

# PALM BEACH COUNTY ZONING APPLICATION STAFF REPORT

### **ZONING COMMISSION, JUNE 5, 2025**

### A. Application Summary

#### I. General

Application Name: Covenant Church, DOA-2025-00310

Control Name: Palm Beach Cathedral (1974-00083)

Applicant: The Renaissance Learning Center, Inc.

Owner: Covenant Centre, Inc.

Agent: Cotleur & Hearing, Inc. - McKenna West

Project Manager: Katiana Myrthil, Site Planner I

**Title:** a Development Order Amendment **Request:** to modify a previously approved Class A Conditional Uses to delete a use (Place of Worship) and amend Conditions of Approval for a General Day Care on 4.08 acres

**Title:** a Development Order Amendment **Request:** to modify a previously approved Class A Conditional Use for a Charter School to amend the Site Plan, add square footage, and modify Conditions of Approval for a on 4.08 acres

**Application Summary:** The application is for the Learning Center site (FKA Covenant Church). The site was last approved by the Board County Commissioners (BCC) on April 28, 2016, to reconfigure the Site Plan and modify and amend a Condition of Approval (Engineering) for the Place of Worship, Daycare, and Charter School.

The request proposes a Development Order Amendment to delete the Place of Worship and associated conditions of approval. The changes also propose to increase square footage, internal to the existing structure, and reallocating the square footage formally for the Place of Worship to the Daycare and Charter School. The number of students/children will remain at 364 for the Charter School and 34 for the Day Care.

Access remains from Roan Lane.

#### II. Site Data

Acres: 4.08 acres

**Location:** West of Roan Lane, approximately 650 feet North of Northlake Boulevard

**Parcel Control:** 00-43-42-18-24-001-0000

Future Land Use: Institutional and Public Facilities (INST) and High Residential, 12 units per acre

(HR-12)

**Zoning District**: Multifamily Residential (Medium Density) District (RM)

Tier: Urban/Suburban

**Utility Service:** Seacoast Utility Authority

Overlay/Study: Revitalization, Redevelopment and Infill Overlay (RRIO)

Neighborhood Plan: N/A

CCRT Area: #7 Elmwood Estates – Roan Lane Area

Comm. District: 1, Mayor Maria G. Marino

### III. Staff Assessment & Recommendation

**ASSESSMENT:** Staff has 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-1 and C-2.

**STAFF RECOMMENDATION**: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C1 and C-2.

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

# **IV. Hearing History**

**ZONING COMMISSION:** Scheduled for June 5, 2025

BCC HEARING: Scheduled for June 18, 2025

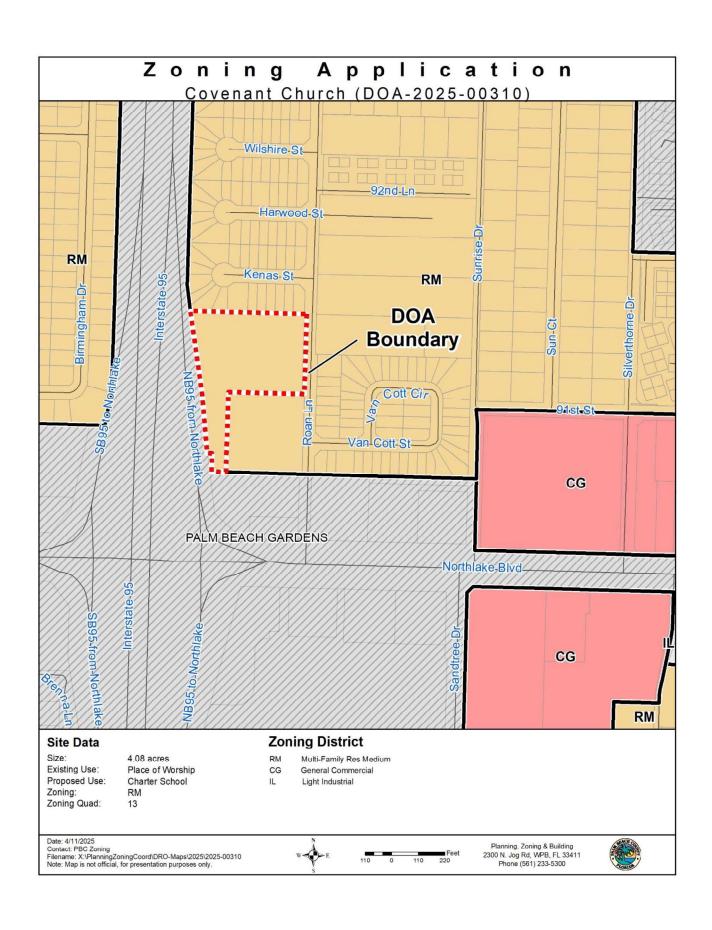
# B. Data & Analysis

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

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# **Exhibit A-2 - Zoning Map**



# **Exhibit B - Standards Analysis & Findings**

#### **FINDINGS:**

<u>Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:</u>

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.
- o Consistency with the Comprehensive Plan: The proposed amendments are consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
- o Consistency of Future Land Use designation with Zoning District (Non-Residential): Per Future Land Use Element Table 2.2-f.1, the future land use designation of INST/12 is consistent with the existing RM Zoning District.
- o *Intensity:* The request for 46,530 square feet (sq. ft.), which equates to a FAR of approximately 0.26 (46,530 / 177,545 sq. ft. or 4.08 acres = 0.26). The maximum Floor Area Ratio (FAR) of 0.45 is allowed for the subject future land use designation in the Urban Suburban Tier (177,545 sq. ft. or 4.08 acres x 0.45 maximum FAR = 79,895.25 sq. ft. maximum).
- o Special Overlay District/ Neighborhood Plan/Planning Study Area: The subject site is located within the Revitalization, Redevelopment and Infill Overlay (RRIO) and Urban Redevelopment Area (URA) study area, and within the Elmwood Estates/Roan Lane CCRT Area. The purpose of these areas is to encourage infill and redevelopment opportunities and the request for a public school is consistent with the intent of these areas.
- **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).

- Non-conformities: The proposed Development Order Amendment (DOA) is to delete a use (Place of Worship), amend Conditions of Approval relating to the Place of Worship, and modify the site plan to increase square footage regarding interior changes to Building A. These changes do not impact the non-conformities found on the site. All present non-conformities related to Property Development Regulations, Parking, Loading and Circulation, and Landscaping are vested and noted within the non-conforming chart indicated on the Preliminary Site Plan in accordance with Article 1.F, Non-conformities, and the Technical Manual.
- o *Property Development Regulations (PDR):* There are no proposes to add external square footage to any of the existing structures on the site. With the exception of Building B, all structures meet the property development regulations for the zoning district. Building B, has side setback at 14.6 feet and was determined to be a legal non-conforming structure since the 2011 Development Order.
- Use specific criteria for General Day Care and Charter School: The deletion of a use (Place of Worship) is one of the proposed requests for this application along with the amendment of prior Conditions of Approval. The deletion of the square footage for the Place of Worship will be reflected on the site plan and reallocated to the Charter School and Daycare uses. The increase includes an internal change to the existing mezzanine structure, an expansion of 6,902 sq. ft., along with the reallocation of the 6,986 sq. ft. that previously was allocated to the Place of Worship use. A new total of 45,228 sq. ft. will be for the use of the Charter School. The General Day Care and Charter School were previously approved and are to remain on the site with no increase to the number of children (34) or students (364). The proposed amendment is still in compliance with the use specific criteria for General Day Care and Charter School uses as found in the ULDC, Article 4.

