

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**

Application No.: ABN/PDD/CA-2017-00137
Application Name.: Wawa HO 1193
Control No.: 1978-00288
Applicant: Brightwork Acquisitions LLC
Owners: First Union Natl Bank of Fla
 Fazlul Ahmed
 Sunshine Real Estate Holdings Llp
Agent: Dunay, Miskel and Backman, LLP - Beth Schrantz
Telephone No.: (561) 405-3300
Project Manager: Carolina Valera, Senior Site Planner

TITLE: a Development Order Abandonment REQUEST: to abandon an Auto Service Station. **TITLE:** an Official Zoning Map Amendment REQUEST: to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. **TITLE:** a Class A Conditional Use REQUEST: to allow a Retail Gas and Fuel Sales with a Convenience Store.

APPLICATION SUMMARY: Proposed are a Development Order Abandonment (ABN), an Official Zoning Map Amendment (MUPD), and a Class A Conditional Use (CA) for the Wawa HO 1193 development. The 2.48-acre site is comprised of four parcels of land, with various previous approvals. Two of the four parcels have approvals for a Special Exception (SE) to allow an Auto Service Station by the Board of County Commissioners (BCC) on January 28, 1978 through Resolution R-1979-96; and a SE to allow a Bank on June 28, 1973 through Resolution R-1973-387. The other two parcels were developed with a General Retail use approved through the building permit process. Type II Variances were approved by the Zoning Commission on June 1, 2017 through a separate application (ZV-2016-2213) allowing a reduction of the lot acreage, width, and frontage for a lot in an MUPD; a reduction of the Right-of-Way buffer width along Military Trail; a reduction of the foundation plantings along the facade of the convenience store building; and, to allow 24-hour operation within 250 feet of a Residential district.

The proposed application is being processed concurrently with application DOA-2016-2216, a Development Order Amendment to delete land area, in order to include it as part of this request. This application includes a request from the Applicant to redevelop the site by abandoning and demolishing existing uses (Auto Service Station and Convenience Store) and develop Retail Gas and Fuel Sales with 8 pumps/16 fueling stations, a 6,412 square foot (sq. ft.) building that includes a 2,474 sq. ft. Convenience Store and a 3,162 sq. ft. Type I Restaurant. Additionally, the Applicant is proposing a 4,188 sq. ft. Car Wash. A total of 58 parking spaces are provided and two access points are proposed to the site from Okeechobee Boulevard and Haverhill Road

SITE DATA:

Location:	Southeast corner of Haverhill Road and Okeechobee Boulevard.
Property Control Number(s)	00-42-43-25-00-000-3193; 00-42-43-25-00-000-3197 00-42-43-25-00-000-3460
Existing Future Land Use Designation:	Commercial High, with an underlying HR-8 (CH/8)
Proposed Future Land Use Designation:	No proposed change
Existing Zoning District:	General Commercial District (CG)
Proposed Zoning District:	Multiple Use Planned Development (MUPD)
Total Acreage:	2.48 acres
Affected Acreage:	2.48 acres
Tier:	Urban/Suburban
Overlay District:	N/A
Neighborhood Plan:	N/A
CCRT Area:	Haverhill East
Municipalities within 1 Mile	Haverhill, West Palm Beach
Future Annexation Area	Haverhill, West Palm Beach

RECOMMENDATION: Staff recommends approval of the requests subject to 18 Conditions of Approval as indicated in Exhibit C-1 and 6 Conditions of Approval as indicated in Exhibit C-2.

ACTION BY THE ZONING COMMISSION (ZC): At the July 6, 2017 ZC hearing, this application was on Consent Agenda. One person from the public spoke on the item stating concerns regarding noise and loss in property value of his home. The Agent agreed to the Conditions of Approval and those on the Add/Delete. The ZC made a recommendation of approval with a vote of 6-1, with Commissioner Beatty opposed.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received eight contacts from the public regarding this project, four in support and four in opposition. Those opposing the project expressed concerns regarding noise, traffic and loss in property value. Exhibit E, is a letter from the Town of Haverhill, Mayor Jay Foy, in which he lists concerns from the Town Council on the increase in intensity of uses for the proposed development. The Council has continued concerns on the cumulative effect of multiple land use changes and application approvals that are taking place in close proximity to the Town. They feel these approvals will result in increased traffic within the Town's jurisdictional boundaries. They want Belvedere Road, between Jog and Military to remain a four-lane divided roadway as it would destroy the residential character of the Town, and violate the Haverhill Area Neighborhood Plan.

PROJECT HISTORY:

Application No.	Request	Resolution	Approval Date
SE-1973-00077	Special Exception to allow a Bank	R-1973-397	7/17/1973
	Building Permit access for bank	NA	
SE-1978-00288	Special Exception to allow an Auto Service Station	R-1979-96	12/28/1978
	Building Permit approval for a convenience store	Approx. 1968	



There are four parcels of land that are proposed to be consolidated to make the MUPD. As stated in the previous table, there are various approvals that exist. Parcel 1, was approved with a Financial Institution in 1973, this proposed MUPD will take a portion of the undeveloped land within that approval to create the MUPD. Parcel 2 is a portion of an off-site driveway providing access to the bank from Haverhill Road. Parcel 3 was approved in 1978 for an Auto Service Station. This site exists with a 4 pump/8 service station and a 925 sq. ft. convenience store. The proposed structures

will be demolished if the proposed requests are approved. Lastly, Parcel 4 has an existing 2,021 sq. ft. building with General Retail uses located at the southwest corner of the MUPD that was built in 1968 through building permits.

SURROUNDING LAND USES:

NORTH:

FLU Designation: Commercial High, with an underlying HR-8 (CH/8)
Zoning District: General Commercial District (CG)
Supporting: Commercial (Dolphin Stations LLC, Control No. 1984-00053)

FLU Designation: Commercial High, with an underlying HR-8 (CH/8)
Zoning District: General Commercial District (CG)
Supporting: Commercial (Gulfstream Shopping Plaza, Control No. 1996-50098)

SOUTH:

FLU Designation: Commercial High, with an underlying HR-8 (CH/8)
Zoning District: General Commercial District (CG)
Supporting: Drainage canal (Lake Worth Drainage District)

SOUTH (Beyond Canal)

FLU Designation: Medium Residential 5 units per acre (MR-5)
Zoning District: Residential High (RH)
Supporting: Residential (No Control Name or Number)

EAST:

FLU Designation: Commercial High, with an underlying HR-8 (CH/8)
Zoning District: General Commercial District (CG)
Supporting: Commercial (Atlantic Bank Corp, Control No. 1973-00077)

WEST:

FLU Designation: Commercial High, with an underlying HR-8 (CH/8)
Zoning District: General Commercial District (CG)
Supporting: Commercial (Walgreen Co, Control No. 1999-10033)

FINDINGS:

Rezoning Standards:

When considering a Development Order application for an Official Zoning Map Amendment to a Standard Zoning District or a rezoning to a PDD or TDD, the BCC and ZC shall consider Standards 1-7 listed under Article 2.B.1.B of the ULDC. The Standards and Staff Analyses are indicated below. An Amendment, which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved.

1. Consistency with the Plan - *The proposed amendment is consistent with the Plan.*

- Consistency with the Comprehensive Plan: The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
- Prior Land Use Amendments: The site has been the subject of 1 of previous Land Use amendment. The amendment, Commercial Categories, Com. Cat. 57e, was adopted without conditions via Ordinance 2001-087, which amended the land use from C-8 to CH-8.
- Intensity: The maximum Floor Area Ratio (FAR) of 0.35 is allowed for a Commercial project with a CH-8 FLU designation in the Urban Suburban Tier (108,158 surveyed sq. ft. or 2.48 acres x .35 maximum FAR = 37,855.30 sq. ft. maximum). The request for a total of 9,824 sq. ft. equates to a FAR of approximately 0.09 (9,824 / 108,158 surveyed sq. ft. or 2.48 acres = 0.09).

○ Special Overlay District/ Neighborhood Plan/Planning Study Area: The request is located within and is consistent with the Comprehensive Plan's Urban Redevelopment Area, Redevelopment Revitalization and Infill Overlay, and Haverhill East CCRT area. The analysis for each planning area is provided below:

- Urban Redevelopment Area and Redevelopment Revitalization and Infill Overlay (RRIO)- The subject request is generally consistent with the URA and RRIO policies and objectives.
- CCRT # 14 Haverhill East area - The Applicant contacted Office of Community Revitalization (OCR) regarding the subject request. OCR suggested that the Applicant send out informational flyers in lieu of a neighborhood meeting. No letters have been received, for approval or in opposition, as of the writing of this report.

2. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

○ Freestanding Buildings in a MUPD: An MUPD with a CH FLU designation is limited to a maximum of three freestanding building pursuant to Table 3.E.3.B., Freestanding Buildings. This MUPD proposes two freestanding buildings, the Convenience Store with Type I Restaurant and Car Wash buildings. Therefore, the development complies with the limitation of three freestanding building in a MUPD.

○ Hours of Operation: 24-hour operation was approved by the ZC for the Retail Sales and Fuel with Convenience store and Type I Restaurant uses as part of application ZV-2016-2213.

○ Vehicular and Pedestrian Circulation: The MUPD proposes to maintain an existing vehicular cross access easement located along the south of project that interconnects the project to the development to the east, and which also serves as a point of access from Haverhill Road onto the two projects. Regarding pedestrian and bicycle oriented circulation, the MUPD proposes continuous sidewalks and crosswalks, constructed per Code requirements where sidewalks cross vehicular use areas.

