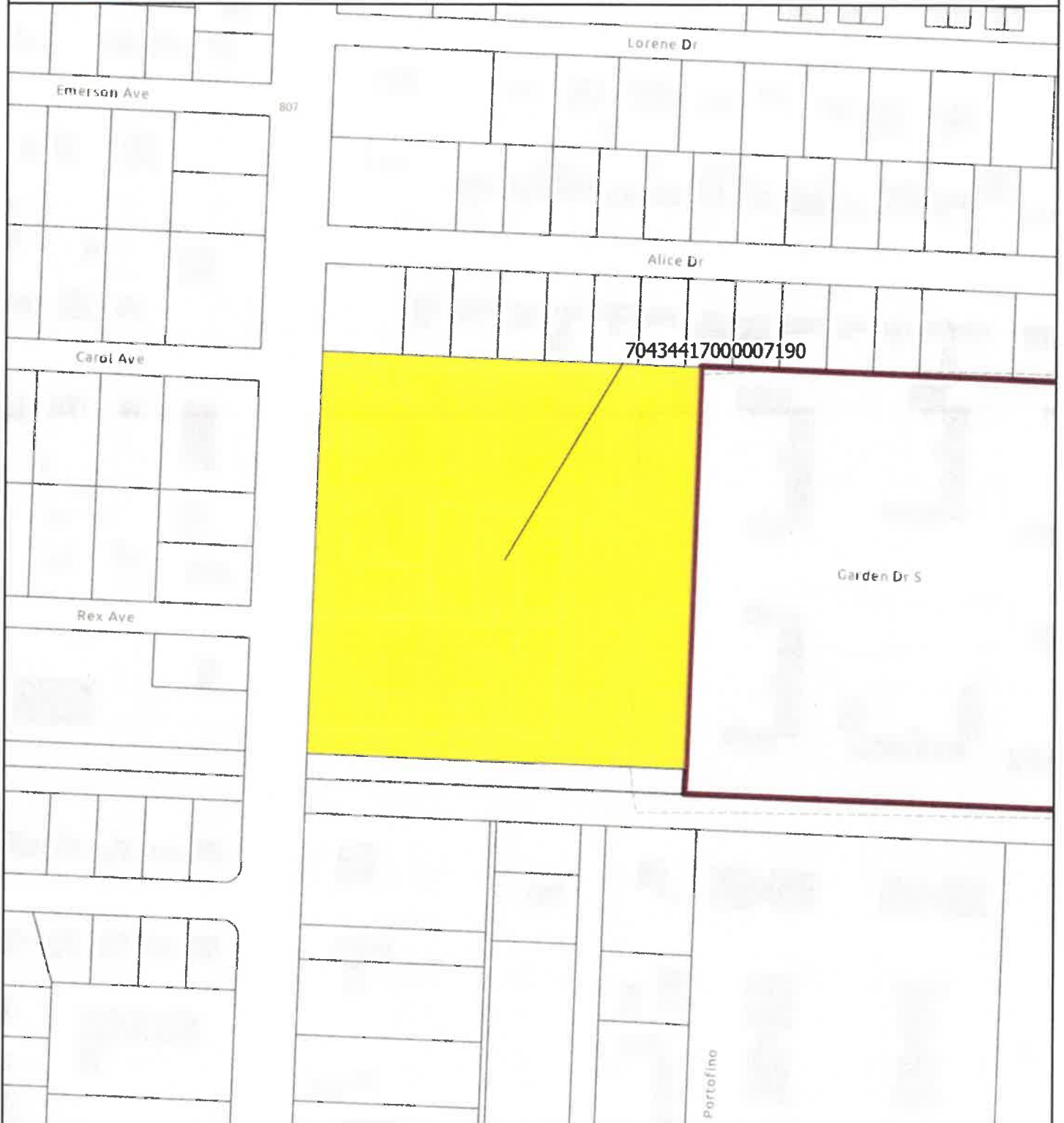


1400 Centrepark Boulevard, Suite 500
West Palm Beach, FL 33401 USA
Tel 561-688-2111 Fax 561-697-8040
DPR: # AAC000734



VILLAGE OF PALM SPRINGS

St. Luke Catholic Church



Legend

-  Proposal Parcel
-  Parcels
-  Village Boundary

Date: 5/25/2023
When Printed on 8 1/2" x 11"
1 inch equals 250 feet

0 250
Feet

 Florida Technical Consultants



VILLAGE OF PALM SPRINGS

St. Luke Catholic Church



Legend

-  Proposal Parcel
-  Parcels
-  Village Boundary

Date: 5/25/2023

When Printed on 8 1/2" x 11"

1 inch equals 250 feet

0 250

 Feet

 Florida Technical Consultants



Village of Palm Springs

Staff Report

AGENDA DATE: June 13, 2023

DEPARTMENT: Planning, Zoning & Building

ITEM #4: Site Development Plan Amendment (SPR23-04) - Village of Palm Springs - 230 Cypress Lane

SUMMARY: An application submitted by Song & Associates, Inc, agent for the Village of Palm Springs, is requesting the approval of a site development plan amendment (SPR23-04) to permit the expansion of the Public Safety Building with the construction of a 13,169 square feet two-story attached building on the governmental property located at 230 Cypress Lane.

