



## PALM BEACH COUNTY ZONING APPLICATION STAFF REPORT

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ZONING COMMISSION, DECEMBER 4, 2025

### A. Application Summary

#### I. General

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**Application Name:** Boca Raton Preparatory School, DOA-2025-01312  
**Control Name:** Mission Bay PUD (1984-00095)  
**Applicant:** SEK Institutional Communications Corporation - Monica Segovia Perdiguero  
**Owner:** SEK Institutional Commun Corp Lessor  
**Agent:** JMorton Planning & Landscape Architecture - Alex Ahrenholz  
**Project Manager:** Nancy Frontany Bou, Senior Site Planner

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**Title:** a Development Order Amendment **Request:** to modify previously approved Requested Uses for a Private School and General Daycare approved via R-1997-00147, located within the Civic Pod of the PUD to reconfigure the outdoor areas, and reduce and relocate unbuilt buildings/square footage on 8.01 acres

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**Application Summary:** This application is for the Boca Raton Preparatory School which is located within the Private Civic Pod of Mission Bay PUD development. The site was initially approved by the Board of County Commissioners (BCC) on January 6, 1997 for a Development Order Amendment to redesignate a recreation Pod to Private Civic Pod and allow a Private Elementary and Secondary School with accessory summer camp (660 students) as a Requested Use and a General Daycare (192 children) as another Requested Use. The site was last approved by the BCC on September 24, 1998 for a Development Order Amendment to modify the Development Order for the Private/Public Recreation Facility and Club(Tennis Academy) and add an accessory Dormitory (48 rooms).

The requests propose a Development Order Amendment to modify the previously approved Requested use for a Private Elementary and Secondary School located within a Private Civic Pod to relocate and reduce square footage of a previously approved classroom (6,000 sq. ft.) building. The Preliminary Site Plan (PSP) indicates three buildings for the Private School with a total of 46, 050 square feet (sq. ft.) along with outdoor recreation areas. The number of students for the school remains at 660 and the Daycare at 192. There is a total of 156 parking spaces and access will remain from Diego S. Drive.

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#### II. Site Data

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**Acres:** Overall PUD: 513.20 Civic Pod: 8.01 acres  
**Location:** North of Diego Drive South approximately 0.35 miles west of the intersection of Glades Rd and State Road 7  
**Parcel Control:** 00-41-47-13-05-019-0000  
**Future Land Use:** Low Residential (LR-3)  
**Zoning District:** Residential Transitional Suburban District (RTS) with a Special Exception for a Planned Unit Development  
**Tier:** Urban/Suburban  
**Utility Service:** Palm Beach County Utility Department (PBCWUD)  
**Overlay/Study:** N/A  
**Neighborhood Plan:** N/A  
**CCRT Area:** N/A  
**Comm. District:** 5, Commissioner Maria Sachs

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#### III. Staff Assessment & Recommendation

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**ASSESSMENT:** Staff have evaluated the standards listed under Article 2.B., and determined that the requests meet the standards of the ULDC subject to Conditions of Approval as indicated in Exhibit C.

**STAFF RECOMMENDATION:** Staff recommends approval of the request, subject to the Conditions as indicated in Exhibit C

**PUBLIC COMMENT SUMMARY:** At the time of publication, Staff had received no contacts from the public regarding this application.

#### **IV. Hearing History**

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**ZONING COMMISSION:** *Scheduled for December 4, 2025*

**BCC HEARING:** *Scheduled December 10, 2025*

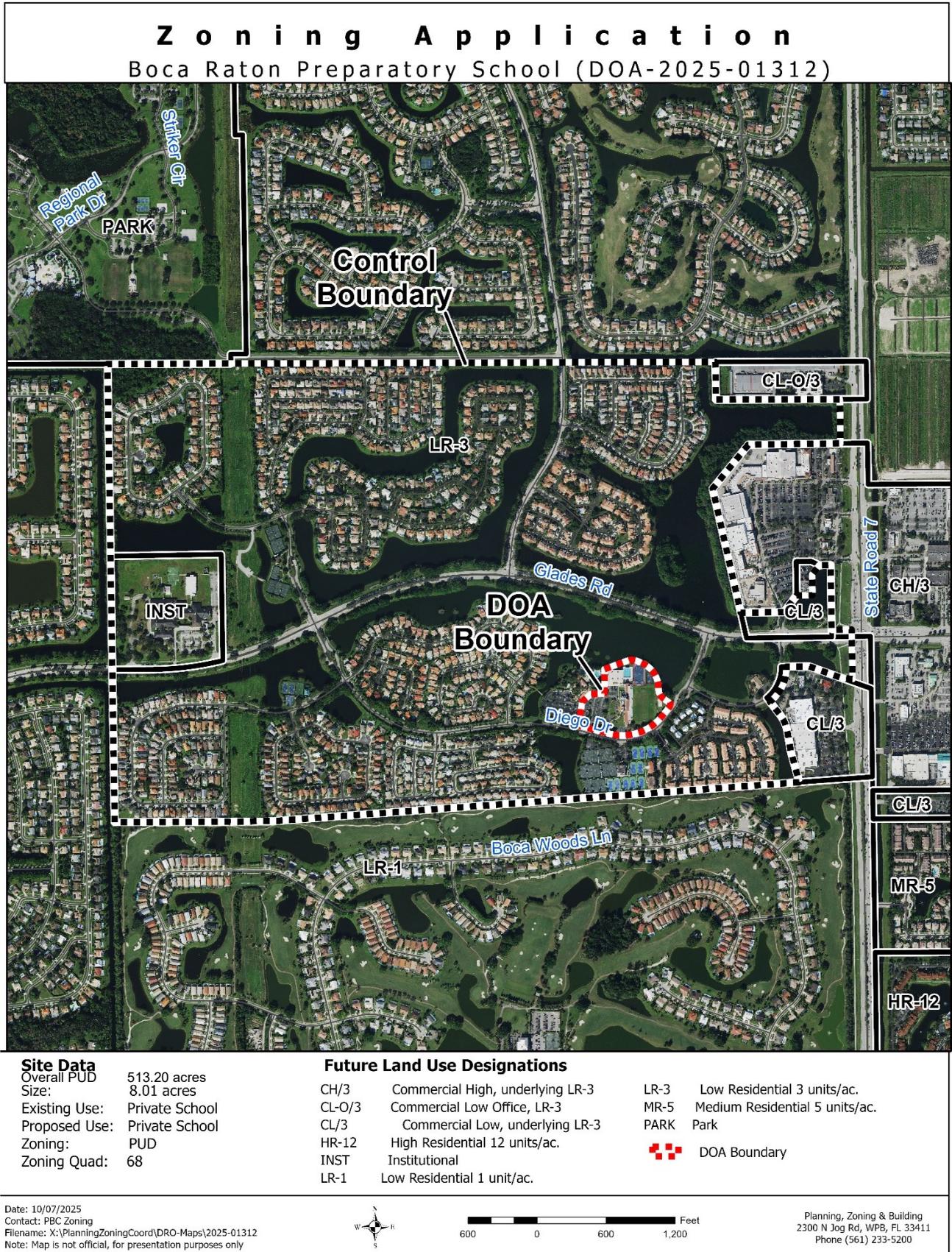
#### **B. Data & Analysis**

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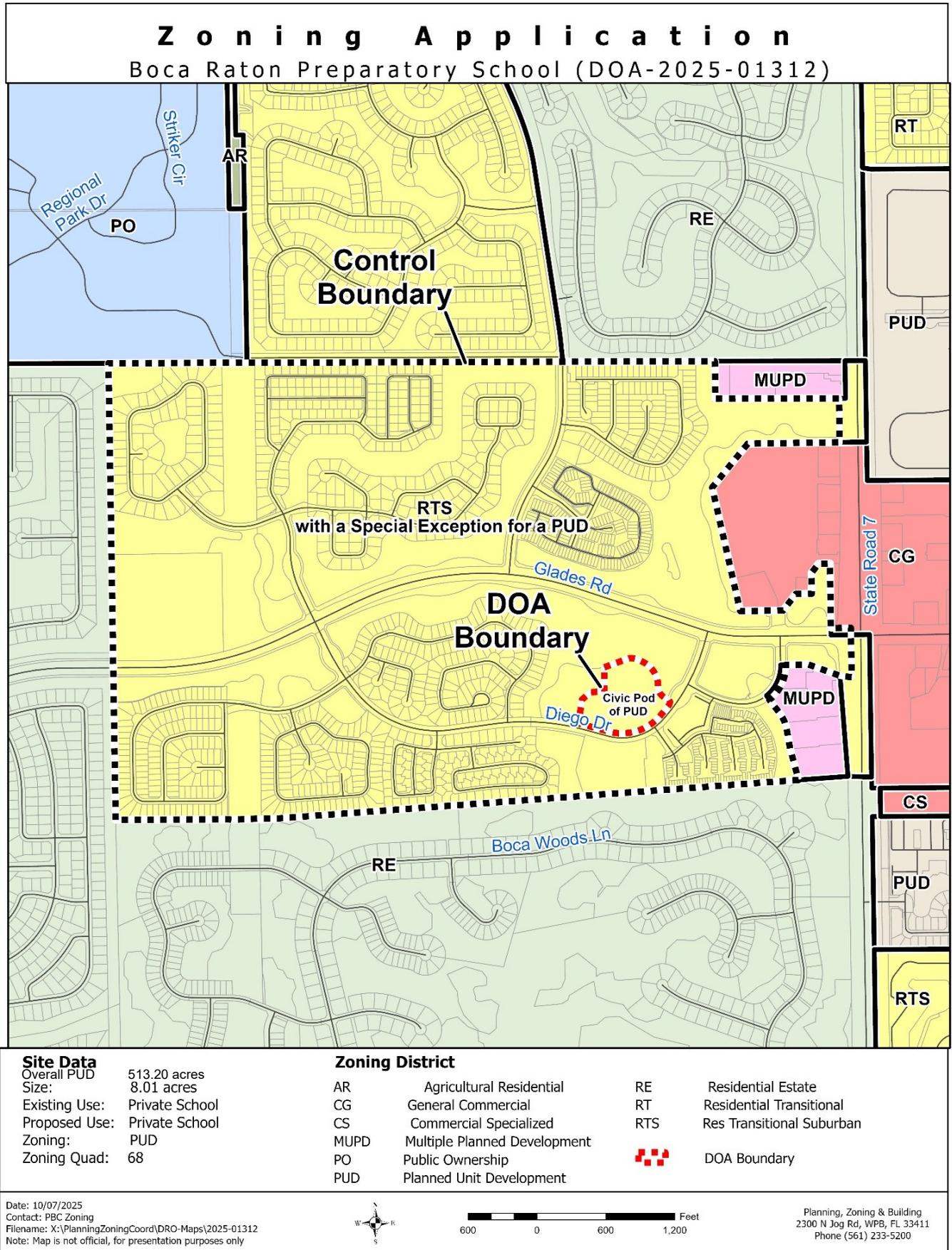
The supporting data and analysis is provided within the following Exhibits.

