

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

Application No.: ZV/DOA-2018-01208
Application Name: Delray Commons (Barkley Place)
Control No./Name: 1984-00163 (Delray Commons (Barkley Place))
Applicant: Barkley International, Inc.
Owners: Barkley International, Inc.
Agent: Dunay, Miskel and Backman, LLP - Beth Schrantz and Bonnie Miskel
Telephone No.: (561) 405-3321, (561) 405-3300
Project Manager: Carrie Rechenmacher, AICP, Senior Site Planner

TITLE: Type 2 Variance **REQUEST:** to allow a reduction in lot depth, Right-of-Way (R-O-W) Buffer, and building setbacks; to allow for elimination of foundation planting; and, to increase easement overlap within a R-O-W Buffer. **TITLE:** a Development Order Amendment **REQUEST:** to reconfigure the Site Plan; add and delete square footage; modify uses; and, amend Conditions of Approval.

APPLICATION SUMMARY: Proposed are five Type 2 Variances and a Development Order Amendment for the Delray Commons (Barkley Place) development. On March 24, 1994, the Board of County Commissioners (BCC) approved a rezoning for the 4.0-acre parcel from Commercial High Office to the Community Commercial Zoning District with a Conditional Overlay Zone (COZ). On September 1, 2016, the Zoning Commission approved a request for two Type 2 Variances (ZV) to allow a reduction in lot depth, and a reduction of the right-of-way (R-O-W) buffer along the east property line fronting Military Trail, which has since expired. The subject site is currently vacant.

The Applicant is proposing to modify the previously approved Site Plan for 26,959 square feet (sq. ft.) of office space in three buildings, to allow for development of 33,956 sq. ft. (+ 6,997 sq. ft.) of Medical Office, Retail Sales and Restaurant uses in four buildings. In addition, five Variances are being requested, which includes the previously expired requests to reduce lot depth and R-O-W buffer width; and, additional Variances to allow for elimination of foundation planting, a five foot reduction of the rear setback for Buildings C and D on the north side of the site, and to increase easement encroachment in a R-O-W Buffer for a Palm Tran easement.

The Preliminary Site Plan (PSP) indicates 163 parking spaces and four buildings, which include two 2-story buildings that are connected with a second story bridge, with 2nd floor uses limited to 15,174 sq. ft. of Medical Offices, and the first floors consisting of 6,332 sq. ft. of Retail and 6,332 sq. ft. of Type 2 Restaruant; a one-story 3,059 sq. ft. Type 1 Restaurant with no drive-thru; and, a one story 3,059 sq. ft. Retail building. Two access points are proposed from Military Trail. The site remains divided by Royal Palm Drive which leads to Colonial Estates Mobile Home Park to the west.

This application was reviewed for compliance with Unified Land Development Code (ULDC) Ord. 2003-067, Supplement 24.

SITE DATA:

Location:	West side of Military Trail, approximately 0.25 miles north of Flavor Pict Road.
Property Control Number(s)	00-42-46-02-00-000-1041
Existing Future Land Use Designation:	Commercial High, with an underlying HR-8 (CH/8)
Proposed Future Land Use Designation:	No Proposed Change
Existing Zoning District:	Community Commercial (CC)
Proposed Zoning District:	No Proposed Change
Total Acreage:	4.00 acres
Affected Acreage:	4.00 acres
Tier:	Urban/Suburban
Overlay District:	N/A
Neighborhood Plan:	West Boynton Community Plan

CCRT Area:	N/A
Municipalities within 1 Mile	Boynton Beach, Delray Beach, Village of Golf
Future Annexation Area	Boynton Beach

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

ACTION BY THE ZONING COMMISSION (ZC): At the December 6, 2019 ZC Hearing this item was on the Consent Agenda. However, it was pulled from the Consent Agenda and moved to the Regular Agenda, as members from the public wished to speak. The Applicant and Staff gave presentations, which included amended Conditions of Approval for landscaping which were identified on the Amendments to the Agenda handout. At the ZC hearing 21 cards were submitted and several spoke in opposition, citing a negative impact from too much square footage and too many uses for the small site, traffic that would endanger the elderly drivers on Military Trail, insufficient parking causing a backup of traffic on to Military Trail, and Restaurant dumpster odors. Several also spoke in favor including numerous residents of Colonial Estates which is directly to the west and is most impacted by the request.

The Agent provided a historical perspective of R-O-W takings of Military Trail and provided aerial built and unbuilt perspectives of the affects to the site. They agreed to revised conditions to increase the minimum setback from the west property lines for all dumpster enclosures, and to require those for restaurant uses to be fully enclosed. The ZC further inquired as to pedestrian connectivity to Colonial Estates, to which the Applicant indicated that residents didn't want to allow additional pedestrian traffic to have access to Colonial Estates Drive. Staff also agreed to delete ENG Condition 2. Which addresses an entrance onto Steiner Road which is no longer indicated or applicable on the revised Preliminary Site Plan.

After a discussion, Commissioner Brumfield made a motion to approve the variances and recommend approval of the DOA subject to the Conditions of Approval, as amended. Commissioner Kanel seconded the motions. The motion carried 6-0.

PUBLIC COMMENT SUMMARY: At the time of publication, staff had received two phone calls from the public regarding this project with concerns about impact to the residential community of Colonial Estates located directly adjacent to the west. Staff has also received correspondences from COBWRA (Exhibit E) with an objection to the request with a one vote majority, and President of Colonial Estates with approval for the request (Exhibit F).