The subjected site area currently includes a one-story concrete masonry building which houses the Police Department in the western two-thirds of the building as well as three apparatus bays and support space for Fire Rescue in the eastern-most end of the building. The Fire Rescue areas and apparatus bays are not included in the project scope. However, all exterior walls and openings are being addressed for maintenance and replacement of windows for storm hardening.

Since the original construction of the building, the Police Department has grown in staff as well as adapted to new procedures and responsibilities in their public services. One of the primary goals of this project is to re-organize the department groups to improve efficiency of functions and to accommodate future growth and adaptability. The project includes a 13,169 square feet two-story addition, and remodeling of the existing Police Department spaces.

When completed, the building areas will total 32,543 square feet and are projected to serve the needs of the department for the next 20 years and beyond.

A two-story addition is proposed to wrap the north facade and a portion of the west facade of the existing building. The design presents an opportunity for an improved civic presence when approaching the campus from the north on Cypress Lane from Alameda Drive. A new two-story glass lobby will align with Cypress Lane from Alameda Drive. The lobby is designed to feel welcoming and comforting to all residents, from children passing by on their way to the sports fields or crime victims coming to the facility.

The proposed exterior materials include textured stucco in horizontal banding with panels between the windows. Between the ground and second floor inset panels will be finished with a precast stone relief with a palm motif. The exterior colors will be natural stone and sand-colored tones. A metal panel façade at the top of the entry lobby will incorporate signage. Sunshades will be included above the windows and wrap the entry lobby. The panels, sunshades, and glass frames will be metal with a dark blue color.

Flag poles are proposed for the northwest corner of the new addition. The new spaces also include a

community meeting room adjacent to the new lobby and opening to a small green space on the west side of the additional area. The meeting room can serve a variety of events for the public, from public information and press conferences, to educational events, and neighborhood watch programs. The flexible meeting space can be used for police training and serve as part of the Emergency Operations command center.

The existing parking lot on the west side of the building will be modified to accommodate the expansion area, provide additional green space, improve traffic circulation and parking for ease of use. The area on the west side will also be gated to expand the secured parking area for police.

The entire facility will be hardened for improved storm resilience, allowing the building to serve as an Emergency Operations Center with uninterrupted power and system redundancy. As a 'Critical Facility', the building will be suitable for use during a storm event as well as through recovery periods.

FISCAL IMPACT:

Funding to support the project is available within the FY 2021 and FY 2024 Budget - General Fund and Police Department Fund.

ATTACHMENTS:

1. Exhibit "A" Staff Report
2. Narrative and Justification Statement
3. Site Plan and Landscape Plans
4. Color Elevations
5. Aerial and Location Maps