○ Landscape/Buffering: The Code requires 20-ft. right-of-way (R-O-W) buffers along the north and west property lines and 5-foot Compatibility buffers along the south and east property lines. The Applicant proposes a 20-foot R-O-W buffer along Haverhill Road and a 5-foot Compatibility buffer along the east of the project, as required by Code. Approved Variances through application ZV-2016-2213 allows a 11.6-foot wide R-O-W buffer along Okeechobee Boulevard with one palm for each 15 lineal feet of property line in addition to Code required trees, per conditions of approval. Additionally, a 10-foot Type I Incompatibility buffer with a 6-foot concrete panel wall was approved along the south property line as a condition of approval to ensure compatibility between the proposed MUPD and the residential uses to the south. These Conditions of Approval have been included with this request. This application includes a request for a Type I Waiver to allow for the relocation of the minimum required building foundation plantings along the east side of the proposed car wash building. Staff has reviewed the request and is in support of the Type I Waiver as it meets the criteria of Table 7.B.2.A, Type I Waivers for Landscaping of the ULDC requiring a 5-ft. wide foundation planting; an overall sq. ft. of planting area meeting or exceeding the requirement; and the location of the relocated planting being within proximity to the building it serves to meet the general intent of enhancing the building. The proposed relocated foundation planting is 5.8 ft. wide; 60 percent over Code requirement in length; and, is located adjacent to the building.

○ Parking / Loading: The MUPD requires a minimum of 4/1000 and a maximum of 6/1000 parking spaces. The proposed 58 parking spaces exceed the minimum and is below the maximum required number of spaces for an MUPD. The Code requires 1 loading space, which the Applicant is providing.

○ Signage: A maximum of two freestanding signs are permitted for a project with 201 and 300 ft. of frontage within the U/S Tier and they must be a maximum of 15 ft. with 200 sq. ft. of sign area per sign. Along the north property, the project is 263.9 ft. and the Applicant is proposing two, 15-ft. high freestanding sign with 136.4 and 65.9 sq. ft. of sign area respectively. Along the west property line,

the project is 248.9 ft. and the Applicant is proposing one, 15-ft. high freestanding sign with 136.4 sq. ft. of sign area. An existing non-conforming off-site directional along Haverhill Road for the project west of this development, will remain will be within the property boundaries of this project subject to the Conditions of Approval as indicated in Exhibit C1. Also proposed are single-faced wall signs with channel letters, to be located a minimum of six inches from the roof line and wall edge of buildings, projecting a maximum 24 inches from the surface of building, and separated a maximum of three ft. between each sign, as required by Code.

○ Architectural Review: The Applicant chose to provide architectural elevations for compliance with Article 5.C. Architectural Standards at time of submittal for Final Approval by the Development Review Officer (DRO). Staff has included Conditions of Approval in accordance with this request.

3. Compatibility with Surrounding Uses - *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.*

The proposed MUPD District is appropriate for the subject site as it will be compatible and generally consistent with surrounding commercial and residential districts and their uses. The proposed Type I Incompatibility buffer approved as a Condition of Approval of Application ZV-2016-2213, will address potential compatibility issues with the residential district to the south.

4. Effect on Natural Environment – *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

VEGETATION PROTECTION: The property has been previously cleared and now only supports landscape vegetation.

WELLFIELD PROTECTION ZONE: The property is not located with Wellfield Protection Zone.

IRRIGATION CONSERVATION CONCERNS AND SURFACE WATER: All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Water and Irrigation Conservation Ordinance No. 93 3. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93 15.

ENVIRONMENTAL IMPACTS: There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

5. Development Patterns – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The parcels that comprise the proposed MUPD were approved and developed as commercial projects. The Auto Service Station and convenience store that exist will be demolished and will be replaced with a Retail Gas and Fuel Sales with Convenience Store. The proposed Type I Restaurant and Car Wash uses are consistent with the commercial pattern of development. Therefore, the pattern of development will remain commercial with the proposed project.

6. Adequate Public Facilities – *The proposed amendment complies with Art. 2.F, Concurrency.*

ENGINEERING COMMENTS:

Build-out of the project is expected to be December 31, 2018. The site currently has an operating gas station and a convenience store. The proposed site is expected to generate 865 net daily, 78 AM and 68 net PM peak hour trips. The overall new site is expected to generate 2,668 daily, 228 AM, and 203 PM peak hour trips.

There are no improvements to the roadway system required for compliance with the Traffic Performance Standards. A right turn lane, west approach on Okeechobee Blvd at the project driveway will need to be constructed by the Property Owner. The Property Owner will also be required to extend the existing south approach left turn lane on Haverhill Rd at Okeechobee Blvd. This turn lane currently experiences severe congestion during the peak hours.

ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)

Traffic volumes are in vehicles per hour

Segment: Okeechobee Blvd from Haverhill Rd to Military Trail

Existing count: Eastbound=2071, Westbound=2812

Background growth: Eastbound=383, Westbound=327

Project Trips: Eastbound=21, Westbound=12

Total Traffic: Eastbound=2,475, Westbound=3,151

Present laneage: 4 in each direction

Assured laneage: 4 in each direction

LOS "D" capacity: 3,590 per direction (CRALLS=4,340)

Projected level of service: LOS D or better in each direction

The Property Owner shall dedicate R-O-W to be consistent with the PBC Thoroughfare Identification Map, dedicate R-O-W for turn lanes, obtain an onsite drainage review from Land Development and plat the property prior to the issuance of the building permit.

The Property Owner shall obtain a Right of Way Permit from the Palm Beach County Engineering Department, Permit Section, for access onto or work within Haverhill Road and a permit from the Florida Department of Transportation for access onto or work within Okeechobee Boulevard.

PALM BEACH COUNTY HEALTH DEPARTMENT: This project meets all Department of Health requirements.

FIRE PROTECTION: Fire Department Staff has reviewed the subject request and found no issues at this time.

SCHOOL IMPACTS: No Staff Review Analysis

PARKS AND RECREATION: This is a nonresidential project, therefore Park and Recreation Department ULDC standards do not apply.

PALM BEACH COUNTY HEALTH DEPARTMENT: This project meets all Department of Health requirements.

7. Changed Conditions or Circumstances – *There are demonstrated changed conditions or circumstances that necessitate the amendment.*

The Applicant proposes to join four individual parcels of land into one single commercial project, allowing for efficiency, flexibility and uniformity of design by integrating the proposed Retail Gas and Fuel Sales, Convenience Store, Type I Restaurant and Car Wash within a unified development, rather than developing individual lots.

FINDINGS:

Conditional Uses, Requested Uses and Development Order Amendments:

When considering a Development Order application for a Conditional or Requested Use, or a Development Order Amendment, the BCC and ZC shall consider Standards 1 – 8 listed in Article 2.B.2.B. of the ULDC. The Standards and Staff Analyses are indicated below. A Conditional or Requested Use or Development Order Amendment which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved.

1. Consistency with the Plan – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

The proposed development is consistent with the Comprehensive Plan. See additional comments in the Rezoning findings.

2. Consistency with the Code - *The proposed use or amendment complies with all applicable standards and provisions of this Code for use, layout, function, and general development characteristics. The proposed use also complies with all applicable portions of Article 4.B, SUPPLEMENTARY USE STANDARDS.*

The requests for Conditional Use to Retail Gas and Fuel Sales is consistent with the “*standards and provisions of this Code for use, layout, function, and general development characteristics.*”. Compliance with Article 4.B. Supplementary Standards is demonstrated in the analysis below.

Retail Gas and Fuel Sales

Approval Criteria

Prior to approving a Conditional or Requested Use for Convenience Store with Gas Sales, the BCC shall make a finding that the use is appropriately located. In making the determination that the use is appropriately located, the BCC shall consider whether or not:

1. Adequate ingress and egress have been provided.

YES. The Preliminary Site Plan indicates one access point along Okeechobee Boulevard and one on Haverhill Road; therefore, adequate means of ingress and egress from adjacent Rights-of-Way is being provided. Additionally, the project design provides safe circulation pattern between the uses and from internal drives within the MUPD.

2. Adequate buffering and setbacks from residential areas have been provided.

YES. There are residential uses south of the drainage canal adjacent to the proposed MUPD. The proposed Retail Gas and Fuel Sales use is approximately located 102 ft. (Canopy fueling area) and the drive aisles and parking for the uses are 65 feet of the Residential District. Although the Auto Service Station exists and was previously approved, the redevelopment of the site moves the use closer to the residential properties by approximately 90 ft. A Type I Incompatibility with a buffer with a 6-foot concrete panel wall was approved as a condition of approval of the Variance application in order to adequately buffer the proposed intensity, layout and function of the proposed development use from the Residential District. Additionally, the reduced width of R-O-W buffer along Okeechobee Boulevard must provide the code required number of trees and shrubs in addition to palms as required by the conditions of approval of the Variance granted for this site.

3. Sufficient vehicle stacking, circulation, access, and area for turning movements have been provided.

YES. The proposed Retail Gas and Fuel Sales has been designed to accommodate the necessary turning movements for all vehicles including the fuel delivery trucks. The Code requires 20-ft. queuing spaces and the PSP shows 18.5 queuing spacing for the proposed fueling stations. At the hearing for the requested Variances for this site, the Applicant agreed to redesign the site at time of DRO approval to accommodate the minimum Code required dimension. A Condition of approval has been included in Exhibit C-1. The proposed use has provided sufficient circulation, access and area for turning movements that meet the intent of the Code. A minimum of 25 ft. drive isles are shown around the buildings with ingress/egress from Okeechobee Boulevard and Haverhill Road.

4. The number of fueling positions proposed is excessive.

NO. The existing Auto Service Station has 4 pump/8 service stations and the Applicant proposes 8 pumps/16 fueling stations. However; the proposed number of fueling stations is commonly found in

dense urban locations, such as the subject site. Therefore, the proposed number of pumps is not excessive.

5. There are an excessive number of similar stations in the vicinity.

NO. There are two similar station north and north west of the site. However, Ordinance No. 2001-029 that adopted the location criteria for Retail Gas and Fuel Sales included an exception stating that any Automotive Service Stations existing prior to the adoption of the Ordinance are exempt from the intersection and separation requirements. As such, it was determined by the Zoning Director the intersection and separation criteria limiting the amount of gas stations do not apply to this project, as it the use was established prior to that Code requirement.

Retail Gas and Fuel Sales Supplementary Requirements

The following are summaries of specific requirements of the Code.

