

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

Application No.: ZV/PDD/DOA-2016-02199
Application Name: Hagen Ranch Commerce Center MUPD
Control No.: 1991-00047
Applicant: Mazal Land, LLC
Owners: Wendys Properties LLC
Hagens Ranch Plaza LLC
Hunt R W Est
West Boynton Auto Services Inc
Gilmore Elijah Est &
Agent: Miller Land Planning - Bradley D Miller
Telephone No.: (561) 736-8838
Project Manager: Carlos Torres, Site Planner II

TITLE: a Type II Variance **REQUEST:** to allow an increase in the number of parking spaces. **TITLE:** an Official Zoning Map Amendment to a Planned Development District **REQUEST:** to allow rezoning from the Agriculture Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. **TITLE:** a Development Order Amendment **REQUEST:** to reconfigure the site plan; add land area; request an Alternative Type 3 Incompatibility buffer to eliminate the required wall; and, to modify Conditions of Approval (Landscaping).

APPLICATION SUMMARY: Proposed are requests for a Type II Variance, an Official Zoning Map Amendment, a Development Order Amendment (DOA) and an Alternative Type 3 Incompatibility buffer for the Hagen Ranch Commercial Center MUPD. The 7.48-acre development was originally approved by the Board of County Commissioners (BCC) on March 10, 1992 for a rezoning from the AR and the General Commercial (CG) Zoning District to entirely CG with a Special Exception to allow a Planned Commercial Development. The development was last approved for a DOA by the BCC on January 31, 2002 for a second Monument Sign along Hagen Ranch Road.

The Applicant is requesting to reconfigure the Site Plan by adding and rezoning a 1.77-acre parcel to the existing MUPD, providing a total of 9.25-acres. The additional land area will be utilized for employee only parking area. The MUPD Zoning District is restricted to a minimum and maximum number of parking spaces, ranging from 1 space per 250 square feet (sq. ft.) or 226 to 1 space per 166.66 sq. ft. or 339 spaces. The proposed variance will increase the maximum number of spaces by 82 for a new total of 421 parking spaces. The Applicant is also requesting an Alternative Type 3 Incompatibility buffer along the South portion of the proposed parking area adjacent to residential. Access to the development will remain from Hagen Ranch Road and Boynton Beach Boulevard. The 1.77-acre parcel is also subject to, and contingent on a decision for a Small Scale Future Land Use Atlas (FLUA) Amendment (Application SCA-2017-011).

SITE DATA:

Location:	Southeast corner of Boynton Beach Boulevard and Hagen Ranch Road.
Property Control Number(s)	00-42-45-28-07-004-0000; 00-42-43-27-05-055-0064; 00-42-43-27-05-055-0073; 00-42-45-28-07-003-0000; 00-42-45-28-07-001-0000; 00-42-45-28-07-002-0000;
Existing Future Land Use Designation:	Medium Residential (MR-5) and Commercial High, with an underlying MR-5 (CH/5)
Proposed Future Land Use Designation:	Commercial High, with an underlying MR-5 (CH/5)
Existing Zoning District:	General Commercial District (CG) and Agricultural Residential District (AR)
Proposed Zoning District:	Multiple Use Planned Development (MUPD)
Total Acreage:	9.25 acres
Affected Acreage:	Existing: 7.48 acres Proposed addition: 1.77-acre Proposed Total 9.25 acres
Tier:	Urban/Suburban (U/S)

Overlay District:	N/A
Neighborhood Plan:	West Boynton Community Plan
CCRT Area:	N/A
Municipalities within 1 Mile	N/A
Future Annexation Area	N/A

RECOMMENDATION: Staff recommends approval of the requests subject to 10 Conditions of Approval as indicated in Exhibit C-1; 4 Conditions of Approvals as indicated in Exhibit C-2 and 77 Conditions of Approval as indicated in Exhibit C-3.

This resolution shall not become effective unless or until the effective date of Small Scale Land Use Amendment No. SCA 2017-011.

ACTION BY THE ZONING COMMISSION (ZC): At the July 6, 2017 ZC meeting, this application was on the Consent Agenda. The Agent accepted all of the Conditions of Approval and no one from the public was present to speak on the application. The ZC adopted a resolution approving the Type II Variance and recommended approval of the rezoning and DOA requests carried by a vote of 7-0.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received 0 contacts from the public regarding this project.

PROJECT HISTORY:

Application No.	Request	Resolution	Approval Date
Z/SE-1991-00047	An Official Zoning Amendment to allow a rezoning from Agricultural Residential (AR) and Commercial General (CG) in part to entirely CG.	R-1992-0350	March 10, 1992
	A Special exception to allow a Planned Commercial Development District (PCD) including an Auto Service Station (major repairs), Convenience Store, Accessory Car Wash, and permitted uses in the CG Zoning District	R-1992-0351	March 10, 1992
DOA 1991-00047 (A)	A Development Order Amendment to Redesign site plan and reduce square footage by 8,503 (sq.ft.) on a parcel of land	R-1998-728	May 20, 1998
DOA 1991-00047 (A)	A Corrective Resolution modifying a Condition of Approval (Landscaping Interior L) contained in R-98-728	R-1998-1120	July 23, 1998
DOA 1991-00047 (B)	A Development Order Amendment to modify/delete Conditions of Approval (Signage)	R-2002-0143	February 12, 2002

SURROUNDING LAND USES:

NORTH:

FLU Designation: Commercial Low, with an underlying MR-5 (CL/5)
 Zoning District: Multiple Use Planned Development District (MUPD)
 Supporting: Commercial (Boynton Beach Self Storage MUPD, Control No. 1990-00017)

SOUTH:

FLU Designation: Medium Residential (MR-5)
 Zoning District: Residential Planned Unit Development District (PUD)
 Supporting: Residential (Mizner Falls, Control No. 1999-00068)

FLU Designation: Commercial Low-Office, with an underlying MR-5 (CL-O/5)
 Zoning District: Multiple Use Planned Development District (MUPD)

Supporting: Commercial (Hagen Ranch Medical Office, Control No. 2005-00237)

WEST:

FLU Designation: Commercial High-Office (CH-O)
Zoning District: Multiple Use Planned Development District (MUPD)
Supporting: Commercial (Monterey Square, Control No. 1991-00047)

EAST:

FLU Designation: Commercial Low, with an underlying MR-5 (CL/5)
Zoning District: Multiple Use Planned Development District (MUPD)
Supporting: Commercial (Boynton Beach Self Storage MUPD, Control No. 1990-00017)

TYPE II VARIANCE SUMMARY: At the July 6, 2017 ZC meeting the ZC adopted a resolution approving the following Type II Variance subject to the Conditions of Approval as indicated in Exhibit C-1:

	ULDC Article	Required	Proposed	Variance
V.1	3.E.1.C.2.h.2 Planned Development Parking Non- Residential	Minimum allowed parking space one space per 250 sq. ft., Maximum allow parking space one space per 166.66 sq. ft. (maximum parking spaces 339)	One space per 134 sq. ft. (422 parking spaces)	Additional 82 parking spaces.

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.*

- o Consistency with the Plan: The proposed use or amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
- o Concurrent Land Use Amendment: The site is the subject of a concurrent Future Land Use (FLU) amendment known as Hagen Ranch Commerce Center, SCA-2017-011. The Applicant is seeking to amend the FLU on the site from MR-5 to CH/5. The proposed land use amendment is scheduled to be heard at the June 16, 2017 Planning Commission Meeting.
- o Intensity: The maximum Floor Area Ratio (FAR) of 0.50 is allowed for a commercial project with a CH FLU designation in the Urban/Suburban Tier (9.25 acres x 43,560 sq. ft. x 0.50 maximum FAR = 201,456 sq. ft. maximum). However, the subject request does not seek to increase the previously approved square footage, only to add 1.77 acres for additional parking. Therefore, including the additional 1.77 acres, the existing 56,553 sq. ft., for the previously approved plaza, equates to a FAR of approximately 0.14 (56,553 / 402,930 sq. ft. or 9.25 acres = 0.14).
- o Special Overlay District / Neighborhood Plan / Planning Study Area: The request is located within the boundaries of the West Boynton Area Community Plan. No conflicts have been identified relating to the request. The Applicant met with the neighborhood group on several occasions, April 27, 2017 being the most recent. No letters in support or objection have been received 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.*

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 Per Article 3 of the ULDC. The 1.77 acre site is proposed for a rezoning and will be incorporated into the overall 7.48-acre MUPD. The site will be replatted as one unified development. The rezoning of this parcel is contingent on the proposed land use amendment (SCA-2017-011). Further analysis can be found under the Development Order Amendment Standard 2.

- 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 current zoning designation of the subject site is AR. This Applicant requests an amendment to rezone the property to the MUPD Zoning District, and incorporate it into the development to the west. The requested MUPD zoning is more suitable and appropriate for the subject site due to the limited access and visibility from any roadway, and it is appropriate to join the parcel with one of the existing commercial developments that surround it on three of four sides.

- 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 area being added to the commercial supports native and landscape vegetation. Native trees shall be relocated where possible or mitigated on the site.

WELLFIELD PROTECTION ZONE: The property is not located with Wellfield Protection Zone #3.

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 proposed amendment will result in a logical, orderly, and timely development pattern. The subject site is land locked and vacant at the moment. It is surrounded on 3 sides by existing commercial developments. The existing MUPD to the west is developed with 56,553 sq.ft of Commercial use, and the proposed addition of this land will support the shopping center with additional parking. See the Development Order Amendment Standards for additional analysis.

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

ENGINEERING COMMENTS:

The Property Owner shall configure the property into a legal lot of record and obtain an onsite drainage review from Land Development prior to the issuance of the building permit.

PALM BEACH COUNTY HEALTH DEPARTMENT: Staff has reviewed the project and has no issue with the proposed project.

FIRE PROTECTION: Staff has reviewed the project and has no issue with the proposed project.

SCHOOL IMPACTS: Staff has reviewed the project and has no issue with the proposed project.