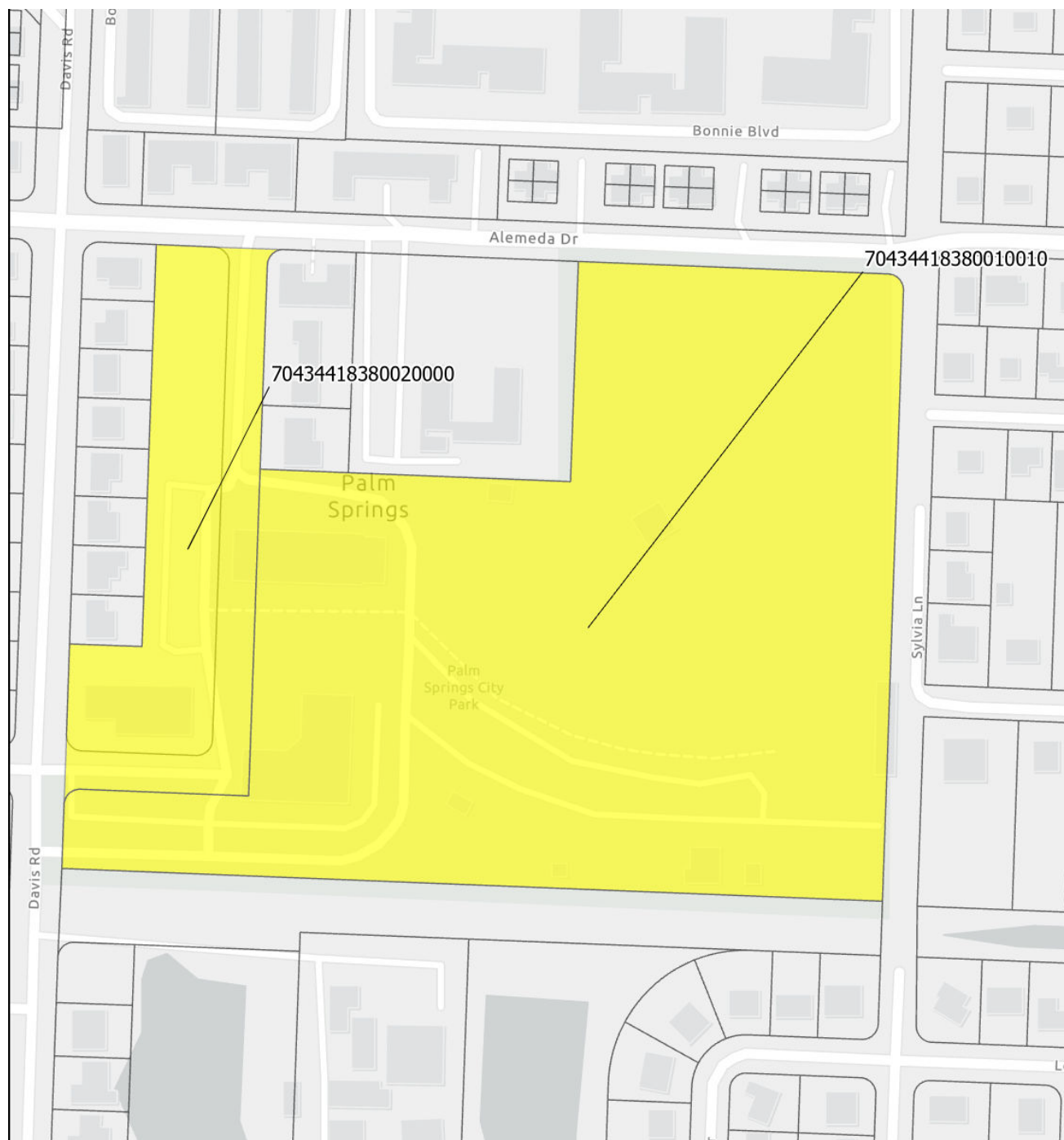


PLANNING, ZONING & BUILDING STAFF REPORT

SUBJECT: Site Development Plan Amendment - Police Department Expansion – 230 Cypress Lane

Application Summary			
Applicant / Petitioner	Song & Associates Inc.	Submittal Date	5/15/23
Reference Name	Police Department Expansion	Case Number	SPR23-04
		Parcel Control No	70-43-44-18-38-001-0010
Location	226 Cypress Lane	Site Area	± 19.53 acres
P&Z B Meeting	June 13, 2023	Council Meeting	June 22, 2023
Requests			
Proposed Use(s)	Site Development Plan Amendment to allow the expansion of the Public Safety Building with the construction of 13,169 square feet two-stories attached building.		
Parking			
Code	Required	Provided	Meets Requirement
Total Overall Parking	1/200 S.F. @ 57,631 S.F. = 288 parking spaces required	85 proposed (existing 289 spaces) total= 374 parking spaces	Yes
Site Characteristics			
Existing Use	Police Department	Proposed Use	Police Department
Existing Zoning	Governmental (G)	Existing Future Land Use	Public Buildings and Facilities
Surrounding Existing Land Use, Future Land Use, and Zoning			
Direction	Existing Use	Future Land Use	Zoning District
North	Residential use & Religious	Medium Density Residential & Other Public Facilities	Residential Multiple-Family (RM)
South	Residential use & Municipal	Low Density Residential & Other Public Facilities	Residential Single-Family (RS) & Governmental
East	Residential use	Low Density Residential	Residential Single-Family (RS)
West	Residential use	Low Density Residential	Residential Single-Family (RS)
Recommendation			
Planning, Zoning & Building Staff recommends conditional approval for the proposed expansion of the Police Department on a Governmental property, as depicted on the proposed site plan, based on consistency with the Village Comprehensive Plan and compatibility with surrounding uses.			

Police Department Expansion - Site Development Plan Amendment – 230 Cypress Lane



I. Site History

In 1957, the Village of Palm Springs was granted a charter by the State to become a municipality out of 700 acres of pastureland. The former Boutwell Dairy raised and kept over 1,000 Guernsey cows at its peak, operating out of a barn facility. This barn served as the Village's first government building and is currently the Community Reformation Church at 153 Henthorne Drive.

By August of 1958 there were 800 modern homes in the first section with neatly landscaped and paved streets with sidewalks. The Village's first Census was in 1960 and a population of 2,503 residents was recorded. The population today is over 27,000 residents.

II. Comprehensive Plan Consistency

The subject property's Future Land Use designation is Public Building and Facilities, and the Zoning designation is Governmental (G), respectively. The proposed use is permitted and is generally consistent with goals, objectives, and policies of the Village's Comprehensive Plan. With the proposed project, the property will be revitalized and improvement to the exterior of the building will create a beneficial visual impact to the neighborhood.

III. Regulatory Issues

- The site plan generally conforms to the property development standards of the G district.
 - 1) Proposed project plan generally meets required site development regulations.
 - 2) Permits from all applicable permitting agencies, including but not limited to PBC Fire Rescue and Village of Palm Springs are required prior to any construction.

IV. Environmental Issues:

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

V. Community Outreach/ Notification

- The subject property was posted on June 1, 2023.
- Public Notification letters were mailed to all property owners within 300 feet radius of subject property on June 2, 2023
- Legal advertisement was published in the paper on June 1, 2023.
- Staff have not received any inquiries or comments as a result of the notices.

VI. Proposed Development Plan Details

The petitioner's development plans dated received on May 15, 2023 depicts the following:

- An application submitted for a Site Development Plan Amendment Approval to expand the Police Department use of the Government property.
 1. Site Plan received May 15, 2023.
 2. Landscape Plans received May 15, 2023.
 3. Architectural plans received May 15, 2023.
 4. Justification Statement and proposed use.

VII. Recommendation

The subject site area currently includes a one-story concrete masonry building which houses the Police Department in the western two-thirds of the building as well as three apparatus bays and support space for Fire Rescue in the eastern-most end of the building. The Fire Rescue areas and apparatus bays are not included in the project scope. However, all exterior walls and openings are being addressed for maintenance and replacement of windows for storm hardening. Since the original construction of the building, the Police Department has grown in staff as well as adapting to new procedures and responsibilities in their public services. One of the primary goals of this project is to re-organize the department groups to improve efficiency of functions and to accommodate future growth and adaptability. The project includes a 13,169 SF two-story addition, and remodeling of the existing Police Department spaces.