- Floor Area: The Applicant is proposing both a Convenience Store and Type I Restaurant (no drive-through) in a single structure. The PSP shows the Convenience Store will meet the maximum 7,000 sq. ft. limitation and the outdoor dining area meets the principal structure setbacks.
- Location Criteria: A maximum of two Convenience Stores with gas sales and/or Retail Gas and Fuel stores are allowed at an intersection. As stated above, this site is exempt from this standard.
- Parking and Loading: Sufficient parking and loading has been provided. See additional comments in the Rezoning findings.
- Landscaping: The project complies with this requirement, subject to the Conditions of Approval as indicated in Exhibit C-2. See additional comments in the Rezoning findings.
- Signage: The project complies with this requirement. See additional comments in the Rezoning findings.

3. Compatibility with Surrounding Uses – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The proposed Retail Gas and Fuel Sales is appropriate for the subject site as it will be compatible and generally consistent with surrounding commercial uses to the north east and west. Compatibility with the Residential Districts to the south will be accomplished through the enhanced buffer added by the conditions of approval of Exhibit C-2.

4. Design Minimizes Adverse Impact – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

Staff has determined that the project is in compliance with this standard based on the analysis of the approval criteria of the proposed use and the added conditions of approval intended to counterbalance the proposed intensity, layout and function of the project design.

5. Design Minimizes Environmental Impact – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, storm water management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

The project complies with this standard as analyzed in the Rezoning findings.

6. Development Patterns – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

The Auto Service Station exist on a parcel of the proposed MUPD. The pattern of development is not proposed to be changed and will be developed in one phase.

7. Adequate Public Facilities – *The extent to which the proposed use complies with Art. 2. F, Concurrency.*

Staff has determined that the project complies with this standard. See additional comments in the Rezoning findings.

8. Changed Conditions or Circumstances – *There are demonstrated changed conditions or circumstances that necessitate a modification.*

The existing Auto Service Station has numerous nonconformities and is the subject of Code Enforcement violations for structures built without permits. The Applicant proposes to redevelop the site with an enhanced Retail Gas and Fuel Sales that will serve the surrounding population.

CONCLUSION: Staff has evaluated the standards listed under Article 2.B.2.B and determined that there is a balance between the need for change and the potential impacts generated by the requests for an MUPD and Class A Conditional Use. Therefore, Staff is recommending approval of the requests. Staff has also determined that any of the potential impacts and incompatibility issues will be adequately addressed subject to the recommended Conditions of Approval as indicated in Exhibits C-1 and C-2.

CONDITIONS OF APPROVAL

Exhibit C-1

Non Residential Planned Development District

ALL PETITIONS

1. The approved Preliminary Site and Regulating Plans are dated May 11, 2017. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations shall be submitted for review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC). Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO: ZONING - Zoning)

ENGINEERING

1. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2018. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPM: MONITORING - Engineering)

3. The Property Owner shall provide to the Palm Beach County Right of Way Acquisition Section of Roadway Production Division a road right of way deed and all associated documents as required by the County Engineer for Haverhill Road, 63.5 feet, measured from centerline of the proposed right of way on an alignment approved by the County Engineer.

All right of way deed(s) and associated documents shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents.

(BLDGPM/ONGOING: MONITORING - Engineering)

4. Prior to the issuance of the first building permit, the Property Owner shall provide to Florida Department of Transportation (FDOT), by deed, additional right of way for the construction of a right turn lane on Okeechobee Boulevard at the project's entrance road. This right of way shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet or as approved by FDOT. Additional width may be required to accommodate paved shoulders. The right of way shall continue across the project entrance and shall be free and clear of all encumbrances and encroachments. Property Owner shall provide FDOT with sufficient documentation, including, at a minimum, sketch and legal description of the area to be conveyed, copy of the site plan, a Phase I Environmental Site Assessment, status of property taxes, statement from Tax Collector of delinquent and pro-rata daily taxes, full owner name(s) of area to be conveyed and one of the following: title report, attorney's opinion of title, title commitment or title insurance policy, or as otherwise required and acceptable to FDOT. The Property Owner must warrant that the property being conveyed to FDOT meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County and FDOT harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate, as determined by the County Engineer, additional right of way for Expanded Intersections and corner clips. The Property Owner shall coordinate conveyance of right of way directly with FDOT and shall provide evidence to Palm Beach County Land Development Division once conveyance has been completed. (BLDGPM: MONITORING - Engineering)

5. The Property Owner shall construct a right turn lane west approach on Okeechobee Boulevard at the project's entrance.

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Florida Department of Transportation for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

6. Property Owner shall construct a 7.5 foot wide concrete sidewalk along the east side of Haverhill Road along the property's west frontage. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. These improvements shall be completed concurrently with the onsite paving and grading and shall be completed prior to the issuance of the first certificate of occupancy. (BLDGPM/CO: MONITORING - Engineering)

7. Prior to the issuance of the first Certificate of Occupancy, the Property Owner shall configure any residual parcels created by this development into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPM/CO: MONITORING - Engineering)

8. The Property Owner shall fund the construction plans and the construction to lengthen the existing left turn lane south approach on Haverhill Rd at Okeechobee Blvd. This turn lane shall be lengthened up to Pineaire Ln with paved taper, as approved by the County Engineer. The existing north approach left turn lane on Haverhill Rd at Pineaire Ln will need to be eliminated to accommodate the above. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required for improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

9. The Property Owner shall design, install and perpetually maintain median landscape within the median of all abutting right of way of Okeechobee Blvd. This landscaping and irrigation shall strictly

conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires County Engineer approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph c below.

a. The necessary permit(s) for this landscaping and irrigation shall be applied for from the Florida Department of Transportation prior to the issuance of the first building permit. (BLDG/PMT: MONITORING - Engineering)

b. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy. (BLDG/PMT/CO: MONITORING - Engineering)

c. Alternately, at the option of the Property Owner or if the construction of the required landscape and irrigation is not possible due to physical constraints, the Property Owner may make a contribution to Palm Beach County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beautification program prior to the issuance of the first Building Permit. This payment option is only available if the roadway segment is included in the County's current OTIS Master Plan and shall be based on the project's front footage along Okeechobee Blvd. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (ONGOING: ENGINEERING - Engineering)

LANDSCAPE – PERIMETER - EAST PROPERTY LINE

1. In addition to the landscaping requirements for a Compatibility Buffer, the Property Owner shall include the following:

a. One palm for each 15 lineal feet of property line. (BLDG/PMT/DRO: ZONING - Zoning)

LAKE WORTH DRAINAGE DISTRICT

1. Prior to platting, LWDD will require the future property owner to purchase LWDD's 10 foot by 50 foot existing easement per ORB 3122 PG 1218 at fair market value upon approval by LWDD's Board of Supervisors at a monthly meeting. An appraisal less than 6 months old must be submitted to LWDD's attorney prior to the Board meeting for review and approval. PLAT: ENG - LWDD (PLAT: LAKE WORTH DRAINAGE DISTRICT - Lake Worth Drainage District)

PLANNING

1. Prior to final approval by the Development Review Officer (DRO), submit a recorded cross access easement agreement for the location at the Southeast corner of the site as depicted on the site plans. (DRO: PLANNING - Planning)

USE LIMITATIONS

1. Stocking and deliveries shall only be permitted between the hours of 6 am and 11pm. (ONGOING: CODE ENF - Zoning)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or

b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or

c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or

d. Referral to Code Enforcement; and/or

e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

CONDITIONS OF APPROVAL

Exhibit C-2

Conditional Use – Retail Gas and Fuel Sales

ALL PETITION

1. Development of the site is limited to the uses approved by the Board of County Commissioners. The approved Preliminary Site and Regulating Plans are dated May 11, 2017. All modifications to the Development Order must be approved by the Board of County Commissioners, unless the proposed changes are required to meet Conditions of Approval. (ONGOING: ZONING - Zoning)

SITE DESIGN

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Preliminary Site Plan shall be reconfigured to provide 10 feet by 20 feet point of service and queuing space at each pump of fueling stations. (DRO: ZONING - Zoning)

USE LIMITATIONS

1. The 24-hour operation shall only be permitted for the Retail Gas and Fuel Sales use with Convenience Store and Type I Restaurant.

COMPLIANCE

1. In Granting this Approval, the Zoning Commission relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other Permit, License or Approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or,
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other Zoning Approval; and/or,
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of Conditions reasonably related to the failure to comply with existing Conditions; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

