

**Proposed Conditions of Approval Associated with the Atlantech Mixed-Use
Project/Atlantech Plaza/ 32R11**

In connection with the site plan approval for the Atlantech Plaza, the applicant has proposed the following additional voluntary site plan conditions to address potential project impacts:

(1) With regard to Lauderdale One: as depicted on the attached Exhibit “A” prepared by Flynn Engineering, New Boston Atlantech L.P., (“the Applicant”) will construct all roadway improvements indicated by the orange hash marks along NE 65th Street (“Improvements”). Lauderdale One must obtain all of the necessary regulatory approvals in order to allow for the construction of the improvements on the north side of NE 65th Street and the median improvement (“Applications”). Applicant acknowledges that Lauderdale One has relied, in good faith, on Applicant’s consultant’s representations that the Improvements depicted on Exhibit “A” can be accomplished within available right-of-way. The Applicant is solely responsible for all necessary permitting, costs associated with, and construction of the improvements depicted on the south side of NE 65th street. In addition, the Applicant will pay for all costs associated with the permitting and construction of the Improvements on the north side of NE 65th Street as well as the median improvement (with the exception of Lauderdale One’s legal fees). Costs shall include but are not limited to: consultant fees, such as engineering and architectural required in connection with the development of site and engineering plans required for submission to any necessary permitting agencies or governmental bodies, survey fees, City, County, FDOT and other governing agency application fees, relocation of any utilities, landscaping costs including the cost to relocate or payment associated with removal of any trees, paving, striping, grading and drainage and relocation of any lighting or traffic control devices. Lauderdale One understands that time is of the essence and shall work expeditiously in conjunction with the Applicant’s surveyor, engineer and architect and other consultants to process the necessary Applications expeditiously.

(2) The Applicant has agreed to bear all costs for preventative maintenance on Lauderdale One’s Heating, Ventilation and Air Conditioning (“HVAC”) system, which utilizes 100% outside air with no recycling of interior air. Preventative maintenance includes monthly replacement of filters during the construction of Atlantech Plaza, as well as chemical cleaning of the evaporator and condenser upon completion of construction.

(2) With regard to impacts to other neighbors (Imperial Pointe Hospital and the Imperial Pointe HOA): the applicant will contribute an amount not to exceed \$20,000.00 for the installation of traffic calming improvements at the locations depicted on the attached Exhibit "B" prepared by Flynn Engineering. Said payment shall be made to the hospital upon issuance of the 1st building permit for the project, after the applicant reviews the cost estimate for the installation of the improvements outlined herein. The traffic calming improvements to be installed by the hospital may include landscaping and the installation of an unarmed security booth. The applicant shall install a "No left Turn" sign at the project access point on NE 64th Street.

(3) The applicant agrees to advise tenants that they are discouraged from utilizing hospital property as an avenue for circumventing traffic.

(4) The applicant has been allocated 266 flexibility units to construct the residential portion of the project. Said units were allocated in connection with the proposed project site plan. The applicant acknowledges that if any additional residential units are proposed for the property, the City will have to allocate additional flexibility units.