- o Architectural Review: There are no new buildings being proposed with this Development Order Amendment. The approved Architectural Elevations for the Charter School Buildings C, D, and E, is a Condition of Approval in resolution R-2016-1076. This condition was completed during the DROE-2016-00662 review process. No changes are being proposed to the Architectural Elevations with this application. The development is subject to the requirements for Article 5.C, should there be any future changes to the elevations.
- *Parking:* Parking calculations for the General Day Care use is not being impacted. As Per Table 6.B.1.B, Minimum Parking and Loading requirements, a General Day Care with less than 100 licensed capacity requires one space per five persons; plus one drop-off stall per 20 persons. This equates to seven spaces along with two drop-off stalls, required for the General Day Care. The required parking spaces and an excess of one drop-off stall were provided on the Preliminary Site Plan (PSP). The increase in the square footage for the Charter School does not affect the parking because the number of students is remaining the same. As per the aforementioned table a Charter School requires one space per faculty and staff, high school one space for every ten students in 11th and 12th grade, and one visitor space for every 50 students. This equates to a total of 102 required spaces for the use of the Charter School. An excess of 12 parking spaces were provided for the Charter School on the PSP. A total of 111 spaces were required for the site and 124 spaces were demonstrated on the Preliminary Site Plan. Previous parking conditions are being carried forward.
- o Landscape/Buffering: No revisions to the approved landscape buffers are being proposed. The required Type 2 15 feet wide Incompatibility Buffer adjacent to the north residential parcels is nonconforming and demonstrated on the site at 5 feet in width. The shrubs to accompany the Type 2 Incompatibility Buffer are required to be 6 feet high, with one row of small shrubs (one per two linear feet) and one row of medium shrubs (one per four linear feet). Given on the site is one row of shrubs at four feet.

The required 40 percent façade eight foot wide minimum side Foundation Planting for Buildings A and B is demonstrated on the site with a less than 40 percent façade. All of these Non-Conformities are listed within the Non-Conformities Chart given on the Preliminary Site Plan.

Existing Landscape conditions are to be carried forward with this application. Staff has included a new condition of approval to replace the missing trees that are to be located within all parking area landscape islands, as well as added consistent conditions for both uses.

- o *Signs:* The previously approved Master Sign Plan indicates one eight-foot high Ground-Mounted sign with 60 square feet of sign face area. The Applicant is not proposing any changes to signage and thus the condition of approval is carried forward.
- **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 to remove the Place of Worship, and reallocate the existing square footage to the Charter School, along with adding square footage internal to the existing structure. These changes remain consistent with the uses and character of the land surrounding the development. To the north and east (across the 60' ROW Roan Lane) of the site is Multifamily residential. To the south is a vacant Florida Department of Transportation parcel, and to the west is the Interstate 95. The Development Order Amendment is not proposing any external changes to the site. Historically, the use has been found compatible with the character of the surrounding land and will continue to be so.

**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 modification does not create any new visual impacts on the adjacent lands. There are no new buildings or outward expansions to the current building bring proposed that could affect the parcels nearby. While the internal operations of the site are to change with the deletion of the Place of Worship, reallocation of the existing square footage and additional square footage for the Charter School, the building footprint is not being modified that could affect the surrounding uses. The elevations will remain the same as it has been since 2016. While there is an increase in square footage, there is no increase in the number of children for the Daycare or students for the school, the impacts of the school not have modifications to create any design impacts. There remains no proposed bus service for students of the school. The Charter School was approved in 2010, amended in 2015, however remains consistent in all applications that the students for the school are from Kindergarten through 8<sup>th</sup> grade.

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.

#### **ENVIROMENTAL RESOURCE MANAGEMENT**

- o *Vegetation Protection*: The subject site has been previously developed. The application request does not impact native vegetation.
- o Wellfield Protection Zone: This property is located within Wellfield Protection Zone 4.
- o 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.
- o *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 request will eliminate the Place of Worship use and the General Daycare and Charter School will remain. There are no modifications to increase or decrease square footage, other than to reallocate the square footage that was approved for the Place of Worship to the Charter School. Modifications to uses does occur as part of development patterns of an area. The change reduces the number of uses on the property and is a logical, orderly, and timely development pattern.

**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 review Staff were provided this application for review. They provided comments throughout the review of this application. The proposal is to abandon an existing approved Church on the site and repurpose the vacant space to increase the size of the existing Charter School on the site. There will be no increase in the maximum number of approved students in the School and Daycare Center, despite increase in square footage in the Charter School space. As a result, there will be no change in traffic impacts from this application.

#### LAND DEVELOPMENT:

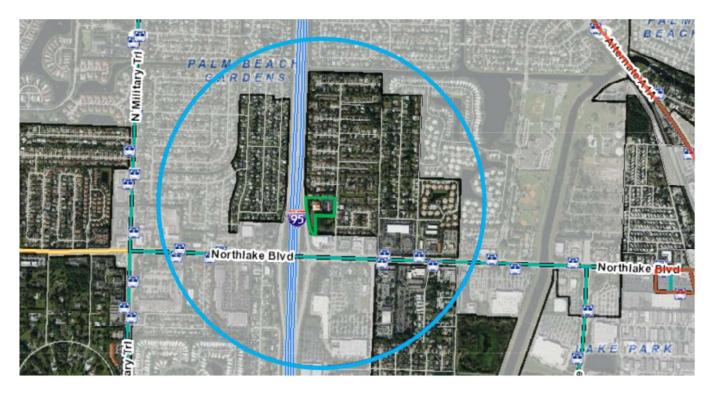
The Department of Engineering and Public Works Land Development Division review Staff were provided this application for review. They provided comments throughout the review of this application and requested modification have been incorporated by the applicant.

The proposal is to abandon an existing approved Church on the site and repurpose the vacant space to increase the size of the existing Charter School on the site. There will be no increase in the maximum number of approved students in the School and Daycare Center, despite increase in square footage in the Charter School space.