Figure 1 – Land Use Map

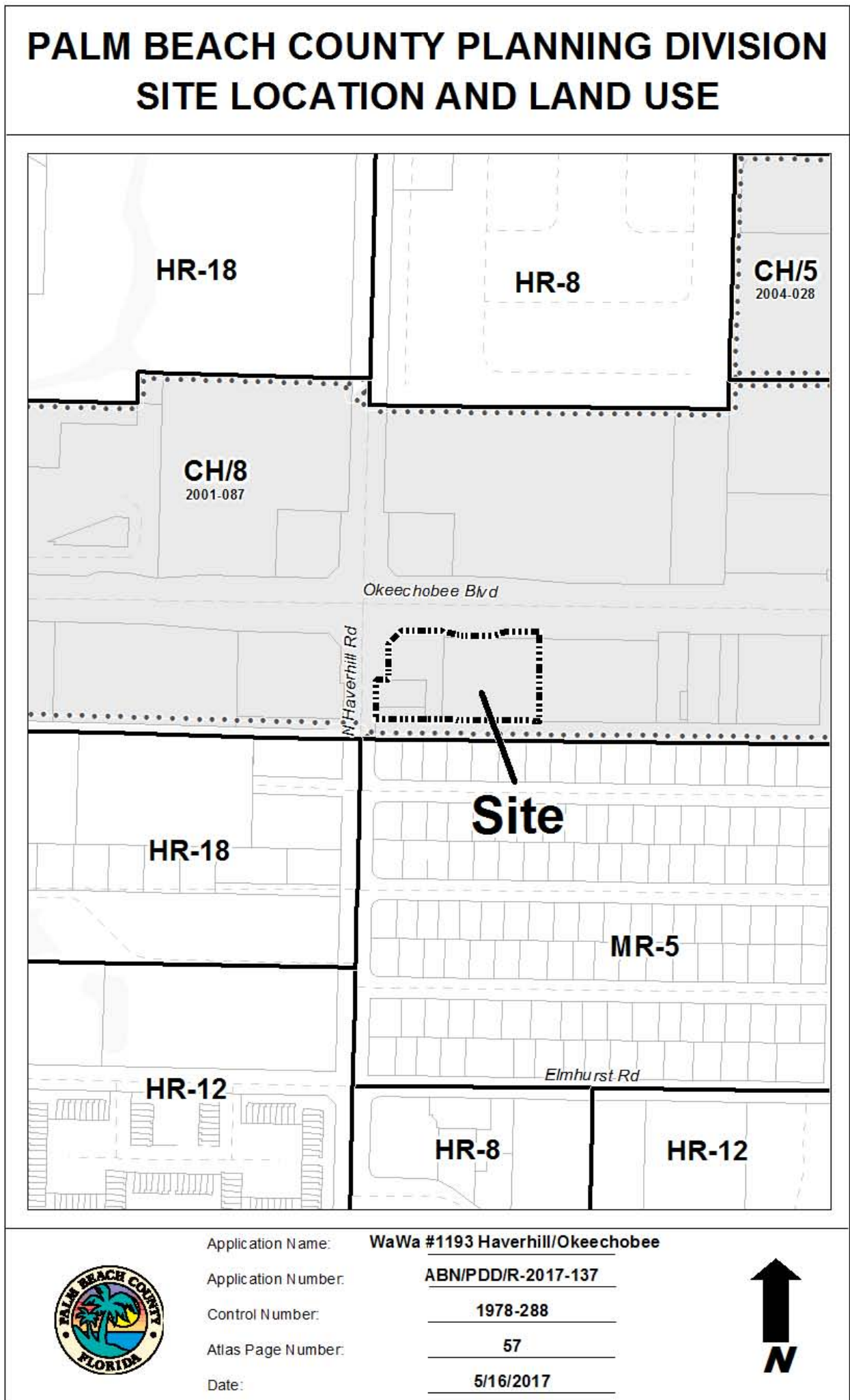
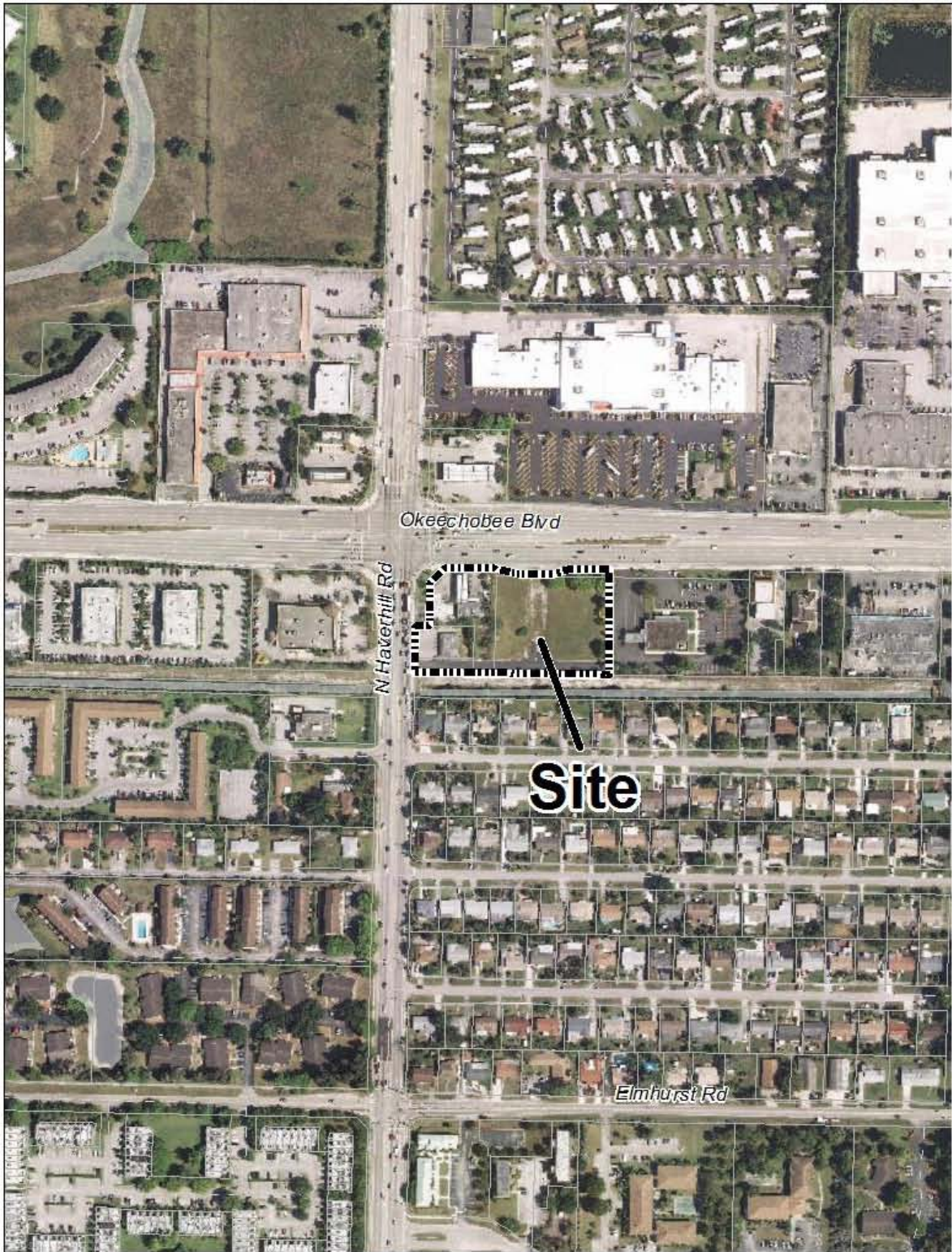


Figure 2 – Zoning Map



Figure 3 – Aerial

PALM BEACH COUNTY PLANNING DIVISION SITE LOCATION



Application Name:	WaWa #1193 Haverhill/Okeechobee
Application Number:	ABN/PDD/R-2017-137
Control Number:	1978-288
Atlas Page Number:	57
Date:	5/16/2017