<b>I. Exhibits</b>	<b>Page</b>
A.1 Future Land Use Map	3
A.2 Zoning Map	4
B. Standards Analysis & Findings	5
C. Conditions of Approval	10
D. Project History	21
E. Applicant's Exhibits	
E.1 Preliminary Site Plan - October 8, 2025	E-1
E.2 Previously Approved Master Plan – February 26, 1997	E-2
E.3 Previously Approved Site Plan – January 14, 1998	E-3
E.4 Disclosure of Ownership	E-4
E.5 Drainage Statement	E-5
E.6 Utility Letter	E-6

# Exhibit A-1 - Future Land Use Map



# Exhibit A-2 - Zoning Map



## Exhibit B - Standards Analysis & Findings

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### FINDINGS:

#### Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

Article 2.B.7.B, Standards for Rezoning to a PDD or a TDD, a Conditional Use, or a Development Order Amendment are indicated below with Staff Analysis. A request that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved by the Commission.

**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.*

○ *Consistency with the Comprehensive Plan:* The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including densities and intensities of use.

○ *Relevant Comprehensive Plan Policies:* The subject site, designated as the Private Civic Pod of the Mission Bay Planned Unit Development (PUD), is located within the Urban Suburban Tier and has a Future Land Use (FLU) designation of Low Residential, 3 units per acre (LR-3). Per Future Land Use Element (FLUE) Table 2.2.1-j.1, Residential Future Land Use - Zoning Consistency, the existing PUD Zoning District is consistent with the LR-3 FLU designation.

- FLUE Policy 2.2.8-a states that: "*Institutional and Public Facility Uses may be allowed in all future land use designations, provided the uses are consistent with the provisions of the Comprehensive Plan and the ULDC.*" A school is identified as an "institutional, public, and civic use" by the ULDC.
- FLUE Policy 2.2.1-m, Non-Residential Uses Allowed in Residential Future Land Use Designations, provides that: "*Limited non-residential uses are allowed in residential future land use designations through the associated zoning districts as identified in the Unified Land Development Code.*" Under the second provision of that policy, it states that "*institutional uses designed to serve the residential area such as schools.*" may be permitted in residential areas. Therefore, the Institutional use is consistent with the referenced policies.

○ *Intensity:* The request for 46,050 sq. ft. equates to a Floor Area Ratio (FAR) of approximately 0.13 (46,050 / 348,741 sq. ft. or 8.01 acres = 0.13). A maximum FAR of 0.35 is allowed for non-residential uses in the subject future land use designation in the Urban Suburban Tier; However, per Note 8 of FLUE Table 2.2-e.1, the maximum FAR for Institutional uses within any FLU designation in the Urban Suburban Tier is 0.45. (348,741 sq. ft. or 8.01 acres x 0.45 maximum FAR = 156,933 sq. ft. maximum). The proposed square footage is therefore below the maximum allowed. There are no changes to the residential density currently approved within the PUD.

○ *Special Overlay District/Neighborhood Plan/Planning Study Area:* The request is not located within any special overlay district, neighborhood plan or study area as identified by the Comprehensive Plan.

**b. 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 consistent with the stated purpose and intent of the County Unified Land Development Code (ULDC)

○ *Property Development Regulations:* The overall PUD remains unchanged for land area, and frontage requirement. The subject request is specifically for the Private Civic Pod and the other Pods will remain unchanged for density and intensity.

The land area for the subject Civic Pod remains the same at 8.01 acres. Frontage is from Diego Drive South, continuing to meet the requirements for the Planned Development District. The request will modify the previously approved Requested Use, more specifically for building layout and square footage. A previously approved building is being modified to reduce square footage from 6,000 sq. ft. to 3,900 sq. ft. and shift location, closer to Diego Drive, but still meets the setback for the institutional use.

Per Art. 2.C.5.C. of the ULDC, Relocation of Building Square Footage - Shall not be relocated or constructed closer to perimeter property lines than what was shown on the latest applicable BCC or ZC approved plan, unless the FLU designation, zoning district, or existing use of the adjacent parcel is compatible. Since the Building is proposed to be relocated closer to the residential adjacent parcel, then the application is required to modify the Master Plan.

- **Specific Use criteria – Private Elementary and Secondary School:**
  - **Setbacks:** All schools are required to have a minimum 25 foot setback from all property lines. The proposed 3,900 sq. ft. classrooms is proposed to have a 30 foot setback meeting this requirements.
  - **Pedestrian Access/Bike Path.** The PUD has been developed with sidewalks and bike baths for the existing school. No changes are proposed and this requirement has been met.
  - **Vehicular Circulation.** There is no change to the number of students for the school. The modification to the classroom location does not modify the drop off and vehicular circulation that exists for the school.
- **Specific Use criteria – General Daycare:** There are no changes for the General Daycare.
- **Architectural:** The development, is required to comply with the Architectural Guidelines pursuant to Article 5.C, Design Standards. Elevations are required to be consistent in Architectural Character. No Architectural elevations have been provided at this time. The Applicant requested that the elevations be submitted at time of Building Permit. The proposed structure shall be consistent with the existing architecture
- **Landscape/Buffering:** There are no proposed modifications to the existing perimeter buffers. The existing perimeter landscape buffers will not need to be modified with this request, other than to replace any dead and missing landscape material, if applicable.
- **Parking:** No changes are proposed to the parking areas and the request does not require any additional parking spaces as the number of students and children for the daycare remain the same.
- **Signage:** The Applicant is not proposing any signage as part of this application.
- 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.***

The proposed amendment maintains this intent. The private school has coexisted with adjacent multifamily residential uses since the mid-1980s. The relocation and reduction in size of an approved classroom building is within the same pod. While the building moves closer to the south property line, the use as classrooms will not create compatibility issues along Diego Drive and the right of way buffer will remain in its location.

- 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 relocation is of a building already approved and in fact proposes a reduction of square footage from a 6,000 sq. ft. two story (approved) to a 3,900 sq. ft. one story (proposed) classroom building which minimizes adverse impact to adjacent lands. While the building is relatively small, it is being positioned along the right of way, and will provide a small type of barrier around the existing multi-purpose grass field.

The design maintains the overall functionality of the PUD as previously approved. Currently, there is a Condition of Approval to increase the buffering along Diego Drive South where adjacent to the residential uses that will remain in effect with the proposed application. The amount of traffic, playground equipment location, lighting, and hours of operation are not proposed to change with this application and therefore not expected to impact negatively.

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

The Environmental Resources Management Review Staff were provided this application for Review and provided the following analysis:

- **Vegetation Protection:** The application request does not impact native vegetation.
- **Wellfield Protection Zone:** This property is not located within 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 Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. 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 amendment will result in a logical, orderly, and timely development pattern.*

The proposed amendment maintains the development pattern as previously approved within the Private Civic Pod of the PUD, with no changes proposed to the number of students for the school or children for the Daycare. The square footage of classrooms is decreasing. The modification to square footage is a logical pattern of development for the renovation of existing approvals.

- g. **Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

TRAFFIC DIVISION:

The Department of Engineering and Public Works Traffic Division provided comments throughout the review of this application and requested modification have been incorporated by the Applicant. The proposed modification to the existing school is ancillary to the operation of the school. There will be no change in the already approved maximum student enrollment. Therefore, there will be no traffic impact resulting from this petition.

LAND DEVELOPMENT:

The Department of Engineering and Public Works Land Development Division provided comments throughout the review of this application and requested modification have been incorporated by the applicant. The site is located within the boundaries of the South Florida Water Management District Hillsboro Canal Drainage Basin. The proposed improvements are part of the overall development which has an existing South Florida Water Management District Environmental Resource Permit (Permit #50-01326-S) for the larger plan of development called Mission Bay. Runoff for the subject parcel will be directed to existing onsite paved swales, inlets and storm sewer prior to discharging offsite to the permitted master surface water management system, which provides for overall water quality and stormwater attenuation.