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

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

There are demonstrated changed conditions or circumstances that necessitate the amendment. The circumstances that have caused this application is the parking deficiency of the existing Commercial Center. The MUPD is located to the west of the vacant 1.77-acre parcel which is subject of the rezoning request. The AR zoned parcel had minimal development potential because of limited access to the site. The land locked condition of the Subject Site keeps it from being developed under its current residential land use and zoning. The proposed rezoning and use for additional parking is a reasonable and viable use of the property.

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 this change. Therefore, Staff is recommending approval of the requests. Staff has also determined that any of the potential impact and incompatibility issues will be adequately addressed subject to the recommended Conditions of Approval as indicated in Exhibits C-1, and C-2.

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.*

o 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.

o Concurrent Land Use Amendment: The site is the subject of a concurrent Future Land Use amendment known as Hagen Ranch Commerce Center, SCA-2017-011. The Applicant is seeking to amend the FLU on the site from MR-5 to CH/5. The proposed land use amendment is scheduled to be heard at the June 16, 2017 Planning Commission Meeting.

o Intensity: The maximum Floor Area Ratio (FAR) of 0.50 is allowed for a commercial project with a CH FLU designation in the Urban/Suburban Tier (9.25 acres x 43,560 sq. ft. x 0.50 maximum FAR = 201,456 sq. ft. maximum). However, the subject request does not seek to increase the previously approved square footage, only to add 1.77 acres for additional parking. Therefore, including the additional 1.77 acres, the existing 56,553 sq. ft., for the previously approved plaza, equates to a FAR of approximately 0.14 (56,553 / 402,930 sq. ft. or 9.25 acres = 0.14).

o Special Overlay District / Neighborhood Plan / Planning Study Area: The request is located within the boundaries of the West Boynton Area Community Plan. No conflicts have been identified relating to the request. The Applicant met with the neighborhood group on several occasions, April 27, 2017 being the most recent. No letters in support or objection have been received prior to the publication of this report.

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 proposed use or amendment complies with all applicable standards and provisions of this Code for use, layout, function, and general development characteristics.

- Design Objectives: The proposed plan is in compliance with all the applicable Design Objectives for this type of proposal providing non-vehicular circulation and pathways connecting the existing Commercial Shopping Center with the new parking lot. The proposed Site Plan illustrate a crosswalk on the north-west corner side of the proposed parking as well as appropriate internal pathways which provides safe circulation.
- Parking: Nonresidential uses located within a PDD may apply the minimum/maximum parking standards of one minimum: 1 space per 250 sq. ft. of GFA (4/1000), (2) Maximum: 1 space per 166.66 sq. ft. of GFA (6/1000). Based on these minimum/maximum calculations and the approved 56,553 sq. ft. of building coverage, the subject MUPD can have a minimum of 226 parking spaces and a maximum of 339 parking spaces. The proposed plan provides for 421 parking spaces to support all the uses within the MUPD which exceeds the maximum parking by 82 parking spaces. Accordingly, this application requests a Type II Variance from the maximum parking standards within a PDD per ULDC Section 3.E.1.C.2.h.2(a).
- Landscape Buffers: The existing Shopping Centers has established buffers along the North, South East and West Buffer. The proposed Preliminary Site Plan indicates 5-foot compatible buffer for the north and east property line and a 20-foot Type 3 Incompatible buffer on the south side abutting the Mizner Falls Residential project. The Agent is requesting an approval for an Alternative Type 3 Incompatibility Buffer to eliminate the required 6-foot high wall. There is an existing concrete panel wall located on the southern adjacent property and adding another concrete wall in the buffer would create conditions that would perpetuate vagrancy and illegal activity in the space between the walls. See Landscape Conditions of Approval.
- Architectural Review: No structures are proposed with this application and therefore not subject to Article 5.C.
- Signage: No changes are proposed to the Ground Mounted Freestanding or Building Mounted Wall signage. The Applicant will be proposing directional signs that limit the proposed parking area to Staff only.

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 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 Applicant is requesting to reconfigure the Site Plan by adding and rezoning a 1.77-acre parcel to the existing MUPD, providing a total of 9.25-acres. The additional land area will be utilized for employee only parking area. This proposal is more suitable and appropriate for the subject site due to the limited access and visibility from any roadway. The combination of the 1.77 acre parcel with the existing MUPD creates a logical pattern and is compatible with the adjacent commercial uses.

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.*

The subject site is land locked by the MUPD plaza and adjacent self-storage development to the North and East, Hagen Ranch Commerce Center MUPD to the West and the Mizner Falls Residence to the South. The code requires a type 3 incompatible buffer the Applicant is proposing a type 3 Alternative Buffer to eliminate the required wall. The reason for this is that there is a wall already in place separating the Residential development from the proposed parking area. The construction of an additional wall will create an area difficult to maintain

The proposed parking will include controlled access for employees only and limited lighting that would avoid shine into the Residence on the South side.

- 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.*

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

VEGETATION PROTECTION: The area being added to the commercial supports native and landscape vegetation. Native trees shall be relocated where possible or mitigated on the site.

WELLFIELD PROTECTION ZONE: The property is not located with Wellfield Protection Zone #3.

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.

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

The proposed amendment will result in a logical, orderly, and timely development pattern. The amendment to add the land area and make it overflow parking is logical because the Commercial Center is short on parking based on the parking study provided. The property is a land locked site surrounded on four sides by Commercial on the North, East and West and Residential on the South. The proposed use provides for additional parking, no new intensity for the existing commercial development is proposed

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

ENGINEERING COMMENTS:

The Property Owner shall configure the property into a legal lot of record and obtain an onsite drainage review from Land Development prior to the issuance of the building permit.

TRAFFIC IMPACT

The proposed request will not have any impact on traffic.

PALM BEACH COUNTY HEALTH DEPARTMENT: Staff has reviewed the project and has no issue with the proposed project.

FIRE PROTECTION: Staff has reviewed the project and has no issue with the proposed project.

SCHOOL IMPACTS: Staff has reviewed the project and has no issue with the proposed project.

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

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

There are demonstrated changed conditions or circumstances that necessitate the amendment. The circumstances that have caused this application is the parking deficiency of the existing Commercial Center. The land locked condition of the Subject Site keeps it from being developed under its current

residential land use and zoning. The proposed rezoning and use for additional parking is a reasonable and viable use of the property.

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 this change. Therefore, Staff is recommending approval of the requests. Staff has also determined that any of the potential impact 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

Type II Variance - Concurrent

ALL PETITIONS

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

SITE DESIGN

1. Prior to Final Approval by the Development Review Officer, the Site Plan shall be revised to show all parking spaces East of the Shopping Center Building designated as Employee only parking spaces. These designated spaces shall be separated from all other parking spaces. Controlled access must be located on each entrance to this parking area. (DRO: ZONING - Zoning)

VARIANCE

1. At time of application for a Building Permit, the Property Owner shall provide a copy of this Variance approval along with copies of the approved Plan to the Building Division. (BLDG PERMIT: BLDG - Zoning)

2. Prior to the submittal for Final Approval by the Development Review Officer, the approved Variance and any associated Conditions of Approval shall be shown on the Site Plan. (DRO:ZONING-Zoning)

3. Prior to the issuance of a Certificate of Completion, the Property Owner shall install landscaping along Buffer abutting Residential to mitigate the potential impacts as a result of the Variance approvals. (CC: BUILDING DIVISION - ZONING)

4. This Variance is approved based on the layout as shown on the Site Plan dated May 11, 2017. Only minor modifications by Board of County Commissioners or Development Review Officer shall be permitted provided the changes are consistent with this Site Plan. (ONGOING: CODE ENF - Zoning)

5. This Variance is approved for the Parking Lot East of Commercial Center. Any change to the use(s) shall require reconsideration of the Variance by the Zoning Commission. (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

Residential Planned Development District

ALL PETITIONS

1. The approved Site Plan is 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) (ONGOING: ZONING - 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: ZONING - 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: ZONING - 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-3 Development Order Amendment

ALL PETITIONS

1. Previous A Condition 1 of Resolution R-2002-143, Control No.1991-00047, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-92-350 (Petition 91-47), and R-92-351 (Petition 91-47), have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified.

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-92-350 (Petition 91-47), R-92-351 (Petition 91-47), R-98-728 (Petition DOA 91-47(A), R-98-1120 and R-2002-0143 (Petition DOA-1991-047(B) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: ZONING - Zoning)

2. Previous A Condition 2 of Resolution R-2002-143, Control No.1991-00047, which currently states:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved master/site plan is dated October 17,2001. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC.

Is hereby amended to read:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved master/site plan is dated May 11, 2017. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING - Zoning)

ACCESS

1. Prior to site plan certification, the petitioner shall record in the public record a cross access agreement which provides access to the Property Owner to the east (Petition No. 90-17) in a form acceptable to the County Attorney. [Note: COMPLETED] (Previous B Condition 1 of Resolution R-2002-143, Control No.1991-00047)

BUILDING

1. Total gross floor area shall be limited to a maximum of 56,727 square feet. Expansion shall be limited to five percent (5%) or 1,000 square feet, whichever is less. (DRO/ONGOING: ZONING - Zoning) (Previous D Condition 1 of Resolution R-2002-143, Control No.1991-00047)

2. Architectural character and treatment which is compatible and harmonious with abutting residential development shall be provided on the rear facades of the retail buildings. (DRO/ONGOING: ZONING - Zoning) (Previous D Condition 2 of Resolution R-2002-143, Control No.1991-00047)

3. All air conditioning and mechanical equipment shall be screened from view on all sides by a visually opaque barrier consistent with the color and character of the principle structure or equivalent landscape material. (ONGOING: ZONING - Zoning) (Previous D Condition 3 of Resolution R-2002-143, Control No.1991-00047)

COUNTY ATTORNEY

1. Previous W Condition 1 of Resolution R-2002-143, Control No.1991-00047, which currently states:

Prior to site plan certification, the petitioner shall record in the public record a Unity of Control for the entire subject property in a form acceptable to the County Attorney.

Is hereby amended to read:

Prior to site plan certification, the petitioner shall record in the public record a new Unity of Control for the entire subject property including the 1.77 acres to the west of Commercial Center. This must be in a form acceptable to the County Attorney.