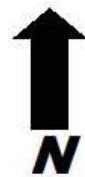


Figure 4 – Preliminary Site Plan dated May 11, 2017

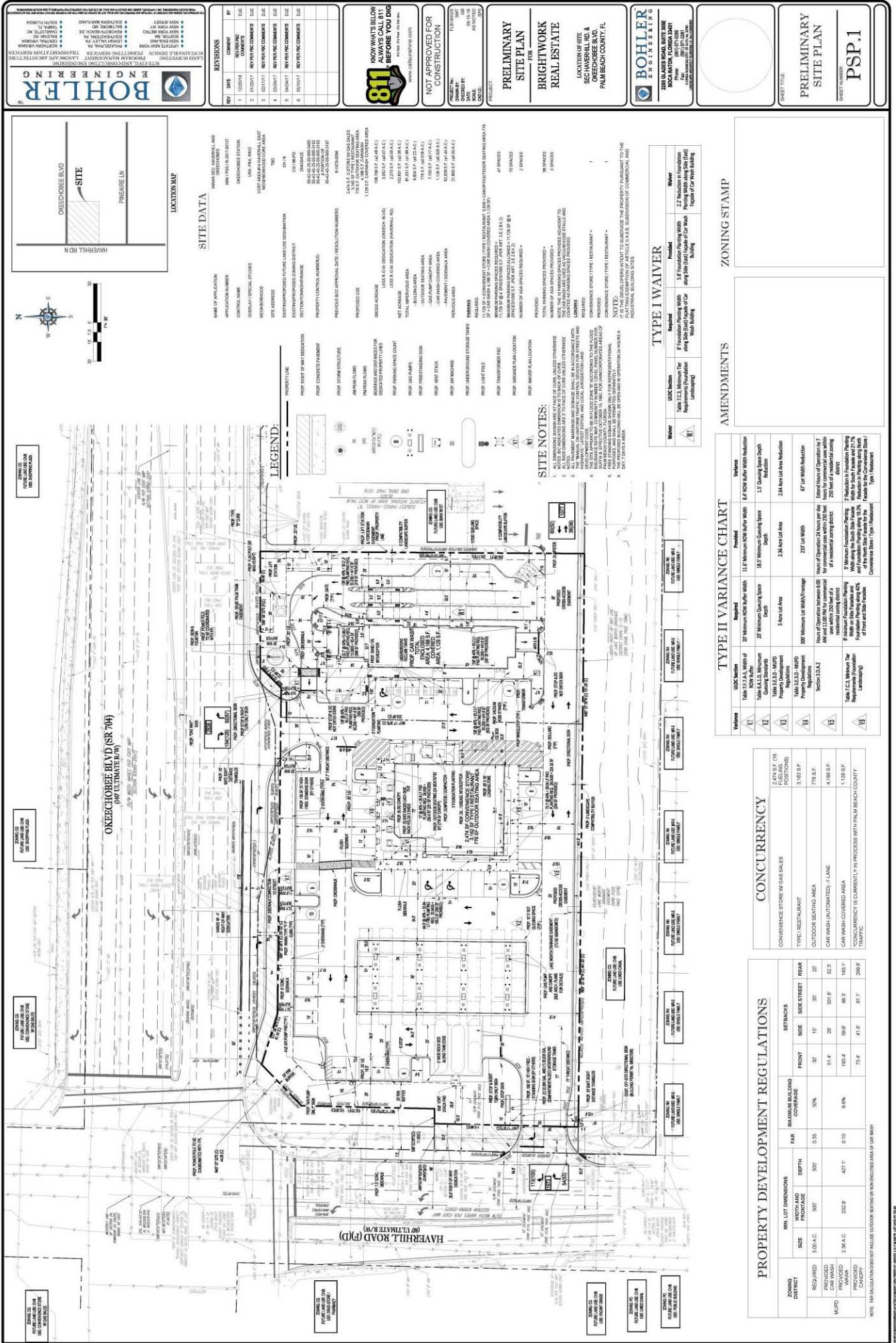
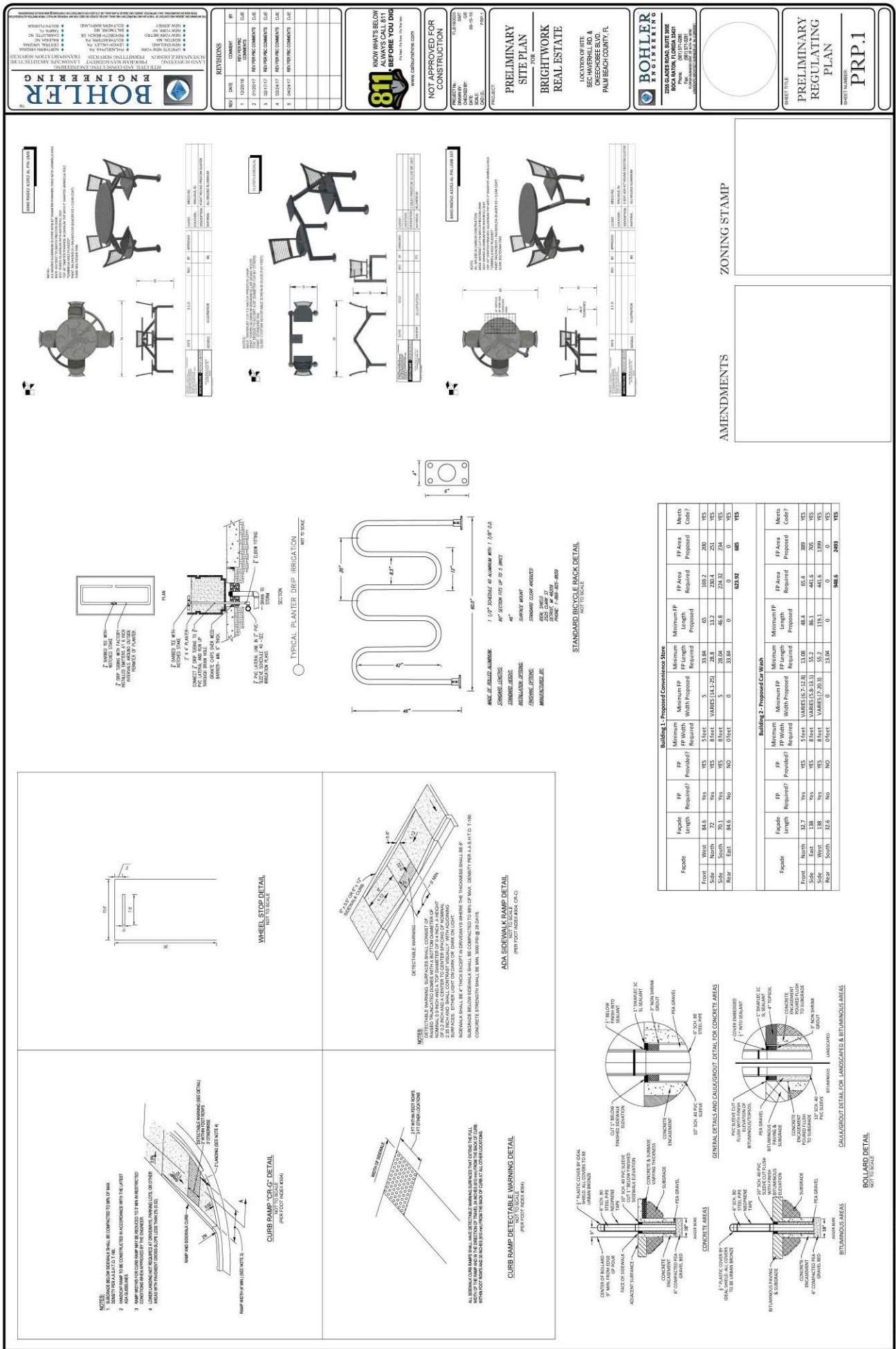


Figure 5 – Preliminary Regulating Plan dated April 24, 2017 (Page 1 of 3)



BOHLER ENGINEERING
 2255 GLADES ROAD, SUITE 300E
 BOCA RATON, FLORIDA 33431
 Phone: (561) 971-0200
 Fax: (561) 574-0281
 www.bohlereng.com

REV	DATE	COMMENT	BY
1	12/20/16	REV PER PRC COMMENTS	DJE
2	01/20/17	REV PER PRC COMMENTS	DJE
3	03/17/17	REV PER PRC COMMENTS	DJE
4	03/24/17	REV PER PRC COMMENTS	DJE
5	04/24/17	REV PER PRC COMMENTS	DJE

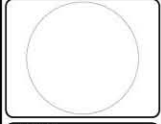
811 KNOW WHAT'S BELOW
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NOT APPROVED FOR CONSTRUCTION

PROJECT NO.:	FL1610025
DRAWN BY:	SJF
CHECKED BY:	GE
DATE:	08-15-16
SCALE:	
CD/D:	78P1

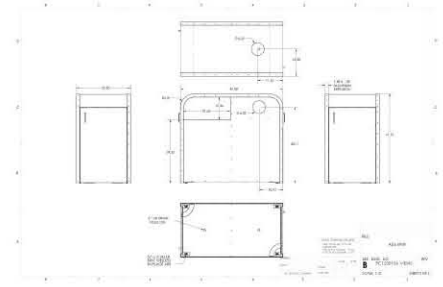
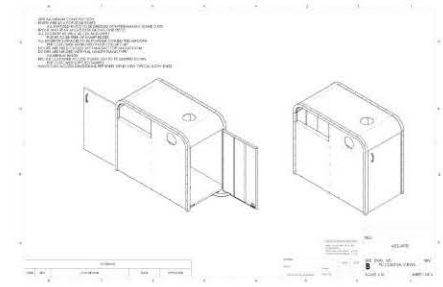
PROJECT:
PRELIMINARY SITE PLAN
 FOR
BRIGHTWORK REAL ESTATE
 LOCATION OF SITE:
 SEC HAVERHILL RD. &
 OKEECHOBEE BLVD.
 PALM BEACH COUNTY, FL

BOHLER ENGINEERING
 2255 GLADES ROAD, SUITE 300E
 BOCA RATON, FLORIDA 33431
 Phone: (561) 971-0200
 Fax: (561) 574-0281
 www.bohlereng.com

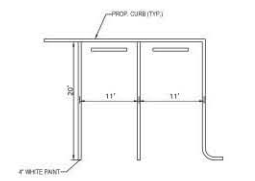
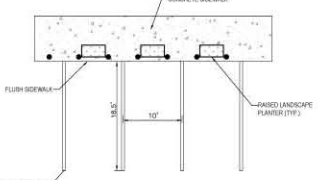
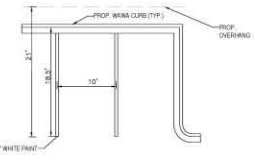
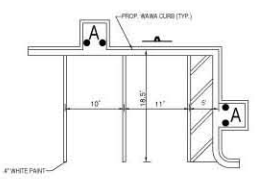
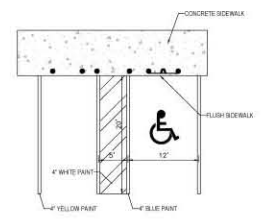
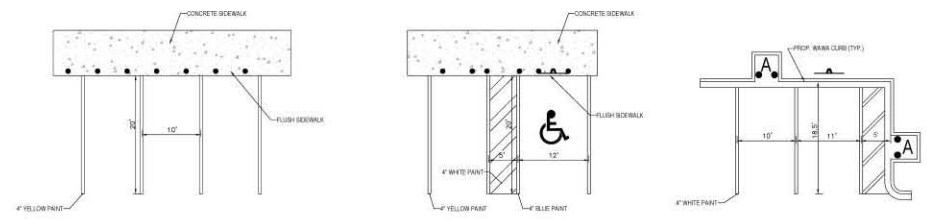


SHEET TITLE:
PRELIMINARY REGULATING PLAN

SHEET NUMBER:
PRP.2



TRASH RECEPTACLE AT BUILDING DETAIL
 NOT TO SCALE



Planting Requirements							
Road	ROW Width Required	ROW Width Provided with Variance	Linear Footage	Planting Type	Min Number of Plantings Per Linear Foot	Minimum Required Number of Plantings	Number of Plantings To Be Provided
Okeechobee	20'	11' 7" to 20'	427	Ground Cover	2	854	854
				Small Shrubs	0.5	214	235
				Medium Shrubs	0.25	107	117
				Large Shrubs	0.25	107	117
				Canopy Trees (or equivalent)	(1/25)	17	17
				Haverhill	20'	20'	233
				Small Shrubs	0.5	117	128
				Medium Shrubs	0.25	58	64
				Large Shrubs	0.24	36	62
				Canopy Trees (or equivalent)	(1/25)	9	9

AMENDMENTS

ZONING STAMP

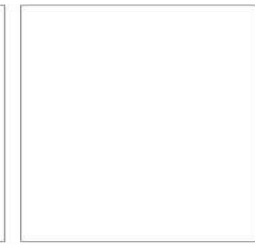
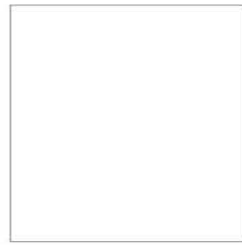


Figure 7 – Preliminary Regulating Plan dated May 11, 2017 (Page 3 of 3)