Legal positive outfall is available to the site via piped connection to the existing master lake system to the north. The subject parcel does not include any FEMA Special Flood Hazard Area (SFHA). The application was found to comply with the regulations and code requirements of the ULDC under the authority of the Land Development Division and no new conditions of approval are proposed at this time.

DRAINAGE DISTRICT:

The overall development is located within the boundaries of the South Florida Water Management District Hillsboro Canal Drainage Basin. Per the Drainage Statement (Exhibit E.5) prepared by the Applicant's Engineer he states, "...the subject parcel is currently developed. The overall development has an existing South Florida Water Management District Environmental Resource Permit (Permit #50-01326-S) for larger plan of development called Mission Bay.

*Runoff for the subject parcel will be directed to existing onsite paved swales, inlets and storm sewer prior to discharging offsite to the permitted master surface water management system, which provides for overall water quality and stormwater attenuation. Legal positive outfall is available to the site via piped connection to the existing master lake system to the north. The subject parcel does not include any FEMA Special Flood Hazard Area (SFHA)."*

The Applicant must obtain required permits from the District and PBC Land Development Division before issuance of any Building Permits.

WATER AND WASTEWATER:

Palm Beach County Water Utilities Department (PBCWUD) Review Staff were provided with this application for review. They provided comments during the requirement, and the requested modification were addressed by the Applicant. PBCWUD provided a Utility Concurrency Letter as attached in Exhibit E-6. Prior to issuance of any building permits, the Property Owner shall obtain the required permits to connect to water and wastewater services.

PALM BEACH COUNTY HEALTH DEPARTMENT:

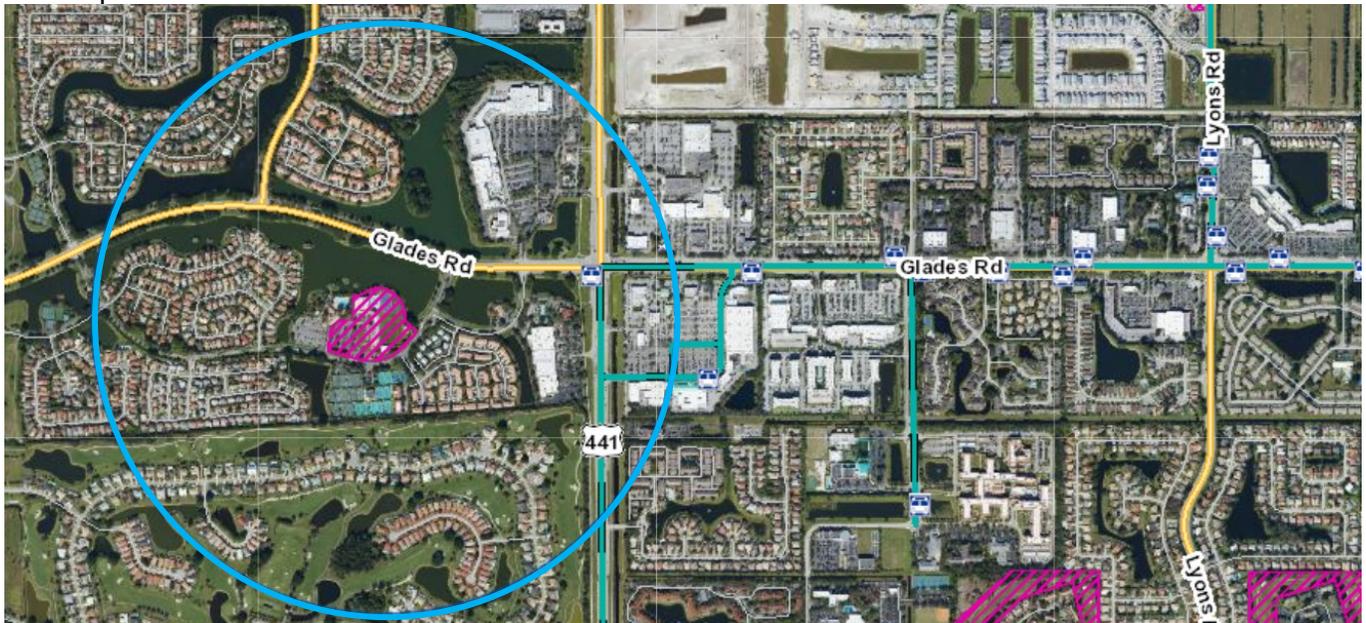
The Florida Department of Health Review Staff were provided this application for review. During the review and for the Staff Analysis they state that Department of Health has no objections to this project. The Applicant is required to check with the Health Department to confirm and obtain any applicable permits for the implementation of the site plan.

PARKS AND RECREATION:

The Parks and Recreation Department Review Staff have were provided this application for review. During the review and for the Staff Analysis they provided no comments.

MASS TRANSIT:

Palm Tran Review Staff were provided the application for review and have no comments. There is one bus stops within ½ mile of the site.



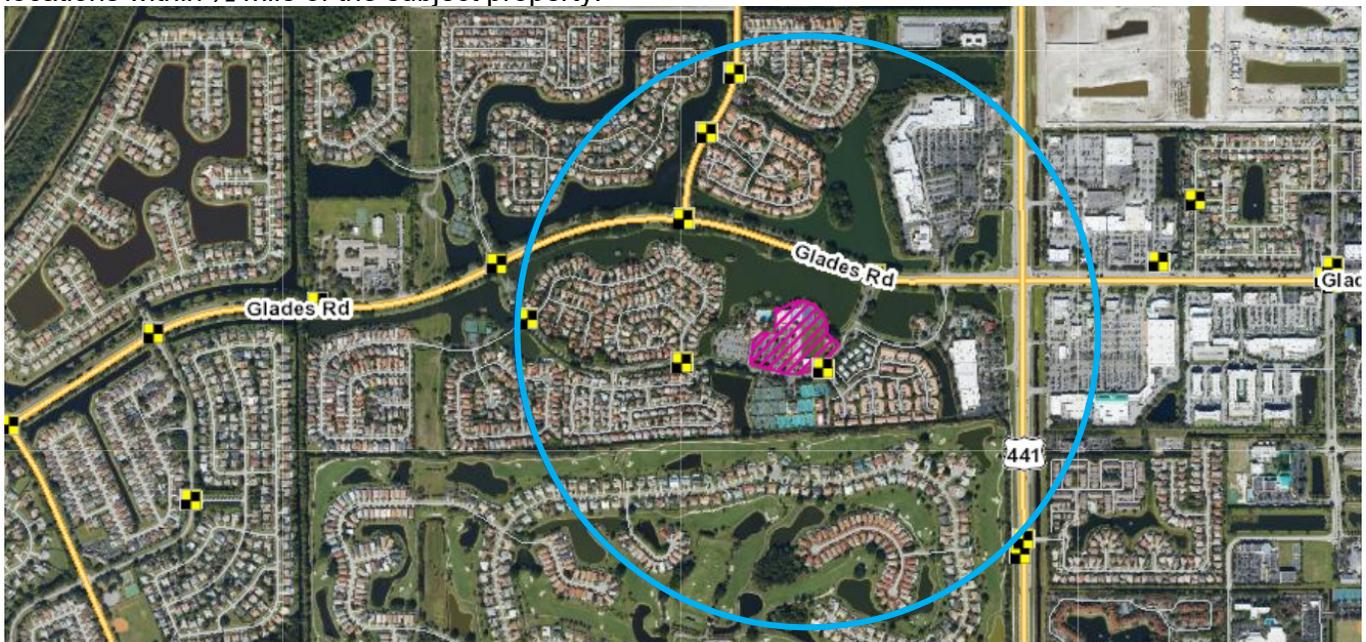
FIRE-RESCUE:

Fire Department Review Staff were provided with this application for review. The subject site is located within the service boundaries of PBC Fire Rescue Station 58.



SCHOOL IMPACTS:

The PBC School District Review Staff were provided this application for review. During the review they stated, "The School board has no issue with the requested cell tower." There are five school bus stops locations within ½ mile of the subject property.



- h. Changed Conditions or Circumstances** – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The Applicant’s Justification Statement indicates the following justification for their changed conditions of circumstances: *“The DOA is necessary to authorize construction of a redesigned building. There are no changed conditions affecting the Property or its relationship to the larger Mission Bay PUD. The request solely reflects the relocation of a previously approved classroom building closer to the residential property line. The unique circumstance with this application is that the building has been already built and is currently under review via building permit (PR-2025-017398).”*

## **Exhibit C- Conditions of Approval**

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### **Development Order Amendment – Overall Planned Unit Development, including Requested Uses: Public/Private Recreation Facility, a Funeral Home, a Hotel, Private Elementary and Secondary School, and a General Daycare**

#### **ALL PETITIONS - GENERAL**

1. Previous ALL PETITIONS Condition 1 of Resolution R-1998-1505, Control No.1984-00095, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-96-1001 (Petition 84-95(J) and R-97-147 (Petition 84-95(L), 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. (Previously condition A. 1 of Resolution R-97-147, Petition 84-95(L).