ENGINEERING

1. Condition E.I of Resolution R-92-351, Petition 91-47, was deleted by Resolution R-98-0728. (Previous E Condition 1 of Resolution R-2002-143, Control No.1991-00047)

2. The Developer shall design the drainage system such that drainage from those areas which may contain hazardous or undesirable waste shall be separate from stormwater runoff from the remainder of the site. (ONGOING: ENGINEERING - Engineering) (Previous E Condition 2 of Resolution R-2002-143, Control No.1991-00047)

3. Prior to March 15, 1992 or prior to the issuance of the first Building Permit whichever shall first occur, the Property Owner shall convey to Palm Beach County Roadway Production Division by road right-of-way warranty deed for Hagen Ranch Road, 60.5 feet from centerline free of all encumbrances and encroachments. Developer 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. Right-of-way conveyances shall also include "Safe Sight Corners" where appropriate at intersections as determined by the County Engineer. (BLDG/PMT/DATE: ENGINEERING - Engineering) [Note: COMPLETED] (Previous E Condition 3 of Resolution R-2002-143, Control No.1991-00047)

4. The Property Owner shall construct at the project middle entrance and Hagen Ranch Road a left turn lane north approach.

a. 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. [Note: COMPLETED]

b. 4b. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of building permits for more than 13,000 square feet of commercial floor area, including the existing convenience store. [Note: COMPLETED]

c. Construction shall be completed prior to the issuance of certificates of Occupancy for more than 13,000 square feet of commercial floor area, including the existing convenience store. [Note: COMPLETED] (Previous E Condition 4 of Resolution R-2002-143, Control No.1991-00047)

5. Prior to site plan approval:

a. The site plan shall be revised to relocate the proposed north entrance onto Hagen Ranch Road a distance of 120 feet to the south. [Note: COMPLETED]

b. The Property Owner shall convey an access easement to the adjoining Property Owner to the east. Location to be approved by the County Engineer. [Note: COMPLETED] (Previous E Condition 5 of Resolution R-2002-143, Control No.1991-00047)

6. Condition E.6 of Resolution R-92-351, Petition 91-47 was deleted by Resolution R-98-0728. (Previous E Condition 6 of Resolution R-2002-143, Control No.1991-00047)

7. The Property Owner shall convey to the Lake Worth Drainage District the north 75 feet of the subject tracts the required right-of-way for Lateral Canal No. 24, by Quit Claim Deed or an Easement Deed in the form provided by said District prior to March 15, 1992. (DATE: ENGINEERING - Engineering) (Previous E Condition 7 of Resolution R-2002-143, Control No.1991-00047)

8. Condition E.8 of Resolution R-92-351, Petition 91-47 was deleted by Resolution R-98-0728. (Previous E Condition 8 of Resolution R-2002-143, Control No.1991-00047)

9. The Property Owner shall fund any required signal modifications in conjunction with roadway improvements. Funding shall include design and construction of the signal modifications as required by the Palm Beach County Traffic Division. (Previous E Condition 9 of Resolution R-2002-143, Control No.1991-00047)

10. Condition E.10 of Resolution R-92-351, Petition 91-47 was deleted by Resolution R-98-0728. (Previous E Condition 10 of Resolution R-2002-143, Control No.1991-00047)

11. LANDSCAPE WITHIN MEDIAN OF BOYNTON BEACH BOULEVARD

At the option of the County Engineer the Property Owner shall either complete A or B of the following condition:

A1. Landscaping by the Property Owner as follows:

Prior to issuance of a building permit, the Property Owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median of Boynton Beach Boulevard road rightof- way. This permit, to be completed by the Property Owner, shall name Palm Beach County as the Applicant. As part of this permit process, the property owner shall enter into a Right of Way, Landscape Maintenance, Removal, and Indemnification Agreement. When landscaping is permitted by the Florida Department of Transportation, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. The property owner shall also be responsible to supplement any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the Property Owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. [Note: COMPLETED]

A2. All required median landscaping, including an irrigation system if required, shall be installed at the Property Owners expense. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners' Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed prior to the issuance of a certificate of occupancy. [Note: COMPLETED]

A3. Declaration of Covenants and Restriction Documents evidencing this obligation shall be established or amended as required and shall be approved and recorded prior to the issuance of a building permit. [Note: COMPLETED]

B. Funding for Landscaping by the Property Owner as follows: Funding for the required landscaping by the property wner shall be provided to the County Engineer within 60 days notice that payment is requested. Funding may then be provided to the Palm Isles Homeowner's Association for an irrigation system or the planting of Landscape material within the median of Boynton Beach Boulevard adjacent to the site. [Note: COMPLETED] (Previous E Condition 11 of Resolution R-2002-143, Control No.1991-00047)

12. 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)

ENVIRONMENTAL

1. The extent of soil and groundwater contamination shall be defined and summarized in a complete Contamination Assessment Report (CAR) to be submitted to the Department of Environmental Resources Management (ERM) concurrent with site plan review application and approved by ERM prior to site plan certification. [Note: COMPLETED] (Previous G Condition 1 of Resolution R-2002-143, Control No.1991-00047)

2. Prior to Final Plan approval by the Development Review Officer, the Property Owner shall submit an application for the Preservation of Native Vegetation to the Department of Environmental Resources Management (ERM). (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

3. Prior to issuance of building permits, all petroleum contaminated soils located in stormwater retention areas, building or parking areas, driveways, or other areas to be covered by slabs, foundations, paving, or exfiltration trenches, shall be removed to levels designated by the Department of Environmental Resources Management and the area(s) shall be backfilled with clean, non-deleterious material. Petroleum contaminated soils in other areas shall be assessed and remediated in accordance with Chapter 17-770, Florida Administrative Code and Department of Environmental Regulation guidelines. (BLDGPMT: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous G Condition 2 of Resolution R-2002-143, Control No.1991-00047)

4. Prior to Final Plan Approval by the Development Review Officer (DRO), the Property Owner shall submit (select one or more: Site Plan, Subdivision Plan, Landscape Plan or Alternate Landscape Plan) with a Tree Disposition Chart for review and approval. All vegetation that is subject to be preserved, relocated, replaced or mitigated shall be clearly identified on the Plan(s) and the Tree Disposition Chart, per Technical Manual, Title 4. The Plan(s) shall show:

- a) the temporary location for the relocated vegetation and identify what type of tree barricades will be utilized;
- b) the location of all preserved vegetation and identify what type of the permanent tree barricades/ protection devices will be utilized;
- c) a Justification Statement describing the maintenance of the relocated vegetation prior to the installation of the vegetation to a new location, and the length of time associated with the temporary storage of the relocated vegetation; and
- d) the above requirements (a thru c) shall be updated in the Tree Disposition Chart.

(DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

5. Remediation of contaminated groundwater shall be performed by the petitioner in accordance with Chapter 17-770, Florida Administrative Code requirements. Time frames and schedules described in the rule shall be met by the petitioner unless extensions are granted by the Department of Environmental Resources Management. [Note: COMPLETED] (Previous G Condition 3 of Resolution R-2002-143, Control No.1991-00047)

6. No vegetation shall be removed or relocated and no Preservation of Native Vegetation permit; pursuant to ULDC Article 14.C, shall be issued until ERM conditions 1 and 2 are satisfied. (ONGOING: ERM-ERM)

7. Plans for any underground storage tanks must be signed off by ERM prior to installation. The petitioner shall perform all necessary preventative measures to reduce the chances of contamination of the groundwater. Double walled tanks and piping with corrosion protection or their equivalent shall be a part of those measures. [Note: COMPLETED] (Previous G Condition 4 of Resolution R-2002-143, Control No.1991-00047)

8. Secondary containment for stored Regulated Substances-fuels, oils, solvents, or other hazardous chemicals is required. ERM Staff are willing to provide guidance on appropriate protective measures. [Note: COMPLETED] (Previous G Condition 5 of Resolution R-2002-143, Control No.1991-00047)

HEALTH

1. When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system. The cost for connection shall be borne by the Property Owner. (Previous J Condition 1 of Resolution R-2002-143, Control No.1991-00047)

2. The car wash facility shall utilize a 100% water recycling system. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous C Condition 1 of Resolution R-2002-143, Control No.1991-00047)

LANDSCAPE - GENERAL

1. All trees planted on-site shall be a minimum of fourteen (14) feet in height at installation with a minimum diameter of three and one-half (3.5) inches measured at a point which is at least four and one-half (4.5) feet above existing grade level. (BLDGPMT/ONGOING: ZONING - Zoning) (Previous K Condition 1 of Resolution R-2002-143, Control No.1991-00047)

LANDSCAPE - INTERIOR

1. Interior grade-level tree planters shall be required within all applicable parking areas of Phase 2 as indicated on the site plan approved May 27, 1992 Exhibit 24. (BLDGPM/ONGOING: ZONING - Zoning) (Previous L Condition 1 of Resolution R-2002-143, Control No.1991-00047)

2. The site plan shall be amended to indicate five (5) foot wide landscape strips along the rear of the 14,250 and 12,700 square foot in-line retail center, except adjacent to access points to the rear of each building. The landscape strips shall be planted with a minimum of thirty (30) inch tall hedge or shrub material planted twenty-four (24) inches on center. (BLDGPM/ONGOING: ZONING - Zoning) (Previous L Condition 2 of Resolution R-2002-143, Control No.1991-00047)

3. Foundation plantings or grade level planters shall be provided along the front and side facades of all structures to consist of the following: a. b. The minimum width of the required landscape areas shall be five (5) feet; The length of the required landscaped areas shall be no less than 40% of the total length of the applicable exterior side of the structure; and, Landscape areas shall be planted with a minimum of one (1) tree or palm every twenty (20) linear foot of building facade and appropriate ground cover. (BLDGPM/ONGOING: ZONING - Zoning) (Previous L Condition 3 of Resolution R-2002-143, Control No.1991-00047)

LANDSCAPE - PERIMETER-ALONG NORTH PROPERTY LINE (ABUTTING BOYNTON BEACH BOULEVARD)

1. Landscaping along Boynton Beach Boulevard shall be upgraded to include:

- a. A minimum fifteen (15) foot wide landscape buffer strip.
- b. One fourteen (14) foot tall tree for each twenty (20) linear feet of frontage;
- c. Thirty (30) inch tall hedge or shrub material planted twenty-four (24) inches on center. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous M Condition 1 of Resolution R-2002-143, Control No.1991-00047)

LANDSCAPE - PERIMETER-ALONG THE SOUTH PROPERTY LINE (ABUTTING RESIDENTIAL)

2. Previous N Condition 1 of Resolution R-2002-143, Control No.1991-00047, which currently states:

Landscaping within a fifteen (15) foot wide buffer strip along the south property line shall be upgraded to include: a. A six (6) foot high opaque concrete wall. The exterior side of the wall shall be given a finished architectural treatment which is compatible and harmonious with abutting development.