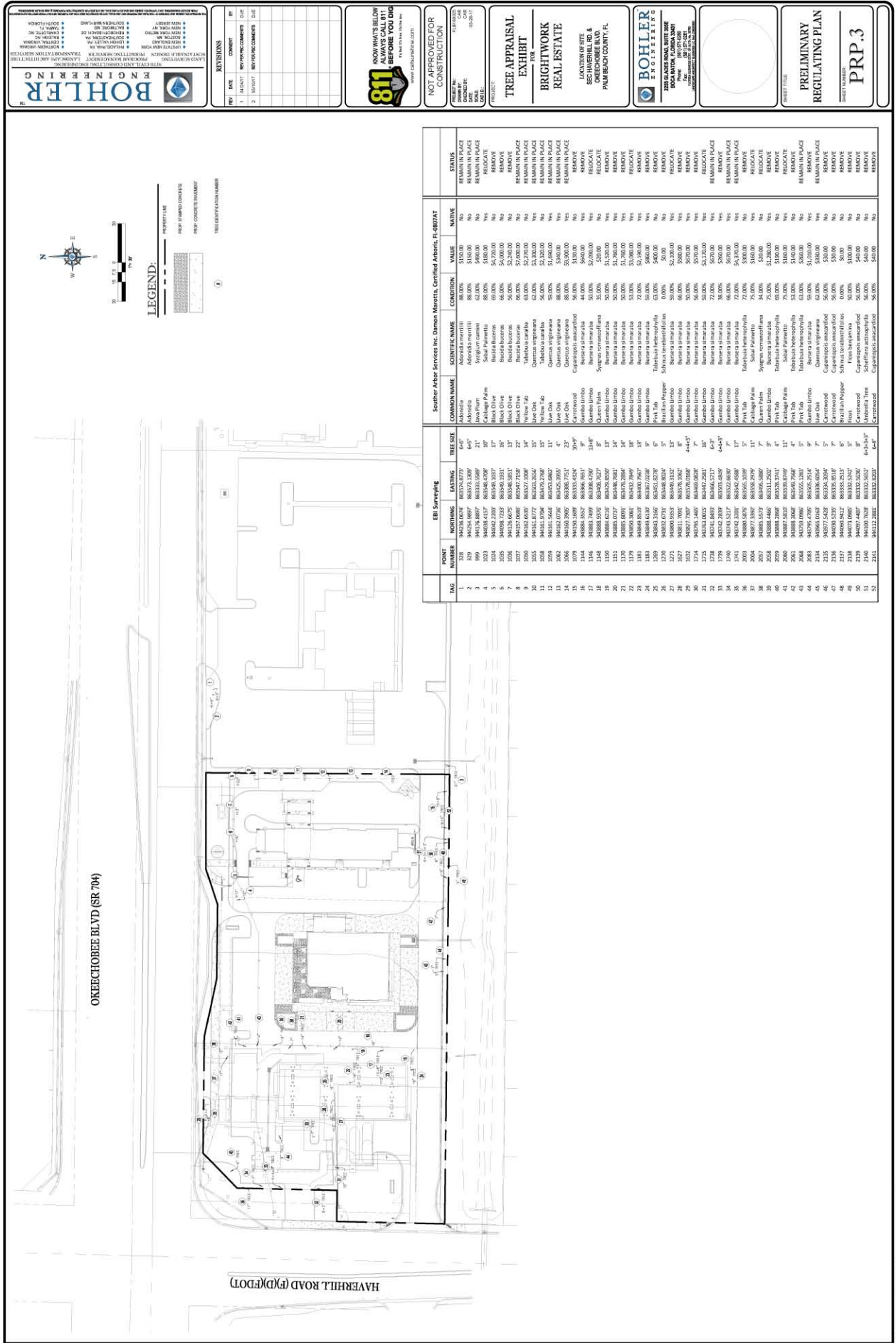
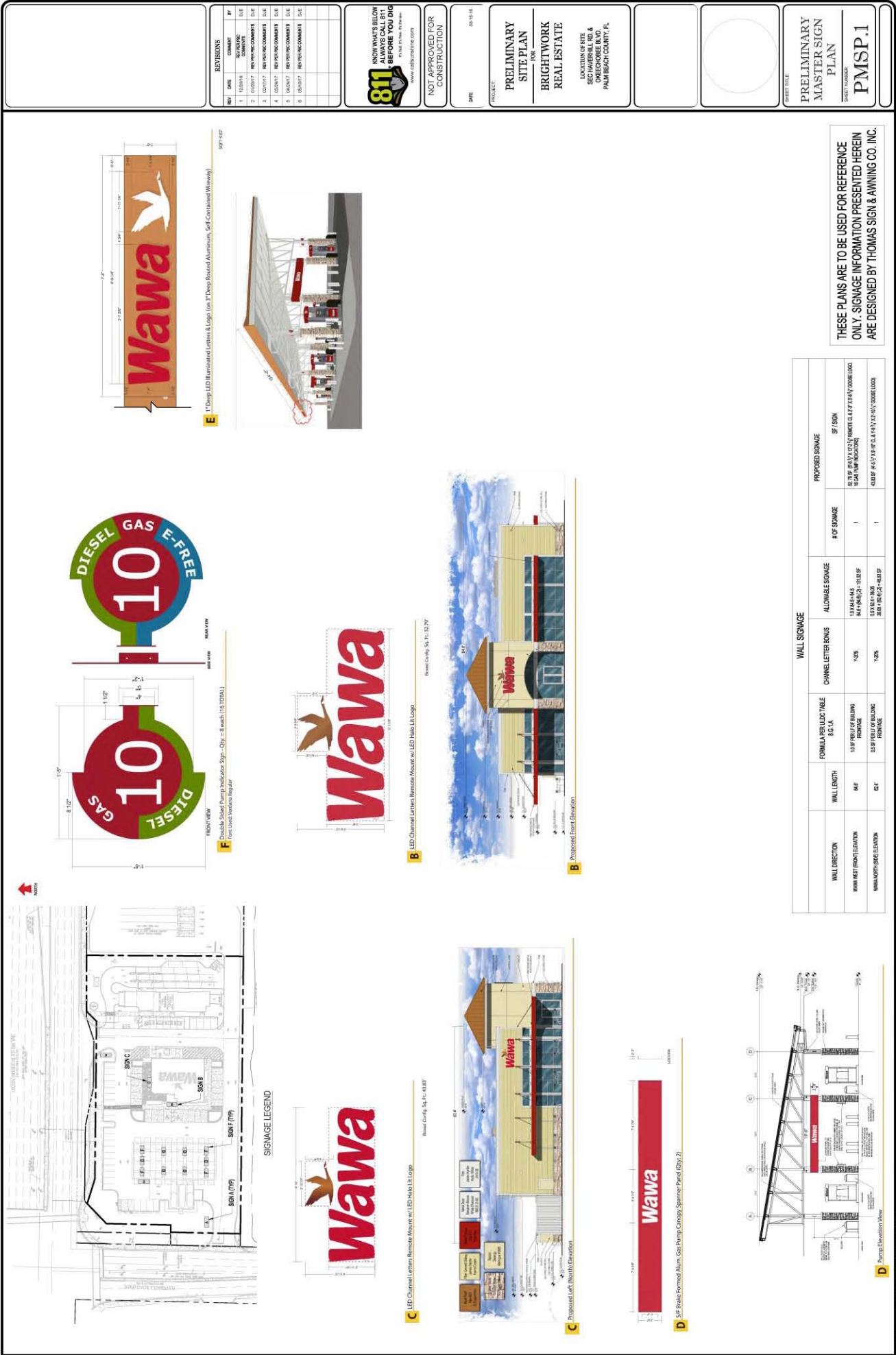
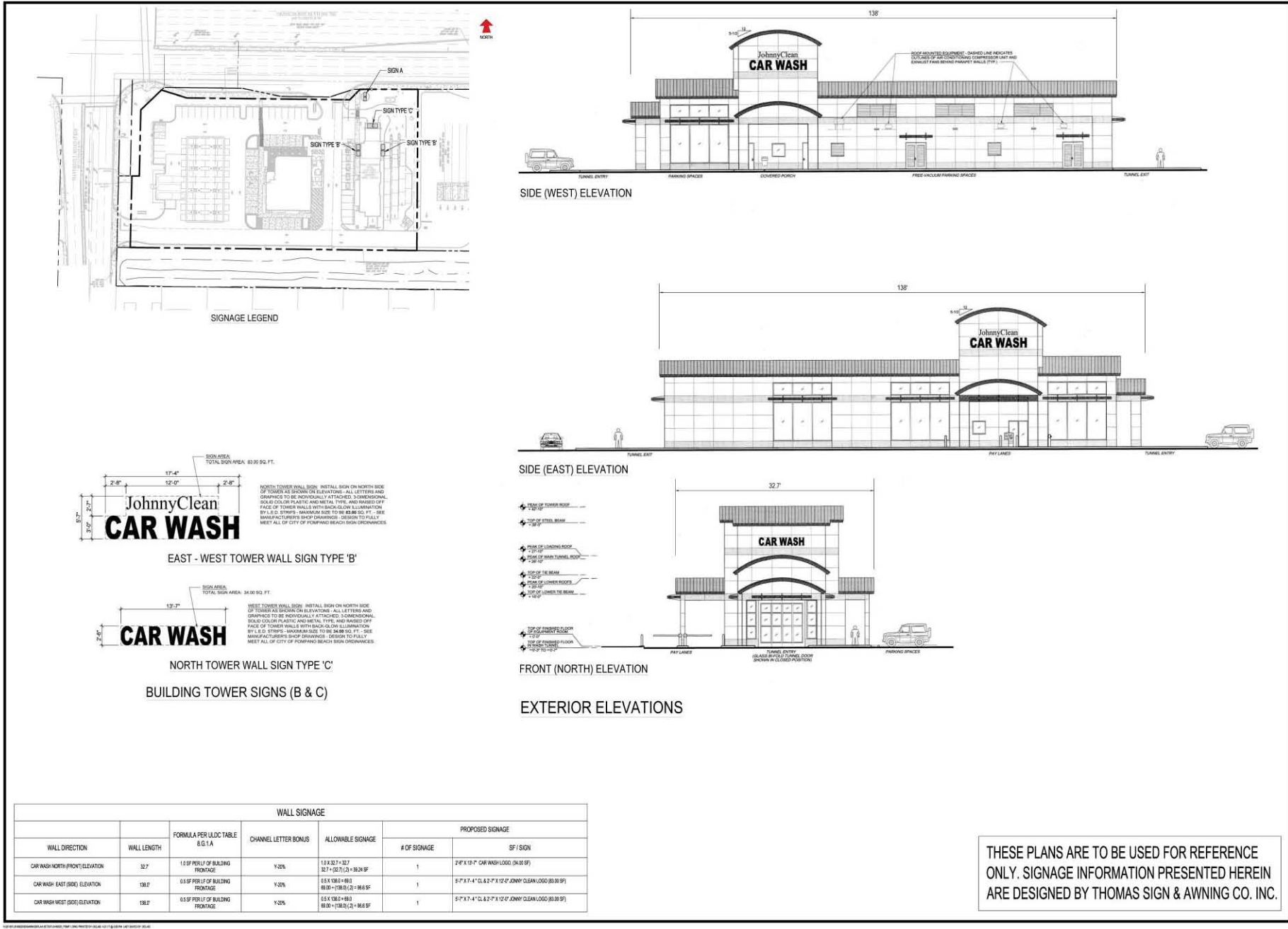


Figure 8 – Preliminary Master Sign Plan dated May 11, 2017 (Page 1 of 3)





THESE PLANS ARE TO BE USED FOR REFERENCE ONLY. SIGNAGE INFORMATION PRESENTED HEREIN ARE DESIGNED BY THOMAS SIGN & AWNING CO., INC.