PROJECT HISTORY:

Application No.	Request	Resolution	Approval Date
Z-1984-00163	An Official Zoning Map Amendment to allow a rezoning from Agricultural Residential (AR) to the Specialized Commercial (CS) District.	R-1985-0318	02/19/1985
	Special Exception to allow a Planned Office Business Park- Later repealed by a Condition of Approval of R-1994-0358	R-1985-0319	
Z-1984-00163(A)	An Official Zoning Map Amendment to allow a rezoning from Commercial High Intensity Office (CHO) to the Community Commercial (CC) zoning district with a Conditional Overlay Zone (COZ)	R-1994-0358	03/24/1994
SR 1984-0163-5	Amend a Condition of Approval	R-2002-1473	085/22/2002
ZV-2007-00788	Type 2 Variance to allow a reduction of the R-O-W buffer width.	ZR-2007-016	03/01/2007
ZV-2016-00084	Type 2 Variance to allow a reduction of the lot width and R-O-W buffer width.	ZR-2016-0044	09/01/2016

TYPE 2 VARIANCE SUMMARY:

At the December 6, 2019 ZC hearing, the ZC approved the following variances:

#	ULDC Article	Required	Proposed	Variance
V1	Table 3.D.1.A, Property Development Regulations: Lot Depth (CC)	200 ft	143.ft.	-57ft.
V2	Table 3.D.1.A, Property Development Regulations: (CC) Rear Setback	30 ft. Rear setback	25 ft. (Building C)	-5 ft. (Building C)
V3	Table. 7.C.3.B, Foundation Planting and Dimensional Requirements: Facades to be Planted	8 ft. wide Foundation Planting 40% of Front Facade.	Eliminate Front Facade (Buildings A, B, & C)	100% Front Facades (Buildings A, B, & C)
V4	Art. 7.C.5, Easements in Landscape Buffers	Maximum 5 ft. overlap for Underground Utilities in Landscape Buffer.	Maximum 10 foot overlap in R-O-W Buffer (Palm Tran Easement) Military Trail	+5 foot easement overlap (Palm Tran Easement)
V5	7.C. Landscape Buffer Requirements	20 ft. R-O-W Buffer	16 ft. R-O-W Buffer Military Trail	-4 ft

- V.1: ULDC Table 3.D.1.A, Community Commercial (CC) Property Development Regulations, to allow 143.04 foot lot depth where 200 foot lot depth is required;
- V.2: Table 3.D.1.A, Community Commercial (CC) Property Development Regulations, to allow a 25 ft. rear (west) setback for Buildings C and D where a 30 ft. rear setback is required;
- V.3: ULDC Section 7.C.3.B, Foundation Planting, to eliminate the foundation planting requirements along the front façade (east) for Buildings A, B, and C;
- V.4: ULDC Section 7.C.5.A to allow easement overlap of ten ft. for a Palm Tran easement along 30 ft. of the Military Trail frontage where a maximum five ft. wide easement overlap is permitted; and,
- V.5: ULDC Table 7.F.7.A-5 Width of R-O-W to allow a 16 ft. R-O-W buffer width along Military Trail where a twenty ft. wide R-O-W buffer is required.

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 a – h listed in ULDC Article 2.B.7.B.2, Standards. 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.

- a. **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 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 Intensity: The maximum Floor Area Ratio (FAR) of .35 is allowed for a non-residential project with a Commercial High with an underlying 8 units per acre(CH/8) FLU designation in the Urban Suburban Tier (174,447 surveyed square feet or 4.00 acres x .35 maximum FAR = 61,056.45 square feet maximum). The request for a total of 33,956 square feet equates to a FAR of approximately 0.20 (33,956 / 174,447 surveyed square feet or 4.00 acres = 0.195).
 - o Special Overlay District/ Neighborhood Plan/Planning Study Area: The property is located within the West Boynton Community Plan, which is administered by the Coalition of Boynton West

Residents Association (COBWRA). The request is not inconsistent with the neighborhood plan recommendations. The applicant reached out to COBWRA and met with adjacent communities. Staff has not received any objections or concerns as of the writing of this report.

b. 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.*

o The Property is zoned Community Commercial (CC) with a Conditional Overlay Zone (COZ) and is currently approved for three buildings containing 26,959 square feet of Professional Office use. On September 1, 2016, the Zoning Commission approved a request for two Type 2 Variances (ZV) to allow a reduction in lot depth, and a reduction of the R-O-W buffer along the east property line fronting Military Trail, which has since expired. Therefore similar Variances are requested with this application.

o Change and Applicability for Prior Approvals: In 1985 the subject site was rezoned from Agricultural Residential (AR) to the Specialized Commercial (CS) District. By Ordinance 2011-0116 the Specialized Commercial (CS) District corresponds to the Commercial High Office District (CHO) District. In 1994 the site was rezoned from CHO to the CC Community Commercial (CC) zoning district with a Conditional Overlay Zone (COZ). The Project complies with Article 1 and is not seeking to vest any existing nonconformities but is seeking Type 2 Variances to address the site constraints of the current property configuration.

o PDRs: The Project complies with the Development Review procedures outlined in Article 2 through the process of this application. Pursuant to approval of the lot depth and rear setback variances requested, the Project complies with the Property Development Regulations in Article 3 with the provision of greater than 1 acre lot size, and exceeding the minimum 100 foot property width and frontage.

o Architecture: The Applicant notes that Architectural Elevations will be submitted at time of Building Permit for review for compliance with Article 5.C., Design Standards. Conditions revised for the December 8, 2019 ZC required the maximum height for all structures including air conditioning, parapets, mechanical equipment and satellite dishes to not exceed 30 feet within 30 feet of the west property line or 35 feet for the remainder of the development.

o Parking and Loading: The proposed development is required and provides 163 parking space based on number of seats a minimum of one parking space per three seats for the restaurants and square footage of the offices and retail at a rate of one parking space per 200 sq. ft. A Type 1 Waiver is requested for limited loading of 40 foot in depth instead of 55 foot depth for two loading spaces. This waiver may be approved administratively at final DRO approval.

o Signage: The Applicant is proposing two freestanding signs. A maximum of three freestanding sign are permitted by Code for a project with 301 feet or more of frontage within the U/S Tier, as in the case of the subject development. The development has 642 feet of frontage north and 503 feet of frontage south. The Preliminary Sign Plan indicates two freestanding signs ten feet in height with a maximum of 100 sq. ft. per sign. The proposed sign sq. ft. is in compliance with Article 8. The Applicant may also provide wall signage on the front (east) facade of the buildings equal to one sq. ft. per lineal foot of building to which the sign is attached. Staff has included conditions limiting the signage as shown on the Preliminary Master Sign Plan.

o Landscape/Buffering: There have been several R-O-W takings along Military Trail, which have reduced the lot depth and were addressed in two previous variances that have since expired. The reduced lot width, right-of way buffer width, foundation planting and rear setback requested are necessary to accommodate the prior R-O-W dedications while preserving the ability to develop the site. The landscaping along the west property line shall buffer the existing residential development from any potential impacts and includes a six foot wall. Staff has included conditions requiring a six foot wall and required landscaping including one palm or for each 30 linear feet of the property line along the west buffer adjacent to residential. Staff has added a condition to address the proposed two

foot planters proposed in front of the east sidewalks. Also conditions have been added to address the additional divider medians interior to the site and to mitigate proposed variance approvals.