Is hereby amended to read:

Landscaping within a fifteen (15) foot wide buffer strip along the south property line shall be upgraded to include:

a. Abutting the main commercial building the a six (6) foot high opaque concrete wall. The exterior side of the wall shall be given a finished architectural treatment which is compatible and harmonious with abutting development.

b. Abutting the new parking area an Alternative Type 3 Buffer as illustrated on the Final Regulating Plan Buffer Detail "H" dated May 11, 2017 shall be planted. (DRO: ZONING - Zoning)

3. The following landscaping requirements shall be installed on the exterior side of the required wall:
a. b. One fourteen (14) foot tall tree for each twenty (20) linear feet. Thirty (30) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of forty-eight (48) inches. (ONGOING: ZONING - Zoning) (Previous N Condition 2 of Resolution R-2002-143, Control No.1991-00047)

4. The following landscaping requirements shall be installed on the interior side of the required wall:
a. Twenty-four (24) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches. (ONGOING: ZONING - Zoning) (Previous N Condition 3 of Resolution R-2002-143, Control No.1991-00047)

LANDSCAPE - PERIMETER-ALONG THE EAST PROPERTY LINE

5. Landscaping within a ten (10) foot wide buffer strip along the east property line shall be upgraded to include:

- a. A six (6) foot high opaque concrete wall for that portion of the property line abutting property with residential land use. The exterior side of the wall shall be given a finished architectural treatment which is compatible and harmonious with abutting development.
- b. The following landscaping requirements shall be installed on the exterior side of the required wall:
 - 1. One fourteen (14) foot tall tree for each twenty (20) linear feet.
 - 2. Thirty (30) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of forty-eight (48) inches
- c. The following landscaping requirements shall be installed on the interior side of the required wall:
 - 1. Twenty-four (24) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches.
- d. For the portion of the east property line abutting commercial zoning, the following landscape requirements shall be installed within the required ten (10) foot wide landscape strip:
 - 1. One fourteen (14) foot tall tree for each twenty (20) linear feet.
 - 2. Twenty-four (24) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches. (ONGOING: ZONING - Zoning) (Previous O Condition 1 of Resolution R-2002-143, Control No.1991-00047)

LANDSCAPE - PERIMETER-ALONG WEST PROPERTY LINE (ABUTTING HAGEN RANCH ROAD)

- 6. Landscaping within the required fifteen (15) foot buffer along Hagen Ranch Road shall be upgraded to include:
 - a. One fourteen (14) foot tall tree for each twenty (20) linear feet of frontage;
 - b. Thirty (30) inch tall hedge or shrub material planted twenty-four (24) inches on center. (ONGOING: ZONING - Zoning) (Previous P Condition 1 of Resolution R-2002-143, Control No.1991-00047)
- 7. Landscaping along 110 feet of Hagen Ranch Road, adjacent to the 3,600 square foot outparcel shall be upgraded to include:
 - a. The landscape buffer adjacent to the 3,600 square foot out-parcel shall maintain a twenty (20) foot buffer excluding any easement encroachments in addition to the above requirements. (ONGOING: ZONING - Zoning) (Previous P Condition 2 of Resolution R-2002-143, Control No.1991-00047)

LIGHTING

- 1. All outdoor lighting used to illuminate the premises and identification signs shall be of low intensity, shielded and directed downward and away from adjacent properties and streets. (ONGOING: ZONING - Code Enforcement) (Previous Q Condition 1 of Resolution R-2002-143, Control No.1991-00047)
- 2. Lighting fixtures shall not exceed twenty (20) feet in height. Lighting fixtures within one hundred and sixty (160) feet of residential areas shall not exceed twelve (12) feet in height. (ONGOING: ZONING - Code Enforcement) (Previous Q Condition 2 of Resolution R-2002-143, Control No.1991-00047)
- 3. All outdoor lighting within fifty (50) feet of residential areas shall be extinguished no later than 11 :00 p.m. Security lighting only is excluded from this requirement. (ONGOING: ZONING - Code Enforcement) (Previous Q Condition 3 of Resolution R-2002-143, Control No.1991-00047)
- 4. There shall be no rooftop lighting allowed on-site. Lighting fixtures shall be limited to the minimum needed for essential lighting of the site and structures. (ONGOING: ZONING - Code Enforcement) (Previous Q Condition 4 of Resolution R-2002-143, Control No.1991-00047)

LAKE WORTH DRAINAGE DISTRICT

- 1. Prior to site plan certification, the petitioner shall obtain permission, if possible, from the Lake Worth Drainage District to sod, irrigate and perpetually maintain the adjacent bank of all abutting canals. (ONGOING: LAKE WORTH DRAINAGE DISTRICT - Lake Worth Drainage District) (Previous F Condition 1 of Resolution R-2002-143, Control No.1991-00047)

PARKING

- 1. Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site, except within the loading and delivery areas designated on the site plan. (ONGOING: ZONING - Zoning) (Previous R Condition 1 of Resolution R-2002-143, Control No.1991-00047)

2. Previous R Condition 2 of Resolution R-2002-143, Control No.1991-00047, which currently states:

No parking of any vehicles shall be permitted along the rear of the facility except in parking spaces or unloading areas designated on the site plan.

Is hereby amended to read:

No parking of any vehicles shall be permitted along the rear of the facility except in parking spaces, unloading areas designated on the site plan and specially designated parking area for employees. (ONGOING: ZONING - Zoning)

PLANNING

1. All buildings and structures shall be designed and constructed in accordance with Section 4 - "Architectural Design Guidelines" of the Boynton Beach Turnpike Interchange Corridor - Design Guidelines and Standards Manual, dated November 12,1996. [Note: COMPLETED] (Previous S Condition 1 of Resolution R-2002-143, Control No.1991-00047)

2. Prior to the issuance of a building permit, the property owner shall include in the landscape median permit application, landscaping details/ specifications meeting the standards as set forth in Section 28 (1) (2) of the Boynton Beach Turnpike Interchange Corridor - Design Guidelines and Standards Manual, dated November 12,1996. In lieu of this requirement, prior to the issuance of a building permit, if an agreement is reached between Palm Isles PUD and Palm Beach County for the landscaping of the median, the property owner may provide a cash contribution to the Palm Isles Homeowners Association for the landscaping of the median provided the landscape detail specifications of the Palm Isles landscaping plan are consistent with the Boynton Beach Turnpike Interchange Corridor- Design Guidelines. [Note: COMPLETED] (Previous S Condition 2 of Resolution R-2002-143, Control No.1991-00047)

3. Trees within the perimeter landscape buffers shall be provided at a maximum of twenty-five (25) feet on center. (ONGOING: PLANNING - Planning) (Previous S Condition 3 of Resolution R-2002-143, Control No.1991-00047)

4. The project shall be subject to the Boynton Beach Turnpike Interchange Corridor - Design Guidelines and Standards Manual, dated November 12, 1996, inclusive of the following landscaping provisions: a) Section 2: Boynton Beach Boulevard Buffers/Streetscape and Median including a twenty-five (25) foot landscape buffer on Boynton Beach Boulevard with the exception of landscape buffering in front of the existing gas station use. The twenty-five (25) foot buffer will not be required in front of the existing gas station use; and b) Section 3: Landscaping Guidelines. (ONGOING: PLANNING - Planning) (Previous S Condition 4 of Resolution R-2002-143, Control No.1991-00047)

5. Per SCA 2017-011: Development of the site under the Commercial High future land use designation is limited to parking, landscaping, and drainage with no intensity/square footage permitted. (ONGOING: PLANNING - Planning)

SCHOOL BOARD

1. The petitioner shall install stop bars and stop signs at the project's entrances on Boynton Beach Boulevard and Hagen Ranch Road in accordance with the manual of Uniform Traffic control Device. This petitioner shall also install pedestrian crossing signs warning vehicles entering and exiting this project that school children are crossing in this area to Hagen Road Elementary School between the hours of 7:30 a.m. - 8:15 a.m. and 2:00 p.m. - 2:45 p.m. Plans detailing these control devices for vehicular and pedestrian traffic safety shall be submitted to the Growth Management Center of the School Board for approval prior to site plan certification. (ONGOING: SCHOOL BOARD - School Board) [Note: COMPLETED] (Previous U Condition 1 of Resolution R-2002-143, Control No.1991-00047)

SIGNS

1. Signs fronting on Boynton Beach Boulevard shall be limited as follows:

- a. Maximum sign height - ten (10) feet.
- b. Maximum total sign face area per sign - 100 sq. ft. total.

c. Maximum number of signs - one (1) monument type sign. (ONGOING: ZONING - Zoning) (Previous V Condition 1 of Resolution R-2002-143, Control No.1991-00047)

2. Freestanding Point of purchase sign on Hagen Ranch Road shall be limited as follows: a. b. c. d. maximum sign height, measured from finished grade to highest point - six (6) feet; maximum sign face area per side - sixty (60) square feet; maximum number of signs - one (1); and, style - monument style only. (ONGOING: ZONING - Zoning) (Previous V Condition 2 of Resolution R-2002-143, Control No.1991-00047)

3. Prior to site plan certification, the petitioner shall submit a Master Sign Program to the Zoning Division which specifies sign location, sign dimensions, unified color, unified graphics, typical base planting details, and conformance to all sign related conditions of approval. [Note: COMPLETED] (Previous V Condition 3 of Resolution R-2002-143, Control No.1991-00047)