BOHLER ENGINEERING

1971 E. US HWY 1, SUITE 100, BOCA RATON, FL 33431
 (561) 991-1111
 www.bohlereng.com

PROFESSIONAL ENGINEER
 STATE OF FLORIDA
 LICENSE NO. 12512

REVISIONS

REV	DATE	COMMENT	BY
1	11/09/16	REV PER PRC COMMENTS	CLJ
2	01/20/17	REV PER PRC COMMENTS	CLJ
3	02/17/17	REV PER PRC COMMENTS	CLJ
4	03/04/17	REV PER PRC COMMENTS	CLJ
5	04/24/17	REV PER PRC COMMENTS	CLJ

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NOT APPROVED FOR CONSTRUCTION

PROJECT NO. FLR160024
 DRAWN BY: GIB
 CHECKED BY: GIB
 SHEET SCALE: 08-19-16
 (24) (3)

PRELIMINARY SITE PLAN

FOR
BRIGHTWORK REAL ESTATE

LOCATION OF SITE:
 SEC 30 HAVENHILL RD. &
 OKEECHOBEE BLVD.
 PALM BEACH COUNTY, FL

BOHLER ENGINEERING

2226 GLADYS ROAD, SUITE 3006
 BOCA RATON, FLORIDA 33431
 Phone: (561) 991-1111
 Fax: (561) 991-1111
 LICENSE NO. 12512 (ELECTRICAL & MECHANICAL)

SHEET TITLE
PRELIMINARY MASTER SIGN PLAN

SHEET NUMBER:
PMSP.2

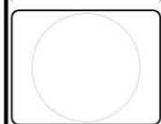
REVISIONS			
REV	DATE	COMMENT	BY
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2	8/10/17	REV PER PBC COMMENTS	DJE
3	8/21/17	REV PER PBC COMMENTS	DJE
4	8/22/17	REV PER PBC COMMENTS	DJE
5	8/22/17	REV PER PBC COMMENTS	DJE
6	8/21/17	REV PER PBC COMMENTS	DJE



NOT APPROVED FOR CONSTRUCTION

DATE: 08-10-16

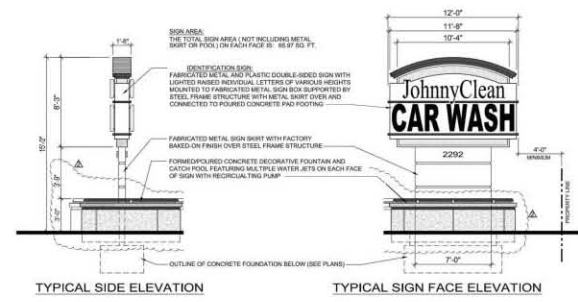
PROJECT:
PRELIMINARY SITE PLAN
 FOR
BRIGHTWORK REAL ESTATE
 1. LOCATION OF SITE: SEC. HAVERHILL RD. & ONECHOBEE BLVD. PALM BEACH COUNTY, FL



SHEET TITLE:
PRELIMINARY MASTER SIGN PLAN
 SHEET NUMBER:
PMSP.3

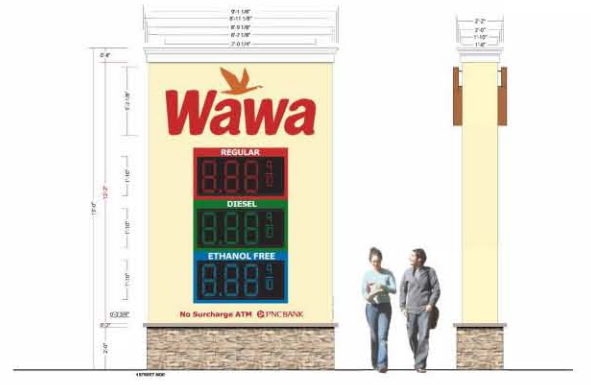
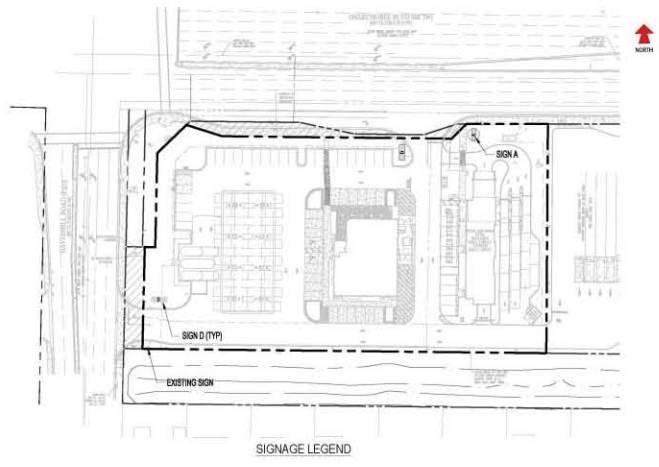


EXISTING OFF-SITE DIRECTIONAL SIGN (BUILDING PERMIT No. B89027538)
 PLEASE SEE EXISTING NONCONFORMITIES TABLE



BUILDING TOWER SIGNS
 FREESTANDING SIGN (A) ELEVATIONS

THESE PLANS ARE TO BE USED FOR REFERENCE ONLY. SIGNAGE INFORMATION PRESENTED HEREIN ARE DESIGNED BY THOMAS SIGN & AWNING CO. INC.



A Custom M30 D/F Monument Sign - Qty. 2
 SQFT: 136.40'

FREESTANDING SIGNAGE					
STREET FRONT	PROPERTY LENGTH	FORMULA PER ULDC TABLE 8.0.2.A	ALLOWABLE SIGNAGE	PROPOSED SIGNAGE	
				# OF SIGNAGE	SF / SIGN
WAWA NORTH (SIDE)	263.8 LF	1 SF PER LF OF PROPERTY FRONTAGE	1.0 X 263.8 = 263.8 SF	1	19 Pylon (136.4 SF)
WAWA WEST (FRONT)	248.9 LF	1 SF PER LF OF PROPERTY FRONTAGE	1.0 X 248.9 = 248.9 SF	1	12 Pylon (136.4 SF)
CAR WASH NORTH (FRONT)	127.4 LF	1 SF PER LF OF PROPERTY FRONTAGE	1.0 X 127.4 = 127.4 SF	1	19 Pylon (66.87 SF)
EXISTING WELLS FARGO WEST (SIDE)	248.9 LF	PER HOUR 8.1.1	24 SF	1	EXISTING Pylon (20.1 SF)

Existing Off-Site Directional Sign - Existing Nonconformities			
Development Standard	Required	Provided	Existing Document
Section 8.1.1, Off-Site Directional Signage	Off-Site Directional Sign permitted only for parcel that has access to, but no frontage on arterial or collector streets	Off-Site Directional Sign for parcel that has frontage on an arterial street	Building Permit No. B89027538
Section 8.0.2.2 and Table 8.0.2.A, note 3, Minimum Separations for Freestanding Signage	75' from a Residential Zoning District	63' from a Residential Zoning District	Building Permit No. B89027538
Table 8.0.2.A, Freestanding Sign Standards	5' Minimum Setback	3.2' Minimum Setback from West Property Line	Building Permit No. B89027538

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Henry Hillsman, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the individual or Vice President *[position—e.g., president, partner, trustee]* of Brightwork Acquisitions, LLC *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]*, (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 3708 West Swann Avenue, Suite 200, Tampa, FL 33609
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

HL

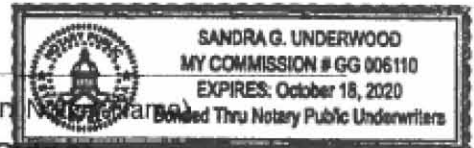
Henry Hilsman _____, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 11 day of October 2016, by Henry Hilsman, who is personally known to me or [] who has produced _____ as identification and who did take an oath.