The Applicant agreed with the adjacent Property Owners to the west of Colonial Estates to add additional shrubs and trees to the site perimeter to help mitigate any negative impact of the proposed development. These upgrades were indicated on the Dec 6 ZC add/delete agenda.

o Variance: There have been several R-O-W takings along Military Trail, which have reduced the lot depth. The reduced lot width, R-O-W buffer width, foundation planting and rear setback requested are necessary to accommodate the prior R-O-W dedications while preserving the ability to develop the property with structures, required parking and landscaping required along the west property line to buffer the existing residential development from any potential impacts. Approval of the Variance requests would allow a minimum lot width of 143.04 feet, a minimum R-O-W landscape buffer width along Military Trail of 16 foot, easement overlap of ten feet for the Palm Tran easement, elimination of foundation plantings along the front (east) façade of each building, and a 25 ft. rear setback for Buildings C and D. Staff has added conditions to mitigate the potential impacts as a result of the Variance approvals.

c. 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.*

o The site is designed to provide the buffers necessary along the north, south and west property lines to ensure that the proposed Commercial development is consistent and compatible with the surrounding residential FLU designations. The proposed Medical Office, Type 1 and Type 2 Restaurant, and Retail uses serve a community commercial purpose of providing employment, and goods and services for neighborhoods within three to five miles. The Applicant further states that the project will provide an appropriate transition from the busy Military Trail thoroughfare and act as a buffer to the residential communities located to the north, south and west.

d. 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 proposed design minimizes adverse impacts, including visual impact and intensity of the proposed use on adjacent lands. The Applicant states the site is designed to be compatible with existing residential uses along Military Trail in the surrounding area. The development is also designed to meet the ULDC required dimensional and landscaping components to the maximum extent possible, which ensure that the DOA is aesthetically pleasing and compatible with other uses in the area. Staff has included conditions limiting the signage and requiring a six foot wall and required landscaping including one additional palm or pine for each 30 linear feet of the property line along the west buffer adjacent to residential. A Condition revised for the December 8, 2019 ZC required the dumpsters to meet a minimum of 40 feet from the west property line adjacent to residential and that restaurant waste shall remain in a climate controlled enclosed structure until removed from the premises. Height limitations allow a maximum height for all structures including air conditioning, parapets, mechanical equipment and satellite dishes to not exceed 30 feet within 30 feet of the west property line or 35 feet for the remainder of the development.

e. 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:

Comments: VEGETATION PROTECTION: The site was previously cleared of most of the native on-site vegetation..

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

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

results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93 15.

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

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

o The subject site was previously determined to be logical, orderly and timely development pattern pursuant to the original approval for a commercial and retail center. Approval of the Project will allow for additional community commercial options to accommodate the growing population of the County within the Urban/Suburban Tier. The site is located in close proximity to a number of single family residential communities. The Applicant states that a greater range of medical care options, restaurants, and retail in proximity to those who use them would reduce the number and length of traffic trips in the County. Subject to conditions of approval, the proposed development is consistent with the existing development patterns along Military Trail and is designed to be compatible with the surrounding area.

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

ENGINEERING COMMENTS:

The proposed commercial development on the currently vacant site is expected to generate 1,576 net daily, 42 net AM and 121 net PM peak hour trips. Build-out of the project is expected to be by 2023.

There are no improvements to the roadway system required for compliance with the Traffic Performance.

ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)

Traffic volumes are in vehicles per hour

Segment: Military Trail from Flavor Pict Rd to Golf Rd

Existing count: Northbound=2029, Southbound=1243

Background growth: Northbound=369, Southbound=226

Project Trips: Northbound=33, Southbound=33

Total Traffic: Northbound=2431, Southbound=1502

Present laneage: 3 in each direction

Assured laneage: 3 in each direction

LOS "D" capacity: 2,940 per direction

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

The Property Owner shall obtain an onsite drainage review from Land Development prior to the issuance of the building permit.

The Property Owner shall install landscaping within the median of Military Trail along the project frontage in accordance with OTIS.

PALM BEACH COUNTY HEALTH DEPARTMENT: This project meets The Florida Department of Health's requirements

FIRE PROTECTION: The Fire Department Staff reviewed the request and found no issues with the proposed project at this time.

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

SCHOOL IMPACTS: This is a nonresidential project, therefore Palm Beach County School standards do not apply.

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

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

The Applicant states there are changed conditions or circumstances that necessitate the Project. The Military Trail corridor and County at large have significantly changed since the Plan adoption in 1989 from primarily agricultural production uses to residential uses and suburban development, thus creating the need for additional commercial facilities for the County residents.

The most recent site plan approval for the property processed in 2005 and was comprised entirely of business or professional office use. The Applicant states that significant market changes making consumers including office tenants and more demanding to have convenient services located in close proximity to their workplace. As such, a standalone office use located in an area that is predominantly residential with no convenient dining or shopping options nearby is insufficient to create an economically feasible development and an increased tendency to use meal delivery services in lieu of driving off-site during an employee's break. The addition of retail and restaurant options work with the proposed medical office to allow complementary uses within the development. The plan revisions allow office employees to have dining options and minor retail opportunities during their breaks, rather than requiring them to rely on delivery services or drive to the nearest amenities and is the changed circumstances that necessitate the amendment. Approval of the Project will allow for additional community commercial options to accommodate the growing population of the County within the Urban/Suburban Tier.