The site is located within the boundaries of the South Florida Water Management District C-17 Drainage Basin. Modifications to the drainage system will require approvals from the SWFMD and PBC Building Division. The existing underground storage system was sized to accommodate the existing building area any compensating storage and/or water quality treatment is required by the proposed modifications, exfiltration trench will be incorporated into the existing parking lot. The property associated with the application was found to comply with the regulations and code requirements of the ULDC under the authority of the Land Development Division, and will not have any additional conditions of approval. One condition is being amended to delete the reference to the place of worship.

#### **MASS TRANSIT**:

Palm Tran Review Staff were provided this application for review, and have no comments. There is one bus route within a  $\frac{1}{2}$  mile of the subject development, Route 20, which runs east west along Northlake Boulevard. There are nine stops within the  $\frac{1}{2}$  mile radii.



#### DRAINAGE DISTRICT:

Palm Beach County Engineering and South Florida Water Management District (SFWMD) are the drainage reviewers for the subject site. There are no proposed changes to the pervious/impervious areas. Land Development review Staff were provided the application for review. The Applicant's Engineer provided the following within their drainage statement (Exhibit E.5). The overall development is "located within the boundaries of the South Florida Water Management District C-17 Drainage Basin. Runoff from the existing development is collected via paved/grass swales, drainage inlets and storm sewer and is directed to an on-site underground storage system and spreader swale. Legal positive outfall is existing via overflow to the I-95 right-of-way adjacent to the parcel's west property line via the referenced spreader swale. The existing underground storage system was sized to accommodate the existing building area. Additional building area as part of this application will be limited to interior improvements (mezzanines) and additional building footprint area will be minimal. If additional compensating storage and/or water quality treatment is required by the proposed modifications, exfiltration trench will be incorporated into the existing parking lot." Any modifications to the drainage approval will require permits from PBC and SFWMD.

#### WATER AND WASTEWATER PROVIDER:

Seacoast Utility Authority is the water and wastewater provider for the subject site. Pursuant to previous resolution R-1993-0003, the development was conditioned to connect to Water and Sewer services provided by Seacoast Utility. There are no changes to the number of students or children previously approved for the Daycare and Charter School. With the increase in square footage, the Applicant will need to obtain applicable permits from Seacoast Utility Holder to ensure Concurrency previously approved is not modified.

## PALM BEACH COUNTY HEALTH DEPARTMENT:

The Florida Department of Health Review Staff were provided this application for review, and have no comments.

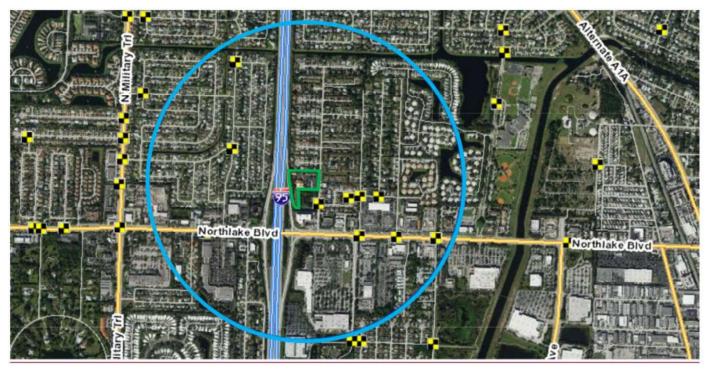
#### **FIRE PROTECTION:**

The Fire Rescue Review Staff were provided this application for review. For the Staff Analysis they provided this additional information, "PBC Fire Rescue staff will do all the plan reviews and inspections on the property. With the interlocal agreements Palm Beach Gardens Fire Rescue may respond first to a fire or medical emergency if they are the closest station but PBC Fire Rescue would still be the AHJ for fire code issues, permitting and inspections."



### **SCHOOL IMPACTS**:

The PBC School District Review Staff were provided this application for review, and have no comments. The Charter School had its Contract renewed by the School Board in August 2023 and the term of the charter runs through June 30, 2037 (Exhibit E.6). The subject site has nine school bus stops within a ½ mile of the subject property. The closest stop is to the south of the subject development along Roan Lane.



#### PARKS AND RECREATION:

The Parks and Recreation Review Staff were provided this application for review, and have no comments. This is a non-residential application, Parks and Recreation Department ULDC standards do not apply.

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 Place of Worship use has ceased operations, and the property is now solely operated by the Charter School. This change in operational control and use necessitates the abandonment of the Place of Worship and supports the reallocation of the square footage to the active educational use, which continues to serve the surrounding community".

# **Exhibit C-1 - Conditions of Approval**

#### **Development Order Amendment – General Daycare**

#### **ALL PETITIONS**

1. Previous ALL PETITIONS Condition 1 of Resolution R-2016-1076, Control No.1974-00083, which currently states:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2011-0567 (Control 1974-00083), 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.

#### Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2016-01076 (Control 1974-00083), 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 unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2016-1076, Control No.1974-00083, which currently states:

The approved Preliminary Site Plan is dated January 14, 2016. 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.

#### Is hereby amended to read:

The approved Preliminary Site Plan is dated May 11, 2016. 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)

#### **ARCHITECTURAL REVIEW**

- 1. Prior to site plan approval by the Development Review Officer (DRO), the applicant shall submit a floor plan for Building A. (DRO: ZONING Zoning) (Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2016-1076, Control No.1974-00083)
- 2. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Charter School structures, Buildings C, D, and E, shall be submitted for review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and shall be generally consistent with the Architectural Elevations dated November 23, 2015. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (ONGOING: ZONING Zoning) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2016-1076, Control No.1974-00083)
- 3. The Applicant shall obtain the applicable building permits for the modifications proposed to increase square footage to Building A. (BLDGPMT/ONGOING: ZONING Zoning)

#### **ENGINEERING**

- 1. Prior to April 1, 1993 or prior to the issuance of the first Building Permit whichever shall first occur, the Property Owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for Roan Lane, thirty (30) feet from centerline free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners" where appropriate at intersections as determined by the County Engineer. (BLDGPMT/DATE: MONITORING Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 1 of Resolution R-2016-1076, Control No.1974-00083)
- 2. Prior to September 28, 2011 or operation of the charter school, whichever shall occur first, the Property Owner shall construct a 5 foot concrete sidewalk along the west side of Roan Lane from the church's north property line to Northlake Boulevard. 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. Prior to construction, the Property Owner shall obtain a permit from the Land Development Division. (DATE/ONGOING: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2016-1076, Control No.1974-00083)

- 3. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPMT/CO: MONITORING Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2016-1076, Control No.1974-00083)
- 4. Prior to final site plan approval by the DRO, the Property Owner shall abandon and, if necessary, relocate the existing right of way on the southern portion of the site. (DRO: ENGINEERING Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2016-1076, Control No.1974-00083)
- 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) [Note: COMPLETED]
- b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMT: MONITORING Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2016-1076, Control No.1974-00083)
- 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, 2020. 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) (Previous ENGINEERING Condition 6 of Resolution R-2016-1076, Control No.1974-00083)
- 7. If warranted by future conditions as determined by the County Engineer, the Property Owner shall construct a south approach left turn lane on Roan Lane at the project entrance within one year of receipt of notice that the turn lane is warranted. Any and all costs associated with this 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. (ONGOING: ENGINEERING Engineering) (Previous ENGINEERING Condition 7 of Resolution R-2016-1076, Control No.1974-00083)
- 8. Previous ENGINEERING Condition 8 of Resolution R-2016-1076, Control No.1974-00083, which currently states:

Prior to any increase in the number of children in the daycare above 34, or the number of students at the charter school above 364, or the number of seats in the church above 441, the Property Owner shall reconstruct the two driveway entrances on Roan Lane to meet current Palm Beach County standards for return radii and throat distance requirements. Any and all costs associated with this 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.