When completed, the building areas will total 32,543 SF and is projected to serve the needs of the department for the next 20 years and beyond.

The two-story addition is proposed to wrap the north façade and a portion of the west façade of the existing building. The design presents an opportunity for an improved civic presence when approaching the campus from the north on Cypress Lane from Alameda Drive. A new two-story glass lobby will align with the Cypress Lane approach. The lobby is designed to

Police Department Expansion - Site Development Plan Amendment – 230 Cypress Lane

feel welcoming and comforting to all residents from children passing by on their way to the sports fields or crime victims coming to the facility.

The proposed exterior materials are currently being reviewed by the Village staff and will be presented to Council for their input. The proposed materials include textured stucco in horizontal banding with panels between the windows. Between the ground and second floor inset panels will be finished with either a wood-look ceramic tile or a precast stone relief with a palm motif. The exterior colors will be natural stone and sand color tones. A metal panel façade at the top of the entry lobby will incorporate signage. Sunshades will be included above the windows and wrapping the entry lobby.

The new spaces also include a community meeting room adjacent to the new lobby and opening to a small green space on the west side of the addition. The meeting room can serve a variety of events for the public, from public information and press conferences to educational events, and neighborhood watch programs. The flexible meeting space can be used for police training and serve as part of the Emergency Operations command center.

The existing parking lot on the west side of the building will be modified to accommodate the expansion area, provide additional green space, and improve traffic circulation and parking for ease of use. The area on the west side will also be gated to expand the secured parking area for Police.

The entire facility will be hardened for improved storm resilience, allowing the building to serve as an Emergency Operations Center with uninterrupted power and system redundancy. As a 'Critical Facility' the building will be suitable for use during a storm event as well as through recovery periods.

Staff reviewed the proposed Site Development Plan Amendment and has found the proposed expansion to be generally consistent with the goals, objectives and policies of the Village's Comprehensive Plan. The proposed project is generally consistent with the Land Development and Zoning Regulations and all other portions of the code.

Planning, Zoning and Building Staff recommends conditional approval of the Site Plan Amendment subject to the following twenty (20) conditions below:

1. The Site plan approval is valid within 24 months of Council approval.
2. Proposed landscape upgrading shall be concluded **prior to Certificate of Completion**.
3. A building permit must be obtained with the Village's Planning, Zoning & Building department prior to any remodeling/construction work on the property.
4. Permits must be obtained from the Village and Palm Beach County Fire Department **at time of permitting**.
5. Provide permits from all applicable permitting agencies **at the time of permitting**.
6. The construction dumpster shall be only provided by Waste Pro USA who is under franchise Agreement with the Village.
7. Landscaped areas shall be irrigated including but not limited to buffer, islands, planter boxes, etc. Non-potable water shall be used for the irrigation system per Village code.
8. The General Contractor shall register an Agent of Record, prior to issuance of a permit, to establish a contact person responsible for compliance with this Development Order, including site plan/landscape plan details and conditions of approval.
9. 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 and/or Fire Chief. Such additional security measures, as approved by the Police Chief and/or Fire Chief, may include increased on-site security at the operator's sole expense.
10. A Pre-construction video shall be taken and submitted to the Village **prior to work starts**.
11. Any offsite construction staging area shall be approved by the property owner. An approval letter shall be submitted to the Village for review and approval **prior to staging**. A temporary use agreement would be required if it exceeds more than 60 days.
12. Palm Beach County Fire Department and Palm Springs Police Department shall review and approve any proposed MOT, including any changes to a previously approved.
13. All new electric utilities shall be underground.
14. A silt barrier shall be installed around the perimeter of the property (within the affected area for the site

Police Department Expansion - Site Development Plan Amendment – 230 Cypress Lane

improvements and new building construction) prior to commencement of any site work or construction activity, and a track pad shall be installed at the construction entrance(s), both of which shall remain through substantial completion.

15. Any sidewalk broken or damaged during construction shall be replaced by the contractor **prior to CC**.
16. The Landscaping shall be certified by the Landscape Architect upon completion and **prior to CC or CO**.
17. Absolutely no occupancy, other than construction personnel, is permitted **prior to TCC/CC**.
18. The applicant may be required to provide a resident inspector for structural elements such as concrete pours in accordance with Section 109.1.3 FBC 2010 and F.S. 553.791. Determination shall be made at time of pre-construction conference with Planning Zoning and Building Director.
19. The General Contractor shall have a supervisor onsite during any and all construction activity in accordance with FS 489.1195.
20. **At the time of CC**, the petitioner shall provide the Planning, Zoning and Building Department with electronic copies of as-builts.



PROJECT NARRATIVE

Date: April 26, 2023
Project: Police Department Expansion Project
Location: 230 Cypress Lane, Palm Springs, FL 33461

Introduction

On behalf of the Village of Palm Springs, the applicant, we are requesting site plan approval for the construction of 13,169 square feet building addition to the existing Public Safety Building located at the above address on the Village's municipal campus.