CONCLUSION: Staff has evaluated the standards listed under Article 2.B.7.E.6, Standards for Zoning or Subdivision Variance and Article 2.B.7.B.2. Standards, 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 Exhibit C-2.

CONDITIONS OF APPROVAL

EXHIBIT C-1 - Type 2 Variance (Concurrent)

ALL PETITIONS

1. The approved Preliminary Site Plan is dated October 15, 2019. 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)

2. 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. (BLDGPM: BUILDING DIVISION - Zoning)

3. Prior to the issuance of a Final Certificate of Occupancy, the Property Owner shall install a minimum two (2) foot wide planters along a minimum of forty percent (40%) of the sidewalk abutting the building east facade. (CO: BUILDING DIVISION - Zoning)

4. Prior to the issuance of a Final Certificate of Occupancy, the Property Owner shall install four (4) divider medians with a minimum width of twelve (12) feet excluding curbing, and a minimum landscape area of six hundred and fifty (650) square feet, consistent with the Preliminary Site Plan dated October 15, 2019. (CO: BUILDING DIVISION - Zoning)

COMPLIANCE

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

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

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

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

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

d. Referral to Code Enforcement; and/or

e. Imposition of entitlement density or intensity.

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

DISCLOSURE

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

CONDITIONS OF APPROVAL

EXHIBIT C-2 - Development Order Amendment (Conditional Overlay Zone)

ALL PETITIONS

1. Resolution Number R-85-319 is hereby repealed. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous A Condition 1 of Resolution R-1994-358, Control No.1984-00163)

2. Previous A Condition 2 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure that the site is developed consistent with the design represented in the application, the petitioner shall, prior to the issuance of the first building permit, receive approval for a Final Site Plan from the Development Review Committee.

Is hereby amended to read:

The approved Preliminary Site Plan is dated October 15, 2019. 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)

3. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-94-0358 (Control 1984-163(A)) and R-2002-1473 (Control 1984-00163 A.5), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning)

ARCHITECTURAL REVIEW

1. Previous C Condition 1 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure consistency with the petitioner proposal no roof mounted mechanical equipment shall be permitted. All HVAC equipment shall be ground mounted and screened from view with a minimum four (4') foot solid fence or wall.

Is hereby amended to read:

The maximum height for all structures including air conditioning, parapets, mechanical equipment and satellite dishes shall not exceed thirty (30) feet within thirty (30) feet of the west property line or thirty-five (35) feet for the remainder of the development. Height shall be measured from finished grade to highest point of the structure. (DRO: ZONING - Zoning)

HEALTH

1. Previous D Condition 1 of Resolution R-1994-358, Control No.1984-00163, which currently states:

The application and engineering plans to construct an onsite wastewater disposal system must be submitted to the Health Unit prior to site plan approval by the Development Review Committee.

Is hereby deleted. [REASON: Connection required by code]

2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing onsite potable water supply systems must be abandoned in accordance with Palm Beach County ECR-II. (ONGOING: HEALTH DEPARTMENT – Health Department) (Previous D Condition 2 of Resolution R-1994-358, Control No.1984-00163)

ENGINEERING

1. The property owner shall pay a Fair Share Fee in the amount and manner required by the “Fair Share Contribution for Road Improvements Ordinance” as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project at the time of the Building Permit presently is

\$145,970.00 (2,654 trips X \$55.00 per trip) (Previous E Condition 1 of Resolution R-1994-358, Control No.1984-00163)

2. Previous E Condition 2 of Resolution R-1994-358, Control No.1984-00163, which currently states:

Prior to DRC approval of the proposed site plan the proposed entrance onto Steiner Road shall be relocated in accordance with Palm Beach County's Parking Lot Standards. (DRO: ENGINEERING - Engineering)

Is hereby deleted. [REASON: No longer applicable for the new site plan.]

3. Previous F Condition 1 of Resolution R-1994-358, Control No.1984-00163, which currently states:

The property owner has voluntarily agreed that prior to issuance of a Building Permit, the petitioner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median(s) of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall consist of a minimum of one (1) fourteen (14) foot tall native tree for each thirty (30) linear feet of the adjacent median to be planted and appropriate ground cover. Trees may be planted singly or in clusters. All landscaping and maintenance shall be subject to the standards as set forth by the Palm Beach County Engineering and Public works Department. All landscape material shall be selected for the following list:

Trees:	Ground cover:
Laurel Oak	Wedilia
Live Oak	Bahia Grass
Slash Pine	
Sabal Palmetto	

Alternative species may be allowed subject to approval by the County Engineer. All plant material shall be installed and selected according to xeriscape principles and shall conform with the following:

- a) All plants shall be container grown or field collected and transplanted from the project site.
- b) All plantings shall be done in accordance with detailed planting plans and specifications to be submitted and approved by the County Engineer concurrent with Site Plan certification.
- c) All required median landscaping, including watering, shall be the perpetual maintenance obligation of the petitioner and its successors, legal heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association, and shall be installed on or before issuance of the first Certificate of Occupancy or concurrent with the first plat, whichever occurs first.
- d) Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to the issuance of the first building permit to reflect this obligation. Maintenance shall be in accordance with the issued permits.

Is hereby deleted. [REASON: Superseded by new Engineering Condition 7.]

4. 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 or as otherwise approved by the County Engineer. (BLDGPM: MONITORING - Engineering)

5. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

- a. Drainage study shall be provided the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)
- b. Any required drainage easements shall be dedicated in conjunction with any plat recordation or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: MONITORING - Engineering)

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

- a. No Building Permits for the site may be issued after December 31, 2023, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the

request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

7. The Property Owner shall design, install, and perpetually maintain median landscape within the median of all abutting right of way of Military Trail. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioner's approval. Median landscaping installed by the Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph c and d below.

a. The necessary permit(s) for this landscaping and irrigation shall be applied for from Palm Beach County Land Development prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

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

c. At Property Owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner. (BLDGPM: MONITORING - Engineering)

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

LANDSCAPE - GENERAL

1. Previous A Condition 4 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure that the landscaping installed on site will provide adequate buffering when installed. All trees required to be planted on site by this approval shall meet the following minimum standards at installation:

- a. Tree height: fourteen (14) feet.
- b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
- c. Canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length.