#### Is hereby amended to read:

Prior to any increase in the number of children in the daycare above 34, or the number of students at the charter school above 364, the Property Owner shall re-construct the two driveway entrances on Roan Lane to meet current Palm Beach County standards for return radii and throat distance requirements. Any and all costs associated with this 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. (ONGOING: ENGINEERING - Engineering)

#### **LANDSCAPE - GENERAL**

1. All canopy trees required to be planted on site by this approval shall meet the minimum height of fourteen (14) feet. (BLDPMT/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

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- 2. Landscaping and buffering along the north, south and east property lines adjacent to residentially zoned properties only shall include a minimum five (5) foot wide landscape buffer strip, or the minimum code requirement in the affected areas, whichever is more restrictive, and shall consist of the following:
- a) One (1) native canopy tree planted every twenty (20) feet on center;
- b) One (1) native palm tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm trees may supersede the requirement for a native canopy tree in that location; and,
- c) Twenty-four (24) 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. (BLDGPMT/ONGOING: ZONING Zoning) (Previous LANDSCAPE PERIMETER Condition 2 of Resolution R-2016-1076, Control No.1974-00083)

#### **LANDSCAPE - INTERIOR**

3. Prior to the issuance of a CO, or January 1, 2026, which ever occurs first, the Applicant shall obtain approval and complete the installation of missing trees within all parking area landscape islands. (DATE/CO:ZONING – Zoning)

#### **LANDSCAPE - PERIMETER**

4. Prior to Final Site Plan Approval the proposed ten (10) foot Utility Easement (UE) shall be located outside of the landscape buffer unless the buffer is a minimum fifteen (15) feet in width with a maximum of five (5) foot overlap consistent with Unified Land Development Code (ULDC) requirements or the Property Owner may pursue a Variance. (DRO/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - PERIMETER Condition 3 of Resolution R-2016-1076, Control No.1974-00083)

#### **LIGHTING**

- 1. All outdoor lighting fixtures shall not exceed fifteen (15) feet in height measured from finished grade. (BLDGPMT/ONGOING: BUILDING DIVISION Zoning) (Previous LIGHTING Condition 1 of Resolution R-2016-1076, Control No.1974-00083)
- 2. All outdoor lighting shall be extinguished no later than 11:00 p.m. Security lighting only is excluded from this requirement. (ONGOING: CODE ENF Zoning) (Previous LIGHTING Condition 2 of Resolution R-2016-1076, Control No.1974-00083)

#### SIGNS

- 1. Signs fronting on Roan Lane shall be limited as follows:
- a. Maximum sign height, measured from crown of road eight (8) feet;
- b. Maximum sign face area per side 60 square feet;
- c. Maximum number of signs one (1). (BLDGPMT/ONGOING: BUILDING DIVISION Zoning) (Previous SIGNS Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

### SITE DESIGN-PARKING AREA

1. Prior to Final Site Plan Approval the parking area shall be reconfigured consistent of the Site Plan dated July 13, 2011, or reconfigured consistent with Unified Land Development Code (ULDC) requirements, or the Property Owner may pursue a Variance. (DRO: ZONING - Building Division) [Note: COMPLETED] (Previous SITE DESIGN Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

#### SITE DESIGN

2. Prior to Final Site Plan approval by the Development Review Officer (DRO), the square footages for Buildings C, D and E may be modified to relocate approximately 200 square feet from Building C, to Buildings D and E. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 2 of Resolution R-2016-1076, Control No.1974-00083)

#### **USE LIMITATIONS-ALL USES**

1. No outdoor loudspeaker system audible off site shall be permitted. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

#### **USE LIMITATIONS-PLACE OF WORSHIP**

2. Previous USE LIMITATIONS Condition 2 of Resolution R-2016-1076, Control No.1974-00083, which currently states:

The Place of Worship shall be limited to a maximum of 441 seats. The number of seats may be increased up to 546 subject to the approval of a Type II Variance or a Shared Parking Agreement. (ONGOING: CODE ENF - Zoning)

**Is hereby deleted.** [REASON: No longer applicable, the use is deleted.]

#### **USE LIMITATIONS-GENERAL DAYCARE**

3. The Day Care Center shall be limited to a maximum of thirty-four (34) children. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-2016-1076, Control No.1974-00083)

#### **UTILITIES-IRRIGATION QUALITY WATER**

1. 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. (ONGOING: SEACOAST UTILITIES - Seacoast Utilities) (Previous UTILITIES Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

#### **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: ZONING - Zoning)

#### **DISCLOSURE**

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

# **Exhibit C-2 Conditions of Approval**

#### **Development Order Amendment – Charter School**

1. Previous ALL PETITIONS Condition 1 of Resolution R-2016-1076, Control No.1974-00083, which currently states:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2011-0568 (Control 1974-00083), 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.

#### Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2016-01076 (Control 1974-00083), 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, unless expressly modified. (ONGOING: ZONING - Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2016-1076, Control No.1974-00083, which currently states:

The approved Preliminary Site Plan and Regulating Plan are dated January 14, 2016. 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.

#### Is hereby amended to read:

The approved Preliminary Site Plan and Regulating Plan are dated May 11, 2016. 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)

#### **ARCHITECTURAL REVIEW**

- 1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Charter School structures, Buildings C, D, and E, shall be submitted for review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and shall be generally consistent with the Architectural Elevations dated November 23, 2015. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2016-1076, Control No.1974-00083)
- 2. Prior to site plan approval by the Development Review Officer (DRO), the Applicant shall submit a floor plan for Building A. (DRO: ZONING Zoning)
- 3. The Applicant shall obtain the applicable building permits for the modifications proposed to increase square footage to Building A. (BLDGPMT/ONGOING: ZONING Zoning)

#### **LANDSCAPE - GENERAL**

1. All canopy trees required to be planted on site by this approval shall meet the minimum height of fourteen (14) feet. (ONGOING: ZONING - Zoning)