4. If, prior to the issuance of a building permit for the project, the Sign Code is amended to be more restrictive than the conditions of approval, the regulations of the amended Sign Code shall supersede all signrelated conditions of approval. (ONGOING: ZONING - Zoning) (Previous V Condition 4 of Resolution R-2002-143, Control No.1991-00047)

5. The service station gasoline price information shall comply with the minimum requirements of the applicable County Ordinance. (ONGOING: ZONING - Zoning) (Previous V Condition 5 of Resolution R-2002-143, Control No.1991-00047)

6. Should the existing freestanding Point of purchase sign at the intersection of Hagen Ranch Road and Boynton Beach Boulevard be replaced, removed or relocated, the new sign shall be limited as follows:

a. maximum sign height, measured from finished grade to highest point - six (6) feet;

b. maximum sign face area per side - sixty (60) square feet;

c. maximum number of signs - one (1); and

d. style - monument style only. (ONGOING: ZONING - Zoning) (Previous V Condition 6 of Resolution R-2002-143, Control No.1991-00047)

SITE DESIGN

1. There shall be no dumpsters located within fifty (50) feet of any residentially zoned property. (ONGOING: ZONING - Zoning) (Previous H Condition 2 of Resolution R-2002-143, Control No.1991-00047)

2. All areas or receptacles for the storage and disposal of trash, garbage or vegetation, shall be concealed behind a solid enclosure. The open end of the enclosure shall have an obscuring, opaque gate. (ONGOING: ZONING - Zoning) (Previous H Condition 1 of Resolution R-2002-143, Control No.1991-00047)

SOLID WASTE AUTHORITY

1. The Property Owner and/or all lessees shall participate in a recycling program when available in the area. Material to be recycled shall include, but not be limited to, paper, plastic, metal and glass products. (ONGOING: ZONING - Zoning) (Previous T Condition 1 of Resolution R-2002-143, Control No.1991-00047)

USE LIMITATIONS

1. No outdoor speaker or public address systems which are audible offsite shall be permitted. (ONGOING: ZONING - Zoning) (Previous C Condition 2 of Resolution R-2002-143, Control No.1991-00047)

2. No outside storage of disassembled vehicles, or parts thereof, shall be permitted on site. (ONGOING: ZONING - Zoning) (Previous C Condition 3 of Resolution R-2002-143, Control No.1991-00047)

3. Vehicles shall not be tested off-site on residential streets. (ONGOING: ZONING - Zoning) (Previous C Condition 4 of Resolution R-2002-143, Control No.1991-00047)

4. There shall be no outdoor repair or storage of vehicles. (ONGOING: ZONING - Zoning) (Previous C Condition 5 of Resolution R-2002-143, Control No.1991-00047)

5. Prior to site plan certification, the site plan shall be amended to indicate facilities for the provision of air and water for minor vehicle maintenance. The owner of the service station facility shall provide air and water for minor vehicle maintenance to the public at no charge. (ONGOING: ZONING - Zoning) (Previous C Condition 6 of Resolution R-2002-143, Control No.1991-00047)

6. Retail business activities, excluding the auto service station and convenience store, shall not be allowed on site, including deliveries, prior to 6:00 a.m. nor continue later than 11:00 p.m. The fast food facility may be open until 12 o'clock midnight. (ONGOING: ZONING - Zoning) (Previous X Condition 1 of Resolution R-2002-143, Control No.1991-00047)

7. No storage or placement of any material, refuse, equipment or debris shall be permitted in the rear of any of the facilities. (ONGOING: ZONING - Zoning) (Previous X Condition 2 of Resolution R-2002-143, Control No.1991-00047)

8. No outdoor retail business activities shall be allowed on the site, excluding deliveries. (ONGOING: ZONING - Zoning) (Previous X Condition 3 of Resolution R-2002-143, Control No.1991-00047)

UTILITIES

1. The developer shall design the project on-site irrigation system to facilitate a suitable connection to a future reclaimed water transmission main on Hagen Ranch Road. The irrigation system shall be designed to allow a disconnection of the irrigation well and/or surface water irrigation pump .providing irrigation water on an interim basis until connection to the reclaimed water system becomes available. There shall be no physical connection between the irrigation system and the potable water system. The design of the irrigation system shall be subject to the review and approval of the Palm Beach County Water Utilities Department. (ONGOING: ZONING - Zoning) (Previous Y Condition 1 of Resolution R-2002-143, Control No.1991-00047)

2. Upon the availability of reclaimed water from the Palm Beach County Southern Region Wastewater Treatment Plant, the Property Owner will enter into a Reclaimed Water Use Agreement with Palm Beach County and the Palm Beach County Water Utilities Department for the provision of reclaimed water to the project for the purpose of irrigating grassed and landscaped areas. (ONGOING: ZONING - Zoning) (Previous Y Condition 2 of Resolution R-2002-143, Control No.1991-00047)

3. The developer shall extend the 16-inch water main in Boynton Beach Boulevard, from the west property line of Palm Isles PUD to Hagen Ranch Road, and thence extend a 20-inch water main in Hagen Ranch Road, from the north side of Boynton Beach Boulevard to the entrance of Hagen Ranch Commerce Center, in accordance with Palm Beach County Water Utilities Department requirements. [Note: COMPLETED] (Previous Y Condition 3 of Resolution R-2002-143, Control No.1991-00047)

4. The developer shall construct a 6-inch force main from the existing 8- inch force main in Boynton Beach Boulevard, at the entrance to the Palm Isles PUD development to the project site, in accordance with Palm Beach County Water Utilities Department requirements. [Note: COMPLETED] (Previous Y Condition 4 of Resolution R-2002-143, Control No.1991-00047)

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) (ONGOING: ZONING - 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)
(ONGOING: ZONING - 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