Project Contact:

Agent: Song + Associates, Inc.
Jill Lanigan
1545 Centrepark Drive North
West Palm Beach, FL 33401
Phone: 561-655-2423, ext. 110
Mobile: 561-628-3188
Email: jlانigan@songandassociates.com

Project Description

The subject site area currently includes a one-story concrete masonry building which houses the Police Department in the western two-thirds of the building as well as three apparatus bays and support space for Fire Rescue in the eastern-most end of the building. The Fire Rescue areas and apparatus bays are not included in the project scope. However, all exterior walls and openings are being addressed for maintenance and replacement of windows for storm hardening.

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Song + Associates, Inc.

Architecture • Planning • Interior Design
AA003165 / IB0001095

1545 Centrepark Drive North
West Palm Beach, Florida 33401
T: 561.655.2423 F: 561.655.1482

American Institute of Architects / NCARB

The proposed exterior materials are currently being reviewed by the Village staff and will be presented to Council for their input. The proposed materials include textured stucco in horizontal banding with panels between the windows. Between the ground and second floor inset panels will be finished with either a wood-look ceramic tile or a precast stone relief with a palm motif. The exterior colors will be natural stone and sand color tones. A metal panel façade at the top of the entry lobby volume will incorporate signage. Sunshades will be included above the windows and wrapping the entry lobby. The panels, sunshades, and glass frames will be metal with a color to be selected. Possible colors include clear anodized, dark gray, or dark blue.

Flag poles are proposed for the northwest corner of the new addition. The new spaces also include a community meeting room adjacent to the new lobby and opening to a small green space on the west side of the addition area. The meeting room can serve a variety of events for the public from public information and press conferences, to educational events, and neighborhood watch programs. The flexible meeting space can be used for police training and serve as part of the Emergency Operations command center.

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Zoning

Future Land Use: Municipal
Zoning: G – Governmental
Subdivision: Village of Palm Springs Governmental Area
Property Control: 70-43-44-18-38-002

The proposed improvements and expansion are consistent with the applicable regulations.

Site Elements

Vehicular + Pedestrian Circulation

As mentioned previously, the proposed addition will create a strong civic presence on the north side of the campus and naturally improve wayfinding with the two-story lobby element.

Setbacks

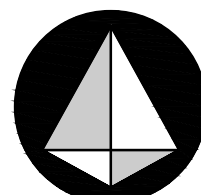
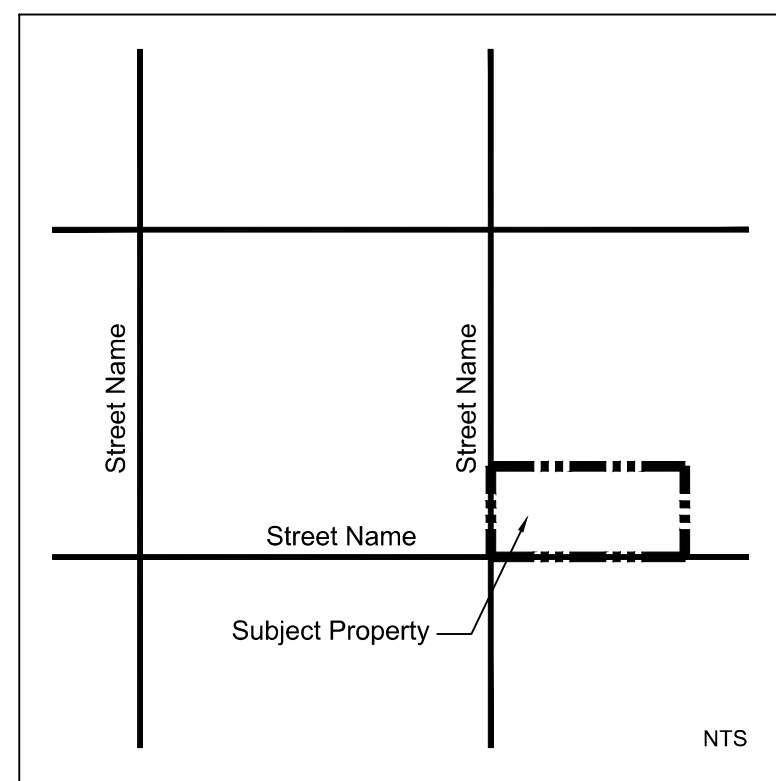
The proposed expansion is in compliance with the site setbacks.

Hardscape:

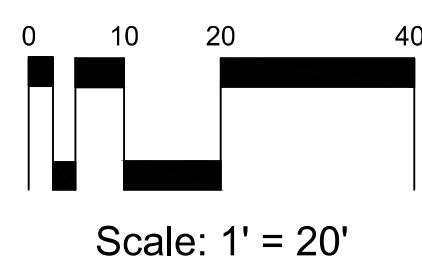
A plaza hardscape area will be incorporated surrounding the new lobby and along the west side of the building to create a patio from the community meeting room.

Landscaping: Enhanced landscaping will include foundation plantings and trees around the addition and parking areas.