# LANDSCAPE - INTERIOR- LANDSCAPING ALONG NORTH, SOUTH AND EAST PROPERTY LINES (ABUTTING RESIDENTIAL ZONING)

- 2. Landscaping and buffering along the north, south and east property lines adjacent to residentially zoned properties only shall include a minimum five (5) foot wide landscape buffer strip, or the minimum code requirement in the affected areas, whichever is more restrictive, and shall consist of the following:
- a) One (1) native canopy tree planted every twenty (20) feet on center;
- b) One (1) native palm tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm trees may supersede the requirement for a native canopy tree in that location; and,

c) Twenty-four (24) 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. (BLDGPMT/ONGOING: ZONING - Zoning)

#### **LANDSCAPE - INTERIOR**

3. Prior to the issuance of a CO, or January 1, 2026, which ever occurs first, the Applicant shall obtain approval and complete the installation of missing trees within all parking area landscape islands. (DATE/CO: ZONING – Zoning

#### **LANDSCAPE - PERIMETER**

4. Prior to Final Site Plan Approval the proposed ten (10) foot Utility Easement (UE) shall be located outside of the landscape buffer unless the buffer is a minimum fifteen (15) feet in width with a maximum of five (5) foot overlap consistent with Unified Land Development Code (ULDC) requirements, or the Property Owner may pursue a Variance. (ONGOING: ZONING - Zoning) (Previous LANDSCAPE - PERIMETER Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

#### SITE DESIGN-PARKING AREA

1. Prior to Final Site Plan Approval the parking area shall be reconfigured consistent of the Site Plan dated July 13, 2011, or reconfigured consistent with Unified Land Development Code (ULDC) requirements, or the Property Owner may pursue a Variance. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

#### SITE DESIGN-BUILDINGS C, D, AND E

2. Prior to Final Site Plan approval by the Development Review Officer (DRO), the square footages for Buildings C, D and E may be modified to relocate approximately 200 square feet from Building C, to Buildings D and E. (DRO: ZONING – Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

#### **USE LIMITATIONS-CHARTER SCHOOL**

- 1. The Charter School shall be limited to a maximum of 364 students. (ONGOING: CODE ENF Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2016-1076, Control No.1974-00083)
- 2. No outdoor loudspeaker system audible off site shall be permitted. (ONGOING: CODE ENF Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-2016-1076, Control No.1974-00083)

#### **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
SE-1974- 00083	Title: Special Exception Request: to allow a Church and attendant Sunday school facilities and accessory buildings	R-1974- 00536	Approved With Conditions	06/27/1974
SE-1974- 00083	Title: Special Exception  Request: to expand and amend the site plan for a  Church and accessory structures previously approved under zoning petition 74-83	R-1984- 01838	Approved With Conditions	07/30/1984
DOA-1974- 00083	Title: Development Order Amendment Request: to amend the site plan for a Place of Worship and accessory uses, including a Day Care center (165 children maximum)	R-1993- 00003	Complete	01/04/1993
ZV/DOA- 2007-00845	<b>Title:</b> a Type II Zoning Variance <b>Request:</b> to allow less than the required 30% pervious area	ZR-2008- 00013	Denied	03/06/2008
DOA/CA- 2010-02216	Title: a Development Order Amendment Request: to reconfigure the site plan; to reduce square footage and number of children for the General Day Care; and reduce the number of seats for the Place of Worship	R-2011- 00567	Adopted With Conditions	04/28/2011
	Title: a Class A Conditional Use Request: to allow a Charter School	R-2011- 00568	Adopted With Conditions	04/28/2011
DOA-2015- 00752	<b>Title:</b> a Development Order Amendment <b>Request:</b> to reconfigure the Site Plan, add square footage, and amend a Condition of Approval (Engineering).	R-2016- 00543	Adopted With Conditions	04/28/2016
	<b>Title:</b> a Development Order Amendment <b>Request:</b> to reconfigure the Site Plan, add square footage, and amend a Condition of Approval (Engineering).	R-2016- 00550	Adopted With Conditions	04/28/2016
CRB-2016- 01270	<b>Title:</b> a Corrective Resolution <b>Request:</b> to repeal Resolutions R-2016-543 and R-2016-550 and adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, add square footage, and amend a Condition of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.	R-2016- 01076	Adopted	08/25/2016