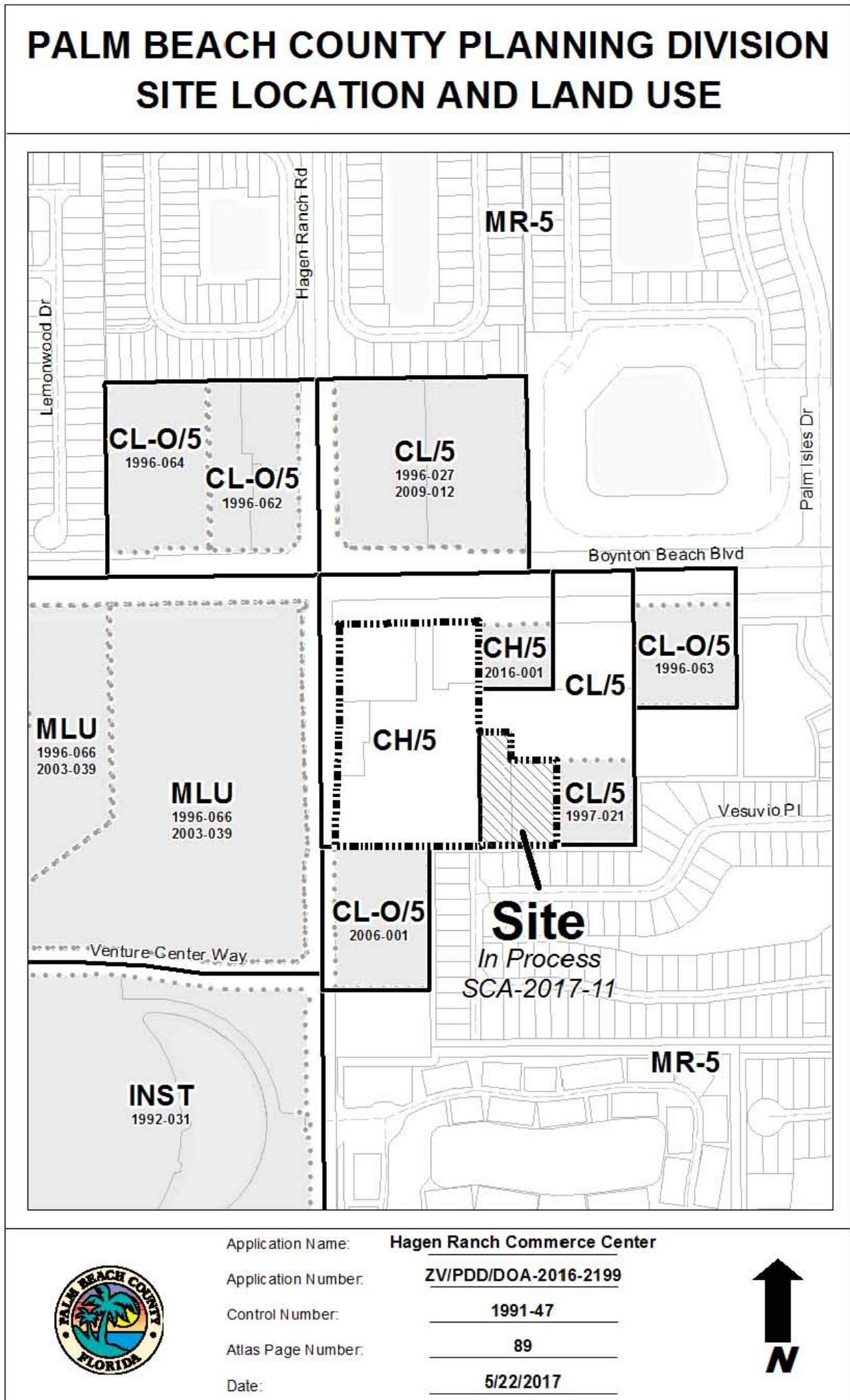


Figure 2 – Zoning Map



Figure 3 - Aerial

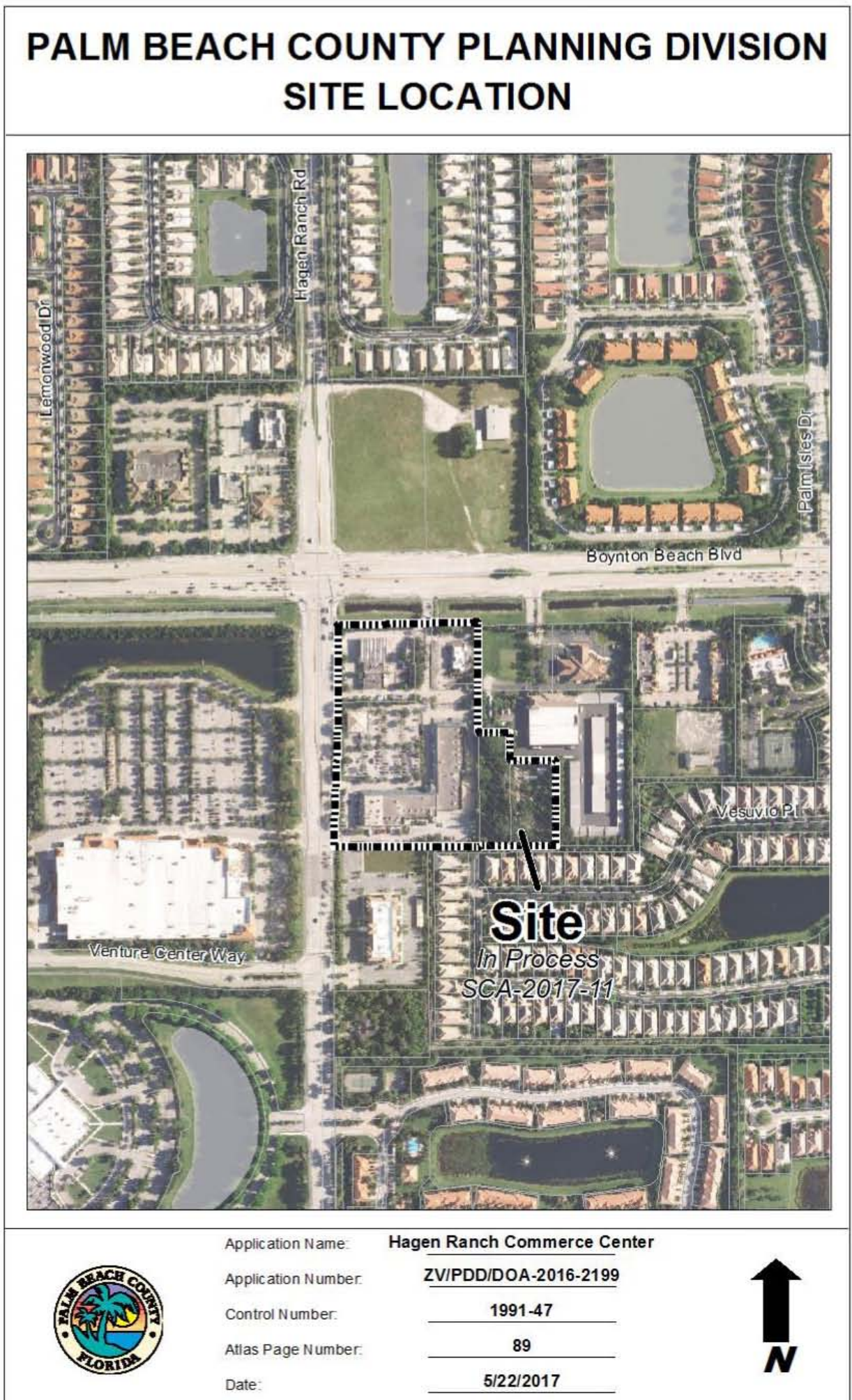


Figure 4 - Preliminary Site Plan Dated May 11, 2017



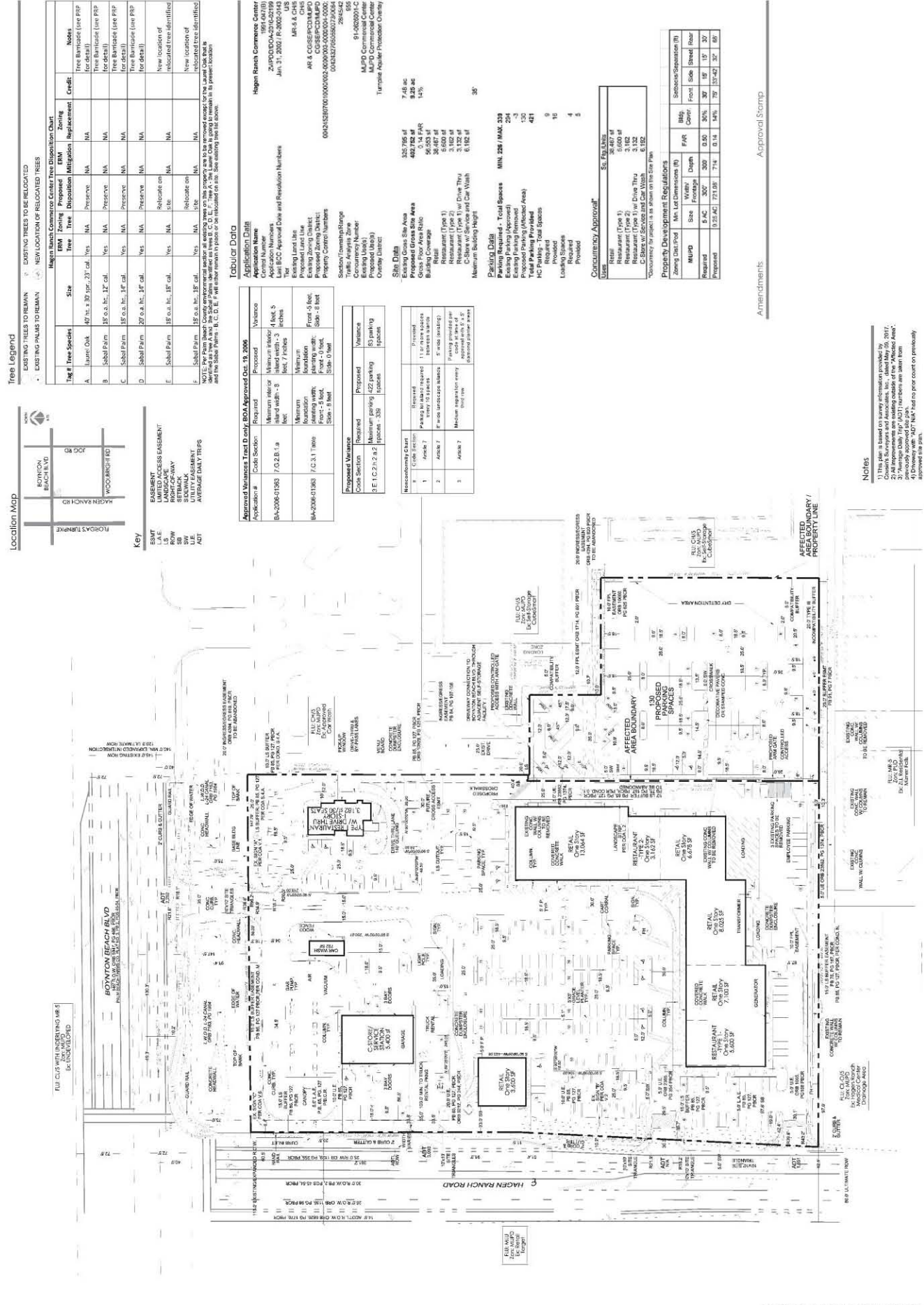
Hagen Ranch Commerce Center
Palm Beach County, Florida

DATE PREPARED: December 21, 2016
DATE REVIEWED: February 15, 2017
DATE APPROVED: March 27, 2017
DATE REVISION: April 24, 2017
DATE FINAL: May 11, 2017

SCALE 1" = 50'-0"

NORTH

PRELIMINARY SITE PLAN
PSP-1 of 1



Tree Legend

EXISTING TREES TO REMAIN
NEW LOCATION OF RELOCATED TREES

Tag #	Tree Species	Size	Tree	Disposition	Mitigation	Replacement	Credit	Notes
A	Laurie Oak	40 ft. x 30" girth @ 27' cal.	Yes	MA	Preserve	NA	NA	Tree Relocated (see PRP for details)
B	Sabal Palm	15' o.a. ht. - 12" cal.	Yes	MA	Preserve	NA	NA	Tree Relocated (see PRP for details)
C	Sabal Palm	18' o.a. ht. - 14" cal.	Yes	MA	Preserve	NA	NA	Tree Relocated (see PRP for details)
D	Sabal Palm	20' o.a. ht. - 14" cal.	Yes	MA	Preserve	NA	NA	Tree Relocated (see PRP for details)
E	Sabal Palm	18' o.a. ht. - 14" cal.	Yes	MA	Relocate on site	NA	NA	New location of relocated tree identified
F	Sabal Palm	15' o.a. ht. - 12" cal.	Yes	MA	Relocate on site	NA	NA	New location of relocated tree identified

NOTES: New trees to be planted within 90 days of construction. All trees to be removed prior to construction. All trees to be removed prior to construction. All trees to be removed prior to construction.