LOCATION MAP



North



Scale: 1" = 20'



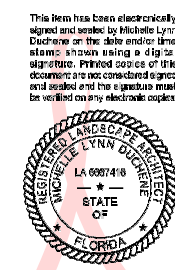
Proposed Addition

PLANT SCHEDULE AFFECTED AREA

SHADE TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	SPREAD	CLEAR TRUNK	CALIPER/DBH	NATIVE	WATER USE
	QV	3	Quercus virginiana / Southern Live Oak Single Straight Trunk, No Low Crotch	12' OA	4'	4' CT Min.	2.5" CAL	Yes	Low
FLOWERING/ACCENT TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	SPREAD	CLEAR TRUNK	CALIPER/DBH	NATIVE	WATER USE
	IC	7	Ilex cassine / Dahoon Holly Single Straight Trunk, No Low Crotch	12' OA	4'	4' CT Min.	2.5" CAL	Yes	Low
	TI	2	Tabebuia impetiginosa / Pink Trumpet Tree Single Straight Trunk, No Low Crotch	12' OA	4'	4' CT Min.	2.5" CAL	No	Low
PALM TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	SPREAD	CLEAR TRUNK	CALIPER/DBH	NATIVE	WATER USE
	LR	3	Livistona decora / Ribbon Palm Matched	8' CT	12'	8' CT	N/A	No	Low
	PHR	4	Phoenix roebelenii / Pygmy Date Palm Multi-Trunk Full Heads, Triple Trunked, Matched	4-5 OA	5'	3' CT	N/A	No	Low
	VM	3	Veitchia montgomeryana / Single Montgomery Palm Single Trunk, Matched	10' CT	10'	10' CT	N/A	No	Low
	VM3	1	Veitchia montgomeryana / Triple Montgomery Palm Single Trunk, Matched	10' CT	15'	10' CT	N/A	No	Low
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	SPREAD	SPACING	NATIVE	WATER USE	
	CHI	44	Chrysobalanus icaco 'Red Tip' / Red Tip Cocoplum Full to Base	18"	18"	24" OC	Yes	Low	
	CVP	27	Codiaeum variegatum 'Sloppy Painter' / Sloppy Painter Croton Full	24"	24"	24" OC	No	Medium	
	CRA	5	Crinum augustum / Green Crinum Lily Full, Matched	30"	30"	As Shown	No	Low	
	CQE	3	Crinum augustum 'Queen Emma' / Queen Emma Crinum Lily Full, Matched	30"	30"	As Shown	No	Low	
ZONING LARGE SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	SPREAD	SPACING	NATIVE	WATER USE	
	CHC	5	Chamaedorea cataractarum / Cascade Palm Full, Matched	36"	36"	48" OC	No	Low	
ZONING MEDIUM SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	SPREAD	SPACING	NATIVE	WATER USE	
	PHS4	12	Philodendron selloum / Selloum Full	24"	24"	36" OC	No	Medium	
ZONING SMALL SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	SPREAD	SPACING	NATIVE	WATER USE	
	CRT1	70	Chrysobalanus icaco 'Red Tip' / Red Tip Cocoplum Full to Base	18"	18"	24" OC	Yes	Low	
SHRUB AREAS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	SPREAD	SPACING	NATIVE	WATER USE	
	HPC	91	Hamelia patens 'Compacta' / Dwarf Firebush Full	18"	18"	18" OC	Yes	Low	
ZONING MEDIUM SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	SPREAD	SPACING	NATIVE	WATER USE	
	ACW	3	Acalypha wilkesiana / Wilkes' Copperleaf Full	24"	24"	48" OC	No	Low	
	PSA	7	Pennisetum setaceum 'Alba' / White Fountain Grass Full	24"	24"	48" OC	No	Low	
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	SPREAD	SPACING	NATIVE	WATER USE	
	FGI	156	Ficus microcarpa 'Green Island' / Green Island Ficus Full	12"	12"	18" OC	No	Low	
	PHX	186	Philodendron xanadu / Xanadu Philodendron Full	14"	14"	18" OC	No	Medium	
	SOD A	4,899 sf	Stenotaphrum secundatum / St. Augustine Grass Solid Sod, Stagger Seams, Contract to Verify Quantity Prior to Bid, Sod all Disturbed Areas	N/A	N/A	Sod	No	High	
	TAM	576	Trachelospermum asiaticum 'Minima' / Minima Asiatic Jasmine Full	4"	12"	12" OC	No	Low	

LANDSCAPE NOTES

- FDOT Type D or F curb shall be provided along the perimeter of all landscape, open space, drainage and grassed areas adjacent to paved vehicular use areas, except where wheel stops are provided.
- Safe sight triangles shall be maintained clear of vegetation to provide unobstructed visibility between 30" and 8' above crown of road.
- Light poles, fire hydrants, electrical/mechanical equipment, signs, drainage structures, etc. shall not interfere with landscaping in terminal islands, parking islands, medians, buffers or other landscaped areas. In the event a tree cannot be planted due to a conflict, the Landscape Architect must be notified.
- All plant material is to be installed at the height, spread and DBH or Caliper shown in the Plant List, container sizes are given as a suggestion only. Caliper measurements shall be taken according to the Florida Grades and Standards.
- No muck-grown sod shall be utilized in detention areas.
- All landscape areas (including sod) shall be irrigated with an underground automatic sprinkler system providing a minimum of 150% coverage.
- Trees shown on this plan are for graphic representation only. Tree spacing is based on design requirements and the trees shown on these plans attempt to accomplish that spacing while maintaining the required setbacks from utilities. Trees may be field adjusted to avoid conflicts with driveways and underground utilities but not deleted from the site. In any case the trees shall be located in the field in accordance with the planting details shown hereon.
- Trees are to be installed with a ten foot (10') separation from any water or sewer main and/or service, hydrants, and lift stations. If a ten foot (10') separation cannot be achieved, the tree can be installed with a root barrier system. Refer to the "Root Barrier" detail for installation requirements. However, in no case shall a tree encroach into a PBCUE without prior PBCWUD approval and only sod can be installed within 7.5' of a fire hydrant unless otherwise approved by the Fire Marshal.
- All parking lot islands, and any other areas on site with baserock, shall be excavated to a minimum depth of the native soil on site and back-filled with a suitable soil consisting of fifty percent (50%) composted organic matter, well-mixed with native soil. Backfill material shall be free from rock, construction debris, or other extraneous material.
- All substitutions or modifications from the approved Landscape Plan must be submitted and approved by the Landscape Architect in writing.
- All ground-mounted equipment shall be screened from view.
- Prior to C.O., the site must have 100% sod coverage, including greenspace in the directly adjacent ROW. All disturbed areas must be sodded including all areas used for staging and maneuvering that may not be indicated on the Landscape Plan.
- Any equipment (condensing units, transformers, ect) must not interfere with proposed parking lot trees. One trees must be planted in each island.