#### **Is hereby amended to read:**

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-98-1505, 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 (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: ZONING - Zoning)

2. The approved Site Plan is dated October 8, 2025. 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. (ONGOING: ZONING - Zoning)

#### **ENGINEERING**

1. This development shall retain on site the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended. In addition, the developer shall provide legal positive outfall or receive a variance from this requirement. (BLDGPM: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

2. The property owner shall convey the ultimate right-of-way for Cain Boulevard necessary to provide for an eighty (80) foot ultimate section. This right-of-way alignment shall be per the County Engineer's approval, within 90 days of adoption of the resolution by the Board of County Commissioners. Conveyance must be accepted by Palm Beach County prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

3. The property owner shall convey for the ultimate right-of-way of the S.R. 7, 240 feet west of the west right-of-way line of the Lake Worth Drainage District E-1 Canal, within ninety (90) days of adoption of the resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

4. The property owner shall convey the ultimate right-of-way for Glades Road necessary to provide for a 120 feet ultimate section. This right-of-way alignment shall be per the County Engineer's approval within ninety (90) days of adoption of the resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-1998-1505, Control No.1984-00095)

5. The property owner shall convey from the subject property the ultimate right-of-way for the "Special Exception" at Glades Road and S.R. 7 per the County Engineer's approval. This right-of-way shall be conveyed within ninety (90) days of adoption of the resolution by the Board of County Commissioners and accepted by Palm Beach County or prior to the issuance of a building permit. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-1998-1505, Control No.1984-00095)

6. The petitioner shall provide the construction plans for S.R. 7 as a four lane, median-divided section (expandable to 6 lanes), compatible with the Department of Transportation typical section from Palmetto Park Road south to the Hillsboro Canal plus the appropriate tapers, per the County Engineer's approval. These plans shall be completed within six (6) months of approval date by the Board of County

Commissioners or prior to the issuance of a Certificate of Occupancy, whichever first occurs. The cost of these plans shall not exceed \$100,000.00. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-1998-1505, Control No.1984-00095)

7. The developer shall construct Glades Road from S.R. 7 west to the project's west property line as a four-lane, median-divided section, per the County Engineer's approval. This construction shall be per the following phasing plan:

Phase 1 of this construction for Glades Road shall be a 4-lane median divided section from S.R. 7 to a point 200 feet west of Mission Bay Plaza entrance, plus the appropriate tapers, per the County Engineer's approval. The remainder of this section of roadway shall be constructed as a 2-lane section to the property's west property line. This construction shall be concurrent with the filing of each plat adjacent to Glades Road or when required by the County Engineer for paved continuity for Glades Road.

Phase 2 of this construction for Glades Road shall be an additional 2- lane section from the project's west property line east to a point 200 feet west of Mission Bay Plaza entrance, per the County Engineer's approval. This construction shall be completed within thirty-six (36) months after completion of Phase 1 construction for Glades Road. This construction shall be funded from impact fee monies collected within the impact fee zone, subject to approval by the Board of County Commissioners. The maximum amount of participation by Palm Beach County shall be \$250,000.00. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 7 of Resolution R-1998-1505, Control No.1984-00095)

8. Construction at the intersection of Glades Road and Cain Boulevard at the time of construction of Glades Road:

- a. Left turn lane, west approach. [Note: COMPLETED]
- b. Left turn lane, north approach. [Note: COMPLETED]
- c. Signalization when warranted as determined by the County Engineer. [Database indicates compliance with this condition.] (Previously condition E.8 of Resolution R-97-147, Petition 84-95( L). [Note: COMPLETED] (Previous ENGINEERING Condition 8 of Resolution R-1998-1505, Control No.1984-00095)

9. Construct at all of the project's entrances and Glades Road at the time of construction of Glades Road, left and right turn lanes, per the County Engineer's approval. [Note: COMPLETED] (Previous ENGINEERING Condition 9 of Resolution R-1998-1505, Control No.1984-00095)

10. The Master Plan shall be revised to include a minimum of 80 foot right-of- way collector for the southern interior spine road. [Note: COMPLETED] (Previous ENGINEERING Condition 10 of Resolution R-1998-1505, Control No.1984-00095)

11. Construct at both of the project's entrances onto Cain Boulevard at the time of construction of Cain Boulevard:

- a. Left turn lane, north approach. [Note: COMPLETED]
- b. Right turn lane, south approach. [Note: COMPLETED] (Previous ENGINEERING Condition 11 of Resolution R-1998-1505, Control No.1984-00095)

12. The petitioner shall provide Palm Beach County with a road drainage easement through this project's internal lake system for the road drainage of Cain Boulevard, Glades Road and S.R. 7. This drainage easement shall be. subject to all governmental agency requirements. [Note: COMPLETED] (Previous ENGINEERING Condition 12 of Resolution R-1998-1505, Control No.1984-00095)

13. The construction of S.R. 7 and Glades Road as outlined in Conditions 7,8,9,10 and 16 shall be credited toward the Fair Share Impact 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. This credit shall be based upon a Certified Cost Estimate by the Developer's Engineer, subject to review by the County Engineer in an amount equivalent to the road construction for S.R. 7 and Glades Road as outlined in condition numbers 7,8,9,10 and 16 within ninety (90) days of adoption of the resolution by the Board of County Commissioners. [Note: COMPLETED] (Previous ENGINEERING Condition 13 of Resolution R-1998-1505, Control No.1984-00095)

14. Petitioner shall provide primary and secondary access to the site from adjacent roadways, (curb cuts and proper left and right turning lanes) in accordance with County Engineer guidelines. [Note: COMPLETED] (Previous ENGINEERING Condition 14 of Resolution R-1998-1505, Control No.1984-00095)

15. Based on traffic impacts and total traffic projected in the impact area, the project development shall be limited to the following phases:

**RESIDENTIAL**

Number of Months After the Resolution Date by the Board of County Commissioners:	Maximum Number of Building Permits:	Cumulative Total of Building Permits:
0 - 12	0	0
12 - 24	250	250
24 - 36	350	600
36 - 48	300	900
48 - 60	300	1200
60 - 72	336	1536

**OFFICE**

Number of Months After the Resolution Date by the Board of County Commissioners:	Maximum Trip Generation (per day)	Cumulative Trip Generation (per day)
0 - 12	0	0
12 - 24	0	0
24 - 36	1000	1000
36 - 48	1000	1000
48 - 60	900	2900

\*NOTE: Traffic generation characteristics shall be determined by the standard methods used in Palm Beach County for buildings, or portions of buildings, certified for occupancy. [Note: The time limit expired in 1990 for this condition.] [Note: COMPLETED] (Previous ENGINEERING Condition 15 of Resolution R-1998-1505, Control No.1984-00095)

16. The petitioner shall provide the construction plans for Glades Road as a six-lane, median-divided facility from Powerline/Jog Road to just East of the Florida Turnpike entrance, plus the appropriate tapers, per the County Engineer's approval. These plans shall be completed within 18 months of the resolution date by the Board of County Commissioners. The cost of these plans shall not exceed \$100,000.00. [Note: COMPLETED] (Previous ENGINEERING Condition 16 of Resolution R-1998-1505, Control No.1984-00095)

17. The additional right-of-way for S.R. 7, as determined by the Florida Department of Transportation, from Palmetto Park Road at the Hillsboro Canal with the appropriate tapers which will be required for the road construction for S.R. 7, shall be acquired by Palm Beach County at the developer's expense. (Previous ENGINEERING Condition 17 of Resolution R-1998-1505, Control No.1984-00095)

18. The developer shall construct S.R. 7 as a four-lane divided section From Palmetto Park Road South to the Hillsboro Canal, plus the appropriate tapers, per County Engineer's approval. The construction shall include an asphalt overlay of the two existing lanes on S.R. 7, if required by the County Engineer. This construction shall be completed and accepted by the Florida Department of Transportation within nine (9) months of Palm Beach County's acquisition of the right-of-way described in Condition No. 9." [Note: COMPLETED] (Previous ENGINEERING Condition 18 of Resolution R-1998-1505, Control No.1984-00095)

19. The developer shall construct at the intersection of Glades Road and S.R. 7 concurrent with the four-laning of S.R. 7 fronting this parcel:  
 a. Right turn lane, south and west approach. [Note: COMPLETED]  
 b. Dual left turn lanes all approaches. [Note: COMPLETED]  
 c. Right turn lane, north approach. [Note: COMPLETED]  
 d. Right turn lane, east approach. [Note: COMPLETED] (Previous ENGINEERING Condition 19 of Resolution R-1998-1505, Control No.1984-00095)

20. The developer shall construct Glades Road as a six-lane median divided section from Powerline/Jog Road to just East of the Florida Turnpike entrance in conjunction with the construction of the Florida Turnpike interchange. In addition, the developer shall provide a cash contribution to the Florida Department of Transportation for this construction of the Florida Turnpike overpass expansion. The total commitment by the Developer for plan preparation (as noted in Condition No. 8) construction, and Florida Department of Transportation contribution shall not exceed \$1,000,000.00." [Note: COMPLETED] (Previous ENGINEERING Condition 20 of Resolution R-1998-1505, Control No.1984-00095)