Tabular Data

Approved Variance Trest Only, BOA Approved Oct. 19, 2006

Application #	Credit Section	Required	Proposed	Variance
BA-2006-01393	7.0 C.2.B.1.a	Minimum island width - 3 feet	Minimum island width - 3 feet	Minimum island width - 3 feet
BA-2006-01393	7.0 C.3.1.1.b	Minimum island width - 3 feet	Minimum island width - 3 feet	Minimum island width - 3 feet

Proposed Variance

Code Section	Required	Proposed	Variance
DEC 121-2.6	Minimum parking 422 parking spaces - 339	Minimum parking 422 parking spaces - 339	Minimum parking 422 parking spaces - 339

Site Data

Existing Gross Site Area: 125,795 sq ft
Proposed Gross Site Area: 402,782 sq ft
Gross Floor Area Ratio: 3.14 FAR
Site Coverage: 14%

Proposed Building Footprint: 36,467 sq ft
Proposed Parking: 422 spaces
Proposed Drive-Thru: 10 spaces
Proposed Car Wash: 10 spaces

Parking Data

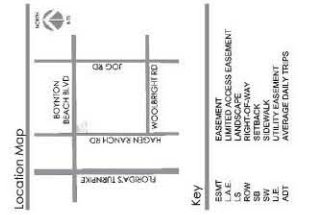
Parking Required - Total Spaces: MIN 257 / MAX 339
Proposed Parking (Allocated Area): 422
Proposed Parking (Unallocated Area): 10
Proposed Car Wash: 10
Proposed Total Spaces: 442

Concurrence Approval

Item	Req. Sq. Ft./Min.	Req. Sq. Ft./Max.
Retail	36,467 sq ft	36,467 sq ft
Restaurant (Type 1)	3,132 sq ft	3,132 sq ft
Restaurant (Type 2)	3,132 sq ft	3,132 sq ft
C-Store w/ Service and Car Wash	6,182 sq ft	6,182 sq ft

Property Development Regulations

Regulation	Min. Lot Dimensions (ft)	Max. Lot Dimensions (ft)	FAR	Setback (ft)	Height (ft)	Other
MUPB	50	300	0.50	30	10	30'
Proposed	9.25 AC	71.10 ft	7.14	0.14	14.75	33'-4.37', 30', 10'



Approved Variance Trest Only, BOA Approved Oct. 19, 2006

Application #	Credit Section	Required	Proposed	Variance
BA-2006-01393	7.0 C.2.B.1.a	Minimum island width - 3 feet	Minimum island width - 3 feet	Minimum island width - 3 feet
BA-2006-01393	7.0 C.3.1.1.b	Minimum island width - 3 feet	Minimum island width - 3 feet	Minimum island width - 3 feet

Proposed Variance

Code Section	Required	Proposed	Variance
DEC 121-2.6	Minimum parking 422 parking spaces - 339	Minimum parking 422 parking spaces - 339	Minimum parking 422 parking spaces - 339

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Site Coverage: 14%

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Proposed Parking: 422 spaces
Proposed Drive-Thru: 10 spaces
Proposed Car Wash: 10 spaces

Parking Data

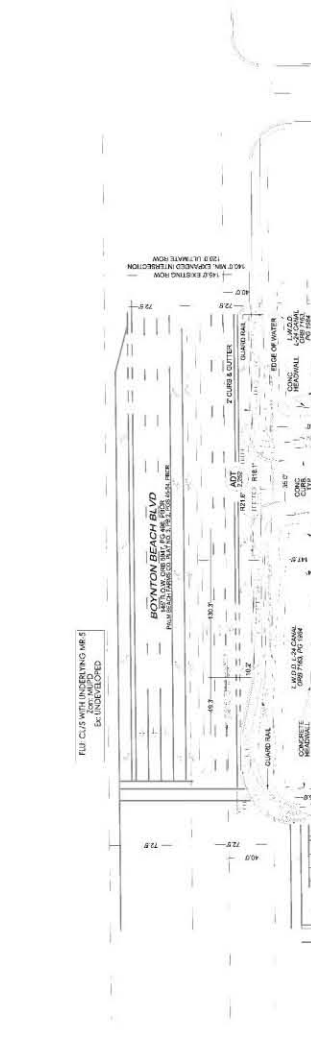
Parking Required - Total Spaces: MIN 257 / MAX 339
Proposed Parking (Allocated Area): 422
Proposed Parking (Unallocated Area): 10
Proposed Car Wash: 10
Proposed Total Spaces: 442

Concurrence Approval

Item	Req. Sq. Ft./Min.	Req. Sq. Ft./Max.
Retail	36,467 sq ft	36,467 sq ft
Restaurant (Type 1)	3,132 sq ft	3,132 sq ft
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Property Development Regulations

Regulation	Min. Lot Dimensions (ft)	Max. Lot Dimensions (ft)	FAR	Setback (ft)	Height (ft)	Other
MUPB	50	300	0.50	30	10	30'
Proposed	9.25 AC	71.10 ft	7.14	0.14	14.75	33'-4.37', 30', 10'



Approved Variance Trest Only, BOA Approved Oct. 19, 2006

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Concurrence Approval

Item	Req. Sq. Ft./Min.	Req. Sq. Ft./Max.
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Property Development Regulations

Regulation	Min. Lot Dimensions (ft)	Max. Lot Dimensions (ft)	FAR	Setback (ft)	Height (ft)	Other
MUPB	50	300	0.50	30	10	30'
Proposed	9.25 AC	71.10 ft	7.14	0.14	14.75	33'-4.37', 30', 10'

Notes

- This plan is based on survey information provided by the applicant.
- All improvements are existing outside of the "Affected Area".
- All improvements within the "Affected Area" are to be constructed by the applicant.
- Improvements within the "Affected Area" are to be constructed by the applicant.

Figure 5 – Preliminary Regulating Plan Dated October 13, 2016



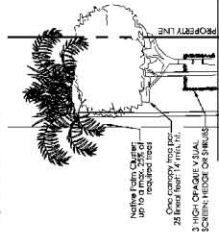
Hagen Ranch Commerce Center

Palm Beach County, Florida

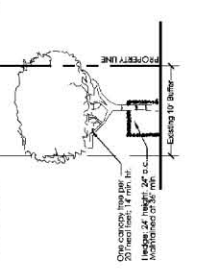
DATE SUBMITTED: DECEMBER 21, 2016
 DATE APPROVED: FEBRUARY 15, 2018
 DATE APPROVED: MARCH 27, 2022
 DATE APPROVED: APRIL 24, 2022
 DATE APPROVED: MAY 11, 2022

PRELIMINARY REGULATING PLAN
 PRP-1 of 1

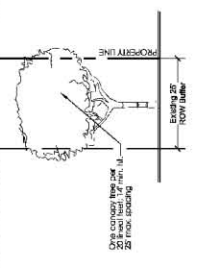
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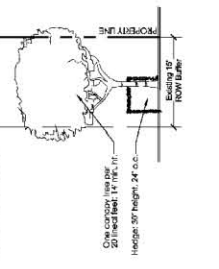
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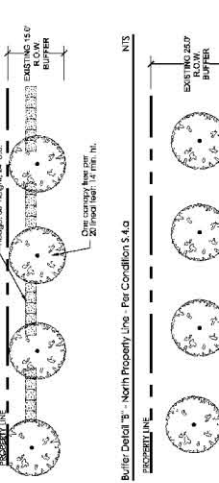
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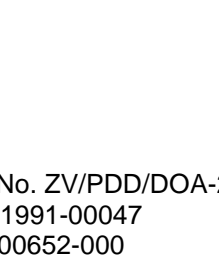
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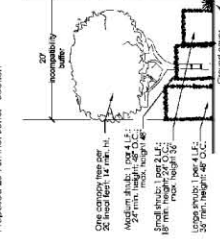
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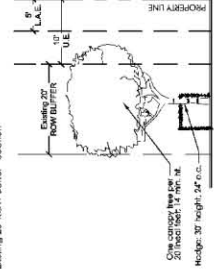
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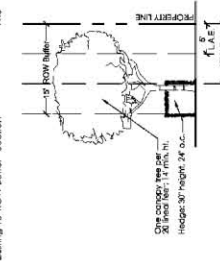
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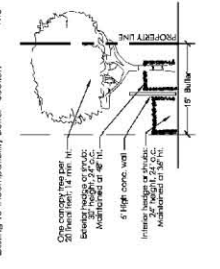
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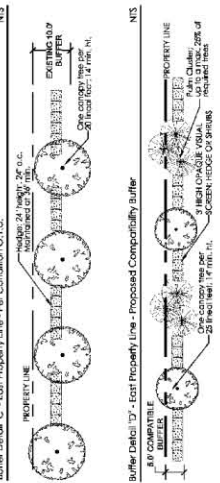
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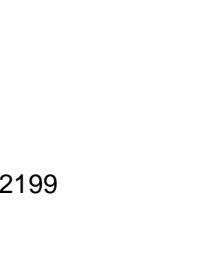
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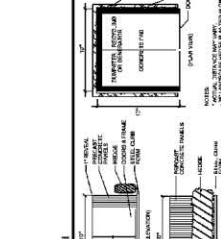
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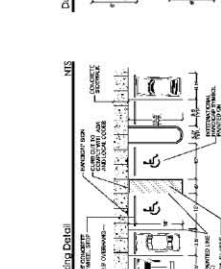
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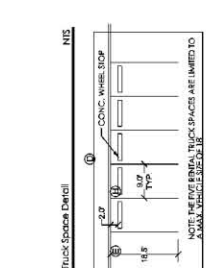
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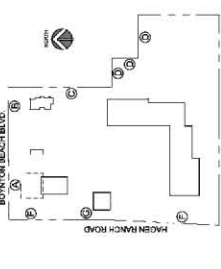
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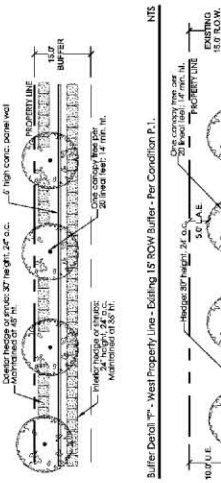
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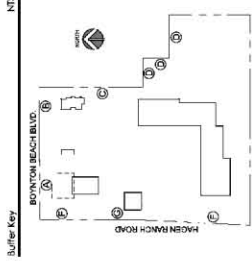
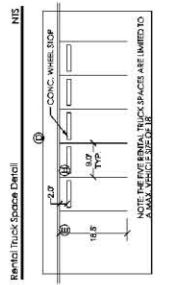
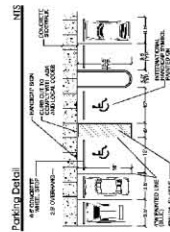
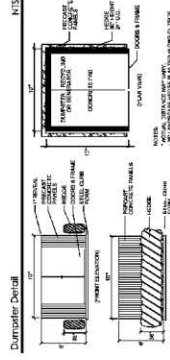
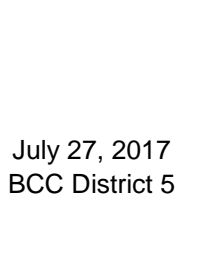
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Buffer Detail 'R' - South Property Line - Proposed Alternate Incompatibility Buffer



Amendments

Approval Stamp

General Notes

- All trees planted on-site shall be a minimum of 1 1/2" in height at installation with a minimum diameter of 3.5 inches measured at a point which is at least 4.5 feet above existing grade level.