Digitally signed by
Michelle L. Duchene
Date: 2023.04.20
09:58:04 -04'00'

LANDSCAPE PLAN

1

SCALE: 1" = 20'-0"



LANDSCAPE PLAN

Sheet # :

LP1



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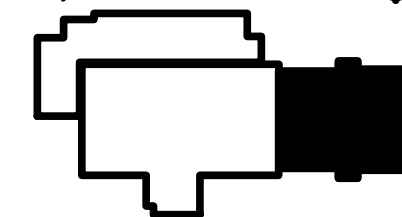
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VILLAGE OF PALM SPRINGS

VILLAGE OF PALM SPRINGS POLICE BUILDING EXPANSION

230 CYPRESS LN,
PALM SPRINGS, FL
33461

Key Plan :



REVISION	DATE

Date : 04-21-2023

S+A Project No : 19034

Owner Project No :

Drawn By : RR

Checked By : MLD

Phase :

SITE PLAN APPROVAL
SUBMITTAL

Sheet Title :



VILLAGE OF PALM SPRINGS
POLICE DEPARTMENT
Exterior Renderings

May 24th, 2023



Visitor
Parking

Outdoor
Patio/
Green

Meeting/
Training/
EOC

2 Story
Expansion

Existing
1 Story
Police Building







Exterior Color B

Dark Blue Aluminum Frame on Entry Tower + Dark Coral Beige Field Color



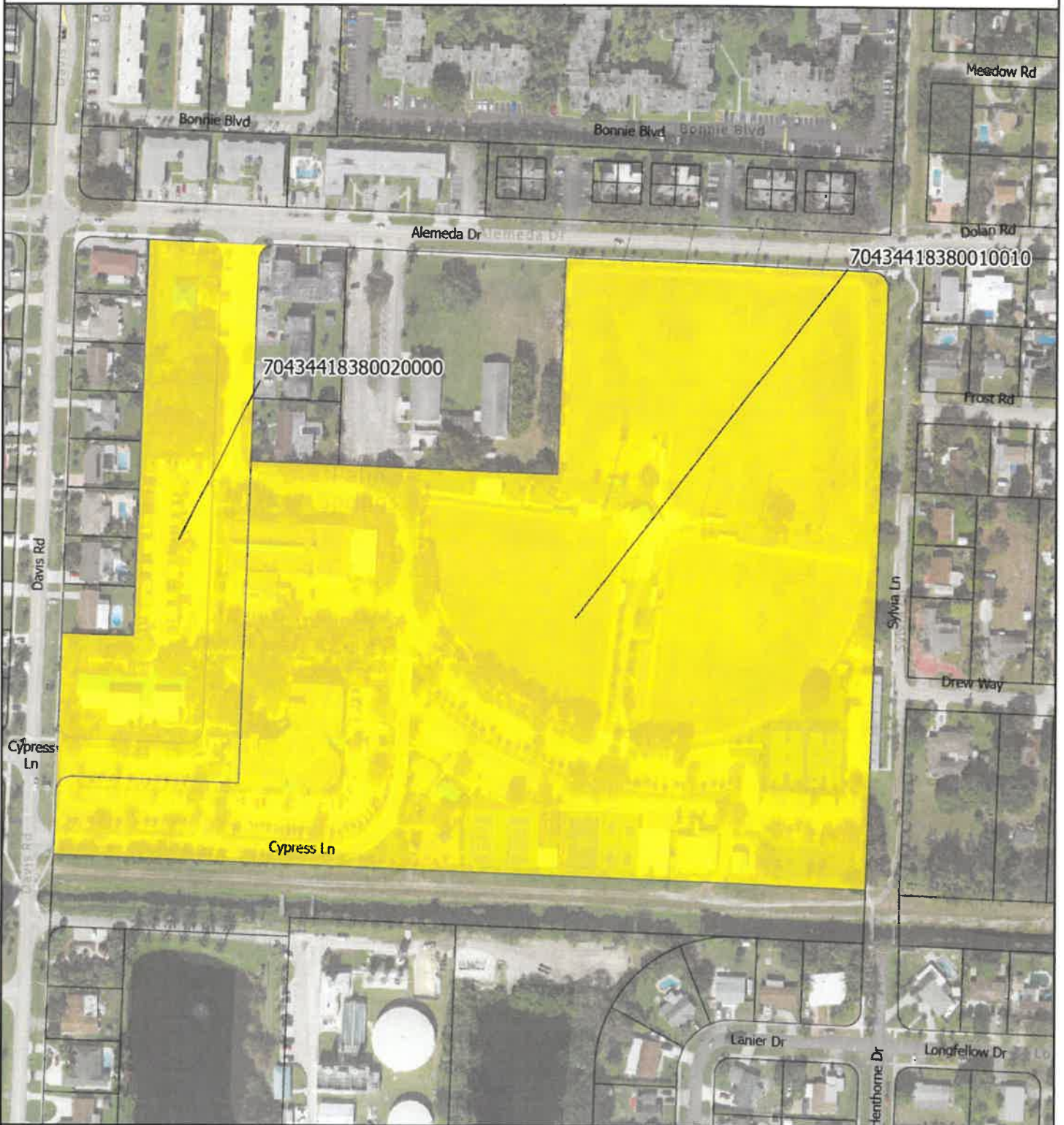
Exterior Color B





VILLAGE OF PALM SPRINGS

Police Department Expansion



- Legend
- Proposal Parcel
 - Parcels
 - Village Boundary

Date: 5/25/2023
When Printed on 8 1/2" x 11"
1 inch equals 250 feet

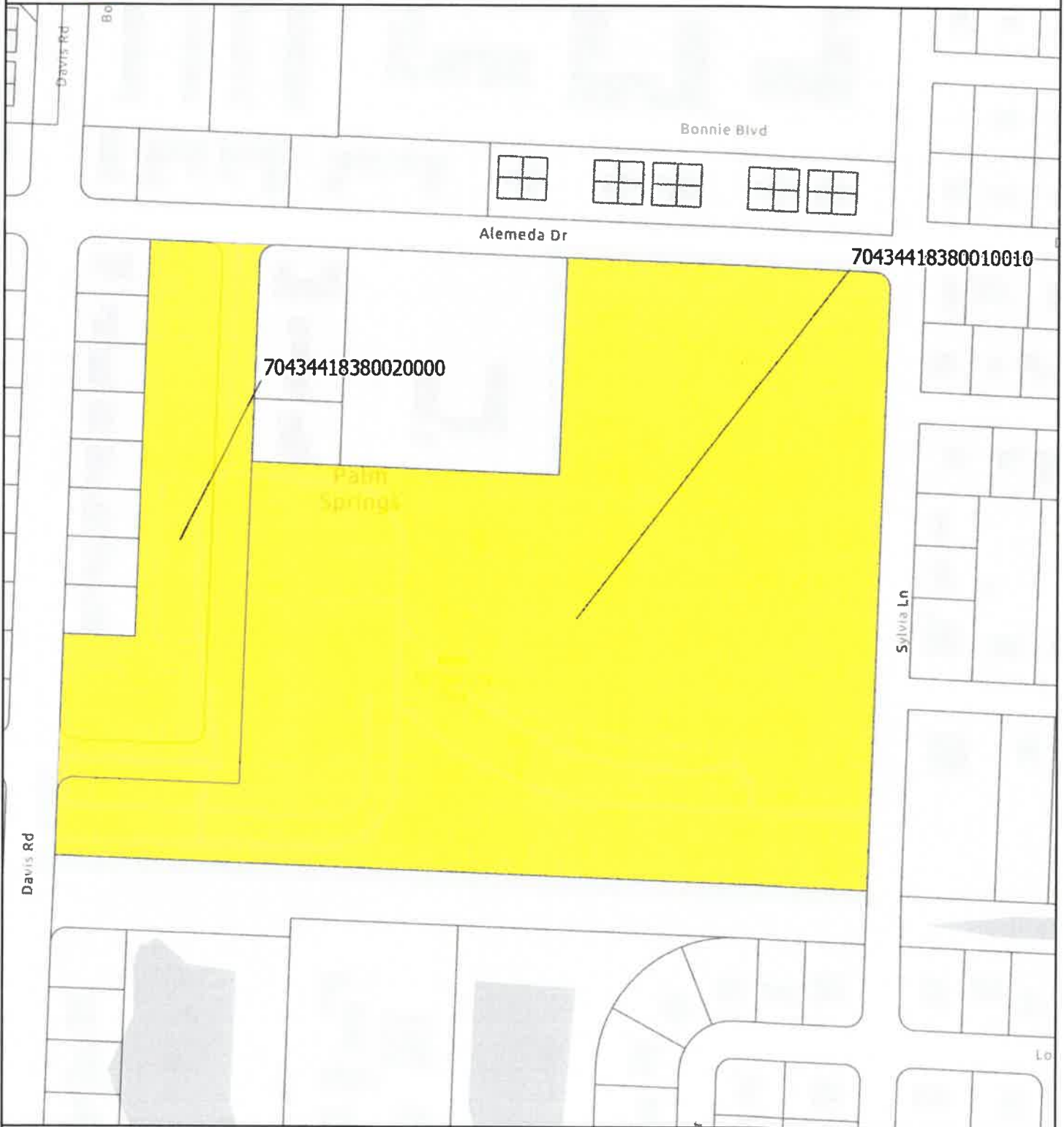
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Feet

FE Florida Technical Consultants



VILLAGE OF PALM SPRINGS

Police Department Expansion



Legend

-  Proposal Parcel
-  Parcels
-  Village Boundary

Date: 5/25/2023

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0 250
Feet

 Florida Technical Consultants