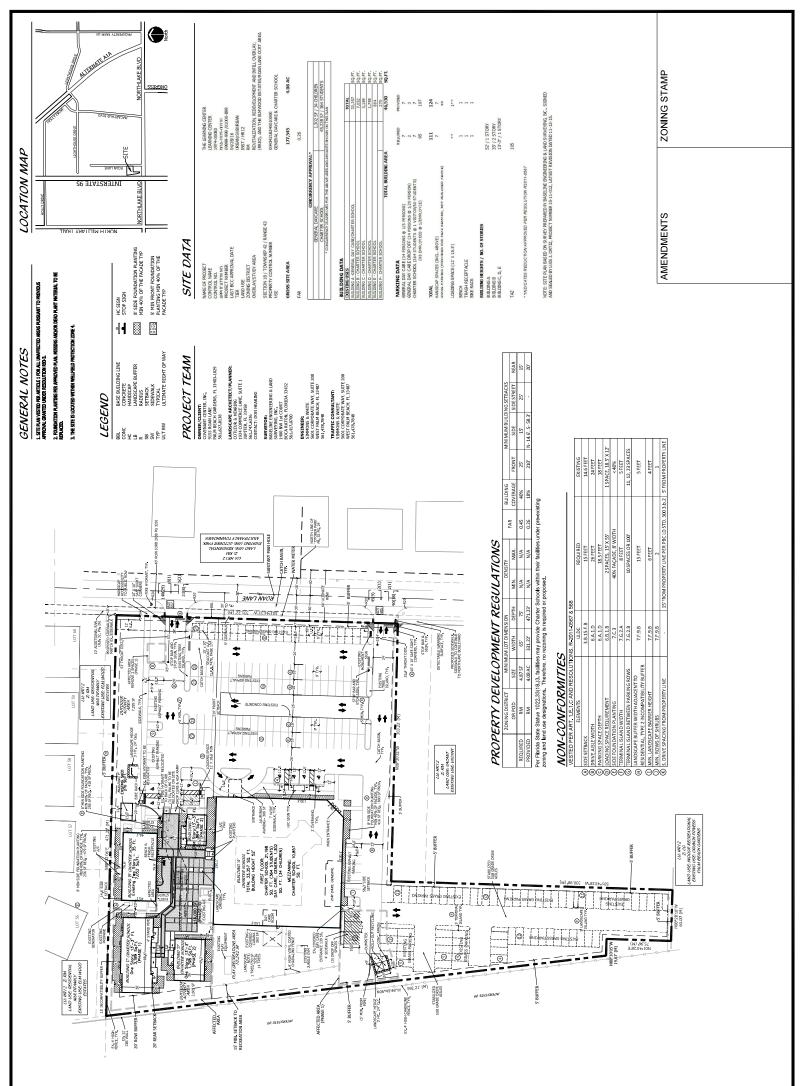
# Exhibit E-1 - Preliminary Site Plan



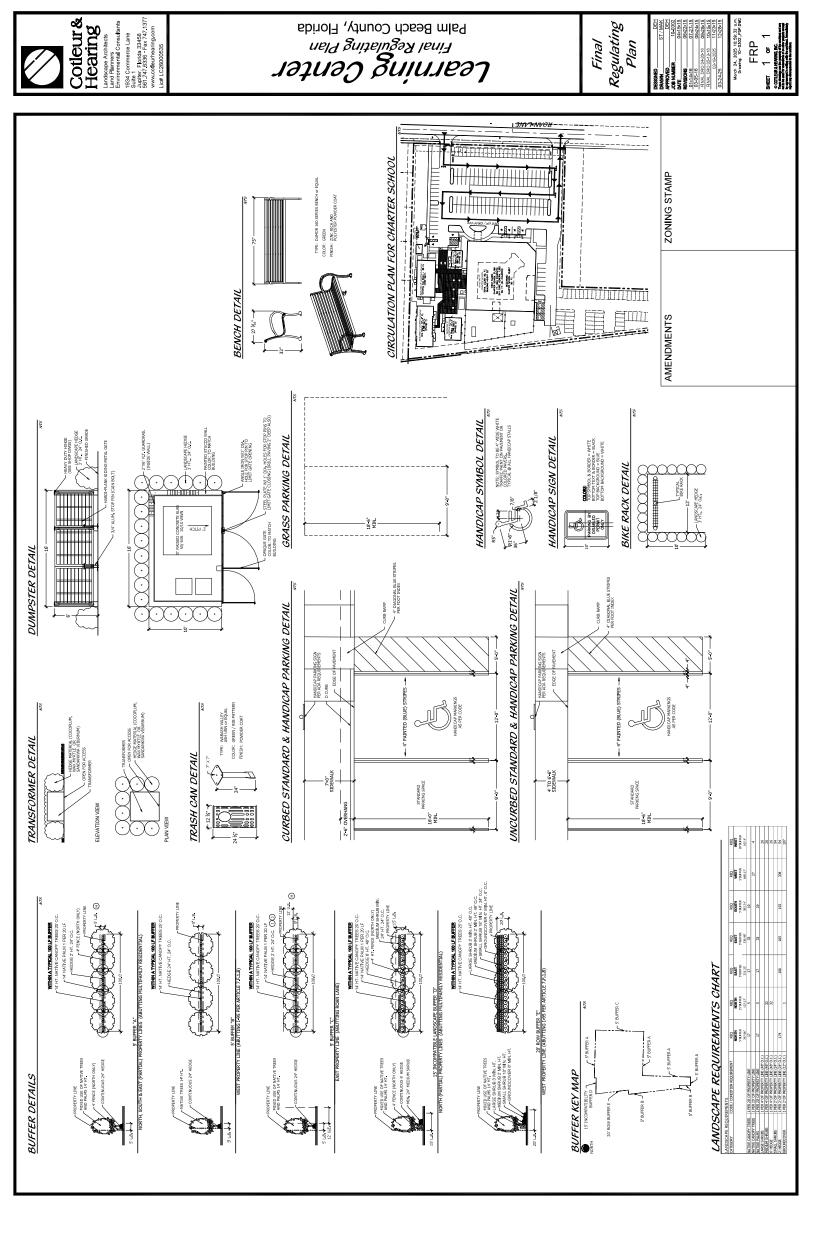
# Palm Beach County, Florida reig site Center



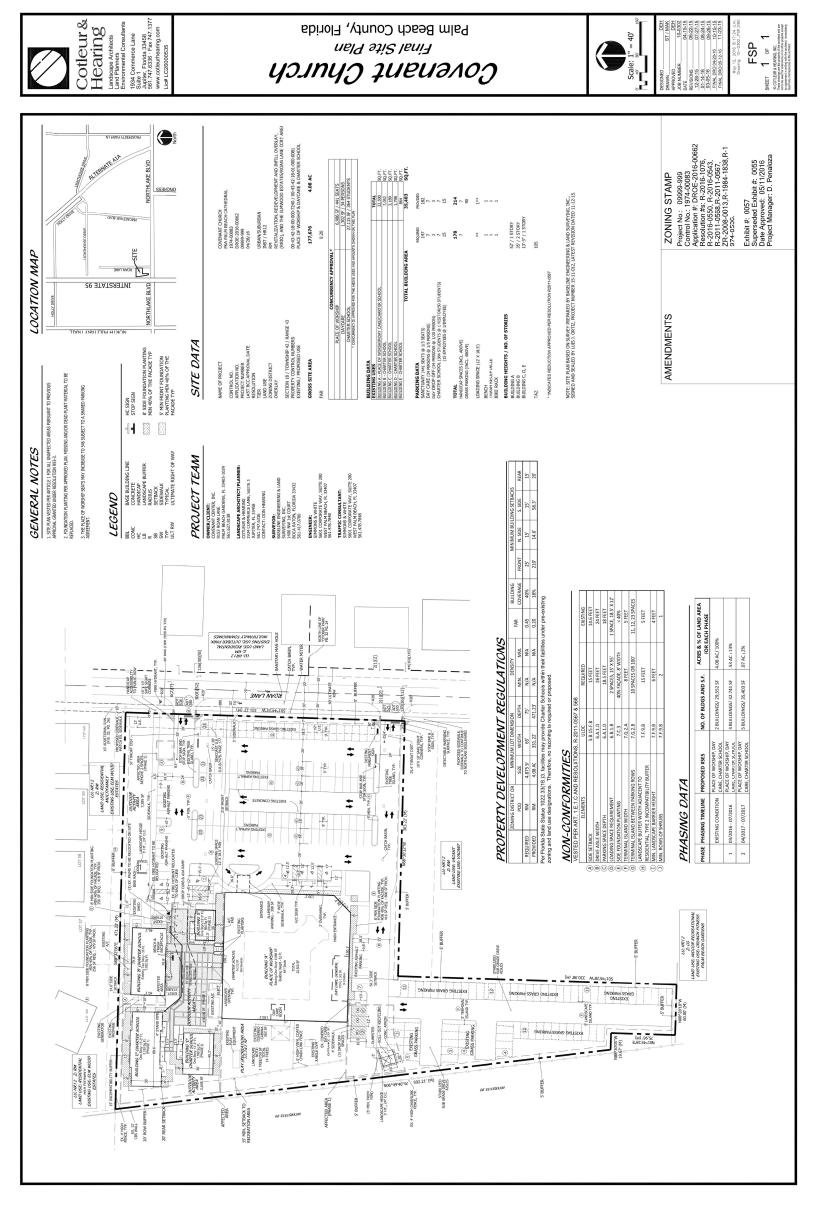




# Exhibit E-2 - Preliminary Regulating Plan



# **Exhibit E-3 - Previously Approved Site Plan**



# **Exhibit E-4 - Disclosure**

STATE OF FLORIDA

### **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

O O					
COUNTY OF PALM BEA	СН				
BEFORE ME, the	1 Benz	, here	inafter referr	ed to as "A	
			ibit "A" (the		
2. Affiant's address is:	9153 ROAN LAN	E			
	PALM BEACH G	ARDENS, FL 334	403		
					PANDARI MARINA

- 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.