Exhibit D – Disclosures

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 Sergio Gabriel Selcer, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

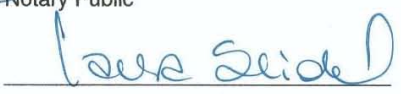
- 1. Affiant is the [] individual or [] MGR of MAZAL LAND, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 2417 University Drive, Coral Springs, FL 33065
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.


 _____, Affiant
 (Print Affiant Name)

The foregoing instrument was acknowledged before me this 20 day of October
 2016, by Sergio Gabriel Selcer, [] who is personally
 known to me or [] who has produced Drivers License
 as identification and who did take an oath.



 Notary Public


 (Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: Aug 24, 2020



EXHIBIT "A"
PROPERTY

See page 5-6 of this application.

Disclosure of Beneficial Interest - Applicant form
Page 3 of 4

Revised 08/25/2011
Web Format 2011

LAND DESCRIPTION:

PARCEL 1:

COMMENCING AT A POINT AT THE SOUTHWEST CORNER OF THE FOLLOWING DESCRIBED PARCEL, TO-WIT; THE EAST HALF OF TRACT 7 AND THE WEST ONE-QUARTER OF TRACT 6, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO. 3" (SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE RUN NORTHERLY, ALONG THE WEST BOUNDARY OF THE ABOVE-DESCRIBED PARCEL A DISTANCE OF 275 FEET TO A POINT; THENCE EASTERLY, PARALLEL TO THE SOUTH BOUNDARY OF THE ABOVE-DESCRIBED PARCEL FOR A DISTANCE OF 100 FEET TO A POINT; THENCE SOUTHERLY, PARALLEL TO THE FIRST DESCRIBED COURSE A DISTANCE OF 275 FEET TO A POINT; THENCE WESTERLY ALONG THE SOUTH BOUNDARY OF THE ABOVE-DESCRIBED PARCEL A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING.

AND

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 7, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO. 3", SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN EASTERLY ALONG THE SOUTH LINE OF TRACT 7, A DISTANCE OF 165 FEET; THENCE RUN NORTHERLY PARALLEL TO THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 275 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY 90 FEET AND PARALLEL TO THE WEST LINE OF TRACT 7; THENCE RUN EASTERLY AND PARALLEL TO THE SOUTH LINE OF TRACT 7, A DISTANCE OF 100 FEET; THENCE RUN SOUTHERLY AND PARALLEL TO THE WEST LINE OF TRACT 7, A DISTANCE OF 90 FEET; THENCE RUN WESTERLY AND PARALLEL TO THE SOUTH LINE OF TRACT 7, A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

COMMENCING AT A POINT AT THE SOUTHEAST CORNER OF THE FOLLOWING PARCEL, TO-WIT: THE EAST HALF OF TRACT 7 AND THE WEST ONE-QUARTER OF TRACT 6, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO.3", SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE RUN NORTHERLY ALONG THE EAST BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 75 FEET TO A POINT; THENCE WESTERLY PARALLEL TO THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 75 FEET TO A POINT; THENCE SOUTHERLY PARALLEL TO THE FIRST DESCRIBED COURSE, A DISTANCE OF 75 FEET TO A POINT; THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL, A DISTANCE OF 75 FEET TO THE POINT OF BEGINNING.

AND

COMMENCING AT A POINT AT THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL, TO-WIT: THE EAST HALF OF TRACT 7 AND THE WEST ONE-QUARTER OF TRACT 6, BLOCK, 55, "PALM BEACH FARMS COMPANY PLAT NO. 3", IN SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE RUN NORTHERLY ALONG THE EAST BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 75 FEET TO A POINT; THENCE WESTERLY PARALLEL TO THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL A DISTANCE OF 75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY PARALLEL TO THE SOUTH BOUNDARY 50 FEET TO A POINT; THENCE SOUTHERLY PARALLEL TO THE FIRST DESCRIBED COURSE, A DISTANCE OF 75 FEET TO A POINT; THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL A DISTANCE OF 50 FEET TO A POINT; THENCE NORTHERLY A DISTANCE OF 75 FEET TO THE POINT OF BEGINNING.

AND

COMMENCING AT A POINT AT THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL, TO-WIT: THE EAST HALF OF TRACT 7 AND THE WEST ONE-QUARTER OF TRACT 6, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO.3", IN SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN NORTHERLY ALONG THE EAST BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 75 FEET TO A POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG THE SAID EASTERLY BOUNDARY FOR A DISTANCE OF 200 FEET TO O POINT; THENCE WESTERLY PARALLEL WITH THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 100 FEET TO A POINT; THENCE SOUTHERLY PARALLEL WITH THE FIRST DESCRIBED COURSE A DISTANCE OF 200 FEET TO A POINT; THENCE EASTERLY ALONG A LINE WHICH IS 75 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF TRACTS 6 AND 7 A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING.

AND

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 7, BLOCK 55, "THE PALM BEACH FARMS COMPANY PLAT NO. 3", SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE RUN EASTERLY ALONG THE SOUTH LINE OF TRACT 7, A DISTANCE OF 265 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTHERLY PARALLEL WITH THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 275.0 FEET TO A POINT; THENCE RUN EASTERLY ALONG A LINE PARALLEL WITH THE SOUTH LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 47.5 FEET TO A POINT; THENCE RUN SOUTHERLY ALONG A LINE PARALLEL WITH THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 200.0 FEET TO A POINT; THENCE RUN WESTERLY ALONG A LINE PARALLEL TO THE SOUTH LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 25.0 FEET TO A POINT; THENCE RUN SOUTHERLY ALONG A LINE PARALLEL WITH THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 75.0 FEET TO A POINT IN THE SOUTH LINE OF TRACT 7, BLOCK 55, THENCE RUN WESTERLY ALONG THE SOUTH LINE OF TRACT 7, A DISTANCE OF 22.5 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO THE FOLLOWING DESCRIBED PARCELS FOR INGRESS AND EGRESS:

A STRIP OF LAND 20 FEET IN WIDTH IN TRACT 7, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO. 3", AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THE CENTER LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 7; THENCE RUN EASTERLY ALONG THE SOUTH LINE OF TRACT 7, A DISTANCE OF 175 FEET; THENCE RUN NORTHERLY PARALLEL TO THE WEST LINE OF TRACT 7, A DISTANCE OF 275 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTHERLY, PARALLEL TO THE WEST LINE OF TRACT 7, A DISTANCE OF 487.28 FEET AND THERE TERMINATING.

AND

A STRIP OF LAND 20 FEET IN WIDTH IN TRACTS 6 AND 7, BLOCK 55, "PALM BEACH FARMS COMPANY PLAT NO. 3", AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THE CENTER LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 7, THENCE RUN EASTERLY ALONG THE SOUTH LINE OF TRACT 7 A DISTANCE OF 165 FEET; THENCE RUN NORTHERLY PARALLEL TO THE WEST LINE OF TRACT 7 A DISTANCE OF 285 FEET TO THE POINT OF BEGINNING, THENCE RUN EASTERLY PARALLEL TO THE SOUTH LINE OF TRACTS 6 AND 7 A DISTANCE OF 247.5 FEET AND THERE TERMINATING.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA; CONTAINING 76,956 SQUARE FEET OR 1.7667 ACRES MORE OR LESS.

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~~

Miami - Dade

BEFORE ME, the undersigned authority, this day personally appeared Lucille S. Goldstein, 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 Attorney [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.

ESTATE OF LUCILLE GOLDSTEIN

2. Affiant's address is: 11042 Paradelo St
Coral Gables, FL 33156

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.

[Signature]
BALKE J. GOLDSTEIN, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 24th day of SEPTEMBER, 2016, by BALKE J. GOLDSTEIN, [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.

[Signature]
Notary Public
Patricia Kurz
(Print Notary Name)
NOTARY PUBLIC
State of Florida at Large
My Commission Expires: _____



EXHIBIT "A"
PROPERTY

PALM BEACH FARMS CO PL NO 3 S 275 FT OF W 1/4 OF TR 6 & E 47.50 FT OF S 275 FT OF TR 7 BLK 55.

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

SANDRA BRADHAM	133 WARMER AVENUE JERSEY CITY, NJ 07305
STEPHANIE BRADHAM-WADE	133 WARMER AVENUE JERSEY CITY, NJ 07305
MICHAEL BRADHAM	P. O. Box 67 BOYNTON BEACH, FL 33426

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

PC1071-0806

BEFORE ME, the undersigned authority, this day personally appeared DRUCE J. GOLDMAN, 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 Attorney [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.

ESTATE OF ROBERT WILLIE HUNT

2. Affiant's address is: 11042 Parabela St
Coral Gables, FL 33156

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.

[Signature]
BRAUCE J. GOLDSTEIN, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 24th day of October 2016, by BRAUCE J. GOLDSTEIN, [] who is personally ~~known to me~~ or [] who has produced _____ as identification and who did take an oath.

[Signature]
Notary Public

Patricia Kurz
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large
My Commission Expires: _____



EXHIBIT "A"
PROPERTY

PALM BEACH FARMS CO PL NO 3 W 100 FT OF S 365 FT OF E 1/2 OF TR 7 BLK 55.

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
DAVID HUNT	501 HUNN PLACE WEST PALM BEACH, FL 33409
WENDY EUNSE	5300 DR MARTIN LUTHER KING ST ST PETERSBURG, FL 33705
ITAN HOLEM BULLER	3201 5TH AVE SOUTH ST PETERSBURG, FL 33711
WILEMED HUNT	6301 S. WEST SHORE BLVD APT. 1108, TAMPA, FL 33616
CATHERINE PRICE HUNT	4035 WINDY DRIVE ORLANDO, FL 32808
MICOLE HUNT	5743 18TH WAY SOUTH ST PETERSBURG, FL 33712
CHRIS HUNT	5743 18TH WAY SOUTH ST PETERSBURG, FL 33712