21. If any of the improvements listed above are completed by others prior to the date required by this petition, then the developer will be relieved of all or part of the respective improvement project. Palm Beach County shall make available other existing developer commitments which are earmarked for the construction of Glades Road from Jog/Powerline Road to Boca Rio Road to this developer prior to the same being constructed. In the event that another entity constructs S.R. 7 from Hillsboro Canal to Palmetto Park Road (or) Glades Road from Jog/Powerline Road to Boca Rio Road, this Developer shall make a contribution in either cash or construction costs in a total amount not less than \$1,111,130.00. Note: It is the intent of the Office of the County Engineer that Palmetto Park Road will be constructed as a 6-lane median divided section from west of the Florida Turnpike to D 1-95 at the time of construction for its presently budgeted 4-lane median-divided section. This could be accomplished provided that the Board of County Commissioners approves, with the use of the Impact Fees, Monies or other developer commitments which may be granted zoning approvals. [Note: COMPLETED] (Previous ENGINEERING Condition 21 of Resolution R-1998-1505, Control No.1984-00095)

22. The developer shall construct Cain Boulevard from the project's north property line south to Glades Road within the planned unit development at the time of the filing of the adjacent plats or when required by the County Engineer for the continuity for Cain Boulevard and shall be completed prior to February 1, 1989 or in conjunction with the park's access road. [Note: COMPLETED] (Previous ENGINEERING Condition 22 of Resolution R-1998-1505, Control No.1984-00095)

23. The Developer shall plat the subject property in accordance with provisions of Article 8, Subdivision, Platting and Required Improvements of the ULDC. The platting of this property may be phased in accordance with a phasing plan acceptable to the office of the County Engineer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. [Note: COMPLETED] (Previous ENGINEERING Condition 23 of Resolution R-1998-1505, Control No.1984-00095)

24. The Mission Bay PUD Master Plan as well as Site Plans for the overall Mission Bay Sports Complex/Recreation Facilities Tract and Corporate Park Tract shall be revised prior to December 1, 1996 to correspond with the existing Concurrency reservation. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 24 of Resolution R-1998-1505, Control No.1984-00095)

25. No further building permits for the 32 multi-family housing units 18 in POD F-2 (Project No. 0454-021) and 24 in Pod F-3 (Project No. 0454-00311) shall be issued after December 31, 1997 unless a new traffic study is approved by the County Engineer which addresses the Palm Beach County Traffic Performance Standards in effect at that time. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 25 of Resolution R-1998-1505, Control No.1984-00095)

26. The additional 32 multi-family housing units allowed in the Las Flores subdivision [8 in POD F-2 (Project No. 0454-021) and 20 in Pod F-3 (Project No. 0454-003)] shall be limited to fee simple townhomes. (ONGOING: MONITORING - Engineering) (Previous ENGINEERING Condition 26 of Resolution R-1998-1505, Control No.1984-00095)

27. The property owner shall lengthen the existing left turn lane east approach at the east intersection of Glades Road and Diego Drive to provide for a total length to be determined by the County Engineer based upon the most current traffic count information. This construction shall be concurrent with 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. Permits required by issuance of the first Building Permit. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 27 of Resolution R-1998-1505, Control No.1984-00095)

28. The property owner shall signalize the east intersection of Glades Road and Diego Drive when warranted as determined by the County Engineer. If signalization is not warranted after thirty-six (36) months of the final Certificate of Occupancy, the property owner shall be relieved of this condition. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 28 of Resolution R-1998-1505, Control No.1984-00095)

29. At such time that the signalization of the east intersection of Glades Road and Diego Drive is warranted, the property owner shall construct a dual left turn lane on the east approach of this intersection, if required, as determined by the County Engineer. This construction shall be done concurrent with the signal installation. Any and all costs associated with the construction shall be paid by the property owner. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 29 of Resolution R-1998-1505, Control No.1984-00095)

30. Prior to the issuance of a building permit, the property owner shall provide surety in the amount of 110% of the estimated cost for the dual left turn lane on Glades Road and the signalization of the east intersection of Glades Road and Diego Drive. The cost estimate shall be approved by the County Engineer.

(BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 30 of Resolution R-1998-1505, Control No.1984-00095)

31. The private school owner shall install subject to the approval of the Mission Bay Master HOA school flashers and signage along Diego Drive, as approved by the County Engineer, prior to the opening of the private school. (CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 31 of Resolution R-1998-1505, Control No.1984-00095)

32. The property owner shall pay a proportionate share of the cost of installation and maintenance of security gates on Diego Drive at such time that the Mission Bay Master HOA desires to install the gates. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 32 of Resolution R-1998-1505, Control No.1984-00095)

33. The property owner shall install a traffic control sign prohibiting right turns onto Diego Drive for traffic exiting the private school site (CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 33 of Resolution R-1998-1505, Control No.1984-00095)

34. Prior to the issuance of any Building Permits, the Developer shall replat Parcel "F", Project No. 0454-027, in accordance with provisions of Article 8 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 34 of Resolution R-1998-1505, Control No.1984-00095)

## **HEALTH**

1. Architectural plans for the school and day care facility (private civic pod - Petition 84-95L) must be submitted to the Environmental Health Section, Palm Beach County Public Health Unit, in accordance with Chapter 10D-24FAC prior to issuance of a building permit. (Previously condition C.3 of Resolution R-97-147, Petition 84-95(L). [Note: COMPLETED] (Previous HEALTH Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

## **LANDSCAPE - GENERAL**

1. The developer shall relocate and/or preserve existing significant native vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect any individual trees and/or preservation areas during site clearing and construction. Landscape materials used shall be compatible and noncompetitive with native vegetation. (ONGOING: ZONING - Zoning) (Previous VEGETATION PRESERVATION Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

## **LANDSCAPE - GENERAL-(TENNIS ACADEMY ONLY)**

2. Prior to site plan certification, the petitioner shall revise the landscape tabular data on the site plan for the Recreation Facility and Club parcel to reflect conformance to minimum Landscape Code requirements and all landscape conditions of approval. [Note: COMPLETED] (Previous LANDSCAPE - GENERAL Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

3. All required trees in the landscape buffer strips for the Recreation Facility and Club parcel 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. (ONGOING: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

## **LANDSCAPE - INTERIOR-(TENNIS ACADEMY ONLY)**

4. No more than four (4) tennis courts shall be contiguous. A minimum fifteen (15) foot landscape strip shall separate all tennis court groups. The required landscape strips shall at a minimum include:

- a. Three (3) palm trees, with a minimum of eight (8) feet of clear trunk, planted in groupings every thirty (30) feet on center; and,
- b. Five (5) thirty (30) inch high shrub or hedge material for each required tree. (ONGOING: ZONING - Zoning) (Previous LANDSCAPE - INTERIOR Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

## **LANDSCAPE - PERIMETER-WEST PROPERTY LINE OF PUD**

5. Mission Bay Development Company, Inc. agrees to maintain the row of pine trees located in the right-of-way of the north/south canal running contiguous to the western property line of the Mission Bay Planned Unit Development and forming the eastern property line of the Loggers Run Planned Unit Development until such time that it may be removed by the Home Owner's Association. Mission Bay Development Company, Inc. agrees to plant additional natural vegetation in any gaps in said row of pine trees for the purpose or providing a continuous pine tree visual buffer between the improvements constructed within the Loggers Run Planned Unit Development and to be constructed within the Mission Bay Planned Unit Development. (Previously condition M.1 of Resolution R-97-147, Petition 84-95(L). (ONGOING: ZONING

- Zoning) (Previous L. LANDSCAPING ALONG WEST PROPERTY LINE OF PUD Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

6. Mission Bay Development Company, Inc. agrees to construct a landscape berm system within twenty-five (25) feet of the Planned Unit Development buffer along the west property line of the Mission Bay Planned Unit Development for the purpose of providing a continuous landscape berm system between the residences to be constructed within the Mission Bay Planned Unit Development. In addition to the foregoing, the developer of parcel "I" shall install within the portion of the twenty-five (25) buffer on the western property line of parcel "I" the following:

- a. A six (6) foot high opaque fence; and,
- b. A typical lot buffer planting as represented by Exhibit 52.

The six (6) foot high opaque fence shall be installed prior to the construction of homes. The typical lot buffer planting shall be installed prior to the issuance of Certificate of Occupancy for each home. (Previously condition M.2 of R-97-147, Petition 84-95(L). (ONGOING: ZONING - Zoning) (Previous L. LANDSCAPING ALONG WEST PROPERTY LINE OF PUD Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

7. All prohibited plant species within the twenty-five (25) foot buffer along the western portion of Mission Bay Planned Unit Development shall be eradicated. This eradication program shall not commence until the construction of the required landscape berm has begun. (ONGOING: ZONING - Zoning) (Previous L. LANDSCAPING ALONG WEST PROPERTY LINE OF PUD Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

8. All building plans for parcel "I", submitted to the Building Department for permitting, shall contain landscape plans for that portion of the twenty-five (25) foot buffer abutting or within the lot. The landscape plan shall reflect the intent of Exhibit No. 52, as found in the Zoning Petition file. (Previously condition M.4 of Resolution R-97-147, Petition 84-95(L). (ONGOING: ZONING - Zoning) (Previous L. LANDSCAPING ALONG WEST PROPERTY LINE OF PUD Condition 4 of Resolution R-1998-1505, Control No.1984-00095)

#### **LANDSCAPING ALONG THE NORTH PROPERTY LINE-(TENNIS ACADEMY ONLY)**

9. Landscaping and buffering along the north property line of the Recreation Facility and Club parcel shall be upgraded to include:

- a. A minimum ten (10) foot wide landscape buffer strip.
- b. One (1) native canopy tree planted every twenty (20) feet on center.
- c. Thirty (30) inch high shrub or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. (ONGOING: ZONING - Zoning) (Previous LANDSCAPING ALONG THE NORTH PROPERTY LINE Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