Novana Benz Affiant (Print Affiant Name)

**NOTARY PUBLIC INFORMATION:** 

STATE OF FLORIDA COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this	
to me or has produced (type of identification) as	
identification and did/did not take an oath (circle correct response).	
Merna Bawel (Name - type, stamp or print clearly)  (Signature)	1
My Commission Expires on:  March 3, 2027  MERNA BAWEL  Notary Public - State of Florida  Commission # HH 356412  My Comm. Expires Mar 3, 2027  Bonded through National Notary Assn.	

#### **EXHIBIT "A"**

#### **PROPERTY**

ALL OF PLAT "Covenant Centre", ACCORDING TO THE PLAT THEROF, AS RECORDED IN PLAT BOOK 124, PAGES 23 AND 24, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Name

#### **EXHIBIT "B"**

#### **DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

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

**Address** 

N/A- Applicant is a nonprofit corporation, exempt from the taxation
pursuant to section 501(c)(3) of the internal revenue code.

### DISCLOSURE OF OWNERSHIP INTERESTS - APPLICANT

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

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

STATE OF FLORIDA COUNTY OF PALM BEACH

BEFORE ME, the unKathleen Letourneau		personally appeared erred to as "Affiant," who
being by me first duly swo	orn, under oath, deposes and states as	follows:
e.g., ABC Corporate Applicant seeks Comp for real property legally	ridual or [x] Vice President  stee] of The Renaissance Learning Center, Inc. [ne ion, XYZ Limited Partnership], (he prehensive Plan amendment or Development on the attached Exhibit "A"	ereinafter, "Applicant").
2. Affiant's address is:	400 Royal Palm Beach Blvd.	
	Royal Palm Beach, Florida 33411	

- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- 4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
- 5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- 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.
- 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.

Latellet Schowencay				
Kathleen Letourneau	, Affiant			
(Print Affiant Name)				

# NOTARY PUBLIC INFORMATION:

## STATE OF FLORIDA COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before  [ ] online notarization, this	e me by means of [[x]] physical presence of
Kathleen Letourneau, Vice President of The Renaissance Learning Center, Inc. (name of pe	erson acknowledging). He/she is personally (type of identification) as
Korry Usthrook	rect response).
(Name - type, stamp or print clearly)	(Signature)
My Commission Expires on: 07/31/20 47	Notary Public - State of Florida Commission # HH 427878 My Comm. Expires Jul 31, 2027

### **EXHIBIT "A"**

## **PROPERTY**

ALL OF PLAT "Covenant Centre", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124, PAGES 23 AND 24, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Name

#### **EXHIBIT "B"**

# DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

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

Address

N/A - Applicant is a nonprofit corporation, exem	pt from
taxation pursuant to Section 501(c)(3) of the International	ernal
Revenue Code.	

# **Exhibit E-5 - Drainage Statement**



February 18, 2025 Job No. 25-030 Revised 03/14/2025 Revised 03/19/2025 Revised 04/09/2025

#### **DRAINAGE STATEMENT**

The Learning Center Palm Beach County, Florida

#### SITE DATA

The subject parcel is located on the west side of Roan Lane, approximately 600 feet north of Northlake Boulevard in Palm Beach County, Florida and contains approximately 4.08 acres. The site is currently developed with a place of worship, a daycare, and a private school. The Property Control Number for the subject parcel is 00–43–42–18–24–001–0000. The purpose of this petition is to address the removal of the place of worship use and to reclassify the charter school designation from K–8 to K–12. The building area previously utilized by the place of worship will be reallocated to the K–12 charter school. With the modification, the proposed development will consist of a 1,302 SF daycare facility (34 student), and a 45,228 SF K–12 charter school (364 student). For additional information regarding site location and layout, please refer to the site plan prepared by Cotleur & Hearing.

#### **PROPOSED DRAINAGE**

The site is located within the boundaries of the South Florida Water Management District C-17 Drainage Basin. Runoff from the existing development is collected via paved/grass swales, drainage inlets and storm sewer and is directed to an on-site underground storage system and spreader swale. Legal positive outfall is existing via overflow to the I-95 right-of-way adjacent to the parcel's west property line via the referenced spreader swale. The existing underground storage system was sized to accommodate the existing building area. Additional building area as part of this application will be limited to interior improvements (mezzanines) and additional building footprint area will be minimal. If additional compensating storage and/or water quality treatment is required by the proposed modifications, exfiltration trench will be incorporated into the existing parking lot.

2581 Metrocentre Blvd. West, Ste 3 | West Palm Beach, FL 33407 561.478.7848 | simmonsandwhite.com | Certificate of Authorization Number 3452 Drainage Statement February 18, 2025 – Page 2 Revised 03/14/2025 Revised 03/19/2025 Revised 04/09/2025

Required permits/approvals shall include the following:

- 1. Palm Beach County Building Department On-Site Drainage Approval
- 2. Florida Department of Transportation Drainage Connection Permit
- 3. South Florida Water Management District Environmental Resource Permit Modification

Phillip W. Rowe, Jr., Professional Engineer, State of Florida, License No. 54581

This item has been digitally signed and sealed by Phillip W. Rowe, Jr., P.E., on 04/10/25.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.





# Exhibit E-6 – School Board Approval Letter



PBSD Contract Form: Yes No

# THE SCHOOL DISTRICT OF PALM BEACH COUNTY OFFICE OF GENERAL COUNSEL TO THE SCHOOL BOARD

Board Item

# Contract Review as to Form and Legal Sufficiency Checklist

Name of contract:  $\underline{2nd}$  Amend. to  $\underline{2nd}$  Renewal Charter Contract Renaissance Learning Center