Is hereby amended to read:

To ensure that the landscaping installed on the western portion of the site adjacent to residential will provide adequate buffering when installed, all trees required to be planted on site by this approval shall meet the minimum tree height at installation of fourteen (14) feet. (ONGOING: ZONING - Zoning)

LANDSCAPE - PERIMETER

2. Previous A Condition 3 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure that the site is adequately buffered from the adjacent residential use, the petitioner shall upgrade the landscape buffer on the western property line to include:

- a) A landscape strip with a minimum width of eighteen (18) feet;
- b) A six (6) foot high wall; setback a minimum of ten (10) feet from the property line;
- c) Native canopy trees planted on the outside of the wall twenty five (25) feet on center;
- d) Palm trees placed thirty (30) feet on center on the outside edge of the wall;
- e) A hedge with a minimum height of thirty-six (36) inches placed on the inside edge of the wall; and,

f) One shrub with a minimum height of twenty four (24) inches for every sixty (60) square feet of this required landscape strip planted on the inside edge of the wall.

Is hereby amended to read:

2. PERIMETER LANDSCAPING ALONG THE WEST PROPERTY LINE (ABUTTING RESIDENTIAL) In addition to Code requirements, landscaping along the west property line shall be upgraded to include:

- a. A six (6) foot high opaque block or panel wall. Height of the wall shall be measured from the highest grade of the two adjoining properties or from the nearest adjacent finished floor of the proposed structure. Method of measuring height of the wall shall be finalized subject to the review and approval by the Landscape Section to ensure screening effect is achieved for the adjacent property; and,
- b. One (1) palm or pine for each for each thirty (30) linear feet of the property line;
- c. Five (5) canopy trees;
- d. All canopy trees shall be a minimum sixteen (16) feet height at installation; and,
- e. Seventy-five (75) large shrubs. (BLDGPM: ZONING- Zoning)

3. PERIMETER LANDSCAPING ALONG THE EAST PROPERTY LINE (ROW BUFFER FOR MILITARY TRAIL): In addition to code requirements, landscaping along the east property line shall be upgraded to include:

- a. Twenty (20) canopy trees; and,
- b. One hundred and fifty (150) medium shrubs. (ONGOING: ZONING - Zoning)

4. PERIMETER LANDSCAPING ALONG ROYAL PALM DRIVE: In addition to code requirements, landscaping along the north property line for the south property line and south property line for the north parcel (along Royal Palm Drive) shall be upgraded to include:

- a. Twenty (20) medium shrubs and,
- b. Thirty (30) small shrubs. (ONGOING: ZONING - Zoning)

5. PERIMETER LANDSCAPING ALONG THE SOUTH PROPERTY LINE (INCOMPATIBILITY BUFFER): In addition to code requirements, landscaping along the south property line shall be upgraded to require all canopy trees to be a minimum sixteen (16) foot in height at time of planting. (ONGOING: ZONING - Zoning)

SIGNS

1. Previous G Condition 1 of Resolution R-2002-1473, Control No.1984-00163, which currently states:

Point of purchase and/or free standing signs shall be limited as follows:

- a. Maximum sign height, measured from finished grade to highest point - ten (10) feet
- b. Maximum total sign face area, per side - 90 square feet.
- c. Maximum number of signs - one (1) per parcel.

Is hereby amended to read:

Free standing signs shall be limited as follows:

- a. Maximum sign height, measured from finished grade to highest point - ten (10) feet;
- b. Maximum total sign face area, per side - 100 square feet; and,
- c. Maximum number of signs - two (2): one (1) per north and one (1) per south parcel. (ONGOING: ZONING - Zoning)

SITE DESIGN

1. Previous C Condition 2 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure the site is developed to be compatible with the surround uses the petitioner shall, prior to certification of a final site plan by the DRC, demonstrate compliance to section 6.6.D of the ULDC.

Is hereby deleted. [REASON: Code Requirement to be consistent with all sections of the ULDC.]

2. The minimum setback for all dumpster enclosures shall be forty (40) feet from the west property line. Restaurant waste shall remain in a climate controlled enclosed structure until removed from the premises. (DRO: ZONING - Zoning)

USE LIMITATIONS

1. Previous B Condition 1 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure the site is developed to be compatible with the surround uses the petitioner shall, prior to certification of a final site plan by the DRC, demonstrate compliance to section 6.6.D of the ULDC.

Is hereby deleted. [REASON: Restaurants proposed and water and sewer to be provided.]

2. Previous B Condition 2 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure that the uses on site are consistent with the proposal represented by the petitioner the uses on site shall be limited as follows:

- A) North parcel shall be limited to permitted uses listed in the CC zoning district unless otherwise noted; and,
- B) South parcel shall be limited to business and professional office.

Is hereby deleted. [REASON: Condition is no longer applicable.]

3. To ensure that the two parcels are developed consistent with the Future Land Use Elements of the Comprehensive Plan the petitioner shall, prior to certification of a final site plan by the Development Review Committee, record in the public record a Unity of Control for the entire subject property in a form acceptable to the County Attorney's Office. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous B Condition 3 of Resolution R-1994-358, Control No.1984-00163)

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.