#### **LANDSCAPING ALONG SOUTH PROPERTY LINE-(TENNIS ACADEMY ONLY)**

10. Landscaping within the required twenty-five (25) foot landscape buffer along the south property line of the Recreation Facility and Club parcel shall be upgraded to include:

- a. An eight (8) foot high opaque concrete wall setback ten (10) foot from the property line. The exterior side of the wall shall be given a finished architectural treatment which is compatible and harmonious with abutting development. (ONGOING: ZONING - Zoning) (Previous LANDSCAPING ALONG SOUTH PROPERTY LINE Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

11. The following landscaping requirements shall be installed on the exterior side of the required wall:

- a. One (1) native canopy tree planted every twenty (20) feet: on center.
- b. Thirty (30) inch high shrub 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 LANDSCAPING ALONG SOUTH PROPERTY LINE Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

12. Along the interior side of the required wall, the property owner shall install twenty-four (24) inch high shrub 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 LANDSCAPING ALONG SOUTH PROPERTY LINE Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

#### **LANDSCAPING - EASTERN PROPERTY LINE-(TENNIS ACADEMY ONLY)**

13. Landscaping along the east property line of the Recreation Facility and Club parcel (tennis academy site only) shall be upgraded to include:

- a. A minimum fifteen (15) foot wide landscape buffer strip between Tract "F" and Tract "F3". A minimum ten (10) foot wide landscape buffer strip between the tennis academy and Tract "F3". (DRC: ZONING)

b. A six (6) foot high opaque concrete wall setback ten (10) foot from the property line. The exterior side of the wall shall be given a finished architectural treatment which is compatible and harmonious with abutting development. The wall shall include a minimum of one (1) pedestrian access way between the residential areas to the east and the tennis academy. (ZONING)(Previously condition K.1 of Resolution R-97-147, Petition 84-95(L).

(ONGOING: ZONING - Zoning) (Previous LANDSCAPING - EASTERN PROPERTY LINE Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

14. The following landscaping requirements shall be installed on the exterior side of the required wall:

a. One (1) native canopy tree planted every twenty (20) feet on center.

b. Thirty (30) inch high shrub 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. (Previously condition K.2 of Resolution R-97-147, Petition 84-95(L). (ONGOING: ZONING - Zoning) (Previous LANDSCAPING - EASTERN PROPERTY LINE Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

15. Along the interior side of the required wall, the property owner shall install twenty-four (24) inch high shrub 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. (Previously concition K.3 of Resolution R-97-147, Petition 84-95(L). (ONGOING: ZONING - Zoning) (Previous LANDSCAPING - EASTERN PROPERTY LINE Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

### **LANDSCAPING ALONG THE WEST PROPERTY LINE-(TENNIS ACADEMY ONLY)**

16. Landscaping and buffering along the west property line of the Recreation Facility and Club parcel shall be upgraded to include:

a. A minimum five (5) foot wide landscape buffer strip.

b. One (1) native canopy tree planted every twenty (20) feet: on center.

c. Thirty (30) inch high shrub or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. (ONGOING: ZONING - Zoning) (Previous LANDSCAPING ALONG THE WEST PROPERTY LINE Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

### **LIGHTING-(TENNIS ACADEMY ONLY)**

1. All outdoor lighting used to illuminate the premises and identification signs of the Recreation Facility and Club parcel shall below intensity, shielded and directed down and away from adjacent properties and streets. (ONGOING: ZONING - Zoning) (Previous LIGHTING Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

2. All lighting fixtures within the Recreation Facility and Club Parcel (tennis academy) shall not exceed thirty-five (35) feet in height measured from finished grade. All lighting fixtures shall be constructed to reduce by a minimum of 95% the amount of off-fielc spill and glare emitted onto abutting residential parcels and/or developments. (Previously condition 0.2 of Resolution R-97 -147, Petition 84-95(L). (ONGOING: ZONING - Zoning) (Previous LIGHTING Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

3. All outdoor lighting within the Recreation Facility and Club parcel shall be extinguished no later than 10:00 p.m. Security lighting only is excluded from this requirement. Such security lighting shall not exceed 20 feet in height, measured from finished grade. (ONGOING: ZONING - Zoning) (Previous LIGHTING Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

4. No outdoor lighting shall be permitted on any of the perimeter courts of the recreational facility and club parcel. (ONGOING: ZONING - Zoning) (Previous LIGHTING Condition 4 of Resolution R-1998-1505, Control No.1984-00095)

### **PALM TRAN**

1. Prior to final certification of the master plan or site plan by the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate bus access and/or a bus stop(s) on or adjacent to the subject property. Bus access and/or bus stops shall be located and constructed by the petitioner in a manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer.

The petitioner shall dedicate additional right-of-way to accommodate this requirement, if requested by the County Engineer. Bus stops, if required, shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property or use, and bicycle rack. [Note: COMPLETED] (Previous MASS TRANSIT Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

### **PLANNED DEVELOPMENT**

1. Each proposed primary structure within the PUD shall clearly display a street address number on the facade of the building which is legible from the street. (Previously condition P.1 of Resolution P-97- 147, Petition 84-95(L). (ONGOING: ZONING - Zoning) (Previous MULTIPLE USE PLANNED DEVELOPMENT Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

2. Prior to final DRC certification, the master plan shall be revised to reflect tabular data based on deletion of Tract 0, and the variance approved for the landscape buffers (Petition Number BofA 9600006). The revision shall include the case number, date of approval, and variance granted. (Previously condition P.2 of Resolution R-97-147, Petition 84-95(L). (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous MULTIPLE USE PLANNED DEVELOPMENT Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

3. Prior to site plan approval for the 32 units, added to the Mission Bay PUD by Petition 84-95(1), the petitioner shall amend and record the HOA/POA documents to reflect the following:

The additional 32 multi-family townhouse units which are hereby added to the approved Master Plan for the Mission Bay PUD shall be subject to the existing Declaration of Restrictions and Covenants in accordance with the requirements of the Unified Land Development Code, which shall, among other things, provide for: formation of a single "master" property owner's association automatic voting membership in the master association by any party holding title to any portion of the subject property, and assessment of all members of the master association for the cost of maintaining all common areas. The property shall not be subjected to the Declaration of Restrictions in phases. (Previously condition P.3 of Resolution R- 97-147, Petition 84-95(L). (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous MULTIPLE USE PLANNED DEVELOPMENT Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

**PLANNED DEVELOPMENT-PRIVATE CIVIC POD**

4. Landscaping along the entire south property line shall be upgraded to include:

- a. One (1) fourteen (14) foot high canopy tree planted thirty (30) feet on center. A double row of canopy trees shall be installed along the portion of the perimeter adjacent to the Las Flores subdivision;
- b. One (1) fourteen (14) foot high palm or pine tree for each thirty (30) linear feet of frontage. A group of three or more palm or pine trees may supersede the requirement for a canopy tree; and
- c. Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36)inches. (ONGOING: ZONING - Zoning) (Previous ALL PETITIONS Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

5. The private school and day camp shall be limited to a maximum of 660 student of which 160 may be secondary school students. (ONGOING: ZONING - Zoning) (Previous ALL PETITIONS Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

6. The day care center shall be limited to a maximum of 192 children. (ONGOING: ZONING - Zoning) (Previous ALL PETITIONS Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

7. Additional square footage permitted within the private civic pod shall be limited to a maximum of 32,000 square feet. (ONGOING: ZONING - Zoning) (Previous ALL PETITIONS Condition 4 of Resolution R-1998-1505, Control No.1984-00095)

8. Freestanding signs identifying users of the private civic pod 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 - 60 square feet;
- c. Maximum number of signs - one (1); and
- d. Style -monument style only. (ONGOING: ZONING - Zoning) (Previous ALL PETITIONS Condition 5 of Resolution R-1998-1505, Control No.1984-00095)

9. All new outdoor lighting within the private civic pod shall be limited to a maximum height of forty (40) feet, measured from finished grade to highest point. (ONGOING: ZONING - Zoning) (Previous ALL PETITIONS Condition 6 of Resolution R-1998-1505, Control No.1984-00095)

**PLANNED DEVELOPMENT-(TENNIS ACADEMY ONLY)**

10. Architectural character and treatment which is compatible and harmonious with abutting development shall be provided on all sides

of the proposed buildings in the Recreation Facility and Club parcel. [NOTE: Tennis Academy Only] (Previously condition V.2 of Resolution R-97-147, Petition 84-95(L). (ONGOING: ZONING - Zoning) (Previous TENNIS ACADEMY Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

11. All new air conditioning and mechanical equipment shall be screened from view on all sides in a manner consistent with the color and character of the principal structure. (ONGOING: ZONING - Zoning) (Previous TENNIS ACADEMY Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

12. No outdoor loudspeaker systems shall be permitted on the Recreli; Ition Facility and Club parcel. (ONGOING: ZONING - Zoning) (Previous TENNIS ACADEMY Condition 4 of Resolution R-1998-1505, Control No.1984-00095)

13. No more than two major tennis events per year shall be allowed on the Recreation Facility and Club (tennis academy) parcels. For the purpose of this petition, a major event shall mean an event, such as a tournament, exhibition, or meet, which lasts more than three (3) days, with a maximum duration of ten (10) days. No major events shall be allowed without first obtaining a Special Permit for a Temporary Event from the Zoning Division and a special permit from the County Engineer. (ONGOING: ZONING - Zoning) (Previous TENNIS ACADEMY Condition 5 of Resolution R-1998-1505, Control No.1984-00095)