Board Mtg. Date 08/02/2023

Contract Action: New C	Renewal • Amendment/Modification/Change Order				
School/Department Request	ing Review as to Form and Legal Sufficiency: Department of Charter Schools				
Does the Request for Legal Review indicate that the Chief, Assistant Superintendent, Director or Principal reviewed and approved the content of the Contract?					
Contract Terms	Contract Terms Comments/Specific Provisions in Contract				
Term (Length of Contract)	15 years ending on June 30, 2037. (See Section 1.B.1. of Second Renewal Contract).				
Automatic Renewal Provision	? Yes No If yes, is business case justification included with backup?	CYes	C No		
Termination	(See Section 1.D of Second Renewal Contract).				
Insurance	(See Section 8 of Second Renewal Contract).				
Liability	(See Section 8 of Second Renewal Contract).				
Confidentiality	N/A				
Warranties	N/A				
Labor Issues	N/A				
Disclaimers	N/A				
Background Screening	(See Section 10.I. of Second Renewal Contract).				
Inspector General	(See Section 9.D. of Second Renewal Contract).				
E Verify Provision	(See Section 10 of Second Renewal Contract).				
Non-Discrimination Policy 6.144 Other (See Section 1.F. of Second Renewal Contract).					
Public Records  S119.0701,FS Other	(San Santian O.F. af Santian I.G. (1)				
Governing Law Florida Other	(See Section 12.J. of Second Renewal Contract).				
/enue  ☑ Palm Beach ☐ Other (See Section 12.J. of Second Renewal Contract).					
Business Principles	Comments				
Fees: Total Value	Fees: Total Value N/A				
Fees: Per Fiscal Year	N/A				
Payment Terms	N/A				
Other Issues	Comments				
Beneficial Interest Affidavit	N/A				
Non-Negotiable, Misc. N/A					
Notes/Special Considerations					
Reviewed and approved as to form and legal sufficiency, only: • Yes • No					
Consistent with applicable policies including, but not limited to, Procurement policies:   Yes  No					
Consistent with applicable laws:   Yes  No					
Kristin A. Vara	_ qualify vara	07/25/20	23		
Print Attorney Name Rev. 02/12/2021 R	Signature of Reviewing Attorney ECORD COPY - Office of General Counsel to the School Board	Date			

#### SECOND AMENDMENT TO SECOND RENEWAL CHARTER SCHOOL CONTRACT

THIS SECOND AMENDMENT TO SECOND RENEWAL CHARTER SCHOOL CONTRACT (the "Amendment"), effective as of this 2 day of August 2023 (the "Effective Date"), is made by and between THE SCHOOL BOARD OF PALM BEACH COUNTY (the "District" or "School District"), and THE RENAISSANCE LEARNING CENTER, INC. (the "Charter School"). District and Charter School may collectively be referred herein as the "Parties."

WHEREAS, Charter School currently operates a public charter school in Palm Beach County, Florida pursuant to that certain Second Renewal Charter School Contract the Charter School entered into with Sponsor dated August 4, 2022 (the "Charter");

WHEREAS, the Parties desire to amend the Charter to allow for a later opening date for the 2023-24 school year only.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to the following terms:

- 1. Recitals. The recitals set forth above are true and correct and they are incorporated herein by reference.
  - 2. Section 11.C.16 shall be amended to read as follows:

School Calendar [for subsequent school year] if different than the District.

- a. For the 2023-24 school year, the School shall open the earlier of the next school day after it receives all approvals necessary from state or local authorities, or on September 5, 2023.
- 3. Execution and Counterparts. This Amendment may be executed in any number of counterparts, each of which shall together constitute one and the same instrument.
- 4. Conflict. Except as expressly modified herein, the Charter shall remain in full force and effect. In the event of a conflict between the terms and provisions of this Amendment and the Charter, the terms and provisions of this Amendment shall control.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have executed this Amendment effective as of the date first set forth above.

THE RENAISSANCE LEARNING CENTER, INC., a Florida not for profit

ATTEST	corporation
D-ta out Routh Name: Stacke Routh Its: Executive Director Date: 7.24,23	Dr. Jack Scott, President Date: 7/24/2023
	SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA
	Frank A. Barbieri, Board Chair Date: 7 2 3
	Superintendent Michael J. Burke Date: (1/2)
	Reviewed and Approved as to Form & Legal Sufficiency:
	By: Krattif Wara School Board Attorney

#### FIRST AMENDMENT TO CHARTER SCHOOL CONTRACT

THIS FIRST AMENDMENT TO CHARTER SCHOOL CONTRACT (the "Amendment"), effective as of this \_\_\_ day of \_\_\_ 2025 (the "Effective Date"), is made by and between THE SCHOOL BOARD OF PALM BEACH COUNTY (the "District" or "School District"), and THE RENAISSANCE LEARNING CENTER, INC., on behalf of The Learning Center High School (the "Charter School"). District and Charter School may collectively be referred herein as the "Parties."

WHEREAS, Charter School currently operates a public charter school in Palm Beach County, Florida pursuant to that certain Charter School Contract the Charter School entered into with Sponsor dated August 9, 2024 (the "Charter");

WHEREAS, the Parties desire to amend the Charter to allow the location of the Charter School to be changed;

**NOW, THEREFORE,** in consideration of the mutual covenants and promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to the following terms:

- 1. **Recitals.** The recitals set forth above are true and correct and they are incorporated herein by reference.
  - 2. The first paragraph of Section 5.A shall be amended to read as follows:

The School shall be located at 650 Royal Palm Beach Boulevard, Royal Palm Beach, Florida 33411 through the 2025-2026 School Year. Beginning in the 2026-2027 School Year, the School shall be located at 9153 Roan Lane, Palm Beach Gardens, FL 33403, subject to (1) closing on purchase of the facility at 9153 Roan Lane, (2) issuance of a TCO for renovation of the property, and (3) facility review by the Sponsor as required by law. The location shall not be within a mutually agreed distance and vicinity of an existing District traditional school serving the same grade levels and providing the same programs. The School must provide a copy of the lease agreement, use agreement, or ownership documents no later than the dates set forth in the Opening School/Annual Checklist and certificate of occupancy or temporary certificate of occupancy documenting compliance with all applicable governmental codes approvals and inspection reports, no later than fifteen (15) days prior to the School's opening. The School shall make facilities accessible to Sponsor for safety inspection purposes. A facility for students to utilize during the class day is a material requirement of this Contract. If the facility is sub-leased, the School shall provide, upon request, documentation verifying the owner of the facility has approved the School's use of the facility.

3. Section 12.K.1. shall be amended to read as follows:

Notice to the School:

The Renaissance Learning Center, Inc. Attn: Board President 9153 Roan Lane Palm Beach Gardens, FL 33403

With a copy to:

The Arnold Law Firm 3840 Crown Point Road, Suite B Jacksonville, FL 32257 Attn: Shawn A. Arnold, Esq., B.C.S.

- 4. Execution and Counterparts. This Amendment may be executed in any number of counterparts, each of which shall together constitute one and the same instrument.
- 5. Conflict. Except as expressly modified herein, the Charter shall remain in full force and effect. In the event of a conflict between the terms and provisions of this Amendment and the Charter, the terms and provisions of this Amendment shall control.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties have executed this Amendment effective as of the date first set forth above.

Name: Sterrive Director Date: 3.19.25	THE RENAISSANCE LEARNING CENTER, INC., a Florida not for profit corporation  Dr. Jack Scott, President Date: 03/19/2025
ATTEST	SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA
Superintendent Michael J. Burke Date:	Karen M. Brill, Board Chair Date:
Reviewed & Approved for Legal Sufficiency  School Board Attorney	