Figure 1- Future Land Use Map

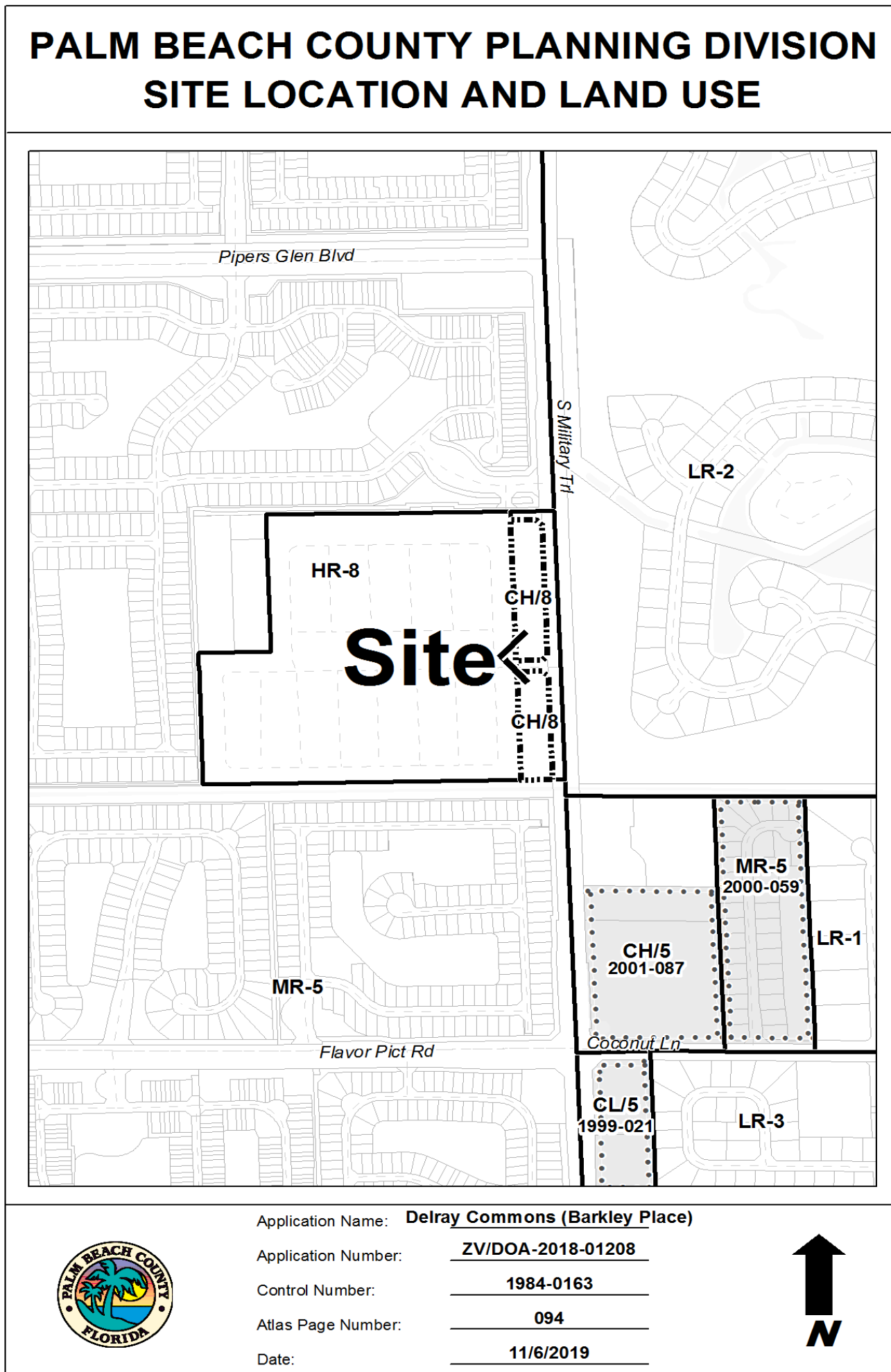
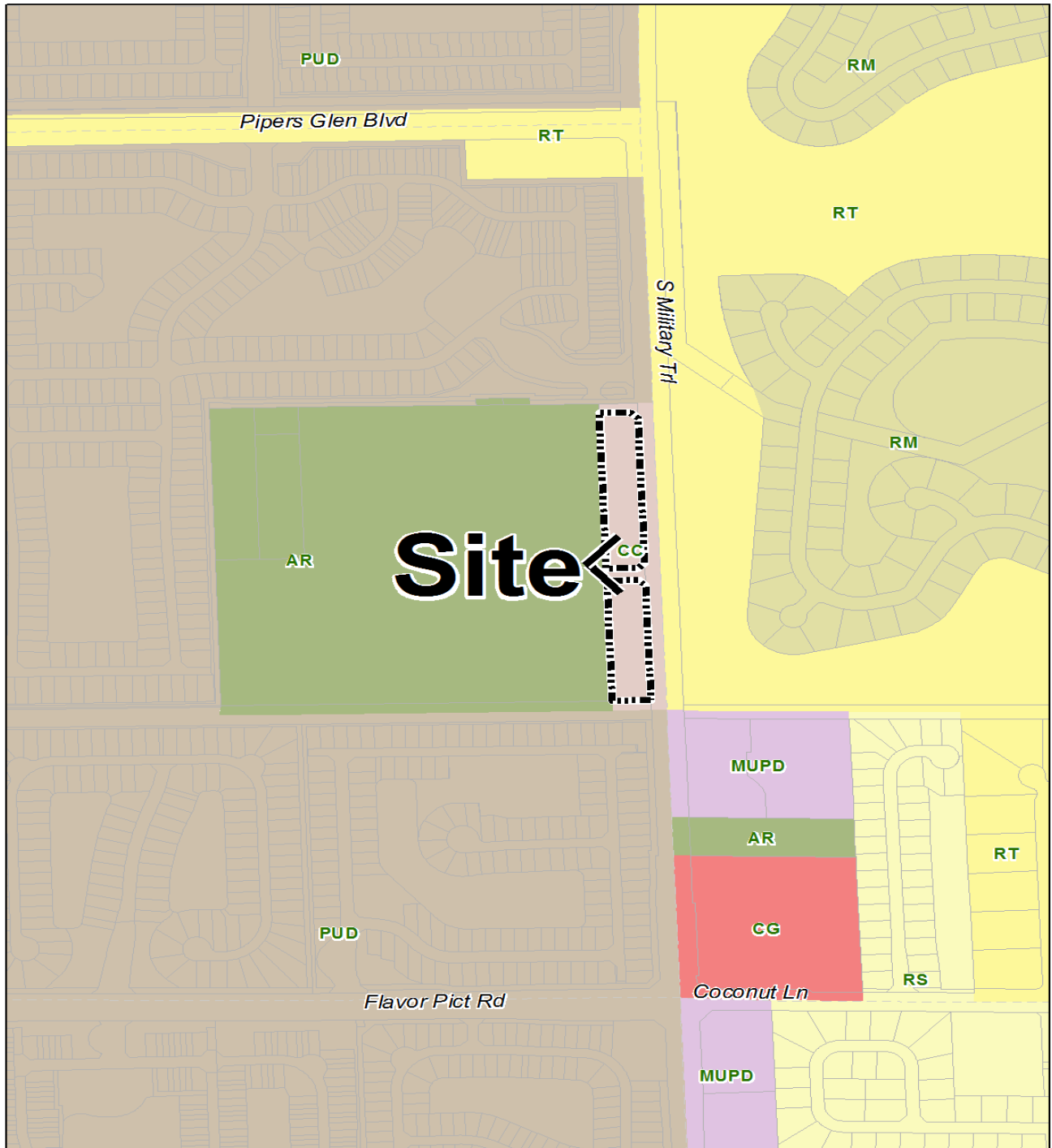