14. Total gross floor area for the Recreation Facility and Club parcel shall be limited to a maximum of 12,750 square feet of clubhouse, accessory offices and accessory uses, as permitted within a residential parcel of a Planned Unit Development in accordance with the Unified Land Development Code (ULDC). (ONGOING: ZONING - Zoning) (Previous TENNIS ACADEMY Condition 6 of Resolution R-1998-1505, Control No.1984-00095)

15. No temporary tennis events shall be allowed on the Recreation Facility and Club (tennis academy) parcel without first obtaining a Special Permit for a Temporary Event from the Zoning Division and a special permit from the County Engineer. For the purpose of this petition, a temporary event shall mean an event, such as a tournament, exhibitions, or meets which requires more parking than can be provided on the Recreation Facility and Club parcel and has a maximum duration of three (3) days. (ONGOING: ZONING - Zoning) (Previous TENNIS ACADEMY Condition 7 of Resolution R-1998-1505, Control No.1984-00095)

16. No outdoor activities shall be permitted on the Recreation Facility and Club parcel after 10:00 p.m. (ONGOING: ZONING - Zoning) (Previous TENNIS ACADEMY Condition 8 of Resolution R-1998-1505, Control No.1984-00095)

#### **PLANNED DEVELOPMENT-RESIDENTIAL USE OF TENNIS ACADEMY**

17. Prior to February 1, 1993, the petitioner, in a form and manner acceptable to the County Attorney, shall record in the public records of Palm Beach County, an agreement between the petitioner and the residents of the Mission Bay Planned Unit Development that provides for the use of all structures and facilities within the Recreation Facility and Club by the residents without membership requirements. This agreement shall not be removed, altered, changed or amended without written approval from the County Attorney. (CO ATT) (Previously condition R.1 of Resolution R-97-147, Petition 84-95(L).

(ONGOING: ZONING - County Attorney) (Previous RESIDENTIAL USE OF TENNIS ACADEMY Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

18. Development of the site of Pod F-3 is limited to the uses and site design as approved by the Board of County Commissioners on the approved site plan for the accessory dormitory for the tennis academy dated June 25, 1998. 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) (Previous RESIDENTIAL USE OF TENNIS ACADEMY Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

19. Pod F-3 shall be limited to a maximum of 48 dormitory rooms or 96 students and shall serve as an accessory use to the tennis academy only providing temporary housing for students of this tennis academy only. The dormitory rooms shall be converted back to a maximum of 20 townhouse units if the academy ceases operation. (ONGOING: ZONING - Zoning) (Previous RESIDENTIAL USE OF TENNIS ACADEMY Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

#### **SCHOOL BOARD-PUBLIC**

1. Petitioner shall show a 20 acre elementary school site on the Mission Bay PUD Master Plan. (ONGOING: SCHOOL BOARD - School Board) (Previous SCHOOL BOARD Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

2. Petitioner shall dedicate the 20 acre school site to the School Board of Palm Beach County. (ONGOING: SCHOOL BOARD - School Board) (Previous SCHOOL BOARD Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

3. Transfer of Title and Warranty Deed to the school site, and a survey showing and describing the metes and bounds of the school site shall be delivered to the School Board within six (6) months of the effective date of the resolution of approval by the Board of County Commissioner on the subject PUD. [Note: COMPLETED] (Previous SCHOOL BOARD Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

4. Petitioner shall be responsible for the school site to be at final developable grade elevation prior to the School Board construction. [Note: COMPLETED] (Previous SCHOOL BOARD Condition 4 of Resolution R-1998-1505, Control No.1984-00095)

5. Pedestrian signalization to and from the school site shall be installed by the petitioner when warranted by both the School Board and County Engineer. [Note: COMPLETED] (Previous SCHOOL BOARD Condition 5 of Resolution R-1998-1505, Control No.1984-00095)

6. Petitioner shall place with the School Board of Palm Beach County, a letter of credit in the amount verifying the designing, engineering, and construction cost for the provision of water and sewer, paved road access and site elevation requirements to permit the construction of a school on the property in accordance with a time schedule, put forth by the Palm Beach County School Board. [Note: COMPLETED] (Previous SCHOOL BOARD Condition 6 of Resolution R-1998-1505, Control No.1984-00095)

7. The petitioner shall post in a clear and visible location in all sales offices and model homes a sign provided by the School Board of Palm Beach County which indicates that school age children in the development may not be assigned to the most proximate public school because of overcrowding, racial balancing, or other School Board policies. [Note: COMPLETED] (Previous SCHOOL BOARD Condition 7 of Resolution R-1998-1505, Control No.1984-00095)

### **SIGNS - TENNIS ACADEMY ONLY**

1. No freestanding point of purchase signs shall be allowed on the Recreation Facility and Club parcel. (ONGOING: ZONING - Zoning) (Previous SIGNS Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

### **SOLID WASTE AUTHORITY**

1. The property owner and/or lessee(s) 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. (Previous RECYCLE SOLID WASTE Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

### **USE LIMITATIONS**

1. Reasonable precautions shall be exercised during site development to insure that unconfined particulate (dust particles) from this property do not become a nuisance to neighboring properties. (ONGOING: ZONING - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-1998-1505, Control No.1984-00095)

2. Reasonable measures shall be employed during site development to ensure that no pollutants from this property shall enter adjacent or nearby surface waters. (ONGOING: ZONING - Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-1998-1505, Control No.1984-00095)

3. Mission Bay Development Company, Inc. agrees to provide and maintain heavy duty silencers for all drainage pumps to be operated within the Mission Bay Planned Unit Development. (ONGOING: ZONING - Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-1998-1505, Control No.1984-00095)

4. Mission Bay Development Company, Inc. agrees not to commence land development activities involving heavy equipment prior to 7:00 a.m. (ONGOING: ZONING - Zoning) (Previous USE LIMITATIONS Condition 4 of Resolution R-1998-1505, Control No.1984-00095)

5. Mission Bay Development Company, Inc. agrees to conduct no land development activities or tree removal activities in the canal right-of-way located contiguous to the western property line of the Mission Bay Planned Unit Development bordering the Loggers Run Planned Unit Development. (ONGOING: ZONING - Zoning) (Previous USE LIMITATIONS Condition 5 of Resolution R-1998-1505, Control No.1984-00095)

6. Mission Bay Development Company, Inc. agrees to provide single family, detached homes, satisfy minimum property development regulations of Section 500.21.k.4.a. (Single Family Detached - Separate) or Section 500.21.k.4.c. (Single Family Detached - Patio Home) in addition to the twenty-five (25) foot Planned Unit Development buffer in the southwest development parcel as provided in the Master Land Use Plan of the Mission Bay Planned Unit Development. All single family units in this parcel shall be limited to a maximum thirty (30) foot roof height as defined in the Zoning Code. (ONGOING: ZONING - Zoning) (Previous USE LIMITATIONS Condition 6 of Resolution R-1998-1505, Control No.1984-00095)

### **UTILITIES**

1. Previous IRRIGATION QUALITY WATER Condition 1 of Resolution R-1998-1505, Control No.1984-00095, which currently states:

When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system subject to permitting and/or requirements of the Florida Department of Environmental Regulations and/or the South Florida Water Management District. The cost for connection shall be borne by the property owner.

**Is hereby deleted.** [REASON: reclaimed water system is not available in the area]

**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.

## Exhibit D - Project History

Application No.	Title & Request	Resolution	Decision	Approval Date
Z/SE-1984-00095	<b>Title:</b> Official Zoning Map Amendment <b>Request:</b> Rezoning from Agricultural Residential (AR) to Residential Transitional (RTS) Zoning District	R-1984-01831	Approved With Conditions	06/29/1984
	<b>Title:</b> Special Exception <b>Request:</b> to allow a Planned Unit Development	R-1984-01832	Approved With Conditions	06/29/1984
DOA-1984-00095	<b>Title: Corrective Resolution</b> <b>Request:</b> to amend conditions of approval adopted in Resolution R-84-1832	R-1985-01045	Approved With Conditions	07/09/1985
DOA-1984-00095 (A)	<b>Title:</b> Development Order Amendment <b>Request:</b> Modification to Commission requirements to amend certain Conditions on Zoning Petition No. 84-95	R-1988-00677	Approved With Conditions	December 1, 1986
DOA-1984-00095 (B)	<b>Title:</b> Development Order Amendment <b>Request:</b> Modification of Commission requirements	R-1989-01055	Approved With Conditions	10/28/1988
SE-1984-00095 (C)	<b>Title:</b> Special Exception <b>Request:</b> to allow a Public/Private Recreation Facility and Club (Tennis Academy)	R-1993-00346	Approved With Conditions	03/16/1993
DOA-1984-00095 (D)	<b>Title:</b> Development Order Amendment <b>Request:</b> to allow a Funeral Home, a Requested Use in the Commercial Pod of a Planned Unit Development (Mission Bay PUD)	R-1993-00758	Approved With Conditions	06/24/1993
EAC-1984-00095 (E)	<b>Title:</b> Expedited Application Consideration <b>Request:</b> to amend Condition H.1.A Resoution R-93-758 (Interior Landscaping)	R-1993-01369	Approved With Conditions	10/28/1993
DOA-1984-00095 (F)	<b>Title:</b> Development Order Amendment <b>Request:</b> to amend the master plan for the Mission Bay Planned Unit Development to reconfigure Parcel F & the adjacent recreation pod (redesignate pod land uses) and add 32 units to Parcel F o	R-1994-00783	Approved With Conditions	06/23/1994
DOA-1984-00095 (G)	<b>Title:</b> Development Order Amendment <b>Request:</b> to amend Conditions G.2.A. & J.2.A. of Resolution R-93-1369 (landscape (requested use)),	R-1994-00784	Approved With Conditions	06/23/1994
	<b>Title:</b> Development Order Amendment <b>Request:</b> o amend the master plan for the Mission Bay Planned Unit Development to redesignate a portion of Tract 0 from commercial to residential, add 190 units to Tract 0, and allow a hotel in a recreation pod (requested use),	R-1994-00785	Approved With Conditions	06/23/1994
DOA-1984-00095 (I)	<b>Title:</b> Development Order Amendment <b>Request:</b> to convert a portion of a recreation pod to residential, and add multifamily units (+32),	R-1996-00999	Approved With Conditions	08/22/1996
DOA-1984-00095 (J)	<b>Title:</b> Development Order Amendment <b>Request:</b> To delete acreage (Commercial Tract) from the Overall PUD	R-1996-01001	Approved With Conditions	07/25/1996
DOA-1984-00095 (L)	<b>Title:</b> Development Order Amendment <b>Request:</b> To amend Master Plan to Redesignate Recreation Parcel to Private Civic; to allow a Private Elementary and Secondary School with Accessory Summer Camp (660 students / requested use); to allow a Daycare General (192 children/requested use);and to amend Condition K.1. (landscape buffer).	R-1997-00147	Approved With Conditions	01/06/1997
DOA-1984-00095 (N)	<b>Title:</b> Development Order Amendment <b>Request:</b> To add Accessory Use of Dormitory (48 rooms) to previously approved Tennis Academy	R-1998-01505	Approved With Conditions	09/24/1998