Sandra G. Underwood

Notary Public



(Print Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: _____

EXHIBIT "A"

PROPERTY

A PARCEL OF LAND LYING IN AND BEING A PORTION OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 25; THENCE S89°22'26"E, ALONG THE NORTH LINE OF SAID SECTION 25, A DISTANCE OF 829.53 FEET; THENCE, DEPARTING SAID NORTH LINE, S00°37'34"W, A DISTANCE OF 46.91 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 93280-2507), AND THE POINT OF BEGINNING; THENCE S01°17'30"W, A DISTANCE OF 253.61 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL (L-1) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3458, PAGE 1986, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N89°22'26"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 610.05 FEET; THENCE, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, N01°17'30"E, A DISTANCE OF 249.00 FEET TO THE SAID SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD; THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING FIVE (9) COURSES; (1) S89°22'26"E, 7.18 FEET; (2) S78°03'50"E, 61.19 FEET; (3) S89°22'26"E, 76.00 FEET; (4) N71°57'18"E, 38.00 FEET; (5) S89°57'54"E, 193.02 FEET; (6) S52°52'58"E, 19.90 FEET; (7) S89°57'54"E, 62.00 FEET; (8) N55°00'52"E, 20.91 FEET; (9) S89°57'54"E, 142.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 150,494 SQUARE FEET OR 3.455 ACRES, MORE OR LESS

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
Bradford G. Douglas, 5017 San Miguel, Tampa, FL 33629	
Henry G. Hillsman, 2804 Parkland Blvd, Tampa, FL 33609	
Timothy A. Simmons, 3570 Fairview Street, Safety Harbor, FL 34695	

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Eamon Brennan, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows

(as successor in interest to First Union National Bank of Florida)

1. Affiant is the [] individual or [✓]Vice President Wells Fargo Bank, N.A. *[position - e.g., president, partner, trustee]* of Wells Fargo Bank, N.A. *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 1950 W Hillsboro Blvd., Suite 212
Deerfield Beach, Florida 33442

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Eamon Brennan, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 16th day of November, 2016, by Eamon Brennan, [] who is personally known to me or [] who has produced Driver License - FL as identification and who did take an oath.

Notary Public

Latoya Javois

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 10/12/19



EXHIBIT "A"
PROPERTY

See attached legal description

LEGAL DESCRIPTION:

PARCEL A: (ORB 2856, PAGE 1018)

A PARCEL OF LAND IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF HAVERHILL ROAD (AN 80 FOOT RIGHT-OF-WAY) AND THE SOUTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD (A 120 FOOT RIGHT OF WAY) THENCE RUN SOUTH 88°57'24" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD A DISTANCE OF 190 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING THENCE CONTINUE SOUTH 88°57'24" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 600 FEET TO A POINT; THENCE RUN SOUTH 1°37'36" WEST, A DISTANCE OF 261 FEET TO A POINT; THENCE RUN NORTH 88°57'24" WEST, A DISTANCE OF 600 FEET TO A POINT; THENCE RUN NORTH 1°37'36" EAST, A DISTANCE OF 261 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN LANDS DESCRIBED IN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 6652, PAGE 154, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION: (OVERALL WELLS FARGO BANK BY SURVEYOR)

A PARCEL OF LAND LYING IN AND BEING A PORTION OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 25; THENCE S89°22'26"E, ALONG THE NORTH LINE OF SAID SECTION 25, A DISTANCE OF 829.53 FEET; THENCE, DEPARTING SAID NORTH LINE, S00°37'34"W, A DISTANCE OF 46.39 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 93280-2507), AND THE POINT OF BEGINNING; THENCE S01°17'30"W, A DISTANCE OF 253.61 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL (L-1) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3458, PAGE 1986, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N89°22'26"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 610.05 FEET; THENCE, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, N01°17'30"E, A DISTANCE OF 249.00 FEET TO THE SAID SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD; THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING FIVE (9) COURSES; (1) S89°22'26"E, 7.18 FEET; (2) S78°03'50"E, 61.19 FEET; (3)

S89°22'26"E, 76.00 FEET; (4) N71°57'18"E, 38.00 FEET; (5)
S89°57'54"E, 193.02 FEET; (6) S52°52'58"E, 19.90 FEET; (7)
S89°57'54"E, 62.00 FEET; (8) N55°00'52"E, 20.91 FEET; (9)
S89°57'54"E, 142.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 150,494 SQUARE FEET OR 3.455 ACRES, MORE OR LESS

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name

Address

Disclosure is not applicable as this entity is registered with the Federal Securities Exchange Commission.

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Ahmed Fazlul, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [] _____ [position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 1958 N. Haverhill Road
West Palm Beach, FL 33417
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Ahmed

Ahmed Fazlul _____, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 15 day of August, 2016, by fazlul Ahmed, [] who is personally known to me or who has produced Florida Driver's License as identification and who did take an oath.

Angie Ruiz
Notary Public

Angie Ruiz
(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 7/22/17

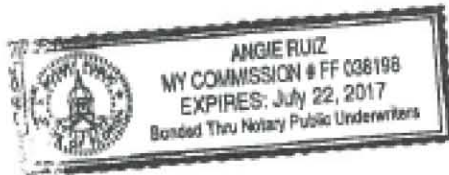


EXHIBIT "A"
PROPERTY

The North 75 feet of the East 150 feet of the West 180 feet of the South 111 feet of the North 300 feet of the Northwest quarter of the Northwest quarter of Section 25, Township 43 South, Range 42 East, LESS the west ten (10) feet for the right-of-way of Haverhill Road, and subject to a ten (10) foot easement along the west boundary thereof for the right-of-way of Haverhill Road as per the Section Map. ALSO KNOWN AS the South 75 feet of the North 264 feet of the East 140 feet of the West 180 feet of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4) of Section 25, Township 43 south, Range 42 East, SUBJECT TO a ten (10) foot easement along the West boundary thereof for right-of-way of Haverhill Road as per the Section Map.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
Fazlul Ahmed - 100% Ownership -	1958 N Haverhill Road, West Palm Beach, FL 33417

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

BEFORE ME, the undersigned authority, this day personally appeared MAXIMO ALVAREZ, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the individual or Manager of the General Partner *[position - e.g., president, partner, trustee]* of Sunshine Real Estate Holdings, LLLP *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 1650 NW 87th Avenue, Doral, Florida 33172

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.


4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.



Maximo Alvarez, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 11 day of July, 2016, by Maximo Alvarez, [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



Notary Public



David Hendler
(Print Notary Name)
NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 7/7/2020

EXHIBIT "A"
PROPERTY

That part of Section 25, Township 43 South, Range 42 East, in Palm Beach County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 25, marked by a found Brass Disc in concrete; thence North 01 degrees 17 minutes 20 seconds East along the Westerly line of said Section 25, a distance of 5340.95 feet to the Northwest corner of said Section 25; thence North 01 degrees 30 minutes 33 seconds East along the Westerly line for Section 24, Township 43 South, Range 42 East, a distance of 21.00 feet to the Baseline of Survey for State Road 704 (Okeechobee Blvd.); thence South 89 degrees 22 minutes 26 seconds East along said Baseline of Survey, a distance of 219.27 feet; thence South 00 degrees 37 minutes 34 seconds West, a distance of 72.00 feet to a point on the Southerly Existing Right of Way line for said State Road 704 (Okeechobee Blvd.) and the POINT OF BEGINNING; thence North 89 degrees 22 minutes 26 seconds West along said Southerly Existing Right of Way line, a distance of 113.00 feet; thence South 45 degrees 57 minutes 32 seconds West along said existing Right of Way line, a distance of 49.78 feet; thence South 01 degrees 17 minutes 30 seconds West along the Easterly Existing Right of Way line for Haverhill Road, a distance of 103.01 feet; thence South 89 degrees 22 minutes 26 seconds East, a distance of 108.01 feet; thence South 01 degrees 17 minutes 30 seconds West, a distance of 110.95 feet; thence South 89 degrees 22 minutes 26 seconds East, a distance of 39.99 feet; thence North 01 degrees 17 minutes 30 seconds East, a distance of 249.00 feet to the POINT OF BEGINNING.

Containing 0.557 Acres, more or less.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
Maximo Alvarez 99.9% ownership	1650 NW 87th Avenue, Doral, Florida 33172

Exhibit E – Correspondence from the Town of Haverhill, dated February 27, 2017



Town Hall

4585 Charlotte Street
Haverhill, FL 33417-5911
(561) 689-0370
FAX: (561) 689-4317
www.townofhaverhill-fl.gov



Town Council

Jay G. Foy, Mayor
Lawrence Gordon
Vice Mayor
Mark C. Uptegraph
Remar Harvin
Jo H. Plyler

Town Administrator

Janice C. Rutan

Administrative Assistant

Jean Wible

Director of Public Services

Joseph M. Roche

Building Official

Bill Denison

February 27, 2017

Carolina Valera
Senior Site Planner
2300 N. Jog Road, Second Floor
West Palm Beach, FL 33411

RE: Zoning Application – DOA-2016-02216, Atlantic Bank Corp
Control No. 1973-00077 – Atlantic Bank Corporation
PCN 00-42-43-25-00-000-3197

Zoning Application ZV-2016-02213, Wawa SEC Haverhill Road and
Okeechobee Boulevard
Control No. 1978-00288 Mobil Oil Corporation
PCN 00-42-43-25-00-000-3193, 00-42-43-25-00-000-3197,
00-42-43-25-00-000-3460

Zoning Application ABN/PDD/-2017-00137, Wawa SEC Haverhill Road
and Okeechobee Boulevard
Control No. 1978-00288 Mobil Oil Corporation
PCN 00-42-43-25-00-000-3193, 00-42-43-25-00-000-3197,
00-42-43-25-00-000-3460

Dear Ms. Valera:

The Town of Haverhill is in receipt of the above mentioned applications to allow for a reconfiguration of the site plan and delete land area; to allow a rezoning from the General Commercial (GC) District to the Multiple Use Planned Development (MUPD) Zoning District; to allow a Convenience Store with Gas Sales and a Car Wash and to allow a reduction in the Right-of-Way Landscape Buffer width, queuing space dimensions, minimum lot size, and the minimum lot width and frontage, and to allow for 24 hours of operation within 250 feet of a residential district.

The Town Council of the Town of Haverhill does object to this proposed increase in use and development. The Town Council has continued concerns that the cumulative effect of the County's approval and granting of variations and land use changes for projects of this magnitude, as well as several other pending projects in such close proximity to the Town will result in increased traffic within the Town's jurisdictional boundaries, specifically Belvedere and Haverhill Roads.

The Town of Haverhill has adopted policies to ensure that Belvedere Road, between Jog Road and Military Trail, remain as a four-lane divided roadway in perpetuity, and continues to maintain that neither Haverhill Road or Belvedere Road should ever be widened as it would destroy the residential character of the Town of Haverhill as well as violate the Haverhill Area Neighborhood Plan.

Sincerely,

Jay G. Foy
Mayor

cc: Wendy Hernandez, Zoning Manager