Figure 2- Zoning Map

PALM BEACH COUNTY PLANNING DIVISION SITE LOCATION AND ZONING



Application Name: **Delray Commons (Barkley Place)**
 Application Number: ZV/DOA-2018-01208
 Control Number: 1984-0163
 Zoning Quad Number: 036
 Date: 11/6/2019



Figure 3- Aerial

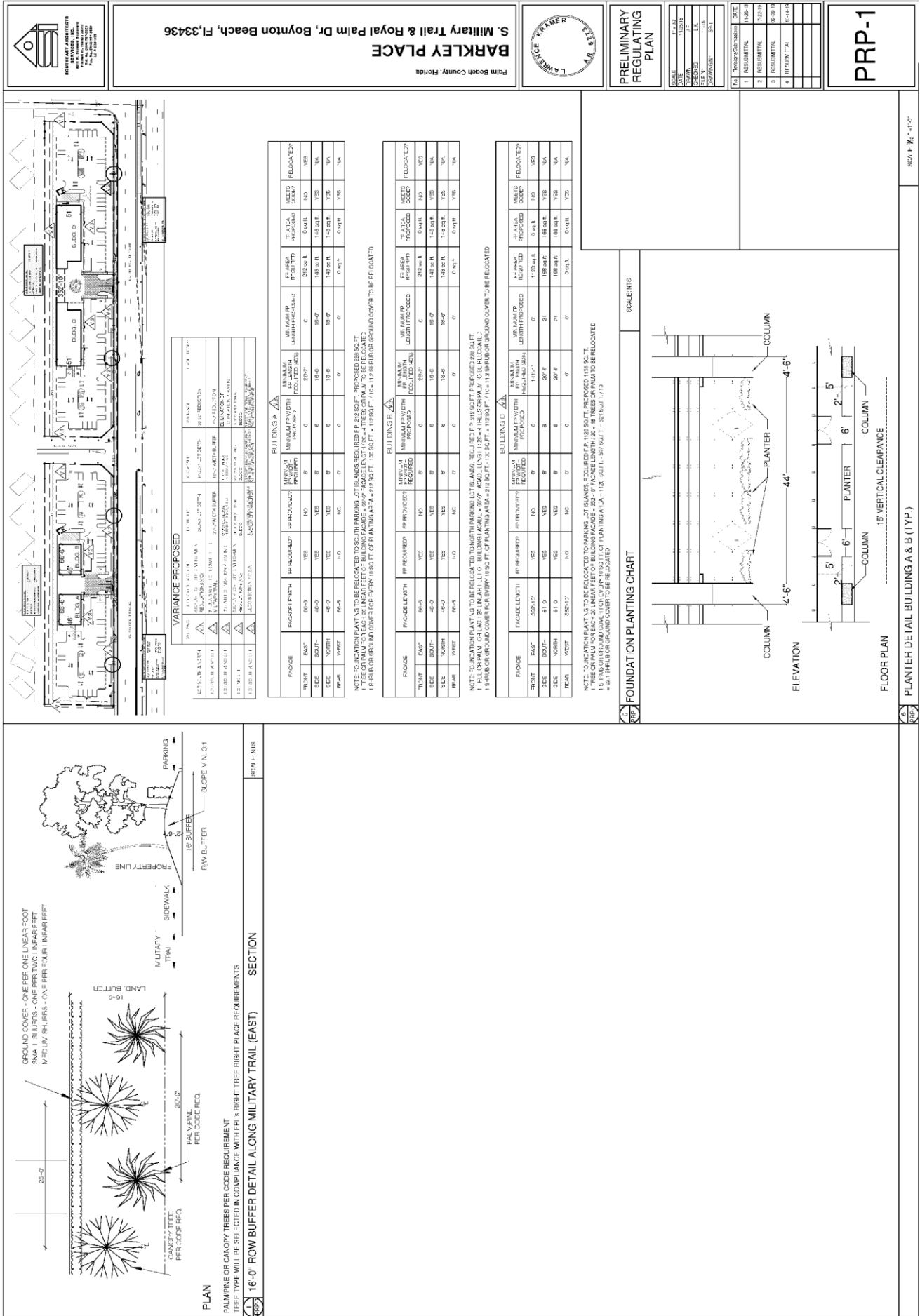
PALM BEACH COUNTY PLANNING DIVISION SITE LOCATION



Application Name: **Delray Commons (Barkley Place)**
Application Number: **ZV/DOA-2018-01208**
Control Number: **1984-0163**
Atlas Page Number: **094**
Date: **11/6/2019**



Figure 5 - Preliminary Regulating Plan dated October 15, 2019



DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

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

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Jay Wallshein, 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 [] President *[position - e.g., president, partner, trustee]* of Barkley International, Inc. *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 5057 South Congress Avenue, Suite 403, Lake Worth, FL 33461

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.

Jay Wallshein
Jay Wallshein, President, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 7 day of June, 2018, by Jay Wallshein, [X] who is personally known to me or [X] who has produced Drivers License as identification and who did take an oath.