## Exhibit E-1 - Preliminary Site Plan

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### SIGNAGE

PER UDO, SEC. 64.028  
 1 (14' HT.) TREE 200 O.C.  
 6' HT. FENCE AROUND  
 MAXIMUM SIGN FACE AREA PER SIDE 60 SF.  
 MAXIMUM NUMBER OF SIGNS: 1  
 MONUMENT STYLE ONLY

MAX. SIGN  
 AREA  
 60 SF.

### LANDSCAPE CHART

NOTE: REQUIRED LANDSCAPING IS IN PLACE AND INSPECTED

LANDSCAPE REQUIREMENTS	REQUIRED	PROVIDED
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MINIMUM DENSITY	100%	233
MINIMUM SPECIES DIVERSITY	5 SPECIES	233
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### WATER CONSERVATION CHART

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 BUFFER (SOUTH PROPERTY LINE)  
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 MAY SUBMIT FOR A CANOPY TREE  
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 (MAINTAINED AT MIN. 30' HT.)  
 6" HIGH CHAINLINK FENCE

WATER MANAGEMENT AND RECREATION TRACT NO. 4

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WATER MANAGEMENT AND RECREATION TRACT NO. 4

### SIGNAGE

PER UDO, SEC. 64.028  
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 6' HT. FENCE AROUND  
 MAXIMUM SIGN FACE AREA PER SIDE 60 SF.  
 MAXIMUM NUMBER OF SIGNS: 1  
 MONUMENT STYLE ONLY

MAX. SIGN  
 AREA  
 60 SF.

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PERMEABLE SIDEWALKS	10%	10%
PERMEABLE PATHS	10%	10%
PERMEABLE PLAY AREAS	10%	10%
PERMEABLE TERRACES	10%	10%
PERMEABLE ROOFS	10%	10%

## Exhibit E-2 Approved Final Master Plan

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## Exhibit E-3 – Previously Approved Final Site Plan

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## Exhibit E-4 – Disclosure of Ownership

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**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**  
Monica Segovia Perdigero, 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 SEK Institutional Communications Corporation [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: 10333 Diego Drive South  
Boca Raton, FL 33428
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]  
Monica Segovia Perdiguero, Affiant  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

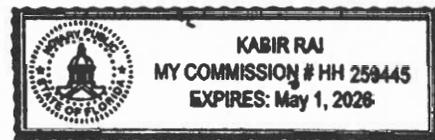
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 19 day of August, 2025 by Monica perdiguero (name of person acknowledging). He/she is personally known to me or has produced DL (type of identification) as identification and did/did not take an oath (circle correct response).

Kabir R  
(Name - type, stamp or print clearly)

[Signature]  
(Signature)

My Commission Expires on: 5/1/26

NOTARY'S SEAL OR STAMP



**EXHIBIT "A"**

**PROPERTY**

A PORTION OF A TRACT G DESIGNATED AS "MISSION BAY SWIM CLUB", WHICH IS A PORTION OF THE PLAT OF "MISSION BAY", A P.U.D., ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, PAGES 112 THROUGH 120, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON A CURVE AT THE MOST SOUTHWEST CORNER OF SAID TRACT DESIGNATED AS "MISSION BAY SWIM CLUB", SAID CURVE BEING CONCAVE TO THE SOUTHWEST HAVING A RADIAL BEARING OF S 13°14'07" W, THENCE SOUTHEASTERLY 67.75' ALONG SAID CURVE HAVING A RADIUS OF 2040.00' AND A CENTRAL ANGLE OF 01°54'10" TO THE POINT OF BEGINNING; THENCE S74°51'43"E, A DISTANCE OF 205.15'; THENCE 484.89' ALONG A CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 440.99 AND A CENTRAL ANGLE OF 63°00'00", TO THE POINT OF TERMINATION.



## Exhibit E-5 – Drainage Statement

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August 20, 2025  
Job No. 25-134

### DRAINAGE STATEMENT

Boca Raton Preparatory - Mission  
Palm Beach County, Florida

#### SITE DATA

The subject parcel is generally located on the north side of Diego Drive South approximately 1/4 miles west of Glades Road in Palm Beach County, Florida and consists of +/- 8 acres. The Property Control Number (PCN) for the subject parcel is 00-41-47-13-05-019-0000.

The site is currently developed with a 660 student K-12 private school and 192 Pre-K students. The proposed Site Plan modifications include minor parking lot modifications, a new playground, and new 3,900 SF building. For additional information concerning site location and layout, please refer to the Site Plan prepared by J Morton Planning and Landscape Architecture.

#### PROPOSED DRAINAGE

The site is located within the boundaries of the South Florida Water Management District Hillsboro Canal Drainage Basin. As stated above, the subject parcel is currently developed. The overall development has an existing South Florida Water Management District Environmental Resource Permit (Permit #50-01326-S) for larger plan of development called Mission Bay.

Runoff for the subject parcel will be directed to existing onsite paved swales, inlets and storm sewer prior to discharging offsite to the permitted master surface water management system, which provides for overall water quality and stormwater attenuation. Legal positive outfall is available to the site via piped connection to the existing master lake system to the north. The subject parcel does not include any FEMA Special Flood Hazard Area (SFHA).

2581 Metrocentre Blvd. West, Ste 3 | West Palm Beach, FL 33407

561.478.7848 | [simmonsandwhite.com](http://simmonsandwhite.com) | Certificate of Authorization Number 3452

Drainage design is to address the following:

1. Proposed land use and grading to be consistent with (or less intense than) the South Florida Water Management District Permit assumptions.

Required permits/approvals shall include the following:

1. Palm Beach County Stormwater Management System Building Permit
2. South Florida Water Management District Environmental Resource Permit Modification.

<p>Jesse J. Parrish, IV, Professional Engineer, State of Florida, License No. 85433</p> <p>This item has been digitally signed and sealed by Jesse J. Parrish, IV, P.E., on 08/20/2025.</p> <p>Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.</p>	
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## Exhibit E-6 – Utility Letter

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Letter for  
Concurrency Reservation

To: Zoning Division  
Village of Palm Springs Planning, Zoning, & Building Department

From: Ebony M. Foreman, Director  
Finance and Administration  
PBC Water Utilities Department

Date: October 8, 2025

Control # 00290

Re: PZ&B Application #: DOA-2025-01312  
Project Name – Boca Raton Preparatory School

The Palm Beach County Water Utilities Department is willing and able to provide the following utility service(s) to the property identified below, and will reserve the indicated utility capacity, in Equivalent Residential Connections (ERCs), for a period not to exceed five (5) years from the date of this letter:

<u>Service Type</u>	<u>Capacity (in ERCs)</u>
Potable Water	<b>5.80</b>
Wastewater	<b>5.80</b>
Reclaimed Water	<b>N/A</b>

An Equivalent Residential Connection represents a system capacity equivalency unit that corresponds to the peak design demand of the 5/8 x 3/4 inch meter sub-category of customer usage. This system capacity equivalency unit is utilized to establish the system demand for various sized connections for the purpose of assessing fees and designing the capacity of capital facilities.

The above capacity is reserved for the following property:

**00-41-47-13-05-019-0000**

Before the five (5) year period expires, the Developer must pay all Service Initiation Fees and connect to the Department’s facilities, or for projects greater than 18.3 ERCs, enter into a Standard or Non-Standard Development Agreement to maintain this capacity reservation. This memorandum does not represent a contract for service, and the Developer remains obligated to meet all of the requirements of the Water Utilities Department prior to obtaining utility service.

Approved By \_\_\_\_\_  
Director of Finance & Administration

Date: 08. Oct. 25