Joseph Torres
Notary Public

Joseph Torres
(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 11-27-2021



EXHIBIT "A"
PROPERTY

THE WEST 150.04 FEET OF THE EAST 203.04 FEET OF THE SOUTH 548.68 FEET OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER LESS THE SOUTH 15.00 FEET THEREOF TOGETHER WITH THE WEST 150.04 FEET OF THE EAST 203.04 FEET OF THE NORTH 732.31 FEET OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 2 TOWNSHIP 46 SOUTH RANGE 42 EAST, ALL BEING IN PALM BEACH COUNTY, FLORIDA SUBJECT TO DEDICATIONS, RESTRICTIONS, RESERVATIONS OR LIMITATIONS, IF ANY THAT MAY AFFECT THIS PROPERTY. LESS THE FOLLOWING THREE (3) PARCELS;

PARCEL 1; COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 2; THENCE ALONG THE EAST LINE OF SECTION 2 S 1-30'-17" E ON AN ASSUMED BEARING FOR 1381.48 FEET; THENCE S-89-46'-24" W. FOR 60.01 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MILITARY TRAIL AND THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL. THENCE CONTINUES 89-46'-24" W. FR 25.00 FEET, THENCE S-45-51'-56" E. FOR 35.76 FEET; THENCE N 1-30'-17" W. FOR 25. 00 FEET TO THE POINT OF BEGINNING.

PARCEL 2; COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 2; THENCE S. 1-30"-17"-E. ON AN ASSUMED BEARING, ALONG THE EAST LINE OF SAID SECTION 2 FOR 2073.79 FEET; THENCE S. 89-46-24 W. FOR 60.01 FEET TO THE POINT OF BEGINNING. THENCE CONTINUES. 89-46'-24" W. FOR 25. 00 FEET; THENCE N. 44-08-00 E. FOR 34.96 FEET; THENCE S. 1-30'-17" E. FOR 25.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3; COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 2 THENCE S. 1-30'-17" E. ON AN ASSUMED BEARING ALONG THE EAST LINE OF SAID SECTION 2 FOR 2073.79 FEET; THENCE S. 89-46'-24" W. FOR 60.01 FEET; THENCE S. 1-30'-17" E. FOR 60.01 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE S. 1-30'-17" E. FOR 25.00 FEET; THENCE N. 45-49'-48" FOR 35.76 FEET; THENCE N. 89-49'-47" E. FOR 25.00 FEET TO THE POINT OF BEGINNING. ALL SHOWN IN OFFICIAL RECORDS BOOK 7141PAGE 1833 OF THE PUBLIC RECORDS OF WEST PALM BEACH COUNTY, FLORIDA, FOR RIGHT-OF-WAY PURPOSES.



MANAGING GROWTH AND QUALITY OF LIFE
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CARRINGTON

November 22, 2019

Bonnie Miskel, Senior Partner
Beth Schrantz, Land Planner
Dunay, Miskel and Backman, LLP
14 S.E. 4th Street, Suite 36
Boca Raton, FL 33432

Via Email: bmiskel@dmblaw.com
bschrantz@dmblaw.com

Subject: Delray Commons (Barkley Place)
ZV/DOA-2018-01208

Dear Ms. Miskel and Ms. Schrantz,

I would like to inform you of the outcome of the votes taken for the above proposed project as follows:

- August 6, 2019 Growth Management Committee recommended for approval 14-1.
- August 12, 2019 Board recommended for approval 10-0 with 1 abstention.
- August 21, 2019 Delegates recommended for denial by a one vote majority.

Do not hesitate to contact us should you have any further questions or concerns.

Sincerely,

BETH RAPPAPORT, President
On behalf of the Coalition of Boynton West Residential Associations

cc: Ramsay J. Bulkeley, Esq., Executive Director
Patrick Rutter, Assistant County Administrator
Patricia Behn, Planning Director
Jon MacGillis, Zoning Director
Carrie Rechenmacher, Senior Site Planner
Stephen Oseroff, COBWRA Growth Management Chair
Barbara Roth, COBWRA Growth Management Vice Chair

Exhibit F - Letter from Colonial Estates MHP - dated November 27, 2019

COLONIAL ESTATES, INC
12375 S Military Trail
Boynton Beach, FL 33436

November 27, 2019

Palm Beach County Commissioners
301 N Olive Ave
West Palm Beach, FL 33401

Re: Colonial Estates Support for Barkley Place Project

Dear Mayor and Commissioners:

Colonial Estates, Inc is the duly elected board of the Colonial Estates 250 unit mobile home park community. Colonial Estates is located on the west side of Military Trail north of Flavor Pict Road and is contiguous to a parcel known as Delray Commons or Barkley Place ("Barkley Place"). It is our understanding from several meetings with the Barkley Place development team over the course of the past 2 years that the owner of the adjacent property intends to develop the Barkley Place property for use as restaurant, retail, and medical office. On behalf of the Colonial Estates Board of Directors, please accept this letter in support of the Barkley Place Development.

Colonial Estates Board Members have met with the development team and they have addressed our concerns regarding our entrance boulevard at Royal Palm drive, drainage, 6 foot privacy wall, landscaping along our eastern border, and potential traffic issues related to ingress/egress through our Park. The Barkley Place developer has committed to providing a drainage swale, wall, and lush landscaping along the Barkley Place west property line, as well as appropriate directional signage to ensure our driveway is not impacted.

The Barkley Place property is currently underutilized and does not serve any benefit to the surrounding community or our residents. We feel that the proposed development will help to clean up the property, add a classy buffer along Military Trail, and provide much needed retail, restaurant, and medical services to our community. We look forward to the completion and welcome our new commercial neighbors. In closing, Colonial Estates MHP supports the Barkley Place project and urges you to approve it as proposed. Should you have any questions regarding this letter, please do not hesitate to contact me at 561-738-0620

Respectfully,



Frank C Tripicchio, President
Colonial Estates, Inc

cc: PBC Zoning Commission
Carrie Rechenmacher, Senior Site Planner, *Palm Beach County Zoning*